

US should stand up for Western Sahara's self-determination

Stephen Zunes | Dec. 20, 2013

Perspective

U.S. President Barack Obama met with Morocco's King Mohammed VI in Washington Nov. 22 for their first face-to-face meeting. The result was a bitter disappointment for supporters of human rights and international law.

Two days before the summit, Human Rights Watch issued a statement calling on the U.S. president to tell the king that "U.S. support for the reform process in Morocco depends on moving beyond rhetoric and making tangible change." Specifically, the human rights group called for "stronger legal protections for rights and an end to impunity for police who use violence and commit other abuses."

Instead, according to a White House statement, Obama applauded the Moroccan monarch for "deepening democracy, promoting economic progress and human development."

The most critical issue facing the northwestern Africa region involves Western Sahara, a sparsely populated country on the Atlantic coast that has been under Moroccan occupation since the kingdom invaded the former Spanish colony in 1975, just prior to its scheduled independence. Defying a series of U.N. Security Council resolutions, a landmark World Court decision, and international mediation efforts, the Moroccans have continued to deny the people of the territory their right of self-determination through a U.N.-sponsored referendum. No country recognizes Moroccan sovereignty over the territory and more than 80 nations, as well as the African Union, have formally recognized Western Sahara as an independent state.

When the nationalist Polisario Front, which had been fighting for the occupied nation's independence, agreed to end the armed struggle in 1991 in return for a referendum, the United Nations brought in a peacekeeping force known as MINURSO (the U.N. Mission for the Referendum in Western Sahara) to enforce the cease-fire and oversee the scheduled plebiscite that never came. The United States and France, both of which hold veto power in the U.N. Security Council, blocked the United Nations from enforcing a series of resolutions demanding that Morocco provide the Western Saharan people an opportunity to exercise their right of self-determination.

MINURSO is the only U.N. peacekeeping operation in the world without a human rights mandate. In sponsoring the Security Council resolution renewing MINURSO operations earlier this year, the United States removed a provision in the original draft that would have added such a provision.

While the human rights situation within Morocco itself has improved somewhat since Mohammed VI came to power in 1999, Human Rights Watch, Amnesty International and other reputable human right groups have highlighted ongoing severe repression in the occupied Western Sahara. Even the State Department's annual report on human rights acknowledges that "limitations on the freedom of speech, press, assembly, and association, the use of arbitrary and prolonged detention to quell dissent" and that open support for the right of self-determination is ruthlessly suppressed. The report goes on to note how security forces have "engaged in torture, beatings, and other mistreatment of detainees" with impunity.

Despite this, the White House statement following the conclusion of the summit pledged that the United States and Morocco would "work together to continue to protect and promote human rights in the territory."

As an alternative to allowing the Western Saharan people to go forward with a referendum on the fate of their country, the Moroccans have proposed what they refer to as an "autonomy" plan. Unfortunately, not only are important matters such as control of Western Sahara's natural resources and security ambiguous under the Moroccan proposal, all powers not specifically vested in the proposed autonomous region would remain with the king. Furthermore, based upon Morocco's long record of breaking its promises to the international community regarding the U.N.-mandated referendum and related obligations based on the cease-fire agreement 22 years ago, there is little to inspire confidence that Morocco would live up to its promises to provide genuine autonomy for Western Sahara.

More problematically, the proposal is based on the presumption that Western Sahara is part of Morocco, a contention that has long been rejected by the United Nations, the World Court, the African Union and a broad consensus of international legal opinion. To accept Morocco's autonomy plan would mean that, for the first time since the founding of the United Nations and the ratification of the U.N. Charter more than 68 years ago, the international community would be endorsing the expansion of a country's territory by military force, thereby establishing a dangerous and destabilizing precedent.

If Western Saharans accepted an autonomy agreement over independence as a result of a free and fair referendum, it would constitute a legitimate act of self-determination. However, Morocco has explicitly stated that its autonomy proposal "rules out, by definition, the possibility for the independence option to be submitted" to the people of Western Sahara, the vast majority of whom -- according to knowledgeable international observers -- favor outright independence.

Despite this, White House spokesman Jay Carney announced that Obama believes "Morocco's autonomy plan is serious, realistic and credible. It represents a potential approach that can satisfy the aspirations of the people in the Western Sahara to run their own affairs in peace and dignity."

It appears, then, that the administration's policy on Western Sahara constitutes a rejection of fundamental principles of international law that prohibit territorial expansion by force, thereby constituting a de facto acceptance of the right of conquest.

In the comparable case of East Timor, it was only after human rights organizations, church groups and other international activists successfully pressured their governments to end their support for Indonesia's occupation that the Indonesian regime was finally willing to offer a referendum that gave the East Timorese their right to self-determination. It may take a similar grassroots campaign to ensure that the United States pressures Morocco to allow the people of Western Sahara their right to determine their own destiny.

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