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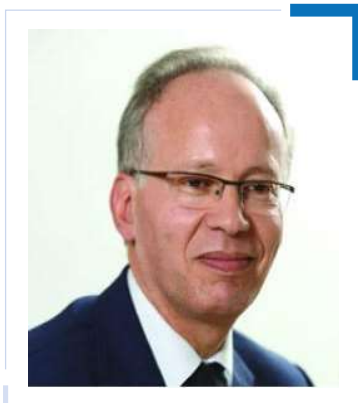
# Annual report 2022

## Executive summary





## Chairman's Message



The annual report of the National Authority for Probity Prevention and Fight against Corruption, for the year 2022, is issued at a turning point marking the end of the exceptional transition period, which was initiated in the aftermath of the Royal appointment, by which I was honored in December 2018, to hold the responsibility of President of this constitutional institution. Inspired by the high guidance of His Majesty the King Mohammed VI may God assist Him, and his wise aspiration to make a profound and tangible change in the fight against corruption in our country, the Authority's endeavors during this period were devoted to establishing the framework and basis

for forthcoming anti-corruption actions. Based on a global vision, this work is intended to lead to a new era of sustained, inclusive, and sustainable development, free from the harmful effects of corruption.

Convinced of the absolute necessity to launch a new phase of the fight against corruption in Morocco, that will bring a profound change capable of bending the curve of this scourge, the Authority's efforts to redraft its legal framework, as well as the other areas of action launched over the past four years, have taken into account the scope and complexity of its mission, including the needs in regard to mobilization, involvement, and coordination, within a framework of institutional complementarity and strong linkage between the roles and responsibilities of the different actors involved in this process of reform and action, decisive for the future of our country.

Therefore, the redrafting of the law related to the Authority is not limited to defining its powers and missions, but also specifies the framework and organization, which should ensure convergence around the same strategic orientations, coordination with the relevant stakeholders, and the mechanisms for their implementation in the fields of awareness-raising, education, as for the promotion of the values of probity, governance, accountability, and the prevention and fight against corruption.

Based on this same frame of reference and in compliance with the letter and spirit of law 46-19, the Authority has, during this period of transition, set out the foundations of the abovementioned strategic orientations of the State's policy on preventing and combating corruption, backing them up with opinions and recommendations, which arise from the global vision for a profound change capable of generating the expected impact, and which is noticeable by as many people as possible, to restore confidence and guarantee mobilization and the widest possible involvement in the overall dynamic.

This is particularly relevant as the phenomenon of corruption is spreading, in a context characterized by a paradox where expectations of institutions to take effective action against this scourge are becoming pressing, while trust is being eroded. A context in which the values of probity and a shared awareness of the damage and consequences of corruption, both individually and collectively, are increasingly weakened.

All these factors combined, reinforce the Authority's belief in the need to accelerate the shift to a new phase in the fight against corruption in Morocco, at a time when our country has, more than ever, all the ingredients to establish a vision that is as ambitious as it is realistic, within the framework of a new-generation strategy that capitalizes on and promotes achievements and adopts a new approach for greater effectiveness, efficiency, and impact.

In releasing this annual report, the Authority confirms its commitment to working towards the desired change, fully assuming all of its responsibilities, particularly with the beginning of the normal period pursuant to the entry into force of Law 46-19. Even though the Authority is fully aware that its constitutional role of orientation, supervision, and coordination is central, the challenge for our country can only be overcome through a broad and strong mobilization, within a framework of synergy, institutional complementarity, and articulation of roles and responsibilities.

It is under these terms that, in this complex domain, given its nature and the multiplicity of stakeholders, we will incorporate the principle of seriousness, as called for by His Majesty, and guarantee the consecration of the principle that makes the prevention and fight against corruption a national priority, while being sure not to reproduce the results of past experiences.

**Mohammed Bachir RACHDI**  
**Chairman of the National Authority for Probity**  
**Prevention and Fight Against Corruption**



## Executive summary

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The 2022 annual report of the National Authority for Probity, Prevention and Fight against Corruption (INPPLC) is released at a turning point between two phases. The first phase was an exceptional transitional period that lasted until October 2022. It was particularly shaped by the INPPLC's efforts, under the authority and responsibility of its President, to accompany the establishment of its legal framework and implement its strategic and organizational reference framework as well as its operational structures. Simultaneously, the Authority has initiated at this phase a set of projects to deepen the objective understanding of corruption and its manifestations. These projects were the basis for the Authority's proposals and recommendations to bring about profound change in the prevention and fight against corruption in our country. The second phase effectively began on October 24th of the same year following the appointment of the Authority's Members and its Secretary-General and the establishment of its governing bodies. This ensured that each body of the Authority could carry out its duties, as outlined in Law no. 46.19, and by the requirements of joint action and institutional and functional complementarity between INPPLC and relevant authorities and institutions.

In this unique context, the current report aims to achieve multiple objectives that provide insight into the transition towards the new phase. It builds on the accomplishments of the transitional phase, which served as a founding stage, and aims to grant itself its constitutional and legal status as a :

- repository for the Authority's annual activities,
- tangible expression of its status as an institution with its independent entity and discourse within the national institutional framework,
- constitutional mechanism through which the INPPLC exercises its key role in preventing and combating corruption. That role encompasses all aspects of diagnosis, monitoring, assessment, proposals and recommendations, inquiries and investigations, and referrals to law enforcement authorities.

Accordingly, the 2022 annual report affirms that the prevention of and fight against corruption is a field for joint action that is framed by the principle of institutional and functional coordination. Such coordination guarantees the complementarity of efforts from all involved authorities and institutions. The report also aims to recognize the value of work based on programming, planning, and objective targeting of programs and projects that have a tangible impact. It strengthens the process of recommendations and proposals while developing mechanisms to ensure positive responsiveness from the respective authorities and institutions.

Furthermore, this report reinforces an institutional discourse characterized by its:

- Objectivity based on the development and diversity of diagnosis,
- Constructive assessment that appreciates achievements, and identifies the reasons behind shortcomings to provide viable alternatives;
- Discourse based on deepening studies and research as part of the thematic reports released within the annual report or independently.

Moreover, the report aims to enlighten public opinion on the Authority's collective decision-making process, highlighting the INPPLC's institutional governance, and therefore safeguards the Authority's independence and consolidates the legitimacy and effectiveness of its decisions.

In response to these objectives, this report that covers the efforts of the Authority in 2022, was prepared in virtue of the provisions of Article 50 of the law n° 46.19 on the INPPLC and includes the following axes:

## **I. First axis: Assessment of Corruption Status:**

In this report, The INPPLC monitored the development of corruption at international, regional, and national levels. It based its diagnosis on the study and analysis of various sources, including relevant international and national indexes and reports. Finally, the diagnosis draws on the results of the national survey launched by the Authority's Observatory in 2022 in its section concerning citizens living in Morocco and Abroad.

In this respect, the Authority draws attention to the fact that the indexes and other data sources used to measure the perception of corruption continue to be the primary tool for monitoring this phenomenon and measuring its spread at a global level since no other alternative tool has been successfully adopted. Even though the results of these indexes and sources are significant, they remain relative. This relativity arises from their primary focus on how the target groups perceive corruption practices. Therefore, the Authority channeled its efforts towards the continuous development of diagnostic and research tools to deepen its knowledge about the different aspects of corruption and thus will improve corruption control through appropriate preventive and anti-corruption policies and measures.

### **1. The international level:**

The 2022 Corruption Perception Index revealed that corruption levels have remained largely stagnant. 95% of countries have not recorded any significant improvement since 2017, and the global average score remained unchanged at 43 out of 100 for the eleventh consecutive year. Moreover, over two-thirds of countries (68%) scored below 50 out of 100.

Data extracted from 180 countries, mainly highlight the high average scores of Western Europe and the European Union, against the declining ranking of sub-Saharan Africa. The CPI highlighted also the sharp decline recorded in countries facing authoritarianism or armed conflict.

As part of confirming the connection between the rising level of corruption and the deterioration of global peace, countries with high levels of violence and instability have also scored very low on the CPI. The index also revealed that developed economies are complicit in receiving illicit financial flows from developing countries.

To address these dilemmas, the CPI recommended strengthening institutions, prioritizing transparency, oversight, and the full, and meaningful engagement of civil society. It also advised countries to clamp down on corporate secrecy, foreign bribery, and professional enablers. The CPI also urged countries to take advantage of new ways of collaboration to ensure the effective tracing, investigating, confiscating, and returning of illicit assets to the victims.

The Authority noted that the results of the CPI 2022 on the connection between the rising level of corruption and the deterioration of global peace intersect with the results of the Global Peace Index. This year's GPI results stated that the average level of global peacefulness deteriorated due to conflicts and terrorism. The CPI 2022 results also intersect with those of the Human Development Index 2021-2022. The HDI confirmed that feelings of distress and fear from violence in all its forms, comprising organized crime and armed conflict, have been on the rise. Likewise, the CPI results intersect with the results of the freedom indicators used in the Freedom in the World Report, which confirmed that freedom worldwide deteriorated for the seventeenth year in a row and that democracy is also threatened in several regions throughout the globe.

## 2. The regional level:

The INPPLC found that the Middle East and North Africa region, with an overall CPI score of 38/100 in 2022, still undergoes a failure in the changes introduced more than a decade ago, leading to widespread civil unrest and instability and fueling political corruption.

In this regard, the INPPLC noted that out of 21 Arab countries, only three scored 50 or above on the CPI: the United Arab Emirates (67), Qatar (58) and Saudi Arabia (51). However, the scores of Libya (17), Yemen (16), Syria (13), and Somalia (12) placed them at the bottom of the CPI global ranking.

The Authority realized that the connection between the rising level of corruption in this region and the restrictions on basic personal and political freedoms, as confirmed by the CPI, intersect with the findings of the Freedom in the World Report, which showed that civil liberties are weak in (13) out of (18) Arab countries, with a significant deterioration in (8) eight of them.

**At the African level**, with an average score of 32 out of 100, the Authority found that Sub-Saharan Africa ranked sixth and last in the CPI 2022. Apart from the high scores achieved by Seychelles (70/100), Cabo Verde (60/100), Botswana (60/100), and Rwanda (51/100), a significant number of African countries fell below a score of 50.

During its analysis of the rise of corruption in Africa, the CPI 2022 found that the multiple crises that threaten security stability and democracy hurt corruption. The Freedom in the World Report confirms these findings and reveals that political crises, conflicts over the transfer of power, frequent leadership changes, irregular seizures of power by military or executive officials, corruption, and mismanagement all continue to impede the process of reinforcing democracy in Africa. According to the FIW Report, which has led to a decline in the level of enjoyment of freedom.

## 3. The national level:

Morocco has recorded a steady decline in the CPI, with a 38/100 score in 2022, indicating a five-point drop over the past four years. The decline began in 2018 when Morocco scored 43/100, then fell by two points in 2019, with a score of 41/100. A year later, the score declined to 40/100, then to 39/100 in 2021.

The Authority also highlighted that Morocco ranked ninth among Arab countries. It followed behind the United Arab Emirates, Qatar, Saudi Arabia, Oman, Jordan, Tunisia, Kuwait, and



Bahrain, outpacing twelve (12) other Arab countries. Within Africa, Morocco held a mid-level rank and was surpassed by eleven (11) other African countries.

Also, the Authority confirmed that the connection between the rising level of corruption in the MENA region, the democratic decline, and the restriction of political rights and civil liberties comply with the results of the FIW Report. These results stressed Morocco's negative response to Political Rights and Civil Liberties indicators. Morocco's poor scores in the Judicial Effectiveness and Government Integrity components of the Rule of Law, emanating from the Index of Economic Freedom, correlate with these negative trends. The low scores in the WJP Rule of Law Index factors of Criminal Justice, Absence of Corruption, Fundamental Rights, and Open Government also echo these negative results.

The INPPLC also tracked the evolution of corruption at the national level using the Arab Barometer VII Morocco Report released in October 2022. This Report emphasized the **enduring prevalence** of corruption and the increase in perceived levels of corruption among poor, vulnerable, and marginalized communities, which indicates that they are the ones who bear the brunt of corruption. The Arab Barometer indicated that the manifestations of corruption are more tangible through the rights denied to these communities, notably access to quality education, decent housing, healthcare and other fundamental rights.

Regarding **prosecutions**, the Authority based its analysis on the 2021 report from the Presidency of Public Prosecutor's Office, which confirmed that 205 bribery cases were caught in the act, following denunciations received through the dedicated hotline. These cases concern several sectors and involve authority officers and agents, Territorial Collectivities, the Royal Gendarmerie, National Police, Water and Forests, Civil Protection, Auxiliary Forces, Health, Justice, Equipment and Transport, and private sector employees.

As for corruption cases given to Financial Crimes Departments, the 2021 report from the Presidency of Public Prosecutor's Office confirmed that the number of ongoing cases reached 783, representing a decline of 47.30% compared to 2020 when the total number of ongoing cases was 1486.

While monitoring the scarcity of prosecutions in corruption cases, the Authority emphasized the need to overcome the constraints preventing stakeholders from actively denouncing and reporting corruption. The INPPLC affirms that collective engagement requires raising awareness about corruption and its impact on individuals and communities. It also demands providing whistleblowers with protection guarantees to motivate and shield them from potential harm.

As regards Financial judiciary, the INPPLC observed that 104 judgments on budgetary and financial discipline were issued with fines that reached the amount of MAD 4.741.500,00, in addition to orders to recover an amount of MAD 15.739.006,88. The Authority that most of those cases were associated with enforcement and revenue collection, the execution of delegated management contracts, failure to comply with regulations on public expenditure and public procurement, as well as false certification on the receipt of equipment and services before checking their compliance with the technical characteristics defined in the contracts, and unjustified financial gains for third parties.

Related to the acts that the financial jurisdictions have deemed liable to criminal sanctions, these concern mainly breach of the principle of equal treatment and fair competition on public procurement procedures, inflating prices, billing for work not performed, accounting



manipulation, the diversion of public assets for personal purposes and the acquisition of equipment in the absence of real need.

Also, the Authority expressed concerns over the small number of cases relating to budgetary and financial discipline submitted to the Court of Auditors by the competent authorities. An issue that has been raised on several occasions by the Court of Audits since the entry into force of its law.

Furthermore, the Authority praised the approach of the Presidency of the Public Prosecutor's Office vis-à-vis the reports of the Financial Courts, to detect and submit suspicious cases to the competent prosecutors' offices with the related instructions, while stressing the importance of setting legal provisions for the submission by the judiciary of cases subject to financial discipline or de facto provision, to the Financial Courts.

In order to deepen the objective knowledge about corruption at the national level, the Authority has **updated its analysis of the indicators beyond CPI**. The updated analysis shows that between 2021 and 2022, Morocco's ranking remained unchanged for most data sources (5/7), except for: The V-Dem Dataset, where Morocco's ranking dropped by 10 points (from 47 points in 2021 to 37 points in 2022), and the World Economic Forum EOS, where Morocco's score also declined by nine (9) points in 2022 compared to 2020, from 52 to 43 points. In addition, Morocco's score also registered a slight decline in the WJP Rule of Law Index, especially in the factor "Absence of Corruption".

To highlight Morocco's decline in the V-Dem indices and indicators, the study noted the declines recorded between 2019 and 2022 in the Public Sector Corruption Index, where Morocco lost 17 points, the Executive Corruption Index with a decline of 10 points, the indicator for Legislative Corruption, with a drop of 8 points, and the indicator for Judicial Corruption, with a deterioration of 7 points.

#### **4. Results of the National Research on Corruption: Moroccan citizens and expatriates:**

The national research builds on the Authority's conviction of the importance of precise and objective knowledge of corruption. Enhancing such knowledge guarantees the acquisition of effective anti-corruption mechanisms. To this end, the Authority relied on renewable field analysis methods, combined with the current perception indicators.

In this regard, the Authority conducted the second edition of the National Research on Corruption. The research collected data using a Moroccan citizens' and expatriates' opinion survey and another survey focused on companies.

The findings of the first survey revealed a negative perception of corruption among Moroccan citizens and expatriates. Most prominent data indicate that corruption was citizens' sixth main concern and expatriates' third main concern.

As for the prevalence of corruption, citizens respondents believed that its level remained high and that its intensity varied depending on sectors. The Public Health sector was the most vulnerable to corruption, followed by political parties, then by the parliament, and the unions. According to the survey, corruption was also widespread in the public sector regarding

employment and appointment of employees, career development, social allowances, licenses and permits attribution , and exceptional authorizations.

For real corruption's experience, it appears that one out of every four citizens in the survey population had, or at least one of their relatives, been victims of corruption during the research period. These findings concerned sectors such as the Royal Gendarmerie, Transport, National Police, the public health sector, justice, the private sector for the housing and urban development and real estate, and Caïdats and Pachaliks.

Regarding the reasons behind corruption, the respondents perceived the desire for quick enrichment, slow and complex procedures, lack of the spirit of citizenship, weak moral compass, low wages, poverty, lack of oversight and accountability, and absence of penalties. Meanwhile, the respondents considered that social inequality, impoverishment of the State, decline in purchasing power, and poverty were harmful impacts of corruption prevalence.

Compared to the citizens' experience with corruption and their perception of its prevalence, the complaints and denunciations of these cases remained insignificant, due to the underestimation of corruption and its prevalence, the uselessness of complaints and denunciations, and the fear of retaliation.

Regarding the State's efforts in combatting and preventing corruption, a wide range of citizens feel that Morocco is making great or sufficient efforts in that field. However, these efforts, including the National Anti-Corruption Strategy, remain ineffective. Citizens believe that the most critical measures to combat corruption effectively are enforcing anti-corruption laws, educating and raising awareness, strengthening oversight and control, facilitating denunciation, and protecting whistleblowers and witnesses.

**The Authority drew conclusions and general orientations from the analysis and intersection of different corruption diagnosis stages.** These conclusions and orientations result from extrapolating Morocco's corruption status according to different indices and indicators. They are also based on highlighting the intersection between the worsening state of corruption and the decline recorded by several international reports in areas of peace and security, political and civil rights, the rule of law, and rights to participating in budget preparation and execution. The conclusions confirm that corruption has devastating consequences. These include eroding development, impeding production structures, and deepening economic and social dysfunctions. Bank Al-Maghrib has consistently underlined these findings in its 2020, 2021, and 2022 reports. Throughout these reports, the Central Bank has insisted again for the need to review the approaches adopted to date and to introduce stronger and more decisive measures.

This demand corresponds to the Authority's emphasis, since 2019, on the importance of accelerating the transition towards a new phase in the fight against corruption. This phase will foster a dynamism that achieves tangible results in the daily lives of citizens, investors, and economic and social stakeholders. The Authority advocates using diagnosis, orientation, and proposals as foundations for achieving a qualitative leap in the fight against corruption. The Authority declares its readiness to operate within a synergy and institutional complementarity framework to make this transition successful.

## **II. Second axis: Follow up on the implementation, coordination, and assessment of strategies and public policies:**

This axis deals with the Authority's efforts in accompanying the National Anti-Corruption Strategy by identifying its strengths and weaknesses. It also focuses on the Authority's contribution to the process of drafting the Strategy for the Improvement of the Business Environment for 2023-2026.

### **1. The National Anti-Corruption Strategy: Achievements, weaknesses, and ways to boost dynamism**

In this regard, the Authority recorded the progress made on a set of projects within the ten strategy programs. These include improving citizen service delivery, digitizing administrative services, transparency and access to information, ethics, oversight and accountability, strengthening prosecutions and injunctions, improving the public procurement system, enhancing private sector integrity, communication and awareness, and education and training.

The Authority highlights that despite such achievements, the strategy's objectives still need to be met and are probably out of reach, as demonstrated via the decline in several relevant international indicators.

The Authority also identified the weaknesses hindering the Strategy from achieving its awaited impact and changing Morocco's corruption tendency. The INPPLC observed the weak mobilization of the relevant stakeholders, and the poor coordination and monitoring of programs and projects. There is also the dominance of sectorial management over coordinated planning. Other areas for improvement include methodological prioritizing based on a comprehensive impact assessment study. There is also the need for better readability of the budget allocated to the Strategy. Another weakness is the lack of an appropriate communication plan that would lend credibility to the implemented policies and mobilize citizens, economic and other actors. Another factor behind the underachievement of the Strategy's objectives is the predominance of legislative measures in Morocco, with a lack of necessary regulatory texts that ensure their effective and efficient implementation.

The Authority carried out an in-depth analysis of priority projects to overcome these weaknesses and improve the effective implementation of the National Anti-Corruption Strategy projects. It issued recommendations to enhance the current achievements or redirect efforts where necessary. Moreover, the INPPLC suggested institutionalizing program coordination through a framework of collaboration, consultation, and complementarity. This framework comprises the INPPLC, the government, and all the institutions and stakeholders involved in national strategies and public policies. The INPPLC also suggested the revision of the decree on the National Anti-Corruption Commission. This revision aims to ensure the decree's compliance with the Constitutional provisions on those related to the 19.46 In this regard, the INPPLC also suggested introducing a specific anti-corruption line in the administrations' budgets, setting deadlines for implementation, and defining potential stakeholders for each project.

With the aim of enriching and vetting the programs of the Strategy, the INPPLC has recommended developing or updating corruption risks mapping in public administrations, particularly the

highly vulnerable ones. This recommendation targets priority measures and projects that strongly impact citizens and economic actors. The Authority also encouraged consolidating a modern result-based management approach in the fight against corruption. It also encouraged enhancing assessment methods and broadening the scope of assessment to include effective implementation, relevance, coherence, and impact measurement. The INPPLC also called for following up this dynamism with a communication plan to ensure the credibility of communication and avoid any discrepancies between the discourse and the actual stakeholders' real situation.

In general, the Authority suggests the development, both in terms of methodology and practice, of a system that evaluates the Strategy, establishes the preliminary foundations for analysis, and sets impact assessment's indicators.

## **2. The 2026-2023 roadmap of the National Business Environment Committee to improve business environment**

The Committee was open to suggestions from relevant national institutions that can enrich the roadmap draft. It warmly welcomed the Authority's proposals on the importance of a close relationship between the business environment, the quality of governance, and the country's institutional environment. The INPPLC also suggested that this relationship requires simplifying procedures, and overcoming obstacles that hinder investors and entrepreneurs from developing their activities, and impede diversifying investments and investor profiles.

The Committee welcomed INPPLC's proposal to reinforce the strategy with a fourth cross-cutting pillar on «ethics, probity and the prevention of corruption», in addition the initial ones, namely:

- Improving the structural conditions for investment and entrepreneurship;
- Supporting national competitiveness;
- Developing an appropriate environment for entrepreneurship and innovation.

The Authority suggested an action plan with to comply with the Anti-bribery management systems standards (such ISO 37001, Organization for Economic Co-operation and Development guidelines), and to raise awareness and support public and private sector actors. Moreover, they aim to define mechanisms for appeal, denunciation, and whistle-blowing.

## **III. Third axis. The Authority's institutional governance: launching its bodies' and their collective decision-making process:**

The report recalls the provisions of law n° 46.19 related to its institutional governance and roles among its bodies (The Council, the President assisted by the Secretary-General and the standing and Ad-hoc committees). The report also describes the appointment process of the Authority's members and their legal oath-taking. Additionally, the report presents an operational review of the INPPLC's activities.

## 1. The Authority's institutional governance rules:

The law n°46.19 provides for a robust institutional organization that ensures efficiency, effectiveness, and legitimacy in decision-making, aligned with the principle of safeguarding the Authority's independence. It also complies with the requirements of impartiality and neutrality. Moreover, it considers the specificity of the INPPLC's anti-corruption powers, requiring immediate and continuous interaction, to ensure that decisions are made with efficiency and correctness and within a deliberation process that guarantees impartiality and objectivity.

In this regard, the law based on principles of responsibility and separation of the missions related to orientation, approval, and oversight on the one hand and execution, management, and achievement on the other one. According to the law, the Authority's Council, consisting of the President and twelve (12) members, exercises broad powers. These powers include orienting, deliberating, studying, approving, issuing opinions, and following up on the outcomes of implementing its directives and decisions.

Besides the usual duties of the presidency, namely those related to the management of the Authority's affairs and the normal functioning of its services, and official spokesperson, the **President of the Authority is in charge of proposing projects to the Board for approval, coordinating the Authority's governing bodies**. Also, the Executive Committee, a standing committee made up of the President and three Vice-Presidents appointed by the Council among its members, is responsible for self-referrals and corruption cases decisions. The committee also examines and makes decisions on all issues submitted by the President. The Council may establish **standing or Ad-hoc committees** to study and suggest orientations and accompany the progress of work on assigned topics. In addition, under the authority of the President, the Secretary-General of the Authority supervises its administrative structures and assists the President in performing his duties.

The report refers to the requirements adopted by the Rules of Procedure to implement the relevant provisions of the law, in particular, the need for a precise blend between the necessities of effective participation of all the Authority's components, on the one hand, and the coordination and complementarity between these components, on the other. The adopted requirements lay the foundations for fostering the dynamism of deliberational undertaking of the missions of the Authority, enabling it to achieve its strategic goals. These requirements also safeguard the performance of the Authority's bodies in carrying out the Authority's missions, with rules of institutional governance based on responsibility, commitment, complementarity, and cooperation while preserving the areas of expertise of each body.

## 2. Founding stages of the Authority's bodies:

In this respect, the report addresses the first stage regarding the appointment of members and their oath-taking at the Court of Cassation on November 1st, 2022, and the first meeting held on the same day, wherein the Council was inaugurated, and a press conference organized. The report also addresses the second stage related to appointing the three Vice-Presidents at the third meeting held on December 16th, 2022, immediately after the approval of the Authority's Rules of Procedure. The report also highlights the third stage, related to the creation of standing committees by the Council, to assist it in carrying out its missions. To this end, five standing committees were created to work on various areas related to the Authority's missions and powers.

### 3. 2022 operational review of the Authority's bodies:

The report stresses that, during the first two months of 2022, the Council undertook the main measures required to establish the foundations for the functioning of the Authority. These include approving the Authority's organizational chart, including six directorates, covering the Authority's core missions, assisted by three supporting directorates. The Council also discussed and approved the Authority's draft budget for FY 2023 and the associated action plan. The Council approved the Authority's Rules of Procedure after in-depth discussions at its second and third sessions. Likewise, the Council approved the Authority's Staff Regulations, which the President prepared in coordination with the government authority in charge of finance. Finally, the Council approved the MoU with the Ministry of Foreign Affairs, African Cooperation and Moroccan Expatriates. The agreement ensures that the scope of consultation and coordination with the competent government authority is clearly defined in relation to the international dimension of the Authority's missions and competencies.

The report states that the Executive Committee, comprising the President and three Vice-Presidents, established its fundamental working mechanisms despite the limited time between its appointment on December 16th, 2022, and the end of that year. These mechanisms include defining the Executive Committee's priorities and the coordination process with the standing Thematic Committees and the Authority's administrative structures. Concerning its powers in relation with complaints and denunciation, the Committee received about twenty requests at that short period, most of them fell outside the scope of the Authority, as were tied to ongoing court cases, or cases that had received a court judgment.

The report emphasizes that in 2022, the standing thematic committees focused on determining and organizing mechanisms and means to manage their relationship with the Authority's administrative structures and the Executive Committee. In this context, they discussed a range of topics, including the National Integrity Portal (PNI), strategic vigilance, evaluation of the National Anti-Corruption Strategy, and aspects related to education, training and interaction with citizens. Furthermore, the committees discussed the Authority's views on the draft Code of Criminal Procedure, the system of mandatory declaration of assets, and the system of framing and processing conflicts of interest.

Finally, the report confirms that the institutional governance of the Authority was implemented in compliance with the rationales behind the provisions of law no. 46.19 which aims at safeguarding the governance of managing different bodies of the Authority and putting to action their joint decision-making process in line with the requirements of complementarity, harmony, and the balanced and responsible engagement of all the components of the Authority.

## IV. Fourth axis: The Authority's Functional activities and promotion of support capacities

During 2022, The Authority worked on finishing the ongoing structural projects designed to support its internal capacities. It also worked on setting the objective conditions to foster the dynamism of its powers. In this context, the INPPLC implemented and strengthened its operating mechanisms and pillars that have strategic, organizational, and functional aspects. These efforts focused, mainly on:



## 1. Implementing the Authority's strategy and developing its action plan:

The Authority has developed a strategic framework for its action based on the strategic guidelines of State policy in the field of prevention and fight against corruption, and based on the Authority's missions and key roles. This strategic framework comprises six intertwined axes. These include deepening knowledge of corruption, legal vigilance, proposing strategic guidelines and follow-up of State policy on prevention and fight against corruption, education and training and motivation, monitoring and investigation and disclosure of acts of corruption, and national and international partnership and cooperation. The Authority supported these six axes with two cross-cutting axes : information systems and innovation and research and development, and organization and execution and capacity building.

The Authority has set 36 operational objectives, covering the eight axes, and identified the programs and projects needed to achieve them. This approach has provided the Authority with an integrated and coherent action plan, enabling a clear medium-term vision (2023-2025) and detailed planning for 2023.

## 2. Initiatives to implement national, regional, and international partnership and cooperation:

During 2022, the Authority strengthened its relations with the relevant international authorities and organizations, taking into consideration the specificity of sectors and the diversity of institutions, as administrations, oversight bodies, the private sector, civil society, and relevant international institutions.

In this respect, the Authority implemented various initiatives to strengthen cooperation with the business sector, including specific action plan with representatives from the financial sector actors, and collaboration with ISO 37001-certified Enterprises. As for the third initiative, the Authority organized a workshop on the impact of corruption on the development of the private sector in Morocco.

Besides cooperating with the business sector in 2022, the Authority consolidated its engagement in the international and regional dynamic to prevent and combat corruption. It participated in the sessions of the Implementation Review Group that oversees the UNCAC review process and was part of the review cycle of the States of Libya and Singapore. The Authority also took part in the first session of the Arab Anti-Corruption Convention Implementation Review Group, which identified the state parties under review and the reviewing state parties for the years 2023 and 2024.

Also, the INPPLC maintained its collaboration with the Organization for Economic Co-operation and Development (OECD), and headed the Moroccan delegation attending the first ministerial meeting of anti-corruption law enforcement agencies within the Organization of Islamic Cooperation (OIC) member states. The meeting adopted the «Mecca Convention on Cooperation between the Anti-Corruption Law Enforcement Authorities of the Member States of the Organization of Islamic Cooperation».

Following the Authority's request for openness to the Civil and Criminal Law Conventions of the Council of Europe, the Moroccan authorities have begun preparing for the ratification of



these two conventions. This process paves the way for Morocco's membership in the Group of States against Corruption (GRECO). Also, the INPPLC was re-elected as a member of the Executive Committee of the International Association of Anti-Corruption Authorities (IAACA). Moreover, Morocco was re-elected, in the person of the Authority's President, as vice-president of the Council of Europe's Network of Corruption Prevention Authorities (NCPA). The INPPLC is also an active member of the Riyadh Global Initiative (GLOBE), an initiative for a global operational network of anti-corruption law enforcement authorities.

To strengthen its presence at the international level, the INPPLC took part in the 20th International Anti-Corruption Conference that Transparency International organized in Washington, D.C. The INPPLC also benefited from training and workshops as part of the joint program between the European Union, the Council of Europe, and the United Nations Office on Drugs and Crime. Moreover, The INPPLC benefited from the program organized by the Geneva Centre for Security Sector Governance (DCAF).

Under the high patronage of His Majesty King Mohammed VI and as part of South-South cooperation, in collaboration between the INPPLC and the non profit-making French organization «#StopCorruption», and in partnership with the International University of Rabat, an international conference on «Good governance and its role in development and response to youth expectations in Africa» was organized, with the participation of national, African, and international figures.

### **3. The foundations for promoting the Authority's Communication Strategy:**

As part of its missions, The INPPLC prepared the general guidelines for its communication strategy. This include the adoption of the graphic charter to define the Authority's visual identity, along with its chart of values, namely : the rule of law, respect, openness, innovation, transparency, and ethics.

The year 2022 was characterized by the launching of consultations with digital communication agencies to enhance the Authority's communication strategy and prepare for its implementation. This digital communication would enable the Authority to strengthen its presence, openness, and interaction with Internet users. It would also provide the Authority with a platform to carry out its mission of communication, awareness-raising, motivation, and dissemination of integrity and good governance values. Furthermore, digital communication would lay the ground for the interaction of target groups with the content offered by the Authority.

The Authority also redesigned its website to meet the requirements of its new graphic charter. This development included the addition of new functions, such as a hyperlink to the corruption denunciation platform, connection to social media platforms, proactive publishing into the web design, new publications and reports and other materials.

### **4. Updating the Authority's Digital Transformation Strategy:**

As part of its 2023-2025 Digital Strategy, the Authority has reviewed its digital transformation strategy based on seven integrated axes. These include establishing information systems related to the core business of the Authority, developing information systems necessary to achieve the internal digital transformation of the Authority, enhancing digital communication

and presence, improving the digital infrastructure, enhancing digital security, promoting digital resources and capabilities, and ensuring maintenance and support for users.

The Authority also subscribed to a monitoring softwares for websites and social media, and established a system to submit complaints, denunciations, and information related to acts of corruption, in partnership with the Digital Development Agency (ADD).

## **5. Strengthening the Authority's support capacities:**

In 2022, the Authority resumed its efforts to reinforce its human resources and improve its financial and administrative management. In coordination with the Delegate-Ministry in charge of the Budget, the Authority submitted its staff regulations to the Council for approval. Besides, the Authority met its human resources needs through secondment. It has also recruited new employees based on the 2023 financial positions. The Authority ensured the implementation of mechanisms for a smooth staff transition from the Central Authority for the Prevention of Corruption to the INPPLC based on staff integration requests.

As for financial and budgetary management, the Authority's 2022 overall budget amounted to 70 Million MAD, divided between budgets allocated to equipment and various expenditures with the amount of 45 Million MAD and budgets allocated to investment amounting to 25 Million MAD. The 2022 budget was developed taking into consideration that the entry into force and implementation of the law 46-19 occurred at the beginning of the same year. This situation should have been accompanied by the appropriate efforts to accelerate the pace of projects, especially investment projects. However, these efforts took place towards the end of 2022, preventing the Authority from fully implementing its plans. Hence, the total amount of the incurred expenditures in 2022 amounted to 17 284 919,13 MAD only.

Regarding the Authority's purchases for 2022, they include all types of public procurement, such as public contracts, agreements, common law contracts, and purchase orders, with an amount of 2 439 865,13 MAD.

In this regard, the Authority concluded three new contracts amounting to 214 859,44 MAD in 2022. Logistic contracts represented 63% of the overall expenditures on agreements and common law contracts. As far as purchase orders are concerned, twenty orders had been concluded, in 2022, with an amount of 386 650,33 MAD. Moreover, the annual subsidy paid to the Social Welfare Association of the Authority's Employees, amounted to 540 000 MAD.

In terms of imprest account, travel expenditure represented 76%, followed by official ceremonies at 9%, while other expenditures represented 15%.

## **V. Fifth axis: The Authority's recommendations and proposals: active responsiveness as part of institutional convergence and complementarity**

The Authority recalls the methodological mechanisms governing its powers in drafting and submitting recommendations and proposals, including the legal, operational, and procedural standards that ensure an effective response to its proposals. Afterwards, the report presented an overview of the following topics:

## 1. General framework of the strategic orientations: vision, foundations, and general objectives:

The authority confirmed that the general framework of the strategic orientations is based on six pillars:

- a. Education, training, and enhancing probity and responsible governance values;
- b. Implementing an approach driven by transparency and quality of public services;
- c. Promoting public and private partnerships to improve the business environment;
- d. Adopting laws to deter corruption hotbeds;
- e. Restoring thrust to create a wider social motivation and involvement in combatting corruption.
- f. Creating an environment that guarantees the deterrence and fight against impunity.

The Authority pointed out that the public policies and measures taken by various stakeholders in relation to these pillars contribute to the achievement of the orientations and the emanating strategic objectives and policies. The success of these objectives and policies also depends on a tight and coherent supervision carried by the Authority, in virtue of its mandate.

## 2. Follow up on the impact of the annual report recommendations

The report reveals that all the included proposals and recommendations are made on the basis of a comprehensive and integrated perspective, with the aim to enshrining prevention, awareness, motivation, and combat, in the prospects of moving to the implementation stage, within a framework of institutional cooperation and complementarity as essential factors to achieve the desired change.

However, the 2020 and 2021 annual reports highlighted the limited feedback of the stakeholders to the Authority's various recommendations, except for the partial response to the Authority's recommendations on the revision of the National Anti-Corruption Strategy. The reports also pointed out the positive feedback of the Ministry of Foreign Affairs, African Cooperation and Moroccan Expatriates, with the recommendation on coordination and cooperation concerning the Authority's missions with an international dimension.

Meanwhile, the 2022 report considers that the weak responsiveness to the recommendations is due to the transitional stage preceding the entry into force of law 46.19. Therefore, the report insists on the need for objective conditions to take corrective action and remedy the situation. This, in turn, will enable the Authority to fully implement available mechanisms in order to coordinate and guarantee the involvement of all the stakeholders within institutional cooperation and complementarity. In this respect, the report noted the willingness of the Head of the government to open available channels for interaction with these recommendations.

Aware of the relevance of its previous reports' recommendations and proposals, the Authority devoted a section of this report to reiterate their core:

- Strategic recommendations that aim at preparing the surroundings for preventing and combatting corruption. These include the recommendations presented during the

contribution to the preparation for the new development model. They also include the recommendations about the National Anti-Corruption Strategy;

- Recommendations related to the transparency and quality of public services. These include the Authority's suggestions on the public services charter, the draft code of conduct and ethics for civil servants in public administration and local authorities and public institutions, and the law on simplifying administrative procedures. These recommendations also cover the Authority's vision for digital transformation and its role in promoting transparency and combatting corruption;
- Recommendations that aim at building trust and guaranteeing broad involvement and motivation. These include setting conditions for citizens' commitment and enhancing their role in preventing and combatting corruption. The recommendations also comprise monitoring the relationship between corruption and human rights. They also include recommendations that aim at supporting the full implementation and reform of Law 13-31 on the right of access to information;
- Recommendations to deter corruption hotbeds. These comprise proposals included in thematic reports on the mandatory asset declaration system, the fight against illicit enrichment, and the enacting of legislation to regulate conflicts of interest;
- Recommendations intended to create an adequate environment for deterrence and fight against impunity. These include recommendations to strengthen the corruption whistleblowing system and the protection of whistleblowers. They also comprise recommendations to strengthen the mechanism for institutional referral of crimes and acts of corruption. Moreover, they include revising the Criminal Code to comply with the requirements of combatting corruption.

### **3. Recommendations for establishing cooperation and institutional complementarity in the prevention and fight against corruption**

The report emphasize that the Authority's collaboration and coordination efforts rest on principles that aim at motivating and involving the relevant authorities and institutions. These efforts also rely on the principle of openness to all stakeholders, and on distinguishing between main and cross-cutting missions and sectoral missions. The Authority is also keen on selecting the appropriate form of the required coordination and is responsible for monitoring and evaluating the approved coordination. The Authority stressed that the cooperation initiatives suggested in this section are open to discussion with stakeholders. Thus reinforcing the collective involvement in the strategic orientations of the prevention and fight against corruption.

In terms of the fields of cooperation and coordination, the Authority has identified five key axes. These include strategic missions, missions of follow-up on the impact of the Authority's recommendations and proposals, missions of diagnosis and deepening of corruption knowledge, missions of compliance with international conventions and standards, and missions of conducting research and investigation.

Building on these five axes, the Authority identified the channels and entities that should be involved in cooperation and coordination. It first emphasized the National Anti-Corruption Strategy, based on the revision of the decree on the National Anti-Corruption Commission,

to improve the Commission's governance and guarantee the strategy's implementation in conditions of convergence and efficiency.

The second channel was the High Commission for Planning, financial courts and general control bodies. The Authority suggested the enhancement of cooperation and coordination in missions of diagnosing and deepening knowledge on corruption and its various interactions.

The INPPLC also suggested opening up channels of coordination with the government, relevant sectors, the two chambers of Parliament and their relevant commissions, with regard to cooperation and coordination in following up on the impact of the Authority's recommendations and proposals.

Furthermore, the Authority called for establishing a coordination channel with the legislative branch to strengthen cooperation and coordination on the compliance with international conventions and standards. Last but not least, the INPPLC believes it is important to establish a channel with the Public Prosecutor's Office to lay the foundations for coordination and cooperation concerning the Authority's missions in terms of investigations and referrals.

To establish cooperation and coordination mechanisms with the institutions mentioned above, the INPPLC developed practical projects open to discussion, adaptation and enrichment by the stakeholders, with the aim of better framing the scope and extent of this cooperation. To achieve this, specific projects have been designed for each of the areas mentioned above, with the selection of a specific stakeholder for each area to serve as a model, eventually to be extended to other stakeholders in the future.

#### 4. Recommendations to strengthen the Authority's proposal pathway

To support the proposals that aim to enhance the path of qualitative transition in the prevention and fight against corruption, the present report includes a summary of three thematic reports as follows:

##### 1. Digital transformation, a pillar for the prevention and fight against corruption

This report highlights the strong relationship between digital transformation and transparency, integrity and progress in the prevention and fight against corruption projects.

Based on international experiences, benchmarks, and analysis of the situation of digital transformation in Morocco, and with regard to the challenges facing the country, this report provides for a number of recommendations aiming to promote digital transformation and make it a key pillar of preventing and combatting corruption. These recommendations concern three levels: 1) the prerequisite strategic framework, 2) three sets of recommendations with high impact on transparency, integrity and the prevention of and fight against corruption. These sets include making digital transformation citizen-oriented and trust-based, enabling it to structure and guide fundamental reforms, and making it a provider of Open Data, and 3) the crucial support, follow-up and change management.

With this in mind, the Authority stresses that the success of **digital transformation depends on a strategic framework**, providing 1) **high-level leadership** to ensure the involvement, support and commitment of the stakeholders at the national, regional and international levels, and ensure,

therefore, the convergence and efficiency, as part of a digital transformation comprehensive approach 2) a **global and integrated vision**, at the long-term for the digital transformation project as well as for the impact driven projects in particular, and 3) **strong governance** structured around bodies whose roles and responsibilities are clearly defined and closely coordinated.

The report also confirms the need for making **digital transformation citizen-oriented** and making this choice a core and unwavering principle. Henceforth, the report provides recommendations on 1) adopting a citizen-oriented approach, 2) quality assurance and improvement of services, and 3) developing digital integration.

On the other hand, the report stresses the importance of the contribution of digital transformation to achieving structuring reforms that can bring about irreversible changes in the field of preventing and combatting corruption. In this respect, the report focused on three main domains of such reforms 1) simplifying procedures, 2) protection of public funds, public budget transparency and business integrity, and 3) supporting digital trust and providing open data.

The report also highlighted the need for a trust-based and open data provider digital transformation. To do so, it recommends 1) enhancing digital trust, 2) providing open data, and 3) integrating technological development and innovation.

In addition to these three recommendations, which the Authority considers of great and direct impact on preventing and combatting corruption, as well as those related to the strategic framework, the report pointed out that the expected results cannot be achieved without **support measures and change management**. These include 1) **Promoting and developing human capital**, 2) **strengthening the regulatory and normative framework**, and 3) **launching awareness-raising and communication** campaigns in line with **support measures** required for the involvement of all the stakeholders in the achievement of a digital transformation.

## **2. Conflict of interests in civil service: towards an effective system of supervision, processing, and regulation**

The Authority stresses the need for developing a coherent management system for dealing with situations of conflict of interest, that should comply with the provisions of the Constitution. Efforts should also focus on implementing Morocco's commitments to international and regional anti-corruption conventions.

To this end, the report highlights relevant national legislative provisions and examines their general shortcomings, and provides a straightforward and concise definition of the conflict of interests and its harmful aspects, based on relevant international standards.

As a result, the Authority concluded that the adoption of a comprehensive system for regulating, dealing with and monitoring conflicts of interest requires the introduction of a general legislative framework that covers this matter through two main aspects: declaration, processing, review, correction and settlement aspect, and that of monitoring, detection and offences sanctioning.

As far as declaration, processing, verification, rectification and settlement are concerned, the proposal suggested adopting the principles and provisions that define precisely the eligible categories and the liable individuals, adopting the broad definition of civil servant, including other individuals likely to be affected by conflict of interest situations, drawing up a list of the



restrictions preventing the emergence of such situations, and drawing up a non-exhaustive list of information on the various situations of conflict of interests.

The report also recommends the appointment of the National Authority for Probity, Prevention and the Fight against Corruption as the competent authority responsible for managing conflicts of interest prevention mechanisms, whilst defining its attributions in this respect, and adopting mechanisms for managing and dealing with conflict of interest situations. Such mechanisms will involve the declaration of conflicts of interest and the abstention from making decisions or participating in decision-making in all cases that could be relevant to or affect the interests of the concerned person.

It is also important to promote the disclosure and provision of information relating to conflicts of interest situations, namely those related to declarations in compliance with the law, and those intended to inform the public of the actions and decisions made by the competent authority on the management of conflicts of interest situations.

As for the monitoring, detection and sanctioning of offences, the report provides for proportionate sanctions for any breach of the rules on conflicts of interest. These sanctions may take the form of disciplinary, financial or administrative measures. They may also lead to criminal convictions in cases where personal interests have been served at the expense of the public interest, in compliance with international legislation, which defines such behavior as the offence of unlawfully benefiting from a position or the offence of illegally taking an interest or advantage.

### **3. Investigative journalism: for a key role in the fight against corruption**

This thematic report is intended to spark greater interest in investigative journalism and to promote its greater professionalism and responsibility. The report is based on a presentation and analysis of the foundations of investigative journalism referring to its founding guidelines, providing examples from around the world, as well as its purpose, development and challenges. It also reviewed the current status quo of investigative journalism in Morocco, citing examples of investigative journalism reports and the viewpoints of practitioners working on the issue of the fight against corruption and who kept up with the Authority and its activities for the last five years. Therefore, the report recommends the following:

- Consolidate freedom of the press and publishing, in compliance with the law governing the profession, to enable journalists to exercise their profession with professionalism and to consider themselves as partners in the fight against corruption;
- Enact the law on the rights of access to information to enable investigative journalists to develop their hypothesis and carry out their surveys;
- Recognize media as open channels for whistleblowing, supporting the reported content as long as they contain well-founded allegations of suspicion. This means prioritizing information, presuming the good faith of the whistleblower, and, where appropriate, punishing cases where information is proven to be completely fake;
- Encourage media companies in their efforts to develop an economic model independent of capitalism control and its impact on journalistic independence and objectivity. This support can vary depending on each situation;



- Promote initial and continuous training in investigative journalism;
- Encourage more experienced investigative journalists to share their experience with and train the new generations of journalists, as a means of furthering expertise in this domain and extending knowledge transfer;
- Enable collaboration and coordination between media and civil society organizations to promote investigative journalism in cases of major societal importance, especially cases involving corruption.

