



# INTERNATIONAL COURT OF JUSTICE RESEARCH REPORT II

## **Mexico v. Ecuador - Diplomatic asylum & violation of diplomatic premises (2024 Quito embassy raid)**

### ***Introduction to the Topic:***

On the 5th of April 2024, Ecuadorian forces conducted the arrest of the former Vice President, Jorge David Glas, using military and police forces to raid the Mexican embassy in Quito, Ecuador, where Glas was granted political asylum just hours beforehand. Glas was scheduled to travel to Mexico after being granted asylum, yet the Ecuadorian government strongly objected as Glas was facing multiple corruption related convictions. At roughly 10 p.m., the police used equipment to forcefully enter the embassy and proceeded to the residential area where Glas was located, injuring multiple staff and the head of the embassy's Foreign and Political Affairs Department, Roberto Canseco, in the process. After the arrest, the Presidency of Ecuador released an official statement supporting the decision, stating that "Ecuador is a sovereign nation and we are not going to allow any criminal to stay free."

In response to the raid, the Mexican Presidency announced that it was cutting all diplomatic ties with Ecuador, characterizing the arrest as a violation of the Vienna Convention on Diplomatic Relations. Mexico also filed proceedings against Ecuador before the International Court of Justice (ICJ) on the 11th of April and requested provisional measures. In response, Ecuador also filed a case in the ICJ against Mexico for illegally granting political asylum. In May, the ICJ rejected Mexico's request for provisional measures, nevertheless both proceedings continued before the Court

### ***Background information***

The dispute between the two countries started on the 17th of December 2023, when the former Vice-President of Ecuador, Jorge David Glas, entered the Mexican embassy in Quito seeking diplomatic protection, on the grounds of "fear regarding his personal integrity". In the subsequent days, the official request for political asylum was filed. During this time, Glas was convicted of illicit association and bribery, and was facing charges of suspected embezzlement of public funds.

In January 2024, the Foreign Ministries of both countries exchanged diplomatic notes, Mexico informing Ecuador that Glas still remained in the embassy, and his request for asylum was still being evaluated. Ecuador responded by reiterating that Glas was prosecuted and convicted of numerous corruption charges and the grant of asylum would be a violation of international law. Later in February, Ecuador requested the embassy's consent for the Ecuadorian forces to take custody of Glas, in accordance with his arrest warrant.



However, Mexico's Foreign Ministry denied consent and informed Ecuador that the application for political asylum remained under review. Following the communication between the two nations, a meeting was held between the representatives of both countries in Quito on the 21st of March 2024, nonetheless it failed to produce a formal resolution to the ongoing issue, although it was agreed that Ecuador would provide all necessary legal information about Glas to Mexico.

The day of the raid, before Ecuador was able to provide the legal information as agreed upon in the meeting between the representatives, the Ministry of Foreign Affairs of Mexico stated in a press release that it was granting Glas political asylum and would be filing a request to Ecuador for a safe exit from the country. This was done without any prior notification to Ecuador. On the same day, Ecuador condemned Mexico's decision, and sought the surrender of Glas, or permission for Ecuadorian forces to enter the embassy and conduct the arrest.

## ***Past UN Actions***

**Statements by the United Nations Secretary-General (April 2024):** General António Guterres publicly stated and expressed concern over the forced entry on the embassy and said that the inviolability of diplomatic missions is a fundamental principle under international law. He urged that both parties de-escalate tensions and work out the issue in a peaceful way.

**Vienna Convention on Diplomatic Relations (1961):** The case is based on international diplomatic law, and the VCDR addresses the legal protection of embassies, specifically in Article 22

## ***Focus of the Debate***

The issue in this dispute is whether Ecuador's forced entry into the Mexican Embassy is a violation of international diplomatic law and if Mexico misused its asylum privileges to undermine the judicial system of Ecuador.

The main points of contention include:

### Violation of the Vienna Convention on Diplomatic Relations (1961)

Mexico argues Ecuador violated Article 22 which guarantees the absolute inviolability of diplomatic premises. Under this, host-state authorities may never enter an embassy without permission.

### Legitimacy of Diplomatic Asylum

Mexico granted political asylum to former Ecuadorian Vice-President Jorge Glas, claiming he faced political persecution. Ecuador countered that Glas was convicted for ordinary criminal offenses and that he did not qualify for diplomatic asylum, accusing Mexico of abusing their privilege.

## ***Groups:***

***Group A*** - Mexico

***Group B*** - Ecuador



## ***Significant Parties***

**Mexico:** Granted asylum to Jorge Glas. Accuses Ecuador of violating the Vienna Convention by forcibly entering the embassy. Severed diplomatic relations immediately after the raid. Filed an application at the ICJ requesting reparations and legal declarations against Ecuador. Argues the raid endangered Mexican diplomats and breached international law.

**Ecuador:** Claims Mexico abused diplomatic privileges by protecting a person convicted of corruption. Justifies the raid as a necessary step to enforce national judicial decisions and prevent escape. Filed counter-arguments at the ICJ asserting Mexico misused diplomatic asylum. Defends actions as exceptional measures under domestic security needs.

**OAS:** OAS (Organization of American States): Condemned the raid and reminded states of their obligations to respect diplomatic missions. Latin American Governments (Brazil, Chile, Colombia, Argentina and others): Almost all condemned Ecuador's entry as unacceptable. UN Secretary-General: Called for strict respect of diplomatic inviolability and peaceful dispute resolution.

## ***Glossary and Key Terms:***

**Political Asylum:** the protection granted by a state to someone who has left their home country as a political refugee.

**Provisional Measures:** indications, by the court seized of the matter, of action to be taken, or not to be taken, by one or both of the parties during the period leading up to the decision.

**Vienna Convention on Diplomatic Relations (1961):** The establishment of diplomatic relations between States, and of permanent diplomatic missions, takes place by mutual consent.

**Organization of American States (OAS):** brings together all 35 independent states of the Americas and constitutes the main political, juridical, and social governmental forum in the Hemisphere.

**Diplomatic Protection:** consists of the invocation by a State, through diplomatic action or other means of peaceful settlement, of the responsibility of another State for an injury caused by an internationally wrongful act of that State to a natural or legal person that is a national of the former State with a view to the implementation of such responsibility.

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