



THE PERMANENT REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS
IN GENEVA

June 23, 2004

Dear Ambassador Louis,

I am writing in regard to the incident of April 15th, 2004 at the Palais des Nations wherein a Cuban delegate, identified by the United Nations as a Mr. Michel Rodriguez, struck a representative of a U.S.-registered non-governmental organization.

It is our understanding that a criminal complaint has been lodged by the victim and that this incident is now the subject of an investigation by competent Swiss authorities. This is a welcome development and we trust the investigation will be thorough and, if necessary, proceed to prosecution of the assailant.

Having witnessed firsthand the assault, as well as the assailant's attempt to flee, his seizure by UN security guards, and the Cuban Ambassador identifying the assailant as a member of his official delegation, I am prepared to provide information, on a voluntary basis and in a manner respectful of the office I hold, to the competent Swiss authorities on the understanding that doing so will not constitute a waiver of diplomatic immunities and will not constitute submission to jurisdiction.

In particular, I am prepared to provide, on this basis, a written statement describing what I witnessed upon your confirmation of the acceptability of these terms. If, upon consideration of such a statement, it appears to the Swiss authorities involved that further information would be useful, we are prepared to consider such requests.

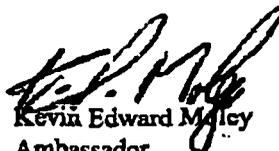
cc: The Honorable Sergei Ordzhonikidze,
Director-General, United Nations Office in Geneva

His Excellency
Bertrand Louis,
Permanent Representative of Switzerland,
Geneva.

Furthermore, another member of my delegation, a Mr. Christopher Sibilla, also witnessed the assault by the Cuban delegate. Although Mr. Sibilla, a State Department employee, is based in Washington, he may be available to provide, if necessary and as appropriate, further information to investigators. If information from Mr. Sibilla would be useful, please let us know.

The Cuban delegate's act of punching a NGO representative in the very halls of the United Nations was appalling, disgraceful and, by all appearances, criminal. It is very important that justice is properly served and I look forward to cooperating, to the maximum extent possible, consistent with the considerations I described, with the investigation that is underway.

Regards,


Kevin Edward Malley
Ambassador