

Israel – Morocco and the Western Sahara

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A statement from Morocco's royal palace said on July 17, 2023, that Israel recognized its sovereignty over disputed Western Sahara in a letter to King Mohammed VI from Israeli Prime Minister Benjamin Netanyahu. According to the royal palace, Israel is also "positively considering" establishing a consulate in the city of Dakhla in the Sahara.¹ Twenty-eight other countries - mostly African and Arab - have opened consulates in the Western Saharan cities of Dakhla or Laayoune, in what Morocco sees as tangible support for its Western Saharan rule.²

In June 2023, Israel's National Security Adviser Tzachi Hanegbi met in Morocco with the country's foreign minister, Nasser Bourita. The two officials discussed "advancing the vision shared by Mohammed VI of Morocco and Israeli Prime minister Benjamin Netanyahu, strengthening cooperation in foreign affairs and security between the two countries."³

Israeli Foreign Minister Eli Cohen praised the prime minister's move and said recognition of Western Sahara as Moroccan territory "will strengthen relations between the countries and the nations" and advance regional stability.⁴

Morocco's king invited Israeli Prime Minister Benjamin Netanyahu for an official visit, two days after Israel recognized the kingdom's sovereignty over disputed Western Sahara. In a personal letter, King Mohammed VI thanked Israel for its position and said Netanyahu's visit "would open new opportunities for strengthening bilateral relations".⁵

Israel's National Security Adviser Tzachi Hanegbi and Morocco's foreign minister, Nasser Bourita agreed to set a date "in the near future" for what would be Netanyahu's first visit to the kingdom.⁶

Algeria on July 20, 2023, denounced Israel's backing of Morocco's sovereignty over the disputed Western Sahara region as a "flagrant violation" of international law. The foreign ministry in Algiers said in a statement that the decision "constitutes a flagrant violation of international law, UN Security Council decisions and General Assembly resolutions on the Western Sahara question. It shows agreement between the occupiers' policies and their complicity in violating international law, and encroaches upon the legitimate right of the Palestinian people to establish their independent state with Jerusalem as its capital and of the Sahrawi people to self-determination".⁷

The Algeria-backed Polisario Front said Israel's decision to recognize Moroccan sovereignty over Western Sahara would "only reinforce the determination of the Sahrawi people to pursue their national struggle on several fronts". It denounced "subversive joint security and military maneuvers aimed at destabilizing the North African region and the Sahel in general".⁸

Background

Western Sahara is a vast, sparsely-populated desert region in Northwest Africa. It is bordered by Morocco in the North, Algeria in a small northeastern patch, and Mauritania in the East and South. It also has a long coast with the Atlantic Ocean in the West and Northwest. It is a region rich in phosphates and other minerals and has a lucrative fishing industry on its Atlantic coast.

The region of Western Sahara became a Spanish colony after the Berlin conference in 1885. Morocco considers swathes of the former Spanish colony to be its sovereign territory.

After the Spanish withdrawal from Western Sahara in 1976, Morocco annexed the territory. Morocco controls some 80 percent of the territory, which has mineral reserves and access to rich Atlantic fisheries, as well as providing a strategic trade route linking Morocco with West African markets.

In response, the Polisario Front (PF) declared the independence of the Sahrawi Arab Democratic Republic (SADR) within the 252,000 square kilometers of Western Saharan territory.

Since 1976, Morocco and the Polisario Front have been locked for decades in a bitter struggle over Western Sahara.

The U.N. brokered a 1991 cease-fire and established a peacekeeping mission to monitor the truce and help prepare a referendum on the territory's future. Disagreements over who is eligible to vote have prevented that vote from taking place.⁹ Tensions have remained as the parties never agreed on a political solution.

The Polisario Front renewed armed conflict in 2020, ending a 29-year truce. Mounting tensions have reverberated across borders to Morocco's neighbor Algeria, which broke diplomatic ties with Rabat in 2021. The enmity has escalated between the two nations.¹⁰

The solutions to the Western Sahara crisis

Most of the countries and international organizations do not recognize Morocco's sovereignty in the Sahara region, and there are even those who recognize the independence of the SADR state. The United States is the only Western country that has adopted Morocco's position.

Most Arab countries, including Saudi Arabia, the United Arab Emirates, Oman, Bahrain, Qatar and Yemen, expressed support for the Moroccan position and the "territorial integrity" of the kingdom.

Two leading solutions have been considered to overcome the stalemate, which has fueled uncertainty and armed conflict.

The United Nations treats the Western Sahara as a territory that is not under independent control and where the decolonization process has not yet been completed. The solution, expressed by the UN in 1991, is to complete the decolonization process with a referendum on the self-determination of the Sahrawi people.

The European Union holds a similar opinion and considers that Morocco controls the territory as an occupier and is subject to the laws of occupation. The European Court of Justice (CJEU) has ruled in several decisions that the Union's agreements with Morocco do not apply in the territory of the Western Sahara.

The Moroccan proposal - claimed and formally presented by Morocco in 2007, is to grant limited autonomy to the region, which would remain under the Morocco's sovereignty.

The proposal has been rejected by the Sahrawi independence movement, the Polisario Front, which demands full independence from Morocco.

The Trump administration – "Abraham Accords"

On December 10, 2020, the Trump administration – under the spirit of the "Abraham Accords " – recognized Moroccan sovereignty over the Western Sahara territory in return for Morocco joining the "Abraham Accords" and normalizing its relations with Israel.

That position was confirmed by Trump's successor, Joe Biden, specifically by US Deputy Secretary of State Wendy Sherman, during a five-day visit to Morocco and Algeria in March 2022.¹¹

Meeting with Moroccan Minister of Foreign Affairs Nasser Bourita during her stay in the country, Sherman stressed that the US still views Morocco's "serious, credible, and realistic" autonomy plan as potentially the most optimal "approach to meet the aspirations of the people of the region."¹²

Historically, U.S. policy toward Western Sahara prior to the Trump administration had strayed little from the international consensus and the U.N. plan for a referendum, formally supporting neither Morocco's nor the Polisario Front's claim to the territory.

When the Moroccan government proposed a plan for regional autonomy for Western Sahara, the Obama administration called the plan "realistic and credible" and claimed it could enable the Sahrawi people to "run their own affairs in dignity."

Otherwise, the United States continued to encourage U.N. negotiations between Moroccan authorities and Sahrawi leaders.¹³

Concluding Remarks

Israel's recognition of Morocco's sovereignty in the Western Sahara places it together with the United States. However, the rest of the Western countries hold a more obscure position and therefore, this is a step that may face criticism in the international arena.

Israel expects to achieve its following interests in return to recognition of Morocco's sovereignty over the Western Sahara:

Israel's Western Sahara move could lead to a full upgrade of its diplomatic ties with Rabat, with their diplomatic missions, currently designated liaison offices becoming embassies and which will give a significant boost to relations, especially on the diplomatic and symbolic level.

Holding mutual visits and meetings at the highest political level in Morocco and Israel, with the participation of King Mohammed VI, a step that Israel has expressed a desire to implement several times in the last two years.

The last official meeting between the King of Morocco and an Israeli Prime Minister took place in July 1999, when then Prime Minister Ehud Barak was present at the funeral of King Hassan II. During the visit, Barak met with King Mohammed VI, shortly after his coronation. Having a meeting with the King, almost 25 years after the last meeting, will be an important political achievement for Israel.

The expansion of the of the economic relations between the countries. A first step that can be implemented relatively quickly is the signing of an investment protection agreement, which has been in the negotiation stages between the countries for about two years. Such an agreement would anchor the protections provided to Israeli investors in Morocco, and is expected to allow access to international arbitration in cases of investment disputes, similar to the investment agreement signed with the United Arab Emirates in 2021. Another step is the signing of a free trade agreement, which has been reported as a possibility to be signed between the countries in the future.

Iran, Algeria and the Polisario Front oppose the developing ties between Israel and Morocco and oppose the annexation of Western Sahara to Morocco. In the last two years, there has been a deterioration in relations between Algeria and Morocco and an arms race is underway between the two countries to strengthen their military capacity. Algeria recently signed contracts for the purchase of advanced weapons from Russia, while Morocco purchases weapons from the US and recently also from Israel.

The resumption of hostilities by the Polisario Front does not pose a significant military threat to Morocco's ability to enforce its sovereignty over Western Sahara. The main threat is that the military activity of the Algerian-backed Polisario Front could lead to a direct confrontation between the Algerian and Moroccan armies. A military confrontation between the countries could have devastating effects on the stability and security of the Maghreb. But there are reasons to think that the standoff between Algeria and Morocco may remain contained and both countries have incentives to avoid open conflict, including a pressing need to focus on domestic economic concerns.

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