

INTERNAL REGULATIONS OF THE INSTITUTION OF DIWAN AL MADHALIM

Dahir n° 1-03-240 of Chaoual 9,1424 (December 4, 2003)*

(Great Seal of His Majesty Mohammed VI)

Be it known by these present, may God elevate and consolidate the content thereof,

That Our Majesty,

In accordance with the dahir n° 1.01.298 of 23 Ramadan 1422 (9 December 2001) creating the institution of Diwan Al Madhalim, namely its article 15

Decided what follows:

The internal regulations of the institution of Diwan Al Madhalim, as annexed to this dahir, are hereby approved and shall be published in the Official Gazette.

Done in Marrakech on Chaoual 9,1424 (December 4, 2003)

Countersignature

The Prime minister
Driss Jettou

* Published in the Official Gazette N° 5174 of the 8 Dou Kaâda 1424 (January 1, 2004)

Chapter I

General Provisions

Article 1 - In application of the provisions of article 15 of the dahir n° 1.01.298 of 23 Ramadan 1422 (9 December 2001) creating the institution of “Diwan Al Madhalim”, these internal regulations include:

- Administrative structures of “Diwan Al Madhalim” institution;
- Principles of the financial and accounting organization;
- Attributions and powers vested in delegates;
- Procedures and conditions for filing complaints, grievances and settlement requests
- Final dispositions.

Article 2 - In these internal regulations, it shall meant by:

- Al Madhalim : Abuse, excess, injustice
- “Diwan Al Madhalim”: Institution vested with the power to examine abuses and redress injustices.
- **Wali Al Madhalim** : Redresser of Injustices
- **Vizir of Chikayat** : Ministry of Complaints
- Concerned administration or institution: State administrations, local communes, public institutions or bodies vested with prerogatives of public authority.
- Bodies vested with prerogatives of public authority: Any moral person having competence to take a decision likely to be attacked before an administrative court.

- Grievances and complaints: Requests submitted to Wali Al Madhalim by natural or legal persons who feel that they have been victim of a decision or an action taken by the administration and whereby they request his intervention to right a wrong, correct a prejudice an abuse or a violation to the rule of law and equity principles.
- Requests of settlement: Requests seeking a swift, amicable and equitable resolution of a conflict opposing the administration and the private natural or legal persons requesting the settlement.

Article 3 - Wali Al Madhalim shall be the legal representative and the mouthpiece of “Diwan Al Madhalim”. He shall represent the institution vis-à-vis the State and third parties. He shall act on his own behalf and can delegate, under his responsibility, part of his powers and attributions to his ministerial and regional delegates, to ad hoc delegates as well as to the members of staff, placed under his authority, in particular with regard to the fields falling within their purviews.

Article 4 - The Delegates, officials and the staff of the various services of “Diwan Al Madhalim” institution shall be liable for professional confidence, concerning all the facts, documents and information which they take cognizance of during the exercise of their duties.

This obligation shall not apply to persons in charge of files under investigation, when the communication of such information to the administration, complainant or to the petitioner of settlement, proves necessary in order to reach an equitable solution or settle a dispute.

Chapter II
Administrative Structures
of the Institution of “Diwan Al Madhalim”

Section One
Central Administration

Article 5 - In addition to the Secretariat General, the institution of “Diwan Al Madhalim” shall include a central administration and ministerial and regional delegations.

Article 6 - The central administration of “Diwan Al Madhalim” shall include:

- An advisory cell in the side of Wali Al Madhalim;
- A cell of coordination between delegations;
- Administrative, financial and technical services.

I. Advisory Cell in the side
of Wali Al Madhalim

Article 7 - It shall be set up in the side of Wali Al Madhalim an advisory cell, placed under his direct authority.

Article 8 - The advisory cell is charged to:

- Give its opinion on the issues submitted to it by Wali AlMadhalim and present necessary consultations to this effect;

- Prepare all kinds of surveys or reports and conduct any investigation task at the request of Wali Al Madhalim about certain files or questions having a particular character.

Article 9 - The advisory cell shall include advisors chosen among personalities known for their competence, expertise and experience in the fields in connection with the duties of “Diwan Al Madhalim”;

The status and number of advisors of the cell shall be fixed by a decision of Wali Al Madhalim.

II. Cell of Coordination between Delegations

Article 10 - A cell of coordination between delegations shall be set up at the central administration level and shall assure coordination between ministerial delegations on one hand and the regional delegations on the other hand; see to the standardization of their work processes and provide them with the necessary backup for the fulfillment of their missions in the best conditions;

Article 11 - Wali Al Madhalim shall preside over and supervise the work of the coordination cell.

This cell shall be composed of a general coordinating advisor and advisors in charge of section at the central administration. It may include, if deemed necessary, at Wali Al Madhalim’s initiative, in addition to the delegates, one or several heads of the institution’s administrative units, depending on the nature of the issues on the agenda.

III. Administrative, financial and technical services

Article 12 - The administrative, financial and technical services of “Diwan Al Madhalim” institution shall include the following sections:

- Section of Human Resources and Administrative and Financial Affairs;
- Section of Studies, Analyses and Follow-up;
- Section of Data Processing, Statistics and Documentation;
- Section of Communication, Cooperation and Training.

Section of Human Resources and Administrative and Financial Affairs

Article 13 - The section of Human Resources and Administrative and Financial Affairs shall be assigned to:

- Manage human resources at the different services of “Diwan Al Madhalim” and see to the rationalization of their use;
- Elaborate and implement the budget of the institution, keep its accountings and see to the good exploitation of its material and equipment.

Article 14 - The section of Human Resources and Administrative and Financial Affairs shall be composed of the following units :

- Unit of Human Resources Management
- Unit of Budget and Accounting
- Unit of Material, Equipments and General Affairs

Section of Studies, Analyses and Follow-up

Article 15 - The Section of Studies, Analyses and Follow-up shall be assigned to:

- Conduct studies and researches relating to the scope of action of the institution or the issues submitted to it and analyze the related data;
- Ensure the follow up of the grievances and complaints in which Wali Al Madhalim intervenes with administrations;
- Prepare the draft annual report, submitted by Wali AlMadhalim to His Majesty the King as well the reports presented to the Prime minister and the human rights advisory council as per Chapter V of these internal regulations.
- Prepare periodical annual and special reports on its activities

Article 16 - Section of Studies, Analyses and Follow-up shall include the following units:

- Unit of Studies and Research;
- Unit of Analysis and Follow-up;
- Unit of Reports and Synthesized Studies.

Section of Data Processing, Statistics and Documentation

Article 17 - Data Processing, Statistics and Documentation Section shall be assigned to :

- Supervise the setting up of the databases, programs and applications and the networking of the different services of the institution in accordance with a computer master plan;
- Ensure the computer technical support to the above stated services;
- Collect data and information relating to the activities of the institutions, count and classify them and put them at the disposal of the concerned sections with a view to their analysis and evaluation;
- Keep the archives and documents of the institution.

Article 18 - Data Processing, Statistics and Documentation Section shall be composed of the following units:

- Unit of Data Processing, Software and Applications;
- Unit of Statistics and Databases;
- Unit of Archives and Documents Management.

Section of Communication, Cooperation and Training

Article 19 - The Section of Communication, Cooperation and Training shall have the following tasks :

- Promote internal communication between the institution's services;
- Develop training programs and advanced courses in favor of the institution's staff;
- Elaborate all types of documents, advertising the scope of action of the institution;
- Set down the operational mechanisms likely to promote communication between the administration and its patrons;
- Reinforce coordination relations with the human rights advisory council and establish cooperation relations with similar institutions and other bodies seeking the same objectives;
- Coordinate relations with public and private mass media;
- Ensure the translation of documents produced by the institution and facilitate communication in local dialects and languages.

Article 20 - The Section of Communication, Cooperation and Training shall be composed of the following units:

- Unit of Communication Promotion, Training and Publications;
- Unit in charge of the Relations with CCDH;
- Unit of Cooperation and Public Relations;
- Unit of Reception and Mail Registration.

Article 21 - A general coordinator, chosen among the advisors in charge of one of the sections stated in article 12 above, by

a decision of Wali Al Madhalim, shall coordinate the works of the administrative, financial and technical services, ensure the follow-up of these works and see to the implementation of the instructions addressed by Wali Al Madhalim to the different services.

Article 22 - The attributions of the units falling under each section shall be set down by a decision of Wali Al Madhalim.

Section II

Ministerial and Regional Delegations

Article 23 - Shall be created in the side of Wali Al Madhalim ministerial delegations at the level of every ministry of group of ministries as well as regional delegations at the level of every province or prefecture, seat of a region.

Article 24 - Every ministerial delegation shall be headed by a ministerial delegate of Wali Al Madhalim and every regional delegation is placed under the authority of a regional delegate of Wali Al Madhalim

Article 25 - The ministerial and regional delegates shall carry out their duties under the authority of Wali Al Madhalim, in accordance with the provisions of the dahir n° 1.01.298 stated above and under the attributions, terms and conditions, provided for in these internal regulations.

Article 26 - Every ministerial or regional delegation shall include the following units:

- Unit of Reception and Mail Registration

- Unit of Reception of Complaints, Grievances and Settlement Requests
- Unit of Inquiry and Investigation
- Unit of Studies and Reports
- Unit of Administrative Affairs

Article 27 - The attributions and internal organization of the delegations units shall be set down by a decision of Wali AlMadhalim.

Article 28 - The ministerial and regional delegates shall be assisted in their duties by executives in charge of studies as well as administrative and technical staff members, the number of which shall be fixed in every case, by a decision of Wali Al Madhalim.

Chapter III

Attributions and Powers Vested on the Ministerial and Regional Delegates

Section I

Scope of Attributions

Article 29 - The ministerial and regional delegates shall assist Wali Al Madhalim in the discharge of the mandate vested in him by the dahir n° 1.01.298 stated above, in accordance with the provisions of these internal regulations.

Article 30 - The ministerial and regional delegates shall perform their duties at the level of ministries and public bodies, falling under their control and bodies having the prerogatives of power authority at central level.

The stated departments, institutions and bodies shall be decided upon for each ministerial delegate by a decision of Wali Al Madhalim.

Each regional delegate shall fulfill his duties at the level of local communes as well as all external services of the State administrations, public establishments and bodies having the prerogatives of public power, based within the territorial jurisdiction of the region of appointment.

The stated communes and services shall be decided upon for each regional delegate by a decision of Wali Al Madhalim.

Section II

Duties and Powers of the Ministerial and Regional Delegates

Article 31 - The ministerial and regional delegates shall, under the authority of Wali Al Madhalim, endeavor to enhance communication between the administration and citizens, receive grievances, complaints and requests for settlement, in accordance with the conditions and procedures stipulated in these internal regulations.

Furthermore, they may present to Wali Al Madhalim proposals and recommendations likely to improve the operation of the administrative machine and overcome the obstacles that confront citizens in their relation with the administration.

To this end, the ministerial and regional delegates shall be assigned to :

- Represent Wali Al Madhalim vis-à-vis the administration and serve as a chain link between “Diwan Al Madhalim” and the concerned administrations and institutions;
- Familiarize the patrons of administrative facilities with “Diwan Al Madhalim” and prompt these facilities to advise, orient citizens and improve their ways of communication;
- Propose to Wali Al Madhalim measures and procedures conducive to improving reception and communication structures in public administrations, with a view to conveying them to the concerned administrations and authorities;
- Propose any appropriate measure likely to help simplify administrative procedures and enable citizens to benefit from administrative services in the best conditions possible;
- Receive grievances, complaints and requests for settlement submitted by citizens, individually or collectively, to Wali Al Madhalim, and process them within the limits of their attributions and in accordance with the conditions and procedures stipulated in these internal regulations, except for issues having a national character or that may require that a provisional position be taken;
- Conduct investigations into the grievances and complaints submitted, if such investigations are deemed necessary;
- Follow-up on all correspondence exchanged between Wali Al Madhalim and the administration, ensure respect of the deadlines set in this correspondence, and follow up on their progress in coordination with the institution’s central services;
- Keep a register for the grievances and complaints and another register for requests of settlement. The specifications and conditions for keeping such registers shall be outlined in a

decision of Wali Al Madhalim;

- Keep the registers for orally presented grievances and complaints and transcribe these complaints and grievances according to the terms and specifications set by a decision of Wali Al Madhalim;
- Address to the concerned authorities or to the competent delegates, the grievances, complaints and requests for settlement that reach them but which fall outside their purview;
- Submit quarterly reports to Wali Al Madhalim on their activities. These reports shall contain the following:
 - Number and nature of grievances, complaints and requests for settlement deposited at their offices or sent to them;
 - Number of grievances and complaints settled by the administration following the intervention of Wali Al Madhalim;
 - Number and nature of the grievances and complaints for which no solution was reached, and the reasons behind this failure,
 - Number of grievances and complaints to which the administration did not respond because its initial position was well grounded and complied with the rule of law and equity principles;
 - Number and nature of settlement requests for which fair solutions were reached,
 - Number and nature of settlement requests for which no solution was found, and the reasons behind this failure.

Each report shall contain the observations made on the administration's dysfunctions, as well as recommendations

and proposals to bring reforms.

- Prepare special reports on some grievances or complaints, directly submitted to them, which have an exceptional aspect or those conveyed to them for consideration by virtue of an order of Wali Al Madhalim.

Chapter IV

Procedure and Conditions for Filing Complaints, Grievances and Settlement Requests

Article 32 - The recourse to Wali Al Madhalim or his delegates to file complaints and grievances as well as requests of settlement shall be free of charge and shall not require the payment of any tax.

Article 33 - The complaints, grievances and requests of settlement shall be addressed to Wali Al Madhalim or his delegate, either by ordinary or registered mail or by any other communication means. They may also be deposited directly at his office.

Section I

Conditions and Procedure for Filing Complaints and Grievances

1. Filing Complaints and Grievances

Article 34 - Every natural person or private sector legal entity,

cleaving to a legitimate interest, shall be entitled to submit a complaint or grievance directly to Wali Al Madhalim or his delegate.

Article 35 - In application of article 7 of the dahir No 1.01.298 stated above, the acceptance of a complaint or grievance shall be conditional upon the following :

- Be in a written form;
- Contain complete data on the identity of the complainant: first and last names and address. If the complainant is a legal entity, the complaint should show its corporate name, nature, home office and the name of the legal representative. The complaints from anonymous origin shall not accepted;
- Include the name or institution against the decision or action of which the complaint is being filed;

The complaints involving disputes between administrations are not accepted;

- Include a brief statement of the complaint grounds;
- List all the measures, provided for by the law, which the complainant has undertaken to retrieve his rights from the concerned administration or institution;
- Contain an affidavit executed by the complainant stating that the case, subject of the complaint is not currently being examined by a court and that no judgment has been rendered thereupon;
- Bear the signature of the complainant or his proxy, if applicable, providing that a duly notarized power of attorney is produced;
- Be accompanied by justifying documents if necessary.

The drafting of a complaint or a grievance should refrain from using any insulting or defamatory text toward any concerned person or body.

Article 36 - Should the complaint or the grievance be filed by a group sharing one same interest, it shall have to contain, in addition to what preceded, the identity of all complainants, their signatures and the designated proxy.

Article 37 - If the complaint cannot be filed in writing, the complainant is entitled to submit it orally to the competent delegate or one of his assistants who will write it down in a special report to be signed by the complainant.

The said report must contain all the data and details, provided for in articles 35 and 36, backed with all necessary supporting documents and evidence.

Article 38 - Written or oral complaints and grievances shall be recorded at the mail registration office of Wali Al Madhalim or his delegate in a special register, dedicated to this effect and be given numbers.

Article 39 - A receipt, bearing the date and the number of registration, shall immediately be given or sent to the complainant.

II. Preliminary Study of Grievances and Complaints

Article 40 - The preliminary study of grievances and complaints shall be conducted by Wali Al Madhalim or his delegate to verify his jurisdiction over the cases and whether they satisfy all the requirements, provided for in articles 35 and 36 above.

Article 41 - If the study reveals that the complaint does not fall under the jurisdiction of Wali Al Madhalim or that it does not satisfy the conditions of form, Wali Al Madhalim or his delegate shall issue a grounded decree indicating, depending on the case either its rejection or that it does not fall under his competence. Such decree shall immediately be notified to the complainant.

Wali Al Madhalim or his delegate can refer the complainant to the competent authority, except in the case of human rights breaches, which Wali Al Madhalim shall forward directly to the human rights advisory council, in compliance with the provisions of the 1st paragraph of the article 6 of the dahir No 1.01.298 stated above.

III. Procedure of Inquiry and Investigation

Article 42 - Wali Al Madhalim or his delegate shall evaluate whether the complaint has sufficient grounds justifying the conduct of an inquiry or investigation. If no justifying elements are found, Wali Al Madhalim shall close the file by virtue of a motivated decree and advise the complainant by letter.

Article 43 - Wali Al Madhalim or his delegate may ask the parties to provide complementary data, clarifications as well as all additional documentation, deemed necessary, to decide upon the grievance or complaint submitted to him.

Article 44 - Subject to article 31, and prior to any inquiry or investigation, Wali Al Madhalim and his delegate may urge the

parties to resort to all amicable means to settle the dispute, if the case circumstances allow it. He may also mediate between the parties to this end, using all conciliatory good offices to reach equitable solutions.

Article 45 - Should the good offices fail to reach a solution and should Wali Al Madhalim or his delegate find in the complaints any element justifying the conduct of an investigation thereupon, he shall undertake all possible and necessary inquiries to verify the veracity of the information and facts that came to his knowledge and record his findings.

Article 46 - Wali Al Madhalim or his delegate shall send the complaint submitted to him, or its content to the concerned administration or institution, and ask for explanations to the facts indicated therein. The administration shall be requested to submit a report about its stand concerning the grievance or complaint, within a period of one month at maximum, that can be extended if necessary.

Article 47 - Wali Al Madhalim or his delegate may resort to all means, deemed useful and necessary, to conduct sound and objective investigations or inquiries, particularly seek access to necessary documents. Wali Al Madhalim or his delegate may, if necessary, set a deadline to the concerned administration to produce the said documents.

Article 48 - If it turns out during the review of the grievance or complaint that they relate to a conflict already entered before a court, Wali Al Madhalim or his delegate shall issue a decree to interrupt the investigation, if already started, and advise the

complainant thereupon.

IV. Investigation of the Grievances and Complaints

Article 49 - If, after the conduct of research and investigation regarding the complaint at hand, Wali Al Madhalim or his delegate reaches the conviction that the facts are well grounded and that the prejudice exists, he shall settle the complaint or the grievance submitted in full impartiality and independence, on the basis of the rule of law and equity principles in the service of justice.

To this end, he shall send his recommendations, proposals and remarks to the concerned administration or institution, asking it to take, within one month at maximum, all necessary measures to settle the matters submitted to it and report back to him in writing about all the decisions taken in this respect.

Article 50 - If the research and investigation reveals that the grievance or complaint results from a personal error or behavior of a civil servant or agent, Wali Al Madhalim or his delegate shall send his remarks and findings in this connection to the head of the concerned administration for necessary action and ask him to advise "Diwan Al Madhalim" about the decisions taken in this respect.

Article 51 - In accordance with article 12 of the dahir No 1.01.298, setting up Diwan Al Madhalim, Wali Al Madhalim shall address a special report should an administration or institution acts in such a way as to impede him from discharging his duties, especially in the following instances :

1- Any impediment of whatever form to the investigations conducted by Wali Al Madhalim or his delegate or any opposition to such investigations by an official, a civil servant or any person in the service of the concerned administrations or institutions.

2- Any neglect or passiveness of an administrative official in responding to the content of the complaint addressed to him after the expiration of the deadline, specified in article 46 above.

3- Any neglect or passiveness of an administrative official in providing the necessary support to the conduct of the investigations according to the procedures and conditions, specified in the dahir No 1.01.298 and in the internal regulations of Diwan Al Madhalim.

4- Any neglect or passiveness of an administrative official in responding to the remarks addressed to him after expiration of the deadline, specified in article 46 above.

Article 52 - Should Wali Al Madhalim reaches the conviction during the investigation that the strict enforcement of a legal rule is likely to cause an injustice or prejudice to citizens, he may propose to the Prime minister to take all necessary measures or efforts to provoke their amendment.

Section II

Conditions and Procedure for the Settlement Requests

Article 53 - In application of paragraph 2 of article 6 of the dahir N° 1.01.298, stated above, the request for a swift and fair settlement shall be submitted to Wali Al Madhalim or his delegates according to the procedure provided for in article 34, 35, 36, 38 and 39 of the internal regulations.

The party requesting the settlement can submit proposals to settle their dispute.

Article 54 - Wali Al Madhalim or his delegate shall convey a copy of the request to the other party and ask it to submit its viewpoint regarding the request within a period not exceeding one month, that can exceptionally be extended if necessary.

Article 55 - If the concerned administration accepts the request of amicable settlement, Wali Al Madhalim or his delegate shall have immediately to take the necessary measures and arrangements to establish contact between the administration and the party requesting settlement, explore their points of view and propose amicable solutions to settle their dispute. The administration shall have to designate in its answer its representative in the conciliatory efforts to reach a possible settlement who shall commit on its behalf to abide by its outcome.

A report shall be drafted concerning the settlement agreement, which contains a summary of the dispute, the proposals of each party and the solutions agreed upon . Such report shall

be signed by the concerned parties and Wali Al Madhalim or his delegate. A copy of the report shall be given to the parties.

Chapter V

Reports Prepared by Wali Al Madhalim

Article 56 - In conformity with the provisions of the dahir n° 1.01.298 stated above, in particular its articles 6, 12, 13 and 14, Wali Al Madhalim shall prepare the following reports:

- An annual report submitted to His Majesty the King;
- Reports presented to the Prime minister;
- An annual report presented to the human rights advisory council.

Article 57 - The annual report submitted by Wali Al Madhalim to His Majesty the King shall include the number and nature of grievances, complaints and requests of settlement submitted to him, data relating to grievances, complaints and requests that did not have a positive outcome because of their inadmissibility, incompetence grounds or a refusal; the number of grievances that triggered an inquiry or investigation and the findings, as well as the propositions and recommendations that received a favorable response by the concerned administrations and establishments.

It shall also include the short and medium-term program of activity, a report on the financial situation of “Diwan Al Madhalim” in accordance with the provisions of Chapter VII of these internal regulations.

Such annual report shall be published, totality or partly, in the «Official Gazette» under order of His Majesty the King.

Article 58 - Besides the suggestions of general nature that Wali Al Madhalim shall present, regarding the measures likely to render justice in the grievances submitted to him, the reports presented to the Prime minister shall include, if applicable, the cases of refusal by certain administration to enforce court decisions pronounced against them, his observations concerning dysfunctions of the administration, cases of refusal by certain administrations to respond favorably to the proposed solutions, accompanied with his suggestions and propositions on the measures that he sees necessary and likely to improve the performance of the administrative machine and to reform the related regulation.

Article 59 - The report presented by Wali Al Madhalim to the human rights advisory council shall include an overview on the issues related to the promotion of human rights within the limit of his purview, the legal and institutional framework of these issues, the progress achieved and the cases of breach reported as well as his findings.

He shall present this report to the said Council for information, in accordance with the article 13 of the dahir n° 1.0 1.298 of 23 Ramadan 1422 (9 December 2001) setting up the institution of «Diwan Al Madhalim», and article 2 of the dahir N° 1.00.350 of 15 Moharram 1422 (10 April 2001) on the reorganization of the human rights advisory Council.

Chapter VI

Staff

Article 60 - Wali Al Madhalim shall be assisted in the discharge of his mandate by contract staff members or by civil servants seconded by State administrations, local communes or public establishments, as well as by civil servants and employees placed at his disposal.

Article 61 - The personnel of the institution of “Diwan Al Madhalim” shall be composed of the following bodies:

- The body of delegates that shall include the following categories:
 - Ministerial delegates;
 - Regional delegates.
- Advisors;
- Official representatives;
- Officials in charge of studies;
- Administrative and technical executives including the following categories:
 - Interdepartmental administrative executives;
 - Engineers;
 - Computer specialists;
 - Information specialists;

- Technicians;
- Public agents.

Article 62 - The ministerial delegates and the regional delegates shall be appointed by Wali Al Madhalim, upon authorization of His Majesty the King in accordance with the provisions of article 4 of the aforementioned dahir N° 1.01.298, amongst senior executives of the State, public establishments or private sector, justifying a high level of education, a professional experience in the legal, judiciary, administrative or financial fields, and recognized for their integrity, competence and expertise, as well as amongst personalities having the same abilities.

Article 63 - The administrative situation and the remuneration system of the ministerial and regional delegates shall be fixed by a decision of Wali Al Madhalim.

Article 64 - The advisors shall be appointed among:

- Candidates belonging to the higher administrative and technical categories, classified at least at the remuneration scale No 11 or assimilated categories who have at least 10 years of effective service in a public administration in this capacity;
- University researchers having at least 5 years of effective service.

Article 65 - The official representatives shall be appointed among candidates belonging to the higher administrative and technical categories, classified at least at the remuneration scale N° 11 or assimilated categories who have at least 5 years

of effective service in a public administration in this capacity.

Article 66 - The officials in charge of studies shall be chosen among:

- Candidates holding a higher education degree allowing access to a position, classified at least at the remuneration scale N° 11 or to an assimilated category;
- Candidates belonging to the public administration categories, classified at least at the remuneration scale N° 11 and having at least 2 years of effective service in a public administration.

Article 67 - The administrative and technical executives shall be appointed among candidates satisfying the same requirements as those having similar rank in the State administrations.

Heads of sections and chiefs of units shall be designated respectively among advisors and official representatives, referred to above in articles 64 and 65.

Article 68 - Subject to the provisions of these internal regulations, the staff of the institution as well as civil servants in secondment shall be subjected to the same provisions applicable to civil servants and agents of State administrations belonging to similar categories.

Article 69 - The contract staff shall benefit from the same administrative situation as that of similar tenured staff of State administrations, taking account, if the case arises, of degrees held and seniority in the administration.

The civil servants temporarily assigned in the institution shall

benefit from the same administrative situation as the one they were enjoying in their administration of origin.

Article 70 - The salary and indemnities served to the contract staff and seconded civil servants, appointed as heads of sections or chiefs of units or as officials in charge of studies, or as administrative or technical executives shall be fixed by a decision of Wali Al Madhalim.

Chapter VII ***Principles of Financial and Accounting Organization***

Article 71 - The budget of “Diwan Al Madhalim” shall include working and equipment credits, within the limit of the funds earmarked for the institution by the budget of the Royal Court.

Article 72 - Wali Al Madhalim shall elaborate the draft budget of the institution, oversee its execution in accordance with the rules and procedures provided for in the financial and accounting organization regulations of “Diwan AlMadhalim” and to the list of the accounting plan of “Diwan AlMadhalim”.

Article 73 - Wali Al Madhalim shall be the paying authority of the institution. He may designate, under his responsibility, deputy payers from the staff of the institution.

Article 74 - A service in charge of expenditure shall be

created within «Diwan Al Madhalim». The nature and ceiling of expenses ordered by the service shall be fixed by a decision of Wali Al Madhalim.

Article 75 - The accountings of the institution shall be kept in accordance with the manual of organization and accounting procedure fixed by a decision of Wali Al Madhalim.

Article 76 - The regulation relative to the financial and accounting organization of “Diwan Al Madhalim” shall be fixed by a decision of Wali Al Madhalim.

Article 77 - An accounting agent shall be designated by Wali Al Madhalim. He shall have to oversee the respect of the financial and accounting rules and procedures, provided for in the financial and accounting organization regulations and in the organization and accounting procedure manual.

Article 78 - The accounts of «Diwan Al Madhalim» institution shall be subjected every year to a verification by a committee of experts designated by Wali Al Madhalim and composed of:

- A certified accountant;
- An expert in the financial and accounting field;

This committee shall be assigned to give observations on the conditions of the budget implementation, formulate recommendations and propositions likely to improve the management of the institution.

The works of this committee shall be the object of a report addressed to Wali Al Madhalim and a summary of it shall be included in the annual report submitted to the appreciation of His Majesty the King, relating to activities of the institution and

its program of action.

Chapter VIII

Final Provisions

Article 79 - Wali Al Madhalim may designate one of his delegates or the general coordinator of administrative services to replace him in case of absence or impediment.

Article 80 - These internal regulations shall enter into force progressively as from the date of their approval by His Majesty the King.

Article 81 - These internal regulations shall be modified and completed upon proposal of Wali Al Madhalim and approval.

KINGDOM OF MOROCCO

DIWAN AL MADHALIM

Decision of Wali Al Madhalim fixing the attributions of the Units under the Section of Human Resources and Administrative and Financial Affairs

Wali Al Madhalim

In accordance with the dahir N° 1.01.298 of 23 Ramadan 1422 (9 December 2001) creating the institution of Diwan Al Madhalim.

In accordance with the provisions of the internal regulations, particularly its articles 12, 13, 14 and 22.

Decides the following:

Article 1. The Unit of Human Resource Management shall be assigned to:

- Manage the administrative career of the institution's employees and the civil servants, either seconded to it or placed at its disposal;
- Ensure the follow-up of the situation of the budget line items and manage the human resources database;
- See to professional discipline observance by the institution's staff members, their motivation and the improvement of their output.

Article 2. The Unit of Budget and Accounting shall be assigned to:

- Elaborate the draft annual budget of the institution in accordance with the instructions of Wali Al Madhalim and oversee its implementation after its final approval;
- Perform all expenditure-related operations at the central administration level;

Article 3. The Unit of Material, Equipments and General Affairs shall be assigned to::

- Manage and ensure the maintenance of the institution's material and equipments;
- Manage institution's buildings and those put at its disposal and see to their maintenance and good use;
- Guarantee the provision of the different administrative services with material according to their needs;
- Coordinate the administrative-related general affairs between the different services and ensure their follow-up.

KINGDOM OF MOROCCO

DIWAN AL MADHALIM

Decision of Wali Al Madhalim fixing the attributions of the Units under the Section of Studies, Analyses and Follow-up Wali Al Madhalim

In accordance with the dahir N° 1.01.298 of 23 Ramadan 1422 (9 December 2001) creating the institution of Diwan Al Madhalim.

In accordance with the provisions of the internal regulations, particularly its articles 12, 13, 14 and 22.

Decides the following:

Article 1. The Unit of Studies and Research shall be assigned to:

- Elaborate studies and researches of legal, administrative and financial character relating to the scope of action of the institution, those falling under the fields of its interest, as well as those relative to the requests of settlement, grievances or complaints submitted to it;

Article 2. The Unit of Analysis and Follow-up shall be assigned to:

Analyze data and information relating to the grievances and complaints and requests of settlement submitted to the institution and determine their nature, evaluate them, propose necessary measures, and elaborate control panels in coordination with the Unit of Statistics and Databases;

Article 3. The Unit of Reports and Synthesized Studies shall be assigned to:

- Receive and gather reports established by the ministerial and regional delegates relating to their activity progress and ensure the standardization of the methods of their preparation;
- Follow the activities of all the services under the institution, receive information and data concerning them and establish periodic reports thereupon;
- Conduct synthesized studies relating to the affairs submitted to the institution, classifying them according to their object, origin and the administration concerned, and present the findings;
- Prepare the drafts of the reports, presented by Wali Al Madhalim to the Prime Minister about the administrations refusing to execute court decisions rendered against them, as well as those containing the remarks of the Wali relating to certain dysfunctions that hinder the good operation of administration and the cases of certain administrations rejecting the proposed solutions, accompanied with his recommendations and proposal of measures deemed necessary and likely to improve the performance of administration and reform the legislation in question;
- Prepare the draft of the annual report that Wali Al Madhalim submits to the high consideration of His Majesty the King on the activity of the institution and its program of action, in consultation with all other concerned services.

KINGDOM OF MOROCCO

DIWAN AL MADHALIM

Decision of Wali Al Madhalim fixing the attributions of the Units under the Section of Data Processing, Statistics and Documentation Wali Al Madhalim

In accordance with the dahir N° 1.01.298 of 23 Ramadan 1422 (9 December 2001) creating the institution of Diwan Al Madhalim.

In accordance with the provisions of the internal regulations, particularly its articles 12, 13, 14 and 22.

Decides the following:

Article 1. The Unit of Data Processing, Software and Applications shall be assigned to:

- Supervise the setting up of the computer master plan of the institution and see to its application ;
- Manage the institution's computer network and supervise the linkage between the central services and the ministerial and regional delegations ;
- Develop software and applications for the institution's services according to their needs ;
- Put in place an adaptable design of the institution's databases and fix the modes of their use;

- Manage the computer files exploited by the different services, see to their safeguard and facilitates the modes of their exploitation ;
- Provide the technical support to the aforementioned services in the fields of data processing and assist them in the use of new technologies while discharging their duties.

Article 2. The Unit of Statistics and Databases shall be assigned to:

- Collect data and information concerning grievances, complaints and requests of settlement, received by the institution, the resolved ones, those being settled and those pending;
- Conduct censuses relating to the institution's action and achievements to bring out useful indicators;
- Supervise the statistical databases and put them at the disposal of the concerned services.

Article 3. The Unit of Archives and Documents Management shall be assigned to:

- Hold, classify and index all the institution's archives and documents using computer processing and see to their maintenance;
- Manage the institutions' library and its documents, and see to the maintenance and development thereof;
- Elaborate internal information bulletins, concerning studies, researches and reports, achieved at the institution's level, as well as summarized presentations of their contents;
- Establish, index and preserve the reports of meetings held in the main offices of the institution.

KINGDOM OF MOROCCO

DIWAN AL MADHALIM

Decision of Wali Al Madhalim fixing the attributions of the Units under the Section of Communication, Cooperation and Training Wali Al Madhalim

In accordance with the dahir N° 1.01.298 of 23 Ramadan 1422 (9 December 2001) creating the institution of Diwan Al Madhalim.

In accordance with the provisions of the internal regulations, particularly its articles 12, 13, 14 and 22.

Decides the following:

Article 1. The Unit of Communication Promotion, Training and Publications shall be assigned to:

- Promote internal communication between the institution's services, including the ministerial and regional delegations, by disseminating information and data on the institution's activity, in coordination with the Unit of Archives and Documents Management ;
- Develop training programs and advanced courses in favor of the institution's staff and supervise their implementation;
- Elaborate publications, guides and documents, presenting the institution, the scope of its action and its achievements, put them at the disposal of the public;

- Propose all measures likely to reinforce means of permanent and continuous communication between the administration and citizens, and prompt the administration to conform with them ;
- Propose appropriate measures in order to develop reception structures and communication of public administrations and prompts the concerned administrations to generalize them to all their services;
- Suggest suitable means allowing the administration to advertise its services, procedures and deadlines in force, and prompt it to conform to them's;
- Facilitate communication in dialects and local languages, notably Amazigh ;
- Assure the translation of documents produced by the institution at the request of the concerned services.

Article 2. The Unit in charge of the relations with CCDH shall be assigned to:

- Transmit for consideration to the Human Rights Advisory Council grievances and complaints received by the institution, concerning violations of human rights;
- Receive grievances and complaints addressed to the president of the said council and convey them to the concerned ministerial and regional delegates;
- Elaborate drafts of the reports submitted by Wali Al Madhalim to the Human Rights Advisory Council concerning the questions relating to the promotion of human rights and involving the relation between the administration and citizens.

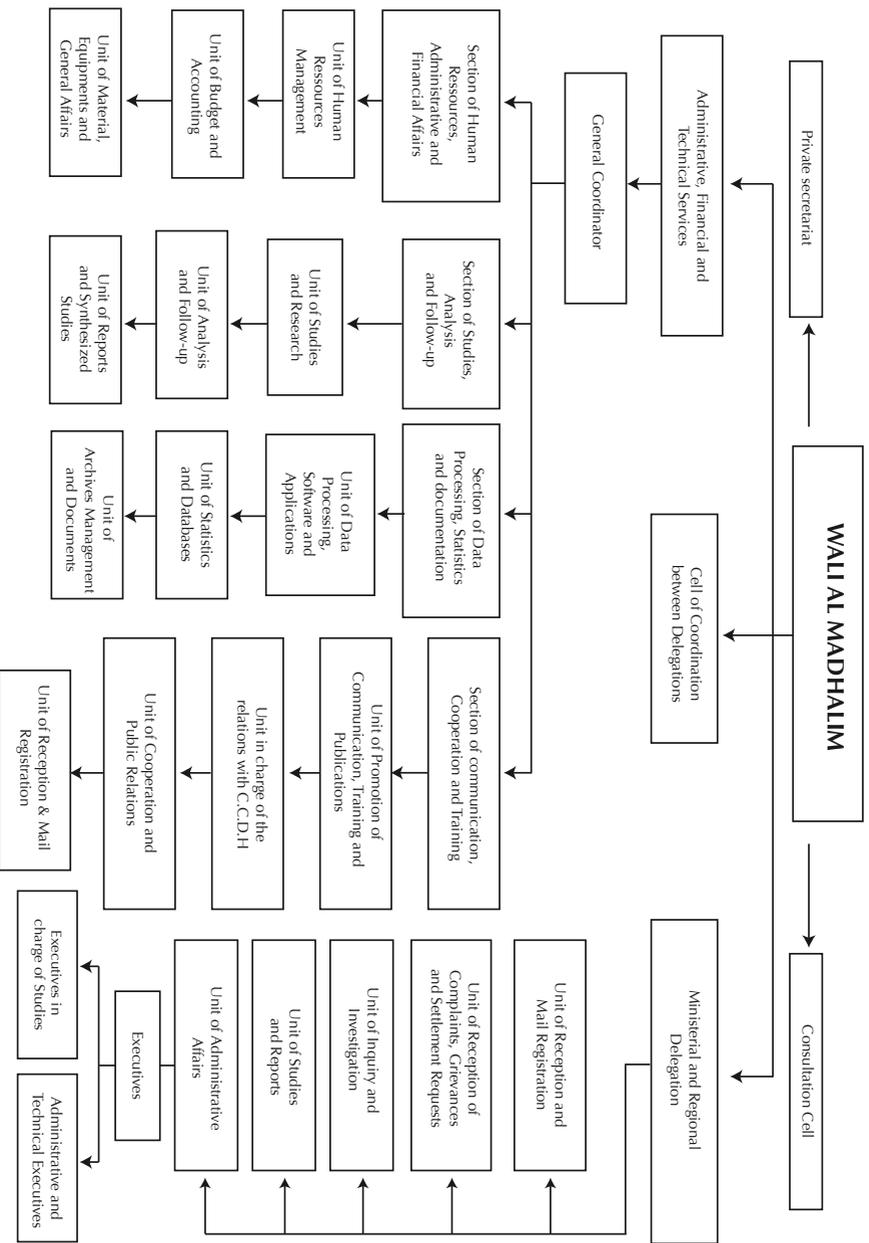
Article 3. The Unit of Cooperation and Public Relations shall be assigned to:

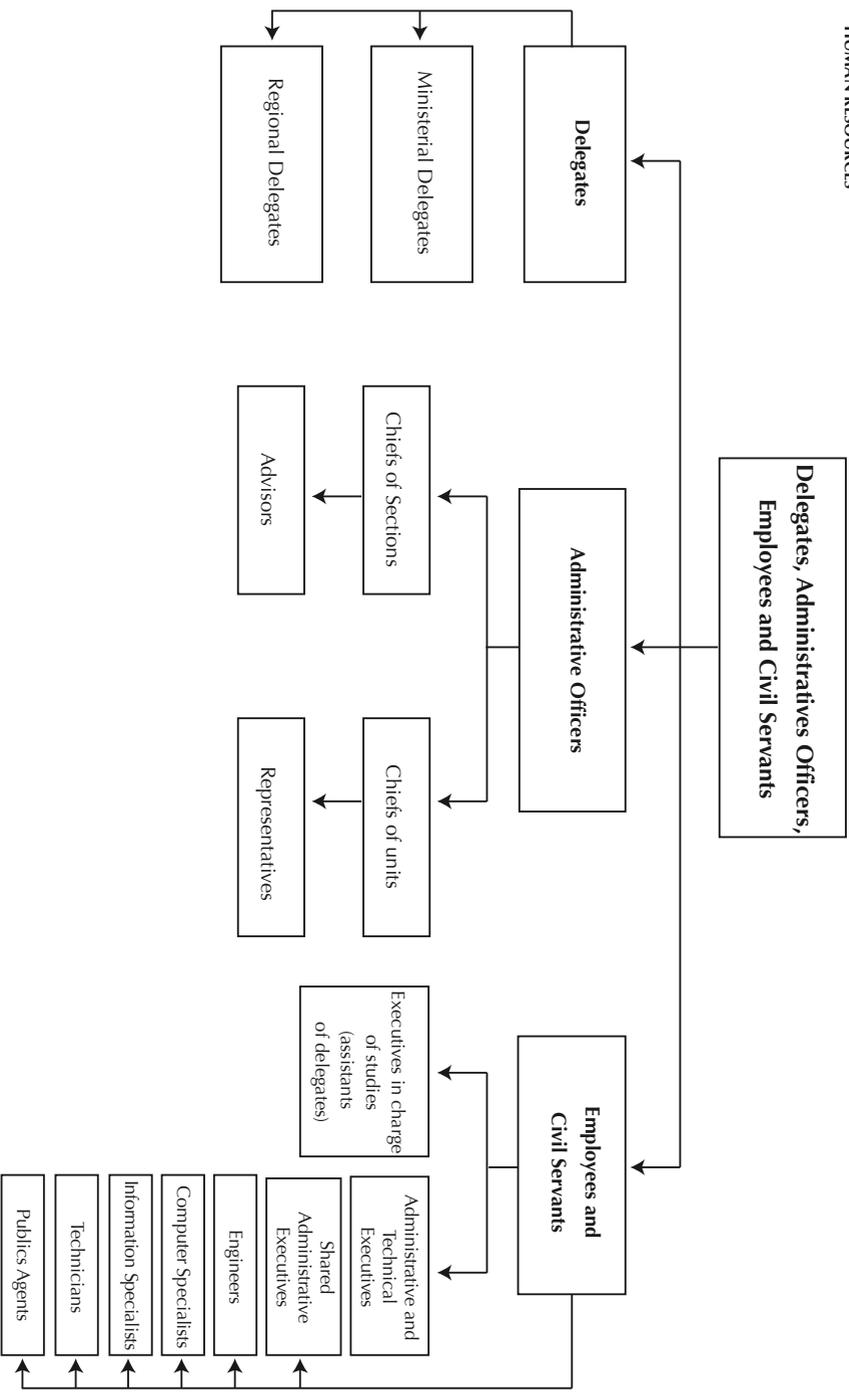
- Reinforce relations of cooperation and scientific, professional and technical exchanges between the institution and similar foreign institutions;
- Strengthen coordination relations between the institution and other national and foreign bodies having the same objective within the framework of exchanges of experiences and expertise;
- Organize, in consultation with scientific institutions and concerned administrations, all scientific activities related to the institution's fields of interest, and particularly the promotion of communication between the administration and citizens ;
- Coordinates relations with public and private mass media.

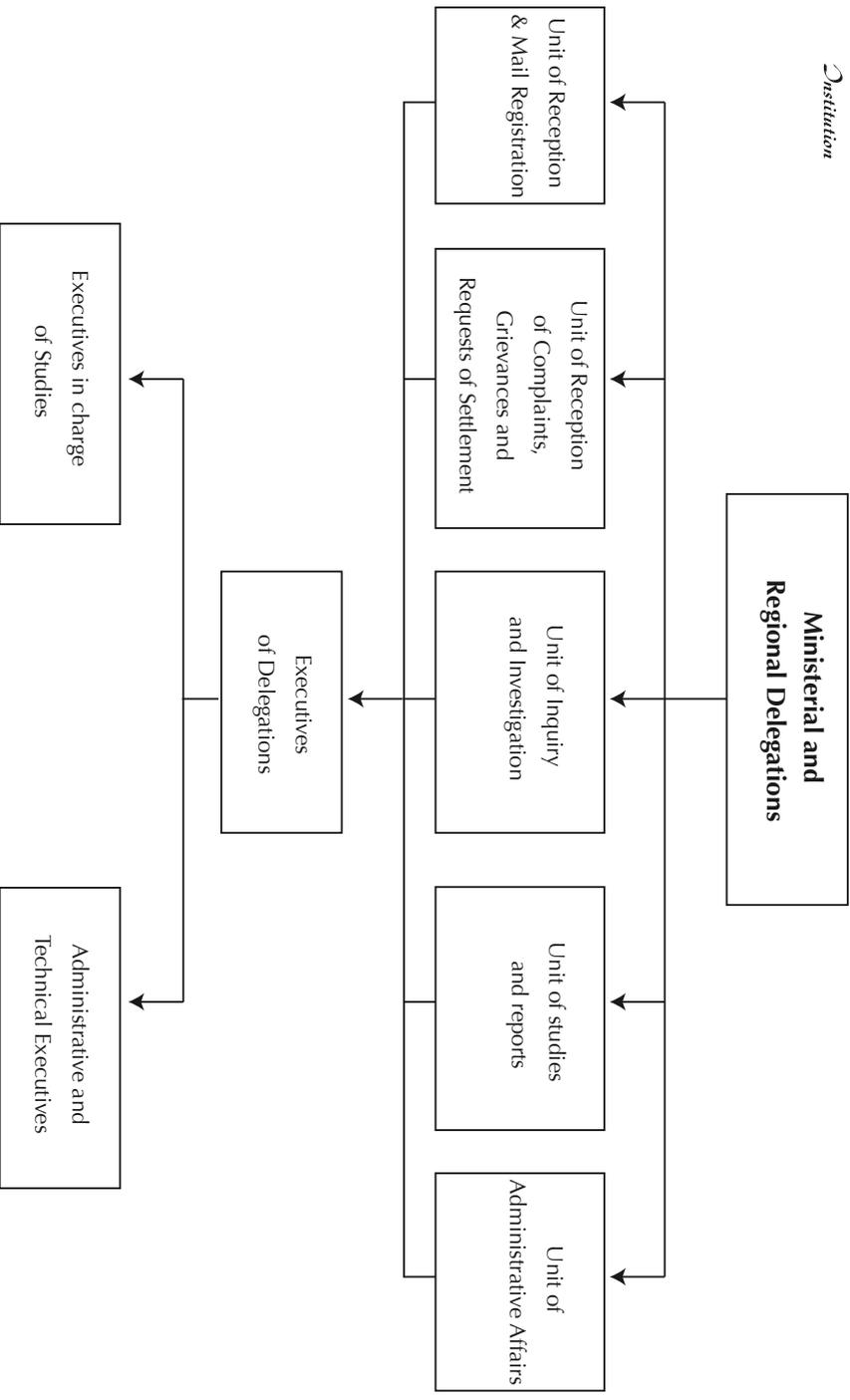
Article 4.The Unit of Reception and Mail Registration shall be assigned to:

- Keep a central general register of grievances, complaints and requests of settlement received by the institution;
- Receive grievances, complaints and requests of settlement, received by the central administration and refer them to the concerned ministerial or regional delegates for action, including those sent directly by the Moroccan nationals residing abroad, in accordance with the instructions of Wali Al Madhalim ;
- Reorient toward the concerned authorities grievances, complaints and requests of settlement, received by Wali Al Madhalim, not falling within his purview;
- See to the registration of the correspondence received directly of conveyed by the central administration of the institution, and supervise their computer processing.

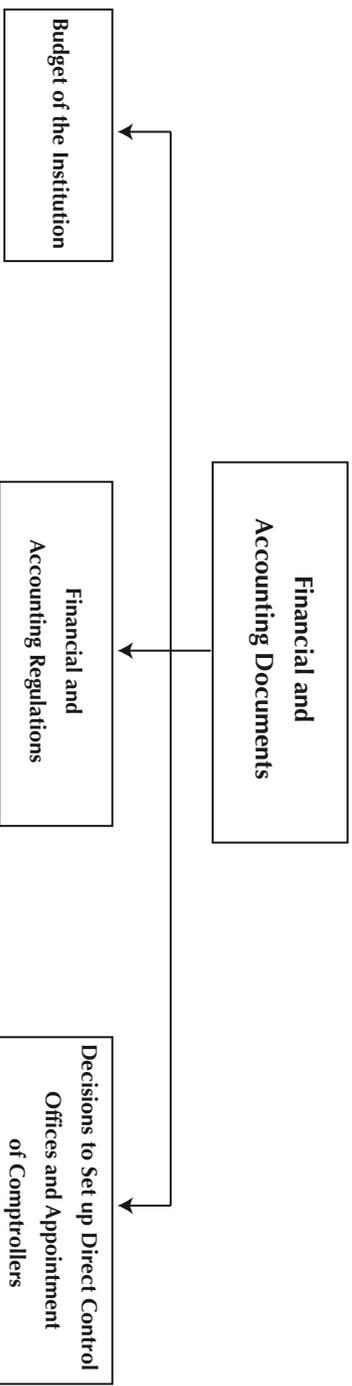
Organisational Chart
Diwan Al Madhalim





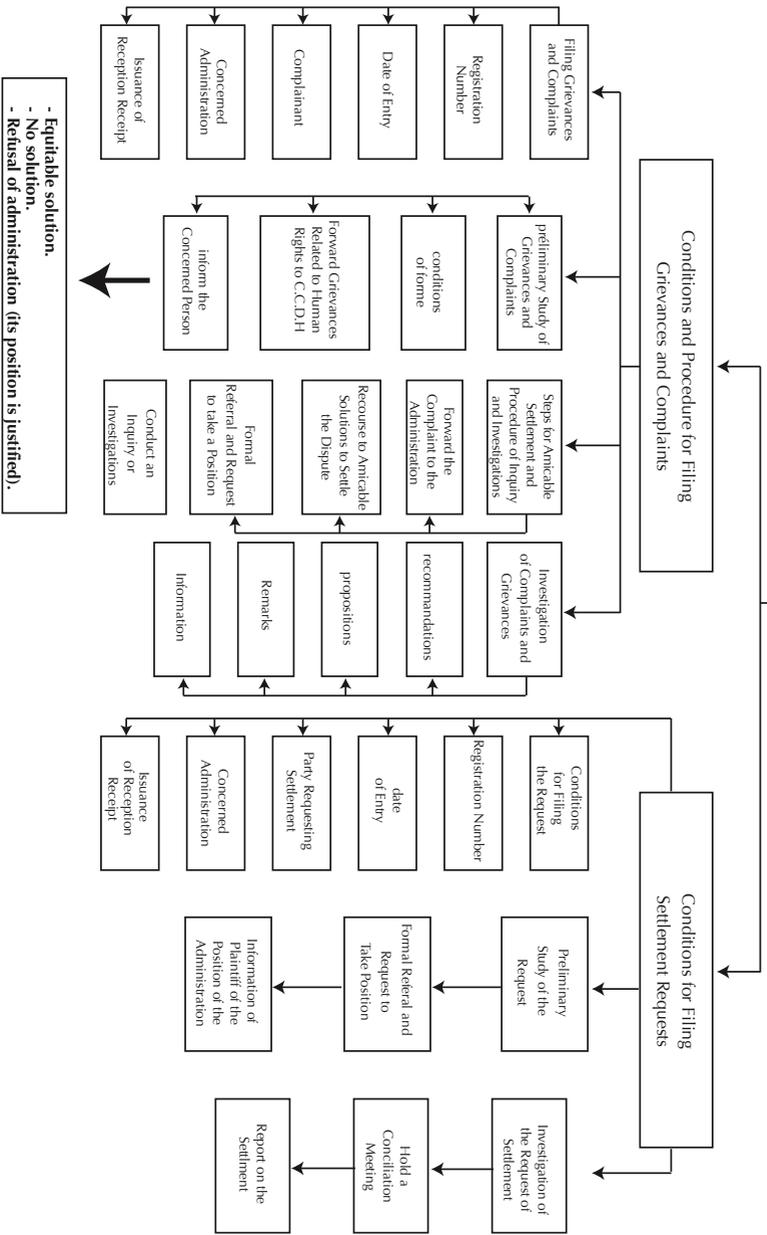


Financial and Accounting Organization
of
Sivan Al-Mashidin



NB : They involve financial and accounting documents constituting the reference framework for the financial and accounting organization of the institution in conformity with autonomy and control principles.

Conditions for Filing Grievances and Settlement Requests



- Equitable solution.
- No solution.
- Refusal of administration (its position is justified).