

[SEAL OF THE PERMANENT MISSION OF MEXICO]

NOTE VERBALE

ONU01244

The Permanent Mission of Mexico to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to General Assembly resolution 77/108 entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives" and bring to his attention, in accordance with paragraph 11 (a), the serious violations committed by the Republic of Ecuador against the Embassy of Mexico in that country and its diplomatic personnel.

On the night of Friday, 5 April 2024, security forces of the Republic of Ecuador deployed an operation in the vicinity of the Embassy of Mexico in Quito, which culminated in the unauthorized entry of security personnel and vehicles to the Embassy, physically attacking diplomatic personnel and removing a person to whom Mexico had granted protection in the form of political asylum.

These actions constitute a flagrant violation of international law, in particular to provisions contained in article 22 of the Vienna Convention on Diplomatic Relations (VCDR), whereby Ecuador's agents are not allowed to enter the Embassy of Mexico, and obliged to take all appropriate measures to protect the Embassy against any intrusion or damage and to prevent any disturbance of the peace of the mission.

It is especially worth underscoring that Ecuadorian armed security forces attacked the integrity and dignity of the Deputy Chief of Mission of the Embassy of Mexico by pushing and violently subduing him to the ground, keeping him detained on his knees. This is a clear violation of article 29 of the VCDR, which provides that the person of a diplomatic agent shall be inviolable, imposing an obligation on the receiving State to treat him with due respect and to take all appropriate measures to prevent any attack on his person, freedom or dignity.

As a result of these actions that contravene international law and basic rules of international relations, Mexico broke diplomatic and consular relations with the Republic of Ecuador on the same day that the aforementioned events took place.

Consequently, and considering the lack of guarantees from the Republic of Ecuador to protect the Embassy against any intrusion or damage and to protect Mexico's diplomatic personnel in that country from any attack on their life and dignity, Mexico immediately withdrew its accredited personnel in Ecuador.

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Mexico requested Ecuador to provide the necessary safeguards for the departure of Mexican personnel, ensuring that, in Mexican territory, Ecuadorian personnel, as well as its premises, would enjoy all guarantees to safeguard their security and integrity. Mexico requests that Ecuador provide the same guarantees, according to article 45(a) of the VCDR.

The violent and unauthorized entry, and the attack against the person and dignity of the Deputy Chief of Mission of the Embassy of Mexico in Ecuador are serious violations of the international legal order. Additionally, Ecuador's constant and reiterated expression of the suitability and necessity of the violations in this specific case, clearly demonstrate that, for the government of Ecuador, respect for the norms of international law and the pursuit of solutions other than the use of force are optional.

In light of these flagrant, acknowledged and reiterated unlawful conducts, on 11 April 2024, Mexico requested that the International Court of Justice initiate proceedings so that the highest international court shall declare Ecuador internationally responsible and issue the reparation measures provided for in international law, commensurate with the severity of the violations committed.

The Permanent Mission of Mexico kindly requests of the Secretary-General that this communication and its annexes be circulated among Member States of the United Nations for their knowledge, according to the provisions of paragraph 12 (b) of aforementioned resolution 77/108 and that it be included in the agenda of the General Assembly under item "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives." Attached herewith is a timeline of events and photographic material.

The Permanent Mission of Mexico to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 12 April 2024.

**OFFICE OF THE SECRETARY GENERAL  
OF THE UNITED NATIONS  
NEW YORK**

## Annex I

**1. Date, time and location of reported violation:**

Friday 5 April 2024 around 22:00 hours local time inside the Embassy of Mexico in Ecuador, located on Av. 6 December N36-165 and *Naciones Unidas*, Quito, Ecuador.

**2. Characteristics of the reported transgression:**

At 22:00 hours on 5 April, approximately 15 members of the Ecuadorian police special forces entered the Embassy of Mexico in Ecuador, subduing the security guard and breaking into the premises. Once inside the premises of the Embassy, the special forces violently subdued and attacked the Deputy Chief of Mission in order to apprehend Mr. Jorge Glas.

Once the Ecuadorian elements had captured Mr. Jorge Glas, the Deputy Chief of Mission tried to explain the situation and protest against the violation of the Embassy. However, he was again subdued to the ground, violating his dignity.

**3. Missions or representatives against whom the violation reported was committed:** Embassy of Mexico to the Republic of Ecuador.

**4. Victims and damage caused by the reported transgression:** Minister Roberto Canseco, Deputy Chief of Mission and Ms. Eva Martha Balbuena.

Minister Canseco was violently subdued at the Embassy of Mexico, causing injuries to his arms, legs, neck and face. Moreover, by forcing him to the ground before the media, they violated his dignity. On the other hand, the psychological integrity of the Minister is affected, since he was violently subdued by armed personnel, and feared for his life once he had left the Embassy.

Ms. Eva Martha Balbuena, present at the Embassy at the time of the events, was subjected to damages against her personal integrity, particularly her psychological integrity, due to the violence used to break into the Mexican Embassy in Ecuador.

**5. Name, nationality, place of habitual or permanent residence of the alleged perpetrators and all other information about their identity:** Unknown.

**6. Instruments and means used to carry out the reported transgression:** Long weapons, battering ram, armored vans, military vehicles and tactical equipment used to break into the Embassy.

**7. Accomplices of the alleged perpetrators.** Unknown

**8. Measures taken to arrest and prosecute alleged perpetrators.** Unknown.

**9. Final result of the proceedings against the authors:**

Unauthorized entry into the Embassy, subjugation and attack to the dignity of the Deputy Chief of Mission. In addition, special attention is drawn to the detention and abduction of a person to whom Mexico had offered protection under diplomatic asylum.

**10. Assistance from other States directly concerned with the prosecution of crimes committed.** Unknown.

**11. Measures taken to avoid a repetition of the reported violation.** Unknown.

**12. All other relevant information:** Since 17 December 2023, the Embassy of Mexico was under the surveillance of Ecuadorian police.

### **Timeline with facts and photographs**

1. On 17 December 2023, the Government of Mexico received the request for political asylum by Mr. Jorge David Glas Espinel, former Vice-President of the Republic of Ecuador.
2. On 17 February 2024, the Ministry of Foreign Affairs and Human Mobility of that country consulted Mexico, through diplomatic note MREMH/MREMH/2024/0030/N, as to whether Mr. Glas was still in the diplomatic premises of the Embassy.
3. On 29 February 2024, through diplomatic note MREMH/MREMH/2024/0035/N, the Ministry requested *"the consent of the head of the Mexican diplomatic mission in order for the security forces, under the authority of the Ministry of the Interior, to enter the premises of the mission and fulfill with apprehension of Mr. Jorge David Glas Espinel, ordered by the National Court of Justice of Ecuador."*
4. Through note SRE/283/2024 from 4 March 2024, [Mexico's] Ministry of Foreign Affairs indicated that the request for entry into the Mexican embassy by security forces could not be granted in any way. It also reminded the [Ecuadorian] Ministry of the inviolability of diplomatic premises pursuant to Article 22 of the Vienna Convention on Diplomatic Relations, and requested the Ministry to *"make available all necessary means to safeguard the integrity and inviolability of the diplomatic premises of Mexico in Ecuador, and to prevent any authorities, persons or media from interfering with the normal performance of the functions and activities of the Embassy and its staff."*
5. Despite the full transparency with which the Ministry of Foreign Affairs and the Embassy of Mexico have conducted themselves with the Ecuadorian authorities, on 4 April, the Ministry announced the declaration of *"persona non grata"* against Ambassador Raquel Serur Smeke, head of mission at the Embassy. On 5 April, the Ministry informed that it had instructed Ambassador Serur to return to Mexico in order to protect her safety and integrity. Furthermore, it informed that it had decided to grant political asylum to Mr. Glas and called on the Republic of Ecuador *"to respect our sovereignty, to not harm the Right of Asylum and to comply with its international obligations, to guarantee the inviolability of diplomatic missions and to cease the policy of harassment and intimidation."*
6. However, during the afternoon of 5 April 2024, the Republic of Ecuador deployed a military operation in the vicinity of the Embassy.

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7. Around 22:00 hours, personnel of the Ecuadorian security forces entered the Mexican Embassy in Ecuador without authorization, jumping over the wall.



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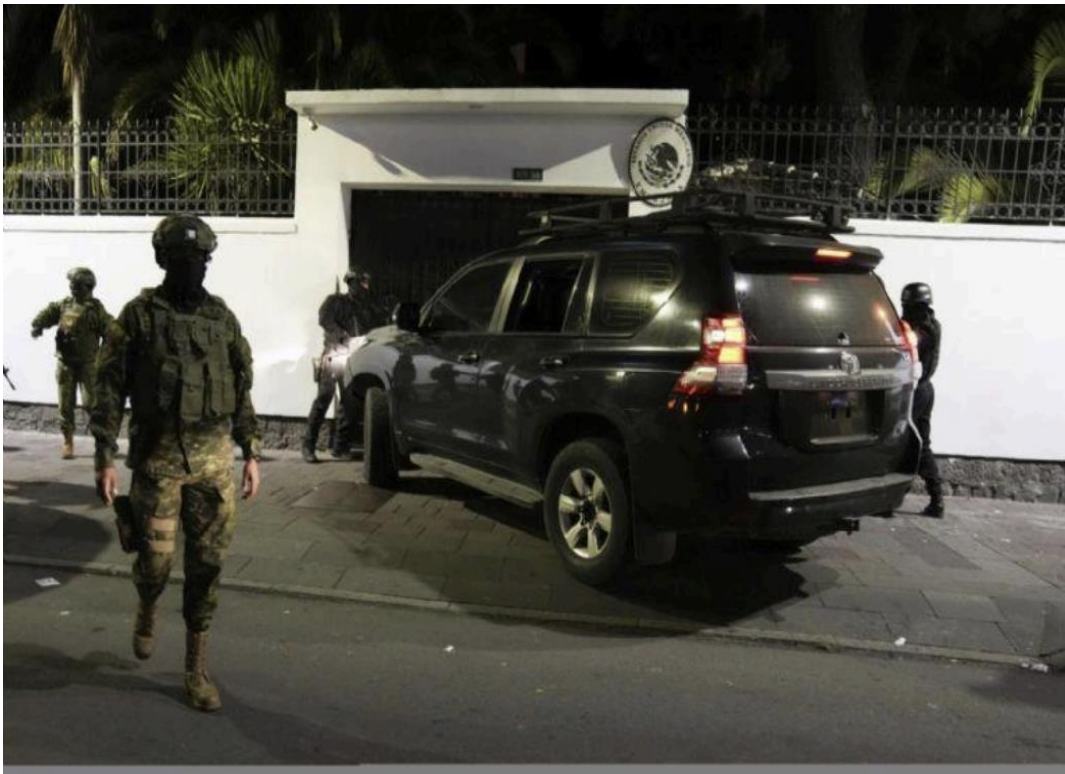
8. Once inside the Embassy, the Deputy Chief of Mission tried to stop the security personnel. He was violently subdued by Ecuadorian armed personnel in the Embassy library.



Courtesy translation



9. Approximately 15 agents entered the Embassy, as well as two vehicles.





Courtesy translation

10. The security forces detained the asylee, placed him into the vehicles and left the Embassy.



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11. The Deputy Chief of Mission attempted to stop the vehicles.



12. The Deputy Chief of Mission was subdued by the security forces.



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13. The Deputy Chief of Mission was subdued by a security agent while on his knees with his face to the ground, violating his dignity.

