20 January 2021

President Joseph Robinette Biden, Jr. The White House 1600 Pennsylvania Ave, NW Washington, D.C. 20500

Dear President Biden,

We are writing to express our strong objections to President Trump's decision to recognize Morocco's illegal annexation of Western Sahara, and to call on you to rescind the declaration as soon as possible upon coming to office.

As you are fully aware, Western Sahara is recognized as a non-self-governing territory by the United Nations, the International Court of Justice, the Court of Justice of the European Union, and a broad consensus of international legal scholars. As a result, the people of that nation have the right of self-determination and to independence should they decide to do so through a free and fair referendum as stipulated in United Nations resolutions. The United States has no right to determine their fate simply by declaring that they are part of another country.

Western Sahara, formally known as the Sahrawi Arab Democratic Republic, has been recognized by scores of countries and is a full, founding member state of the African Union, the charter of which prohibits unilateral changes in colonial borders. Trump's proclamation, therefore, has put the United States on record endorsing the takeover of one legally-recognized African state by another. If allowed to stand, it could seriously damage the U.S. reputation on the continent and even encourage other countries to believe they could also get away with territorial expansion.

When Iraq invaded and annexed Kuwait in 1990, the international community united in opposition to this flagrant violation of the UN Charter. While there were disagreements as to whether war was the best means to reverse the Iraqi takeover, the United States led the international community in its determination that such aggression must not stand. Trump's decision sends a very bad signal that the United States now sees such illegal irredentism as legitimate.

You have spoken of the need for the United States to lead by the power of our example. This requires upholding the United Nations Charter and related international legal principles recognizing the right of self-determination and the inadmissibility of expanding territories by force. Furthermore, as former Secretary of State James A. Baker reminded us, "the United States was founded first and foremost on the principle of self-determination." Thus, reneging on that principle regarding the people of Western Sahara is not only regrettable but immoral and dangerous.

Both Baker and former National Security Advisor John Bolton have already called for the US to rescind its recognition of Morocco's annexation of Western Sahara. Republican Senator James Inhofe and Democratic Senator Patrick Leahy are among the bipartisan supporters of self-determination in Western Sahara. During your tenure as Vice President, the Obama administration sought to introduce human rights monitoring to the UN Mission for the Referendum in Western Sahara (MINURSO) before succumbing to pressure from Morocco's allies to drop this initiative. We therefore call on you to rescind US recognition of Morocco's annexation, to insist upon a human rights mandate for MINURSO, to cancel plans to open a US consulate in Dakhla, Western Sahara, and to support self-determination in Western Sahara.

Yours sincerely,

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CC: The Honorable Anthony J. Blinken Secretary of State U.S. Department of State 2201 C Street, NW Washington, D.C. 20520