

*The speech of His Excellency the Minister before the Maghreb meeting
20 February 2006*

ROYAUME DU MAROC

Ministère de l'Aménagement du Territoire de l'Eau et de l'Environnement



**The speech of His Excellency the Minister before the
Maghreb meeting of 20th February 2006**

*“The role and responsibilities of local communes in implementation and compliance with
environmental regulations in the Arab Maghreb countries”*

Excellencies, Honorable Ambassadors,

It is a great pleasure for me to be at the opening of your expert meeting today and to welcome our guests the Maghreb and foreign officials and experts who have graced us with their presence and expert participation. Allow me to emphasize the importance of the topic you are about to address and analyze pertaining to the role of local communes in the Maghreb countries in the field of environmental regulations implementation and compliance. The importance of the topic is quite obvious, in addition to its Maghreb and international dimension, from its concrete and practical aspects because, as you know, everything that touches local communes touches the daily lives of citizens, their concerns and the quality of their life. This is why I salute this choice as it reflects and addresses one of the major concerns of the public authorities in the kingdom.

This meeting is an innovative phase in a process that spans from the recent past and aspires to a positive future. As a matter of fact, this meeting is taking place in response to a recommendation from the seventh International Meeting of the International Network of Environmental Compliance and Enforcement (INECE) that took place last year in Marrakech (9-15 April 2005). This meeting insisted on the importance of strengthening the process of respecting and complying with the rule of law in general and environmental regulations in particular in the Great Arab Maghreb Region. This recommendation was based on the encouraging conclusions from the expert meeting that took place as a side event of the Marrakech meeting; this side event highlighted the importance of integrating the Maghreban work into the dynamics of the INECE. And indeed, before 2005 ended our sister Tunisia hosted an international meeting on compiling environmental regulations and that meeting was an opportunity to further debate the importance of environmental law compliance and enforcement in the Maghreb region; it was also an opportunity to prepare the Rabat meeting for the establishment of the Maghreban Network in this field.

Ladies and gentlemen,

This process that has an international dimension in our Region is not created in a vacuum. It is based on a solid local platform as embodied by the political, legal, economic and environmental developments the Maghreb region is going through. If I take Morocco as a model, the past few years have seen a noticeable enrichment of the environmental legal arsenal; they have also witnessed a strong impetus of local democracy through the updating of the public legislative framework that governs the organization and operating mechanisms of territorial decentralization in its three dimensions: the local provincial and regional.

Hence, at the level of environmental law three fundamental pieces of legislation were issued in the summer of 2003: Law 11-03 on environmental protection and rehabilitation; law 12-03 pertaining to environmental impact studies and law 13-03 on atmospheric pollution. These laws will soon be followed by law 28-00 on waste management and disposal which now with the House of Representatives after it was adopted by the Consultative House. This is in addition to a series of implementation decrees for the above mentioned laws which were submitted to the Government's General Secretariat for its consideration and adoption.

As for local democracy, there have been deep and important reforms of the statutes of the local communes. These reforms cover the regions that were under their own regulatory framework as embodied in Law 47-96L of April 1997. They also cover the prefectural and provincial council whose role was strengthened by Law 79-00 of October 3', 2002; they also cover municipal and rural communes which saw the areas of its interaction extended and improves thanks to Law 78-00 pertaining to the new communal charter issued on the same date of October 3', 2002. In addition to the basic legal reforms, there have been of course a multitude of initiatives and reforms at the political and economic levels as well at the level of partnership, cooperation and free trade agreements whose importance I will not address in this forum.

Ladies and gentlemen,

The increasing role of local communities has become a common trait of modern societies. You have chosen through the theme of your meeting to shed light on the responsibilities that are shouldered by elected institutions in the field of environmental law, compliance, and enforcement; this is a very important area which has not been the subject of sufficient attention despite the numerous objective arguments militating in favor of such a focus.

On the one hand, we see that in addition to environmental prerogatives that local communities are entrusted with, directly from the relevant legislation, we find that Moroccan environmental regulations give a prominent role to those communities as shown in the above mentioned pieces of legislation. On the other hand, the relation of proximity established by elected councils with their surrounding puts them on the direct frontline with a variety of development issues that are linked to environmental protection and sustainable development; these issues span from waste collection and disposal in accordance with safe technological processes and with the environmental security for the community onto the concern over the pollution problems resulting from all types of other emissions. Lastly, the emphasis on the prominent role of local

*The speech of His Excellency the Minister before the Maghreb meeting
20 February 2006*

communities in environmental law, compliance, and enforcement, does not in any way exempt the State or other relevant parties like civil society from their responsibilities in this field.

Ladies and gentlemen,

I do not wish to miss this opportunity without addressing even if very succinctly the excellent relation between the Ministry of Land Management, Water, and Environment with the local communes. The territorial mandate of this ministry makes it a major partner and responsible counterpart, working hand in hand with elected entities and local authorities.

Hence, whether it is a matter of drinking water supply or pollution problems threatening our water resources or whether it is a matter of catching up with the deficits in the two areas of sanitation and used water treatment to protect the natural ecosystem or fighting atmospheric pollution and addressing the crushing problem of waste management and disposal sites, or environmental impact studies, or raising awareness about cleaner production technologies as well as other areas related to land management like the preparation of master regional plans and prospective sectoral guidelines, this Ministry is constantly keen on involving locally elected representatives and on helping them to the extent of available resources to overcome difficulties and to face the numerous constraints which are mostly related to the scarcity of financial resources or the lack of data and research which is the basis for the required decision making; these constraints are also reflected by the limited human resources that are available in the communes.

In any case, this is an opportunity to praise the efforts undertaken by the local communes in the Kingdom and throughout the Arab Maghreb countries towards securing a safe environment, health for the population and visitors while inviting these communes to invest additional efforts to upgrade our villages and cities to the level of ambition that the people and leaders of this region aspire to.

Ladies and gentlemen,

As I stated earlier, a new Maghreb network will be established at the occasion of this meeting on environmental law, compliance and enforcement; it will operate under the framework of the INECE and I would like to praise this initiative and to invite all the institutions and organizations from the Maghreb and from the international community to provide assistance to this new Maghreb entity and to promote so as to enable it to reach the commendable objectives for which it was established.

Along these lines, I would like to express my heartfelt thanks to the German Cooperation Agency, GTZ, for its positive involvement in this ambitious process since its inception in Marrakech, and I hope that other institutions and organizations will follow the example of GTZ. Once again, I thank you and I wish you success in your endeavor.