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The US-Moroccan-Israeli Tripartite Declaration: Incentives and Likely Outcomes

Unit for Political Studies

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Unit for Political Studies

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On 22 December 2020, a joint declaration was signed between Morocco, the United States and Israel in Rabat, making Morocco the fourth Arab country to announce the normalization of relations with Israel in as many months, following the UAE, Bahrain and Sudan. In return, Morocco obtained recognition from the outgoing Trump administration of “Moroccan sovereignty over the entire Western Sahara territory.” The US thus reaffirmed “its support for Morocco’s serious, credible, and realistic autonomy proposal as the only basis for a just and lasting solution to the dispute over the Western Sahara territory.”⁽¹⁾

Details

On 11 December 2020, President Trump announced that Morocco and Israel had agreed to “normalize their relations” and later resume full diplomatic relations.⁽²⁾ Eleven days later, the first Israeli commercial plane took off from Tel Aviv to Rabat, with two delegations on board. An American delegation headed by Trump’s advisor and son-in-law, Jared Kushner, and an Israeli delegation headed by the Israeli National Security Adviser, Meir Ben Shabbat. In the first stage, the two parties agreed to reopen the two liaison offices in Rabat and Tel Aviv, which were opened in 1994 and closed at the outbreak of the second Palestinian uprising in late 2000.⁽³⁾ While Washington announced that it will open a consulate in the city of Dakhla in the Western Sahara.

In addition, Morocco and Israel signed four memoranda of understanding. These included agreements on civil aviation, water resources research and funding, and visa exemptions for holders of diplomatic passports.⁽⁴⁾ Meanwhile, the United States and Morocco signed two memoranda of understanding in which Washington pledged to invest three billion dollars in Morocco and the Sahara region.⁽⁵⁾ The Trump administration has notified Congress of its intention to sell Morocco drones and precision guided weapons worth \$1 billion.⁽⁶⁾

Although Moroccan-Israeli relations were officially frozen in late 2000, the two sides maintained undeclared diplomatic contacts. Every year, between 30 and 50 thousand Israeli tourists visit Morocco.⁽⁷⁾ In addition, bilateral trade between the two countries has not stopped, and the volume

1 “Joint Declaration”, The US Embassy and Consulates in Morocco, 22/12/2020, accessed on 29/12/2020 at: <https://ma.usembassy.gov/joint-declaration/>.

2 “President Donald J. Trump Has Brokered Peace Between Israel and the Kingdom of Morocco,” *The White House*, 11/12/2020, accessed on 29/12/2020, at: <https://bit.ly/37UOy2J>

3 Joseph Krauss, “Kushner Joins Israelis on Landmark Visit to Morocco,” *AP News*, 22/12/2020, accessed on 29/12/2020, at: <https://bit.ly/3nWeC3m>.

4 Judah Ari Gross, “Israel, Morocco Ink Deals, Agree to Reopen Mutual Liaison Offices Within Weeks,” *The Times of Israel*, 22/12/2020, accessed on 29/12/2020, at: <https://bit.ly/3aWFJrr>.

5 Ahmed Eljehtimi, “Morocco Hosts Israeli Envoys, Kushner to Flesh Out New Relations,” *Reuters*, 22/12/2020, accessed on 29/12/2020, at: <https://reut.rs/2WTYWBK>.

6 Ben Samuels, “Former Republican Policymakers Urge Biden to Rescind Trump’s Morocco Deal,” *Haaretz*, 20/12/2020, accessed on 29/12/2020, at: <https://bit.ly/3rM7fOi>

7 Krauss.



of bilateral trade from 2014 - 2017 amounted to approximately \$149 million. Jews of Moroccan origin represent about 12% of the population of Israel (700,000), while about 3,000 Jews remained in Morocco following their exodus to occupied Palestine upon the establishment of the State of Israel in 1948.⁽⁸⁾

Morocco was keen to express its position in support of the two-state solution, although the tripartite joint declaration does not mention a “Palestinian state.” The joint declaration can be divided into three parts: the US recognition of Moroccan sovereignty over Western Sahara, the general Moroccan position on Palestine and Jerusalem, and the obligations of Morocco and Israel according to the agreement.

First: US Recognition of Moroccan Sovereignty over Western Sahara

The announcement stated the following:

1. “The United States affirms, as stated by previous Administrations, its support for Morocco’s autonomy proposal as the only basis for a just and lasting solution to the dispute over the Western Sahara territory. Therefore, as of today, the United States recognizes Moroccan sovereignty over the entire Western Sahara territory and reaffirms its support for Morocco’s serious, credible, and realistic autonomy proposal as the only basis for a just and lasting solution to the dispute over the Western Sahara territory.”
2. “To facilitate progress toward this aim, the United States will encourage economic and social development with Morocco, including in the Western Sahara territory, and to that end will open a consulate in the Western Sahara territory, in Dakhla, to promote economic and business opportunities for the region.”

President Trump’s statement on 11 December added the following:

1. “Morocco is one of the oldest and closest allies of the United States and every Administration since President Clinton has affirmed its support for Morocco’s autonomy proposal.”
2. “President Trump urges all parties to constructively engage with the United Nations and consider creative and genuine ways to move the peace process forward.”
3. “This recognition leaves room for a negotiated solution and the United States remains committed to working with Morocco, the Polisario, and all involved regional and international actors to support the necessary work ahead and create a more peaceful and prosperous region.”⁽⁹⁾

⁸ Gross.

⁹ “President Donald J. Trump Has Brokered Peace”.

Second: Morocco's position on Palestine and Jerusalem

The tripartite declaration does not refer to a two-state solution, nor does it mention the political status of Jerusalem. The declaration *recalled* “the exchanged views, during the same conversation between His Majesty King Mohammed VI and His Excellency Donald Trump, on the current situation in the Middle East region in which His Majesty the King reiterated the coherent, constant and unchanged position of the Kingdom of Morocco on the Palestinian question, as well as the position expressed on the importance of preserving the special status of the sacred city of Jerusalem for the three monotheistic religions in His Majesty the King’s capacity as Chairman of the Al-Quds Committee.”

It is not clear what is meant by the “constant and unchanged position of the Kingdom of Morocco on the Palestinian question,” nor by “preserving the special status of the sacred city of Jerusalem for the three monotheistic religions.” This wording does not contradict “Israel’s sovereignty over united Jerusalem” nor with its being the capital of Israel. This is especially ambiguous since this agreement falls within “The Abraham Accords,” which “also open the door for Muslims around the world to visit the historic sites in Israel and to peacefully pray at Al-Aqsa Mosque in Jerusalem, the third holiest site in Islam.”⁽¹⁰⁾

Third: Scope of the Moroccan-Israeli Agreement

The agreement indicates that the parties intend to:

1. Grant authorizations for direct flights between Morocco and Israel, including by Israeli and Moroccan airline companies, as well as grant rights of overflight;
2. Immediately resume full official contacts between Israeli and Moroccan counterparts and establish full diplomatic, peaceful and friendly relations;
3. Promote a dynamic and innovative economic bilateral cooperation;
4. Pursue cooperation on trade; finance and investment; innovation and technology; civil aviation; visas and consular services; tourism; water, agriculture, and food security; development; energy and telecommunications; and other sectors as may be agreed;
5. Reopen the liaison offices in Rabat and Tel Aviv.

The agreement stipulates that the three countries agree to:

1. Commit to fully respect the elements contained in the present Declaration, promote it and defend it;
2. Decide that each party will fully implement its commitments and identify further actions, before the end of January;
3. Act accordingly at the bilateral, regional and multilateral levels.

10 “Abraham Accords Signing Ceremony Transcript,” *ReV*, 15/9/2020, accessed on 29/12/2020, at: <https://bit.ly/3aMR65F>.



Incentives of the Parties to the Agreement

Rabat agreed to sign an agreement to normalize relations with Israel in order to benefit from Trump and his aides scrambling to serve Israel as much as possible before the end of his presidency. Using his business deal style of foreign policy, he hopes to secure a final diplomatic achievement. In return, Rabat gets US recognition of its sovereignty over Western Sahara along with economic and military support.

Normalization with Morocco strengthens Netanyahu's principles of "Peace for Peace," and "peace through strength," rather than that of "land for peace". Employing these principles as policy, Israel should not withdraw from any occupied territories (Palestinian or Arab), but rather they must only enter into a full and open peace process with Arab countries working together in various fields, including defense.⁽¹¹⁾

Trump is motivated to push for this a agreement by several factors, most notably his desire to present an orphan success story for his chaotic presidency, both domestically and abroad. The role of the US "peace team" cannot be underestimated here, as Kushner, the US ambassador to occupied Jerusalem David Friedman, the Middle East peace envoy Avi Berkowitz, and his predecessor Jason Greenblatt embrace the ideas of the Israeli right. These personalities did not hide their eagerness to serve the interests of Israel, even at the expense of American interests. It seems that these actors are in a race against time to serve Israel before their departure from power. Trump has pursued the agenda of these four figures in a way that turned his administration into a puppet of the Zionist right, in complete harmony with Tel Aviv.

The Trump administration has been pursuing the same regional approach to Palestinian-Israeli peace since the beginning of his term, on the grounds that this will serve a broader agenda for the United States in the region, specifically containing Iran and combating terrorism.⁽¹²⁾ Trump's statement announcing the agreement between Rabat and Tel Aviv argues that "as more Arab countries normalize relations with Israel... the region will become more stable, secure and prosperous." This will enhance the security of Israel and lead to a geopolitical transformation in the Middle East and Africa.⁽¹³⁾

The Future of the Agreement

The agreement sparked harsh criticism within the United States, centred around the Trump administration's recognition of Moroccan sovereignty over Western Sahara. It was striking that three Republican figures headed this campaign of criticism: former Secretary of State James Baker, who also served as the United Nations envoy to Western Sahara,⁽¹⁴⁾ former National Security Adviser

¹¹ "PM Netanyahu on the Historic Peace Agreement with the UAE," *Gov.il*, 16/8/2020, accessed on 29/12/2020, at: <https://bit.ly/3rEwkDE>

¹² Ian Fisher and Ben Hubbard, "Trump's Shift to 'Outside-In' Strategy for Mideast Peace Is a Long Shot," *The New York Times*, 14/2/2017, accessed on 29/12/2020, at: <https://nyti.ms/2KNaYKB>

¹³ "President Donald J. Trump Has Brokered Peace".

¹⁴ James A. Baker III, "Trump's Recognition of Western Sahara is a Serious Blow to Diplomacy and International Law," *The Washington Post*, 17/12/2020, accessed on 29/12/2020, at: <https://wapo.st/3n5iUnT>.

John Bolton,⁽¹⁵⁾ and Chairman of the Armed Forces Committee in the US Senate, James Inhofe.⁽¹⁶⁾ The three called on President-elect Joseph Biden to reverse the recognition of Moroccan sovereignty over the Sahara, refusing to link this to the agreement with Israel, believing that if Biden decided to withdraw this recognition, this would not jeopardize the Moroccan-Israeli agreement. Before the recent recognition, the United States supported the position of the United Nations, which has called since 1991 for a referendum to be held by the citizens of the Sahara on the right to self-determination. The United Nations, the European Union and the African Union see the Sahara as a disputed area. Moroccan sovereignty over the Sahara is an issue of national consensus in Morocco, for every Moroccan political force.

Biden can constitutionally backtrack on Trump's decision, by issuing an executive decision upon assuming the presidency, but this is unlikely, and it will not be easy,⁽¹⁷⁾ especially as the matter is related to the relationship with an ally in North Africa, in addition to Biden supporting Arab normalization agreements with Israel. However, some close to Biden talk about his intention to freeze some parts of the Arab normalization deals with Israel, such as selling the UAE F-35s, which finds widespread opposition in Congress,⁽¹⁸⁾ as well as granting Sudan sovereign immunity against terrorism related lawsuits. Biden also wants to integrate the Palestinians into peace agreements and supports a return to the nuclear agreement with Iran, rejected by Israel and Gulf states of Saudi Arabia, the UAE and Bahrain.

15 John Bolton, "Biden Must Reverse Course on Western Sahara," *Foreign Policy*, 15/12/2020, accessed on 29/12/2020, at: <https://bit.ly/3o27XEI>.

16 "Inhofe Statement on Western Sahara," *James. Inhofe*, 10/12/2020, accessed on 29/12/2020, at: <https://bit.ly/3hqBVV0>.

17 Jihâd Gillon, "Western Sahara/ Morocco: Can US President Biden undo Trump's Deal?" *The Africa Report*, 17/12/2020, accessed on 29/12/2020, at: <https://bit.ly/2lqXhQU>.

18 Lara Jakes, "Trump Incentives for Signing Peace Accords with Israel Could be at Risk," *The New York Times*, 20/12/2020, accessed on 29/12/2020, at: <https://nyti.ms/3ppelWW>.