

ICJ rejects emergency measures against Ecuador in Mexican embassy raid case



The top United Nations court has said preliminary orders do not need to be given to Ecuador in the Mexico embassy storming case [Peter Dejong/The Associated Press]

The Hague, May 23 (RHC)-- The International Court of Justice (ICJ) has declined to order Ecuador to protect Mexico's embassy, following a raid last month on the building in Quito.

Mexico had filed the complaint against Ecuador at the United Nations' top court in the wake of the April 5th raid. Ecuadorian police had stormed the compound, in what many considered to be a clear breach of diplomatic conventions, to arrest former Vice President Jorge Glas.

Mexico's complaint said that Ecuador's actions had violated its sovereignty. It called for Quito to issue an apology or face suspension from the United Nations.

While a ruling on that complaint is expected to take years, in the short term, Mexico also asked the court to order Ecuador to take "appropriate and immediate steps to provide full protection and security of diplomatic premises" and prevent any further intrusions.

But on Thursday, International Court of Justice President Nawaf Salam said that Ecuador had already made pledges that "encompass the concerns expressed by Mexico." He noted "the court considers that there is at present no urgency" requiring preliminary orders.

"The court highlighted, among other things, that Ecuador has given repeated assurances that it would provide full protection and security to the premises, property and archives of the Mexican embassy in Quito," Salam told reporters.

Alejandro Celorio Alcantara, legal adviser for Mexico's Foreign Affairs Ministry, called Ecuador's pledges a move in the right direction. However, he added: "We would want to see all of the political actors in Ecuador reassuring that an embassy cannot be violated."

"This is of the utmost importance for Mexico, for Ecuador, for the world entirely recognising that there is no exception to the inviolability," he said.

The ICJ case has capped a diplomatic spat that has tanked relations between the two Latin American countries. At the end of April, Ecuador filed a counter-complaint against Mexico at the ICJ. It accused Mexico of interfering in its domestic affairs and of committing a "blatant misuse" of its diplomatic compound to shield Glas from the country's criminal law.

The former vice president, who served under former President Rafael Correa, had been twice convicted on charges related to bribery and the misuse of public funds.

He had been staying at Mexico's embassy since around December 17, 2023. At the end of December, a judge ruled that Glas had not met the requirements of parole and ordered his arrest.

As the months progressed, tensions began to ratchet between Mexico and Ecuador, with current Mexican President Andres Manuel Lopez Obrador drawing comparisons between the presidential campaign season in Mexico and the violence that proceeded Ecuador's 2023 vote.

That included questioning whether Ecuadorian President Daniel Noboa would have won if the violence – which included the assassination of candidate Fernando Villavicencio – had not taken place. Ecuador responded by declaring Mexico's ambassador persona non grata.

Hours before Ecuadorean police scaled the Mexican embassy's fences on April 5th, Obrador Lopez granted political asylum to Glas. The legal category is granted to individuals fleeing persecution, but critics have accused Lopez Obrador, a left-wing populist, of misusing the status to support political allies across the region.

Since the raid, Glas has been imprisoned in the city of Guayaquil.

Beyond Mexico, the storming of the embassy has been broadly condemned across the region for appearing to violate international laws, including the 1961 Vienna Convention on Diplomatic Relations that establishes embassies and consulates as protected spaces.

The Organization of American States (OAS) expressed “solidarity with those who were victims of the inappropriate actions that affected the Mexican Embassy in Ecuador” and called on both countries to resolve the issue.

The U.S. Department of State also said it “takes very seriously the obligation of host countries under international law to respect the inviolability of diplomatic missions.”

A three-member Ecuadorian tribunal also declared the raid illegal on April 13, but nevertheless upheld Glas’s imprisonment.

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