

“DILIGITE JUSTITIAM QUI JUDICATIS TERRAM.” “Ye who judge the earth, give diligent love to justice”

TERRUM.

Mexico and its relations with Israel and Palestine.

By Karla Bastón.



by Karla Bastón.

The 7 October attacks by Hamas on Israel and the subsequent response by the Israeli government on Palestinians has reminded the world of the still unresolved Israeli-Palestinian conflict and the harsh day-to-day reality that people must endure. The attacks resulted in the death of Israelis and hostages taken by Hamas into Gaza. The response by the Israeli government towards the Palestinian population, most notably in Gaza, has resulted in not only deaths of Palestinians living in the Gaza Strip, but also in heated debates at the UN's Security Council meetings with the Secretary General asking Israel for an immediate ceasefire and the Israeli government countering by accusing the Secretary General of supporting terrorism and stating that it will begin to refuse visas for UN officials. While different UN resolutions have been proposed by different states at the UN (Russia and Brazil) to cease fighting to allow humanitarian aid to reach the people in Gaza and condemn the response of the Israeli government, none have been approved¹. States' votes regarding the proposed UN resolutions have been able to highlight their positions towards this conflict and whether their positions have changed since. This article will provide a short history of the conflict, discuss Mexico's historic position towards the conflict, and its current position.

Background²

"Mexico has historically attempted to stay neutral in the conflict, which has translated to abstentions during UN General Assembly votes..."

While the Israeli-Palestinian conflict can be traced back thousands of years, the events that occurred in the 19th and 20th century can provide the most recent insight to the conflict. Jewish immigration into Palestine became more prevalent due the emergence of the Zionist movement and the continued persecution that they faced in Europe (Pogroms and discrimination). Notably, in 1917, with the Balfour declaration there came an explicit support by the British government to support the establishment of a Jewish homeland in Palestine, which at the time was a British mandate. The Holocaust, which resulted in the death of six million Jews, further intensified the desire and international support for a Jewish state. Thus, in 1947, the United Nations Special Committee on Palestine began its task to draft and present what became known as the Partition Plan which divided Palestine into two separate states, a Jewish and an Arab one. The Partition Plan accepted by the Jewish leadership but ultimately rejected by the Arabs. Finding themselves in a deadlock, and with the British mandate coming to an end, the Jewish people declared the establishment of the State of Israel in 1948. The declaration was inevitably faced with opposition from its Arab neighbours and war broke out with Israel ultimately being victorious in the battle of Palestine. This left a large Palestinian Arab population (close to a million people stateless, with around 750,000 Palestinian people fled their homes³) dispersed into what is now the West Bank and Gaza and many others seeking refuge in modern day Syria, Jordan and Lebanon⁴. The Palestinian population was left without a centralized leading force until the creation and leadership of the Fatah (a member of the Palestinian Liberation Organization), led by Yasser Arafat⁵. Negotiations through Fatah leadership and Israeli leadership during the Oslo Accords 1993 led to the eventual recognition of the Palestinian Authority as the governing body for the West Bank and Gaza⁶. However, the Palestinian Authority was unable to maintain control over its territories. Hamas, which has been designated a

1.- <https://www.aljazeera.com/news/2023/10/18/us-vetoes-un-resolution-calling-for-humanitarian-pause-in-israel-hamas-war>

2.- The author wishes to emphasize that this is not an exhaustive description of the conflict's background and that the intricacies of this conflict are extremely sensitive for all parties involved. This article was approached with as much care and respect as possible.

3.- History.com. PLO. 2018. A&E Television Networks. August 21, 2018.

4.- Harms, G., & Ferry, T. (2012) "The Palestine-Israel Conflict: A Basic Introduction" London: Pluto Press. (pp. 89-115)

5.- Yonah Alexander, Joshua Sinai (1989) "Terrorism: the PLO connection" Crane Russak.

6.- Geoffrey R. Watson (2000) "The Oslo Accords: International Law and the Israeli-Palestinian Peace Agreements" Oxford University Press at 37.

terrorist organization (by the US, EU, among others) with strong political and military sway was able to gain control of Gaza in 2007.

Mexico's historic position

Mexico has historically attempted to stay neutral in the conflict, which has translated to abstentions during UN General Assembly votes. For instance, Mexico abstained from voting in Resolution 181 - establishment of the State of Israel, and Resolution 194 - reaching a settlement for the return of the displaced Palestinians to their homes.

Mexico recognized Israeli statehood in 1949⁷, however it did not establish full diplomatic relations until 1952⁸. Comparingly, Mexico established diplomatic relations with the PLO in 1975 by allowing them to establish an 'information office' and subsequently 'special delegation' office in Mexico. Further, in 2012, Mexico voted in favour of according Palestine non-member observer status in the United Nations⁹. On 1 June 2023 Mexico declared that the Palestinian special delegation would become an embassy, thus officially recognizing Palestinian statehood¹⁰, and therefore the State of Israel as legitimate.

"Mexico's foreign policy position has been that of a two-state solution."

Mexico and Israel have had a free trade agreement (FTA) since 1 July 2000. With trade, both import and export growing every year. According to the Mexican Foreign Ministry, from 2000-2021 trade grew 499.05%. Mexico's second biggest export to Israel in 2019 were motorized vehicles.

While Mexico has historically supported Palestine, although not through trade, it most recently abstained from the UN General Assembly vote to recognize Jerusalem as Israel's capital¹¹. Further Mexico's foreign policy position has been that of a two-state solution.

Mexico today

The following day after the events from 7 October, the government of Mexico issued a press release where it 'unequivocally condemns the unacceptable attacks against the people of Israel on October 7 by Hamas and other Palestinian organizations in Gaza.¹² It then further emphasized Israel's right to legitimate defense while noting the caution that must be exercised to ensure there are no violations to international humanitarian law. However, on 9 October, when asked about his position Mexican president, Andres Manuel Lopez Obrador (AMLO), stated that 'We do not want to take sides... more than condemnations, what is required is a search for peaceful solutions.¹³ Currently, Mexico is still working on bringing back nationals who have asked to leave following the attacks. The opposition presidential hopeful voiced her support for Israel on Twitter, while the presidential hopeful for the current ruling party voiced her support for AMLO's statement.

7.- <https://www.jewishvirtuallibrary.org/international-recognition-of-israel>

8.- https://www.jpost.com/365days/visual_arts/article-714117

9.- <https://press.un.org/en/2012/ga11317.doc.htm>

10.- <https://en.irna.ir/news/85131008/Mexico-gives-full-recognition-to-Palestine-by-welcoming-embassy>

11.- <https://www.aljazeera.com/opinions/2018/1/16/has-latin-america-abandoned-palestine>

12.- <https://www.gob.mx/sre/prensa/the-government-of-mexico-expresses-its-utmost-concern-over-the-israeli-palestinian-conflict-and-condemns-all-acts-against-civilians?idiom=en#:~:text=Mexico%27s%20position%20is%20clear%3A%20Mexico,with%20Israel%20within%20secure%20and>

13.- <https://www.as-coa.org/articles/how-are-latin-american-leaders-responding-hamas-attacks-israel>

TERRUM.

KARLA BASTON

Karla Baston holds her Licence en droit (LL.L) from the University of Ottawa and her BA in political science from Concordia University in Montreal, Canada. She is on secondment to the Aviation Working Group (AWG). Her passion for aviation has led her to pursue her private pilot's licence.

LANGUAGES: Spanish, English and French.

PRACTICE AREAS: Aviation Law

e-mail: kbaston@asyv.com



Prol. Reforma No. 1190 25th Floor,
Santa Fe México D.F. 05349
t. (52.55) 52.92.78.14
www.asyv.com / www.asyv.aero



www.linkedin.com/company/asyv

The articles appearing on this and on all other issues of Terrum reflect the views and knowledge only of the individuals that have written the same and do not constitute or should be construed to contain legal advice given by such writers, by this firm or by any of its members or employees. The articles and contents of this newsletter are not intended to be relied upon as legal opinions. The editors of this newsletter and the partners and members of Abogados Sierra SC shall not be liable for any comments made, errors incurred, insufficiencies or inaccuracies related to any of the contents of this free newsletter, which should be regarded only as an informational courtesy to all recipients of the same.