

**Royaume du Maroc**  
**Ministère de l'Intérieur**  
**Wilaya de la Région de Rabat-salé-kénitra**  
**Commune de Rabat**

# **The Decentralization in Morocco in the light of the new Organic Laws of Regions with a measure of autonomy**

# Plan of the presentation

**I-- The Evolution of the Decentralization in Morocco towards the advanced regionalization: Contexts and Characteristics**

**II- The subsidiarity as the principle of definition of the skills of regions with a measure of autonomy in the organic laws**

**III- The Free Administration: the key principle for the confirmation of the attributions of the organs of regions with a measure of autonomy that seems to be a kind of an advanced regionalization**

**IV- The promotion and the strengthening of the cooperation and the solidarity between regions with a measure of autonomy**

**V- The participative democracy and the administrative control: two determining rules(rulers) for the application of the principle of the free administration**

# I- Context of the evolution of the Decentralization in Morocco towards the advanced regionalization

# 1. Contexts of the evolution of decentralisation

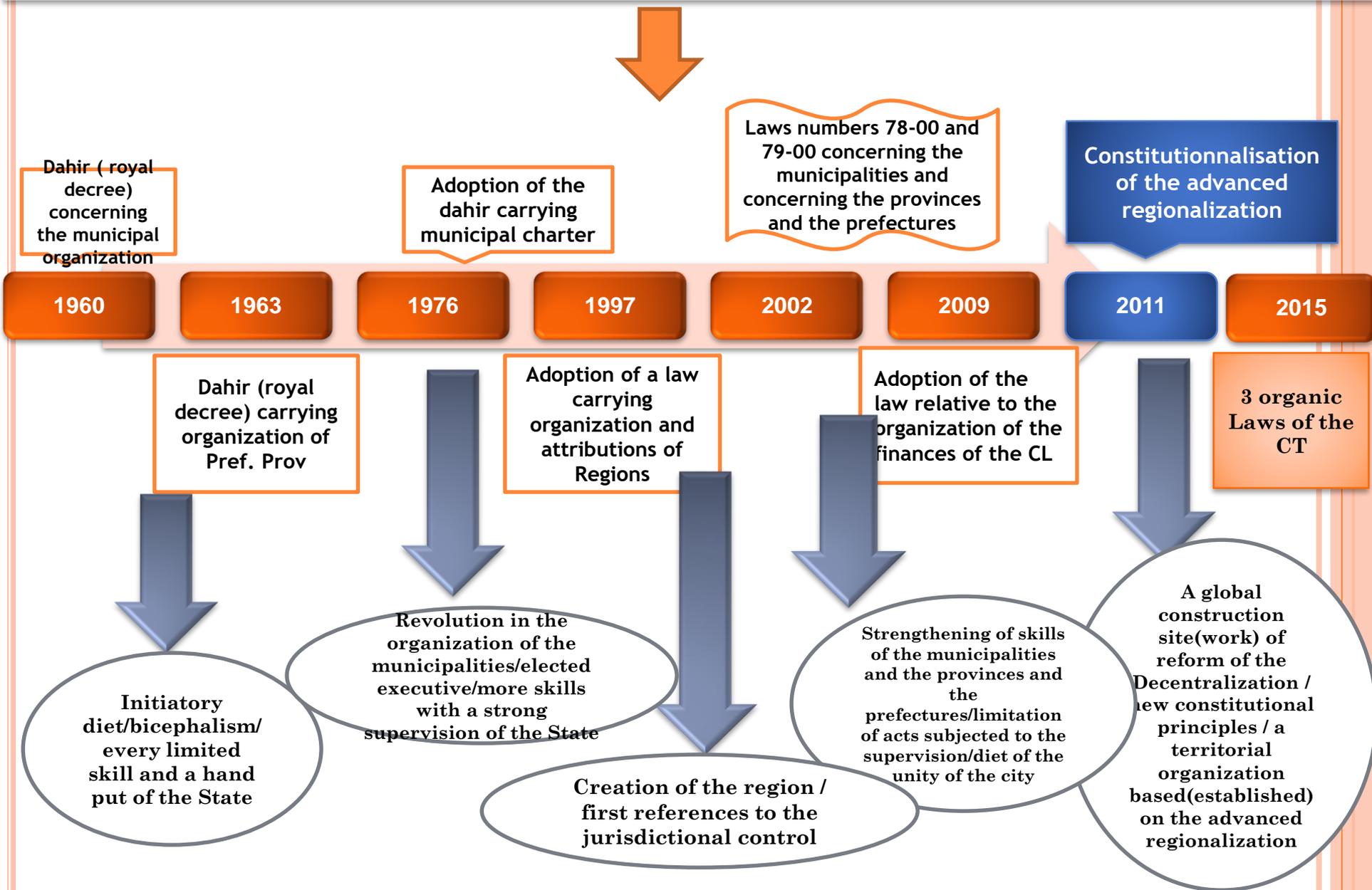
## ☑ **Context of the evolution of Decentralization in Morocco towards advanced regionalization**

- Since 1959: municipal divisions, creation of funds for municipal equipment and implementation of the first municipal diet
- The first constitution of 1962 opted for a decentralized territorial diet
- All constitutions confirmed the choice of decentralization namely the constitution of 2011

## **Decentralization is a main constituent(component) of the political and administrative construction sites of reform led in the country**

- **The diet(regime) of the decentralization was always an essential element of the constitutional reforms led in the country: constitution of 1962 (organization of provinces and prefectures), of 1973 (the municipal charter of 1976), of 1996 (creation of regions in 1997), of 2011 (the regionalization moved forward with the organic laws of 2015**
- **The evolution of the decentralization joined a context dress rehearsal of evolution of the rule of law(State subject to the rule of law) in Morocco with the creation of the administrative courts in 1994, management decentralized by the investment in 2002, new code of the family in 2003, the implementation of the authority**

# Un processus évolutif et dynamique



# The current frame(executive)

## The constitution of 2011:

The consecration of the constitutional principles for the decentralization by the constitution of 2011: Free administration;

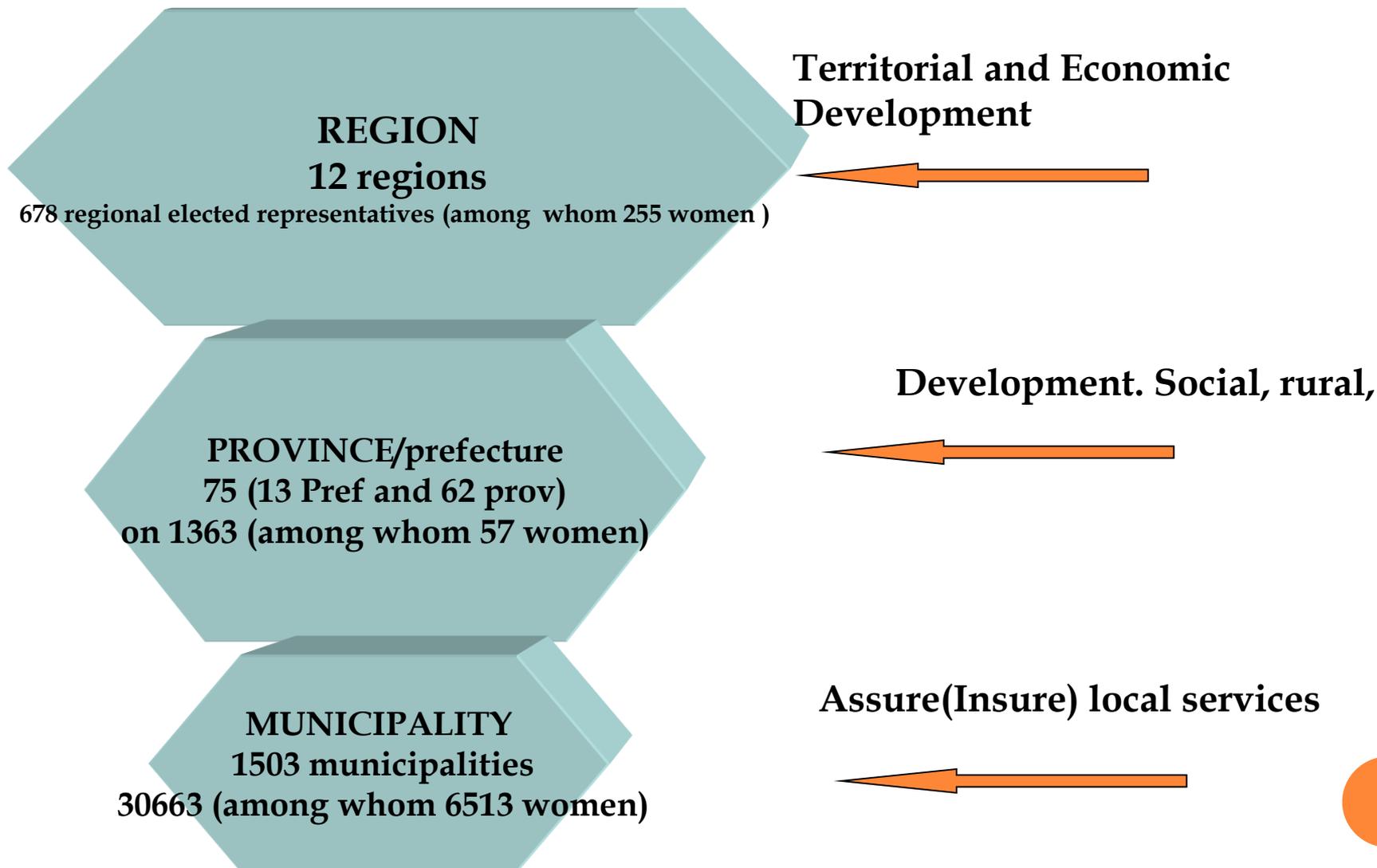
- ❖ Subsidiarity ;
- ❖ Cooperation and Solidarity;
- » Governance.



**A decentralized territorial organization based on an advanced regionalization (Art 01 of the constitution)**

**I- The subsidiarity as the principle of distribution(casting) of the skills between the territorial levels**

# The definition of the main missions of every territorial community



# The distribution(casting) of the skills between regions with a measure of autonomy

## Appropriate skills

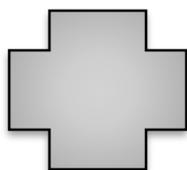
- Quoted in exhaustive title
- Exclusive skills at every level

## Skills shared with the State

- Quoted on an exclusive basis
- Practice by contractual way

## Skills transferred by the State

- Quoted in illustrative / indicative title
- Fields of extension of the clean(appropriate) skills of regions with a measure of autonomy



**The participation in the financing of any project or activity not raising(finding) their skills if this financing contributes to reach their goals**

**II- The Free Administration: the key principle for the confirmation of the attributions of the organs of regions with a measure of autonomy in the air of the advanced regionalization**

# The confirmation of the pre-eminent position of the elected council

✓ The direct election of the members of regional and municipal council

✓ Entrust to the council the attribution to decide about the business of raising skills of the region with a measure of autonomy

✓ The statutory power in regions with a measure of autonomy

# The strengthening of the attributions of the presidents of the elected councils

✓ Executive bodies of their regions with a measure of autonomy

✓ The approval of procurement contracts

✓ Leader of the administration of the region with a measure of autonomy

✓ A strengthened diet delegation

**IV- the reinforcement of the solidarity and the cooperation between the local authorities for a better optimization of the means**

## Strengthening solidarity

Setting up the bottom of the social upgrade

The establishment of the interregional solidarity fund

the province or prefecture as an area of solidarity between the communes: the exercise of communal powers by delegation, the delegated project management for the benefit of the communes

Intermunicipal co-operation establishments and co-operation groups

Cooperation and partnership agreements

Development companies

International cooperation

## Diversification of cooperation and partnership tools

**V - Participatory democracy and administrative control: two decisive rules for the application of the principle of free administration**

# Administrative control



Exclusively legal control



**Acts subject to visas are listed for completeness with specified deadlines**



Control over board members can only be exercised by jurisdictional means



Any dispute between the local authorities and the administrative control authorities is examined by the administrative courts

# The participation



**Compulsory participation for the exercise of certain skills (the PDR, CAP(COMMON AGRICULTURAL POLICY), SRAT)**



**Petitions for associations and citizens**



**The implementation of the commission of the equity, the equality of chance and the approach kind**



**The possibility of creating any other authority of participation by the advice of regions with a measure of autonomy**

# Conclusion

- The advanced regionalization is an open construction site which calls for a mobilization of all the actors;
  - It is a process of development gradual and progressive of the practices of the management of regions with a measure of autonomy,
  - The cooperation establishes a mattering actor to accompany this construction site. It is meant to intensify the exchanges of successful experiments, the mutual transfer of the knowledge, the common initiatives for the valuation of the potentialities of development and the promotion of new dynamics between territories

**THANK YOU FOR  
YOUR ATTENTION**

