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Guidelines on Government and CSO Cooperation in Morocco

National, Regional, Provincial, and Communal Levels

Table of Contents

Background	3
Overview	4
Policy documents for cooperation.....	5
Government offices for cooperation.	6
Contact persons or department for CSOs at the ministerial level or within Parliaments.	7
Councils or other cross-sectoral advisory bodies focusing on specific areas or issues.	7
Funds or foundations.....	8
Codes or regulations on public participation.....	9
The Moroccan Context.....	11
Overview of the mechanisms mandated by law in Morocco.	11
Summary of the Various Cooperative Principles, Bodies, Procedures, and Mechanisms Required by Law	12
National Level	17
Regional Level	18
Provincial Level	21
Communal Level.....	23
Implementation Guidance	25
General Guidance.	25
Policy Documents and Development Programs.	25
Institutional Mechanisms.....	26
Funds.....	27
Conclusion.....	27

Background

Cooperation between government at the national, regional, provincial, and communal levels and civil society organizations¹ (CSOs) has evolved significantly over the past few years in Morocco. Through its 2011 Constitution, Morocco granted civil society organizations a more formal role in the enactment, implementation, and evaluation of the government's decisions and initiatives. The constitution also requires the government to create mechanisms to promote more dialogue and cooperation with the public. More recently, the government has passed a series of laws that provide additional clarity about how to organize this cooperation between the government, civil society, and the public. These guidelines seek to summarize the relevant provisions of these various laws, including provisions from Regulatory Law No. 111.14 on Regions (law on regions), Regulatory Law No. 112.14 on Provinces and Prefectures (law on provinces), and Regulatory Law No. 113.14 on Communes (law on communes), as well as provide additional suggestions about how to implement these provisions based on successful models of CSO-government cooperation from around the globe.

A vibrant and sustainable civil society contributes to and complements the state in addressing societal needs and allows citizens to become active participants in the society.² CSOs play a crucial role in this process, as people may organize themselves and express their legitimate interests more effectively through such organizations. In many cases, strong partnerships with CSOs can help governments achieve their desired impact more efficiently and quickly. CSOs often work more closely with the grass-roots, better understand local needs, and are more cost-efficient and flexible. CSOs seek to represent the interests of their constituencies and strive to find the best solution for emerging problems. Some CSOs periodically map out constituents' needs and seek to address them. One of the most important times for CSOs to engage with their governments is during decision-making and policy-formulation processes. CSOs' involvement can include providing feedback on government proposals and developing, monitoring and evaluating government activities. This type of CSO-government engagement is generally referred to as public participation, civic participation, or citizen participation. Given that public participation mechanisms facilitate CSOs' engagement or cooperation with the government, these guidelines address public participation mechanisms, as well as cooperation mechanisms.

The right to participate in the conduct of public affairs is one of the basic democratic principles ensuring that people can address problems that directly affect their lives. This right has been incorporated into Articles 12 and 13 of Morocco's 2011 Constitution:

¹ The term civil society organizations (CSOs) generally includes various nonprofit and non-governmental organizations, such as associations, foundations, political parties, trade unions, media, religious organizations and other similar organizations. For the purposes of the present paper, CSOs will refer to a narrower category, including associations, foundations, private institutions, and not-for-profit corporations. The notion non-governmental organizations (NGOs), which is oftentimes used inter-changeably with the notion CSO, is used in the present paper only insofar as it is part of the official name of a institutional instrument for cooperation.

² For additional background information, please see Eszter Hartay, "Models to Promote Cooperation between Civil Society and Public Authorities," ECNL and ICNL, 2013; Katerina Hadzi-Miceva Evans, "European practices on implementation of policy documents and liaison offices that support civil society development," ECNL and ICNL, 2009; "Keeping up the Momentum: Improving Cooperation between Public Institutions and Civil Society in the Western Balkans and Turkey," ECNL and TACSO, 2013; Eszter Hartay: "A Comparative Analysis of Civil Society Foundations and Funds," ECNL and ICNL, 2012; Katerina Hadzi-Miceva-Evans "Comparative Overview of European Standards and Practices in Regulating Public Participation," Commissioned by OSCE and the Macedonian Center for International Cooperation (MCIC), 2010. These documents are available online at www.icnl.org and www.ecnl.org.

Article 12: The associations interested in public matters and the non-governmental organizations, contribute, within the framework of participatory democracy, in the enactment, the implementation and the evaluation of the decisions and the initiatives [*projets*] of the elected institutions and of the public powers. These institutions and powers must organize this contribution in accordance with the conditions and modalities established by the law.

Article 13: The public powers work to create instances of dialogue [*concertation*], with a view to associate the different social actors with the enactment, the implementation, the execution and the evaluation of the public policies.

Public participation contributes to the creation of fair policies and laws that respond to people's needs. It can help ensure that policies and laws are informed by people's experiences and provide access to expertise that may not be available within the government. Participation additionally:

- facilitates cross-sector dialogue;
- ensures the legitimacy of proposed regulations;
- decreases costs, as parties can contribute with their own resources;
- increases partnership, ownership, and responsibility in the implementation of laws and regulations;
- strengthens democracy by preventing conflict among different groups and between the public and the government; and
- increases confidence in public institutions.

Overview of the different types of documents, frameworks, and institutional mechanisms for cooperation with, and the support of, civil society by government.

Governments have used various means to facilitate cooperation with civil society and public participation, including:

- Policy documents for cooperation;
- Government offices for cooperation;
- Contact persons or department for CSOs at the ministerial level, within Parliaments (or at the council level for regions, provinces, and communes);
- Councils or other cross-sectoral advisory bodies focusing on specific areas or issues;
- Funds or foundations; and

- Codes or regulations on public participation or inclusion of provisions about public participation in relevant laws.

Policy documents for cooperation.

Policy documents for cooperation (PDCs) aim to support the development of civil society and foster cooperation between the state and CSOs. They map out the existing framework and practices of cooperation, the characteristics and the external environment of the civil society sector, and the vision, grounds, and directions for future partnership and the development of the sector. Specifically, PDCs outline the results that they seek to accomplish and the list of specific measures and activities that need to be undertaken, including indicators to facilitate the monitoring of progress. They assign responsibilities to bodies within the state administration to ensure that the documents will be implemented and aims achieved, within the set timeline.

Policy documents may take different forms depending on the content and goals they want to achieve. A PDC may appear as a

- **Bilateral document** (often called an agreement or compact) concluded between a state body and representatives of CSOs, which outlines the goals and principles of cooperation and the undertakings of both parties.³
- **Unilateral document** (often called strategies) adopted by a state body which expresses commitments by the government.

Numerous examples of policy documents exist in Europe, *inter alia*, in Bosnia and Herzegovina, Bulgaria, Croatia, Denmark, France, Germany Hungary, Latvia, Kosovo, Montenegro, Scotland, and Slovenia. Recently, representatives of CSOs, government and the Kurdish Parliament adopted the Compact on Partnership and Development between Public Authorities and Non-Governmental Organizations in the Kurdistan Region of Iraq, which is the first of its kind in the Middle East. The Kurdish Parliament formally approved the Compact on June 12, 2013.

Oftentimes, a PDC will provide a starting point for cooperation, with the expectation that it be further developed into a more formal framework document. For example, in 2009, Germany's Federal Ministry for Family, Senior Citizens, Women and Youth launched an initiative within the German Cabinet to develop a National Strategy for Civic Engagement and Participation. The National Network for Civil Society was asked to organize a civil society forum, which gathered around 350 civil society experts and political advisors to produce concrete proposals and a proposed framework agreement. Based on these proposals, the German government published a cabinet-level National Strategy in October 2010. The National Strategy of 2010 is not a structured agreement but a first step towards the establishment of a reliable, and transparent framework that enhances civic engagement and advances partnerships and trust between the government and of civil society.⁴

³ For additional information, please see Eszter Hartay, "Models to Promote Cooperation between Civil Society and Public Authorities," ECNL and ICNL, 2013, available online at www.icnl.org.

⁴ Tina Divjak, "Code of Conduct for Civil Society – Public Dialogue / Relations in the EU and the World," Centre for Information Services Co-operation and Development of NGOs, 2012 available online at http://www.cnvos.si/UserFiles/File/Aktualno_CNVOS/CSO%20Government%20cooperation_desk%20research_final_december%202012.pdf. See also Dr. Dominick H. Enste, Dr. Michael Neumann, and Teresa Schare, "First Engagement Report 2012,"

These policy documents also often identify one or more new or existing mechanisms or institutions that are responsible for implementing various provisions. For example, the Bulgarian Strategy for Support to the Development of Civic Organizations in the Republic of Bulgaria (2012-2015) envisaged the establishment of two new mechanisms, a Council for Civil Society Development, under the authority of the Prime Minister, as well as a mechanism for funding of the civic sector in Bulgaria.⁵ Croatia's National Strategy for the Creation of an Enabling Environment for Civil Society Development from 2012 to 2016 identified three existing institutional mechanisms, which would be used to implement key components of the strategy. These mechanisms included the Government Office for Cooperation with NGOs, established in 1998; the Council for Civil Society Development, established by the Government in 2002; and the National Foundation for Civil Society Development established in 2003.⁶ These institutions were already engaged in promoting CSO-Government cooperation and had the competencies necessary to implement the strategy's activities. Including them in the strategy and designating them as implementing and co-implementing bodies allowed the government and CSOs to produce a robust strategy, and identify the funding and resources necessary to carry out the various measures.

PDCs can be adopted not only at the national level, but also by a local government entity, such as a regional, provincial, or communal council. They can cover all of civil society's work or just one area. Furthermore, some States have encouraged regions, states, or municipalities to agree to the commitments contained in the federal-level PDC. For example, the Brazilian government in consultation with civil society developed a National Policy for Social Participation (PNPS). The PNPS included a commitment to public participation and a set of guidelines to promote social dialogue and participation through various mechanisms.⁷ It also encouraged States and municipalities to join the commitment. By 2015, 10 states and 29 municipalities had joined the commitment. Each locality agreed to provide a more participatory role for civil society and publish an action plan for plan for improving participation⁸

Government offices for cooperation.

Many governments, including Morocco at the national level, have set up a separate office or department with the mandate to foster cooperation with CSOs.⁹ These offices not only serve as liaison bodies, but can be powerful leaders in providing strategic direction on how to develop the civil society sector and ensure the involvement of CSOs in the policy-making process. The tasks of these bodies vary from country to country, and largely depend on when a body was established and whether a country has other institutional mechanisms of cooperation in place. They may be responsible for:

Federal Ministry of Family Affairs, Senior Citizens, Women, and Youth, available online at <https://www.bmfsfj.de/blob/93652/3ce9eb510e3e1c39c086343998121da2/engagementmonitor-2012-englisch-data.pdf>.

⁵ Ivana Rosenzweigová, "Policy Papers on Cooperation Between the State and Civil Society Organizations, a Comparative Analysis," ECNL, 2016 available online at www.ecnl.org.

⁶ Ivana Rosenzweigová, "Policy Papers on Cooperation Between the State and Civil Society Organizations, a Comparative Analysis," ECNL, 2016 available online at www.ecnl.org.

⁷ Government of Brazil, "Final Assessment Report of the Second National Action Plan," Open Government Partnership, October 2016, available online at <https://www.opengovpartnership.org/country/brazil/assessment>.

⁸ Priscila Zanandrez Martins, "The National Policy of Social Participation" available online at <http://participedia.net/en/methods/national-policy-social-participation>.

⁹ In addition to Morocco, there are numerous examples of countries that have established ministries or offices for cooperation, including, *inter alia*, Iraq, Libya, Palestine, Tunisia, Croatia, the United Kingdom, Bosnia and Herzegovina, Macedonia, Montenegro, Serbia, Poland, and Estonia.

- preparing government strategies for cooperation with CSOs and monitoring their implementation;
- building the capacity of both CSOs and state officials;
- initiating and maintaining dialogue with CSOs and public authorities (maintaining websites, databases, etc.);
- initiating the adoption of laws, regulations, and policy documents affecting the legal and fiscal environment of CSOs and monitoring their implementation; and
- administering and assessing the state funding of CSOs.

In addition, the offices for cooperation can provide logistical and other support to the work of advisory government bodies (councils) responsible for civil society development. The offices for cooperation are equipped with diverse human and financial capacities; in some countries, such as Montenegro, the office consists of only a few people while in other cases, such as Croatia, the staff is relatively large.

Contact persons or department for CSOs at the ministerial level or within Parliaments.

Some countries have contact persons or departments for CSOs at the ministerial level. Ministry contact persons exist in Bosnia and Herzegovina and Macedonia. Such persons or departments can be instrumental in implementing state policies concerning the development of the sector. They can, for example, be assigned to coordinate the implementation of a society compact or strategy within the relevant ministry.

Contact persons and offices for cooperation in parliament are rarer, but exist in Estonia. Morocco's House of Councillors has also recently established a Consultant in Charge of Relations with Civil Society. Assigning a contact person, setting up a committee or other body within the parliament responsible for civil society issues, or creating a mechanism for involving CSO representatives in parliamentary committees can facilitate the participation of CSOs in the legislative process.

Councils or other cross-sectoral advisory bodies focusing on specific areas or issues.

The highest form of participation exists when CSO representatives share a seat at the table with government representatives. Such active participation may materialize in the form of advisory bodies established to focus on cross-sectoral issues affecting all CSOs (also known as councils for civil society development) or subsectoral issues affecting one area of CSOs' activities.

The number of councils established for civil society development has significantly increased in the past few years. Currently, such bodies exist in Croatia, Latvia, Montenegro, Moldova, and Poland, among other countries. The councils for civil society development may initiate discussion on issues pertinent to civil society, propose policies, provide input from civil society, and consult throughout the policy-making process. They play an important role in monitoring public policies affecting civil society development and cross sector cooperation, influencing the legislative agenda and providing inputs to draft legislation pertinent to CSOs, and encouraging cooperation between the public authorities and CSOs.

Councils usually consist of both CSO representatives and state officials. Ministries typically delegate the government's representatives. Sometimes, as in the case of Estonia, the body can include members of parliament. CSO members are selected in various ways. For example, CSO representatives on Croatia's Council for Civil Society Development are selected through a two-step nomination and voting process. To serve on Poland's Council of Public Benefit Activity, CSO representatives must submit a formal application and several supporting documents, including support from at least twenty CSO representatives. The Minister then selects members from among the list of applicants. In other countries, representatives are selected by CSO networks. While the precise selection mechanism varies by country, it is important that the selection process be transparent and the selection criteria clearly prescribed. These criteria should be determined before the process commences and be made available to all potentially interested CSOs. For example, the CSO candidates oftentimes need to meet certain qualification criteria and represent different subsectors of civil society. In addition to these differences in process, the numbers of members, their mandates, and the frequency of meetings also differ by country.¹⁰

Cross-sectoral bodies can also exist at the local level. In 2000, South Africa passed the Municipal Systems Act, requiring municipalities to consult local communities as they prepare and implement their integrated development plans.¹¹ The Act required each municipality to hold an interactive forum to debate and discuss the municipality's development plans. The Forums included CSOs as well as individual advocates for unregistered, disadvantaged or marginalized groups.

Funds or foundations.

Governments may provide financial support to civil society. Indirect support oftentimes includes tax benefits, such as exemptions from corporate income tax, value added tax, and gift and inheritance tax, etc. Countries including Hungary, Latvia, Lithuania, Moldova, Slovenia, Slovakia, and Poland have introduced the so-called "percentage mechanism" where the taxpayers are entitled to designate a certain percentage of their assessed income tax to a nonprofit organization. Two of these countries, Slovakia and Moldova, also allow corporate entities to take advantage of this mechanism.

Direct state funding schemes can take the form of financial support or in-kind support. In-kind support to a CSO may be in the form of goods or services, such as computers, software, training, or the free or low-cost use of public property. States can provide financial support to CSOs in the form of grants or contracts, which are often distributed by ministries. Governments also have established separate institutions that fund civil society development or established a civil society fund. Civil society funds are generally established as part of a comprehensive strategy or when governments recognize the lack of sufficient financial resources available for the development of the sector.

In Europe, Albania, Azerbaijan, Croatia, Estonia, and Hungary have established civil society funds. However, the funding practices differ from country to country: some funds provide small grants to thousands of CSOs, while others select strategic areas to maximize the impact of their financial support. For example, Hungary signed more than 12,000 contracts in 2010. In contrast, the Croatian Foundation supports only about 200 CSOs, generally at higher amounts.

¹⁰ For examples of the selection criteria and process used in various countries, see "Criteria and Procedures for Selection of Civil Society Organizations in Cross-sectoral Bodies" ECNL, October 2011, available at: http://ecnl.org/dindocuments/414_Criteria%20and%20procedures_EN.pdf.

¹¹ For additional information, see "Good Governance Practices for the Protection of Human Rights," OHCHR (2007) available online at <http://www.ohchr.org/Documents/Publications/GoodGovernance.pdf>.

Even when civil society funds receive their core funding from state budget allocations, most function with certain degree of independence from the government. The internal governing structure of the funds is generally composed of a strategic decision-making body, an executive director, and the staff or a bureau charged with the administration of funds. The strategic decision-making bodies (supervisory board, management board, or council) are usually composed of both civil society representatives and government officials, which allows the government to oversee the process while permitting the body to make autonomous decisions in regard to the funds' priorities and activities. The grantmaking procedures are undertaken by the permanent bodies or by temporary bodies set up for a specific call. Experts and CSO representatives generally assess the quality of applications. When deciding whether to give a particular grant, funds must conduct an open and transparent competition in compliance with detailed procedures on advertising the grant, technical and substantive requirements, and the specific timelines.¹²

Codes or regulations on public participation

As previously discussed, one important way that CSOs engage with governments is by using participatory mechanisms to engage in the law or policy drafting process. The development of codes or regulations can be an effective means for setting minimum standards for cooperation or participation. While these codes and regulations apply to everyone, and not just CSOs, these codes and regulations can nevertheless impact CSOs' engagement with the government.

A review of documents from a broader range of countries reveals a common framework outlining standards critical to promoting public participation. Some of those standards include:

1. Public participation may be limited in case of special working groups, but the members to the groups should be selected through open criteria.
2. Participation should be open to everyone, including minorities, people with disabilities, women, and marginalized groups.
3. Where the process cannot be fully participatory (e.g., natural disaster, conflict), it should nonetheless be clearly prescribed and respect minimum standards of consultation (e.g., informed public, access to the draft; minimum time for opinions).
4. The draft code or regulation should be published with clear, concise, and sufficient information about the topic, so that all parties can better understand the issue and give an informed opinion on the draft.
5. The timeline allocated for comments or participation in public meetings should be determined based on factors including the type of document, the issues raised, its length, available

¹² For additional guidance and considerations regarding government funds, see "National Funds to Support Civil Society Organizations," ICNL, July 2010, available at:

<http://www.icnl.org/research/library/files/Transnational/National%20Funds%20Paper%20Final%20English.pdf>

expertise, and the size of the target group it affects. Most commonly, countries allow between 10-30 days for comments.

6. Feedback should be provided to all consulted parties to increase trust and encourage the public to be more committed and take part in future processes. The feedback can be provided in a report on the process.
7. Some countries plan for an assessment of the participatory process, which can improve future processes and publicize innovative tactics used.
8. The tools and methods used to support participation at various stages of the drafting and implementation process can include web consultation, working groups, roundtable discussions, and focus groups.
9. To help prepare for the participatory process and ensure its effectiveness, governments can assign coordinators to facilitate the process and serve as contact persons for the public and ministry officials, or develop lists of interested parties who can be engaged.
10. Information about the participatory process should be distributed as widely as possible through written, broadcast, and social media, including web sites, newspapers, TV, and CSO portals.
11. Some countries have set up central on-line registers, which not only assist with coordination and information sharing, but also provide tools allowing the public to “meet” in one place and comment on various undertakings by government.

Once a regulation or policy is approved, it is also good practice to invest in developing the capacity of civil society organizations to engage in new public participation mechanisms, particularly at the local level. For example, when the Philippines adopted its *Local Government Code*, a lack of capacity prevented active public participation at the local level. To address this, an experienced civil society organization led a series of trainings for local media and local civil society organizations on topics including how to manage public forums, how to allow for diverse voices, the importance of respecting community needs and voices, and how to develop effective advocacy campaigns and build local coalitions. Following these trainings, local organizations and local media became more engaged in the policy-making process and monitoring the government’s progress. For example, in one province, a group of local CSOs and media examined the effectiveness of local policies on education, health and food security, held a public forum to present the findings, and then organized a coalition to monitor the government’s progress in addressing these unmet needs.¹³

¹³ For additional information, see “Good Governance Practices for the Protection of Human Rights,” OHCHR (2007) available online at <http://www.ohchr.org/Documents/Publications/GoodGovernance.pdf>.

The Moroccan Context

Overview of the mechanisms mandated by law.

Morocco's 2011 constitution and its regionalization laws require that various levels of government in Morocco create or adopt mechanisms to facilitate greater public participation and engagement with civil society. As a general matter, the constitution and the regionalization laws adopt a framework for public participation and set out several related broad principles. The constitution lays out a framework for participatory democracy, recognizes CSOs' role in the enactment, implementation, and evaluation of public policy, and requires the government to create opportunities for dialogue and meaningful participation. These requirements are echoed in the regionalization laws. They also call for the creation of several consultative and advisory bodies and specific mechanisms to encourage public participation. The specific requirements found in each legal document are summarized in the following table and discussed in greater detail below. (Note: The constitution and the regionalization Laws also set forth procedures for the submission of motions and petitions. ICNL has prepared separate implementation guidance on these topics, so they are not discussed below.)

Summary of the Various Cooperative Principles, Bodies, Procedures, and Mechanisms Required by Law

	Legal Framework	General Principles	Required Councils / Advisory Bodies	Procedures	Funding Mechanisms	Other
National Level	<ul style="list-style-type: none"> 2011 Constitution 	<ul style="list-style-type: none"> Adopts a framework of participatory democracy.¹⁴ CSOs contribute to the enactment, implementation, and evaluation of decisions, initiatives, and public authorities.¹⁵ Must create opportunities for dialogue and for different social actors to participate in the enactment, implementation, execution, and evaluation of public policies.¹⁶ 	<ul style="list-style-type: none"> National Council of Languages and of Moroccan Culture.¹⁷ Consultative Council of Youth and of Associative Action.¹⁸ Economic, Social and Environmental Council.¹⁹ National Council for Human Rights.²⁰ The Mediator [<i>Le Médiateur</i>].²¹ Council of the Moroccan Community Abroad.²² National Instance of Probity, of the Prevention and of the Struggle against Corruption.²³ Superior Council of Education, Attainment of Knowledge, and of Scientific Research.²⁴ Consultative Council of the Family and of Childhood.²⁵ 	N/A	N/A	N/A

¹⁴ 2011 Constitution, Article 12.

¹⁵ Id.

¹⁶ Id.

¹⁷ 2011 Constitution, Article 5.

¹⁸ 2011 Constitution, Articles 33 and 170.

¹⁹ 2011 Constitution, Article 151.

²⁰ 2011 Constitution, Article 161.

²¹ 2011 Constitution, Article 162.

Regional Level	<ul style="list-style-type: none"> • 2011 Constitution • Regulatory Law No. 111-14 on Regions (law on regions) 	<ul style="list-style-type: none"> • Regional councils must implement participatory dialogue mechanisms, and favor citizen participation and engagement with civil society, particularly in the application of development programs.²⁶ • Must comply with the following principles: <ul style="list-style-type: none"> - Democracy, transparency, accountability, and responsibility. - Rule of law. - Participation, efficiency, and impartiality.²⁷ 	<ul style="list-style-type: none"> • Regional councils.²⁸ • Consultative body on civil society activities related to equality, equal opportunities, and gender.²⁹ • Consultative body on youth concerns.³⁰ • Consultative body on labor and economic issues.³¹ 	<ul style="list-style-type: none"> • Regional councils must be open to the public with the dates and agenda of meetings publicized in advance.³² • The necessary procedures must guarantee: <ul style="list-style-type: none"> - Deliberation through democratic manner. - Transparency of deliberations. - Participatory democratic mechanisms.³³ 	<ul style="list-style-type: none"> • A social improvement fund (also referred to as a social rehabilitation fund).³⁴ • A inter-regional solidarity fund.³⁵ 	<ul style="list-style-type: none"> • Regional councils are responsible for: <ul style="list-style-type: none"> - Cooperation and partnership agreements with the public and private sector. - Cooperation agreements with national or foreign public associations, or foreign non-governmental associations. - Involvement and participation in the activities of organizations concerned with local affairs. - Exchanges with foreign government agencies within the framework of
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²² 2011 Constitution, Article 163.

²³ 2011 Constitution, Articles 36 and 167.

²⁴ 2011 Constitution, Article 168.

²⁵ 2011 Constitution, Article 169.

²⁶ 2011 Constitution, Article 139 and Regulatory Law No. 111-14, Article 116.

²⁷ Regulatory Law No. 111-14, Article 243.

²⁸ 2011 Constitution, Article 146 and Regulatory Law No. 111-14, Article 51.

²⁹ Regulatory Law No. 111-14, Article 117.

³⁰ Id.

³¹ Id.

³² Regulatory Law No. 111-14, Article 51.

³³ Regulatory Law No. 111-14, Articles 244 and 251.

³⁴ 2011 Constitution, Article 142, and Regulatory Law No. 111-14, Articles 229-234.

³⁵ 2011 Constitution, Article 142, and Regulatory Law No. 111-14, Articles 234-236.

						respecting Kingdom's international obligations. ³⁶
Provincial Level	<ul style="list-style-type: none"> • 2011 Constitution • Regulatory Law No. 112-14 on Provinces and Prefectures (law on provinces) 	<ul style="list-style-type: none"> • Discussions in council sessions must occur in a democratic manner; must be transparent; and use participatory democratic mechanisms.³⁷ 	<ul style="list-style-type: none"> • Consultative body on civil society activities related to equality, equal opportunities, and gender.³⁸ 	<ul style="list-style-type: none"> • Meeting agendas must be communicated to the secretary of the province at least twenty (20) days before the session date.³⁹ • The procedures for preparing, following, updating, and assessing the provincial development program, and the procedures for the dialogue and consultation mechanisms, must be determined by a regulation.⁴⁰ 	N/A	<ul style="list-style-type: none"> • The provincial council must establish participatory dialogue and consultation mechanisms to facilitate public and CSOs contributions in preparing and following development programs.⁴¹ • The province may conclude agreements with contractors from outside of the Kingdom in the framework of international cooperation. • The provinces may conclude cooperation or partnership agreements to achieve a project or activity with foreign non-government

³⁶ Regulatory Law No. 111-14, Articles 99 and 162.

³⁷ Regulatory Law No. 112-14, Article 214.

³⁸ Regulatory Law No. 112-14, Article 111.

³⁹ Regulatory Law No. 112-14, Article 39.

⁴⁰ Regulatory Law No. 112-14, Article 82.

⁴¹ Regulatory Law No. 112-14, Article 110.

						bodies or public interest organizations. ⁴² <ul style="list-style-type: none"> The provincial council must discuss: <ul style="list-style-type: none"> - Cooperation and partnership agreements with the public or private sector; - Decentralized cooperation agreements with national and foreign communes; - Activities of organizations concerned with local affairs; - All forms of exchanges with the foreign communes after obtaining the approval of a regional governor, within the framework of respecting the international obligations of the Kingdom.⁴³
Communal Level	<ul style="list-style-type: none"> 2011 Constitution Regulatory Law No. 113-14 on Communes 	<ul style="list-style-type: none"> The communal council must implement participatory mechanisms of dialogue, favor public 	<ul style="list-style-type: none"> Communal councils⁴⁸ Consultative body on civil society activities related to equality, equal opportunities, and gender.⁴⁹ 			<ul style="list-style-type: none"> Communal councils must create joint mechanisms for discussion and consultation with the

⁴² Regulatory Law No. 112-14, Article 141.

⁴³ Regulatory Law No. 112-14, Article 94.

	(law on communes)	<p>participation, and engage with civil society.⁴⁴</p> <ul style="list-style-type: none"> • Council sessions must be open to the public. The date and agenda of meetings must be fixed at the headquarters of the commune, with some exceptions.⁴⁵ • Must comply with the following principles: <ul style="list-style-type: none"> - Democracy, transparency, accountability, and responsibility. - Rule of law. - Participation, efficiency, and impartiality.⁴⁶ • The commune's council, chairman, and other authorities must ensure democratic deliberations and transparency.⁴⁷ 				<p>public.⁵⁰</p> <ul style="list-style-type: none"> • Communes may conclude agreements with, or receive funding from, contractors from outside of the Kingdom in the framework of international cooperation.⁵¹ • Communes may conclude with foreign nongovernment authorities or recognized public interest organizations, agreements for cooperation or partnership for executing a project or activity.⁵²
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⁴⁸ 2011 Constitution, Article 146.

⁴⁹ Regulatory Law No. 113-14, Article 120.

⁴⁴ 2011 Constitution, Article 139.

⁴⁵ Regulatory Law No. 113-14, Article 48.

⁴⁶ Regulatory Law No. 113-14, Article 269.

⁴⁷ Regulatory Law No. 113-14, Article 270.

⁵⁰ 2011 Constitution, Article 139 and Regulatory Law No. 113-14, Article 119.

⁵¹ Regulatory Law No. 113 – 14, Article 149.

⁵² Regulatory Law No. 113-14, Article 149.

National Level

General Principles.

Morocco's 2011 constitution includes several important elements that if implemented effectively can promote greater public participation and cooperation between civil society and authorities at various levels of government.

The constitution adopts a framework for participatory democracy and mandates a greater role for CSOs. Article 12 of the Constitution requires that:

The associations interested in public matters and the non-governmental organizations, contribute, within the framework of participatory democracy, in the enactment, the implementation and the evaluation of the decisions and the initiatives [*projets*] of the elected institutions and of the public powers. These institutions and powers must organize this contribution in accordance with the conditions and modalities established by the law.

The constitution also requires the government to create opportunities for dialogue and broader engagement. Article 13 of the Constitution requires that:

The public powers work to the creation of instances of dialog [*concertation*], with a view to associate the different social actors with the enactment, the implementation, the execution and the evaluation of the public policies.

Incorporating these principles into the constitution is an important first step. However, the challenge will be to effectively implement these provisions. Institutionalizing specific mechanisms can help ensure that these principles become operational. The constitution contains specific mechanisms to operationalize these provisions, such as calling for the creation of several consultative councils and advisory bodies, and creating mechanisms for the submission of motions and petitions. The government could also consider whether any of the other mechanisms identified at the beginning of this paper could help operationalize these provisions: adoption of policy documents, the appointment of additional contact persons within government or elected entities, or mechanisms to formally seek input or feedback from CSOs and the public on legislation.

In addition, the government could continue to support and empower existing mechanisms, such as the Ministry in Charge of Relations between Parliament and Civil Society (MCRPCS)⁵³ with human, administrative, and financial resources. The House of Councilors has established an internal position of Consultant in Charge of Relations with Civil Society; such a position can be an excellent

⁵³ See the website of the Ministry in Charge of Relations between Parliament and Civil Society, available at: <http://www.mcrcp.gov.ma/default.aspx?Lg=Ar&mp=1&IDMenu=d>

point of contact with civil society with ongoing support.⁵⁴ Similar positions could be established in the House of Representatives and government entities.

Consultative Councils and Advisory Bodies.

The 2011 Constitution also calls for the creation of several Councils, including:

- A National Council of Languages and of Moroccan Culture;⁵⁵
- A Consultative Council of Youth and of Associative Action;⁵⁶
- An Economic, Social and Environmental Council;⁵⁷
- A National Council for Human Rights;⁵⁸
- A Mediator [*Le Médiateur*];⁵⁹
- A Council of the Moroccan Community Abroad;⁶⁰
- A National Instance of Probity, of the Prevention, and Struggle Against Corruption;⁶¹
- A Superior Council of Education, of Attainment of Knowledge and of Scientific Research; and⁶²
- A Consultative Council of the Family and of Childhood.⁶³

The Constitution requires the Moroccan authorities to draft organic laws to operationalize the various councils. These organic laws will determine the attributes, composition, and the functioning of these councils. The constitution does not explicitly provide that civil society will have representatives on these councils or have a formal participatory role, although the regionalization laws in some instances include a role for CSOs.⁶⁴ Granting civil society representatives a seat at the table with government officials is the highest level of cooperation. Granting CSO representatives a partnership role on these councils can position CSOs to propose and consult on a variety of policies, and provide CSOs with the opportunity to initiate discussion on issues pertinent to their sector. In return, CSOs can play an important role in monitoring public policies, influencing the legislative agenda and providing inputs to draft laws, policies, or initiatives, and encouraging cooperation between the public authorities and CSOs.

Regional Level

General Principles.

⁵⁴ Additional efforts by the Parliament of Morocco to cooperate with civil society are addressed in detail in a forthcoming paper from ICNL.

⁵⁵ 2011 Constitution, Article 5.

⁵⁶ 2011 Constitution, Articles 33 and 170.

⁵⁷ 2011 Constitution, Article 151.

⁵⁸ 2011 Constitution, Article 161.

⁵⁹ 2011 Constitution, Article 162.

⁶⁰ 2011 Constitution, Article 163.

⁶¹ 2011 Constitution, Articles 36 and 167.

⁶² 2011 Constitution, Article 168.

⁶³ 2011 Constitution, Article 169.

⁶⁴ See Law on Regions, Article 117(1), Law on Provinces, Article 111, and Law on Communes, Article 120.

The 2011 constitution and the law on regions require regional councils to implement participatory mechanisms of dialogue and favor public participation and engagement with civil society, particularly in the establishment and implementation of development programs.⁶⁵ Regional councils must also comply with the following principles:

- Democracy, transparency, accountability and responsibility;
- The rule of law; and
- Participation, efficiency, and impartiality.⁶⁶

Similar to the national level, these are powerful standards, but it will be important to ensure that they are operationalized through specific mechanisms and practices.

Consultative Bodies / Advisory Councils.

Morocco's legal framework calls for the creation of several consultative bodies at the regional level. These bodies include:

- Consultative body on civil society activities related to equality, equal opportunities, and gender;⁶⁷
- Consultative body on youth concerns; and⁶⁸
- Consultative body on labor and economic issues.⁶⁹

While the law on regions provides for the creation of the three consultative bodies listed above, the law does not define their rules of operation, including the composition, structure, operating procedures, and coordination and communication mechanisms. The law on regions requires the bylaws of the regional council to determine the method of creating and managing such bodies in partnership with civil society.⁷⁰ However, it is unclear if CSOs will have a role on these consultative bodies. Including an active, participatory role for CSOs on these bodies, and in the process of drafting the implementing documents, would be consistent with best practices.

Procedures.

The law on regions also calls for the development of procedures to guarantee:

- Deliberation in a democratic manner;
- Transparency of the council's deliberations; and
- Participatory democracy mechanisms.⁷¹

⁶⁵ 2011 Constitution, Article 139 and Regulatory Law No. 111-14, Article 116.

⁶⁶ Regulatory Law No. 111-14, Article 243.

⁶⁷ Regulatory Law No. 111-14, Article 117.

⁶⁸ Id.

⁶⁹ Id.

⁷⁰ Id.

⁷¹ Regulatory Law No. 111-14, Articles 244 and 251.

The law of regions also includes specific procedures to help advance these general principles. For example, the law on regions requires regional council meetings to be open to the public, with the dates and agenda publicized in advance.⁷² However, the law on regions also allows the regional council to close a session to the public if one-third of its members request a session to be private.⁷³ When adopting its rules of procedures, regional councils may want to consider whether this exception could be abused and whether they should define objective grounds in advance for requesting that a session be closed.

Funding Mechanisms.

Morocco's 2011 constitution calls for the creation of two regional funds:

- A social improvement fund (also referred to as a social rehabilitation fund); and⁷⁴
- An inter-regional solidarity fund.⁷⁵

The social rehabilitation fund aims to address weak human development measures and lack of basic infrastructure and equipment in the fields of potable water and electricity, housing, health, education, and roads and transportation.⁷⁶ The solidarity fund aims to guarantee the equal distribution of financial resources to decrease differences between the various regions.⁷⁷

An organic law establishes the resources and functioning of the funds.⁷⁸ According to the law on regions, the resources, expenses, methods of operation, and duration of the funds is to be specified by the finance law.⁷⁹ The Prime Minister is required to designate a person to receive revenues and disburse cash expenses of the funds.⁸⁰ An authority commissioned by the Ministry of Interior must issue decrees specifying how the funds may be used, the funds' annual and sector programs, and the methods for monitoring, evaluating, and inspecting the programs, and identify the conditions under which the programs can be temporarily suspended.⁸¹

Good practice entails the participation of, and consultation with, the beneficiaries in the process of establishment of the fund. The government could share its draft concept for the funds with CSOs and other beneficiaries, consult with CSO leaders and experts to finalize the draft, and hold region-wide consultations. The government could also conduct needs assessments when developing grant programs. The results could help the government in setting priorities that address the needs of beneficiaries. These

⁷² Regulatory Law No. 111-14, Article 51.

⁷³ Id.

⁷⁴ 2011 Constitution, Article 142, Regulatory Law No. 111-14, Articles 229-234.

⁷⁵ 2011 Constitution, Article 142, Regulatory Law No. 111-14, Articles 234-236.

⁷⁶ Regulatory Law No. 111-14, Article 229.

⁷⁷ Regulatory Law No. 111-14, Article 234.

⁷⁸ 2011 Constitution, Article 146.

⁷⁹ Regulatory Law No. 111-14, Articles 229 and 234.

⁸⁰ Regulatory Law No. 111-14, Article 230 and 235.

⁸¹ Regulatory Law No. 111-14, Article 231 and 236.

steps would create support for the funds among CSOs and beneficiaries. CSOs and beneficiaries would then look at the fund not only as a source of money from the government but as an institution with which they can collaborate to achieve common goals for the betterment of their country.⁸²

Other Mechanisms.

Regional councils are required to draft, monitor, evaluate, and revise programs for provincial development.⁸³ They are required “to create participatory mechanisms of discussion and consultation to facilitate the contribution of the citizens and associations in preparing and evaluating the development programs as per the methods specified in the internal regulations of the entity.”⁸⁴ While the regulatory law does not provide details about how to do this, or the specific mechanism to be utilized, this provision offers an additional opportunity to expand public participation and include civil society as partners.

Regional councils are also responsible for:

- Cooperation and partnership agreements with the public and private sectors.
- Cooperation agreements with national or foreign associations.
- Involvement and participation in the activities of organizations concerned with local affairs.
- Exchanges with foreign government agencies within the framework of respecting the Kingdom’s international obligations.⁸⁵

These cooperation or partnership agreements may involve a joint project or activity.⁸⁶ Regional councils may also obtain financing from agreements with international contractors if they receive “the approval of the public authorities in accordance with applicable rules and regulations.”⁸⁷

Provincial Level

General Principles.

Like the general principles that apply to the regional councils, discussions in council sessions at the provincial level must also occur in a democratic manner, be transparent, and use participatory democratic mechanisms.⁸⁸

⁸² For additional information, see “National Funds to Support Civil Society Organizations,” ICNL, July 2010, available at: <http://www.icnl.org/research/library/files/Transnational/National%20Funds%20Paper%20Final%20English.pdf>

⁸³ Regulatory Law No. 111-14, Article 83.

⁸⁴ Regulatory Law No. 111-14, Article 116.

⁸⁵ Regulatory Law No. 111-14, Articles 99, 162, and 163.

⁸⁶ Regulatory Law No. 111-14, Articles 162 and 163.

⁸⁷ Regulatory Law No. 111-14, Article 82.

⁸⁸ Regulatory Law No. 112-14, 214

Consultative Councils and Advisory Bodies.

The law on provinces requires the provincial council to create an advisory body, in cooperation with civil society, to promote equality, combat discrimination, and integrate a gender approach into laws and policies at the provincial level.⁸⁹ The provincial council's bylaws determine the advisory body's title and rules for its formation and management.⁹⁰

This provision in the law on provinces is nearly identical to the provision in the law on regions. Thus, the issues are the same. The advisory body is intended to be created in partnership with civil society, and the bylaws can provide greater clarity about civil society's role. The makeup of the provincial council and whether it will include a certain number of civil society representatives, is currently unclear. Rules could provide specific procedures that allow civil society representatives an active, participatory role within the advisory body, as well as in the drafting of implementing documents establishing the body.

Procedures.

The law on provinces also requires the provinces to adopt procedures to guarantee equality among citizens in accessing the provinces' public utilities, as well as the values of democracy, transparency, accountability and responsibility, the rule of law, and participation, efficiency and integrity.⁹¹ The province is required to adopt the necessary procedures to adhere to these principles.⁹² These requirements are similar to the ones required by the Laws on Regions.

As with the law on regions, the law on provinces also includes specific procedures to help advance these general principles. For example, the law includes requirements to promote transparency regarding the provincial council's work. The law requires meetings to be open to the public, and the dates and agenda publicized twenty days in advance. Requests submitted by citizens and approved must be recorded in the agenda.⁹³

Other Mechanisms.

The law requires provincial councils to establish participatory mechanisms for dialogue and consultation to facilitate the public's contributions in preparing and implementing development programs.⁹⁴ The provincial development program includes diagnosing the province's needs and potential, determining its priorities, and assessing its resources and estimated expenses for the first three years.⁹⁵ The provincial council is required to put in place a regulation stating the procedures for preparing, implementing,

⁸⁹ Regulatory Law No. 112-14, Article 111.

⁹⁰ Id.

⁹¹ Regulatory Law No. 112-14, Articles 213-214.

⁹² Regulatory Law No. 113-14, Article 270.

⁹³ Regulatory Law No. 112-14, Article 39.

⁹⁴ Regulatory Law No. 112-14, Article 110.

⁹⁵ Regulatory Law No. 112-14, Article 80.

updating, and evaluating a provincial development program, and the dialogue and consultation mechanisms necessary to prepare one.⁹⁶ If authorities use the regulation to create meaningful participation opportunities for civil society, CSOs can help connect the province with the needs of the public, contributing to more responsive and effective development programs.

Provincial councils are also responsible for:

- Concluding agreements with contractors from outside of the Kingdom consistent with the international cooperation framework;
- Concluding agreements with foreign nongovernment authorities or recognized public interest organizations to collaborate on projects and activities; and⁹⁷
- Carrying out exchanges with foreign communes after obtaining the approval of the regional governor, while respecting the Kingdom's international obligations.⁹⁸

Provincial councils may also obtain financing from international contractors if they receive “the approval of the public authorities in accordance with applicable rules and regulations.”⁹⁹

Communal Level

General Principles.

The general principles that apply to the regional and provincial councils also apply to communal councils. Communal councils must implement participatory dialogue mechanisms, favor citizen participation, and engage with civil society.¹⁰⁰ The law on communes also requires the communal councils, as well as their chairmen and other authorities, to comply with the following principles:

- Democracy, transparency, accountability, and responsibility;
- Rule of law; and
- Participation, efficiency, and impartiality.¹⁰¹

Councils / Advisory Bodies.

In addition to creating the communal councils,¹⁰² the law on communes establishes an advisory body, created in partnership with civil society to promote equality, combat discrimination, and integrate a

⁹⁶ Regulatory Law No. 112-14, Article 82.

⁹⁷ Regulatory Law No. 112-14, Article 141.

⁹⁸ Regulatory Law No. 112-14, Article 94.

⁹⁹ Regulatory Law No. 112-14, Article 85.

¹⁰⁰ 2011 Constitution, Article 139.

¹⁰¹ Regulatory Law No. 113-14, Article 269.

¹⁰² 2011 Constitution, Article 146.

gender approach into laws and policies at the communal level.¹⁰³ According to the law, the communal council's bylaws determine how to form and manage the advisory body.¹⁰⁴

The advisory body is intended to be created in partnership with civil society, and the bylaws can provide greater clarity about civil society's role. The makeup of the advisory body and whether it will include a certain number of civil society representatives is currently unclear. Rules could provide specific procedures that allow civil society representatives an active, participatory role within the advisory body, as well as in the drafting of implementing documents establishing the body.

Procedures.

The law on communes also requires communes to adopt procedures to guarantee equality among citizens in accessing public utilities, as well as to uphold the values of democracy, transparency, accountability and responsibility, the rule of law, and participation, efficiency, and integrity.¹⁰⁵ The council, its chairman, and other communal authorities and institutions are required to adopt the necessary procedures to advance these principles.¹⁰⁶ These requirements are similar to the ones required by the Law on Regions and the Law on Provinces.

As with the law on regions and the law on provinces, the law on communes includes specific procedures to help advance these general principles. For example, the law includes requirements to promote transparency regarding the council's work. The law requires meetings to be open to the public, and the dates and agenda publicized in advance. However, the law also allows the council to decide that a session can be closed to the public if one-third of its members request the session to be private, or if the territory governor or his representative requests that it a session not be open to the public to avoid breaching "public order."¹⁰⁷ When adopting bylaws, communal councils may want to consider whether this exception could be abused and whether they should define objective grounds in advance for requesting that a session be closed. Furthermore, the commune is also required to prepare reports evaluating, examining, and analyzing its internal controls and distribute these reports to the public.¹⁰⁸ The law also requires that a summary of resolutions be submitted to the commune's head office within eight days, and that CSOs and the public have the right to request and review the resolutions.¹⁰⁹

Other Mechanisms.

The communes' councils are required to create a participatory mechanism for discussion and consultation to encourage public input regarding development programs.¹¹⁰ The law requires that the

¹⁰³ Regulatory Law No. 113-14, Article 120.

¹⁰⁴ Id.

¹⁰⁵ Regulatory Law No. 113-14, Article 269.

¹⁰⁶ Regulatory Law No. 113-14, Article 270.

¹⁰⁷ Regulatory Law No. 113-14, Article 48.

¹⁰⁸ Regulatory Law No. 113-14, Article 272.

¹⁰⁹ Regulatory Law No. 113-14, Article 273.

¹¹⁰ 2011 Constitution, Art. 139 and Regulatory Law No. 113-14, Article 119.

commune's bylaws spell out the details of the mechanism.¹¹¹ If developed and implemented effectively, this new mechanism could provide an opportunity to expand public participation and include civil society as partners.

Communal councils are also responsible for:

- Concluding agreements with contractors from outside of the Kingdom consistent with the international cooperation framework;¹¹² and
- Concluding agreements with foreign nongovernment authorities or recognized public interest organizations to collaborate on projects and activities.¹¹³

Communal councils can also obtain financing from international contractors if they receive “the approval of the public authorities in accordance with applicable rules and regulations.”¹¹⁴

Implementation Guidance

General Guidance.

The constitution and regionalization laws provide multiple opportunities, identified above, to expand and institutionalize public participation. These mechanisms will need to be defined in the various implementing regulations and bylaws. However, even after these mechanisms are defined in the regulations, it will also be important to continue developing a culture of cooperation and public participation. This will include building the capacity of CSOs to use the new laws and mechanisms, and ensuring good implementation through proper training and monitoring. Below are additional suggestions to improve implementation.

Policy Documents and Development Programs.

The various laws require the councils to establish development programs using participatory mechanisms. Policy documents could help articulate and define how councils will implement the various public participation principles outlined in the laws. Below is some guidance for establishing a development program or other type of policy document based on best practices and lessons-learned from other countries.

1. **The document is developed through a participatory process:** Participatory processes ensure that the document responds to actual and priority needs, and that the stakeholders feel ownership and undertake responsibility for the implementation of its commitments. At the same time, it raises awareness about the importance of the issues, which can further encourage

¹¹¹ Regulatory Law No. 113-14, Article 119.

¹¹² Id.

¹¹³ Regulatory Law No. 113-14, Article 149.

¹¹⁴ Regulatory Law No. 113-14, Article 86.

public authorities and CSOs to partner and implement the document. Therefore, it is essential that the policy document is developed in a highly participatory manner.

2. **Implementation issues are considered from the very beginning of the drafting process:** The implementation issues must be discussed at the earliest stage of development of the policy document. This can ensure that the responsibilities and undertakings in the document are realistic and timely, and clarity as to who can implement it and how much money or time will be needed to do so.
3. **Plan for follow up:** The adoption of an action plan, which details the specific commitments and includes provisions regarding actual activities, responsibilities, timelines, and funding, can facilitate successful implementation. In addition, an evaluation and monitoring plan should be included so the parties can periodically assess implementation and make necessary adjustments.

Institutional Mechanisms.

The regionalization laws require the creation of consultative councils and advisory bodies on several priority topics. However, there are also opportunities to create a broader culture of cooperation and participation throughout the government. The government can consider creating additional mechanisms in other Ministries or government institutions. Common preconditions for the successful operation of institutional mechanisms include:

1. **The necessary conditions are in place:** To be successful, the institutional mechanism for cooperation needs to have a clear mandate, a place in the council's structure that gives it leverage, sufficient and preferably separate funding, committed leadership, and competent staff.
2. **Decentralization of the cooperation:** Collaboration should not be centralized in one office or ministry; otherwise, it may compromise opportunities for collaboration between authorities and CSOs working in similar field of activities (e.g., prevent environmental CSOs collaborating with the Ministry of Energy, Mining, Water and the Environment). This can be avoided by encouraging cooperation with relevant authorities, through separate focal points.
3. **Commitment and ownership by both CSOs and the government or parliament:** Institutional mechanisms that do not enjoy the recognition and support of the government or parliament are functioning in name only without realizing their potential for real collaboration. Similarly, institutional mechanisms through with government collaborates with CSOs are better accepted by the sector and fulfil their missions more effectively. Therefore, it is important that the entity is led by an enthusiastic and competent person knowledgeable about the sector, who has the drive to lead and is open to civil society input.

4. **Periodic review of implementation:** The institutional mechanisms create conditions for a more sustained partnership with CSOs; however, it is essential that the mechanism is periodically reviewed to ensure proper implementation and allow for necessary adjustments. To do so, there is a need to develop tools to monitor the implementation.

Funds.

The regionalization laws require the creation of several funds. Below are some of the preconditions for successful operation of funding mechanisms:

1. **Developing the fund in a participatory process:** The involvement of the CSOs is important to promote feelings of ownership, create wider legitimacy for the establishment of the fund, address the real needs of the sector, and identify funding priorities.
2. **Clear strategy:** All funds should have a clear strategy, including short and long term priorities.
3. **Independence and CSO representation:** Even if the fund is a public entity, it should be independent and have a democratic governing structure that allows CSO representatives a say in decision-making. The fund should set selection criteria and detailed conflict of interest rules in the law or its governing document to ensure that CSOs who have an interest in, or can benefit from, the topic of discussion (policy or grant) are excluded from the decision making.
4. **Sufficient and stable income:** It is critical to provide sufficient assets for the establishment of the fund and a consistent and predictable income stream to ensure uninterrupted and independent functioning. In addition, the fund should be allowed to raise funding from sources other than the government. The establishment of a fund should complement rather than displace other state funding sources.

Conclusion

Moroccan civil society and government officials at the national, regional, provincial, and communal levels that are seeking to develop the procedures and practices to implement the various cooperation and public participation mechanisms should maximize this opportunity. Investing in mechanisms, procedures, and practices that have widespread support will help ensure the mechanisms' success. Examples of public authorities and CSOs successfully undertaking steps to institutionalize public participation and further enhance their cooperation from around the world demonstrate that cooperation, if successfully implemented, can lead to open, collaborative and transparent governance.