

Reverse Trump's Western Sahara Giveaway

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December 31, 2020

Is Mike Pompeo the worst secretary of state in U.S. history? It's possible, though he has lots of competition.

Unfortunately, he appears to be determined to continue his malign activities until his very last day in office. His latest awful act was buying Morocco's support for the normalization of relations with Israel by endorsing that latter's seizure of the Western Sahara.

Rabat had no colorable claim, religious, cultural, ethnic, economic, or historical, to the territory, which is why no other country or organization has officially accepted the annexation. And the International Court of Justice and United Nations affirmed the Sahrawi people's right to self-determination. Yet the Trump administration is backing the aggressor. Alas, noted Stephen Zunes of the University of San Francisco: "The failure of the international community to force Morocco to live up to its international legal obligation is what has led to the Western Saharan crisis in the first place."

King Mohammed VI brilliantly played Pompeo, winning something for almost nothing. The former did not even agree to open an embassy, despite America's lavish PR claims. In a game of strip poker with Morocco's monarch, America's secretary of state would be naked after the first round. Senate Armed Services Committee Chairman Jim Inhofe complained: "He could have made this deal without trading the rights of a voiceless people."

Still, the worst part of the agreement is the substance. Hundreds of thousands of Sahrawi people suffer because of Morocco's ruthless land grab. The State Department admits that not all is well for those living under Rabat's rule, with human rights issues including: "allegations of torture by some members of the security forces, although the government condemned the practice and made efforts to investigate and address any reports; allegations of political prisoners; undue limits on freedom of expression, including criminalization of libel and certain content that criticized the monarchy and the government's position regarding territorial integrity; limits on freedom of assembly

and association; and corruption.” On top of this, there was “a widespread perception of impunity.”

Yet Pompeo treated these Sahrawi people as did Morocco—as spoils of conquest, objects to be bartered for geopolitical gain. Trump’s action, complained Sid Omar, the Polisario Front’s UN representative, was “a blatant violation of the United States charter and the resolution of international legitimacy.”

And with the apparent breakdown of the nearly three-decade ceasefire between Rabat and Sahrawi last month, Washington’s action could add gasoline to the fire. “This move makes the resolution of the current bout of violence much harder,” contended Riccardo Fabiani of the International Crisis Group: “This will also make Sahrawi youths more angry, mobilized and committed to resolving the conflict through force.”

This is no idle worry for the U.S. An Army War College assessment warned: “kidnappings and arrests suggest that terrorist and criminal organizations, some with ties to al-Qaeda, are attempting to infiltrate Western Sahara and the refugee camps, although Polisario leaders appear to be trying to keep them out. Still, such infiltrations may come to threaten regional security.”

Strangely, Pompeo’s potentially dangerous sell-out does not even benefit America. Although the U.S. generally gains from more peaceful relations among other nations, Morocco and Israel were not at war. Indeed, their security services have long cooperated in the shadows. The two countries even opened liaison offices, which were closed in 2000 after the Second Intifada erupted. Mohammed VI, like the Gulf monarchs, is pragmatic and fears many of the same radical forces as does Israel. Yet Israel is unpopular among Moroccans and full recognition would undermine the king, who traces his lineage back to the Prophet Mohammed.

Nevertheless, the so-called Abrahamic accords have been a political plus for Israeli Prime Minister Benjamin Netanyahu, the hard-right Trump ally facing trial for corruption. The secretary sold out an entire people and trashed America’s reputation for the benefit of a man dedicated to creating a Greater Israel in which the Palestinians are kept in political bondage as a captive work force. It is a disreputable end achieved by equally disreputable means.

Western Sahara was a Spanish colony that Madrid, finally rid of Francisco Franco’s dictatorship by his death, abandoned in 1976. The Sahrawi speak mostly Arabic and some Berber; ethnically they are a mix of Arabic, Berber, and black African. Without the slightest concern for the wishes of residents, Spain split its colony between Morocco and Mauritania. Exactly how many people are involved is disputed: estimates range up to 400,000, with the Sahrawi spread out through Morocco, Western Sahara, and Algeria, there mostly in refugee camps.

An insurgency by the Polisario Front emerged. Morocco possessed conventional superiority but had difficulty coping with the PF’s guerrilla attacks. Tens of thousands

of refugees fled to camps in Algeria. The Polisario proclaimed the Sahrawi Arab Democratic Republic. After four years Mauritania relinquished its share of Western Sahara and recognized the SADR, but Rabat promptly annexed this territory as well. The Army War College termed the conflict “brutal” and concluded that Morocco’s decision to build a sand “Berm” in an attempt to exclude insurgents “signaled an acknowledgement by Moroccan leaders that decisive defeat of the Polisario was not possible; hence, Rabat adopted a strategy of static defense.”

In 1991 the warring sides agreed to a ceasefire and an independence referendum but deadlocked over who could vote. Eventually Morocco offered some degree of autonomy instead and balked at including independence as an option. In that case, however, the vote would have been essentially meaningless. Last month Moroccan forces broke the ceasefire by entering the buffer zone. Whether the result will be Kabuki Theater-style combat or real conflict is unclear.

True, territorial conquest is the way of the world, and Eugene Kontorovich of George Mason Law School argued: “It is also inaccurate to say that U.S. diplomacy and international law strictly forbid recognizing forcible territorial changes. On one hand, international law opposes aggression, and is loath to reward it. On the other hand, diplomacy deals in reality, not just ideals. While recognition of such territorial changes might not come speedily, it is unrealistic to expect that the sovereignty of the country actually governing a territory could be denied indefinitely.”

Yet nothing forces Washington to abandon principle in this case. There is a stronger argument for acknowledging reality in an unlawful seizure favored by residents, such as in Crimea by Russia (Moscow held a referendum but it failed to meet any standard of fairness). Moreover, the U.S. has greater need to deal with a major power like Russia. Thus, the best response from the West there would be to recognize Moscow’s de facto control without accepting its de jure jurisdiction.

In the case of Western Sahara, however, Washington is favoring aggression for no good reason. Kontorovich distinguished between conquering people in an existing nation state and in only a nascent nation state, like Western Sahara. But potential aggressors aren’t likely to pay attention to such fine print. As Zunes warned: “Continuing to do Morocco’s bidding at the U.N. would amount to an implicit endorsement of countries expanding their territory by force, a slap in the face for all who seek to promote—universally—the right to self-determination.” Morocco should not receive a pass because the sovereignty of the conquered people had not been previously recognized.

In fact, the agreement’s benefit even to Rabat will be measured. No one else recognizes its control while roughly two score states recognize or have diplomatic contacts with the SDAR. The latter also is a member of the African Union, accepted over Morocco’s objection. U.S. support does not change international law. Moreover, most nations will remember this position more as a Trump administration than American policy, and hence innately suspect. No one looks to Pompeo, or President Donald Trump, for principled international leadership.

Moreover, the Sahrawi sell-out might not survive. The incoming Biden administration could easily revert to Washington's previous posture. A number of foreign policy changes, starting with the administration's economic war on Iran, are inevitable. Adding one more adjustment would require little effort and raise few objections abroad.

Kontorovich decried such proposals for "betraying U.S. commitments to Morocco," lest Rabat abandon the agreement with Israel. But it would be worse to betray people never consulted by occupying powers as to their wishes. Close to 200,000 refugees are in camps in Algeria. Suzanne Scholte, who chairs the U.S.-Western Sahara Foundation, noted that "they have lived as homeless refugees separated" for years "from grandparents, fathers, mothers, brothers, sisters trapped in occupied Western Sahara." I visited some of the camps in the Algerian desert and the landscape accurately has been described as looking a bit like the desolate Star Wars planet of Tatooine. It is a difficult life, one that should not be wished on anyone. The Sahrawi surely deserve to be consulted on their fate.

Although Rabat could go back on its agreement, it isn't doing as much as Washington suggested, merely reopening the closed liaison offices. Indeed, Foreign Minister Nasser Bourita stated that "From our perspective, we aren't talking about normalization because relations were already normal." Moreover, a U-turn would admit to the world—and most importantly, its own people—that its assent to Israel was purchased. In fact, Moroccans protested when the previous king moved toward formal relations with Israel, causing him to back down. Omar already made this point: the agreement "shows that Morocco's regime is willing to sell its soul to maintain its illegal occupation of parts of Western Sahara." Rabat might prefer silence to embarrassment.

However, Pompeo, having shamelessly sold out the Sahrawi people, only doubled down as he nears his disreputable exit. He announced plans to open a consulate in Western Sahara. That may be an attempt to make it difficult for the incoming Biden administration to reverse course, a desire to convince Morocco to choose full recognition to offer Netanyahu one more campaign gift, or both. Ironically, the fact that the Western Sahara policy is widely recognized as intended for Netanyahu's personal benefit may well encourage a Biden reversal.

The Western Sahara is one of many international problems with no good answer. Rabat, through a mix of military activity and population transfers, has made it difficult to have a fair and useful referendum. Moreover, the democratic commitment of the Polisario, which began with aid from the Soviet bloc, remains untested.

Nevertheless, Moroccan control of the region remains an affront to justice. Just last month, reported Human Rights Watch, "Security forces broke up pro-independence demonstrations and harassed, beat up, arrested, or attacked the houses of several of the activists." This is standard operating procedure. Over the years "They have prevented

gatherings supporting Sahrawi self-determination, beat activists in their custody and on the streets, imprisoned and sentenced them in trials marred with due process violations including torture, impeded their freedom of movement, and followed them openly.”

Thus, Rabat’s grand geopolitical theft should not be waved aside as part of a corrupt bargain to help a dubious administration ally in political trouble. Any acceptance of Moroccan control over the territory seized should be hedged, limited, and conditioned; the rights of the Sahrawi people should be protected. Most important, policy should be designed to advance *America’s interest*, a principle Pompeo long ago lost sight of.

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