

Local Development In Morocco Between The Consolidation Of The Philosophy Of Administrative Deconcentration And The Implementation Of The National Charter For Administrative Deconcentration

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Abstract:

This article aims to examine the impact of the administrative deconcentration system implemented in Morocco on the process of promoting local development, in light of its failure to embody the core principles of Administrative Deconcentration. This new vision of development—founded on the concept of "development from below"—relies on two fundamental pillars. The first is territorial decentralization, which necessitates the presence of locally elected bodies capable of ensuring broad citizen participation in managing public affairs. The second, complementary pillar is administrative deconcentration, which requires the establishment of decentralized state services endowed with effective decision-making, managerial, and reporting powers. These powers should allow such services to operate autonomously and efficiently, without systematic recourse to central authorities.

Materials and Methods: *The study of the topic "Local Development in Morocco: Between the Establishment of the Philosophy of Administrative Deconcentration and the Implementation of the Administrative Deconcentration Charter" requires an examination of the extent to which the philosophy of Administrative Deconcentration is embodied within the National Charter for Administrative Deconcentration, followed by an investigation into the implementation of its provisions and their impact on the development process in Morocco. This requires employing descriptive- analytical methods to understand the contents of the National Charter for Administrative Deconcentration and to assess the extent to which it reflects the key principles of the philosophy of Administrative Deconcentration.*

Conclusion: *Administrative Deconcentration in Morocco can be a support pillar of local development if it ensures effective transfer of power, adequate resources, and strengthened roles of local authorities. For its success, it requires effective follow-up of the National Charter by new law, robust decentralized services, and committed involvement of central administrations. Without them, the process is likely to recreate previous failures with petty delegation and not actual devolution of power*

Key Word: *Local development; administrative deconcentration; decentralized state services.*

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I. Introduction

Administrative Deconcentration is not merely a process of distributing powers and responsibilities between the central administration and decentralized administrative services. Rather, it constitutes a comprehensive reform of the state, founded on the consolidation of decentralization. This reform is based on redefining the relationship between the administration and the citizen or user, between the central administration and its external services, and ultimately between the state and territorial Collectivities (Decentralization and deconcentration, 1999, p. 200), with the aim of rehabilitating the territorial decentralization system in the country.

in this basis, the philosophy of Administrative Deconcentration does not consist merely in establishing administrative structures at the local level. Rather, its core lies in empowering these decentralized structures with genuine decision-making authority. This requires moving beyond the traditional logic of hierarchical oversight—characterized by the delegation of signature or authority—towards a true transfer of jurisdiction. In this way, decentralized administrative bodies can operate as fully functional entities with broad spheres of intervention, while the central administration limits itself to areas of national significance. This approach

reflects Morocco's strong commitment to administrative reform, as demonstrated by the various reforms it has undertaken in the process of building a decentralized administrative system.

This process began with the decree of October 20, 1993 (Decree No. 2.93.625, 1993), which is considered the first legal basis for strengthening Administrative Deconcentration in Morocco. It established the principle that all matters that are not of a national nature in terms of their content and scope of application must be dealt with by the authority delegated to do so in this area. This decree was expected to establish effective decentralization by defining the logic of Administrative Deconcentration in a process of broad delegation of powers, aimed at lightening the burden on the relevant minister and ensuring the speedy completion of administrative tasks, especially in areas far from the capital (Advanced Regionalization in Morocco, 2011, p. 67). This was followed by the decree of December 2, 2005 (Decree No. 2.05.1369, 2005), which outlined how powers and resources would be distributed between central administrations and external services, and provided for the creation of regional and provincial directorates, followed by the decree of October 30, 2008 (Decree No. 2.05.768, 2008), which provided for the possibility of delegating government powers of signature or endorsement, and defined the rules, limits, and controls of such delegation.

The process of strengthening Administrative Deconcentration in Morocco underwent a qualitative shift with the adoption of the 2011 Constitution (The Moroccan Constitution of 2011, 2011). It constitutes a fundamental and significant milestone in the process of consolidating the philosophy of Administrative Deconcentration in Morocco, particularly regarding the legal framework supporting decentralization. The 2011 Constitution introduced new developments that reinforced the roles of regional governors and prefectural and provincial officials. Moreover, the replacement of the term "external services" with "decentralized interests of the central administration" clearly reflected the importance attributed to Administrative Deconcentration by the constitutional legislator. This shift accelerated the adoption of a national charter on administrative Deconcentration, preceded by the enactment of a series of regulatory laws establishing the new status of territorial entities. The National Charter on Administrative Deconcentration was issued on December 27, 2018 (Decree No. 2.17.618, 2018). It is based on the idea of establishing a new approach to Administrative Deconcentration, adopting a new framework for distributing powers between the central administration and the various decentralized administrative levels. This framework is founded on the principle of subsidiarity, whereby the central administration is entrusted only with tasks that, according to the applicable laws, have a national scope or cannot be effectively carried out by decentralized services. Actual decision-making powers must be transferred to these services, along with the material, financial, and human resources necessary to ensure their effective performance. In essence, this represents the transfer of central management responsibilities to personnel operating at the local level (Acherqui, A., 2009, p. 221).

II. Methodology:

The study of the topic "Local Development in Morocco: Between the Establishment of the Philosophy of Administrative Deconcentration and the Implementation of the Administrative Deconcentration Charter" requires an examination of the extent to which the philosophy of Administrative Deconcentration is embodied within the National Charter for Administrative Deconcentration, followed by an investigation into the implementation of its provisions and their impact on the development process in Morocco. This requires employing descriptive- analytical methods to understand the contents of the National Charter for Administrative Deconcentration and to assess the extent to which it reflects the key principles of the philosophy of Administrative Deconcentration.

Problem-Statement:

The issuance of the Administrative Deconcentration Charter marked the beginning of a new form of state structure in Morocco. Its core focus was decentralization, aiming to align with the evolving dynamics of regional development within the framework of implementing advanced regionalization. The goal was to enable regions to effectively fulfill their responsibilities, particularly those related to development. Given that this represented a major transformation in the form and structure of the state, the process of strengthening Administrative Deconcentration in Morocco naturally faced several challenges. These challenges mainly concerned the transfer of powers from the central administration to decentralized administrative services—specifically, the nature and scope of their authorities, their relationship with other local actors, and how to provide them with adequate resources, especially human resources, to ensure effective performance. Did the Charter reverse the contents of Administrative Deconcentration?

The philosophy of decentralization is an administrative approach aimed at redistributing decision-making powers as well as financial and managerial responsibilities. Did the Charter actually lead to the transfer of competencies to decentralized services? Did it help accelerate and facilitate development in Morocco?

To address these questions, this study will first examine the extent to which the core principles of the philosophy of Administrative Deconcentration are reflected in the contents of the Administrative

Deconcentration Charter. Then, it will analyze how these principles influenced the implementation of the Charter's provisions, with the ultimate goal of contributing to the development process in Morocco.

Accordingly, this research is divided into two main Topics:

- First Topic: Foundations of Morocco's Administrative Deconcentration Policy and the Challenge of Promoting Local Development.
- Second Topic: Implementation of the Administrative Deconcentration Charter and its impact on the development process in Morocco.

First Topic: Foundations of Morocco's Administrative Deconcentration Policy and the Challenge of Promoting Local Development.

Given that Administrative Deconcentration is synonymous with territorial decentralization in addressing the challenge of local development, it is impossible to succeed in this challenge without both administrative and territorial decentralization, as they represent two fundamental pillars of local development. The philosophy underlying Administrative Deconcentration policy is not merely about transferring a set of powers and authorities from central to decentralized entities at the regional and provincial levels. Rather, it signifies a fundamental transformation in the structure and nature of the state. It fundamentally concerns how the state budget and resources are managed, including mechanisms for managing state investments, programs, policies, and human resources. In other words, it relates directly to the way the development process is governed in the country.

Thus, the National Charter for Administrative Deconcentration in Morocco (Decree No. 2.17.618, 2018) As a legal mechanism to support the method of Administrative Deconcentration in the country, and as a fundamental and complementary pillar to territorial decentralization in the process of fostering local development, this Charter is based on two main pillars. The first is that the region constitutes the appropriate level for formulating national Administrative Deconcentration policy, given its significant role in Morocco's administrative organization, especially following the ratification of the 2011 Constitution. The second pillar emphasizes the important role of the regional governor as the representative of the central authority, responsible for coordinating the activities of decentralized services, ensuring their progress, and monitoring their performance under the supervision of the relevant ministers (The Moroccan Constitution of 2011, Art. 145).

Overall, the Administrative Deconcentration Charter introduced a series of developments concerning the structure of the Moroccan administration. It provided for the creation of new decentralized administrative bodies and included numerous provisions related to the roles of central authority representatives at the local level. These changes were designed to align with the developments established by the 2011 Constitution regarding Morocco's territorial system, which, according to the Constitution, has become a decentralized system based on advanced regionalization (The Moroccan Constitution of 2011, Art 1).

Accordingly, this section will be divided into two paragraphs. The first paragraph will discuss the new administrative structures introduced by the Administrative Deconcentration Charter, as well as the distribution of powers among the components of this structure as stipulated therein. The second paragraph will address the new roles assumed by the regional governor, along with the region's status as one of the most important elected institutions in the state, making it a key driver in the process of fostering local development.

On this basis, this Topic will be organized as follows:

- **Subsection 1:** Creation of new administrative bodies vested with effective powers.
- **Subsection 2:** Promoting territorial governance and consolidating the Region's role as a driver of development

Subsection 1: Creation of New Administrative Structures with Effective Powers

The success of achieving local development depends largely on the extent to which the foundations and philosophy of Administrative Deconcentration are embraced and firmly established going beyond the traditional approach that characterized Morocco's prior efforts to support decentralization. Historically, the relationship between central authorities and external services was governed by the practice of delegating signatures or, at best, transferring limited powers under certain conditions.

In this context, the Administrative Deconcentration Charter mandated the creation of decentralized departments endowed with extensive administrative and decision-making powers, signaling a clear departure from the delegation logic towards a genuine transfer of authority.

First: The establishment of decentralized services to replace the former external services:

The principle of administrative Deconcentration does not merely involve creating administrative branches affiliated with the central administration, reflecting the traditional bureaucratic model. Rather, the

spirit of Deconcentration as a principle cannot be realized unless there are decentralized services vested with sufficient powers and authorities to accelerate the process of local development. This requires careful distribution of competencies and administrative frameworks to the regions, along with an expansion and specialization of their powers, enabling them to directly and promptly address local issues (Bakhenouch, A., 2011, p. 135)

On this basis, the National Charter for Administrative Deconcentration was established, founded on the idea of creating decentralized entities with genuine powers, capable of implementing administrative decisions independently of central administration approval. This Charter aimed to elevate these entities from mere external services to fully empowered administrative structures with the capacity for action and initiative. This is particularly relevant in the implementation of the state's public policies, where the Charter envisions a set of administrative bodies tasked with supporting this process. This framework is closely linked to the work of the Ministerial Committee for Administrative Deconcentration (Decree No. 2.17.618, 2018, Art. 38), the Regional Coordination Committee (Decree No. 2.17.618, 2018, Art. 30), the Technical Committee at the Prefecture or Provincial level (Decree No. 2.17.618, 2018, Art. 34), and the Eral Secretariat for Regional Affairs (Decree No. 2.17.618, 2018, Art. 33).

According to the provisions set forth in the Charter (Decree No. 2.17.618, 2018, Art. 9), The decentralized interests of the state at the regional, prefectural, or provincial levels include joint administrative representations that involve coordination between two or more ministerial sectors with integrated objectives. Additionally, sectoral administrative representations are established based on the scope and diversity of their assigned tasks. When necessary, temporary administrative structures may be created to supervise and execute specific projects or tasks; these structures dissolve once their assigned responsibilities have been fulfilled (Decree No. 2.17.618, 2018, Art. 8).

Based on the fact that the nature of the relationship between decentralized interests and territorial groups is one of the fundamental foundations determining the nature of the administrative Deconcentration system, the variations in administrative Deconcentration systems are primarily based on three aspects: first, the functions and specializations of decentralized interests; second, their relationship with the central administration; and finally, their relationship with territorial communities (Marcou.G., 2013, p.2). The Administrative Deconcentration Charter in Morocco has entrusted decentralized services with numerous functions, all aimed at supporting, assisting, and monitoring territorial communities, as well as contributing to their capacity development (Decree No. 2.17.618, 2018, Art. 36). The Charter established decentralized services as a mechanism to support and assist territorial groups in fulfilling their tasks and roles, particularly those related to the implementation of investment projects and programs, that is, those connected to the process of local development.

In general, to establish the determinants of the philosophy of administrative deconcentration, the text of the National Charter for Administrative Deconcentration emphasizes the necessity of reformulating various legislation related to state finances, the organization and competencies of ministerial sectors, delegation rules, and civil service regulations (Decree No. 2.17.618, 2018, Art. 17). In a manner that enables decentralized entities to exercise decision-making powers effectively and efficiently, the Charter grants the heads of these entities the status of commanders. This status empowers them to manage the financial allocations assigned to them, as well as to oversee the career management of their human resources. In essence, the Charter mandates moving beyond the mere delegation of signatures or jurisdiction to the actual transfer of powers, along with material and human resources, to decentralized services, allowing them to make decisions independently from the central administration, which will be limited to setting general strategies.

Second: Advancing from the principle of delegated delegation towards the principle of the actual transfer of authority:

The essence of the philosophy of Administrative Deconcentration lies in the process of transferring powers from central authorities to decentralized entities through a mechanism of power transfer or specialization from the center to local administrative bodies. This process accelerates decision-making at the local level and leads to the integration of territorial decentralization and Administrative Deconcentration efforts, recognizing that Administrative Deconcentration is one of the most important pillars of regionalism (Decree No. 2.17.618, 2018, Art. 3).

Before the adoption of the National Charter for Administrative Deconcentration, the logic of Administrative Deconcentration in Morocco was based on the principle of delegation of signature. This principle involved the delegate signing certain decisions within the principal's jurisdiction, on their behalf and under their supervision. Such delegation was essentially a formal act limited to signing documents previously prepared by the principal (Alaaraj, M., & Nekaz, Z., 2016, p. 16). The Administrative Deconcentration Charter introduced significant developments regarding delegation rules, emphasizing the transfer of material, financial, and human resources, as well as actual powers—particularly those involving accountability and

reporting(Decree No. 2.17.618, 2018, Art. 20).This means that the Charter established rules governing the distribution of administrative functions between central and decentralized administrative departments. The policy of Administrative Deconcentration requires the creation of decentralized departments equipped with financial, material, and human resources, as well as actual competencies, enabling them to act, take initiatives, and make decisions at the local level without referral to central authorities.

The new concept of decentralized administration, as reflected in the Administrative Deconcentration Charter, is grounded in the proper implementation of the 2011 Constitution's provisions. The Constitution positioned the region at the center of relations among various local actors, making it a forum for dialogue, consultation, and the preparation and monitoring of development programs. This is achieved through the creation of decentralized administrative services tasked with supporting and assisting territorial groups in fulfilling their roles, particularly in the field of investment management.

In this context, the Administrative Deconcentration Charter emphasized the necessity of promoting the interests of the decentralized state and enhancing its capabilities to effectively carry out its duties(Decree No. 2.17.618, 2018, Art. 6).It outlines the organization and competencies of decentralized services based on a set of principles, the most important being the principle of subsidiarity, which requires transferring competencies to the most appropriate level(The Moroccan Constitution of 2011, 2011, Art.140).Thus, the text of the National Charter for Administrative Deconcentration stipulates that central administrations are entrusted only with tasks that, according to the applicable laws, have a national character or cannot be effectively performed by decentralized services(Decree No. 2.17.618, 2018, Art. 14). This means that decentralized entities should be entrusted with all tasks that do not have a national character, in addition to any other tasks they are capable of performing.

The primary and ultimate goal of adopting the Administrative Deconcentration system is to distribute administrative functions across all levels by transferring actual powers and responsibilities particularly those related to accountability from the central administration to decentralized administrative departments. The philosophy behind the Administrative Deconcentration policy essentially reduces the role of the central administration to tasks that decentralized departments are unable to perform.

Subsection 2: Promoting territorial governance and consolidating the Region's role as a driver of development

The main purpose of adopting Administrative Deconcentration is to support the system of territorial decentralization and strengthen territorial governance, which essentially means exercising economic, political, and administrative authority to manage public affairs within a specific territorial area(Economic, Social and Environmental Council, 2019,Self-referral No. 42/2019, p. 9).

To this end, the National Charter for Administrative Deconcentration was adopted, reflecting a new philosophy regarding the distribution of administrative functions within the Moroccan state. This Charter consolidates the gains accumulated during a significant institutional reform process that began with the country's independence and included numerous initiatives enabling the establishment of a territorial organization capable of meeting the demands of local development. This was achieved by strengthening the presence and enhancing the functions of local elected bodies on the one hand, and by structuring the relationships among all local stakeholders and defining their roles—particularly those of government representatives at the local level—on the other.

In this context, the National Charter for Administrative Deconcentration introduced many new developments that have contributed to reinforcing the status of local authorities, especially regions, within the state structure in accordance with the provisions of the 2011 Constitution. It also clarified the roles of governors as the primary government representatives at the local level, particularly in their interactions with decentralized services.

First: Strengthening the Region's Position within the State Structure:

Morocco has been engaged in strengthening territorial decentralization since the early years of its independence. It worked to develop the territorial decentralization system by issuing a series of laws and regulations aimed at enhancing the roles of local communities as a means of involving citizens in local development. The Kingdom's first division into prefectures and regions was established by Dahir on March 23, 1955, and the Dahir of December 16, 1956, followed by the Collective Charter in 1960, which was amended by a new charter in 1976(Fakhour, I., 2019, p. 152).

In this context, all Moroccan constitutions have included specific provisions concerning local communities. The 1962 Constitution dedicated an independent chapter to local communities, stating that local communities in Morocco consist of prefectures, provinces, and municipalities, and that they are established by law(The Moroccan Constitution of 1962, Arts. 93).It also stipulated the necessity of electing councils to manage local affairs in a democratic manner, under conditions specified by law(The Constitution of the Kingdom of

Morocco, 1962, Arts. 94), The same provisions were maintained in the 1970 Constitution(The Moroccan Constitution of 1970, Arts. 86–87).

The 1972 Constitution introduced, for the first time, a distinction between urban and rural communities within local communities. It stipulates that local communities in the Kingdom consist of prefectures, provinces, urban and rural communities, as well as any other local community established by law(The Moroccan Constitution of 1972, Art. 87).

The 1992 Constitution officially recognized the region as a local community, stipulating that local communities in the Kingdom consist of regions, prefectures, provinces, urban and rural communities, and that no other local community may be created except by law(The Moroccan Constitution of 1992, Art. 94). This provision was maintained in the 1996 Constitution, specifically in Chapter 100(The Moroccan Constitution of 1996).

The process of strengthening decentralization in Morocco is set to experience a significant turning point with the new provisions introduced by the 2011 Constitution. This Constitution confirmed in its first chapter the decentralized nature of the Kingdom's territorial organization, as stipulated in Article 135, which designates local elected bodies as territorial communities and recognizes their legal personality. This recognition entails financial and managerial autonomy. Furthermore, Article 136 establishes that the regional and territorial organization is based on the principles of free management, cooperation, and solidarity, which serve to overcome the concept of guardianship over these bodies and strengthen local democracy. An organic law was issued to define the conditions for managing the affairs of territorial communities(The Moroccan Constitution of 2011, Arts. 146), the procedures for implementing the decisions of council presidents, the exercise of powers, the financial system, and the promotion of cooperation between communities, as well as governance rules. This law was enacted through three separate organic laws, the first of which pertains to regions(Organic Law No. 111.14 relating to Regions, 2015), The second pertains to prefectures and provinces(Organic Law No. 112.14 relating to Prefectures and Provinces, 2015), And the third concerns municipalities (local communities)(Organic Law No. 113.14 relating to Communes, 2015).

This legal framework has endowed territorial communities with a range of powers that have strengthened their position within the state structure, enabling them to effectively perform their duties, particularly those related to development projects. It has also granted the region, under the leadership of its council president, a prominent role compared to other territorial communities in preparing and monitoring regional development programs and regional land use plans, while respecting the autonomous powers of these territorial communities(The Moroccan Constitution of 2011, Arts. 143).

Thus, this authority has become a significant position within the framework of decentralization in Morocco. To strengthen this position, the adoption of an effective Administrative Deconcentration system was completed, involving the real distribution of administrative functions between the central administration and decentralized services. The National Charter for Administrative Deconcentration, issued in 2018, consolidated this position and its pivotal role in the development process.

In this context, decentralized services were established as support mechanisms for territorial groups, particularly the region, and were entrusted under the Administrative Deconcentration Charter with the responsibility of implementing public policies, programs, and projects planned at the regional level(Decree No. 2.17.618, 2018, Art. 15), Based on contracting and partnership among them as the key stakeholders at the local level(Decree No. 2.17.618, 2018, Art. 30).

To ensure an effective framework for the relationship among all local actors and considering the essential tasks and roles carried out by government representatives at the regional level, the Administrative Deconcentration Charter introduced several new developments regarding the reorganization of the relationship between decentralized services and government representatives—especially governors and prefects. It entrusted them with the responsibility of coordinating the interventions and activities of decentralized services(Decree No. 2.17.618, 2018, Art. 5).

Second: Updating the Role of the Regional Governor (Wali of the Region):

The governor is part of the authority structure, which has undergone significant developments since independence. A series of legislative and legal texts have been issued to define their powers and areas of intervention. Governors benefit from all the principles set forth in the Dahir of February 24, 1985, concerning the civil service. However, the nature of their duties imposes certain obligations, such as refraining from belonging to any political party or trade union, forfeiting the right to strike, and not leaving their jurisdiction without prior permission(Belkhal, A., & Bask Manar, M., 2016, p. 151).

This institution, which has historically played vital roles, is recognized within the local administrative framework as a key driver of development. It is governed by numerous legal texts that specify its tasks, responsibilities, and areas of intervention.

In this context, it is important to consider the decree issued on July 31, 2008 (Dahir No. 1.08.67 concerning the Authority of State Officials, 2008). This decree marked a qualitative shift in the regulatory framework of this authority, both in terms of the broader context of its issuance and the requirements it entails (Fakhour, I., 2019, p.136). In accordance with its provisions, the authority's personnel are classified into four ranks: the Workers' cadre, which includes the Excellent Worker and Worker grades; the Pashas' cadre, comprising the ranks of Excellent Pasha and Pasha; the Commanders' cadre, which includes the ranks of Excellent Commander and Commander; and the Successor Commanders' cadre, encompassing the ranks of Excellent Successor Commander, First Class Successor Commander, and Second Class Successor Commander. These personnel hold positions such as Governor, Governor's Deputy or Clerk, Pasha, Head of Department, and Commander.

The governor is a fundamental component of the authority's personnel, historically occupying a pivotal position within Morocco's administrative organization. It is the institution most directly connected to the citizen and closely linked to the central authority. Therefore, this institution has played an essential role in supporting the process of Administrative Deconcentration in Morocco, especially after addressing the legal gaps that had existed since its inception.

The institution of the governor is considered a relatively new administrative structure compared to other components of the authority's personnel. This system was adopted in 1981 through the Decree of July 28, 1981, which established a new model of local administrative organization with new administrative units called "the state." This unit does not possess legal personality (Belkhal, A., & Bask Manar, M., 2016, p.151).

Accordingly, the governor exercised his duties in the absence of a specific legal text defining his powers, deriving the legitimacy of his authority from royal speeches and decisions of the Ministry of the Interior. This situation persisted until the late 1990s, when the institution of the governor underwent significant transformations, particularly with Dahir No. 1.97.84, which implemented Law No. 47.96 concerning the organization of regions (Law No. 47.96 relating to the Organization of Regions, 1997). It was this law that formally linked the institution of the governor to the region, entrusting the governor with administrative oversight over the regions and the implementation of their decisions. This role was further reinforced by the Royal Speech of 2002, which expanded the governor's powers to include a range of new economic responsibilities (Noukaoui, S., 2019, p.162). As the sole point of contact for investment-related matters in the region, the governor's responsibilities came to include the management of decentralized investment.

For the first time, the 2011 Constitution formally recognized the institution of the governor, linking it directly to the policy of Administrative Deconcentration (The Moroccan Constitution of 2011, Arts.49,145). The position of the governor was further strengthened by Organic Law No. 14-111 on regions, which defined some of the governor's powers and responsibilities. The governor now fulfills three main functions. The first is the function of representation, through which regional and provincial governors act as representatives of the central authority within the territorial communities (The Moroccan Constitution of 2011, Arts.145). While under the 2011 Constitution the governors represent the state and act as agents of the central authority, their functions were further detailed in Organic Law No. 14-111 on regions. The second primary function is the supervision of decentralized services, giving governors authority to oversee the heads of these services. The third function is administrative oversight: according to the organizational laws governing territorial communities, this mandate allows governors to intervene in all matters and affairs of those Elected Institutions.

Thus, by law, the institutional role of the governor now occupies a pivotal position within the Moroccan administrative system. This position was further strengthened by the 2018 National Charter for Administrative Deconcentration, which designated the regional governor and, as applicable, the provincial governor as supervisors of the tasks carried out by heads of decentralized state agencies and their personnel under their authority (Decree No. 2.17.618, 2018, Art. 19). It was stipulated that governors are responsible for coordinating the activities of decentralized services and ensuring their smooth functioning. They were also entrusted with overseeing the preparation of programs and projects decided upon by public authorities, or those that are the subject of agreements or contracts with other entities. Additionally, it was stated that the governor or provincial governor, as the case may be, may conclude agreements and contracts related to the aforementioned programs and projects (Decree No. 2.17.618, 2018, Art.26).

In the same context, governors and provincial officials were each entrusted, within their respective areas of competence and in accordance with the provisions of the Charter, with taking all necessary measures to enable decentralized state services to fulfill their missions and responsibilities, and to implement the aforementioned programs and projects. They are also authorized to propose to the relevant government authorities any legal, financial, administrative, technical, or environmental measures within their jurisdiction that could enhance the performance of decentralized services at the regional, prefectural, or provincial level, as the case may be, in order to meet users' expectations and simplify access to public services (Decree No. 2.17.618, 2018, Art. 28).

In accordance with the provisions of the National Charter, governors and provincial officials are also responsible for regularly informing the relevant government authorities of the measures taken to ensure the implementation of investment programs and infrastructure works carried out by the State, public institutions, public enterprises, or the private sector at the regional, prefectural, or provincial level, as the case may be. They must also report on the status of implementation of these programs and works, and, where necessary, provide observations and proposals to overcome any difficulties that may hinder their completion within the prescribed deadlines (Decree No. 2.17.618, 2018, Art. 29).

Thus, the Administrative Deconcentration Charter has conferred a prominent status upon the institution of the governor, as evidenced by the numerous tasks and functions assigned to this role. This is further illustrated by the frequency with which the term “governor” appears in the Charter ninety times a repetition that reflects the wide range of responsibilities entrusted to governors. These include supervision, proposal, coordination, decision-making, contracting, chairing meetings, convening stakeholders, referrals, reporting, issuing recommendations, calling meetings, and setting agendas.

Based on the foregoing, it can be concluded that the Administrative Deconcentration Charter has established Morocco’s Administrative Deconcentration policy on two main pillars. The first consists of structural and institutional reforms aimed at creating decentralized administrative entities with real authority and resources. The second is embodied in the central role assigned to the regional governor, whose responsibilities include monitoring and evaluating the performance of the region recognized as the most important tier in the Kingdom’s territorial organization. This reflects the Moroccan legislator’s clear commitment to embedding the philosophy of Administrative Deconcentration within the national administrative structure as a key strategy for achieving development.

In this regard, a fundamental question arises: Was the mere issuance of a formal charter on Administrative Deconcentration despite its comprehensive articulation of the philosophy’s guiding principles sufficient for Morocco to claim the successful establishment of an effective decentralization system? Or did the realization of this objective require the rigorous and practical implementation of the Charter’s provisions, especially those related to the means, mechanisms, and operational tools of decentralized institutions?

Second Topic: Implementation of the Administrative Deconcentration Charter and Its Impact on the Development Process in Morocco

The principal objective behind supporting the Administrative Deconcentration process in Morocco through the adoption of the National Charter for Administrative Deconcentration was to accompany the new dynamic experienced by the region, based on its upgraded status under the 2011 Constitution, and to enable it to fully carry out its responsibilities, especially those related to local development.

Accordingly, the Charter established Administrative Deconcentration as a fundamental pillar of Morocco’s development strategy. It was based on the principle of creating decentralized administrative units and equipping them with decision-making authority as well as adequate material and human resources, so they could fulfill their core function: supporting and accompanying territorial communities in implementing their development projects and programs.

In this context, and to ensure the effectiveness of decentralized services, the National Charter for Administrative Deconcentration called upon government authorities to develop directorate designs specific to Administrative Deconcentration particularly in relation to their decentralized services. These designs are to be guided by what is referred to as the Directorate Reference Design Model towards Administrative Deconcentration (Decree No. 2.19.40 specifying the reference management design model for Administrative Deconcentration, 2019). On the one hand, these efforts are grounded in a comprehensive legal framework, including the 2011 Constitution, the organic laws pertaining to territorial communities, the organic law reforming regional investment centers and establishing unified investment committees, and the decrees related to Administrative Deconcentration specifically the National Charter for Administrative Deconcentration and the Reference Managerial Design for Administrative Deconcentration. On the other hand, they are supported by sector-specific legislation governing each ministerial department. According to the requirements of the Charter, these managerial designs aim to consider the unique nature and specificities of each ministry, determine the competencies to be transferred to decentralized state services especially those related to reporting as well as identify competencies subject to delegation. Furthermore, they specify the necessary human and material resources to empower decentralized services to effectively exercise their assigned powers (Decree No. 2.17.618, 2018, Art. 20).

Therefore, understanding the main purpose of this Charter depends largely on how and to what extent its provisions are implemented. This is closely linked to the necessity of preparing these managerial designs, which encountered significant challenges related to the distribution of human resources, as well as the nature and scale of powers transferred to decentralized services.

Accordingly, this topic will be divided into two Subsections:

- **Subsection 1:** Challenges in Human Resource Distribution
- **Subsection 2:** Limited Effectiveness of Decentralized Services

Subsection 1: Challenges in Human Resource Distribution

The core principle of the philosophy of Administrative Deconcentration is the creation of decentralized administrative services. The effective functioning of these services depends on the availability of competent human resources capable of fulfilling their administrative duties efficiently. This underscores the need to focus on the development of personnel working outside the central administration, including continuous professional training and capacity building (Larabi, S, Longuépée, L, Harnist, J, Boutan, E., 2020, p. 33). So that decentralized services can perform their duties in the required and expected manner, the success of the Administrative Deconcentration system depends on attracting qualified human resources capable of effectively assuming their administrative responsibilities. This is essential to ensure the provision of quality public services to users, particularly investors. The personnel entrusted with managing decentralized services must possess qualifications and competencies equivalent to those of employees in the central administration, and must be selected according to the same criteria used for recruiting central administration staff (Benabdelhadi, A, Chemao, M., 2018, p. 15).

In this context, and to implement the provisions of the National Charter for Administrative Deconcentration regarding human resource management, a technical committee was established under the Ministry of Economy, Finance, and Administrative Reform. As the government body responsible for managing the affairs of the Moroccan administration, this committee was tasked with developing a vision for human resource management. In addition to identifying and cataloging all possible tasks that do not require delegation but can be transferred to decentralized services, the committee worked on programming 17 procedures that require legal authorization (Report on the work of the Ministerial Committee on Administrative Deconcentration, 2020, pp. 30–33). It also organized a study meeting on February 13, 2020, attended by human resources officials from all government sectors. The meeting concluded with a set of recommendations aimed at facilitating the transfer of human resources to decentralized departments (Report on the work of the Ministerial Committee on Administrative Deconcentration, 2020, p. 34).

Generally, discussing human resource management under the Administrative Deconcentration system necessarily involves decentralizing employment. The monopoly of the central administration over managing employment processes within decentralized services must be overcome so that employment becomes an internal matter, handled directly by each decentralized unit's supervisor. This supervisor should be responsible for managing human resources, including recruitment, promotion, and redeployment at the regional level.

In this context, it is important to note that prior to the approval of the National Charter for Administrative Deconcentration, the Ministry of Public Service and Administrative Reform which was previously responsible for managing the administration and public service called for the creation of a new administrative position: the regional director. This position would have the same status and authority as a central director. The Ministry also emphasized the need to enhance the attractiveness of positions within decentralized administrations by offering appropriate incentives and benefits (study on Administrative Deconcentration, Phase 2 summary, 2016, p. 7).

The establishment of the regional director position would have been one of the key guarantees for the successful adoption of an Administrative Deconcentration system, which inherently requires that decentralized services manage the financial allocations assigned to them. The authority for self-management of financial resources constitutes the core of the decision-making powers that the Administrative Deconcentration Charter mandates to be transferred from central administrations to these decentralized services. Furthermore, the creation of this position would have directly implemented Article 17 of the Charter, which emphasizes the need to grant the heads of decentralized services at the regional level the status of regional spending officers, enabling them to manage their allocated budgets.

However, the reality of decentralized administrative entities does not encourage the attraction of qualified personnel, as many such services are located in areas perceived by employees as remote or isolated, which are considered less desirable compared to other posts in terms of professional challenges or career and social advancement opportunities. Addressing this issue requires concrete measures, such as providing financial incentives and administrative benefits to every employee appointed to these decentralized units.

Unfortunately, this situation has not improved. Despite the explicit provisions in the Charter calling for the transfer of human resources to decentralized services, governmental authorities remain hesitant to enact new laws or update existing legislation that no longer aligns with the philosophy and logic of Administrative Deconcentration as defined by the National Charter. This hesitation constitutes a significant obstacle to establishing an effective Administrative Deconcentration system in Morocco. Consequently, the ambition to promote local development remains at risk. This concern was underscored in the General Report on the New

Development Model, which revealed that the implementation of the Administrative Deconcentration Charter continues to experience noticeable delays (General Report on the New Development Model, 2021, p. 118), including those related to the distribution of human resources.

Subsection 2: Limited Effectiveness of Decentralized Services:

The National Charter explicitly emphasizes the necessity for decentralized services to exercise their decision-making powers effectively and efficiently (Decree No. 2.17.618, 2018, Art. 17), and empowering them with the necessary material and human resources to ensure their ability to perform their tasks and exercise all their delegated powers.

The effectiveness of these decentralized services depends, on the one hand, on the nature of the powers and the volume of material and human resources transferred to them by the central administrations, and on the other hand, on their relationship with the regional governors, as the governor of the region, in accordance with the Charter's provisions, is the primary official responsible for overseeing and ensuring the performance of these decentralized services.

Regarding the nature of the powers transferred to decentralized entities:

Article 18 of the National Charter for Administrative Deconcentration stipulates that "the relevant government authorities must take the necessary measures to enable the decentralized services under their supervision to exercise powers that allow them to take initiative in activating the sectoral public policies they are tasked with implementing, to devise solutions that guarantee the improvement of public services provided to users, and to implement these solutions within the framework of the powers and competencies assigned to them." This is based on the requirement that these authorities prepare, within a period not exceeding six months from the date of publication of the decree related to the administrative model design, the necessary arrangements as published in the Official Gazette (Decree No. 2.17.618, 2018, Art. 22). The directorate designs specify, in accordance with the axes of the model design, the nature of the powers and the material and human resources to be transferred, along with a detailed schedule for the transfer process.

It is noteworthy that, despite the involvement of several sectors and central administrations in implementing the provisions of the National Charter for Administrative Deconcentration, some sectors have significantly lagged behind in advancing this process. In particular, the latest design had not been approved by the Ministerial Committee for Administrative Deconcentration as of the end of December 2019. One year after the entry into force of the Administrative Deconcentration Charter, most sectors including those that initially engaged quickly in the early stages of implementing the Charter, particularly in preparing the directorate design submitted their designs beyond the deadlines set by the Charter. This delay naturally affected the progress of the transfer process and, consequently, the performance of decentralized entities, as well as the broader goal of consolidating the philosophy of Administrative Deconcentration in Morocco.

To address this delay, the subsequent government continued to monitor the implementation of the Charter's provisions by ensuring the activation and updating of the directorate designs completed by various government sectors. Additionally, it worked on preparing the final framework for joint and sectoral administrative representations at the regional and provincial levels, aiming to ensure comprehensive coverage of all territorial areas across the country, with administrative bodies representing all government sectors to bring administrative interests closer to the various local actors (Akhennouch, A., 2023).

On the other hand, this government has focused on updating the legislation related to this initiative. In 2023, a decree concerning the delegation of authority and signing powers was issued (Decree No. 2.22.81 on Delegation of Authority and Signature, 2023). In this context, Prime Minister Aziz Akhannouch emphasized that his government will ensure that the various ministries commit to delegating a significant portion of their financial resources no less than 30% of the sectoral budget in the initial phase to decentralized services. This represents a substantial increase compared to previous delegations, which amounted to only about 6%. The aim is to enable these services to fully carry out their responsibilities and achieve the objectives of the decentralization policy (Akhennouch, A., 2023).

However, regarding the relationship with the governor's institution:

Despite the important roles and essential functions played by government representatives at the local level primarily in coordinating tasks among various local administrative and territorial bodies many international experiences that have undergone significant administrative development toward establishing the foundations of administrative and territorial decentralization, including those with regional and federal systems (Marcou, G., 2013, p. 2). However, despite the importance of these roles, they remain limited compared to the powers, tasks, and areas of intervention held by other local authorities, especially elected bodies.

On this basis, the success of Administrative Deconcentration efforts in Morocco depends on decentralizing the state's work that is, by strengthening the position of territorial groups, particularly the

regions so that the work of decentralized services is closely linked to these territorial groups as elected bodies. This would ensure that decentralized interests are not subordinate to central authority or to the men of authority (governors), which conflicts with the current nature of the relationship between regional governors and decentralized interests. According to organizational laws governing territorial groups, this relationship resembles a form of guardianship. Meanwhile, the 2011 Constitution refers only to the concept of administrative control, a term that lacks a clear definition within the Constitution's text. From the constitutional context, it appears the legislator intended regulatory oversight to mean assistance and coordination, especially given the enhanced status of territorial groups as elected bodies.

III. Conclusion

If the foundations of Administrative Deconcentration are established in a way that respects the philosophy that frames it as an administrative method, it can be considered a fundamental gateway to achieving local development. Accordingly, relying on this system to achieve development requires guaranteeing all necessary conditions for local development primarily strengthening the roles of local authorities, especially regions, which are a fundamental pillar in the development process. Additionally, it requires having decentralized administrative entities endowed with effective decision-making powers and adequate material and human resources that enable them to perform their tasks and functions.

Otherwise, the process of Administrative Deconcentration in Morocco will continue to be governed by the same logic and philosophy that prevailed before the issuance of the National Charter for Administrative Deconcentration.

Administrative Deconcentration, while driven by political will, is an evolving culture shaped by continuous development processes. Its success depends on updating a set of laws, legislation, and regulations that embody the implementation of the decentralization logic established by the National Charter for Administrative Deconcentration. It requires official commitment to meet these requirements; otherwise, the experience of Decree 2.05.1339 which defined the rules for organizing ministerial sectors and Administrative Deconcentration but was not adhered to nor implemented on time will be repeated.

To overcome stagnation in implementing the Charter's provisions and to realize its fundamental purpose of fostering development, the National Charter must emphasize the serious and responsible involvement of all central administrations and government sectors. This includes ensuring that all directorate designs prepared by government sectors are regularly updated to guarantee the actual transfer of powers to decentralized services, especially those related to investment procedures and their associated specializations, which are among the most important engines of development.

This must go beyond the logic of delegation—whether signature or authority because the essence of Administrative Deconcentration as defined by the Charter lies in the actual transfer of powers, not mere delegation.

In the same context, ensuring the effectiveness and efficiency of decentralized services also depends on strengthening the position of their leaders by granting them the title of regional director, giving them the same status, authority, and privileges as managers within the central administration. This requires providing qualified human resources and updating the civil service statute—particularly provisions related to recruitment, human resources management, and establishing regional employment systems based on contracts with clear objectives and performance results, while enhancing the attractiveness of working in decentralized services through incentives and benefits.

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