

Water Governance Benchmarking Criteria

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**Decree no. 2-05-1534 of 24 November 2005 regarding
the terms, methods and procedures for drafting and revising
integrated general water resources development plans and the National Water Plan 11, 46, 88**

The Prime Minister,

In view of Law no. 10-95 regarding water, promulgated by Dahir (Royal Decree) no. 1-95-154 of 18 Rabii I 1416 (16 August 1995), and particularly its articles 15 to 21 and 99: 80

In view of Decree no. 2-96-158 of 8 Rejeb 1417 (20 November 1996) relative to the composition and functioning of the High Council for Water and Climate; 81

In view of Decree no. 2-97-223 of 21 Jomada II 1418 (24 October 1997) regarding the procedure for drafting and revising integrated general water resources development plans and the National Water Plan; 82

After examination by the Council of Ministers during its meeting of 20 Chaoual 1426 (23 November 2005),

Decrees:

Chapter I: the integrated general water resources development plan

Article 1: The draft of the integrated general water resources development plan is prepared by the Hydrological Basin Agency for each basin or group of hydrological basins having competence in its area of action. 19, 47

Article 2: The studies needed to establish the integrated general water resources development plan include, among others, the following: 20, 31, 48

1 – The evaluation of the quantitative and qualitative evolution of the water resources and aquatic ecosystems, consisting primarily of: 32, 67

- the determination of the characteristics of the water resources in quantitative and qualitative terms, and their variabilities in time and space; 43, 62
- the inventory of the aquatic ecosystems, as well as their description and the establishment of their mode of functioning and management; 49, 68

2 – The analysis of the achievements, assets and constraints in the field of water; 33

3 – The evaluation and development of the water needs and potential uses of water resources and of the aquatic ecosystems, consisting of: 34, 44, 45, 50, 69

- the evaluation of current and future demands for water from the various user sectors in a context of scarcity, and water demand management;
- the identification and evaluation of the water needs of the aquatic ecosystems;
- the identification of new water needs and other potential uses.

4 – The study of the preservation of the quality of water resources, aquatic ecosystems and hydraulic infrastructures; 35, 63, 66, 70

5 – The analysis of flood risks, the identification and evaluation of needs in the area of protection against floods; 64

6 – Orientations for developing water resources and the water sector, and objectives to achieve;

7 – The identification and technical, economic and environmental evaluation of the possibilities of development and reclamation of water resources, and of actions to preserve these resources and aquatic ecosystems, and of the possibilities of water saving and recycling of non-conventional waters, and protective measures against floods. 51, 61, 65, 71, 93

Article 3: In addition to the components stipulated in paragraphs 1 to 9 of article 16 of the above-mentioned Law no. 10-95, the integrated general water resources development plan includes: 52, 83

- its financing plan; 27
- an action plan for monitoring its implementation.

The contents of the integrated general water resources development plan may, however, be adapted to the context and the specific characteristics of the agency's area of action. 89

Article 4: The integrated general water resources development plan is prepared by the basin agency in consultation with the various actors in the water domain. To this end, consultative meetings are held at the initiative of the basin agency during the entire phase of preparation of the integrated general water resources development plan, with a view to: 1, 21, 36, 53, 76

- examining the terms of reference or the methodology for conducting the studies required for the preparation of the integrated general water resources development plan;
- monitoring the preparation of the studies for the drafting of the integrated general water resources development plan;
- examining the results of the different stages of preparation of the integrated general water resources development plan;
- taking the objectives and directions of the various sectoral plans into account. 22

Article 5: In addition to the walis (local governors) and provincial and prefectorial governors whose territories are partially or wholly included in the area to which the integrated general water resources development plan is applicable, all the actors concerned take part in the consultative meetings indicated above, to include: 23, 77

- the representatives of the regional, provincial and prefectorial councils whose territories are wholly or partially included in the agency's area of action;
- the representatives of the water users associations that are active in the agency's area of action;
- the representatives of the professional associations that are active in the agency's area of action;
- the regional or provincial representatives of the administration and of the public agencies intervening in the water domain.

The basin agency director may invite to these meetings, in an advisory capacity, anyone who is competent in the water domain and may be able to help monitor the studies and drafting of the integrated general water resources development plan. 29

Article 6: The integrated general water resources development plan dossier includes the following documents: 37, 54

- a summary of the integrated general water resources development plan;

- a summary report;
- a report presenting the integrated general water resources development plan, in compliance with the provisions of article 3.

Article 7: The Hydrological Basin Agency Director submits the draft of the integrated general water resources development plan to the opinions of the government authorities responsible for the interior, finance, agriculture, health, energy and mines, commerce, industry, crafts, the environment and land use planning. These authorities have a time limit of three (3) months to state their opinions. When this period has elapsed without a response from them, their opinion shall be considered favorable. [2](#), [24](#), [78](#)

On the basis of the said authorities' opinions, the Hydrological Basin Agency Director makes any modifications that may be necessary according to the provisions of articles 4 and 5 above, and submits the draft of the integrated general water resources development plan to the opinion of the Board of Directors of the agency. When these formalities have been completed, the Hydrological Basin Agency Director conveys the draft of the integrated general water resources development plan to the government authority responsible for water, which subjects it to the opinion of the High Council for Water and Climate. [3](#), [79](#)

Article 8: Pursuant to article 99 of the above-cited Law no. 10-95 on water, in the areas that are not covered by hydrological basin agencies, the responsibilities and roles accorded by this chapter to the said agencies are exercised by the regional representation of the minister responsible for water. [4](#), [30](#), [84](#)

Chapter II: The National Water Plan [12](#)

Article 9: The draft of the National Water Plan is established by the minister responsible for water in consultation with the ministerial departments and institutions that are members of the High Council for Water and Climate according the terms and following the methods and procedures stated in this chapter. [5](#)

Article 10: In addition to the summary of the results and conclusions of the integrated general water resources development plans of the hydrological basin agencies, the studies associated with the National Water Plan include, among other elements: [25](#), [38](#), [55](#)

1 – The establishment of the state of things in the water sector, consisting primarily of: [39](#), [56](#)

- the analysis and assessment of the policy pursued in the development and management of the water sector;
- the analysis of the institutional and regulatory context;
- the summary of the achievements and constraints affecting the development of water resources and the water sector;

2 – The summary of the quantitative and qualitative knowledge of the water resources and aquatic ecosystems, after they have been updated; [72](#)

3 – The overall prospective analysis of the quantitative and qualitative evolution of the water sources and aquatic ecosystems and of their use. This analysis must include: [40](#), [57](#), [73](#)

- an overall evaluation of water demand and of potential uses of water and aquatic ecosystems;
- a comparison of the potentials and planned and potential uses of water resources and aquatic ecosystems;

4 – The definition of the strategy, directions and national priorities in the field of water sector development and management. This concerns: 13, 41, 58

- the formulation and proposal of the strategies that can be envisioned to promote the integrated management of water resources;
- the formulation of the major directions in the integrated management of water resources.

Article 11: In addition to the components stipulated in article 19 of the above-cited Law no. 10-95, the National Water Plan includes: 6, 59, 85

- its financing plan; 28
- an action plan for monitoring its implementation.

Article 12: The consultations among the various actors in the water domain that are required for the preparation of the National Water Plan must be made within the framework of the standing committee of the High Council for Water and Climate. For this purpose, apart from the roles and responsibilities that are accorded to it by article 3 of Decree no. 2-96-158 of 20 November 1996, the standing committee of the High Council for Water and Climate is responsible for: 7, 14, 26, 42, 60, 86, 90

- examining and validating the terms of reference of the National Water Plan Study;
- organizing, at the end of each of the key phases of the studies mentioned in article 10 above, consultation meetings;
- lending its support to gathering the data needed for the establishment of the National Water Plan;
- monitoring the preparation of the various studies conducted in the preparation of the National Water Plan and giving directions to follow for the conduct of these studies;
- ensuring that the articulations between the actions of the National Water Plan and the various economic and social development plans and strategies are respected;
- examining the report on the National Water Plan to be presented to the High Council for Water and Climate;
- proposing, as appropriate, the revision of the National Water Plan to the government authority responsible for water.

Article 13: The National Water Plan dossier includes the following documents: 15

- a summary of the National Water Plan;
- a summary report;
- a report presenting the National Water Plan in compliance with the provisions of article 11.

Article 14: The National Water Plan dossier is subjected by the minister responsible for water to the opinion of the High Council for Water and Climate. 8, 16

Chapter III: Miscellaneous provisions

Article 15: The National Water Plan and the integrated general water resources development plans are approved by decrees drafted and issued on the proposal of the minister responsible for water. These decrees are published in the Official State Gazette. They are revised according to the same procedures provided for their establishment and approval. The integrated general water resources development plan may be revised on the recommendation of the agency Board of Directors. [9](#), [17](#), [74](#), [91](#)

The National Water Plan may be revised on the recommendation of the High Council for Water, or its standing committee, or of a ministerial department concerned. In all cases, the revision proposal is conveyed to the minister responsible for water.

Article 16: Decree no. 2-97-223 of 21 Joumada II 1418 (24 October 1997), regarding the procedure for drafting and revising integrated general water resources development plans, and the National Water Plan is hereby repealed. [18](#), [87](#), [92](#)

Article 17: The Minister of Land Use Planning, Water and the Environment and the Minister of the Interior are responsible for executing this Decree, which will be published in the Official State Gazette. [10](#), [75](#)

In Rabat, on 21 Chaoual 1426 (24 November 2005)
Driss Jettou

By countersignature:

The Minister of Land Use Planning, Water and the Environment
Mohamed El Yazghi

The Minister of the Interior:
Mostafa Sahel