

# PROTECTED AREAS: A REFLECTION BETWEEN THE MANAGEMENT, PROTECTION OF NATURAL HERITAGE AND THE RELATIVE LAW, CASE OF MOROCCO

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## ABSTRACT

*The management of protected areas in Morocco involves the intervention of several ministerial departments: Agriculture, water and forestry, fisheries, water management territory, town planning and housing, environment, interior, public health, energy and mines, tourism, etc. The creation of a protected area must pursue specific, previously defined objectives corresponding to the protection of natural ecosystems, the safeguarding of species of fauna or flora or the conservation of sites of particular biological, ecological, scientific, cultural, educational or recreational interest, or which contain natural landscapes of great aesthetic value.*

**Keywords:** Natural heritage, Biodiversity, Sustainability, Conservation, Restoration.

## INTRODUCTION

### Managing protected areas

Generally speaking, the management of protected areas in Morocco involves the intervention of several ministerial departments: Agriculture, water and forestry, fisheries, water management territory, town planning and housing, environment, interior, public health, energy and mines, tourism, etc.

The way national parks are managed has one that is directed towards the protection and conservation of protected species. These actions are articulated as follows:

- Ensuring as main mission the conservation and rehabilitation of the Bald Ibis population.
- Integrate local populations by involving them in the management of certain natural resources and thus allowing them to benefit directly from the park's advantages.
- Generate revenue and contribute to local and regional economic development.

The establishment of a national park has 4 objectives:

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- Conserve, rehabilitate and conserve natural and cultural resources.
- Contribute to sustainable local development by reconciling conservation imperatives and the need for economic and social development.
- Promote awareness and increase the sensitivity of stakeholders and visitors through an environmental awareness and education program.
- To develop scientific research.

### **PROTECTION OF THE NATURAL HERITAGE**

The importance of preserving and protecting natural heritage has proven to be more important than expected. In this sense, the Moroccan political powers decided to promulgate a Dahir on national parks, promulgated in 1934, and the first two national parks of Morocco were created: Toubkal, in 1942, and Tazekka, in 1950.

However, the development of protected areas in Morocco has changed since 1992, the date of the United Nations on Environment and Development (Rio Summit, 1992).

On that date and on that occasion, Morocco did not go unnoticed was one of the first countries to sign the Convention on Biological Diversity (CBD) at the Rio Summit. This convention makes Morocco responsible for adopting measures aimed at preserving biological diversity and ensuring that the distribution of biodiversity is sustainable.

In 1995, Morocco thus clearly committed itself to contribute to the achievement of the objectives of this convention, which are as follows:

- The conservation of biological diversity
- The sustainable use of its components, and
- The fair and equitable sharing of the benefits arising from the use of genetic resources.

As a first step, this commitment has led to the completion of national biodiversity the study, which has resulted in the development of a biodiversity strategy and action plan. The action plan on biodiversity and the master plan for protected areas, carried out in 1996, enabled Morocco to develop a vision and a roadmap for the conservation and rehabilitation of its natural environment and, therefore, for an active contribution to the objectives of the CBD 'Convention on Biological Diversity'.

Between 1993 and 1995, Morocco carried out a national study on protected areas, which covered all the country's natural ecosystems and allowed:

- An evaluation of the main natural environments
- An evaluation of the status of endangered, endemic and rare species of fauna and flora flore
- The identification of a national network of SIBE, for the establishment of the master plan of protected areas
- Proposals of management methods for the SIBE identified

This study highlighted the richness and biological diversity that Morocco has to offer. It also showed that the Moroccan forest constitutes the founding element of the country's ecological wealth. It is home to two-thirds of the plants and one-third of the animal species. In order to ensure the preservation of this heritage, the study identified a network of more than 150 Sites of Biological and Ecological Interest

(SIBE), covering about 2.5 million hectares and representing all the natural ecosystems of the country.

The Master Plan for Protected Areas (PDAP), elaborated in 1996, had identified 154 Sites of Biological and Ecological Interest (SIBE), covering an area of about 2.5 million hectares and representing almost all the natural ecosystems of the country. The implementation of this plan made it possible to strengthen the national network of protected areas through the creation of six other National Parks between 2004 and 2008. This brought the number of National Parks, officially created under the National Parks Act of 1934, to 10, with a total area of about 750,000 ha.

The Protected Areas Management Plan is a strategic plan for conservation and development. Sustainable in its biological, ecological, and cultural dimensions. It is based on three axes:

- Conservation and restoration of habitats and species, through:
  - The establishment of legal status for the protection of wildlife and the flore
  - The reintroduction of wildlife species and the rehabilitation of their habitats
  - The development of scientific monitoring tools
- Valorization of the natural and cultural assets of the SIBE network, through:
  - The realization of Eco-development projects
  - The promotion of ecotourism
- Communication, awareness-raising, and education, through:
  - The development and implementation of educational programs
  - Capacity the building of NGOs
  - Development and implementation of a communication plan on protected areas

Globally, protected areas are considered an essential element of any strategy for the conservation and sustainable use of biodiversity.

### **LAW 22-07: A LAW ON PROTECTED AREAS**

The first legislation that Morocco had on protected areas was the Dahir of 1934, relating to the creation of national parks.

This law led to the creation of 09 national parks, two of which have maritime facades (or parts), the national parks of Souss Massa (in 1991) on the Atlantic coast and Al-Hoceima (in 2004) on the Mediterranean coast.

In order to better respond to these international principles and adapt to the evolution of the protection of natural heritage, both regionally and internationally, it had become urgent and imperative to provide the sector with a legal framework that takes these developments into account and can adapt to future developments, in harmony with the regional and international conventions and agreements to which Morocco has subscribed.

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For this reason, the new legislation adopted (Law 22 - 07, relating to protected areas) includes not only national parks but also other categories of protected areas, recognized worldwide, adapting the criteria applicable to it to the specific conditions of Morocco.

According to Law 22-07, a protected area is defined as any terrestrial and/or marine space, geographically delimited, duly recognized and specially developed and managed for the purpose of ensuring the protection, maintenance and conservation of the environment.

The improvement of biological diversity, the conservation of natural and cultural heritage, its enhancement, its rehabilitation for sustainable development, as well as the prevention of its degradation.

According to this law, a protected area in Morocco can be classified, according to its characteristics, its vocation, and its socio-economic scope, in one of the following categories:

- National Park
- Natural Park
- Biological reserve
- Nature reserve
- Natural site

The national park is a natural terrestrial and/or marine area, in the absolute sense, whose purpose is to protect biological diversity, landscape and cultural values and/or geological formats presenting a special interest developed and managed for cultural, scientific, educational, and recreational and tourism purposes, with respect for the natural environment and the traditions of neighboring populations.

The natural park is a terrestrial and/or marine area, containing a natural heritage and ecosystems representing a particular interest that needs to be protected and enhanced, while ensuring the maintenance of its ecological functions and the sustainable use of their natural resources.

The biological reserve is a terrestrial and/or marine area located exclusively on State land, containing rare or fragile natural environments of biological and ecological interest, whose purpose is the conservation of plant or animal species and their habitat, for scientific and educational purposes.

The nature reserve is a natural area, terrestrial and/or marine, constituted for the purpose of conserving and maintaining the good state of sedentary or migratory fauna, soil, water, fossils and geological and geomorphologic formations of particular interest that needs to be preserved or reconstituted. It is used for scientific research and environmental education purposes only.

Natural site is an area containing one or more specific natural or natural and cultural elements, of exceptional or unique importance, deserving of protection on account of their rarity, representativeness, aesthetic qualities or landscape, historical, scientific, cultural or legendary significance, the conservation or preservation of which is of general interest.

This overhaul of the legal framework tends to involve the administrations, local communities and populations concerned in the process of creating and managing protected areas, so as to involve them in the sustainable development of these areas.

For the purpose of preserving biodiversity and natural heritage, protected areas may be established, under the conditions laid down in this Law and the texts adopted for its application, for the purpose of conservation, scientific research, the development and rehabilitation of the natural and cultural heritage, the education and recreation of citizens, the promotion of ecotourism and the contribution to development.

The creation of a protected area must, therefore, pursue specific objectives, defined in advance, corresponding to the protection of natural ecosystems, the safeguarding of species of fauna or flora or the conservation of sites which are of particular interest from the scientific, cultural, educational or recreational point of view, or which contain natural landscapes of great aesthetic value.

From Official Bulletin No. 5866, 19 August 2010, pp. 1581-1587 of 16 July 2010.

This law was promulgated by Dahir No. 1-10-123, which repeals all provisions contrary to this law, in particular those of Dahir of 30 Joumada I 1353 (11 September 1934) on the creation of national parks and the texts taken for its application.

Law n° 22-07 relating to protected areas promulgated by Dahir n° 1-10-123 of 3 Shaaban 1431 (16 July 2010). Praise be to god alone!  
Considering the Constitution, particularly its Articles 26 and 58, has decided the following:

“This was promulgated by Dahir n ° 1-10-123. This law repeals all provisions contrary to this law, in particular those of the dahir of 30 jomada I 1353 (September 11, 1934) on the creation of national parks and the texts taken for applying wires.

Done at Al Hoceima, on 3 Shaaban 1431 (16 July 2010).

For counter signature:

Abbas El Fassi.

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Law No. 22-07 relating to protected areas  
Preamble”

Morocco has a natural heritage rich in rare species, natural ecosystems and landscapes of inestimable value that must be safeguarded and preserved. Aware of the importance of preserving this national natural heritage, the public authorities have always been interested in the gradual creation of national parks.

This particular interest has been strengthened since the Kingdom of Morocco ratified the Convention on Biological Diversity in 1996, reflecting our country’s commitment to a policy of sustainable development, which seeks both to safeguard our biological diversity and to protect endangered species and which is receiving growing support from international bodies.

This policy which aims in particular at establishing a national network of protected areas covering all-natural ecosystems throughout the Kingdom is however governed by old legislation whose provisions no longer meet the international criteria that should be applied to protected areas.

In order to better meet these international criteria and adapt to the evolution that the protection of natural heritage is undergoing, both at the regional and international levels, the sector has been provided with a legal framework that takes these evolutions into consideration and that can adapt to future developments, in

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harmony with the regional and international conventions and treaties to which Morocco has subscribed.

To this end, this law specific to protected areas encompasses not only national parks, but also other categories of protected areas, recognized worldwide, adapting the criteria applicable to it to the specific political and economic context of our country.

This overhaul of the existing legal framework aims to involve the administrations, local communities, the population's concerned and interested actors in the process of creating and managing protected areas, so as to involve them in the sustainable development of these areas.

For the purpose of preserving biodiversity and natural heritage, protected areas may be established, under the conditions laid down in this Law and the texts adopted for its application, for the purpose of conserving, developing and rehabilitating the natural and cultural heritage, scientific research, raising the awareness and entertaining citizens, promoting ecotourism and contributing to sustainable economic and social development.

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Considering the Constitution, particularly its Articles 26 and 58, has decided the following:

Is promulgated and will be published in the Bulletin Official, following this dahir, the law n° 22-07 relating to protected areas, as adopted by the House of Councillors and the House of Representatives.

Done at Al Hoceima, on 3 Shaaban 1431 (16 July 2010).

For counter signature:

The Prime Minister,

Abbas El Fassi.

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