

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**
 - 1.3 Setting national water policy
 - 1.4 Establishing linkages among sub-sectors, levels, and national sub-regions
 - 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 **2, 3, 4, 5, 6**
 - 1.8 Developing and utilizing well-trained water sector professionals
- 2. Planning strategically**
 - 2.1 Collecting, managing, storing and utilizing water-relevant data
 - 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
- 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) **7, 8**
 - 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)
 - 5.4 Protecting aquatic ecosystems
 - 5.5 Monitoring and enforcing water service standards

B. GOVERNANCE PROCESS CHARACTERISTICS

1. **Transparency.** 9, 10
2. **Participation.**
3. **Accountability and Integrity.**
4. **Rule of law.** 11, 12, 13, 14
5. **Coherency and Integration.**
6. **Responsiveness.**

C. CROSS CUTTING CATEGORIES

1. Water Sources

- 1.1 Surface water 15
- 1.2 Groundwater 16
- 1.3 Derivative water (reclaimed, reused, desalinated)

2. Water Uses

- 2.1 Irrigation 17, 18
- 2.2 Municipal
- 2.3 Industrial
- 2.4 Environmental
- 2.5 Hydropower
- 2.6 Fisheries, navigation, recreation
- 2.7 Other uses (including social, esthetic, and religious uses)

**Joint order of the Minister of the Economy and Finance, the Minister of Infrastructures and the Minister of Agriculture, Rural Development and Marine Fisheries
no. 548-98 of 27 Rabii II 1419 (21 August 1998) regarding the user fees
for the utilization of water from the hydrological public domain for irrigation
Official State Gazette no. 4622 of 17 September 1998 2, 9, 17**

Article 1: When public domain water is used for irrigation, the user fee rate stipulated in article 2 of Decree no. 2-97-414 of 6 Chaoual 1418 (4 February 1998) is set at 0.02 dirhams per cubic meter of water abstracted.
However, in the irrigation zones indicated in the table below, this rate shall be applied progressively according to the calendar and the percentages shown in the said table. 3, 7, 11, 18

Zones concerned	Fiscal Years								
	1998/1999	1999/2000	2000/2001	2001/2002	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007
Zones: 25% 50% 75% 100% 100% 100% 100% 100% 100% Tadla, Doukkala, Central Haouz (excluding the N'Fis Zone), Tessaout - upstream and downstream.									
Zone: 10% 25% 50% 75% 100% 100% 100% 100% 100% Gharb.									
Zones: 10% 10% 25% 50% 75% 100% 100% 100% 100% Moulouya (excluding the Garet zone), Issen and N'Fis									
Zones: 10% 10% 10% 10% 10% 25% 50% 75% 100% Loukkos, Garet, Souss upstream and Massa.									

Article 2: The user fee for use of hydrological public domain water is calculated according to the following formula: 4

$R = t \times V \times c$ where:

R is the user fee stated in dirhams, subject to the application of the provisions of article 5 where there is a discharge,

t is the user fee rate expressed in dirhams per cubic meter, as modified by the progression coefficient mentioned in article 1 above, 8

V is the volume of water abstracted at the head of the agricultural holding, or authorized where no water meter is installed, expressed in cubic meters,

c is the regulation coefficient cited in article 3 below.

Article 3: In compliance with paragraph 2 of article 2 of the above-cited Decree no. 2-97-414 of 6 Chaoual 1418 (4 February 1998), the regulation coefficient is set as follows: **12**

Origin of the water	Regulation coefficient
Water not controlled by public hydraulic structures.	0.8
Water controlled by public hydraulic structures.	1
Water in a water table declared depleted according to article 86 of the water law. 1	
Water in other water tables.	0.8

Article 4: Pursuant to the provisions of article 11 of the above-cited Decree no. 2-97-414 and until each hydrological basin agency is created, the user fees are paid to the general treasury by means of collection orders issued by the minister responsible for infrastructures. **1, 5, 13**

The user fee is paid half-yearly by the user at the end of January of year N + 1 for the half-year extending from July 1 of year N to December 31 of year N, and at the end of July of year N + 1 for the half-year extending from January 1 to June 30 of year N + 1.

Article 5: **6, 14, 15, 16**

Pursuant to article 3 of Decree no. 2-97-414 cited above, when the water used is groundwater or surface water requiring discharge, the user fee is calculated according to the following formula:

$R_r = k \times R$, where:

R_r is the user fee applied to groundwater or surface water requiring a discharge:

R is the user fee calculated according to article 2 above,

k is the drawdown ratio, which varies according to height as indicated below:

Discharge heights in meters	k
less than 10 m	0.95
from 10 to 20 m	0.90
from 20 to 50 m	0.85
more than 50 m	0.80

However, this ratio remains equal to 1 until the user fee rate progression indicated in article 1 reaches 100%.

Article 6: This Order will be published in the *Bulletin Officiel* (Official state gazette). **10**