

Water Governance Benchmarking Criteria

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A. GOVERNANCE FUNCTIONS

- 1. Organizing and building capacity in the water sector**
 - 1.1 Creating and modifying an organizational structure
 - 1.2 Assigning roles and responsibilities [1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#)
 - 1.3 Setting national water policy [11](#)
 - 1.4 Establishing linkages among sub-sectors, levels, and national sub-regions [12](#), [13](#), [14](#), [15](#)
 - 1.5 Establishing linkages with neighboring riparian countries
 - 1.6 Building public and political awareness of water sector issues
 - 1.7 Securing and allocating funding for the sector
 - 1.8 Developing and utilizing well-trained water sector professionals
- 2. Planning strategically**
 - 2.1 Collecting, managing, storing and utilizing water-relevant data [16](#), [17](#), [18](#), [19](#), [20](#)
 - 2.2 Projecting future supply and demand for water
 - 2.3 Designing strategies for matching expected long-term water supply an demand and dealing with shortfalls (including drought mitigation strategies)
 - 2.4 Developing planning and management tools to support decision making [21](#)
- 3. Allocating water**
 - 3.1 Awarding and recording water rights and corollary responsibilities
 - 3.2 Establishing water and water rights transfer mechanisms
 - 3.3 Adjudicating disputes
 - 3.4 Assessing and managing third party impacts of water and water rights transactions
- 4. Developing and managing water resources**
 - 4.1 Constructing public infrastructure and authorizing private infrastructure development
 - 4.2 Forecasting seasonal supply and demand and matching the two
 - 4.3 Operating and maintaining public infrastructure according to established plans and strategic priorities
 - 4.4 Applying incentives and sanctions to achieve long and short term supply/demand matching (including water pricing)
 - 4.5 Forecasting and managing floods and flood impacts
- 5. Regulating water resources and services**
 - 5.1 Issuing and monitoring operating concessions to water service providers
 - 5.2 Enforcing withdrawal limits associated with water rights
 - 5.3 Regulating water quality in waterways, water bodies, and aquifers (including enforcement) [22](#), [23](#), [24](#)
 - 5.4 Protecting aquatic ecosystems
 - 5.5 Monitoring and enforcing water service standards

B. GOVERNANCE PROCESS CHARACTERISTICS

- 1. Transparency.** 25, 26
- 2. Participation.** 27
- 3. Accountability and Integrity.** 28
- 4. Rule of law.** 29, 30, 31, 32
- 5. Coherency and Integration.**
- 6. Responsiveness.** 33, 34, 35, 36, 37

C. CROSS CUTTING CATEGORIES

1. Water Sources

- 1.1 Surface water 38, 39, 40
- 1.2 Groundwater 41, 42, 43, 44, 45
- 1.3 Derivative water (reclaimed, reused, desalinated) 46

2. Water Uses

- 2.1 Irrigation 47, 48
- 2.2 Municipal 49
- 2.3 Industrial 50
- 2.4 Environmental
- 2.5 Hydropower
- 2.6 Fisheries, navigation, recreation 51
- 2.7 Other uses (including social, esthetic, and religious uses)

Decree no. 2-97-787 of 6 Chaoual 1418 (4 February 1998) regarding water quality standards and the inventory of the degree of pollution of waters 22

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 in particular its articles 51, 56 and 59; 29

After examination by the Council of Ministers meeting on 18 Ramadan 1418 (17 January 1998), 33

Decrees:

Chapter 1: Establishment of water quality standards 23

Article 1. - Pursuant to article 51 of the above-cited law no. 10-95, the purpose of the quality standards with which water must comply according to the use that is made of it, is to define: 16, 30

1 – the procedures and operating methods for testing, sampling and analysis;

2 – the water quality grid defining the quality classes that enable the assessment of water quality to be standardized and made uniform; 21

3- the physico-chemical, biological and bacteriological characteristics, in particular, of:

- water for human consumption destined directly for beverages or for the preparation, packaging or preservation of foodstuffs for public consumption; 50

- water destined for the production of drinking water; 49

- water intended for irrigation; 47

- wastewater intended for irrigation; 46, 48

- fish farming waters. 51

Article 2. – The quality standards are established in joint orders by the government authorities responsible for infrastructures and the environment after consultation with the government authority responsible for public health and the minister whose competences extend to the sector concerned by the said standards. The standards are revised every ten (10) years or each time the need is felt. 1, 12, 27, 34

Chapter II: The inventory of the degree of pollution of waters

Article 3. – The inventory of the degree of pollution of surface waters and groundwaters, cited in article 56 of law no. 10-95 mentioned above, is conducted by the hydrological basin agency at least once every five (5) years. 2, 35, 38, 41

To this end, the agency director shall send to the departments concerned of the government authorities responsible for the interior, agriculture, infrastructures, public health, industry, energy, mines and the environment a report in which the agency director indicates the period during which the inventory of the degree of water pollution will take place and details, in particular, the list of the water points and / or the extraction points where the samples will be taken with a view to determining the physical, chemical, biological and bacteriological characteristics. 3, 13, 17

These departments shall have a period of thirty (30) days to state their opinions. If they have not responded when this period has expired, their opinion shall be considered favorable.

Article 4. – Having read and taken under advisement the opinions of the departments cited above, the basin agency director shall proceed, in cooperation with the departments of the government authorities responsible for infrastructures and the environment, to conduct the inventory of the degree of pollution of the surface waters and groundwaters, in the course of a campaign of which the director shall determine, by decision, the length and the start and completion dates. **4, 14, 18, 39, 42**

The basin agency director may, if need be, call upon the competent departments of other ministerial divisions.

Article 5. – The data and results of this inventory are recorded on inventory cards which are centralized and used at the level of each basin agency and placed at the disposal of the State ministerial departments, local groups and public institutions. **19, 25**

Article 6. – The basin agency shall prepare pollution sensitivity indices for the groundwater bodies. **5, 20, 43**

Article 7. – The basin agency shall prepare a summary report of the data and results mentioned in article 5 above, including pollution sensitivity indices for the groundwater bodies. This report is then placed at the public's disposal. **6, 26, 44**

Article 8. – The basin agency shall update the inventory cards and the pollution sensitivity indices for the groundwater bodies every five (5) years and more frequently if the need is felt. **36, 45**

This update is done under the same conditions as those provided for in articles 3 and 4 above.

Article 9. - The technical specifications and the physical, chemical, biological and bacteriological characteristics stipulated in the first paragraph of article 56 of law no. 10-95 cited above, and with which the waterways, sections of waterways, canals, lakes or ponds must comply according to the use to be made of the water, are set by a joint decree of the government authorities responsible for infrastructures and the environment, after obtaining the opinion of the governmental authorities responsible for the interior, agriculture, public health, industry, energy and mines. These specifications and characteristics constitute the quality objectives. **7, 11, 15, 24, 28, 31, 40**

The time limit within which the quality of each receiving environment must be improved, as stipulated in the same paragraph of article 56 cited above, is set by a joint decree of the government authorities responsible for infrastructures and the environment. **8**

Article 10. – Pursuant to the provisions of article 99 of the above-cited law n° 10-95, and until each agency is created, the responsibilities and roles recognized by this decree to the said agencies are exercised by the government authority charged with infrastructures. **9, 32**

Article 11. – The Minister of Agriculture, Infrastructures and the Environment is responsible for the execution of this decree, which shall be published in the Official state gazette. **10, 37**