

Urban Land in Morocco:legal-Institutional Dysfunctions and Mitigation Measures

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Key words: Implementation of plans; Land management; Legislation; Reference frames; Spatial planning

SUMMARY

Land is an issue characterized its composite, multidimensional and multi-stakeholder nature related to the political, economic, and socio-spatial dynamic forces. The studies related to land in the urban territory requires both heuristic and empirical awareness. Usually, the question of the causalities comes up between legal-institutional system and urban dysfunctions, the interactions between the land and the urbanism, the reasonof the public action, the governance and management principles, as well as stakeholder responsibilities. It is necessary to highlight the handicaps of methods, instruments, and public policy that deal with land and urbanism. The area of the new urbanization areas provided for the planning documents exceeds 70,000 ha. Overall needs in urban areas were estimated at nearly 118 000 ha during [2014-2034], at a rate of 5900 ha per year, with an annual increase of 28% compared to the needs of [2004-2014].

At the institutional level, the administrative system is synonymous with fragmentation and incoherence of public action. Moreover, the legal framework continues to resort to partial, cyclical and often non-regulatory reactions.

The delay and reluctance of the public authorities and the question of the voluntarism of the government are at stake. In the absence of mechanisms of regulation and arbitration, between diverse and divergent interests, the official speeches on the democratization of urban planning and land management is challenging.

How to define, clearly and lucidly, objectives to guarantee the legal security of land ownership and facilitate the mobilization of urban land? How to ensure land equity, work for social cohesion and arbitrate between diverse and divergent

interests?

Beyond an analysis that aims to reveal dysfunctions, this work tries to discuss and propose mitigation measures to this situation of disability. Attention should be given to the interpretation of a number of new or project texts, programs and actions.

In doing so, it would be relevant to articulate this reflection around three axes. First, we will list the major legal and institutional dysfunctions related to the land issue in Morocco. Then, it will be necessary to meditate the mobilization of urban soil in view of urban and land policies in force. Lastly, attention will be paid to readjustments and reforms of public action, while trying to outline a renewal in the field of land policy.

Key words: Land, urban planning, public policy, public actors, dysfunctions, reforms.

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