

An analytical approach to the cooperation and partnership mechanisms of local communities The experience of the Kingdom of Morocco versus the Algerian between discrimination and differentiation

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Received: 08/10/2020

Accepted: 03/11/2020

Published 18/11/2020

Abstract:

This research paper aims to analyze the mechanisms of cooperation and partnership for local communities, especially municipalities, through a legal analytical approach according to the comparative approach, where we highlighted the experience of the Kingdom of Morocco compared to the Algerian experience. The study concluded that the experience of the Kingdom of Morocco is distinguished and differentiated from the Algerian experience in terms of the strength of legal sources, their details, number of mechanisms and their diversity, and recommended the necessity of establishing cooperation and partnership in the chapters of the upcoming constitution, in order to get a set of detailed laws.

Keywords: Cooperation; Partnership; Local Community; Morocco; Algeria.

Jel Classification Codes: R53, R11

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1. INTRODUCTION

Local communities in Algeria are distinguished in terms of financial capabilities, real estate resources and human capabilities as one of the sources for financing local development within the framework of the so-called decentralized management that derives its strength from the constitution and the laws and executive decrees of the state that regulate local affairs at the local community level. This difference in financing sources arises. It has impotent local units and surplus local units, although most of them depend almost entirely on state subsidies to embody local development projects and meet the needs of citizens residing in light of the increasing burdens and tasks entrusted to them, the current challenges of the Algerian economy related to low oil prices, and the emerging political situations, especially after The movement of February 22, 2019, where the contours of the new state will be drawn, so it has become necessary to find new and modern alternatives that reduce the financing gap for local units with deficits.

Based on this, the local community is unable to be the sole actor in approving local development in terms of financing, management and accompaniment. Cooperation and partnership, or the so-called horizontal cooperation, has become one of the leading modern mechanisms at the global level. This was emphasized in the Stockholm symposium on the environment. Through the final declaration of the 1972 (Ferari, 2013, p. 11) United Nations symposium, which would push the wheel of local development and raise its capabilities with high efficiency and effectiveness, in addition to being a bridge for local development in its participatory dimension, whether at the local level, which is expressed in cooperation and solidarity or at the foreign level called Decentralized cooperation between local and foreign communities.

Problematic

The mechanisms of cooperation and partnership between local communities in neighboring countries are differentiated according to the economic conditions that each country is going through. However, the Kingdom of Morocco enjoys the local unit (urban and rural groups) with financial positions that enable it to fulfill its obligations, in addition to its wide financing capacity through borrowing and energy. A task of self-financing that allows them to mobilize additional resources (Morocco, 2015, p. 57). On the other hand, some Algerian municipalities are still suffering from a budget deficit, despite the decrease in their number from 1187 municipalities in 2000 to 211 municipalities in 2017 (interior, 2020) due to the funds of the Solidarity and Guarantee Fund for local groups. From here, the following main question can be asked: If we accept that Mechanisms of cooperation and partnership between local units are considered one of the reasons for the superiority of Moroccan local unity over Algerian local unity. What are the aspects of distinction and differentiation of the mechanisms of partnership and cooperation between the two countries that made the difference in local development?

Hypotheses

In order to answer the main question of the problem, the basic hypothesis can be formulated as a temporary answer to it as follows: Mechanisms of partnership and cooperation of local communities between the two countries are distinguished in terms of nomenclature, content and mechanisms, and differentiate between them based on the local developmental sustainability and economic efficiency of managing the public facility.

To answer the research problem and test the basic hypothesis, we divide the study according to the following axes:

The first axis: a legal approach, cooperation - partnership - local groups.

The second axis: analysis of cooperation and partnership mechanisms for local groups, the Kingdom of Morocco as a model.

The third axis: analysis of cooperation and partnership mechanisms for local groups, the experience of Algeria.

The fourth axis: the distinction and differentiation between the mechanisms of cooperation and partnership of the two countries.

2. A legal approach, cooperation - partnership - local groups

The view of the Algerian legislator differed from the Moroccan legislator regarding the definition of the terms partnership, cooperation and local groups, as legal procedural concepts related to the goals and mechanisms that ensure their embodiment at the level of practice and application, and the following is a detail for each term:

2.1. Cooperation and partnership from the perspective of the Algerian legislator

The Algerian legislator, since independence, has enshrined the principle of cooperation between regional groups, through laws related to local groups, in particular the laws that included the issue of the municipality, which is Order 67/24 of January 18, 1967, which is considered the first legal text with a good number of articles and a kind of detail in the provisions beginning From Article 12 which states: (Cooperation between municipalities and their resources may be jointly established between them to carry out actions of mutual benefit, and for this purpose they can create joint bodies and interests to take over some tasks under their jurisdiction) (journal, 1967), where he defined three forms of inter-municipal cooperation bodies and interests In addition to Law 08/90 of April 7, 1990 relating to the municipality, Chapter Three of Chapter One, under the title of cooperation

between municipalities, Article 09 of it stipulates (People's councils of two or more municipalities may decide to participate in the framework of a joint public institution between municipalities in order to achieve services and equipment Or the interests of mutual benefit between them) (journal A. o., 1990) as this article limits the possibility of framing the joint work between municipalities by creating a joint public institution between municipalities that enjoys the moral character and the basis Financial diminution, however, this law limited cooperation to four articles only, and finally Law No. 10/11 of July 22, 2011 in the municipality, according to which Law No. 08/90 was abolished, and thus the old method of cooperation was abandoned because it was not needed, due to Eliminating the problem of rights and funds common to the municipalities, as this law came in its attempt to establish the principle of decentralized cooperation, in a very modest manner, reduced to three articles (215/216/217), where the concept of cooperation was embodied in Article No. 215 as follows: (Two neighboring municipalities can Or more, to participate in order to prepare or jointly develop their regions and / or to manage or guarantee neighborhood public facilities in accordance with laws and regulations, and joint cooperation between municipalities allows municipalities to combine their means and establish common interests and public institutions) (journal A. o., law of local communities 10/11 article215, 2011).

The Algerian legislator did not explicitly address the issue of partnership as a legal concept at the level of the local unit for the management of public utilities, but alluded to scattered legal texts, most notably the Municipal Law 11-10 in Chapter Four marked by privilege and delegating public interests, especially Articles 155 and 156, as I consider it a form of A partnership between the local unit and the private or public sector, but not within the framework of inter-municipal cooperation.

2.2. Cooperation and partnership from the perspective of the legislator of the Kingdom of Morocco

A careful reading of the requirements of the collective charter and the law related to the organization of labor and regions calls for clarification of some concepts of cooperation and partnership. If the legislator did not clearly define the areas of cooperation and partnership activities, the definition that can be presented in this framework can be drawn according to the meaning of the laws regulating it, and the documents of the Ministry are directed. The procedure for implementing the requirements of the collective charter, and the following are the most important elements on which this definition is based (interior K. o., 2011, p. 24):

- Cooperation benefits local groups contracting among themselves to accomplish joint projects of public benefit within the framework of groups groups, labor groups and regions, local groups, or joint cooperation committees between all the bodies stipulated in Law No. 78.00 related to the collective pact, and Law No. 79.00 related to employment, regions and law No. 47.97 related to the regions, and also included in this framework cooperation agreements between local groups and international cooperation agreements between local groups and cities and foreign bodies with the aim of implementing joint projects in which foreign territorial groups contribute with technical assistance or financial contributions, according to conditions determined by the parties concerned. It is also the solution for twinning agreements that are resorted to in order to establish relations of cooperation and exchange with foreign territorial groups in various local fields.

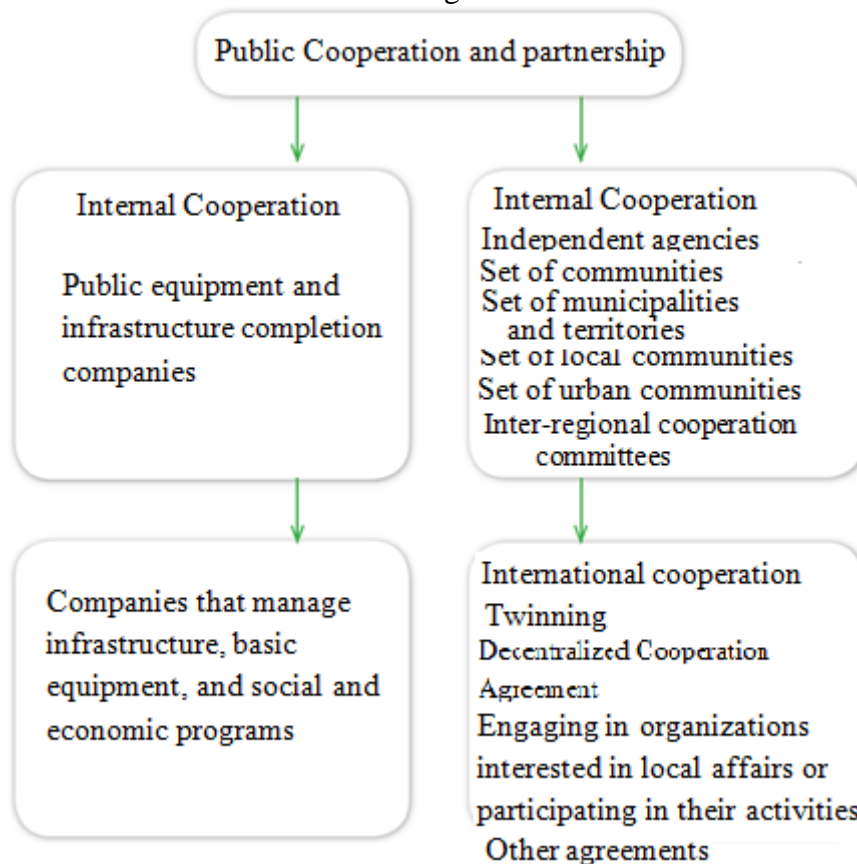
Partnership also means, in general, the agreements concluded by local groups with public institutions, civil society associations and the private sector, to implement joint projects of public benefit. Public partnership is also evident in the relationships that local groups establish between themselves or with public institutions or with civil society

associations to manage Public utilities, either by the private sector or by local development companies.

3. The second axis: analysis of cooperation and partnership mechanisms for local groups in the Kingdom of Morocco

The Moroccan constitution and regulatory laws have ensured a rich diversity of cooperation and partnership mechanisms between local groups, making the decision-maker at the level of the territorial unit possessing several options available for managing the public utility and implementing the public infrastructure, which would help reduce the value of the financing gap at the level of the same Impotence, and in this regard, forms of cooperation and partnership can be divided between groups according to the following scheme:

Scheme 1. Forms of cooperation and partnership between the territorial communities of the Kingdom of Morocco



Source: (interior K. o., 2011, p. 25)

Through the above scheme, it becomes clear that cooperation and public partnership between the territorial groups takes two basic forms: internal cooperation and international cooperation, but internal cooperation is embodied through two basic mechanisms, the first is the internal cooperation that takes place between local groups alone in its various forms or what are called forms. As for the second mechanism in internal cooperation, it takes place according to the public / private partnership or the so-called personalized forms. Here, this partnership is divided into two types: a partnership to implement joint projects and activities, and a partnership to manage common public facilities of various forms, which will be explained in turn. On the cooperation and partnership that takes place between urban and rural communities, both of which can be detailed as follows:

3.1. Internal cooperation

Internal cooperation is a set of relationships established by local groups among themselves, most of which are accomplished within long periods, with the aim of constructing or managing public infrastructure in the fields of drinking water, treating wastewater, preparing and managing public waste, and creating and revitalizing tourism and entertainment facilities. And this cooperation takes the form of an independent agency or a group of local groups, as it includes several neighboring local groups in particular, to implement and manage these sectors, and it is noticed that these groups are increasingly attracted to this form of cooperation to manage their facilities and achieve its development, and the following are the forms of internal cooperation:

3.1.1. Non-personalized forms

They express groups that enter into, among themselves or with other territorial groups, cooperation agreements for the implementation of projects and activities of mutual benefit that do not require resorting to the creation of other moral persons subject to public or private law. Resorting to this form of cooperation in the case where the group is limited in capabilities, and the targeted activities are fixed-term, which makes the agreement an easy and appropriate mechanism for the implementation of this cooperation (ministry of interior Morocco, 2011, p. 11). The mechanisms of non-personalized forms of internal cooperation can be highlighted as follows:

A) The independent agency: The independent agency is not originally a form of cooperation. Rather, it is considered a public institution according to the decree of September 29, 1964, which regulates the methods of creating and running it. This agency can be created by one local group, or it is established jointly with several groups in order to run And the exploitation of a common public facility, and in this exact case the agency can be considered a method of joint cooperation (ministry of interior Morocco, 2011, p. 20), it should be noted that these agencies know several financial problems that cause their solution, which encouraged the use of foreign expertise and capabilities to implement and manage various projects in the fields of sanitation, distribution of water, electricity and transportation.

B) Local groups (groups of territorial groups): urban and rural groups can form among themselves or with other local groups, groups for groups or groups for local groups, in order to accomplish joint work or an accompanying arrangement for the general benefit of the group, the group council, the urban group and A village group or a community group is a public institution that enjoys legal personality and financial independence (interior k. o., 2005, p. 16). According to a survey conducted by the General Directorate of Local Communities in 2006 with the provinces and regions of the Kingdom, it was found that the group as a mechanism for cooperation provides a set of benefits that guarantee the economic and social development of its member groups in order to (interior K. o., 2011, p. 14):

- Plugging the deficit in the basic equipment.
- Investing in major projects that require great financial capabilities, high technology and advanced framing procedures.

It should be noted that the urban and rural communities group replaces the (collective unions) stipulated in the 1976 collective charter, and among the most important features of this type of cooperation, we can mention the following (cooperation and partnership guide) (interior k. o., 2005, p. 17):

- The free nature of group formation, which translates into local democracy.
- The ease of establishing the group and the simplicity of the legal and administrative procedures for creating it;
- Realization of joint projects between cooperating groups;
- An effective means of solidarity between poor and wealthy groups, and it constitutes the best form of sharing among them;
- The situational character, whereby it is established in order to achieve a specific purpose which it ends with;

A means of helping groups solve some of their circumstantial problems, such as lack of equipment and lack of resources;

The scope of the group covers all sectors, whether it is related to management or investment sectors such as drinking water - public lighting - transportation between groups - joint exploitation of markets - preparing beaches ..., as the number of groups until the year 2015 reached 173 groups, and the number ranges Groups group from three groups to thirty communities groups between the years 2014 and 2015 (Morocco k. o., 2014).

3.1.2. Personalized forms

Territorial groups can establish cooperative relationships with public partners (state, territorial groups, enterprises, and public institutions) and with private bodies. In this context, the territorial communities use personalized forms of cooperation to implement huge and sustainable projects that require the creation of new legal personalities subject to public or private law (ministry of interior Morocco, 2011, p. 11), and the most important of these forms are: The Local Development Company (SDL) as follows:

The local development company: Local development or shareholding companies are considered as one of the mechanisms for embodying cooperation between groups on the grounds that one of the main actors of the company is groups of local groups, where this type of company in France was called the mixed economy companies , as the current designation was only adopted during the last twenty years, to spare this type of companies being subject to European Union laws applied to private companies (interior K. o., 2011, p. 65). The Turkish experience in running Turkish cities, especially Istanbul, is considered a pioneer, as its adoption of local development companies in managing services helped In creating many job opportunities and contributed to the Turkish cities achieving a significant economic leap.

The local development companies of the Kingdom of Morocco are subject to the provisions of Law No. 17.95 related to joint-stock companies, and the local development company is considered commercial companies in which the local communities and their groups contribute in its capital jointly with one or several legal persons subject to public or private law. People of public law, so that the decision-making authority is controlled at the level of the company's board of directors for the benefit of local groups because the commercial law of the Kingdom of Morocco requires two-thirds of the members of the board of directors in order for its decisions to be passed, in addition to ensuring the transparency of operations transactions and preparing an arbitrator of management contracts, and the importance of these companies is evident in It is subject to private law, the fluidity and flexibility it allows in operating, in addition to expanding the circle of those involved in legitimate ways, and in all cases the majority of the company's capital must be owned by legal persons subject to public law, and its purpose is limited to the limits of activities of an industrial and commercial nature, which enter In the competencies of the local groups and their groups with the exception of managing the collective private property, the subject matter of which is limited to planning, completing and renewing the equipment and

infrastructure for urban development or managing basic equipment, while the partners are territorial groups and their groups and a person or legal persons subject to public or private law.

3.2. International cooperation

International cooperation between local groups is embodied according to the time domain through two mechanisms: international cooperation agreements and twinning agreements according to the following (ministry of interior Morocco, 2011, p. 96):

3.2.1. International Cooperation Agreements

International cooperation agreements are mostly short-term, in order to carry out studies related to preparing and developing the territorial area of groups and providing and developing their management mechanisms, and for this these agreements are generally embodied in the following:

- The financial and technical contribution to the realization of basic buildings and equipment such as public squares and youth homes;
- Financial contribution to developing and strengthening local social, economic and cultural programs.

If the cooperation agreements do not require the creation of a special body for management, then they specify the responsibilities and interventions of the cooperating parties. In the case of creating a public space, for example, the city or the foreign body prepares designs and determines the standards, while the Moroccan local community takes care of the procedures related to requests for proposals and tracking works, as well as This is the case for the urban community of Rabat, which created a committee to oversee the implementation of the urban mobility scheme in the city.

3.2.2. Twinning agreements

International cooperation is also carried out through twinning agreements for long-term cooperative relations, based on common and complementary characteristics between the cooperating parties, and twinning means the meeting of the desire of a local group to twin with another local group, and an agreement to consolidate cooperation ties between them. Giving a distinctive place to each of them with the other, and this twinning is exemplified in the spirit of affection and sympathy that prevails between the twins, based on some cultural, economic, historical or natural elements common to them, and thus twinning is considered (interior k. o., 2005, p. 08):

- An agreement that combines two or more local groups in the case of triple or quadruple twinning;
- Effective not specified;
- a general framework with a variety of topics and objectives;
- Ensure the direct participation of the inhabitants in the programmed activities; A means of awareness and mobilization; a framework for action and planning.

The Kingdom of Morocco has concluded between the years 2014 and 2015 about twenty nine (29) twinning agreements.

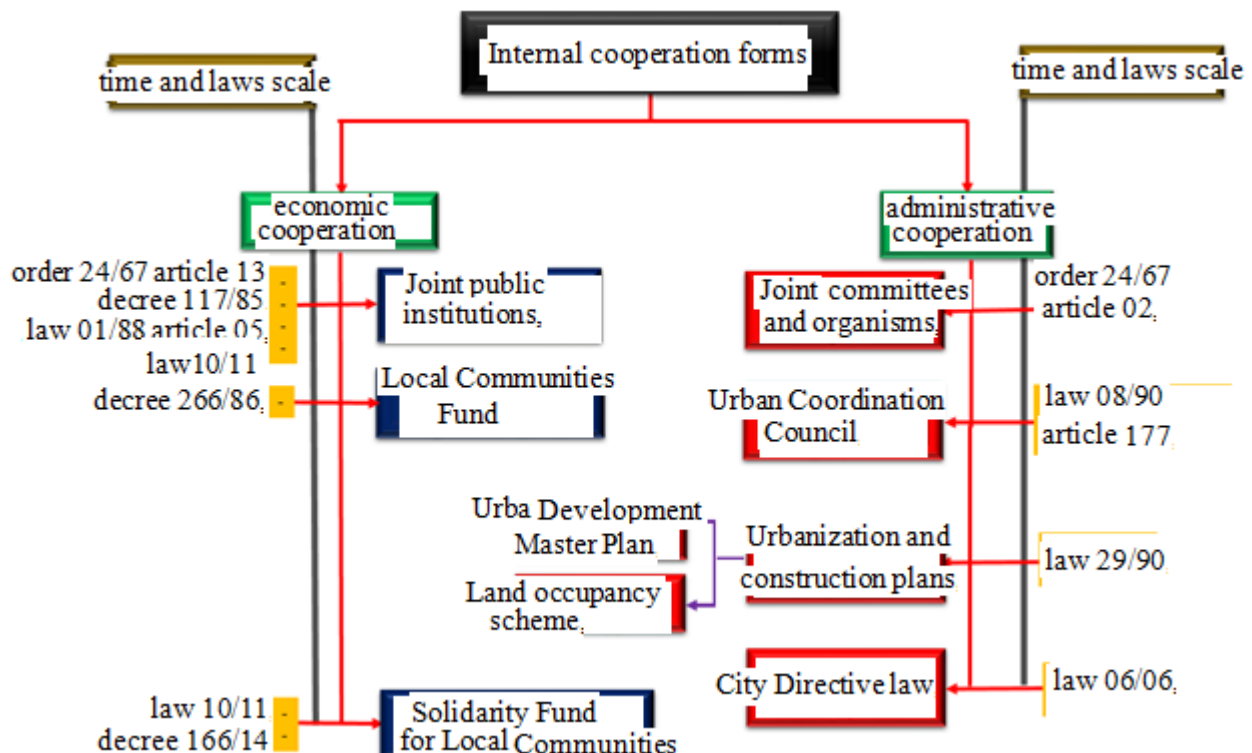
4. Analysis of cooperation and partnership mechanisms for local groups in Algeria

Forms of cooperation between municipalities are divided according to two modes, namely internal cooperation and international cooperation. As for partnership with the private sector as another form of cooperation between municipalities, there is also no legal justification on which to base, and for this we will suffice to address internal cooperation between municipalities and international cooperation, according to the following:

4.1. Internal cooperation between municipalities

The forms of internal cooperation between municipalities in Algeria have varied from independence to the present day, through various legal texts and decrees scattered, however, the emergence of legal texts and decrees in many cases canceling previous legal texts and decrees that would reduce From the importance of internal cooperation between municipalities often or changing some mechanisms, according to the political and economic stages that the country is going through, and through a careful reading of the historical and legal path of internal cooperation between municipalities it becomes clear that the organization of internal cooperation between municipalities is a decent organization, whether in terms of content Or in terms of form without talking about practical practice, regulating cooperation between municipalities from Ordinance No. 67/24 until the municipality law 11/10, which is noticeable in terms of the formal lack of organization, although the municipality law 67/24 came carrying a large number of materials, as well as came to reach Cooperation in a kind of detail compared to the subsequent municipality laws. However, Law No. 90/80 came in contrast to Municipal Law No. 67/24, where cooperation between two municipalities is limited to four articles only, and in one mechanism that takes place In the contract, using the method of embodying cooperation represented by the joint public institution, in addition to referring all these materials to the organization, and this same situation is found in the Municipal Law 10/11, represented in insufficient detail and the lack of materials related to it, as the articles were reduced to three articles only Here, there is clearly a decline in interest in the issue of internal cooperation between municipalities (Zahra, 2014, p. 46), and based on the above, two forms of internal cooperation can be classified, namely: administrative cooperation and economic cooperation, according to the following scheme:

Scheme.2. Forms of cooperation between Algerian municipalities from independence to the present day



Source: prepared by the researchers based on the above.

Through the above scheme, it becomes clear that the internal cooperation between municipalities currently approved, after a series of laws and decrees, is mainly represented in the financial funds and precisely the Solidarity and Guarantee Fund for local groups, which local groups contribute to its revenues, and aims to help local groups restore their financial balance, where it was called Previously, the Joint Local Communities Fund was established in Decree No. 86/266 of November 04, 1986, and this decree was repealed by another Executive Decree No. 14/166. In addition, at the level of administrative cooperation, many cooperative formulas between municipalities have been canceled, starting from joint committees and bodies to The Urban Coordination Council at the level of the municipalities of Algiers, which remained in effect in a transitional capacity pending the issuance of the Basic Law that defines the rules governing the municipalities of Algiers. As for the internal cooperation between indirect municipalities outside the framework of the municipality law and the relevant executive decrees, it was embodied in Law 90 / 29 of December 1, 1990, relating to the preparation and reconstruction, in particular the second section on the master plan for preparation and reconstruction, and the third section Entitled “Land Occupation Scheme”, in addition to Law 06/06 of March 11, 2006 relating to the City Orientation Law, in addition to other laws that have not been addressed, they referred very briefly to this type of cooperation, including Law No. 01/19 of December 12, 2001 relating to the administration of Waste control and its removal, specifically Article 30, and Law No. 01/20 of December 12, 2001 relating to the preparation and sustainable development of the region, especially Article 07 thereof, and Order No. 15-01 which includes the supplementary Finance Law of 2015 relating to inter-municipal solidarity, especially Article 68. Explaining each of the mechanisms according in the following:

4.1.1. Solidarity and Guarantee Fund for Local Communities

According to Executive Decree No. 14/166 of March 24, 2014, this fund is considered a public institution of an administrative nature, with a moral personality and financial independence, to provide financial contributions for the benefit of poor municipalities and those suffering from financial deficit In its budget, in the framework of solidarity between local groups and achieving joint cooperation between the latter, as this fund is placed under the tutelage of the Minister in charge of the Interior and its headquarters are located in Algiers, and this fund manages the Solidarity Fund for Local Groups and the Guarantee Fund for Local Groups in a Steering Council and directed by the Director General By a technical committee, and it is tasked with establishing solidarity between local groups through the mobilization and distribution of financial resources, and it is also tasked with ensuring the tax resources that are recorded minus a tax value, compared to the amount of their estimate. Local groups, and the guarantee fund is financed by the compulsory contributions of municipalities and states every year by a joint decision between the Minister in charge of the Interior and the Minister of Finance Based on the fiscal estimates of municipalities and states (166/14, 2014).

4.1.2. Preparation and reconstruction plans

They mean those plans stipulated in Law No. 90/29 of December 01, 1990 related to rehabilitation and reconstruction, as this law and its regulatory texts granted a field for internal cooperation between municipalities and coordination between them in the matter of preparation And reconstruction, and here we record the text of Article 12 thereof, which embodies this cooperation through the master plan for preparation and reconstruction, as well as the land occupation scheme as follows (the master plan for development and reconstruction, as well as the land occupation plan, can include a group of municipalities

that combine economic, social or municipal interests, or with regard to a work plan. Land is part of a municipality) (29/90, 1990).

4.1.3. City directive Law

According to Law No. 06/06 of February 20, 2006, related to the City Orientation Law, it aims to define the special provisions aimed at defining the elements of the city policy within the framework of the policy of preparing the region and its sustainable development, and the design and preparation of the city policy According to a coordinated and consultative process, and it is put into effect within the framework of decentralization, decentralization and neighborhood management. Internal cooperation between municipalities is embodied in this law within the so-called city development contract, which is a subscription agreement with one or more regional groups and / or one or more economic partner actors within the framework of activities and programs that are carried out under the title of city policy. We also see this cooperation through the fields and areas that are achieved The objectives of the city policy, which include the promotion of partnership and cooperation between cities, which is considered one of the tools for spatial and urban planning, where partnership activities between two or more cities may be initiated to implement urban facilities and facilities structured within the framework of agreements concluded between the regional groups responsible for the cities concerned (06/06, 2006).

4.2. International cooperation

International cooperation is another space for cooperation between municipalities in Algeria, for contact with their foreign counterparts, to exchange experiences, knowledge, training and experiences, and this cooperation has been embodied in one type only, which is the twinning in Municipal Law No. 10-11 in Article 106 Which states (the twinning of a municipality with a municipality or any other foreign regional group is subject to the prior approval of the Minister in charge of the Interior after taking the opinion of the Minister of Foreign Affairs), and the Algerian legislator was supposed to open the horizons for international cooperation in its various types and not reduce it to twinning only, but the strange thing is In this regard, Executive Decree No. 17-329 was issued defining the modalities for establishing decentralized cooperation relations between Algerian and foreign regional groups more broadly. Through a careful reading of the articles of this decree, it became clear that the Algerian legislator has combined all the relations of decentralized cooperation, such as twinning, programs, projects, and various exchanges under one title, so that the patterns of this cooperation were not detailed, unlike the Moroccan legislator, which separated two types of cooperation types previously mentioned, with reference to In practice, it is clear that the local authorities concluded many twinning and cooperation agreements with twenty-one (21) foreign countries, including approximately 86 foreign provinces (Algeria, 2020), based on the instruction of the Ministry of Interior issued on October 3, 1993, without being stipulated by the Municipal Law No. 90-08 at the time, which is what There are many contradictions between the main legal text and the ministerial directive or executive decree.

5. The distinction and differentiation between the mechanisms of cooperation and partnership of the two countries

The mechanisms of cooperation and partnership between the municipalities of the two countries are differentiated and differentiated, due to the different economic and political conditions for them, although there are great similarities and convergences for the two countries in terms of identity, language, culture and customs, and through this differentiation in laws or implementation it is possible to highlight the most important

defects and shortcomings of the local communities of the two countries and benefit From the experience of the two countries, in addition to that this comparison enables us to reach the best mechanisms of cooperation and partnership between municipalities that have a positive impact on the level of local development, and based on the above analysis of the cooperation mechanisms of the two countries, the differentiation and differentiation aspects of these mechanisms for the two countries can be deduced according to the following table :

Table 1. Distinctions and differentials of the mechanisms of cooperation and partnership between the local communities of the two countries

Differentiation aspects	Algeria	Morocco	advantage
The source of laws	Laws, orders, executive decrees, and ministerial instructions	The constitution, the collective charter, laws pertaining to regions, decrees, decisions, leaflets	Morocco
Consistency of laws	Municipality Law (06 Articles without Regulatory Laws), Executive Decree 14-166, very .limited scattered laws	Constitution (Chapters 143 and 144), Law No. 17.08 changing and supplementing 78.00 relating to the collective .charter	Morocco
The number of legal texts	Few and miss regulations	Rich and detailed	Morocco
Collaboration experiences	embodied in the Solidarity and Guarantee Fund for local communities only and takes .place at the central level	Multiple collaboration experiences across various mechanisms	Morocco
International cooperation	Twinning, decentralized cooperation agreements	Twinning, decentralized cooperation agreements	Morocco
Partnership in cooperation	None	Local Development Corporation	Morocco
Forms of cooperation	Solidarity and Guarantee Fund for local communities	Community groups, independent agency	Morocco

Source: prepared by the researchers based on the above.

Through the above table, it is clear that the Kingdom of Morocco has a pioneering and distinguished experience and a preference for cooperation and partnership between municipalities compared to Algeria, whether in terms of the legal framework regulating cooperation and partnership processes, or in terms of implementation and embodiment, or in terms of the multiplicity and diversity of mechanisms, and the differentials and differentials can be explained Between the two countries in the following elements:

A) Laws (the strength of their sources, their consistency and the number of texts): The Kingdom of Morocco derives the strength of its laws regulating partnership and cooperation between local groups from the Moroccan Constitution, especially Articles 143 and 144 thereof, which is an indication of the Kingdom of Morocco's keenness to embody the mechanisms of cooperation and partnership and make it a top priority to advance local development In a fast and effective manner, in addition to that, we find an arsenal of detailed and structured laws for cooperation and partnership mechanisms, foremost of which

is Law No. 17.08 changing and complementing Law No. 78.00 related to the collective pact, however, the Algerian Republic has not drawn in its various constitutions since independence the features of cooperation and partnership between local groups, which It implies that cooperation and partnership is not a priority as a mechanism for local development in Algerian law, and moreover, the laws regulating the mechanism of cooperation are almost limited to municipal law and in only six articles, without detailing and referring them to the organizational law without its promulgation to this day, and the consecration and activation of the principle of internal cooperation between municipalities has remained This is limited as a result of narrowing the scope of this type of cooperation between neighboring municipalities only, which reduces the possibility of cooperation between the cities Non-contiguous households, in addition to Executive Decree No. 14-166 related to the Solidarity and Guarantee Fund for Local Communities, which defines the mechanisms of running this fund and how to finance it and allocate expenditures. Otherwise, there are scattered, limited and general legal articles within the laws of environment and sustainable development, building and reconstruction, and city management , And the Finance Act. Consequently, Algeria needs special and focused laws to organize and activate the mechanisms of cooperation between municipalities, drawing their strength from the Algerian constitution, that allow the decision-maker at the level of the local unit to have sufficient flexibility and freedom to conclude a cooperation contract.

B) Experience of cooperation between municipalities: Algeria's experience in cooperation between municipalities on the financial side is limited to the Solidarity and Guarantee Fund for Local Communities, which is a central mechanism for pooling its resources across the various municipalities of the country and is distributed to municipalities that suffer from deficits in their budget according to legal texts that regulate the process It takes place voluntarily every year, while we did not see, within the limits of our research, any process of cooperation between municipalities outside the framework of central management, which means the limited legal texts that give full flexibility and freedom to mayors to conclude cooperation contracts at the decentralized level, and therefore the powers of mayors must be expanded. In concluding cooperation contracts between municipalities, and liberating individual initiatives of mayors according to the specificities of the cooperating municipalities. Looking at the experience of the Kingdom of Morocco to embody its cooperation mechanisms between municipalities, it is clear that the number of groups of groups up to the year 2015 reached 173 groups, and the number of groups ranges between the years 2014 and 2015 from three groups to thirty groups, as it managed to attract 856 groups from Of all sizes (114 urban groups and 742 rural groups), whether rich or poor, around various projects and development programs for the benefit of more than 12 million people (07 million belonging to the rural world and 05 million to the urban world). The intervention of the groups included managing and making investments in several sectors : Potable water, electricity, roads and paths, exclusive transportation, management and maintenance of sewers and sewage channels, disinfection, economic residential partitions, beaches preparation, acquisition and maintenance of machinery and equipment, and Table No. (02) shows the number of groups of communities by subject and specialty:

Table 2. Evolution of the number of groups of groups according to topic and specialty

The subject of the group	Number of groups
Acquisition and maintenance of machinery and equipment	21
Transport between communities	14
Preparing and exploiting forests and preserving them and protecting the environment	14
Road networks and rural paths	14
Connecting to water and electricity networks	11
Mass exploitation of the weekly markets	07
Housing and fighting shantytowns	06
Equipment works	06
Touristic equipment	05
Establishing economic zones and commercial and entertainment complexes	05
Establishing industrial zones	05
Realization and operation of road stations	04
Plantation	03
Construction and operation of cemeteries	03
Implementation and management of sanitation networks	03
Media	02
Building and equipping the civil protection barracks	01
Modern construction and management of an altar	01
Total	111

Source: (interior K. o., 2011, p. 7)

This achievement is considered a peer to the full powers of the heads of the councils of the urban and rural groups to establish a group of groups, in order to accomplish a joint work or an accompanying measure for the general benefit of the group and the group council, and the guardianship will not intervene except in the case of ratification of the decisions of the group events by the Minister of Interior, after reviewing the corresponding deliberations For common group councils.

A) International cooperation: The Algerian Municipal Law No. 10/11 stipulated twinning with a municipality or any other foreign regional group. The implementation of this mechanism was embodied in Executive Decree No. 17-329 and expanded international cooperation processes, but the legal framing of decentralized cooperation relations between groups was long overdue. Algerian and foreign regionalism except after the year 2017. Otherwise, the twinning and cooperation operations were the main reference for which was the instruction of the Ministry of the Interior issued on October 3, 1993 (Dris, 2011, p. 11). In contrast, the Kingdom of Morocco established this type of cooperation in the constitution and the collective pact through two types, which are twinning between municipalities and cooperation agreements Decentralization, and the Kingdom of Morocco has taken pioneering steps in this field, and has achieved from behind it a number of positive results that reflected on the local development of urban and rural groups, including the forerunner of such cooperation compared to Algeria (and it is considered the twinning of

Fez with the Italian city of Florence or an agreement concluded by A local Moroccan group in 1963) (interior K. o., 2011, p. 19).

B) Partnership within the framework of cooperation: The partnership agreements, which represent a framework for cooperation between municipalities in the Kingdom of Morocco, are represented in local development companies only, and urban and rural groups depend on them greatly in managing and establishing public facilities, while the local groups in Algeria, which are mainly municipalities, do not have The mechanism of partnership with the private sector as a framework for embodying cooperation between municipalities, however, Decree 88-01 containing the directive law for public economic enterprises came to add a second type of institutions that local groups can contribute to, however, all these joint institutions were dissolved during the 1990s as a result of their bankruptcy .

C) Forms of cooperation: The Kingdom of Morocco has more mechanisms than Algeria in the field of cooperation between municipalities, and here it should be noted that the cooperation mechanism in Algeria, represented by the Solidarity and Guarantee Fund for Local Groups, is not much different from the mechanism of transferring the state to the account of territorial communities to fill the budget deficit of the groups, Consequently, these transfers are considered an indirect form of solidarity between municipalities, and from it it can be judged that the forms of cooperation for the Kingdom of Morocco are better and broader than the cooperation mechanisms in Algeria.

6. CONCLUSION

In light of the problem at hand and the hypothesis that was tested by the research axes, three main results emerged as follows:

1. The following basic hypothesis has been proven: The mechanisms of partnership and cooperation of local groups between the two countries are distinguished in terms of nomenclature, content and mechanisms, and differentiate between them based on the local developmental sustainability and the economic efficiency of managing the public utility. However, this distinction and differentiation are in the interest of the Kingdom of Morocco over Algeria;
2. The weakness of the internal cooperation mechanisms between municipalities in Algeria in terms of the strength of their legal sources or their detail according to the organizational law or their consistency, as they are characterized by the dispersion between several other laws or in terms of forms and diversity of cooperation, in addition to the lack of sufficient options and flexibility to activate this type of measure for the facility Common collective year;
3. The absence of partnership with the private sector as an important mechanism for cooperation between municipalities in Algeria, from which the so-called Local Development Company stems.

Based on the previous results, the study recommends a set of the following solutions:

Establishing cooperation and partnership between municipalities explicitly within one of the chapters of the constitution next to the amendment, in order for a number of detailed laws to emerge from it, and not to be reduced to only six articles of Municipal Law 10-11, thus reviewing the legal framework regulating the mechanisms of cooperation and partnership between municipalities, so that Greater powers are granted to mayors to conclude cooperation contracts between various neighboring and non-neighboring

municipalities to accelerate local development, and to add new cooperation mechanisms such as groups of local groups and the independent agency, as well as partnership in the framework of cooperation between municipalities, for example, the Local Development Company to manage and establish a common public facility.

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