

Independent Reporting Mechanism (IRM): Morocco Design Report 2018–2020

This report was prepared by the IRM in collaboration with Imru Al Qays Talha Jebril, independent researcher.

Table of Contents

Executive Summary: Morocco	2
I. Introduction	5
II. Open Government Context in Morocco	6
III. Leadership and Multi-stakeholder Process	10
IV. Commitments	14
1. Increase Public Awareness of the Right to Information	16
2. Designate and Train Public Information Officers	20
3. Public Archives Management	23
4. Increase Publication and Reuse of Open Data	26
5. Establish an Environmental Data Sharing Mechanism	29
6. Transparency Portal	32
7. Integrity Portal	35
8. Establish a Legally Binding Public Service Framework	38
9. Improve Public Service Through IDARATI Pilot Sites	41
10. Public Service Complaint Mechanism	44
11. Promote Budget Transparency by Publishing Budget Reports	47
12. Implement Organic Law No. 130-13 on Finance	50
13. Civil Society Public Funding Transparency	53
14. National and Regional Consultation Bodies	54
15. Online Citizen Participation Platform	59
16. Participatory Democracy Civil Society Training	62
17. Civil Society Access to Audio-visual Media	65
18. OGP Membership and Progress Communication Plan	68
V. General Recommendations	70
VI. Methodology and Sources	73
Annex I. Overview of Morocco’s Performance Throughout Action Plan Development	75



Executive Summary: Morocco

Morocco's first action plan seeks to further realize the country's 2011 constitutional reforms. Ambitious open government commitments include implementing the access to information law and facilitating civic participation through petitions and motions. Moving forward, the Steering Committee should prioritize broad consultations across regions and civil society sectors during the development of Morocco's next action plan.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Morocco joined OGP in 2018. This report evaluates the design of Morocco's first action plan.

Since Morocco's 2011 constitutional reforms, the country has seen significant open government developments. These include the passage of the Access to Information Law in 2018, making Morocco eligible to join OGP. The most ambitious open government reforms in Morocco's first OGP action plan seek to implement the legal and regulatory framework established over the last decade. These include commitments that increase access to information (commitments 1 to 3) and strengthen civic participation mechanisms (commitments 13 to 17).

Limited opportunity for civil society input resulted in an action plan that largely reflects government priorities. The IRM did not find evidence that the government incorporated civil society or public input into the action plan. The IRM therefore found Morocco to be acting contrary to OGP process.

However, the government established a new Steering Committee with equal government and civil society representation following the action plan's submission. The government also created a comprehensive repository where meeting minutes and implementation progress is regularly updated. Therefore, Morocco has indicated its dedication to following OGP's Participation and Co-creation Standards moving forward.

During the next co-creation process, the Steering Committee should aim to act as a coordinating body that collects and integrates input from a broad range of civil society actors. The Steering Committee also should pay particular attention to explaining how civil society and public input were incorporated into the action plan.

Table 1. At a glance

Participating since: 2018
Action plan under review: First
Report type: Design
Number of commitments: 18

Action plan development

Is there a Multi-stakeholder Forum: Yes
Level of public influence: Consult
Acted contrary to OGP process: Yes

Action plan design

Commitments relevant to OGP values: 17
Transformative commitments: 0
Potentially starred: 0



This action plan addresses open government areas of national importance such as access to information, civic participation in policymaking, strengthening civic space and public service provision. Morocco should consider building on these efforts in future action plans by expanding the legal and regulatory framework for citizens to submit petitions and motions. Morocco could also build on Commitment 17 to strengthen legal protections for civil society members and journalists participating in national policy dialogues through the media.

Table 2. Noteworthy commitments

Commitment description	Moving forward	Status at the end of implementation cycle
<p>Commitment 14: National and Regional Consultation Bodies: Establish regional consultation bodies through guidance, training, and direct support to a pilot site</p>	<p>The local and regional councils should publicly respond to input collected through such bodies. Implementors should actively seek out and include representatives from marginalized communities, such as rural youth and women, in consultation bodies.</p>	<p><i>Note: this will be assessed at the end of action plan cycle.</i></p>
<p>Commitment 15: Online Citizen Participation Platform: Create a website for citizens to collect signatures and submit motions and petitions to the national and local governments.</p>	<p>This ambitious commitment will have a greater open government impact if the government partners with civil society to review the laws and procedures to address barriers to submission. In particular, the signature threshold for petitions should be reconsidered and a timeline for a public government response established.</p>	<p><i>Note: this will be assessed at the end of action plan cycle.</i></p>
<p>Commitment 17: Civil Society Access to Audio-visual Media: Increase civil society's understanding of the legal landscape and ability to participate in television and radio broadcasts.</p>	<p>HACA should establish a permanent multi-stakeholder forum with civil society to address obstacles to media pluralism. HACA should also consider providing materials and training in various languages and formats to encourage inclusive media participation from across the civil society spectrum, with a particular emphasis on regional diversity.</p>	<p><i>Note: this will be assessed at the end of action plan cycle.</i></p>

Recommendations

The IRM recommendations aim to inform the development of the next action plan and guide implementation of the current action plan.

Table 3. Five KEY IRM Recommendations

Strengthen the OGP institutional and strategic framework in the country and enhance the role of the Steering Committee (MSF).
During co-creation of future action plans, report back to participants with information on how the MSF or government considered public and civil society inputs.
Continue towards the implementation of the access to information law.
Strengthen the process of establishing a public problem to raise ambition.
Develop commitment areas to encourage public accountability.

ABOUT THE AUTHOR

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism (IRM) assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

Imru Al Qays Talha Jebri, an independent researcher, assisted with the production of this report.



I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Civil society and government leaders use the evaluations to reflect on their progress and determine if actions have made an impact on people's lives.

Morocco joined OGP in March 2018. This report covers the development and design of Morocco's first action plan for 2018-2020.

The Independent Reporting Mechanism of OGP has partnered with Imru Al Qays Talha Jebri, who carried out this evaluation. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology, please visit <https://www.opengovpartnership.org/about/independent-reporting-mechanism>.

II. Open Government Context in Morocco

Since 2011, Morocco has embarked on a series of reforms to improve public accountability and government services, as well as to access information. Particularly noteworthy is Morocco's 2018 passage of the Access to Information Law, which paved the way for Morocco to join OGP. In recent years, Morocco has especially made progress in the areas of e-government for open data and e-participation. Strengthening the legal and operational environment for civil society organizations and freedom of the press in Morocco present opportunities for further open government gains.

Morocco is a constitutional, democratic, parliamentary and social monarchy. His Royal Majesty King Mohammed VI is the current head of state, while Prime Minister Saad Eddine El Othmani is the current head of government. Morocco has a multi-party system, with a bicameral parliament. The lower house of Parliament (House of Representatives) has 395 members elected by direct universal suffrage; and the upper house (Chamber of Counselors) has 120 members elected by indirect universal suffrage.

In the last two decades, the government adopted a series of laws and reforms to liberalize the economy and strengthen public governance, the rule of law, and human rights.¹ The most recent constitutional reform took place in July of 2011. The 2011 Constitution strengthened the power of the government. The Prime Minister oversees "the daily functioning of Council of Government, such as the implementation of government policy, the execution of laws, the administering of government funds, and the nomination of civil servants, ambassadors, and public officials." Meanwhile, the King presides over the Council of Ministers, appoints the Prime Minister after legislative elections in addition to other ministers, and presides over central government bodies such as the Superior Council of Ulemas, Superior Council of Judicial Power, and the Armed Forces.²

By joining OGP, Morocco has continued to align its policies with the international standards and values of open governance. Morocco's national action plan includes 18 commitments to advance progress specifically in regard to budget transparency, access to information, and the use of technology to open data and prevent corruption. Beyond the current action plan, Morocco's opportunities for continued open government gains can be found in further widening the legal space for civil society to operate and ensure full implementation of the access-to-information law.

The following subsections provide a snapshot of Morocco's standing in core open government areas at the time the 2018-2020 action plan was being developed.

Access to information and open data

Article 27 of the Constitution provides for citizens' right to information held by government. In 2018, Organic Law 31.13 established a regulatory framework and guaranteed all citizens and legal residents the right to request government-held information.³ All levels of government are now expected to publish budgets and financial information online. The law subsequently laid out the groundwork for Morocco to join OGP as of April 2018.⁴ Morocco's first action plan seeks to strengthen implementation and public awareness of the law, particularly through commitments 1 to 4.

However, there remain opportunities to further strengthen the legal framework around access to information in Morocco. For example, according to the law, information must be reused for a

¹ Kingdom of Morocco governing towards efficiency, equity, education and endurance. A Systematic Country Diagnostic. (June 2018): <http://documents1.worldbank.org/curated/en/375771529960237724/pdf/CLEARED-Morocco-SCD-ENGLISH-final-June2018-06212018.pdf>

² Constitutional History of Morocco, ConstitutionNet, International Institute for Democracy and Electoral Assistance: <https://constitutionnet.org/country/morocco>

³ <https://freedomhouse.org/country/morocco/freedom-world/2019-> Accessed September 15, 2020

⁴ Open Government Partnership Website, April 2018 <https://www.opengovpartnership.org/about/news-and-events/kingdom-of-morocco-joins-open-government-partnership>

"legitimate purpose" and prohibits the "distortion of content."⁵ The law includes fines and criminal sanctions for the reuse of information that harms "the public interest" or "distorts" information. Additionally, the law provides for broad disclosure exemptions such as information related to national defense, security, and personal information. These broad provisions have the potential to limit citizens' right to information. Finally, the law could provide more clarity on sanctions for noncompliant public officials and redress mechanisms in order to improve the accountability mechanisms of the law itself.⁶

Morocco's expansion of e-government platforms has been a particular area of open data advancement. As of 2016, the Open Data Barometer ranked Morocco 55 out of 86 countries in regard to open data on government policies, action, citizens and civil rights, and business.⁷ In 2018, the UN's E-Government Development Index (EGDI) placed Morocco as 110 out of 193 countries with an index score of 0.52.⁸ The index considers a population's ability to access online content such as infrastructure and educational levels. By 2020, Morocco's EGDI score had increased to 106 out of 193 countries.⁹ The current action plan reflects Morocco's continued focus on open data advancement and transparency portals (as shown in Commitments 4, 5, 6, 7, 9, 13, and 15). However, according to data from 2019, only around 74% of the population in Morocco uses the Internet.¹⁰ Social media, particularly Facebook, is one of the main ways citizens seek information.¹¹ Therefore, all e-government initiatives throughout this action plan will only reach a segment of the population and will exclude marginalized communities unless complementary offline activities are included.

Civil liberties and civic participation

Morocco has embarked on several institutional reforms since the advent of the 2011 Constitution, which laid out the basis for citizens' rights to participation in public life through the freedoms of expression, assembly, and association. In particular, Morocco has made recent progress in expanding e-participation opportunities, as continued in the current action plan. According to the UN E-Participation Index, Morocco increased from a rank of 17 in 2018, to 56 in 2018, to 106 in 2020.¹² Government efforts to increase channels for civic participation include consultations and trainings to promote participatory democracy and the ability for citizens to submit petitions to the government.¹³ There is still room for further growth as Morocco's Freedom House civil liberties score has hovered around 25 out of 60 points between 2017 and 2020.¹⁴

Positively, the promulgation of the 2011 Constitution and amendments to the Decree on the Right to Establish Associations increased the legal space for civil society to operate.¹⁵ As a result, Morocco's civil society has grown significantly in the past decade. The number of registered organizations increased from 20,000 in 2000 to 209,000 in 2020.¹⁶ However, there continue to be

⁵ Ibid.

⁶ Article by Voices of Transparency "Five Ways Access to Information Falls Short in Morocco" <https://voices.transparency.org/five-ways-access-to-information-falls-short-in-morocco-844c236a1c0>

⁷ Open Data Barometer. Country Detail Morocco. https://opendatabarometer.org/country-detail/?_year=2016&indicator=ODB&detail=MAR

⁸ UN E-Government Knowledgebase. Morocco. 2018. <https://publicadministration.un.org/egovkb/en-us/Data/Country-Information/id/115-Morocco>

⁹ UN E-Government Knowledgebase. Morocco. 2020. <https://publicadministration.un.org/egovkb/en-us/Data/Country-Information/id/115-Morocco/dataYear/2020>

¹⁰ World Bank Data. "Individuals using the Internet" <https://data.worldbank.org/indicator/IT.NET.USER.ZS?locations=MA>

¹¹ 'ANRT: More Than 25 Million Moroccans Have Internet Subscriptions ' Morocco World News- accessed October 4, 2020 <https://www.moroccoworldnews.com/2020/03/295885/anrt-more-than-25-million-moroccans-have-internet-subscriptions/>

¹² UN E-Government Knowledgebase. Morocco. 2020. <https://publicadministration.un.org/egovkb/en-us/Data/Country-Information/id/115-Morocco/dataYear/2020>

¹³ Institute for Democracy and Electoral Assistance: Morocco, Accessed 1 October 2020, <https://www.idea.int/news-media/news/citizen-engagement-morocco-breaking-down-barriers-political-inclusion>

¹⁴ Freedom House. Morocco. 2021. <https://freedomhouse.org/country/morocco/freedom-world/2021>

¹⁵ International Center for Non-Profit Law. Morocco. Introduction. <https://www.icnl.org/resources/civic-freedom-monitor/morocco>

¹⁶ "2017 Civil Society Organization Sustainability Index," 8th Edition, December 2020. "Morocco" p. 52 USAID, INCL, fhi360. <https://www.fhi360.org/resource/civil-society-organization-sustainability-index-reports>

opportunities for Morocco to strengthen the legal and operational environment for CSOs, as indicated by Morocco's classification of 'obstructed' in CIVICUS' civic space monitor.¹⁷ Notably, Commitment 13 begins to address CSOs' operating constraints by seeking to increase the amount of government funding for civil society organizations and transparency around the funding.¹⁸ Looking ahead, there are several avenues for Morocco to continue this progress in future OGP action plans. These include: (i) amend the decree on associations to facilitate registration and increase CSOs' operational independence;¹⁹ (ii) revise a draft law on fundraising to simplify licensing, appropriately tailor oversight requirements, and reduce limitations and penalties on the use of the funds; (iii) enact an actionable legal framework mandating and supporting public consultations on government policies; and (iv) promote the availability of preferential tax treatment for CSOs.²⁰

Freedom of speech in Morocco has also evolved over the last decade. The state's broadcast monopoly officially ended in 2005. The 2011 Constitution enshrined the High Authority of Audiovisual Communication (HACA) to regulate the broadcast sector, including monitoring diversity of opinion.²¹ Notably, through Commitment 17, HACA seeks to increase civil society's understanding of the legal landscape and capabilities to engage with television and radio mediums. Building on this commitment, there remain opportunities for the government to continue to foster pluralism and independence in the media. Morocco's global ranking in the World Press Freedom Index has remained relatively stagnant from 2017 and 2020, hovering between 133 and 135 out of the 180 countries surveyed. This places Morocco in the "difficult situation" category for journalists, in part due to their negative encounters with the judicial system.²²

Anti-corruption

Transparency International's 2018 Corruption Perception Index gives Morocco a score of 43 out of 100 points, ranking it 73 out of 180 countries. The index shows that Morocco improved its CPI score from 2016 to 2017, maintaining a score in the low forties until 2020. The report acknowledges notable advances in tackling corruption.²³ These include the government's National Strategy on Fighting Corruption²⁴ and the creation of the INPPLC (National Instance of Probity, of the Prevention and of the Struggle Against Corruption), an independent body that implements anti-corruption policy and investigates public sector corruption, under Article 167 of the Constitution. Despite these efforts, there are still opportunities for continued anti-corruption work. The 2019 Global Corruption Barometer highlighted that 53% of Moroccans perceived corruption to have increased in the last 12 months and 74% of citizens think the government is doing a bad job at tackling corruption.²⁵ Commitment 7 in this action plan aims to unify and publicize the government's anti-corruption efforts.

Since 2011, Morocco has also undertaken reforms in the judicial sector, particularly in regard to administrative and technical modernization. In 2019, the Moroccan Institute for Policy Analysis surveyed progress in judicial reforms and suggested three areas for further open government advancement. These include i) further harmonization of laws with recent constitutional, institutional and social developments ii) increasing public trust in the judiciary, which stood at 40% at the time of writing and iii) greater emphasis on dialogue and cooperation among stakeholders when implementing justice sector reforms.²⁶

¹⁷ CIVICUS Civil Society Monitor, Morocco, <https://monitor.civicus.org/country/morocco/>

¹⁸ Chikaya portal. Government of Morocco, <https://www.chikaya.ma/?lang=fr>

¹⁹ "Morocco Shuns International Recommendations on Civic Space," CIVICUS Updates, Morocco, 2018, <https://monitor.civicus.org/updates/2018/02/20/morocco-shuns-international-recommendations-civic-space/>

²⁰ "2017 Civil Society Organization Sustainability Index," 8th Edition December 2020. "Morocco" p. 52 USAID, INCL, fhi360. <https://www.fhi360.org/resource/civil-society-organization-sustainability-index-reports>

²¹ Media Ownership Monitor Morocco. 2017. <http://maroc.mom-rsf.org/en/context/law/>

²² Reporters Without Borders. 2020 World Press Freedom Index. <https://rsf.org/en/morocco-western-sahara>

²³ Transparency International, Corruption Perception Index, 2018, Accessed 14 August, 2020.

<https://www.transparency.org/en/cpi/2018/results/mar>

²⁴ Strategy on Anti-Corruption, Government of Morocco, 2013, https://www.mmsp.gov.ma/uploads/documents/Livretstrategie_LCC_fr.pdf

²⁵ "Citizens Views and Experiences of Corruption," The Global Corruption Barometer, Africa 2019, p. 45

²⁶ "Justice Sector Reform after 2011 Constitution: Progress and Challenges," Abdellatif Chentouf, Moroccan Institute for Policy Analysis, Accessed October 5, 2019, <https://mipa.institute/5773>

Budget transparency

Morocco's first action plan seeks to continue the country's gradual advancement towards greater budget transparency. According to the 2017 Open Budget Survey, Morocco scored 45 out of 100 points for budget transparency, 0 points for public participation in the budget process, and 31 out of 100 points for budget oversight. Morocco's scores slightly improved by 2019 with a score of 43 in transparency, 6 in participation, and 44 in oversight.²⁷ Morocco publishes several key budget documents, such as a "Citizens Budget" which has been published since 2012.²⁸ Commitment 11 seeks to expand the number of budget documents published in a timely manner to improve citizens' access to budget information. Future opportunities for open government commitments exist in widening spaces for civic participation in the budget process. Budget laws and processes are complicated and not well understood by the general public.²⁹ Additionally, few opportunities exist for the public to engage in the creation of the national budget.³⁰ Therefore, there is still ample room to continue strengthening budget transparency with an ultimate aim towards greater civic engagement in the budget process.

Morocco's first action plan addresses issues of national priority such as implementing the access-to-information law and strengthening civic participation in governance. In designing future plans, Morocco could consider building on these commitments to establish redress mechanisms for access to information requests and expanding legislation to facilitate civil society's participation in governance processes. Finally, Morocco could leverage its OGP action plan to collaborate with civil society to widen CSOs' legal and operational environment. Three examples that may serve as a reference include Ukraine, El Salvador or Latvia, countries that have used OGP action plans to open dialogue and consultation processes with civil society organizations on laws that affect their right to association or pose barriers to entry.

²⁷ Open Budget Survey 2019 and 2017. International Budget Partnership. <https://www.internationalbudget.org/open-budget-survey/country-results/2019/morocco>

²⁸ Citizens Budget, Ministry of the Economy, Finance, and Administrative Reform, Government of Morocco, <https://www.finances.gov.ma/fr/Pages/budget-citoyen.aspx?m=Loi%20de%20Finances%20et%20Budget>

²⁹ Ibid.

³⁰ Open Budget Survey 2017. Morocco. International Budget Partnership, <https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=ma>

III. Leadership and Multi-stakeholder Process

Morocco's first action plan was heavily influenced by government priorities. In particular, a lack of government feedback to civil society on how their contributions were considered during the action plan drafting process resulted in Morocco acting contrary to OGP process. However, the establishment of a multi-stakeholder Steering Committee and comprehensive repository after submission of the action plan signal Morocco's movement towards inclusive and transparent OGP processes.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Morocco.

The Department of Administrative Reform in the Ministry of the Economy, Finance, and Administrative Reform oversees the OGP process in Morocco. The Department coordinates Morocco's OGP Steering Committee through an internal secretariat.³¹ OGP is not mandated by a legally binding document, but it is part of Morocco's plan to reform the administration and strengthen access to information. The OGP process in Morocco does not have allocated funding from the state budget but does receive funding from the Organisation for Economic Co-operation and Development (OECD).³² There are two full time and one part-time staff dedicated to OGP as well as a part-time expert on contract from the OECD.³³

The government convened a committee of government representatives and a few CSOs to design the action plan. Most government participants were high-level representatives from various public administrations. As a result, there was limited civil society input into the action plan's design and no opportunity for individuals or groups outside the committee to participate. According to the Moroccan action plan, this committee met at least twice, once at the beginning of the co-creation process to present the first draft of the action plan (3 November 2016) and at the end of the co-creation period to agree on the updated commitments in the action plan draft (22 March 2018). Communication with the different stakeholders was led mainly through email and WhatsApp channels.

After the submission of the action plan, a larger and more inclusive Steering Committee was formed with 18 members divided equally between government and civil society. The Ministry of the Economy, Finance, and Administrative Reform posted an online call for civil society applications for the Steering Committee. The selection process was managed independently by civil society.³⁴ Applications were open to CSOs with relevant experience—particularly in access to information or OGP-related mechanisms—as well as the financial capacity to engage.³⁵ The final selection was announced on the OGP Morocco website. Once the implementation period began, the Steering Committee assessed the scope and expected outcome of commitments as well as how to implement them for maximum effectiveness. There is also an implementation committee and a civil society forum.³⁶

Civil society members of the Steering Committee serve for a 2-year cycle. Half of the civil society representatives will yield their position to other civil society representatives every year, to ensure

³¹ Government of Morocco, Revised 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Morocco_Action-Plan_2018-2020_EN_Revised.pdf

³² "Open Government In Morocco: Seminar On Drafting The OGP Action Plan," 3 November 2016, Rabat- Morocco OECD, <http://www.oecd.org/mena/governance/open-government-morocco-seminar-november2016.pdf>

³³ Information provided from the Government of Morocco to the IRM during the report's pre-publication comment period.

³⁴ Information provided by the Government of Morocco to the IRM during the report's pre-publication comment period.

³⁵ Tanmia Call for applications for the steering committee of OGP, <https://www.tanmia.ma/>

³⁶ Partenariat pour un gouvernement ouvert: la société civile, un partenaire essentiel pour concrétiser les engagements du Maroc" Maroc Diplomatique, 6 February 2019. <https://maroc-diplomatique.net/partenariat-pour-un-gouvernement-ouvert-la-societe/>

the participation of other key civil society stakeholders. In terms of gender diversity, the Steering Committee included four women out of the 18 members in 2019. Steering Committee meetings took place and continue to take place in person in Rabat, the capital; once every three months. The outcome of those meetings is published on the OGP website.³⁷

3.2 Multi-stakeholder process throughout action plan development

In 2017, OGP adopted the OGP Participation and Co-Creation Standards intended to support participation and co-creation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise ambition and quality of participation during development, implementation, and review of OGP action plans.

OGP’s Articles of Governance also establish the participation and co-creation requirements a country or entity must meet in their action plan development and implementation to act according to OGP process. **Morocco acted contrary to the OGP process** by not meeting the minimum requirement of “involve” in the level of public influence. There is no evidence that shows how the government responded to public comments or provided feedback on how contributions were considered during the action plan drafting process. However, since the submission of the action plan, Morocco has made considerable progress in its engagement with civil society organizations through a new formal multi-stakeholder forum and with a strong repository, which are clear signs that the country is moving in the right direction, in line with OGP’s Co-Creation and Participation Standards.³⁸

Please see Annex I for an overview of Morocco’s performance implementing the Co-Creation and Participation Standards throughout the action plan development.

Table 3.2: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.³⁹ This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for the “collaborate” level.

Level of public influence		During development of action plan
Empower	The government handed decision-making power to members of the public.	
Collaborate	There was iterative dialogue AND the public helped set the agenda.	
Involve	The government gave feedback on how public inputs were considered.	
Consult	The public could give inputs.	✓
Inform	The government provided the public with information on the action plan.	
No Consultation	No consultation	

³⁷ Government of Morocco OGP website, "Governance": <https://www.gouvernement-ouvert.ma/gouvernance.php?lang=fr>

³⁸ Acting Contrary to Process - Country did not meet (1) “involve” during the development or “inform” during implementation of the NAP (2) government fails to collect, publish and document a repository on the national OGP website/webpage in line with IRM guidance.

³⁹ “IAP2’s Public Participation Spectrum,” IAP2, 2014.

http://c.yimcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf

Multi-stakeholder Forum

The government established a group of government representatives and a few CSOs to design Morocco's first action plan. There was no opportunity for individuals outside of this group to contribute to the action plan. This committee met twice during co-creation and otherwise communicated through online channels. Consequently, there was limited civil society input in terms of the action plan's content.⁴⁰

The government established a more inclusive and formal Steering Committee following the action plan's submission to OGP. The Steering Committee is comprised of 18 members, split equally between government and civil society. Civil society members oversaw their own selection process and serve on a two-year rotational basis.⁴¹

Participation and engagement throughout action plan development

The Ministry of the Economy, Finance, and Administrative Reform led the action plan's development. Various government departments suggested ministerial projects for inclusion in the action plan. While the drafting committee included some CSOs, the IRM did not find evidence that the government provided a response regarding how their input was considered and incorporated.

The government opened up the action plan development process beyond the design committee towards the end of the process. On 3 November 2016, the government hosted a workshop to discuss the draft action plan with members of civil society, from the private sector, and from government agencies to enhance commitments and improve their future implementation.⁴² The workshop, supported by OECD, highlighted the need for further inclusion of civil society and the private sector in the implementation phase. The government held a second event on 4 October 2017 to present the action plan and foster a conversation on the role of youth and media in open government issues.⁴³ Transparency International hosted an event on 7 July 2018 to share the action plan with civil society.

A multi-stakeholder Steering Committee was formed following submission of the action plan. Steering Committee meetings took place every three months during the implementation period. Meeting minutes were uploaded on Morocco's OGP repository and describe attendance, issues discussed, and decisions made.⁴⁴

Co-creation and participation recommendations throughout development

Following submission of the action plan, Morocco's Steering Committee and OGP website proved to be exemplary in terms of process transparency and meeting frequency. However, the action plan design process fell short of OGP's Co-Creation and Participation Standards. Therefore, the IRM has the following recommendations:

- A Steering Committee with parity of government and civil society representatives should be maintained during the design of Morocco's second action plan. The Steering Committee should act as a coordinating body that seeks out and collects input from a broad representation of Morocco on possible action plan content. Activities under Commitment

⁴⁰ Government of Morocco, 2018-2020 National Action Plan, https://www.opengovpartnership.org/wp-content/uploads/2018/09/Morocco_Action-Plan_2018-2020_EN_Revised.pdf

⁴¹ Information provided by the Government of Morocco to the IRM during the report's pre-publication comment period.

⁴² "Open Government in Morocco: Seminar On Drafting The OGP Action Plan 3 November 2016, Rabat- Morocco" OECD, <http://www.oecd.org/mena/governance/open-government-morocco-seminar-november2016.pdf>

⁴³ "Organisation d'un séminaire sur le gouvernement ouvert sous le thème: Vers une participation plus effective des citoyens à la vie Publique", OpenGovernment Morocco, 4 October 2017, <http://www.gouvernement-ouvert.ma/fr/event/7>

⁴⁴ Government of Morocco OGP website, "Governance": <https://www.gouvernement-ouvert.ma/gouvernance.php?lang=fr>

I8 could specifically focus on raising awareness of OGP in Morocco to broaden input in the next action plan.

- The Steering Committee, or national OGP Secretariat, should provide public feedback on how all civil society contributions were considered in the drafting process, including an explanation of what was incorporated into the plan, what was not, and why.
- The Steering Committee should provide an opportunity for public comment on the draft action plan as well as a public response as to what categories of comments were received and how they influenced the action plan's content.
- The Steering Committee, or national OGP Secretariat, should ensure opportunities for participation and input from across Morocco by holding consultations across the various regions and providing opportunities for remote/online participation. Particular attention should be paid to actively seeking out and including marginalized groups, such as women, rural youth, and people living with disabilities, among others.

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's/entity's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.⁴⁵ The indicators and method used in the IRM research can be found in the IRM Procedures Manual.⁴⁶ A summary of key indicators the IRM assesses is below:

- **Verifiability:**
 - Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
 - Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
 - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
 - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions or policies?
 - Public Accountability: Will the government create or improve public facing opportunities to hold officials answerable for their actions?
 - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?
- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan; and
 - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.

What makes a potentially starred commitment?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment is one that clearly describes the:

- I. **Problem:** What is the economic, social, political, or environmental problem? Rather than describing an administrative issue or tool (e.g., 'Misallocation of welfare funds' is more helpful than 'lacking a website.').

⁴⁵ "Open Government Partnership: Articles of Governance," OGP, June 2012 (Updated March 2014 and April 2015), https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf

⁴⁶ "IRM Procedures Manual," OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>

2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., “26 percent of judicial corruption complaints are not processed currently.”)?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment’s implementation (e.g., “Doubling response rates to information requests” is a stronger goal than “publishing a protocol for response.”)?

Starred commitments

One measure, the “starred commitment” (★), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Potential star: the commitment’s design should be **verifiable**, **relevant** to OGP values, and have **transformative** potential impact.
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of **Substantial** or **Complete** implementation.

This variable is assessed at the end of the action plan cycle, in the *Implementation IRM report*.

General overview of the commitments

Morocco's first action plan seeks to continue open government efforts begun during the country's 2011 constitutional reforms. Nearly all commitments in this action plan aim to increase citizens' access to information. Commitments 1 through 4 are specifically designed to strengthen implementation of the 2018 Access to Information Law. The majority of commitments aim to expand transparency through e-governance reforms, such as Commitments 5 to 7. In particular, Commitments 11 and 12 focus on budget transparency and Commitment 5 focuses on publishing environmental data.

The action plan also includes commitments to enact civic participation mechanisms guaranteed through the Constitution and recent organic laws (Commitments 14, 15, and 16). Notably, this action plan also begins to address civil society's operational environments through Commitments 13 and 17. Most commitments are of moderate ambition as their milestones are limited to establishing websites and collecting existing information and civic participation mechanisms in one online space. Future ambitious commitments could prioritize broadening the legal and regulatory framework around access to information requests, submitting petitions and motions, and civil society's operational environment.

Commitment I: Increase Public Awareness of the Right to Information

Language of the commitment as it appears in the action plan:

“The commitment will:

- Familiarize the public with the right of access to information how to benefit from it
- Ensure a positive reactivity from public officials and servants to proactive requests for information and publication
- Help the public effectively enjoy this right.

The implementation of this commitment will be assessed based on the following indicators:

- Number of forms of communication produced
- Percentage of the communication plan’s implementation.
- Number of requests for information made by people requesting information

Milestones:

- Developing a communication plan around the law of the right of access to information
- Developing informational content on the right of access to information
- Defining the appropriate media to use to facilitate the flow of information pertained to the right of access to information
- Producing the means of popularisation on the basis of informational content developed in several languages
- Using the means of popularisation in accordance with the communication plan on the most appropriate channels
- Organisation of meetings at the central, regional, and local levels"

Start Date: December 2018

End Date: December 2019

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
I. Overall		✓	✓						✓					Assessed at the end of action plan cycle.					Assessed at the end of action plan cycle.

Context and objectives

This commitment seeks to inform the general public and civil society about the legal rights and processes around access to information requests. Article 27 of the 2011 Constitution granted citizens the right to access government-held information. One year later, the government of Morocco began drafting a law on access to information. The law was adopted by parliament on 6 February 2018, and it was published in the official bulletin on 12 March 2018.⁴⁷ The law went into effect one year later, with the exception of Articles 10 and 13 which took effect in 2020. Abderrahim Foukahi, civil society representative in the national commission on access to information, explains that civil society's role to advance access to information "laid the groundwork for considering access to information as a fundamental human right, and all of which Morocco signed and ratified."⁴⁸ This commitment is related to Commitments 2 and 3 in this action plan.

Civil society organizations such as REMDI (Réseau marocain pour le droit à l'accès à l'information) and Transparency Morocco demanded that the right to information be part of the constitution and made into law in a report on the issue in 2006 and a subsequent national debate in 2010.⁴⁹ Civil society considered Article 27 of the 2011 Constitution to be a milestone for these.⁵⁰ However, civil society also considered the law's final version to be restrictive in scope and plagued with multiple exceptions, not in line with international standards, and highly dependent on the executive branch for its application. Civil society proposed 67 amendments to the law, of which the government retained 10.⁵¹ As it currently stands, the law contains a number of restrictions relating to national security, intellectual property, monetary or fiscal policy, and information relating to privacy.⁵² Mohammed Laouni, journalist and member of the Steering Committee for OGP, stated "that society was longing for the right to access to information but that government did not fully understand this right or its recognition."⁵³ However, Dr. Azzedine Akesbi stated that "the law has an extremely restrictive scope, we'd rather keep Article 27."

Both the public and civil servants lack knowledge of the law and its application. According to Transparency Morocco, communication about the new law was largely limited to CSOs, journalists, and parliamentarians involved in the lobbying or drafting process, leaving the public largely unaware.⁵⁴ Therefore, the commitment seeks to inform the general public and civil society about the legal rights and processes around access to information requests. Proposed solutions include a national communication plan in several languages and communication channels to raise awareness about the law in addition to regional meetings. This commitment is relevant to the OGP value of access to information as it seeks to carry out a dissemination strategy to raise awareness among

⁴⁷ "Droit d'accès à l'information: Pourquoi la loi est un marqueur historique", Faical Faquih, 2018, L'Économiste, <https://www.leconomiste.com/article/1048337-droit-d-acces-l-information-pourquoi-la-loi-est-un-marqueur-historique>

⁴⁸ The Johannesburg Principles on National Security, Freedom of Expression, and Access to Information, Article 19, <https://www.article19.org/wp-content/uploads/2018/02/joburg-principles.pdf>; "The universal declaration of human rights, Article 19, p.40. https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf; "International Covenant on Civil and Political Rights. Adopted by the General Assembly of the United Nations on December 19, 1966", p.178, <https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf>

⁴⁹ "Enjeux politiques et sociaux autour de l'accès à l'information: facteurs de progrès et de résistances" <https://ma.boell.org/sites/default/files/uploads/2018//accessinformation-a.akesbi.pdf>

⁵⁰ Abderrahim Foukahi, REMDI and member of the Access to Information Commission, interview with IRM researcher, 23 February 2019.

⁵¹ "Droit d'accès à l'information : La loi 31-13 à la hauteur d'une lutte de plus de treize ans?" AcoActu. 2018. <https://www.ecoactu.ma/droit-dacces-a-linformation-la-loi-31-13-a-la-hauteur-dune-lutte-de-plus-de-treize-ans/>

⁵² "الحق في الحصول على المعلومات"، وزارة الاقتصاد والمالية والإصلاح الإداري، <https://www.mmssp.gov.ma/ar/decline.aspx?r=320&m=9>; Mohammed Laouni, journalist and OGP Morocco Steering Committee member, interview with IRM researcher, March 11, 2019.

⁵³ Mohammed Laouni, journalist and OGP Morocco Steering Committee member, interview with IRM researcher, 11 March 2019.

⁵⁴ Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019; Sofia Rais, Acting Director of Droit et Justice, interview with IRM researcher, 12 February 2019.

citizens of the existence of the law on access to information. Dr. Azzedine Akesbi, expert in the field, mentioned that the communication plan was not shared with CSOs at this point.⁵⁵

This commitment is for the most part verifiable. The verifiable components of the commitment are the number of forms of communication that are produced; the percentage of the communication plan's implementation and the number of subsequent citizen requests for access to information. The completion of this commitment can be assessed by verifying if the communication plan is carried out; looking at the "means of popularization" this commitment will do and looking at whether meetings take place. It is worth noting, though, that the milestones proposed could be more specific, give a concrete number of requests the government seeks to achieve, and specify their rate of completion and satisfaction, as well as the details of the communication plan, and a proposed target audience/ number or threshold.

If implemented as written, this commitment carries a moderate potential to increase citizens' awareness of their right to information and procedures to access that right. The Access to Information Law requires active citizen engagement through information requests in order to increase government transparency. Therefore, this commitment is a modest but essential contribution towards greater access to information reforms. Evidence that this reform opened government would include the use of previously inaccessible government information by journalists, academics, and advocates to inform public debate and policy advocacy, for example.

This commitment would likely have a greater open government impact if it included activities that addressed civil servants' hesitancy to release information and the previous culture of government secrecy. Many civil servants are not aware of the legal changes and their obligations to provide information.⁵⁶ Hatim Mouradi, Head of Division of Innovation and Modernization Programmes in the Ministry of Administration Reform and Civil Service and point of contact for this commitment, states that the commitment would remove the restrictions placed on civil servants responsible for information by Article 18 of the General Statute for Public Service and Article 445 of the Penal Code, which deal with the contractual and legal ramifications of releasing professional secrets.⁵⁷ Dr. Abderrahim Foukahi adds that successful implementation of the law would include a change of culture about access to information and the standardization of government procedures.⁵⁸

Numerous civil society leaders in the transparency field underscored the benefits of fully implementing the access to information law. First, previously inaccessible information would become available, such as the attendance of MPs at plenary sessions in parliament.⁵⁹ The law will also lead to the release of data in a useable format on the website www.data.gov.ma.⁶⁰ Mrs. Sofia Rais, director of the CSO Droit et Justice, adds that the availability of all data in one single outlet would make their work and citizen requests easier to process.⁶¹

Interviewees also underscored that comprehensive implementation of the ATI law would bring about positive changes in regard to the relationship between media, citizens, and the state. Dr. Azzedine Akesbi contends that if properly implemented, public media would be more open and consultation with civil society would increase.⁶² Mohammed Laouni, journalist and member of the Steering Committee states that this law would have an impact on state-citizen relations.⁶³ Additionally, Ahmed Bernoussi, Secretary General of Transparency Morocco, claims that the

⁵⁵ Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019.

⁵⁶ Ibid.

⁵⁷ Hatim Mouradi, Head of Division of Innovation and Modernization Programmes, Ministry of Administration Reform and Civil Service, interview with IRM researcher, 15 March 2019.

⁵⁸ Abderrahim Foukahi, REMDI and member of the Access to Information Commission, interview with IRM researcher, February 23, 2019.

⁵⁹ Ismail Allouki, Director of Sim Sim, interview with IRM researcher, 18 March 2019.

⁶⁰ Youness Benmoumen, President of Tafra, interview with IRM researcher, 15 February 2019.

⁶¹ Sofia Rais, Acting Director of Droit et Justice, interview with IRM researcher, 12 February 2019.

⁶² Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019.

⁶³ Mohammed Laouni, journalist and OGP Morocco Steering Committee member, interview with IRM researcher, 11 March 2019.

commitment would help informed citizens to hold local governance structures accountable, that the proactive publication aspect of the law would be a positive step, and that citizens would participate in the process of requesting information.⁶⁴

Next steps

This commitment is central to Morocco's national action plan and it is recommended to include in future action plans, because of the importance of this law in terms of framing the context of Open Government Partnership, as well as changing government culture around releasing information. The IRM recommends taking the following into account:

- In future iterations of this commitment, collaborate with civil society to address restrictions in the access to information law that may inhibit use, such as criminal sanctions for misuse of government information and broad language around exemptions to information requests.
- Use trainings as an opportunity to receive feedback from the public on their ability to use the online information request portal, the governments' response time, redress system, and other factors that impact accessibility.
- Ensure that communication efforts are tailored to both urban and rural contexts. Communication in urban areas can be done through the Internet, and billboards, TV, or radio. However, in rural areas, communication could be closer to citizens, such as announcements at rural markets, or posters in common meeting points, and an explanation of the meaning and tools of the law in simpler, more practical terms.
- Ensure public outreach seeks to address citizens' attitudes towards information requests by focusing on citizens' rights to information, rather than purely introducing the legal framework and online portal.
- Consider introducing the right to information in higher education or civic education courses.
- The government should partner with civil society to raise awareness in the general public about the law and its use. Implementors could consider working with partners beyond the 'usual suspects,' such as the private sector, by highlighting the law's benefits to the business environment.

⁶⁴ Ahmed Bernoussi, Secretary General, Transparency Morocco, interview with IRM researcher, 26 February 2019.

Commitment 2: Designate and Train Public Information Officers

Language of the commitment as it appears in the action plan:

“The implementation of this commitment will:

- Guarantee that requests for information are managed appropriately
- Ensure that government bodies react positively to applicants’ request for information
- Ensure the effectiveness of rules to exercise the right to access information”

Milestones:

- Defining the criteria for designating the information officers and their substitutes based on the human resources and size of each government body
- Developing a training plan for the persons in charge of delivering information;
- Developing course units for the training
- Drafting a circular letter issued by the Head of Government calling on government bodies and public institutions to designate the information officers and their substitutes.
- Conducting a training program in collaboration with civil society for the designated information officers.”

Start Date: January 2019

End Date: June 2019

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
2. Overall		✓	✓	✓				✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

Context and objectives

Article 13 of the new law 31.13 on the right to access information specifies that all institutions covered ought to designate a person to receive and process access to information requests.⁶⁵ According to the point of contact responsible for this commitment Hatim Mouradi, currently, civil servants are not aware of the law, its application, or how to

⁶⁵ Loi 31-13 relative au droit d'accès à l'information, Bulletin Officiel N6670 (3-5-2018) Government of Morocco; accessed at International Labor Organization, 10 Oct 2019, <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/107094/131706/F-985611108/MAR-107094.pdf>

answer citizens' requests. Civil servants are also constrained by what they perceive to be professional secrets and the fear of sanctions if they divulge information contrary to guidelines.⁶⁶ The objective of this commitment is to set the criteria for selecting staff who will receive information requests, provide training on processing requests, and to prompt all governmental departments to have a designated officer through an official circular from the Head of the Government. As of now, the Ministry of Interior has sent a bylaw and internal memo instructing all administrations under its purview to designate a person in charge of enforcing the laws' provisions. This commitment complements Commitments 1, 3 and 4 in this action plan.

According to Hatim Mouradi, Head of Division of Innovation and Modernization Programmes, Ministry of Administration Reform and Civil Service, civil servants currently overseeing responses to information requests are not familiar with the law.⁶⁷ Requests to have access to information are often turned down because civil servants consider the information to be a 'professional secret.' At the local level, the Ministry of Interior has not yet determined who will oversee the delivery of information. There are about 52,4000 civil servants in total and 110,000 at the local or regional level.⁶⁸ Therefore, communicating procedures will involve many trainings and awareness raising is expected to continue after the completion of this commitment.

This commitment is relevant to the OGP value of access to information in that it seeks to provide officers with training on how to process information requests. The commitment is also relevant to the OGP value of civic participation in that the government will collaborate with civil society and UNESCO to design a training program for information officers. In this way, the commitment changes the government's traditional role of public service provider and civil society's traditional role of recipient.

This commitment can be verified by looking at whether the trainings' program, criteria and units will be developed. Concerning the commitment's level of specificity, there is still room for improvement. For instance, the number and scope of the trainings is not specified. There is no way to track the number of trainers that will be reached through this commitment, or how many civil servants will be trained on the law once the commitment is over. Also, there is no indication of what is considered to be a minimum threshold of knowledge about the law that can be used to hold civil servants and persons in charge of delivering the information accountable.

This commitment has a moderate potential to facilitate citizens' access to government-held information. The commitment would provide all administrations an appropriately designated officer that would process and respond to citizens' information requests. Before the advent of the law, no such officers existed and there was no consensus on the specific procedures to follow to respond to access to information requests. According to Hatim Mouradi, the commitment will provide a guide to all the administrations, civil servants, and citizens on how to process demands. The guide was delineated in an internal roadmap dating from May 2018. The roadmap has five strategic axes: designating the commission on the right to access information, the POCs in charge of processing information, training the members of the commission and organizing study trips to countries implementing similar reforms, and training officers.⁶⁹

⁶⁶ Hatim Mouradi, Head of Division of Innovation and Modernisation Programmes, Ministry of Administration Reform and Civil Service, interview with IRM researcher, 15 March 2019.

⁶⁷ Ibid.

⁶⁸ Hatim Mouradi, Head of Division of Innovation and Modernisation Programmes, Ministry of Administration Reform and Civil Service, interview with IRM researcher interview with IRM researcher, 15 March 2019.

⁶⁹ Hatim Mouradi, Head of Division of Innovation and Modernisation Programmes, Ministry of Administration Reform and Civil Service, interview with IRM researcher interview with IRM researcher, 15 March 2019.

Mr. Mouradi highlights that this commitment seeks to enhance civil servants' knowledge on the law so that all government entities that receive requests of access to information will be able to carry them out. The commitment also includes training for the commission in charge of access to information. The CNDP (Commission Nationale de Contrôle de la Protection des Données à Caractère Personnel) will forward information requests that raise privacy questions to the secretariat of the commission for an opinion.

Training on the ATI law will need to reach a significant number of civil servants to be effective. Information officers and civil society members who are trained are expected to further distribute information on the law. Mr. Abderrahim Foukahi, a representative of the CSO REMDI explains jurists and lawyers will be in charge of submitting requests, whose understanding of the laws' inner workings is minimal at best. He adds that lawyers' lack of understanding of the international legal standards on the question makes them ill-equipped to forward these requests.⁷⁰

Youness Benmoumen, founder of the CSO Tafra, explains that the commitment could have a greater impact if there is a proper selection process for information officers. He further adds that trainings should seek to encourage civil servants to respond to requests, emphasize their obligations to citizens, and outline the safeguards that exist to address any risks in sharing information. If completed, the commitment will encourage civil servants to respect the law. Mr. Benmoumen adds that data should be shared in useable formats (such as Excel sheets rather than PDFs) and searchable for the data to aid the work of CSOs.⁷¹

Appointing and training information officers is an essential step towards fully implementing the access to information law. If completed, this commitment is likely to increase citizens' ability to access previously inaccessible government information. However, the number of officers to be trained is considerable, and the commitment does not mention that it will train all officers in all parts of the country and does not specify whether the budget for such a large-scale training program is available. And if there were a budget available, there is no mention of its current amount.

Next steps:

In implementing this commitment and continuing access to information reforms, the IRM recommends that implementors consider the following:

- This commitment should be given priority and should be continued in future action plans, as it furthers the core open government value of transparency across the whole of government. Furthermore, the sheer number of civil servants is considerable, and cultivating an institutional culture of openness and information sharing requires sustained efforts.
- Training for civil servants and information officers should emphasize their obligations towards citizens to disclose information and the legal changes should provide safeguards if civil servants incorrectly disclose information.
- Future similar commitments could increase specificity by clarifying the number of trainings, the intended recipients, and the role of civil society.
- Future access to information reforms could focus on establishing a transparent process for denied information requests and redress mechanisms for citizens whose requests are denied.

⁷⁰ Abderrahim Foukahi, REMDI and member of the Access to Information Commission, interview with IRM researcher, 23 February 2019.

⁷¹ Youness Benmoumen, President of Tafra, interview with IRM researcher, 15 February 2019.

Commitment 3: Public Archives Management

Language of the commitment as it appears in the action plan:

"This commitment will enable government bodies to have operational and decision-making bodies and well-trained staff in terms of archiving and managing information according to professional standards and best practices. Information managed in this way is more accessible and can easily be available to the public, either at the government's initiative or upon request.

Milestones

- Creating archive committees, replacing the administrative structures under the direct authority of the General Secretariats, creating bodies responsible for the archives, the devolved units, tallying their tasks with the ones listed in Article 5 of the aforementioned decree
- For the other 26 ministerial departments without structures: creating archive committees, administrative structures to be placed under the direct authority of the General Secretariats, and bodies responsible for the archives within the devolved units;
- Training managers of the structures responsible for managing the archives within the ministerial departments, and empowering them to transfer their knowledge, acquired during the training, to their colleagues in charge of managing the government body's information and documents. This step will enable managers and colleagues to master rules and procedures for managing current and intermediary archives, as detailed in the Reference Guide for Managing Public Archives"

Start Date: August 2018

End Date: June 2020

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#)

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
3. Overall		✓	Unclear						✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

This commitment seeks to address the lack of proper archiving systems within the Moroccan administration. Passed in 2007, Law 69.99 sets the regulatory framework for

archiving in Morocco. However, a 2015 study found a lack of dedicated and qualified human resources to process archives and a lack of archiving structures in most government departments.⁷² According to the national action plan, only 18 of the 44 ministerial departments have archiving structures.⁷³ Currently, archive management is not organized at all levels of government. Three ministries are considered the best at archiving: the Ministry of Islamic Affairs, the Ministry of Justice and the Ministry of Interior. This commitment complements Commitments 1, 2, and 4 in this action plan.

Bouihi Houda, the government point of contact for the commitment, is in charge of managing archiving services for central administrations at the Archives of Morocco. According to Mrs. Houda, there is a well-defined guideline for training and choosing appropriate archivists, but it is not well used and respected.⁷⁴ Currently, the archiving system suffers from loose organization and classification. As of 2017, only 32% of ministerial departments had proper archiving structures.⁷⁵ Archives are in bulk, disorganized, not properly processed in the majority of ministries and only historical archives are available from the national archive. These challenges affect the government's capacity to share information with the public, particularly when it comes to addressing information requests.⁷⁶

The commitment seeks to strengthen the National Strategy on Archiving, promote a culture of archiving within the public and private spheres, as well as the organization, safeguarding and dissemination of archive data. The commitment's objective seeks to train officers that will disseminate their knowledge to their respective government departments and to create an archiving system for departments that don't have one. As designed, the commitment's activities are internal facing and it is unclear whether they aim to promote the external publication of government-held information. While a stronger archives system is a vital building block towards better internal organization, this commitment lacks a public facing element.

This commitment is verifiable and expected to have a moderate potential impact on archiving practices through standardization and organization of archives across government. The creation of committees, standard procedures, and public officials' capacity to maintain archives is a vital prerequisite to fulfilling citizen rights to information as enshrined by the constitution and access to information law. Mrs. Houda stated that as long as archive commissions carry out their mission and follow archive management procedures, this commitment will make 90% of information that currently exists in archives accessible to the public.⁷⁷ That outcome would be obtained by organizing the files that are currently in the hands of the different governmental departments. Implementation would also make penitentiary information available. However, how the government's internal organization of archives will translate to greater publicly available information is not apparent in the commitment text. Training for public officials will be carried out by professors from ESI (Ecole des Sciences de l'Information).

Mr. Azzedine Akesbi, an access to information expert, highlighted that this commitment is a positive step forward, but full implementation will likely take longer than the implementation period. He states that archive digitalization, organization, classification as well as the publication of information across different departments will likely take more than two

⁷² "Etude des états des lieux de l'archive au Maroc, 2017" Archives of Morocco, Government of Morocco.

⁷³ Government of Morocco, 2018-2020 National Action Plan, p. 13. https://www.opengovpartnership.org/wp-content/uploads/2018/09/Morocco_Action-Plan_2018-2020_EN_Revised.pdf

⁷⁴ Bouihi Houda, National Archives of Morocco, interview with IRM researcher, 4 March 2019

⁷⁵ Bouihi Houda, National Archives of Morocco, interview with IRM researcher, 4 March 2019

⁷⁶ Government of Morocco, 2018-2020 National Action Plan, p. 15. https://www.opengovpartnership.org/wp-content/uploads/2018/09/Morocco_Action-Plan_2018-2020_FR_Revised.pdf.

⁷⁷ Bouihi Houda, National Archives of Morocco, interview with IRM researcher, 4 March 2019.

years.⁷⁸ Moreover, elected official Omar El Hyani stated that archives are currently underutilized and undervalued, and that the commitment would moderately impact citizens and public officials' perception of the value of archives.⁷⁹ Additional challenges include that this commitment will require significant time and resources to implement. Finally, the commitment does not establish any incentives to promote the compliance of civil servants with an archiving protocol.

Next steps:

While this commitment establishes a strong foundation for access to information requests, a future iteration of this commitment could include public facing elements that would strengthen its relevance to OGP values. Some aspects to be considered are:

- Within the proactive publication legal framework, expand the type of archives that would be available to citizens and civil society. Different government bodies should communicate clearly which archives would be accessible in the future and announce their availability as soon as they are organized and released to the public.
- Establish a website to centralize all available archives, searchable in a useable format and available in the working languages of the country.
- Strengthen future commitment design, turn some milestones into activities, rather than specific numbers (for instance, number of beneficiaries). Those numbers could be included as performance indicators.
- It is important that the National Archives of Morocco and agencies make sure that trainees disseminate knowledge and good practices. A key next step could also include mechanisms for ensuring and tracking civil servants' compliance with standards on archives management.

⁷⁸ Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019.

⁷⁹ Omar El Hyani, elected member of the Rabat City Council, interview with IRM researcher, 22 Mar 2019.

Commitment 4: Increase Publication and Reuse of Open Data

Language of the commitment as it appears in the action plan:

“This commitment consists of:

- Creating a national data strategy
- Creating governance for open data to coordinate the policy of openness and the sharing and reuse of public data to include all stakeholders, including the private sector and civil society.
- Implanting an organization within the ministerial departments, public institutions, and territorial authorities that enables the selection, collection, categorization, and validation of data to be provided to the public or published according to the laws in force.
- Developing a manual setting rules for collecting, processing, disseminating, and updating open data.
- Training data officers within government departments and public institutions on rules for collecting, processing, disseminating, and updating open data.
- Communicating and raising public’s awareness (government departments, citizens, companies, researchers, tourists, investors, civil society, etc.) about the benefits of openness, sharing, and reuse of data.

The impact of this commitment will be assessed on the basis of the following indicators: - Number of institutions participating in the Open Data Strategy (to be increased by 100%: from 16 to 32 institutions) - Number of data sets published on the platform data.gov.ma (to be increased by 100%: from 136 to 300 data sets)- Number of data reuse initiatives: 20 initiatives.”

Milestones:

- Benchmarking data strategies.
- Assessing the status of data in Morocco.
- Developing the strategy rules of procedures of public data.
- Creating governance devoted to open data.
- Preparing the procedures manual for collecting, processing, disseminating, and updating open data.
- Training government departments on publishing open/proactive data.
- Communicating and raising awareness about the benefits of open data."

Start Date: August 2018

End Date: August 2020

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#).

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?
---------------------	---------------	----------------------------------	------------------	------------	-------------------------

	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4. Overall		✓	✓			✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

The commitment aims to promote the proactive publication of data across government ministries and levels on the national portal data.gov.ma. This commitment joins Commitments 1, 2, and 3 in this action plan in furthering the governments' access to information reforms.

Morocco became the first African country to launch an open data portal in 2011.⁸⁰ The portal was launched by the Ministry of Industry, Trade, and Investment, and the Digital Economy and redesigned in 2014. This project intended to bring citizens and businesses closer to the administration through an easy-to-use data portal.⁸¹ Despite these efforts, Morocco's ranking in the Open Data Barometer Index has declined from 40th in 2013 to 79th in 2016.⁸²

Several factors have contributed to the limited development of the portal. First, internal administrative restructuring caused a temporary halt to the portal's development.⁸³ Second, ministries were asked to voluntarily upload data as there was no legal requirement to do so yet. Ministries were hesitant to upload data in the absence of a legal framework. Consequently, the portal contains limited and outdated information.⁸⁴ Finally, the administration paused the portal's further development until Morocco formally joined OGP, as OGP membership would help to frame the country's open data plan.⁸⁵

Samia Chakri, Director of the Department of Administrative Reform, reports that the Ministry of Economy, Finance and Administrative Reforms will oversee the portal. At the time of writing, the Digital Development Agency was drafting an open data action plan in collaboration with other government ministries.⁸⁶ As a result of this commitment, "the website data.gov.ma will be professionalized to include clear processes, data collection, statistics, and categorization of data, privacy issues and national security will be dealt with as well." The portal will provide downloadable data in Excel sheets. Currently, data is often

⁸⁰ Information provided to the IRM by the Government of Morocco during the report's pre-publication comment period.

⁸¹ "Programme e-gouvernement Royaume du Maroc," Government of Morocco, accessed February 2019, <http://www.egov.ma/fr/vision-et-objectifs>

⁸² Open Data Barometer, Morocco Country Report, 2016, https://devodb.staging.wpengine.com/country-detail/?_year=2016&indicator=ODB&detail=MAR

⁸³ "Evaluation des services publics en ligne – Synthèse," Cour Des Comptes, Royaume du Maroc, p.11, accessed Oct 2019, http://www.courdescomptes.ma/upload/MoDUle_20/File_20_687.pdf

⁸⁴ Samia Chakri, Director of the Department of Administrative Reform, Ministry of Economy, Finance and Administrative Reforms, interview with IRM researcher, 22 February 2019.

⁸⁵ Samia Chakri, Director of the Department of Administrative Reform, Ministry of Economy, Finance and Administrative Reforms, interview with IRM researcher, 15 February 2019.

⁸⁶ Information provided to the IRM by the Government of Morocco during the report's pre-publication comment period.

published through PDFs as officials fear data may be edited and falsified.⁸⁷ The portal will also contain data from municipal and local governments. The High Commission for Planning will support implementation of the commitment.

This commitment carries a moderate potential to increase citizen access to and use of government-held data. If fully implemented as written, the commitment will result in the proactive publication of government data in one accessible location. Public access to downloadable, comprehensive, and recent data would be a significant departure from the status quo. Youness Benmoumen, president of TAFRA, notes that greater open data would be a notable achievement. He states that the public would particularly benefit from greater open data from the High Commission for Planning and Ministry of Interior and that such data would facilitate CSOs' work, such as policy research.⁸⁸ This commitment is verifiable and relevant to the OGP values of access to information and use of new technology and innovation for accountability and transparency.

Next steps:

In carrying forward open data reforms, the IRM recommends that implementors consider the following:

Governance

- Open data governance within the administration should have a clear structure with clearly designated mandates.
- The government should collaborate with civil society to ensure published data is relevant and useable and that the platform is user-friendly. The portal itself could contain a feedback page or survey.
- The Ministry of Economy, Finance and Administrative Reforms should work with local governments, especially rural collectivities, to support open data publication at subnational levels.
- The Ministry of Economy, Finance and Administrative Reforms should incentivize ministries to publish data frequently and comprehensively. The ministry could highlight open data champions as well as publish a list of ministries not in compliance with proactive publication requirements.
- Future iterations of this commitment could seek to address public officials' questions and concerns about publishing open data to build a culture of transparency.

Data

- Where possible, collect and publish detailed data disaggregated by gender and geography as well as across time and levels of governments.
- Aim to produce and publish data that is interoperable between levels of government, across government agencies, and with international open data repositories.

⁸⁷ Samia Chakri, Director of the Department of Administrative Reform, Ministry of Economy, Finance and Administrative Reforms, interview with IRM researcher, 15 February 2019.

⁸⁸ Youness Benmoumen, President of Tafa, interview with IRM researcher, 15 February 2019.

Commitment 5: Establish An Environmental Data Sharing Mechanism

Language of the commitment as it appears in the action plan:

“This commitment will strengthen and revitalize the Regional Monitoring Centers on Environment and Sustainable Development (ONEDD), which manage and share environmental data and information with partners and the public. It is within this context that the Secretariat of State in charge of Sustainable Development began a large-scale project to supply each region with a Regional Information System on Environment and Sustainable Development (SIREDD).

This commitment consists of:

- Using and deploying a technology platform to manage and share environmental data;
- Updating the SIREDDs by collecting and adding data; *
- Training and supporting regional partners to feed and update the SIREDDs;
- Developing a geo-catalogue and supplying it with data and the anticipated services.

The impact of this commitment will be assessed based on the following indicators:

- Number of regional networks to share information and data institutionalized with gubernatorial decrees signed by the Wallis (Governors) of the regions: 9 out of 12 of the Kingdom’s regions;
- Number of SIREDDs deployed: 3 out of 12 of the Kingdom’s regions.”

Milestones:

- Creating the SIREDDs.
- Institutionalizing the regional networks to exchange and share information on environment and sustainable development (SIREDD).
- Capacity building for the regional managers on using the SIREDDs.

Start Date: July 2018

End Date: August 2020

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
5. Overall		✓	✓			✓			✓					Assessed at the end of action plan cycle.					Assessed at the end of action plan cycle.

Context and objectives

This commitment aims to increase and standardize environmental data across government and with the public. The government seeks to better inform decision-making by publishing real time and comprehensive environmental data through a National Environmental Information System. In the long run, this commitment is part of the government's aim to measure adaptation and combat climate change.

The National Observatory of the Environment for Sustainable Development (ONEDD) was created in 1994. Since then, ONEDD has published various reports on the State of the Environment in Morocco and Sustainable Development Indicators. The Government of Morocco has collected environmental data at the regional level since 2003 and produced State of the Regional Environment Reports. However, these reports have not been produced on a regular basis and there is an absence of a dynamic regional platform to collect environmental data.⁸⁹ The Regional Observatories for the Environment and Sustainable Development were created in 2011 to relay information for ONEDD at the regional level. In 2018, Order Number 114 established regional commissions of the Regional Observatories of the Environment and Sustainable Development (OREDD).⁹⁰

Mohamme Rahoui, GIZ Technical Advisor on Environmental Data, reports that regional monitoring centers face a variety of challenges.⁹¹ Environmental data is scattered across departments and reporting is not standardized.⁹² Regional centers often need data held by regional governments under the Ministry of the Interior. Public requests for environmental data had to be physically submitted, responses were often delayed, and information frequently accessed through informal channels. Regional centers only share information when directed to do so and often resist sharing with anyone who is not a direct partner. Some centers do not publish data and others publish incomplete data.⁹³ The centers also struggle with financial and human resource capacity. GIZ has developed tools to share data in 3 pilot regions but these remain localized and not yet developed throughout the 12 regions of the country.⁹⁴

Bourous Saida, Head of the Environmental Databases Unit in the Secretariat of State in charge of sustainable development and the government contact for this commitment, notes the government will designate information focal points at the regional level to channel data into the information system. Standardized procedures and the online platform will facilitate reliable and accurate environmental data that is more easily shared within and outside government. The commitment also seeks to align Morocco with European information sharing networks.⁹⁵ Mohamme Rahoui adds that implementation of this commitment would represent a significant step towards environmental information sharing. He advocates for the expansion of GIZ's data tool across all 12 regions with frequent data publication.⁹⁶

⁸⁹ Information provided by the Government of Morocco to the IRM during the report's pre-publication comment period.

⁹⁰ Ministry of Energy Mines and the Environment. Launch of SIREDD. 2019.

<https://www.environnement.gov.ma/fr/component/content/article/134-actualites/2890-lancement-du-systeme-d-informations-regionale-de-l-environnement-et-du-developpement-durable-siredd-un-outil-efficace-de-lutte-contre-les-changements-climatiques-le-17-septembre-2019-a-laayoune>

⁹¹ Mohammed Rahoui, GIZ Technical Advisor in Environmental Data, interview with IRM researcher, 18 February 2019.

⁹² Bourous Saida, Head of Environmental Databases Unit, Secretariat of State in Charge of Sustainable Development, interview with IRM researcher, 11 March 2019.

⁹³ Bourous Saida, Head of Environmental Databases Unit, Secretariat of State in Charge of Sustainable Development, interview with IRM researcher, 11 March 2019.

⁹⁴ Mohammed Rahoui, GIZ Technical Advisor in Environmental Data, interview with IRM researcher, 18 Feb 2019.

⁹⁵ Ibid.

⁹⁶ Mohammed Rahoui, GIZ Technical Advisor in Environmental Data, interview with IRM researcher, 18 February 2019.

This commitment holds a moderate potential to increase citizen access to environmental data. If implemented as written, the commitment would be a positive step towards the standardization of data collection and publication. Training and an online platform are the primary tools through which this commitment aims to increase environmental data transparency. The website will aim to provide real-time data in three categories: environmental indicators, sustainable development objectives and climate change factors.⁹⁷ This commitment is verifiable and relevant to the OGP value of access to information and technology and innovation for accountability and transparency.

Next steps:

The IRM recommends that implementors consider the following:

- Design the portal and publication procedures with multiple audiences in mind. Publish environmental data in both raw and easily understood formats. Information should be understandable for the general public, in various languages and media, in addition to the raw data for experts and researchers.⁹⁸
- Partner with experts and civil society to develop a road map that specifies the frequency, formats, and scope of data to be published; pay special attention to timely data publication. Consult the public to ensure data and the portal are relevant and accessible.
- Design a strategy to ensure information exchange across agencies. Perhaps publicly acknowledge information champions and highlight noncompliant agencies.
- Focus local trainings on access to information. Especially for rural civil servants, focus on how to share environmental data, perhaps through the technical platforms created with the help of GIZ.

⁹⁷ "Morocco Climate Information System Under Development" Afrik21. <https://www.afrik21.africa/en/morocco-climate-information-system-under-development/>

⁹⁸ Mr. Gajo, Head of Environmental Department, GIZ, interview with IRM researcher, date unknown.

Commitment 6: Transparency Portal

Language of the commitment as it appears in the action plan:

“This commitment is about the creation of a national transparency portal that allows for:

- Submitting and monitoring requests for information,
- Publishing proactively the information held by government departments
- Publishing open data
- Publishing and monitoring the implementation of the National OGP Action Plan
- Citizen participation in drafting public policies on Open Government
- Publishing statistics and indicators on the Moroccan Government

Milestones:

- Organizing a seminar to present the project and involve stakeholders
- Identifying the portal’s contents and services
- Developing the portal
- Preparing guides for updating the portal
- Organizing training sessions on the portal’s management and use for partner government departments.”

Start Date: August 2018

End Date: August 2020

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#)

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
6. Overall		✓	✓	✓		✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

This commitment aims to establish an online platform that brings together various ongoing open government initiatives into one place. These initiatives include a portal for citizens to submit and monitor access to information requests, channels for citizens to participate in the OGP co-creation process and policymaking, and proactive disclosure of data and information by the government. This commitment is therefore connected to Commitments 1 through 4 on access to information and Commitments 15 and 16 on civic participation in this action plan, among others.

Morocco's 2011 Constitution and organic laws passed over the last decade established the legal framework for greater government transparency and civic participation in policymaking. The government of Morocco is now in the process of implementing the regulations and tools to enact these rights. In particular, the transparency portal will further implementation of Morocco's 2018 Access to Information law and the proactive publication provisions that went into effect in 2020.⁹⁹

At the time of co-creation of this action plan, Moroccans faced limited means to access information and engage with policymaking. When the government does disclose data, it is often inconsistent, in PDF format, and highly technical, making it of limited use to experts or the general public.¹⁰⁰ See the analysis for Commitments 1 and 2 for information on the obstacles citizens face in requesting government information. Morocco's membership to OGP marks another notable step towards open government reforms. Yet the co-creation process for Morocco's first OGP action plan lacked sufficient civil society and public input. This commitment aims to address these various open government challenges.

According to the government's point of contact for this commitment, Ouiame El Moustamide, the portal is inspired by Spain's Transparencia portal.¹⁰¹ Importantly, the portal will make it easier for the government to monitor ministries' response rate to access to information requests and proactive publication of information. The website will also provide a common space for citizens to view all information published by ministries by sector, including national statistics and OGP progress. Finally, the website will bring together civic participation opportunities into one common place.¹⁰² At the time of writing, the website [chafafiya.ma](http://www.chafafiya.ma) was operational and citizens are able to submit and track information requests. A YouTube video explains how citizens can use the portal to make an information request. However, the website is currently only available in Arabic and does not yet contain a civic participation component.¹⁰³

If fully implemented, this commitment is expected to have a moderate impact on Moroccans' access to information and ability to influence open government policies. This commitment is considered to have modest ambition because it does not introduce new mechanisms for transparency or civic participation but instead brings together existing initiatives on a shared website. If this commitment establishes an inclusive and sustainable process for citizens to influence open government policies, then it will be considered to have a greater open government impact. This commitment is verifiable and relevant to the OGP values of 'access to information' and 'technology & innovation for transparency & accountability' as it will increase citizen access to government-held information through a website. This commitment is also relevant to the value of 'civic participation' as it will facilitate Moroccans' participation in the OGP co-creation process and open government policymaking.

Next steps:

The IRM recommends that implementors consider the following:

- Partner with civil society to design information disclosure and civic participation processes, including portal usability and categories of information to be released.
- Provide online and offline channels to ensure inclusive citizen participation in open government policymaking. Online participation mechanisms should be partnered with offline options to avoid further marginalizing citizens without Internet access.

⁹⁹ Ouiame El Moustamide, government point of contact, interview with IRM researcher, 4 March 2019.

¹⁰⁰ Ouiame El Moustamide, government point of contact, interview with IRM researcher, 4 March 2019.

¹⁰¹ Government of Spain transparency portal: <https://transparencia.gob.es/>

¹⁰² Ouiame El Moustamide, government point of contact, interview with IRM researcher, 4 March 2019.

¹⁰³ Information Request Portal. Government of Morocco. <http://www.chafafiya.ma/>

The website and participation materials should be provided in simple language in Arabic, French, Spanish, and Berber.

- Establish procedures to ensure government consideration and public response to citizen input in a timely manner. Visible and punctual feedback on how the government incorporated citizen input into policies is essential to build the trust of Moroccans in the government's new participatory democracy efforts.
- Include information on the public policy formation processes, such as how decisions were made regarding certain policies, by proactively sharing ministerial notes, memos and meeting minutes that demonstrate the decision-making process and what decisions were reached.
- The government should proactively publish responses to categories of frequently requested information.

Commitment 7: Integrity Portal

Language of the commitment as it appears in the action plan:

“The portal seeks to:

- Familiarize the public with the achievements and national actions developed in terms of integrity, and highlight the efforts made by the various stakeholders working on integrity and anti-corruption,
- Provide users with a knowledge base that comprises all the data on integrity and related issues (fighting and preventing corruption, transparency, accountability, conflicts of interest, ethics, etc.);
- Direct visitors to the entire platforms developed as part of the creation of a national integrity system and the national anti-corruption strategy;
- Enable visitors to express their expectations, suggestions and complaints regarding integrity through a participatory virtual space;
- Identify actions to be taken by different stakeholders related to integrity and anticorruption.

The impact of this commitment will be evaluated on the basis of the following indicators:

- Number of institutions enriching the integrity portal;
- Number of visitors;
- Frequency of the portal’s update

Milestones:

- Designing the portal
- Identifying the portal’s content and services
- Developing the portal
- Preparing guides for updating the portal and organizing training sessions for the partner government departments
- Launching the portal"

Start Date: March 2018

End Date: November 2019

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
7. Overall		✓	✓	✓		✓		✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

This commitment aims to establish an online platform that brings together information about corruption and anti-corruption institutions, policies, and initiatives in Morocco to educate the public. The platform will also prove a space for citizens to submit information about instances of corruption and engage the government.

Morocco has made various efforts to combat corruption over the past decades. In 1999, the National Commission for Morality and Public Life sought to promote integrity and improve service provision.¹⁰⁴ Morocco ratified the United Nations Convention Against Corruption in 2007¹⁰⁵ which, along with the 2011 constitutional reforms, paved the way for the 2009 establishment of the National Authority for the Probity, Prevention and Fight Against Corruption (INPPLC). The INPPLC's mandate is to (i) coordinate corruption prevention policies (ii) monitor their implementation (iii) collect and disseminate information in this area.¹⁰⁶ A 2015 to 2025 National Strategy Against Corruption aims to reduce corruption and increase citizens' and the international community's confidence in the government by 2025.¹⁰⁷ The National Anti-Corruption Commission published a report on the progress of the National Strategy between 2016 and 2018.¹⁰⁸ However, communication with the public about the government's anti-corruption efforts remains low.¹⁰⁹

Despite these efforts, perceptions of corruption in Morocco remain high. According to the Global Corruption Barometer in 2019, 53% of respondents think corruption has increased in the last 12 months and 74% think the government is doing a bad job at tackling corruption.¹¹⁰ Citizens consider the judicial, health, law enforcement and public sector to be the most corrupt.¹¹¹ An internal study by INPPLC found that Moroccans perceive corruption to occur at much higher rates than it actually takes place. This dissonance makes it difficult for the government to use perceptions of corruption to measure actual changes in corruption in the country.¹¹² There is also an absence of a comprehensive picture of all anti-corruption actors and efforts in Morocco.¹¹³ Bauke Baumann, Director of Boll Stiftung Organization, notes that there is very little public data on instances of corruption in Morocco, as the majority of cases are not shared publicly.¹¹⁴

Yassir Chokairi, Director of the Partnership and Development Department at INPPLC and the government point of contact for this commitment, states that the portal will include a national database of all cases of corruption, bring together all government communication

¹⁰⁴ "National report on the promotion of transparency and the fight against corruption" Kingdom of Morocco, <https://www.mmsp.gov.ma/uploads/fckFiles/file/Rapport%20national%20de%20lutte%20contre%20la%20corruption-VersionAnglaise.pdf>

¹⁰⁵ "National report on the promotion of transparency and the fight against corruption" Kingdom of Morocco, <https://www.mmsp.gov.ma/uploads/fckFiles/file/Rapport%20national%20de%20lutte%20contre%20la%20corruption-VersionAnglaise.pdf>

¹⁰⁶ Information provided by the Government of Morocco to the IRM during the report's pre-publication comment period.

¹⁰⁷ Global Legal Monitor, Library of Congress, <https://www.loc.gov/law/foreign-news/article/morocco-draft-law-introduced-to-protect-whistle-blowers-in-corruption-cases/>

¹⁰⁸ Commission Nationale Anti-Corruption. 2016-2018.

https://www.mmsp.gov.ma/uploads/documents/Rapport_Cnac_IerePhase_SNLCC_VD.pdf

¹⁰⁹ "Fight against corruption: Morocco advances step by step...", ACTE international, October 2018, https://www.acte-international.com/web/aw_17198/fr/lutte-contre-la-corruption-le-maroc-avance-pas-a-pas

¹¹⁰ "Citizens views and experiences of corruption," Global Corruption Barometer, Africa 2019, p. 45.

¹¹¹ "Strategie nationale de lutte anti corruption" Commission Nationale Anti-Corruption, p.10, https://www.mmsp.gov.ma/uploads/file/Strategie%20Nationale%20de%20lutte%20Corruption_SNLCC_FR_2016.pdf

¹¹² Yassir Chokairi, Director, Partnership and Development Department, INPPLC, interview with IRM researcher, 13 March 2019.

¹¹³ Yassir Chokairi, Director, Partnership and Development Department, INPPLC, interview with IRM researcher, 13 March 2019.

¹¹⁴ Bauke Baumann, Director, Boll Stiftung Organization, interview with IRM researcher, 22 Feb 2019

on the topic, provide a forum for citizen engagement as well as an overview of all institutional actors. As a result, the portal will educate citizens on anti-corruption efforts, improve citizen perceptions, and enable citizens to better diagnose the issue and participate in government efforts to tackle corruption.¹¹⁵

This commitment is expected to have a minor potential impact on citizen access to information around corruption and anti-corruption efforts. This commitment will likely represent a positive but incremental step towards coordinated anti-corruption efforts. This reform is evaluated to have limited ambition as it does not introduce new information or civic participation opportunities, but rather reorganizes information into one online space.

According to data from 2019, around 74% of the population in Morocco uses the Internet.¹¹⁶ Social media, particularly Facebook, is one of the main ways citizens seek information.¹¹⁷ Therefore, all e-government initiatives throughout this action plan will only reach a segment of the population and will exclude marginalized communities unless complementary offline activities are included. CSO representatives interviewed view the integrity portal as a limited step. CSOs stated that the government should publish the number of corruption cases, including ongoing cases and accountability measures should be taken. Specifically, Azzedine Akesbi notes that there is currently no law to protect whistleblowers, which limits anti-corruption efforts in the country.¹¹⁸

This commitment is relevant to OGP values relating to access to information, to technology for transparency and accountability, and to civic participation as it seeks to increase citizen access to corruption-related information and engagement with corruption efforts through an online platform. This commitment is verifiable, as the milestones include simple activities such as setting up the portal and preparing guides for its use.

Next steps:

The IRM recommends that implementors consider the following:

- Partner with civil society to determine the scope and format of information to be shared on the portal to ensure it is relevant and useable for the public. Design material for multiple audiences, for example, raw statistics on corruption cases and outcomes in addition to picture and video summaries for a general audience.
- Incentivize ministries' participation in the portal by publishing clear guidelines and celebrating 'integrity champions.'
- Establish mechanisms for reporting cases of corruption, including a legal framework and procedures to process and publish the outcome of submissions.
- To raise the level of ambition, future commitments could focus on strengthening and implementing the legal and regulatory framework for corruption whistleblowers and asset declarations of public officials.¹¹⁹

¹¹⁵ Yassir Chokairi, Director, Partnership and Development Department, INPPLC, interview with IRM researcher, 13 March 2019.

¹¹⁶ World Bank Data. "Individuals using the Internet," Morocco, accessed 2021
<https://data.worldbank.org/indicator/IT.NET.USER.ZS?locations=MA>

¹¹⁷ 'ANRT: More Than 25 Million Moroccans Have Internet Subscriptions,' Morocco World News- accessed October 4 2020, <https://www.moroccoworldnews.com/2020/03/295885/anrt-more-than-25-million-moroccans-have-internet-subscriptions/>

¹¹⁸ Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019.

¹¹⁹ "Morocco: New Law, Elected Officials Must Declare Assets," Morocco Telegraph. 2021.
<https://moroccotelegraph.com/politics/morocco-new-law-elected-officials-must-declare-assets/>

Commitment 8: Establish a Legally Binding Public Service Framework

Language of the commitment as it appears in the action plan:

“The commitment involves provisions to be included in the public services charter, stated in Article 157 of the Constitution, which will:

- Require government bodies to transcribe terms and conditions, as well as rules and steps necessary for public service delivery, using a uniform and standardized model, posted on the national public services portal
- Enforce the publication of what has been transcribed on the national public services portal and any other available medium to enable users to obtain the information they need. This will help them perform an act or access a public service
- Update data on public services posted on the national public services portal following any change or modification
- Ensure the respect of terms, conditions and rules related to public services published on the national public services portal or any other means of official communication or publication; see the “Principle of Enforceability”
- Require public servants, in charge of delivering public services, to perform their tasks in a way that respects what has been communicated to users through the national public services portal or any other official means of publication or posting
- Enable users to react to any difference or discrepancy between the delivery of a public service and what has been published.

This commitment will also:

- Establish a binding legal framework for government bodies with regard to public services delivered.
- Improve the transparency of the services provided by government bodies
- Force government bodies to remedy any abuses resulting from the non-respect of services published on the national public services portal "service-public.ma

Milestones:

- Inserting the project’s provisions in the public services charter
- sharing the charter with all stakeholders
- Adopting the charter."

Start Date: September 2018

End Date: June 2020

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
8. Overall		✓	✓					✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

Context and objectives

Article 157 of the 2011 Moroccan Constitution states that a charter of public services determines all rules and procedures for good governance relating to public administrations; regions; local collectivities and public organizations.¹²⁰ A Public Service Charter was published in 2014.¹²¹ However, administrations are currently ruled by differing decrees and procedural laws, creating confusion for citizens on the correct procedures to access public services.

This commitment seeks to standardize and proactively publish procedures on the website service-public.ma to reduce confusion on the part of citizens and administration. The commitment also seeks to give citizens an opportunity to seek redress for discrepancies between published and actual procedures. This commitment is verifiable and relevant to the OGP value of access to information as it will facilitate the publication of a specific set of procedures and laws. It is related to Commitments 9 and 10 of this action plan.

Currently, there is a lack of clarity and consistency in policies and procedures for citizens to access administrative services. Administrations have different decrees and laws under which they operate. Therefore, citizens must sometimes present different paperwork to different administrations, in some cases for the same service. This creates loss of time and efficiency in delivering citizen services. Hatim Mouradi, Head of Division of Innovation and Modernization Programmes at the Ministry of Administration Reform and Civil Service and the government contact for this commitment, explains that users currently encounter challenges in accessing services, indicating that it's necessary to make efforts to standardize, publish, and enforce procedures.¹²² Dr. Azzedine Akesbi and Nourredine Achemlal from TANMIA add that public service procedures are not clear and that the current law enables civil servants to protect themselves, even if they do not follow procedures. Additionally, a lack of political will makes standardization of procedures difficult.¹²³

Mr. Achemlal argues that information currently published on service-public.ma is in dissonance with current practices. In the case of getting a passport, one can fill the form online but needs approval and submission to be done through the local government representative. Certain legal procedures—such as creating an NGO—are legally regulated but require the submission of additional documents from local administrations. This dissonance between information that is published on websites such as service-public.ma and

¹²⁰ Constitution du Royaume du Maroc, 2011, http://www.sgg.gov.ma/Portals/0/constitution/constitution_2011_Fr.pdf

¹²¹ Information provided by the government of Morocco to the IRM by email during the prepublication comment period.

¹²² Information provided by the government of Morocco to the IRM by email during the prepublication comment period.

¹²³ Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019; Nourredine Achemlal, TANMIA, interview with IRM researcher, 21 February 2019.

practical application is prevalent throughout Moroccan administrations.¹²⁴ Civil servants also sometimes insist on documentation beyond the legal requirements due to a distrust of the public and a desire to avoid potential fraud. This dynamic of distrust is one of the underlying reasons for corruption in state-citizen relations.¹²⁵

If implemented as written, this commitment carries a moderate potential to improve access for Moroccans to administrative services. Notably, this commitment aims to align legal provisions with public service delivery in practice. Activities to raise awareness among civil servants and the public on the Public Service Charter are important. However, this commitment's aim to establish an accountability mechanism to enforce compliance is its most important component. A responsive and visible accountability mechanism to address citizen grievances has the potential to incentivize public servants to comply with the charter and strengthen the trust of citizens in the government.

In regard to the commitment's objectives, Hatim Mouradi says the application of the charter would accelerate the full digitalization of procedures; limit abuses; increase a sense of trust; expedite e-administration in the country; increase accountability and reduce corruption.¹²⁶ From a civil society perspective, Sofia Rais argues that, if implemented, this commitment would greatly increase trust in government institutions.¹²⁷ Nourredine Achemlal sees the impact as progressive change. However, Mr. Akesbi says that a new law is needed to enforce the commitment and that this commitment, despite being ambitious, lacks real political will.¹²⁸

Next steps:

The IRM recommends that implementors consider the following:

- Focus on shifting the perspective of civil servants to emphasize their obligations towards citizens;
- Consider accountability mechanisms, such as sanctions for civil servants who do not fulfil their duties to provide public services or abide by the charter's rules;
- Provide training for lawyers and judges to reinforce procedures and the law;
- Provide transparency around the number, type, and response to public service complaints received from citizens on the service-public.ma site;
- Include provisions in the charter to simplify enforceability, such as the amount of time and procedures to file a complaint;
- Enable user feedback on service-public.ma on questions such as what services should be provided online and the best means of doing so.

¹²⁴ Nourredine Achemlal, TANMIA, interview with IRM researcher, 21 February 2019.

¹²⁵ Hatim Mouradi, Head of Division of Innovation and Modernisation Programmes at the Ministry of Administration Reform and Civil Service, interview with IRM researcher, 18 March 2019.

¹²⁶ Hatim Mouradi, Head of Division of Innovation and Modernisation Programmes at the Ministry of Administration Reform and Civil Service, interview with IRM researcher, 18 March 2019.

¹²⁷ Sofia Rais, Acting Director of Droit et Justice, interview with IRM researcher, 12 February 2019.

¹²⁸ Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019; Nourredine Achemlal, TANMIA, interview with IRM researcher, 21 February 2019.

Commitment 9: Improve Public Service Through IDARATI Pilot Sites

Language of the commitment as it appears in the action plan:

“This commitment consists of:

- Supplying all public bodies with organizational tools and modes based on common terms of reference, which incorporates the principles of efficiency, transparency, and equality among users
- Ensuring that there are available staff who will help citizens and users process all the relevant forms. Staff must be qualified and trained on how to receive users and manage relationship with them.
- Organizing the reception facilities in a way that respects the standardized rules and conditions
- Clarifying rules and framework for providing public services to restrict nepotism, favoritism, and corrupt acts.

The impact of this commitment will be assessed based on the following indicators:

- Corruption Perception Index
- Number of institutions participating in the program
- Number of sectors affected by the program.
- ...

Milestones:

- Updating the “Rabat vehicle registration centre” pilot site
- updating the “El Jedidaprovincial hospital” pilot site
- Updating the “Moroccan Consulate in Algeciras” pilot site,
- Technical support for updating the Ain Sbaa Casablanca “oukacha” penitentiary pilot site.”

Start Date: 2018

End Date: 2021

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
9. Overall		✓	✓			✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

This commitment aims to improve the quality of public services Moroccans receive at reception centers through standardized procedures, improved physical and administrative resources, and employee training in customer service. This commitment's objective is to strengthen public service delivery by ensuring that citizens have access to information on administrative procedures and recourse when services are not adequately provided. This commitment complements Commitments 8 and 10 in this action plan.

The government's priority to modernize the administration and improve service provision is affirmed in Articles 154, 155, 156, and 157 of the 2011 Constitution. More recently, King Mohammed VI has highlighted the need for greater transparency and accountability to improve service delivery.¹²⁹ In 2017, the government issued Decree 2-17-444 to improve public service provision through standardizing and publishing services and establishing a system to receive comments and complaints.¹³⁰ The government is currently considering Law 54.19 to establish a public service charter, which was passed by the House of Representatives in February 2020.¹³¹ The law will form the legal basis for Commitments 8, 9, and 10 of this action plan.¹³²

In 2011, Morocco launched IDARATI ("my administration" in Arabic) in partnership with the United Nations Development Programme. IDARATI includes three online portals for public services: public employment, the chikaya portal, and geolocation services. The websites are accompanied by a phone hotline and email address for citizens to seek information on administrative procedures and file complaints.¹³³

Despite government efforts, public service delivery and reception centers in particular, face many challenges. According to Mohammad Hassia, National Director of the Programme to Improve Reception Facilities and government point of contact for this commitment, reception employees often lack training in customer service and service provision. There is a lack of culture in which citizens are viewed as clients with a right to public services. As a result, reception centers are often 'closed off' and fail to meet the needs of citizens. Additionally, an absence of unified information and procedures across reception centers results in uneven service delivery around the country. There is also inadequate use of online tools or standard procedures for processing complaints.¹³⁴ In rural areas, administrative service centers are often physically dispersed and only open once a week during the market.

¹²⁹ "Texte intégral du discours de SM le Roi devant les deux Chambres du Parlement - 12/10/2012" <http://www.chambrederesrepresentants.ma/fr/discours-royaux/texte-integral-du-discours-de-sm-le-roi-devant-les-deux-chambres-du-parlement>; « Texte integral du discours royal à l'occasion du 18^{ème} anniversaire de l'accession du souverain au trône » <http://maroc.gov.ma/fr/discours-royaux/texte-integral-du-discours-royal-loccasion-de-la-fete-du-trone-0>

¹³⁰ "Réforme de l'administration publique: vers la fin des légalisations à la moqataâ" Telquel. 2017. https://telquel.ma/2017/08/08/reforme-de-ladministration-publique-vers-la-fin-des-legalisations-a-la-moqataa_1556815

¹³¹ House of Representatives. Government of Morocco. <https://www.chambrederesrepresentants.ma/fr/%D8%A7%D9%84%D9%86%D8%B5%D9%88%D8%B5-%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D9%8A%D8%A9/projet-de-loi-ndeg5419-portant-charte-des-services-publics>

¹³² "Reforme Administrative de Nouvelles Obligations Pour Les Services Publics," 2020, Les Eco. <https://leseco.ma/maroc/reforme-administrative-de-nouvelles-obligations-pour-les-services-publics.html>

¹³³ The call center is open Monday to Friday, from 9 a.m. to 3 p.m. via the short number 3737 or 0802003737 and the email (service-publique@mmsp.gov.ma); Information provided by the Government of Morocco to the IRM during the report's pre-publication comment period.

¹³⁴ Mohammad Hassia, National Director, Programme to Improve Reception Facilities, Ministry of Administration Reform and Civil Service, interview with IRM researcher, 21 February 2019; Information provided by the Government of Morocco to the IRM during the report's pre-publication comment period.

Low literacy levels in rural regions grant disproportionate power to public servants over citizens.¹³⁵ Consequently, there are instances of corruption in frontline service provision.¹³⁶

In response to these challenges, this commitment aims to (i) develop a plan to improve public service reception centers through a participatory approach (ii) develop the tools to improve service delivery across all relevant departments (iii) support departments and partners in the implementation of service improvement plans (iv) implement improvements in pilot sites with the intention of scaling up efforts to the national level.¹³⁷ Specifically, the government will provide: a charter outlining 10 public service commitments; a list of reception centers; a public service model and standards; various media on reception center services including video, posters, and pamphlets; a public servant training kit; and an evaluation system that will highlight exemplary reception centers, among other tools.¹³⁸

For the pilot sites, the government will identify physical and administrative priorities for improvement and then oversee the redesign of reception facilities and installation of new equipment, such as visual displays and que system. The government will also provide three-day customer service training to 12 employees for each reception center as well as measure the satisfaction of citizens. Complaint counters will also be installed in pilot sites to complement the chikaya online portal.¹³⁹ Mohammad Hassia notes that the monitoring and evaluation component of this commitment is key to its success. He says that achieving a 20% satisfaction rate among citizens would be a positive result given current low rates.¹⁴⁰

This commitment holds a moderate potential to improve public service transparency and delivery. Clear and standardized administrative procedures will enable citizens to understand the services they are entitled to and how to take recourse when services are inadequately provided. If implemented as written, strengthened transparency and accountability measures will likely lead to improved delivery of basic administrative services. Importantly, this commitment will also likely have a positive impact on citizen perception of the government by improving the quality of their daily interactions with frontline civil servants. This commitment is considered to have modest ambition because it is a continuation of ongoing reforms and is limited to a few initial pilot sites. Regardless, it represents positive reforms in an area of national priority.

This commitment is verifiable and relevant to the OGP value of access to information as this commitment would increase the use of information and communication tools in reception facilities to improve public service delivery. This commitment is also relevant to the OGP value of technology and innovation for accountability and transparency as it seeks to use a data platform (IDARATI) to provide guidance to users on how to request public services.

¹³⁵ Nourredine Achemlal, TANMIA, interview with IRM researcher, 21 February 2019.

¹³⁶ Mohammad Hassia, National Director, Programme to Improve Reception Facilities, Ministry of Administration Reform and Civil Service, interview with IRM researcher, 21 February 2019.

¹³⁷ Information provided by the Government of Morocco to the IRM during the report's pre-publication comment period.

¹³⁸ Information provided by the Government of Morocco to the IRM during the report's pre-publication comment period.

¹³⁹ Information provided by the Government of Morocco to the IRM during the report's pre-publication comment period.

¹⁴⁰ Mohammad Hassia, National Director, Programme to Improve Reception Facilities, Ministry of Administration Reform and Civil Service, interview with IRM researcher, 21 February 2019.

Commitment I0: Public Service Complaint Mechanism

Language of the commitment as it appears in the action plan:

“The commitment shall:

- Increase the number of government bodies that have adopted the mechanism to receive, monitor, and process users’ complaints, observations, and suggestions.
- Enable the drafting and publication of periodical reports that highlight complaints, observations, and suggestions lodged by users, and the efforts made by the various government bodies to improve public service delivery based on data collected.

This commitment also involves the implementation of a follow-up and assessment process:

- Technical support to new bodies joining the platform
- The training of new bodies joining the platform
- The preparation by each government body of an annual report on the complaints, observations, and suggestions received from users that specifically contains:
 - A classification of the complaints, observations, and suggestions according to the types of public services provided
 - A list of measures adopted or to be adopted by the government body to improve these public services.
- The preparation of a summary report by the Ministry of Economy, Finance and Administration Reforms based on sector specified reports and the indicators created on www.chikaya.ma platform.
- The publication of sector-specified reports and the summary report after their approval.

The performance indicators for this commitment are:

- Increasing the number of participating government bodies by 50%, that is, from 61 to 90 government bodies,
- Ensuring a 70% complaint response rate
- Ensuring the respect of a 70% legal response timeframe
- Ensure a response quality level with a 10% rate of renewed complaints”.

Milestones:

- Technical support to the new bodies joining the platform
- Training the new bodies joining the platform,
- Preparing a guide to manage users’ complaints, observations, and suggestions
- Distributing the guide to manage users’ complaints, observations, and suggestions to the relevant government administrations
- Preparing the annual sector specific reports.
- Consolidating the annual sector-specified reports and preparing the annual summary report,
- Submitting the summary report to the Head of Government
- Publishing the summary and sector-specific reports."

Start Date: 30 June 2018

End Date: 30 June 2020

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#).

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
10. Overall		✓	✓	✓		✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

Chikaya.ma is a national platform that was launched on 9 January 2018 to process user suggestions, complaints, and observations. Chikaya aims to provide a common online platform for the government to collect and respond to complaints related to public services. This portal was intended to make the government more accountable and aligned with the needs of citizens. This commitment complements Commitments 8 and 9 of this action plan.

Before the ‘Chikaya’ decree, many citizen complaints had to be submitted as a written formal request, in person, to the local administration agency concerned. Some administrations offered online submission.¹⁴¹ While there was a hotline for citizen inquiries (3737) as well as the public.ma website, procedures for submitting complaints were not clear. Each administration collected statistics on complaints and suggestions separately, making it impossible to have an overall picture of service delivery and government responsiveness. There was also the platform Fikra.ma (idea.ma in English), which allowed citizens to submit public policy ideas. However, the project ‘fell through the cracks’ and is considered inactive.

The National Numerical Plan of 2013 laid out the different strategies on how to use technology to increase the quality of service delivery and process suggestions or complaints.¹⁴² This plan provided the framework for the Chikaya platform. Chikaya has increased channels for citizen input on government services. According to Badr Afif in 2019, the Interior Ministry dealt with 7,000 complaints in the last year. The current response timeframe of Chikaya.ma is of 60 days, with an average of 15 days.¹⁴³

However, the Chikaya platform has faced challenges since its launching. Long delays in response time and the lack of a legal requirement to respond meant that many complaints went unanswered.¹⁴⁴ Some CSOs interviewed found that the instructions on how to use the platform were not clear. For example, one interviewee mentioned that the access to the government response was password protected. In other cases, Omal El Hyani, local Rabat

¹⁴¹ Ikram Himmi, Head of Division, Simplification Procedures and Ethics Support, Ministry of Administration Reform and Civil Service, interview with IRM researcher, 6 March 2019.

¹⁴² “Plan Maroc Numerique 2013” <http://www.egov.ma/sites/default/files/Maroc%20Numeric%202013.pdf>

¹⁴³ Badr Afif, Ministry of Interior, interview with IRM researcher, 12 March 2019.

¹⁴⁴ Ikram Himmi, Head of Division, Simplification Procedures and Ethics Support, Ministry of Administration Reform and Civil Service, interview with IRM researcher, 6 March 2019.

council elected official, says that when he sent an urgent request in April, he only received a response three months later.¹⁴⁵ Sofia Rais comments that the number of cases taken by Chikaya are institutionally limited. Additionally, journalist and MSF stakeholder Mohammed El Aouni adds that Chikaya does not include local communes and localities, therefore its reach is limited, at best.¹⁴⁶ As of 9 January 2019, 232 administrations are supposed to be part of the portal, but at the time of writing this report, 143 administrations have joined.

Ikram Himmi states that full implementation of the commitment will contribute to administrative reforms and improved public services for citizens. Additionally, the commitment includes a needs assessment tool to respond to citizen expectations, a sectoral annual report on how administrations have improved services, and a guide on how to respond to citizen input. Finally, reforms will be backed by a statistical threshold, bound by official decree and based on international standards, to provide timely responses to citizen complaints and feedback.¹⁴⁷

This commitment is expected to have a moderate potential impact on the ability of citizens to engage with government for greater public service provision. If implemented as written, the commitment would contribute to solving the problem of the lack of digital channels through which citizens can directly file complaints and suggestions. This commitment aims to increase the Chikaya platform's useability and strengthen the ability of citizens to submit public service complaints. This overhaul is also intended to improve the governments' responsiveness to citizen complaints, which will be forwarded to the appropriate administration for response.

This commitment relates to OGP values of access to information, civic participation and the use of technology and innovation for more transparency and accountability. It is a public forum in which citizens can voice their concerns and enables a moderate amount of interaction with governmental institutions, as well as the civic participation for the formulation of public policies. This commitment is verifiable, as it specifies a goal of 232 administrations using the platform, as well as minimum satisfaction and response rates.

According to Mohammed Laouni, this commitment is seen as a positive start to kicking off civic participation and being accountable. However, he contends that the portal does not include local communes and collectivities, therefore the impact would not be major.¹⁴⁸ Moreover, Sofia Rais notes that for this commitment, the number of cases that were taken and answered properly on Chikaya was low.¹⁴⁹

Looking ahead, the government should prioritize a communication strategy to ensure citizens are aware of their rights in relation to public services and how to access redress mechanisms such as the complaints portal. The government should also continue to train public officials on their service delivery obligations, responsibilities to forward or respond to complaints, and the existence of the platform.

¹⁴⁵ Omar El Hyani, elected member of the Rabat City Council, interview with IRM researcher, 22 March 2019.

¹⁴⁶ Sofia Rais, Acting Director of Droit et Justice, interview with IRM researcher, 12 Feb 2019; Mohammed Laouni, journalist and OGP Morocco Steering Committee member, interview with IRM researcher, 11 March 2019.

¹⁴⁷ Ikram Himmi, Head of Division, Simplification Procedures and Ethics Support, Ministry of Administration Reform and Civil Service, interview with IRM researcher, 6 March 2019.

¹⁴⁸ Mohammed Laouni, journalist and OGP Morocco Steering Committee member, interview with IRM researcher, 11 March 2019.

¹⁴⁹ Sofia Rais, Acting Director of Droit et Justice, interview with IRM researcher, 12 February 2019.

Commitment I I: Promote Budget Transparency by Publishing Budget Reports

Language of the commitment as it appears in the action plan:

“Over the past years, Morocco has made great efforts to promote budget transparency, especially with the enactment of the new Organic Law related to the Finance Bill, thus improving, in particular, its Open Budget index, and scoring 45/100 during the last survey conducted in 2017. Nevertheless, work still needs to be done, including the production and publication of three reports that Morocco has yet to produce, according to the last open budget survey, on the one hand, and the enrichment of contents of reports that Morocco does publish with a greater involvement of civil society, on the other.

- Application of IBP standards on budget reports and their publication timeframes
- Involvement of civil society in the production of the Citizen Budget
- By working on the production and publication of the eight reports required by the IBP (including the Citizen Budget) according to the predefined criteria, the Ministry of Economy and Finance will:
 - Improve the quality and pertinence of information provided to the public and, consequently, create greater budget transparency
 - Involve civil society in drafting a better-targeted citizen budget that responds more to citizen expectations in terms of information

The publication and production of the eight budget documents according to international standards will:

- Provide the public with access to more exhaustive, higher quality information
- Enable civil society to interact better with the content of the Citizen Budget, and to work with the ministry on the constant improvement of this document to meet citizens' expectations.

Milestones:

- Producing a preliminary budget report according to international standards for the 2019 draft law of finance
- producing a preliminary budget report according to international standards for the 2020 draft law of finance
- Extending the concept of the Citizen Budget to other phases of the budget cycle by developing a Citizen Budget in relation to the Budget Review law for the year 2016,
- Extending the concept of the Citizen Budget to other phases of the budget cycle by developing a Citizen Budget in relation to the Budget Review Law for the year 2017
- Hold consultations with civil society on the form and content of the Citizen Budget.”

Start Date: August 2018

End Date: August 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
11. Overall		✓	✓	✓				✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

This commitment aims to strengthen civic participation in the budget process and transparency through the publication of key budget documents. The milestones seek to implement transparency and participation requirements established in the 2015 Finance Law and increase Morocco's ranking in the Open Budget Index.

Morocco passed the Finance Law (organic Law 130.13) in June 2015. The law set new standards for budget formation and transparency. The law has been implemented over a five-year period, beginning in 2016. Morocco also published its first Citizens Budget in 2017, which outlines a simplified version of expenditure and revenue. The Ministry of Economy and Finance formed a Committee on Budget Transparency in 2018 with representatives from various departments to expand the content published in key budget documents.¹⁵⁰ As a result of these various efforts, Morocco's Open Budget score for budget transparency increased from 19/100 in 2006 to 45/100 or "limited" in 2017. However, Morocco failed to publish pre-budget statement, the mid-year review and the year-end report in 2017. Additionally, Morocco provides limited to no opportunities for civic participation in budget formation or monitoring processes, receiving a score of 0/100 in 2017 for public participation from the Index.¹⁵¹

Dr. Azzedine Akesbi notes that there is currently no opportunity for civil society to participate in budget formation.¹⁵² Ismail Allouki from Sim Sim adds that civil society was unable to participate in the formation of the Finance Law.¹⁵³ Hajar Cherkaoui, Head of Citizen Budget Unit, Ministry of Economy and Finance and government point of contact for this commitment, states that she is only aware of a civil society consultation that took place in 2012 with none reoccurring since.¹⁵⁴ Several civil society members also note that recent citizens budgets have contained limited information. The Citizen Budget does not contain information on taxes by sector or explanations for changes in the budget, for example. They also mentioned a lack of transparency and participation mechanisms at local and municipal levels.¹⁵⁵

¹⁵⁰ Hajar Cherkaoui, Head of Citizen Budget Unit, Ministry of Economy and Finance, interview with IRM researcher, 20 February 2019.

¹⁵¹ International Budget Partnership, Open Budget Survey 2017, <https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=ma>

¹⁵² Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019.

¹⁵³ Ismail Allouki, Director of Sim Sim, interview with IRM researcher, 18 March 2019.

¹⁵⁴ Hajar Cherkaoui, Head of Citizen Budget Unit, Ministry of Economy and Finance, interview with IRM researcher, 20 February 2019.

¹⁵⁵ Omar El Hyani, elected member of the Rabat City Council, interview with IRM researcher, 22 March 2019; Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019.

Omar El Hyani, local elected official, adds that the budgets of state-owned enterprise budgets are opaque, as are the decision-making processes.¹⁵⁶ Abderrahim Foukahi, member of the Steering Committee and Right to Access Information Commission, comments that the Citizen Budget is not widely circulated to schools and therefore, students do not know they have the right to access that information or participate in it.¹⁵⁷ However, Hajar Cherkaoui adds that the Citizen Budget is shared at the university level and publicized through social media.¹⁵⁸

If implemented as written, this commitment is expected to have a minor impact on budget transparency and citizen participation in the budget process. Timely and comprehensive publication of the key eight budget documents will increase Moroccans' access to budget information. Additionally, consulting civil society on the contents of the Citizens Budget will ensure the document better serves the public's information needs. This commitment is considered to have limited ambition as it is not a significant departure from the status quo. Two more key budget documents will be published as a result. Additionally, the consultation with civil society is described as a one-off activity rather than a permanent change to standard practice. An example of a more ambitious open government reform would include introducing opportunities for civil society and the public to participate in the budget formation or monitoring processes. This could include regional town halls to collect the input of citizens and consultations with civil society on specific provisions of the budget. This commitment is considered to be verifiable and relevant to the OGP values of transparency and civic participation.

Next steps:

The IRM recommends that implementors take the following under consideration:

- Publish the Citizens Budget in multiple languages and audio and visual formats to ensure accessibility to all Moroccans;
- Encourage municipalities and local governments to adopt citizen budgets to improve transparency at the subnational level;
- Partner with civil society to make public consultation in the budget formation and monitoring process standard practice, and particularly seek to include marginalized communities;
- Enable the public and civil society to testify at parliamentary hearings on the proposed budget and audit report;
- Establish mechanisms for civil society or the public to assist the supreme audit institution in designing its audit program and conducting investigations.¹⁵⁹

¹⁵⁶ Omar El Hyani, elected member of the Rabat City Council, interview with IRM researcher, 22 March 2019.

¹⁵⁷ Abderrahim Foukahi, REMDI and member of the Access to Information Commission, interview with IRM researcher, 23 February 2019.

¹⁵⁸ Information provided by the Government of Morocco to the IRM during this report's pre-publication comment period.

¹⁵⁹ International Budget Partnership. Country Summary 2017. <https://www.internationalbudget.org/open-budget-survey/country-results/2019/morocco>

Commitment 12: Implement Organic Law No. 130-13 on Finance

Language of the commitment as it appears in the action plan:

“The need to implement constitutional provisions that consecrate the right to information, preserve balanced public finances, promote good governance, and strengthen accountability to meet the expectations of citizens, who are increasingly aware of their rights within a modern, democratic state.

Increasing budget transparency while improving government performance and strengthening the role of Parliament on the budget debate and public finance scrutiny.

- Enriching budget information that are available to the Parliament and the public;
- Improving the budget’s legibility by passing towards a per-program presentation of public policy, with the consolidation of the regional dimension,
- Communicating the Finance Bill on a large-scale,
- Consecrating the principles of assessment and accountability;
- Strengthening fundamental budget principles (budget and accounting sincerity, and rationalizing of the creation and use of Independently Managed Special Accounts of Treasury and State Agencies).

Milestones:

- Preparing the Annual Performance Report,
- Preparing the Performance Audit Report,
- Presenting the State’s overall, three-year budget program and the budgets for the ministerial departments.”

Start Date: June 2018

End Date: March 2020

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#)

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
I. Overall		✓	✓						✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

This commitment aims to increase parliament and the public's access to budget information to inform their debate and participation in budget formulation and monitoring.

The Government of Morocco has sought to modernize its budget processes over the last few decades. Beginning in 2001, the government began to experiment with a results-based budgeting approach by evaluating programs based on performance outcomes. With the advent of the 2011 constitution, parliament took on a significantly greater role in budget formulation.¹⁶⁰ This shift was reflected in the 2015 Organic Law on Finance 130.13. Coming into force over 5 years beginning in 2016, the Organic Law on Finance represented a significant change in public financial management in Morocco. The law greatly increased Parliament's role in budget formation and members of parliament's access to budget information. It also established the timeline and process for voting on the budget and the production of performance reports.¹⁶¹ However, Ahmed Berrada, Associate Director in Charge of the Implementation of the Organic Finance Law and the government point of contact for this commitment, explains that previously, budget reports provided to parliament were highly technical and not user-friendly. Additionally, civil society consultations are limited.¹⁶²

The objective of this commitment is to increase budget transparency. Specifically, the government will disclose budget performance reports for the three-year plans of departments as well as annual performance and audit reports. This commitment also aims to sensitize the public to the Finance Law. These reports would allow Morocco to move closer to the International Budget Partnership's standards and support parliamentary oversight and CSO participation. This commitment is verifiable and relevant to the OGP value of access to information as these reports would be publicly shared and discussed in parliament and with the public. This commitment is expected to have a moderate potential impact on citizens' access to information on budget formulation and performance.

With regards to public budget information, CSO representatives called for greater disclosure. Youness Benmoumen notes that budget information does not meet OECD standards as budget information is not published as raw data, in comparable and searchable formats.¹⁶³ Ahmed Bernoussi of Transparency Morocco says budget reports should better reflect the social implications of budget decisions, such as the social impact of tax policy.¹⁶⁴

Interviewees highlighted several possible positive outcomes of this commitment. Ahmed Bernoussi says that if applied, the commitment would allow other concerned ministries to work together on budgetary affairs.¹⁶⁵ Ahmed Berrada states that this commitment will improve parliament and the public's ability to understand and debate the budget.¹⁶⁶

¹⁶⁰ Information provided by the Government of Morocco to the IRM during this report's pre-publication comment period.

¹⁶¹ "Le pouvoir financier du parlement" ,Khalid Cherkaoui Semmoumi, EcoActu, <https://www.ecoactu.ma/le-pouvoir-financier-du-parlement-marocain/>

¹⁶² Ahmed Berrada, Associate Director, Ministry of Economy and Finance, interview with IRM researcher, 4 March 2019.

¹⁶³ Youness Benmoumen, President of Tafra, interview with IRM researcher, 15 February 2019

¹⁶⁴ Ahmed Bernoussi, Secretary General, Transparency Morocco, interview with IRM researcher, 26 February 2019.

¹⁶⁵ Ahmed Bernoussi, Secretary General, Transparency Morocco, interview with IRM researcher, 26 February 2019.

¹⁶⁶ Ahmed Berrada, Associate Director, Ministry of Economy and Finance, interview with IRM researcher, 4 March 2019.

Mohammed Laouni believes that this commitment will strengthen citizen awareness about their right to have a say in budget formation.¹⁶⁷

¹⁶⁷ Mohammed Laouni, journalist and OGP Morocco Steering Committee member, interview with IRM researcher, 11 March 2019.

Commitment I3: Civil Society Public Funding Transparency

Language of the commitment as it appears in the action plan:

“The Ministry delegate to the Head of Government, in charge of Relations with Parliament and Civil Society launched the “Charaka” portal to translate the Government’s willingness to promote partnerships with civil society organizations, considered as a solid instrument to spearhead the new policy of proximity. It also facilitates access to information through support provided by the state to nongovernmental organizations and publication of the Partnership’s call for proposals.

This commitment seeks increased involvement by all the government actors involved in the disbursement of public funding to civil society organizations.

It also enables civil society actors and other stakeholders to receive useful information on public funding awarded to civil society organizations.

The indicators for this commitment are:

- Drafting and adopting the Executive decree on partnership between the state and civil society organizations,
- Increasing the number of government bodies involved in public funding of civil society organizations from 20% to 70%,
- Increasing the number of government bodies committed to publication in the portal from 20% to 70%,
- Mapping the distribution of public funds by region, type of project financed, and contact details of the beneficiary associations;
- Ensuring the publication of calls for proposals at (50%), to reach (80%) by 2020;
- Drafting and publishing an annual report that assesses public funding awarded to civil society organizations.

Milestones:

- Drafting and adopting the Executive decree on partnership between the state and civil society organizations,
- mapping the distribution of public funds by region, type of project financed, and contact details of the beneficiary associations
- Drafting and publishing an annual report that assesses public funding awarded to civil society organizations.”

Start Date: 30 June 2018

End Date: 30 June 2020

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#)

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
I. Overall		✓	✓					✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

The Moroccan state has granted the right to create and participate in associations since 1958.¹⁶⁸ A 2003 circular from the Prime Minister sought to facilitate and promote state partnership and funding to civil society, laying the groundwork for the 'Charaka' website. The website aims to serve as a centralized, transparent and regularly updated database on government funding opportunities for civil society organizations (CSOs) by region, theme, and field of activity.

In 2016, public funding for CSOs was around 6 million Moroccan dirhams, compared to 7 billion Moroccan dirhams from international sources. Public funding generally goes towards associations working on socioeconomic and income-generating activities in rural and semi-urban areas. While organizations working in human rights and advocacy generally receive international funding, there is a lack of transparency around funding and a perception that funding is highly influenced by favoritism.¹⁶⁹ Sofia Rais from the CSO Droit et Justice adds that government funding remains opaque, limited, with inconsistent standards for eligibility.¹⁷⁰ The amount allocated is not sufficient to fund the large number of CSOs, around at 160,000. She also states that there is a regional disparity, with most funding going to the big cities such as Casablanca and Rabat.¹⁷¹

This commitment seeks to solve this problem through proactive publication of the funding opportunities for CSOs online. It also aims to increase the number of government departments that publish calls for projects and annual reports of ongoing projects and activities on the platform. This commitment is verifiable and relevant to the OGP value of access to information as it seeks to publish all the information related to the financing of CSOs and the procedures to follow, as well as the list of all CSOs that receive funding.

¹⁶⁸ Government of Morocco. 1959. http://www.charaka-association.ma/Contenu/Docs/D%C3%A9cret_31_Janvier_1959_Ar.pdf

¹⁶⁹ 2016 CSO Sustainability Index For the Middle East and North Africa. USAID. "Morocco" <https://www.usaid.gov/middle-east-civil-society/2016>

¹⁷⁰ Sofia Rais, Acting Director of Droit et Justice, interview with IRM researcher, 12 February 2019.

¹⁷¹ "Les subventions accordées aux associations se fondent sur les mécanismes de partenariat et obéissent à la présentation d'un rapport financier (ministère)," MAP Express. 2013. <http://www.mapexpress.ma/actualite/culture-et-medias/les-subventions-accordees-aux-associations-se-fondent-sur-les-mecanismes-de-partenariat-et-obeissent-a-la-presentation-dun-rapport-financier-ministere/>

This commitment carries a minor potential to increase transparency of public funding for CSOs. This commitment aims to make the Charaka website more dynamic and comprehensive, with a wider range of data such as funding by region and city. As a result, this commitment may create a more level playing field to access funding and increase competitiveness among funding applicants. However, this commitment is of limited ambition as it only seeks to update an existing portal and publish a report. Activities to ensure equal public funding across types of CSOs and regions would have raised the level of ambition. Additionally, the design of this commitment could have been strengthened through incentives to encourage government bodies to publish funding data and a communication campaign to increase awareness of the platform.

Next steps:

The IRM recommends that implementors take the following into consideration:

- Partner with civil society to review laws and regulations around CSOs' use of funding, operations, and licensing process to broaden the operational space of CSOs;
- Explore options for preferential tax treatment for CSOs;
- Create incentives for government bodies to upload CSO funding opportunities and data and offer a channel for CSOs to supplement government data on funding sources;
- Partner with civil society to continuously improve the useability of the platform, such as enabling search by field of activity;
- Establish guidelines and procedures to promote equal distribution of public funds across various types of CSOs;
- Consider creating a central portal within the website for all applications for grants and funding across government bodies to facilitate oversight.

Commitment I4: National and Regional Consultation Bodies

Language of the commitment as it appears in the action plan:

“This commitment consists of:

- Raising civil society organizations and citizens’ awareness to the ways in which they can participate in day-to-day public management by organizing a national communication and awareness-raising campaign to this end and by formulating a communication plan on citizen participation;
- Improving services of call and support center provided civil society organizations,
- Organising regional meetings in partnership with the Kingdom’s 12 regions to promote participatory democracy and to initiate the creation of consultation and dialogue bodies at the level of local government councils,
- Developing simplified guides that facilitate the work of consultation bodies and check the availability of resources,
- Coordinating the consultation and dialogue actions initiated by constitutional institutions and the various committees created for this purpose;
- Setting up and testing “sample” mechanisms at the level a pilot site to encourage citizen participation and to apply them on a widespread basis in all other towns, prefectures and provinces.

Milestones:

- Launch a communication campaign on the legal framework for participatory democracy,
- Improving call and support center services, provided to civil society organizations, and creating an e-library on participatory democracy,
- Publicising of the platform in the 12 regions and the various trainings organized by the Ministry for associations;
- Organising regional events in partnership with the Kingdom’s 12 regions to promote participatory democracy and to initiate the creation of consultation and dialogue bodies at the level of local community councils,
- Preparing simplified guides to facilitate the work of consultation bodies
- Setting up and testing “sample” mechanisms at the level a pilot site to encourage citizen participation and to apply them on a widespread basis in all other towns, prefectures and provinces."

Start Date: August 2018

End Date: August 2019

Editorial Note: the commitment description provided above is an abridged version of the commitment text, please see the full action plan [here](#)

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?
---------------------	---------------	----------------------------------	------------------	------------	-------------------------

	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
I. Overall		✓		✓					✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

This commitment aims to revitalize and expand public consultation mechanisms at the regional level. The 2011 Moroccan Constitution laid the foundation for greater civic participation as well as increased decentralization among the country's 12 regions.¹⁷² While some of the legal and institutional framework has been put in place, regional and local consultation bodies have not reached their full potential.¹⁷³

The government passed Organic Law 113.14 in 2015, which established elected Regional Councils to oversee regional investment and planning, such as developing Regional Development Plans.¹⁷⁴ These municipal and regional councils were requested to establish consultation bodies to facilitate dialogue with civil society and the public.¹⁷⁵ However, as of 2018, Regional Councils were struggling to create and implement development plans.¹⁷⁶ Youssef Ladmasni reports that when consultations occur, local administrations often invite CSOs that are sympathetic to their agenda to participate in events.¹⁷⁷ OECD therefore recommended reinvigorating public consultation bodies at the national, regional, and municipal levels.¹⁷⁸

The government of Morocco has undertaken some civil society dialogues and trainings on participatory democracy over the last decade. In 2013, the government initiated a national dialogue on civil society, which aimed to consult 10,000 CSOs on its new role and

¹⁷² Constitution of Morocco, 2011, http://www.sgg.gov.ma/Portals/0/constitution/constitution_2011_Fr.pdf

¹⁷³ "Morocco OECD Dialogue on Territorial Development Policies." Morocco Country Programme. OECD. 2018. <https://www.oecd.org/countries/morocco/Morocco-OECD-Dialogue-on-Territorial-Development-Policies.pdf>

¹⁷⁴ "Morocco OECD Dialogue on Territorial Development Policies." Morocco Country Programme. OECD. 2018. <https://www.oecd.org/countries/morocco/Morocco-OECD-Dialogue-on-Territorial-Development-Policies.pdf>

¹⁷⁵ Lamia Zaki "Decentralization in Morocco: Promising Legal Reforms with Uncertain Impact" 2019. <https://www.arab-reform.net/publication/decentralization-in-morocco-promising-legal-reforms-with-uncertain-impact/>

¹⁷⁶ "Morocco OECD Dialogue on Territorial Development Policies." Morocco Country Programme. OECD. 2018. <https://www.oecd.org/countries/morocco/Morocco-OECD-Dialogue-on-Territorial-Development-Policies.pdf>

¹⁷⁷ Youssef Lamdasni, interview with IRM researcher, 22 Feb 2019

¹⁷⁸ "Morocco OECD Dialogue on Territorial Development Policies." Morocco Country Programme. OECD. 2018. <https://www.oecd.org/countries/morocco/Morocco-OECD-Dialogue-on-Territorial-Development-Policies.pdf>

prerogatives gained in the 2011 Constitution.¹⁷⁹ The consultation resulted in 18 regional meetings with civil society and 140 recommendations based on civil society input.¹⁸⁰

If implemented as written, this commitment carries a moderate potential to increase civic participation in policymaking through the establishment and strengthening of regional consultative bodies. In particular, this commitment aims to address civil society's lack of opportunities, awareness, and capabilities to participate in policymaking. If fully implemented, this commitment could serve to further institutionalize participatory democracy as called for in the constitution and subsequent organic laws. According to Nourredine Achemlal from Tanmia, consultation with national NGOs can lend credibility to government policy.¹⁸¹

This commitment has moderate ambition as it only goes so far as creating the foundations and testing a pilot consultative body. However, this commitment will result in ambitious open government reforms if permanent and inclusive consultation bodies are established in all 12 regions. Documentation that the government considered and acted on civil society input collected during consultations would be evidence of laudable open government gains.

Additionally, this commitment primarily focuses on the role and capacities of civil society to engage in a participatory process. Including provisions to inform local government bodies of their obligations to consult and respond to public input would strengthen the ambition of this commitment. Ensuring that government authorities consider and respond to civil society feedback in a timely manner is essential to fostering citizen trust in government.

This commitment includes verifiable activities such as the creation of legal guides for civil society regarding participatory democracy. More specificity could be provided on the pilot consultative bodies in terms of reach, location, and number of successful mechanisms, as well as specifying the number of meetings that will take place regionally. This commitment is relevant to the OGP value of civic participation as it offers civil society tools to use local and national mechanisms of participatory democracy to engage in policy debate and formation.

Next steps:

As participatory democracy reforms are continued in Morocco, implementors should consider the following:

- Continue to strengthen participatory democracy channels in future action plans, with a focus on including youth in policy consultations and ensuring government authorities consider and respond to consultation feedback;
- Consider indicators of successful implementation in terms of the quality and quantity of public consultation collected and evidence that public feedback resulted in policy changes;
- Provide guidance and technical support to regional authorities to strengthen government capacity and encourage an openness to civic participation among public officials;
- Create materials on participatory democracy and existing tools in easily accessible formats, such as various languages and media formats.

¹⁷⁹ Le dialogue national sur la société civile et les nouvelles prérogatives constitutionnelles ; objectifs ; <https://hiwarmadani2013.ma/fr/p/Dialogue%20national%20sur%20les%20nouvelles%20pr%C3%A9rogatives%20constitutionnelles%20de%20la%20Soci%C3%A9t%C3%A9%20civile/Le%20minist%C3%A8re%20charg%C3%A9%20des%20relations%20avec%20le%20Parlement%20et%20la%20soci%C3%A9t%C3%A9%20civile/Dialogue%20National/7/Les%20objectifs%20du%20Dialogue.html>

¹⁸⁰ "Habib Choubani: le dialogue national sur la société civile a réussi », <https://www.menara.ma/fr/article/le-dialogue-national-sur-la-soci%C3%A9t%C3%A9-civile-r%C3%A9ussi-car-b%C3%A2ti-sur-des-fondements-sains-ministre>

¹⁸¹ Nourredine Achemlal, TANMIA, interview with IRM researcher, 21 February 2019.

Commitment I5: Online Citizen Participation Platform

Language of the commitment as it appears in the action plan:

“The legal framework for citizen participation was created for petitions and motions. It is now being developed for public consultations. An electronic platform is in the process of being set up to this end, to render the provisions of this legal framework operational, and to help citizens exercise their new right related to citizen participation.

The commitment consists of setting up a “citizen participation” electronic platform that covers the three processes: petitions, motions, and public consultations, as well as all training, technical support, and maintenance services. Citizens would be able to submit petitions via the online portal to the parliament, to the government or to local governments following the legal procedures. Citizens can also use the portal to submit legislative motions to the parliament. Additionally, public authorities can use the site to launch a public consultation about questions, decisions or policies.

The commitment will have the following goals:

- Help citizens exercise their new rights tied to citizen participation (presentation of petitions to public authorities, legislative motions, and public consultations);
- Expand the exercise of this right across all of Morocco

Milestones:

- Launch of the platform,
- Training on the platform (platform user guide)
- Awareness raising about the platform in the 12 regions and through the various trainings organized by the Ministry for associations.”

Start Date: August 2018

End Date: August 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion			Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major
I. Overall		✓		✓		✓			✓		Assessed at the end of action plan cycle.			Assessed at the end of action plan cycle.				

Context and objectives

Morocco's 2011 constitutional reforms and subsequent organic laws fundamentally changed the relationship between citizens and the state by creating spaces for civic participation

where none previously existed. Articles 14 and 15 of the Moroccan Constitution grant citizens the right to submit motions and petitions to public authorities.¹⁸² Organic Law 44.14 (2015) established the regulatory framework for the right to submit petitions while Organic Law 64.44 (2016) established the regulatory framework for citizens to submit motions on legislative matters.¹⁸³ Article 139 of the constitution and complementary organic laws established the right to petition local government.¹⁸⁴ This commitment seeks to implement this legal framework through the launch of the *eparticipation.ma* platform, which would enable citizens to submit motions and petitions directly to the national and local government.

Very few petitions and no motions have been submitted to government in the first few years of the new legal framework. According to data from 2019, only five petitions have been submitted to the national government.¹⁸⁵ Government response to these petitions is slow. For example, a petition presented in January 2017 received government feedback in July 2018, and an official response online in November of 2019.¹⁸⁶ Ahmed Bernoussi, Secretary General of Transparency Morocco, notes that this commitment's ambition would be improved if a timeline for government response to submissions was implemented.¹⁸⁷ Positively, over 200 petitions have been submitted to local governments. Based on information from 2019, there had been some successful petitions at the local level that resulted in new roads and local cultural centers.¹⁸⁸

According to civil society, the organic laws' restrictive nature is a significant limiting factor to the ability of citizens to impact policymaking through petitions and motions.¹⁸⁹ Petitions require 5,000 signatures and motions require 25,000 signatures to be submitted to government.¹⁹⁰ This is considered a burdensome threshold by many civil society members and the National Council for Human Rights. Until the creation of the e-participation portal, signatures had to be collected by hand and each accompanied with a national ID card. All signatories must be a registered voter, which significantly reduces the number of citizens able to participate in petitions and motions. In 2019, only 15 out of 22 million Moroccans were on the electoral roll.¹⁹¹ Ismail Allouki, acting director for Sim Sim, states that the law is vague on the validity of digital signatures.¹⁹² Additionally, there are restrictions on the topics which petitions can cover. Petitions may not address issues related to domestic security, the monarchy, religion, or trade unionism, for example. Language around admissibility is also

¹⁸² Constitution of Morocco, 2011, http://www.sgg.gov.ma/Portals/0/constitution/constitution_2011_Fr.pdf

¹⁸³ Organic Law 44.14 (2015), Government of Morocco, http://www.mcrp.gov.ma/Contenu/Ministere/activites/Com_Petition.pdf

¹⁸⁴ Organic Law n° 111-14 (on regions), n° 112-14 (on prefectures or provinces) and n° 113-14 (on municipalities), Government of Morocco.

¹⁸⁵ Francesco Colin. "(Un)Participatory Democracy? The Limits of Institutional Petitions in Morocco." 2019. Moroccan Institute for Policy Analysis.

¹⁸⁶ Francesco Colin. "(Un)Participatory Democracy? The Limits of Institutional Petitions in Morocco." 2019. Moroccan Institute for Policy Analysis.

¹⁸⁷ Ahmed Bernoussi, Secretary General, Transparency Morocco, interview with IRM researcher, 26 February 2019.

¹⁸⁸ Francesco Colin. "(Un)Participatory Democracy? The Limits of Institutional Petitions in Morocco." 2019. Moroccan Institute for Policy Analysis.

¹⁸⁹ Ismail Allouki, Director of Sim Sim, interview with IRM researcher, 18 March 2019; Ahmed Bernoussi, Secretary General, Transparency Morocco, interview with IRM researcher, 26 February 2019; Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019.

¹⁹⁰ Official requirements for the submission of a petition available at: https://www.eparticipation.ma/sites/default/files/documents/PetitionNationale/guide/Petitions_nationales_Guide_Ar.pdf

¹⁹¹ Francesco Colin. "(Un)Participatory Democracy? The Limits of Institutional Petitions in Morocco." 2019. Moroccan Institute for Policy Analysis; Liste Electorales Generales, <https://www.listeselectorales.ma/fr/statistiques.aspx>

¹⁹² Ismail Allouki, Director of Sim Sim, interview with IRM researcher, 18 March 2019.

vague as petitions must be 'in the public interest,' 'lawful, and 'clearly written.'¹⁹³ Due to these factors, Dr. Azzedine Akasbi is wary that the process may prove to only be consultative.¹⁹⁴

Optimistically, the right to petition has been exercised at the local level. Local petitions only require 500 signatures to submit a topic for consideration at local council meetings. Petitions must address issues within the local government's remit and therefore most often pertain to public services and urban planning.¹⁹⁵ The positive impact of lowering signature thresholds is evident in the higher rate of use and tangible outcomes of petitions at the local level. At the time of writing, the Government of Morocco reports that a commission is evaluating the relevant organic laws two years after their enactment.¹⁹⁶ This importantly provides the opportunity for such restrictions to be lifted.

If implemented as written, the commitment has a moderate potential to increase civic participation by putting Articles 14 and 15 of the Constitution into action. The creation of an online platform to collect signatures and submit petitions and motions at the national and local level is an important step in making the citizen right to influence policymaking accessible. However, the legal limitations on the petitioning process reduce the potential impact of the e-participation platform. Collectively, broadening the legal framework for civic participation, implementing the e-participation platform, and conducting widespread and inclusive trainings (Commitment 16) would add up to an ambitious open government reform. Evidence that these activities opened government would include proof that the government of Morocco considered and responded to petitions and motions submitted to government and, most importantly, proof that petitions and motions resulted in policies that reflect citizen input. This commitment is verifiable and relevant to OGP values of civic participation and technology and innovation for transparency and accountability.

Next steps:

While continuing participatory democracy reforms, the IRM recommends that implementors consider the following:

- The government should collaborate with civil society to review the organic laws and procedures around filing motions and petitions to ensure that requirements are simple and achievable so that the right is easily accessible to all citizens;
- The government should establish a timeframe in which a public response must be provided for all petitions and motions filed;
- The government should collaborate with civil society to ensure a transparent process for the consideration and adoption of submissions, as well as transparency around the number, type, and outcome of submissions, particularly in cases where submissions were rejected;
- The submission criteria should be broadened to allow petitions and motions in Berber, French, Spanish, and English;
- The website's design and subsequent training could be inclusive for people with a disability or who are illiterate.

¹⁹³ Francesco Colin. "(Un)Participatory Democracy? The Limits of Institutional Petitions in Morocco." 2019. Moroccan Institute for Policy Analysis.

¹⁹⁴ Dr. Azzedine Akasbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019.

¹⁹⁵ Francesco Colin. "(Un)Participatory Democracy? The Limits of Institutional Petitions in Morocco." 2019. Moroccan Institute for Policy Analysis.

¹⁹⁶ Information provided by the Government of Morocco to the IRM by email during the prepublication comment period for this report.

Commitment I6: Participatory Democracy Civil Society Training

Language of the commitment as it appears in the action plan:

“The constitution’s adoption in 2011 through a national referendum granted citizens and civil society new roles in terms of their participation in the crafting, implementing, oversight, and assessment of public policies. The government adopted new organic laws on participatory democracy that define the mechanisms through which citizens and associations exercise their right to file petitions and legislative motions. These legislative provisions alone are not sufficient to achieve a level of effective citizen participation that meets the goals set by Moroccan lawmakers. Awareness raising and capacity building of civil actors (citizens and associations) are also required in order to strengthen in practice these participatory mechanisms.

This commitment consists of facilitating the appropriation of citizen participation mechanisms by civil actors (citizens and associations) to reach a real, effective, and widespread exercise both at the national and local levels. This will occur through:

- carrying out of an awareness-raising and concertation campaign in all twelve regions, conducted through open meetings (10 meetings) with civil actors, and by distributing publications, brochures, and guides on the subject of participatory democracy (petitions and legislative motions);
- Planning a detailed training program (both theoretical and practical) on participatory democracy across a two-years period (2018-2020) with a special focus on the exercise of the rights of petitions and legislative motions.
- organizing training seminars on participatory democracy (petitions and legislative motions) in all twelve regions.

The goal is to train:

- 1,200 managers of associations each year on the process of filing petitions and legislative motions, selected from all 12 of the Kingdom’s regions in several phases:
 - Phase One: 360 actors from associations;
 - Phase Two: 560 actors from associations;
 - Phase Three: 280 actors from associations.
- Organizing a yearly program of training for trainers targeting 100 association trainers covering the following subjects:
 - participatory democracy (petitions and legislative motions);
 - the crafting, implementation, oversight, and assessment of public policies;
 - Advocacy techniques to file complaints, projects, and lawsuits to national and local public authorities;
 - Techniques of animation, communication and trainings.

Milestones:

- Trainer of trainings
- Trainings on Participatory democracy.”

Start Date: 30 July 2018

End Date: 30 June 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
I. Overall		✓	✓	✓				✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

Context and objectives

As mentioned under Commitment 15, the Constitution of Morocco and subsequent organic laws established citizens' right to submit petitions and motions at the national and local level.¹⁹⁷ These organic laws are central to Morocco's new legal framework, which created opportunities for citizens to participate in policymaking where none previously existed.

While the legal right, regulatory framework, and online platform for petitions and motions have been established, these novel participatory democracy mechanisms remain largely unknown and unfamiliar to Moroccan citizens and civil society. Therefore, this commitment aims to implement annual trainings across the country on participatory democracy, with a focus on submitting petitions and motions.

As described in more detail in the analysis for Commitment 15, the organic laws that establish the right to submit petitions and motions contain restrictions that may prevent citizens from being able to effectively wield these tools to influence policymaking.¹⁹⁸ Therefore, Commitments 15 and 16 both carry a moderate potential impact to strengthen citizens' knowledge and use of petitions and motions to influence government policy. Collectively, broadening the legal framework for civic participation, implementing the e-participation platform (Commitment 15), and conducting widespread and inclusive trainings would add up to an ambitious open government reform. Evidence that citizen input through petitions and motions influence policymaking would demonstrate that these efforts opened government. Nourredine Achemlal from TANMIA notes that government trainings for participatory democracy tend to only include influential CSOs and may fall short of creating a culture of participatory democracy.¹⁹⁹ Therefore, the impact of this commitment will largely depend on the extent to which trainings are inclusive and ongoing. This commitment is verifiable and relevant to the OGP values of access to information and civic participation.

Next steps:

While continuing participatory democracy reforms, the IRM recommends implementors consider the following:

- Ensure that a broad and inclusive cross-section of civil society participates in trainings that extend beyond the 'usual actors' in the governance field; this would

¹⁹⁷ Constitution of Morocco, 2011, http://www.sgg.gov.ma/Portals/0/constitution/constitution_2011_Fr.pdf

¹⁹⁸ Ismail Allouki, Director of Sim Sim, interview with IRM researcher, 18 March 2019.

¹⁹⁹ Nourredine Achemlal, TANMIA, interview with IRM researcher, 21 February 2019.

include groups focused on advocating for women, youth, rural populations, and persons with a disability, for example;

- Use the annual trainings as an opportunity to consult civil society on the submission process, the platform's usability, and government transparency efforts to continuously strengthen the legal, regulatory, and technical aspects of civic participation.

Commitment 17: Civil Society Access to Audio-Visual Media

Language of the commitment as it appears in the action plan:

“Several civil society recommendations and requests were made in relation to “civil society’s access to audio-visual media” during the meetings, discussions, and trainings conducted by the ministry for the benefit of civil society. The latter:

- Faces difficulties in accessing media and audio-visual media,
- Suffers from unbalanced territorial representation and the lack of diversity in representations and opinions,
- Lacks the expertise on the legal framework related to mass media and audio-visual media,

The Ministry delegate to the Head of Government, in charge of Relations with Parliament and Civil Society launched a concertation process, which lasted from 20 December 2017 to 07 January 2018, to receive proposals from civil society organizations and actors on developing a framework to enable balanced and diverse access of civil society to audio-visual media. The ministry received dozens of letters from civil society organization following this concertation, and it grouped them into a letter sent to the High Audio-Visual Communication Authority (HACA) on 20 January 2018. The letter is entitled “towards an equitable, balanced, and diverse access by associations to audiovisual media services”.

This commitment consists of:

- Raising awareness about the legal framework for audiovisual media and the High Audio-Visual Communication Authority’s new decision number 20.18 issued on 7 June 2018 on access to audio-visual media services. The decisions will enter into effect on October 2018. Moreover, six seminars will be organized for 12 regions over two years to raise awareness of the legal framework for audiovisual media (1 seminar for 2 regions),
- Training 80 individuals each year among civil society activists from different categories of associations in all 12 regions of Morocco
- Producing a guide to facilitate access and use of audiovisual media services

Commitment indicators are:

- Organization of 6 seminars of awareness raising
- Training of 160 civil society actors

This commitment will enable:

- Increase knowledge about the legislative framework for audio-visual media,
- Strengthen skills of civil society actors in terms of audiovisual media,
- Reach greater diversity and representation of civil society in audio-visual media,
- Create guide to help civil society access and use audiovisual media.

Milestones:

- Organization of 3 awareness raising seminars to cover 6 regions
- Organization of 3 awareness raising seminars to cover 6 regions
- Training of civil society actors (group 1)
- Training of civil society actors (group 2)
- Preparing guides on the use of audio-visual media”

Start Date: October 2018

End Date: June 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
I. Overall		✓		✓				✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

Since the end of the state media monopoly in 2006, Moroccan television and radio have struggled to include a diversity of viewpoints and narratives.²⁰⁰ One barrier to diversifying the Moroccan media landscape is CSOs' inability to access airtime. Through this commitment, the High Audio-Visual Communication Authority (HACA) seeks to increase civil society's understanding of the legal landscape and ability to participate in television and radio broadcasts.

Civil society's ability to participate in national dialogues on government policy has gradually evolved over the last decade. Historically, CSOs have faced financial and legal barriers to engaging the public through television and radio.²⁰¹ The 2011 Constitution enshrined HACA's authority to regulate the broadcast sector, including monitoring diversity of opinion.²⁰² Civil society called for greater representation in media during a national dialogue with the government in 2013. As a result, HACA conducted a study on CSO presence in media and found that when CSOs were represented on TV and radio, it related to their community programming rather than policy discourse and advocacy. Mr. Achemlal from TANMIA adds that CSOs have been prevented from using the media for awareness campaigns and are often restricted to philanthropic efforts.²⁰³ In particular, Selma Elmoudni highlighted a lack of regional and gender diversity of CSO participation in the media.²⁰⁴ To address these issues, HACA published Decree 11.15 in 2018, laying out the regulatory framework for CSOs and political actors to have fair access to audio-visual media.²⁰⁵ HACA also released decision 20.18, which called on CSOs to use the media to mediate, evaluate, and monitor public policies.²⁰⁶

²⁰⁰ Selma Elmoudni, Ministry of Parliament and Relations with Civil Society, interview with IRM researcher, 6 Mar 2019; Dr. Azzedine Akesbi, Professor, Mohammed VI University, interview with IRM researcher, 7 March 2019.

²⁰¹ Nourredine Achemlal, TANMIA, interview with IRM researcher, 21 February 2019.

²⁰² Media Ownership Monitor Morocco. 2017. <http://maroc.mom-rsf.org/en/context/law/>

²⁰³ Nourredine Achemlal, TANMIA, interview with IRM researcher, 21 February 2019.

²⁰⁴ Selma Elmoudni, Ministry of Parliament and Relations with Civil Society, interview with IRM researcher, 6 March 2019.

²⁰⁵ "Les associations auront bientôt accès aux médias audiovisuels au même titre que les acteurs politiques" Le Matin. 2018. <https://lematin.ma/journal/2018/associations-auront-bientot-acces-aux-medias-audiovisuels-titre-acteurs-politiques/285793.html>; Nourredine Achemlal, TANMIA, interview with IRM researcher, 21 February 2019.

²⁰⁶ Les Eco. <http://www.leseco.ma/maroc/67976-liberte-d-opinion-la-societe-civile-appellee-a-faire-usage-de-la-communication-audiovisuelle.html>

Media pluralism and freedom of the press remain an important area for further open government reforms. Morocco's global ranking in the World Press Freedom Index has remained relatively the same from 2017 and 2020, hovering between 133 and 135 out of 180 countries surveyed. This places Morocco in the "difficult situation" category for journalists, in part due to their difficult encounters with the judicial system.²⁰⁷ Therefore, ambitious open government reforms in this area require activities that continue to expand and strengthen legal protections and freedom of speech in Morocco.

This commitment is considered to have a minor potential impact on representation of civil society in Moroccan media. Through this commitment, the government seeks to both increase and measure civil society's media participation. Some of the skills to be covered in the trainings include digital journalism, motion design, and digital security. This commitment makes a positive but incremental step towards strengthening media pluralism in Morocco. The ambition of this commitment is limited in that it only seeks to train civil society members to make use of the existing space for policy discourse, rather than expanding this space through legal reforms. This commitment is verifiable and relevant to the OGP value of civic participation.

Next steps:

While continuing participatory democracy reforms, the IRM recommends implementors consider the following:

- Provide guidance and training materials in various formats and languages to ensure accessibility to the broadest possible groups of Moroccans, with a focus on including marginalized populations;
- Actively seek out and include CSOs not typically involved in governance or media issues, such as groups representing rural youth, women, and persons with a disability, among others;
- Consider a funding or subsidy mechanism to address CSOs' financial barriers to media participation and whether to integrate media materials with the Chikaya platform so that resources for CSOs are readily accessible in one spot;
- HACA and civil society could partner up to provide transparency on the state of pluralism in the media and efforts to strengthen it, perhaps through regular reports or an online platform;
- HACA and civil society could work together through a permanent multi-stakeholder group to monitor and address obstacles to pluralism in the Moroccan media.

²⁰⁷ Reporters Without Borders. 2020 World Press Freedom Index. <https://rsf.org/en/morocco-western-sahara>

Commitment 18: OGP Membership and Progress Communication Plan

Language of the commitment as it appears in the action plan:

"This commitment consists of developing and implementing a communication plan to support Morocco's joining of the OGP and the implementation of its commitments in terms of Open Government.

This commitment serves as a decisive support measure for successfully implementing the Open Government National Action Plan.

Raising awareness of the general public about Morocco's OGP commitments will be an instrument for pressuring and recognizing the commitment holders to help them succeed in their missions. This will have a positive impact on the quality of the OGP deliverables."

Milestones:

- Development of a communication plan about Open Government
- Implementation of the communication plan
- Assessment of the communications actions carried out"

Implementing Agency: Ministry of Administration Reform and Civil Service (MRAFP)

Start Date: September 2018

End Date: August 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
I. Overall	✓		✓					✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and objectives

Morocco joined OGP in 2018 and subsequently drafted its first national action plan. The government of Morocco hosted a conference in 2019 to introduce and celebrate the

country's OGP membership. However, the government has undertaken limited public outreach about Morocco's OGP membership and commitments beyond the conference.²⁰⁸

In regard to public information on OGP, the Department of Reform and Administration within the Ministry of Economy, Finance, and Administrative Reform maintains Morocco's OGP repository: www.gouvernement-ouvert.ma. The website is comprehensive and contains updates and evidence of commitment implementation progress as well as Steering Committee meeting minutes. The government also issues press releases related to OGP updates and commitment progress.

Importantly, the current action plan seeks to strengthen and implement democratic reforms set out in the 2011 constitution. The action plan includes tangible commitments in areas long championed by civil society, such as access to information and participatory democracy. Communicating Morocco's OGP activities to the wider public is essential to (i) ensuring broad participation in future action plan design and implementation, (ii) demonstrating the governments' ongoing commitment to open government values, (iii) highlighting lessons learned and achievements as an example to other member countries and OGP Local members. Abderrahim Foukahi, from the CSO REMDI, shares that the OGP membership has played a role in pacifying tensions between the government and CSOs.²⁰⁹ Therefore, increasing engagement and communication around national OGP processes may serve to further strengthen relations and trust between civil society and the government.

This commitment is relevant to the OGP value of access to information but is not specific enough to be verifiable. The verifiability of this commitment is limited, as the milestones proposed do not provide detailed information on the communication plan, or its extent. The commitment does not speak about the rural component or the use of technology to implement the communication plan. Also, the commitment does not set verifiable numbers concerning the extent of communication desired, and its reach. Due to this commitment's limited ambition and lack of specificity, it is considered to have a minor potential impact.

²⁰⁸ Government of Morocco, 2018-2020 OGP National Action Plan, <https://www.opengovpartnership.org/documents/morocco-action-plan-2018-2020/>

²⁰⁹ Abderrahim Foukahi, REMDI and member of the Access to Information Commission, interview with IRM researcher, 23 February 2019.

V. General Recommendations

This section aims to inform the development of the next action plan and guide implementation of the current action plan. It is divided into two sections: 1) IRM key recommendations to improve OGP process and action plans in the country or entity and, 2) an assessment of how the government responded to previous IRM key recommendations.

5.1 IRM recommendations

IRM's key recommendations on the action plan's co-creation process and commitments' design are included as follows:

On co-Creation process

- **Strengthen the OGP institutional and strategic framework in the country.** The first 2018-20 action plan was developed without a legal framework or budget allocation for OGP. Recently, the Ministry of Administrative Reform's merger with the Ministry of Finance is an opportunity to create a legal and institutional framework to give OGP action plans the resources and political support they need to have more impact across government. In addition to securing an institutional environment that enables OGP action plans, the next OGP process can be intentionally more inclusive of other government agencies and develop a strategy that will guide the co-creation process by defining areas of opportunity for open government reforms/policy areas, mapping which government institutions and civil society actors need to be involved to inform consultations on those policy areas. Finally, the definition of clear objectives for the next action plan as a whole, in the broader open government reform agenda in the country will improve the ability to strategically guide consultations and later prioritize the feedback collected.
- **Enhance the role of the Steering Committee (MSF) and increase engagement with government and civil society stakeholders alike.** As Morocco moves into its second action plan, a key element to reflect on is the role of the Steering Committee. In other regions, the IRM has seen that where the Steering Committee or MSF's mandate is strengthened and adopts a leadership role to shepherd the co-creation process, there is more opportunity to be inclusive. Moving forward, Morocco's Steering Committee could be the body that enables contact and engagement with a broader set of stakeholders, as opposed to being the primary space for engagement and consultation. The Steering Committee could lead the consultation process and have more outreach by:
 - Involving different groups at the outset and then bringing back the feedback and results from the consultation to the Steering Committee for prioritization and processing;
 - Identifying and mapping in advance which stakeholders (governmental and non-governmental) should participate in the different stages of the co-creation process to set expectations and provide participants with a clear understanding of what the channels and opportunities for participation are;
 - In addition, the Steering Committee may also play a key role as interlocutor to enhance direct communication with the OGP country support team and IRM staff during the action plan cycle.
- **Prioritization and reasoned response.** Consultation processes require a substantive allocation of time for before the consultation is held (for planning purposes) and after (to process and prioritize feedback). This last phase is key to ensuring that the inputs from consultations are used to shape commitments within the strategic objectives set for the action plan being developed. The IRM

recommends that the government or MSF report back to participants providing information on how they considered public and civil society inputs including: what made it into the action plan and what didn't, the criteria for prioritization, and ultimately, how decisions were made about commitments that were included or not.

On Action Plan and Commitment Design

In general, the IRM found that the 2018-20 action plan commitments were relevant to OGP values—mainly to transparency—and focused frequently on increasing information disclosure. In designing future action plans, the IRM suggests continuing towards implementing the access-to-information law. Building on Commitments 1, 2, 3 and 4 of the 2018-20 action plans, the next action plan could continue to be a platform to raise awareness, build an environment of trust with citizens and establish redress mechanisms to support the implementation of the access to information legislation.

In the design of commitments, clearly establishing a public problem to be addressed is key to raising ambition. More so if there is a clear articulation in the commitment's design of how the activities will contribute to achieving the commitment's objective. At the same time, the objective directly responds to the public problem identified. Also, IRM recommends integrating commitments with similar topics (for instance Commitments 14,15,16). It would allow to have commitments designed with more ambition as well as intertwined. Several commitments could be fused into one to achieve greater results.

For the formulation of the next action plan; the IRM suggests expanding the scale and scope of commitments to explain explicitly how the technological tools and activities will advance participatory democracy and openness of government.

As Morocco moves into the final stage of the implementation period for the 2018-20 action plan, creating a moment for reflection and learning from implementation challenges can inform the design of the next action plan. It is worth considering what policy priorities were advanced, where more work and adjustments are needed and what the new areas for opportunity are.

A diagnostic exercise to take stock of the open government context in the country would be helpful. It can help map the political challenges ahead, like navigating an action plan that will endure an electoral transition. Or, it can reveal what opportunities lie ahead that would increase visibility and buy-in to the next action plan. At the same time, it would give the OGP process a direction for reforms.

Another area of opportunity is using the OGP action plan to address reforms to improve civic space. As a core value to OGP and to a country's eligibility in the partnership, ensuring that there is an adequate legal enabling environment for civil society is one channel to do this. Countries like Ukraine, El Salvador or Latvia have used OGP action plans to open dialogue and consultation processes with civil society organizations on laws that affect their right to association or pose barriers to entry.

Finally, in the learning process, use OGP resources, the country support teams or IRM to provide further guidance on examples, experiences, and tools, or make connections to partners with expertise that can aid in the development of the next action plan.

Table 5.1: Five Key Recommendations

1	Strengthen the OGP institutional and strategic framework in the country and enhance the role of the Steering Committee (MSF).
2	During co-creation of future action plans, report back to participants with information on how the MSF or government considered public and civil society inputs.
3	Continue towards the implementation of the access to information law.
4	Strengthen the process of establishing a public problem to raise ambition.
5	Develop commitment areas to encourage public accountability.

VI. Methodology and Sources

The IRM reports are written by researchers for each OGP-participating country or entity. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, observation, and feedback from non-governmental stakeholders. The IRM report builds on the evidence available in Morocco's OGP repository²¹⁰ (or online tracker), website, findings in the government's own self-assessment reports, and any other assessments of process and progress put out by civil society, the private sector, or international organizations. At the beginning of each reporting cycle, IRM staff share a research plan with governments to open a seven-day period of comments or feedback regarding the proposed research approach.

Each IRM researcher carries out stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit implementation sites. Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.²¹¹

Interviews and stakeholder input

For the purpose of the Design Report, the IRM researcher concluded 28 interviews in total, 17 of which were with representatives of civil society, international organizations or academia. To select the interviews, the IRM researcher focused on reaching out to civil society or specific experts that had wide knowledge and experience on the issues discussed, in terms of expertise but also reputation. All of the Moroccan civil society interviewed for the purpose of this report is regarded to being of importance in Morocco. As for the other interviewees, they were selected for their credentials as university professors who are experts in the field or journalists. Also, the IRM researcher reached out to two locally elected officials to bring out this perspective in the report.

Some of the interviewees were part of the Steering Committee or MSF forum, and therefore had followed the issues closely from the start of the OGP adherence process. The IRM researcher had difficulty reaching out to some stakeholders, part of the Steering Committee or two POCs because of conflicts of time, location or unavailability. All of the interviews were conducted in person, through a Q&A format, or free discussion and were about one hour minimum to two and a half hours maximum in length.

About the Independent Reporting Mechanism

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel (IEP) oversees the quality control of each report. The IEP is comprised of experts in transparency, participation, accountability, and social science research methods.

²¹⁰ Open Government Partnership website. Government of Morocco. <http://www.gouvernement-ouvert.ma/fr/index>

²¹¹ IRM Procedures Manual, V.3: <https://www.opengovpartnership.org/documents/irm-procedures-manual>

The current membership of the International Experts Panel is:

- César Nicandro Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Juanita Olaya

A small staff based in Washington DC, shepherds reports through the IRM process in close coordination with the researchers. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org.

Annex I. Overview of Morocco's Performance Throughout Action plan Development

Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

Multi-stakeholder Forum	
1a. Forum established: There is a forum to oversee the OGP process. ²¹²	Yellow
1b. Regularity: The forum meets at least every quarter, in person or remotely.	Yellow
1c. Collaborative mandate development: Members of the forum jointly develop its remit, membership and governance structure.	Red
1d. Public mandate: Information on the forum's remit, membership and governance structure is available on the OGP website/page.	Red
2a. Multi-stakeholder: The forum includes both governmental and non-governmental representatives.	Yellow
2b. Parity: The forum includes an even balance of governmental and non-governmental representatives.	Red
2c. Transparent selection: Non-governmental members of the forum are selected through a fair and transparent process.	Red
2d. High-level government representation: The forum includes high-level representatives with decision-making authority from government.	Yellow
3d. Openness: The forum accepts inputs and representation on the action plan process from any civil society or other stakeholders outside the forum.	Yellow
3e. Remote participation: There are opportunities for remote participation in at least some meetings and events.	Red
3f. Minutes: The OGP forum proactively communicates and reports back on its decisions, activities and results to wider government and civil society stakeholders.	Red

²¹² The requirements linked to the multi-stakeholder forum were assessed at the time of development/co-creation of the action plan. Section III (Multi-stakeholder Forum, Participation and Engagement Throughout Action Plan Development) provides an update of the establishment of the forum after the action plan was submitted.

Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

Action Plan Development	
4a. Process transparency: There is a national OGP website (or OGP webpage on a government website) where information on all aspects of the national OGP process is proactively published.	Green
4b. Documentation in advance: The forum shares information about OGP to stakeholders in advance to guarantee they are informed and prepared to participate in all stages of the process.	Yellow
4c. Awareness-raising: The forum conducts outreach and awareness-raising activities with relevant stakeholders to inform them of the OGP process.	Yellow
4d. Communication channels: The government facilitates direct communication with stakeholders to respond to action plan process questions, particularly during times of intense OGP activity.	Yellow
4e. Reasoned response: The multi-stakeholder forum publishes its reasoning behind decisions and responds to major categories of public comment.	Red
5a. Repository: Government collects and publishes a document repository on the national OGP website/webpage, which provides a historical record and access to all documents related to the national OGP process, including (but not limited to) consultation documents, National Action Plans, government self-assessments, IRM reports and supporting documentation of commitment implementation (e.g links to databases, evidence of meetings, publications)	Green

Editorial note: If a country “meets” the six standards in bold, IRM will recognize the country’s process as a Starred Process.