

Dahir N° 1-07-208 dated on December 21th, 2007 regarding the setting up of the Council for the Moroccan Community Abroad

Praise be to God

The Sherifian Seal with the following inscription inside
(Mohammed bin Al Hassan bin Mohammed bin Youssef, may God be with him)

Let it be known, from our present *Dahir*, may God elevate its content, that

- As Our Majesty has always attached the utmost importance to improving the living conditions of our citizens, wherever they may be, and ensuring that they exercise all rights and obligations inherent in their citizenship;
- Given our determination to enhance the strong ties binding them to their country;
- Building on the relentless efforts we have made in this connection; and
- Considering our keen desire to keep abreast of the fast growing number of Moroccan expatriates, and to set up efficient institutions for this purpose, mainly a body which has the ability to perform different tasks such as to conduct consultations and to help shape policies related to immigration and Moroccan expatriates' affairs;
- In keeping with our commitments and with the expectations of the whole nation as well as with the advisory opinion of the Advisory Council for Human Rights, calling for a Moroccan expatriates Council to be established as an advisory body, working under our authority and entrusted by Our Majesty with the broad missions outlined above;
- Aware of the need for Council members to be chosen from among Moroccans who enjoy a good moral reputation in the host country, and who are known for their commitment to the nation's sacred institutions, its immutable values and its unified multi-faceted identity, as well as from among those who make up the lifeblood of the nation and are known for their competence, experience, credibility and special input,
- Keen to ensure that the Moroccan community abroad enjoys a genuine, balanced, rigorous, efficient and credible representation, which is attuned to the principles of inter-generational equity, gender equality, and fair geographical distribution;
- Looking forward to seeing all members of the Council actively involved in the current joint efforts to forge a democratic, modern society, which is committed to its genuine identity, willing and eager to mobilise the creative energies of Moroccan expatriates, to channel them towards the modernisation and advancement of their country, and to enhance its human resources, its cultural influence and its international standing;
- Reaffirming that this Council, like other consultative bodies set up under Our Majesty's authority, with a view to giving its advisory opinion on all matters relating to the achievement of this lofty objective, will receive from Our Majesty, as a King and a citizen, the support it needs to work responsibly and independently, within the sphere of its jurisdiction and in compliance with the principle of separation of powers;

In view of the above, and in light of Article 19 of the Constitution,

Our Majesty has decided the following:

Article one

An advisory body shall be established under Our Majesty's authority, called "the Council for the Moroccan Community abroad". It shall provide Our Majesty with its opinion on immigration issues, especially matters concerning our citizens abroad. It shall hereinafter be referred to as "the Council".

Chapter one

Terms of reference

Article 2

The Council shall have a mandate to give its opinion on:

- Preliminary draft bills and by-laws related to emigration issues and matters concerning Moroccans living abroad;
- Basic trends in general policies aimed at enabling Moroccan expatriates to remain committed to their Moroccan identity, especially in respect of teaching languages, religious education and cultural activities;
- Measures to safeguard the rights and advance the interests of Moroccan expatriates, especially those in difficult or precarious situations;
- Means designed to encourage Moroccan expatriates to join institutions, get involved in various areas of national activity and help promote programmes designed to support them;
- Means to upgrade Moroccan expatriates' input in building the capacities of their country of origin, at the national, regional and international levels, and in shoring up its efforts to achieve sustainable human development in a modernised society;
- Developing modern strategies for communication, interaction and cooperation with host countries, at the cultural, human and economic levels.

The Council shall also monitor trends and projections at the political, economic, cultural and scientific levels.

Article 3:

The Council shall prepare a yearly report on its activities, as well as a general two-year report analyzing the trends concerning Moroccan emigration and its specific problems.

Article 4 :

The Council shall, within its field of competence, discuss matters referred to it by Our Majesty. It shall submit to Our Majesty, for consideration, such recommendations as it deems relevant and likely to be instrumental in improving the conditions of Moroccan expatriates. The Council shall also prepare reports on the specific issues it addresses at its plenary sessions or on matters referred to it by Our Majesty.

Article 5 :

All government and public institutions and their affiliated departments, as well as local governments and professional chambers shall provide the Council, each in their field of competence, with the information needed by the Council to carry out its mission, whenever that information is requested.

Chapter II

Composition and Members' Status

Article 6 :

The Council shall be formed in accordance with the transitional provisions stipulated in Article 24 of the present *Dahir* (Royal Decree).

Article 7 :

In addition to the President, the Secretary-General and the members, who shall all hold voting powers, the Council shall include members with observer status, representing Government authorities in charge of justice, home affairs, foreign affairs and cooperation, waqf and Islamic affairs, finance and the economy, education, training and scientific research, youth and sports, labour and social affairs, Moroccan expatriate community.

Representatives of the following institutions shall also serve on the Council:

The Higher Ulema Council, councils, associations or bodies of Moroccan Ulemas abroad, the Hassan II Foundation for the Moroccan Community Abroad, the Mohamed V Foundation for Solidarity, the Advisory Council for Human Rights, Diwan Al Madhalim, the Royal Institute for Amazigh Culture.

Article 8 :

Council membership shall be on a voluntary basis. However, members may be provided with allowances for assignments or participation in Council sessions.

The rules of procedure of the Council shall determine how and under what conditions the above provisions are to be implemented.

Article 9 :

Council members shall pledge to perform the duties assigned to them with faithfulness, impartiality and dedication in order to uphold the higher interests of the nation. The status of Council members shall be determined by the rules of procedure of the Council.

Article 10 :

Any Council member convicted of crime or offence by a final court decision shall automatically and by virtue of law lose his membership.

Loss of membership may come at the behest of the President of the Council, for one of the following reasons:

- The seat becomes vacant as a result of death, or permanent disability or failure to attend more than two sessions for unjustified reasons,
- Undermining the letter or spirit of the present *Dahir*, mainly through non compliance with the rules of conduct and ethical obligations arising from the honour of being a Council member.

A member shall be stripped of membership and replaced in accordance with the same procedure whereby he or she was made a member.

Chapter III Organs of the Council

Article 11 :

The Council shall be made up of the following bodies:

- The General Assembly ;
- The President ;
- The Bureau ;
- The General Secretariat ;
- Working groups.

Section I General Assembly

Article 12

The General Assembly shall be made up of all Council members.

It shall be convened by the Council President in order to discuss the agenda approved by Our Majesty and shall, in particular:

- a. approve the Council's one-year or multi-year program of action and the related budgets;
- b. examine draft reports, recommendations and advisory opinions submitted to it as per the agenda;
- c. discuss and adopt the Council's rules of procedure in accordance with the conditions stipulated in Article 22 hereunder;
- d. request Our Majesty's approval to discuss an urgent business falling within the Council's competence.

Article 13

The General Assembly shall be valid when at least half its members are present.

It shall make decisions through an absolute majority vote of attending members, except for items "c" and "d" above whose examination shall require a two-third majority.

Article 14

The Council's General Assembly shall meet once a year in regular session during the month of November in keeping with the agenda and at a date to be submitted by the Council President to Our Majesty for consideration, upon consulting the Council's bureau.

The General Assembly may convene in special session upon instructions by Our Majesty.

An extraordinary session of the General Assembly may be convened at the request of two-thirds of its members, subject to approval of the date and of the agenda by Our Majesty.

Section II The President

Article 15

The Council's President shall be appointed by *Dahir* for a 6-year renewable term of office.

Article 16

The President shall be in charge of running the Council and ensuring coordination between its organs and activities. The President shall take all necessary measures to ensure the Council's proper functioning, especially the following:

- draw up the Council's agenda and schedule for Council sessions, and submit them to Our Majesty for consideration;
- invite members to attend regular and extraordinary sessions;
- submit the Council's conclusions to Our Majesty;
- draw up the Council's annual budget, of which he shall serve as the authorizing officer;
- supervise the Council's human resources.

The President shall be the spokesperson of the Council and the official interlocutor of government authorities, of similar institutions and of international agencies operating in the same areas of competence.

The President may request Our Majesty's permission to delegate some of his powers to Council members, and he may delegate the Council budgetary prerogatives and the related disbursement authorization to the Secretary-General.

Should the President be unable, for some reason, to perform his duties, Our Majesty shall appoint a Council member to run Council sessions on a provisional basis.

Section III Bureau of the Council

Article 17

In addition to the President and the Secretary-General, the Bureau shall be made up of chairmen of the working groups mentioned hereunder.

The President may invite a rapporteur, a member of a given working group, a Council member, or an outside party concerned by an agenda item, to participate in Bureau proceedings.

Article 18

The Bureau shall assist the President in discharging his mission. The President may delegate functions to some Council members, subject to permission by Our Majesty.

Bureau meetings shall be convened by the President.

The rules of procedure shall specify Bureau proceedings.

Section IV General Secretariat

Article 19

The Council's secretariat shall be supervised by a Secretary-General appointed by *Dahir* for a four-year term of office. He may or may not be a Council member.

If the Secretary-General is not a Council member, he shall take part in Council proceedings in advisory capacity.

In addition to the powers delegated to him by the President, the Secretary-General shall ensure the Council's administrative and financial management, under the President's supervision. The General Secretariat and the Council's administrative services shall be assisted by advisers and experts to meet its technical and administrative needs, in accordance with the provisions of Article 22 below.

Section V Working Groups

Article 20

The General Assembly may set up working groups and determine their areas of competence. Working groups shall examine measures which are likely to help the Council fulfil its mission, and shall propose these measures to Council organs.

Each working group shall draw up an activity report and submit it to the annual meeting of the General Assembly. Working group reports shall be included in the Council's general activity report mentioned in Article 4.

No Council member shall sit on more than one working group. Each working group shall elect a chairman and a rapporteur.

In addition to working groups, the Council may set up an ad-hoc committee, upon instructions by Our Majesty to this effect, or on the President's initiative, after discussion of the matter and permission by Our Majesty.

Ad-hoc committees shall look into a specific question each. In addition to Council members, ad-hoc committees may include other experts working in the committee's area of competence.

The organization and operation of working groups shall be specified in the Council's rules of procedure.

Chapter IV Administrative and financial resources

Article 21

The Council shall enjoy administrative and financial autonomy. A special budget will be earmarked for it to cover operating costs and capital expenditure.

The appropriations required for Council operation shall be included in the State budget.

Article 22

To discharge its mission, the Council shall have a staff composed of seconded civil servants and of its own contract personnel.

Should the need arise, the Council may seek assistance from external advisers and experts, in keeping with the provisions of Article 19.

Chapter V Rules of Procedure

Article 23

In accordance with the regulations stipulated in the present *Dahir*, the Council's rules of procedure shall specify the Council's financial and administrative setup and operation, as well as the modalities for the exercise of its powers and for holding its meetings and conducting its business.

The Council's President shall draw up draft rules of procedure, to be discussed by the Council and endorsed by Our Majesty, as per the provisions of Article 12.

Chapter VI Transitional provisions

Article 24

During its initial, four-year term of office, and in addition to the President, the Council shall be made up of fifty (50) members, who shall be appointed by *Dahir*.

Article 25

Until the Council is installed in its future make-up, the current Council as well as all related and associated organs shall exercise the powers conferred upon them as per the provisions of the present *Dahir*.

In addition, the current Council shall, in particular, deepen studies and consultations to submit to Our Majesty pertinent proposals regarding its views on the Council's composition, and on the most appropriate modalities for the selection of its members. The Council shall endeavour to guarantee the best and most efficient representation of Moroccan communities abroad.

A *Dahir* shall state the future composition of the Council.

Article 26

The present *Dahir* shall be published in the official gazette.

Done in Rabat on December 21th, 2007.