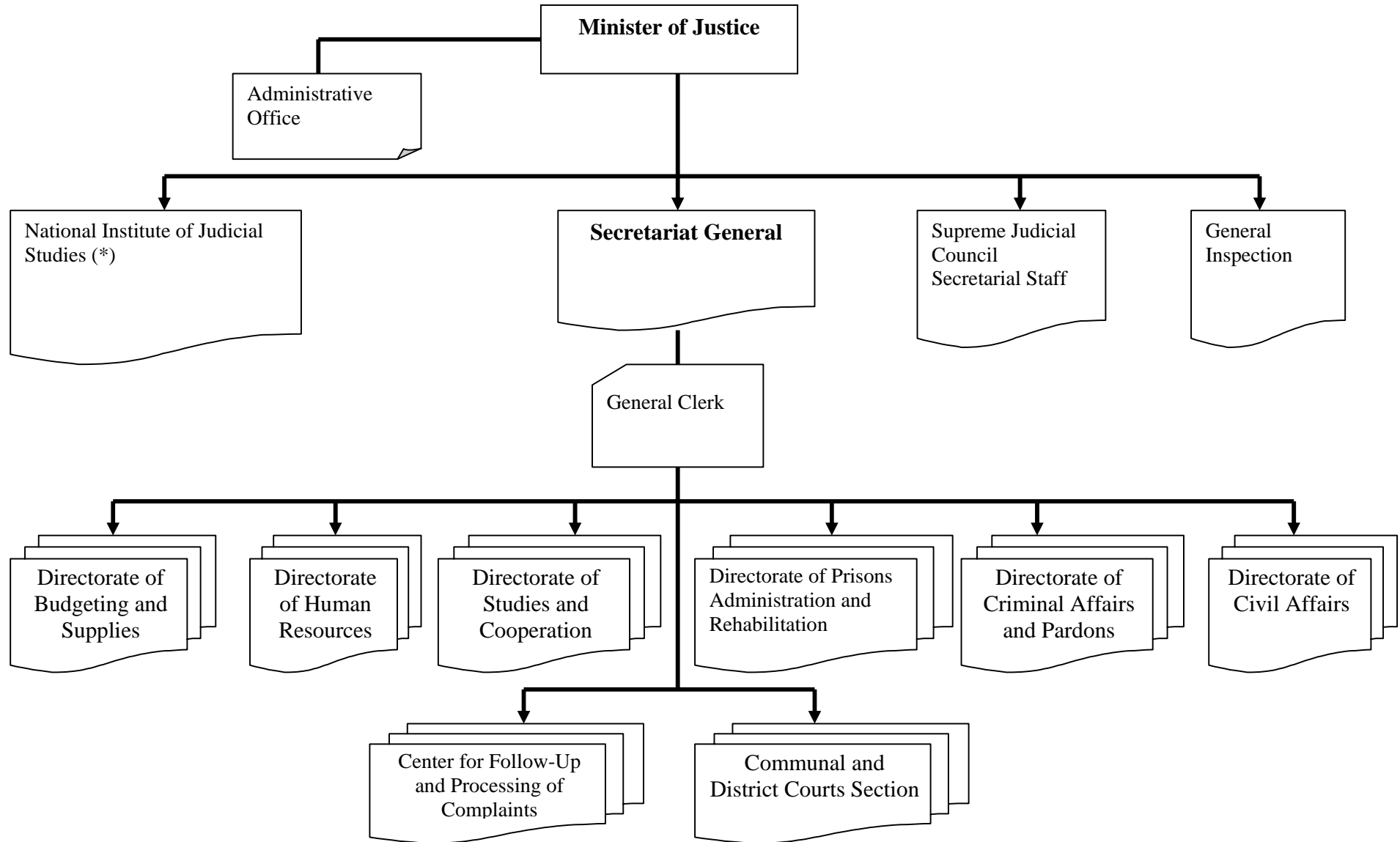
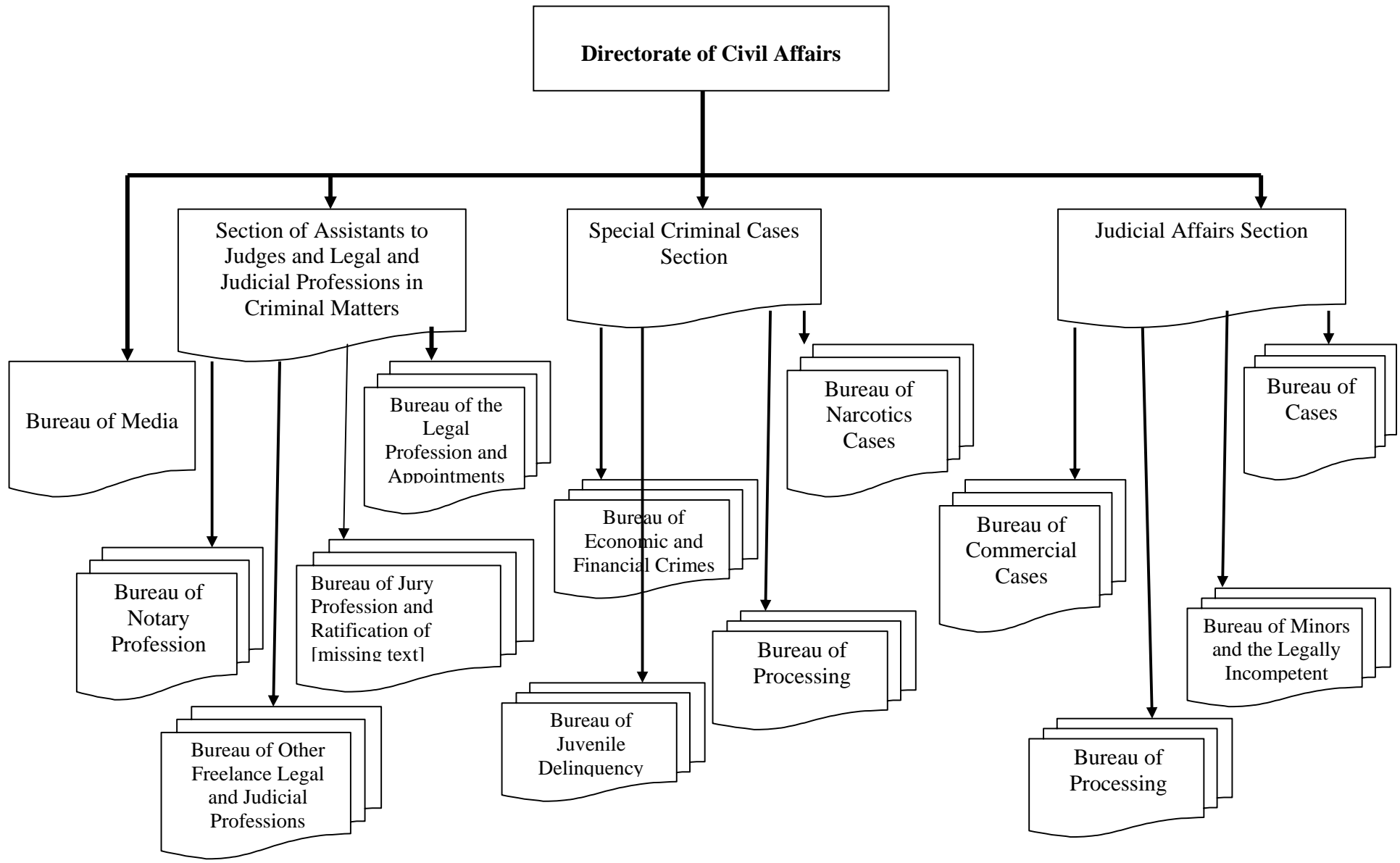


Illustration of the General Structure of the Ministry of Justice –Morocco

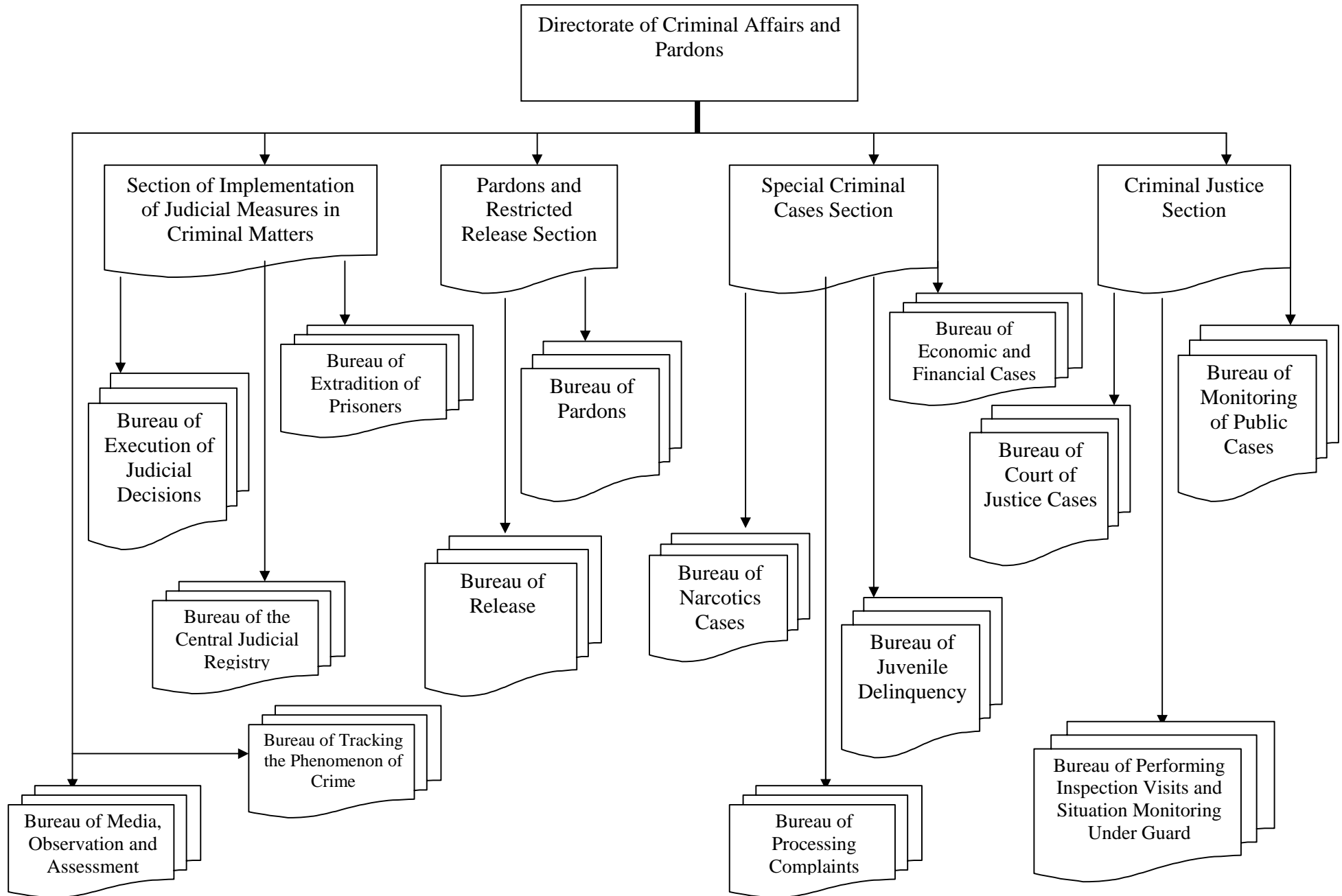


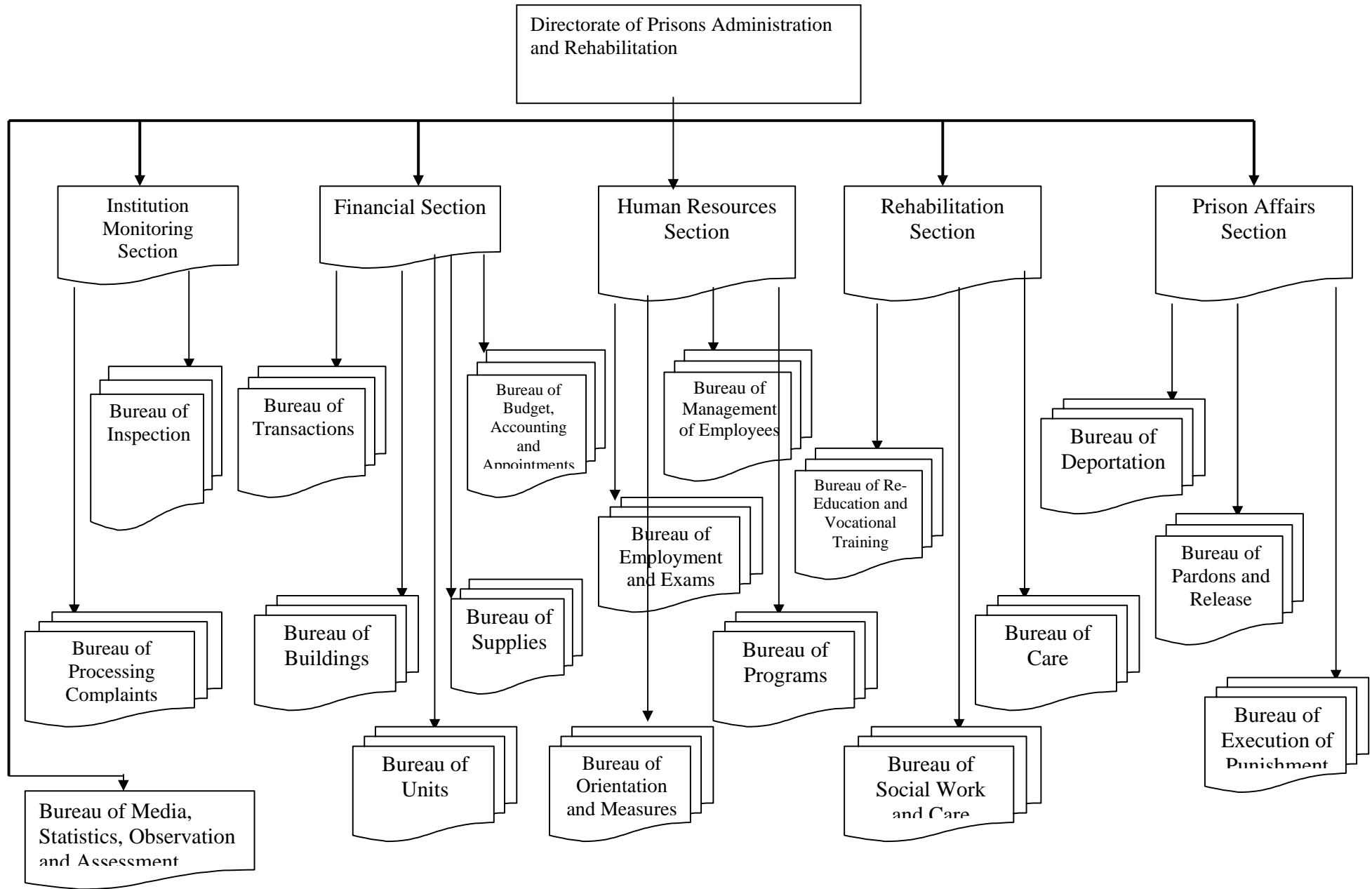
Decree No. 2.98.385, issued on 28 Safar 1419 (23 June 1998) specifying the competencies and organization of the Ministry of Justice in Morocco.

* The legal status has changed for the National Institute of Judicial Studies. It has become an institution named "The High Judicial Institute," and has a special regulation.

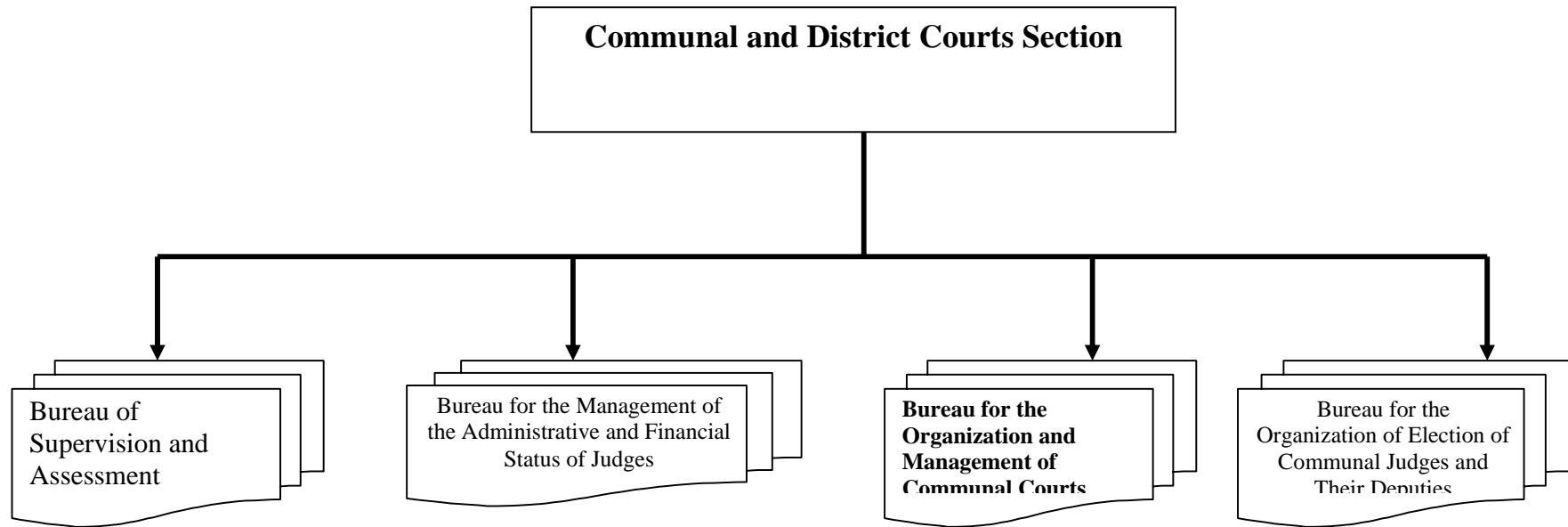


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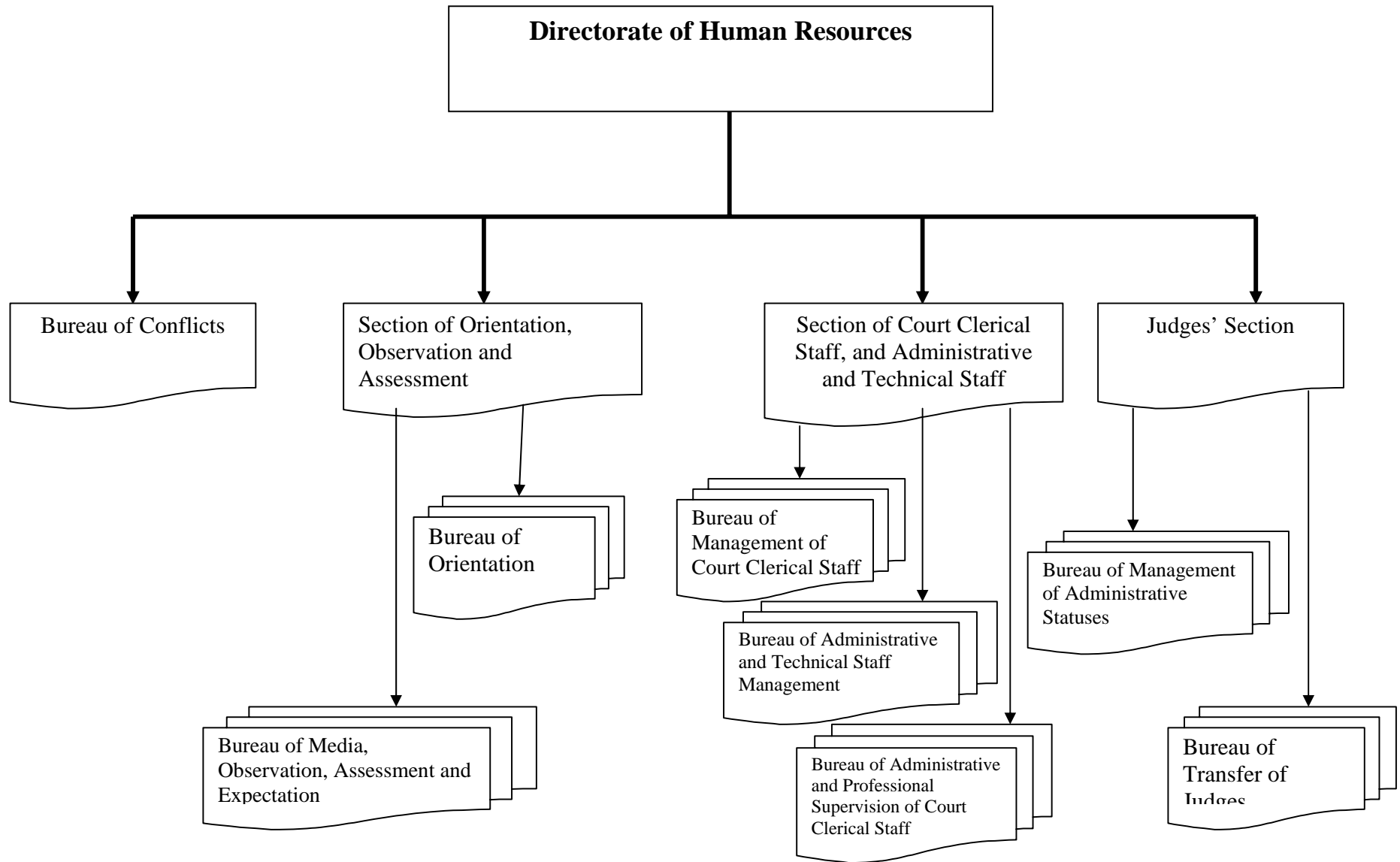




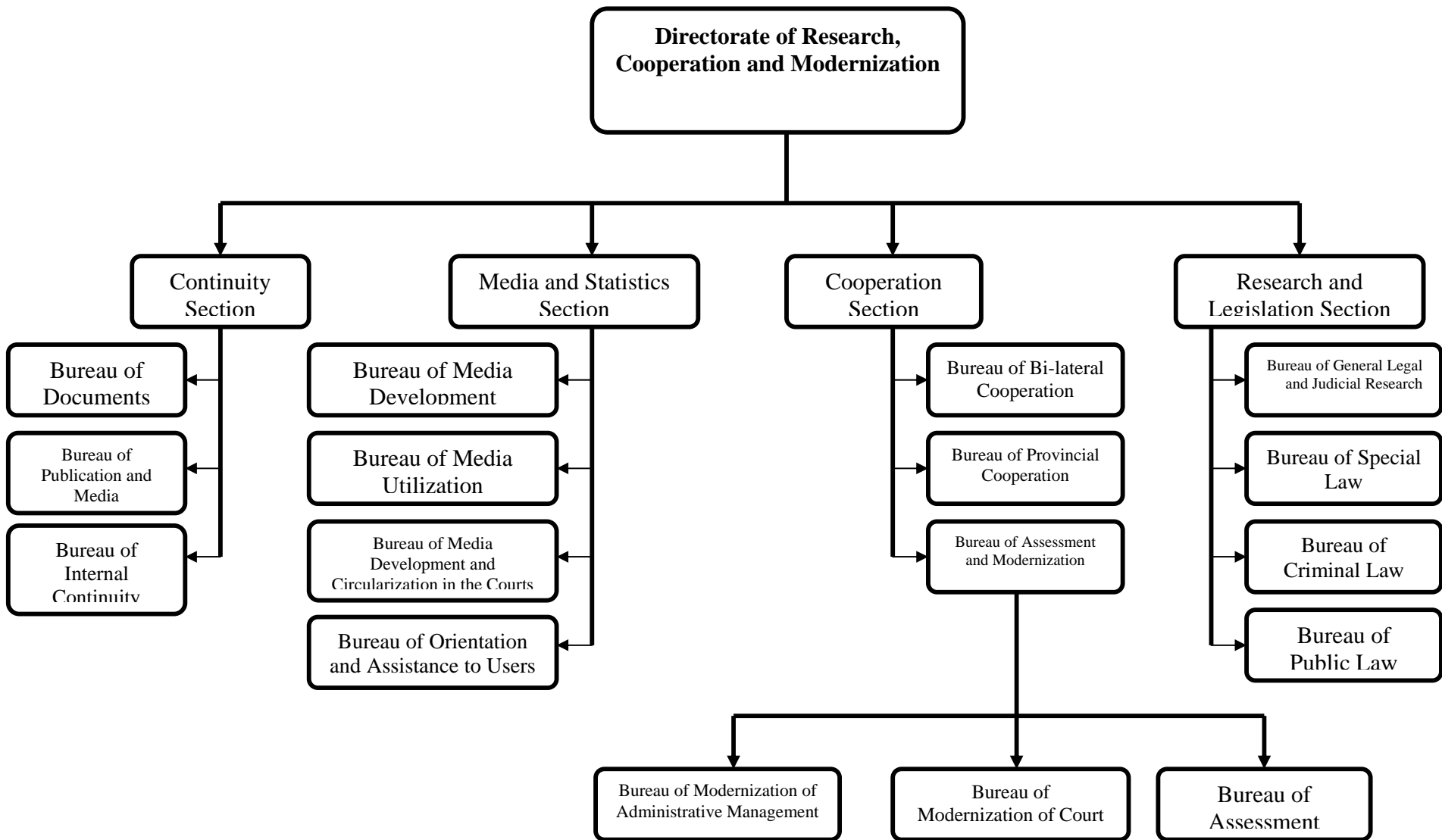
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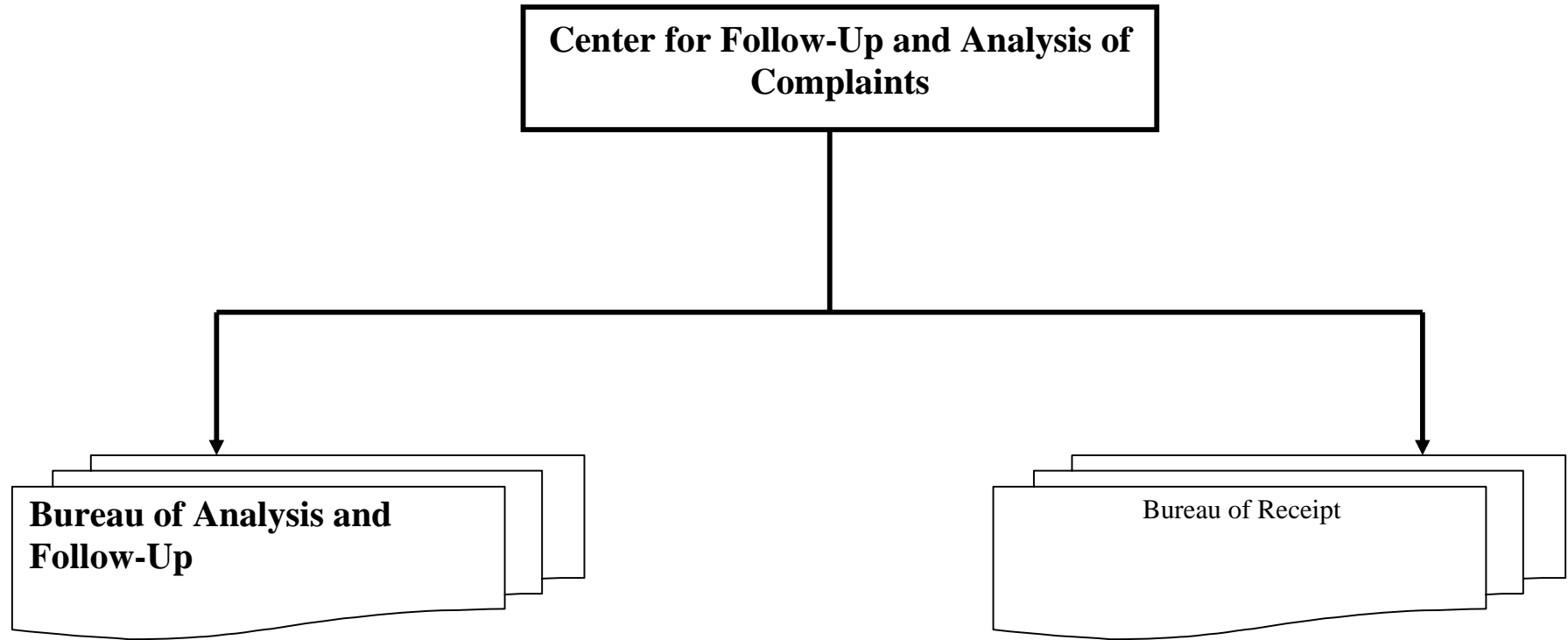
Decree No. 2.98.385 issued on 28 Safar 1419 (23 June 1998) specifying the competencies and organization of the Ministry of Justice in Morocco.



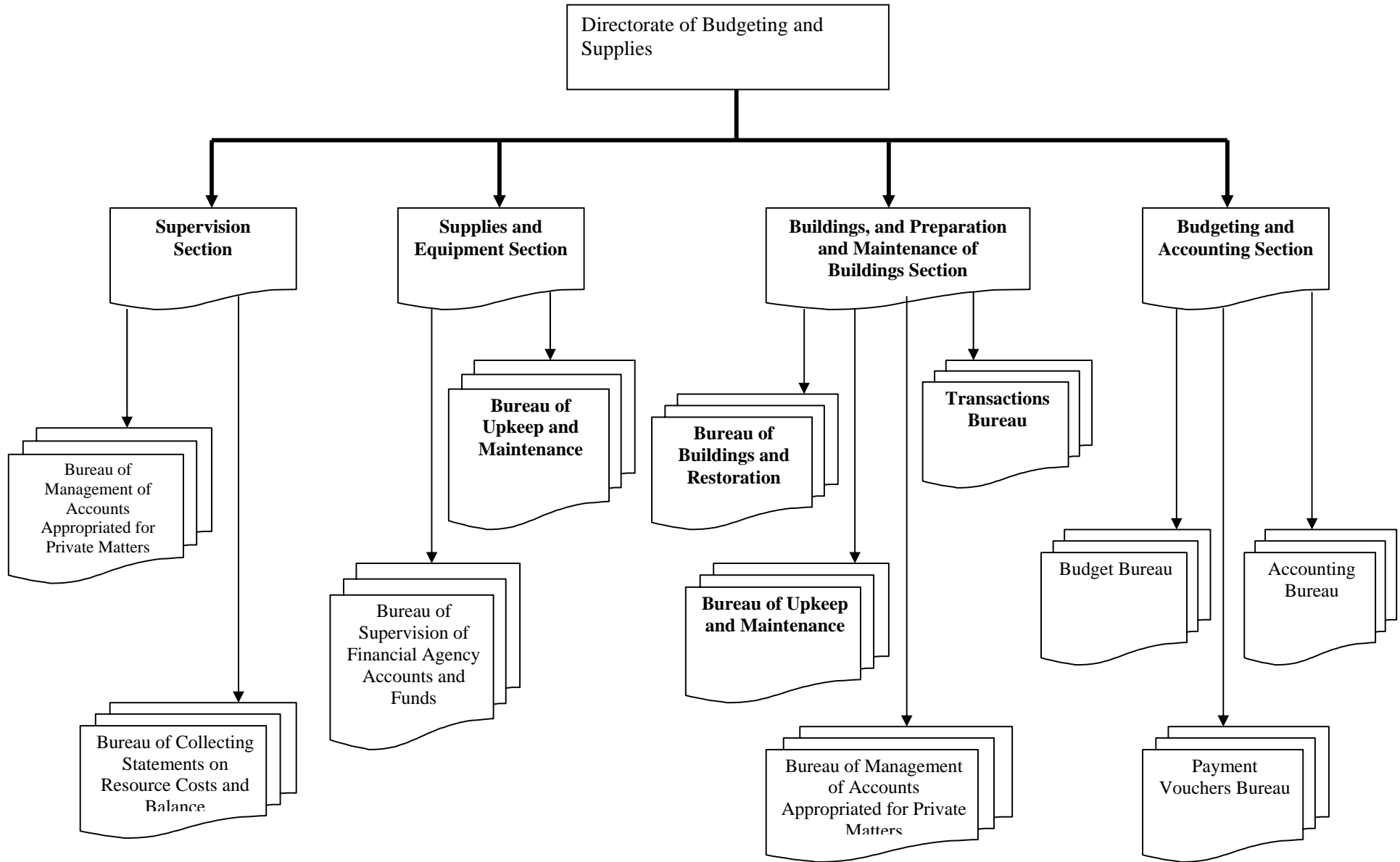
Decree No. 2.98.385 issued on 28 Safar 1419 (23 June 1998) specifying the competencies and organization of the Ministry of Justice in Morocco.



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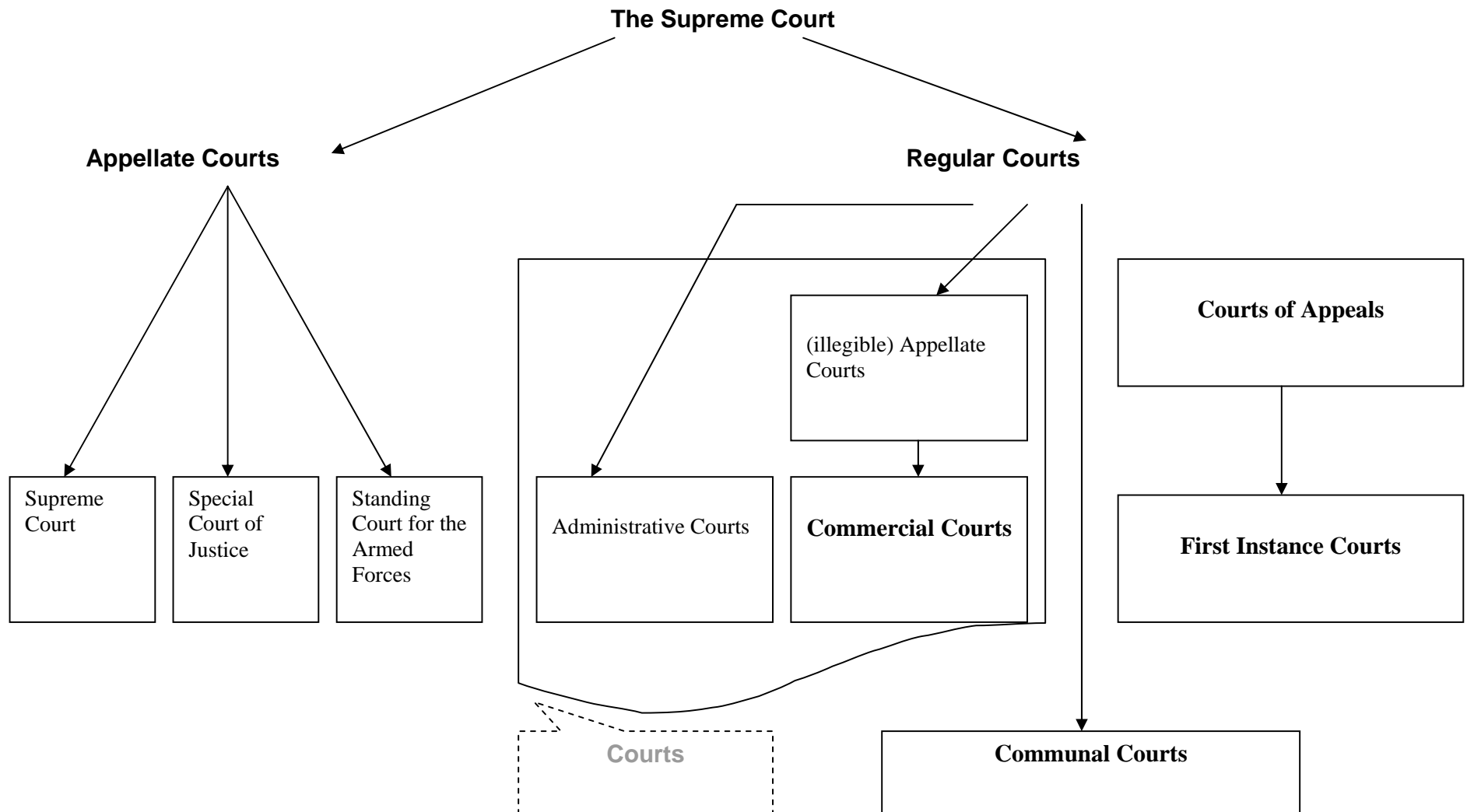


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Decree No. 2.98.385 issued on 28 Safar 1419 (23 June 1998) specifying the competencies and organization of the Ministry of Justice in Morocco.

**The Judicial Organization in the Kingdom of Morocco
(Law No. 1.74.338 of 15 July 1974)
As amended and supplemented**



The Kingdom's judicial organization is divided into a series of courts and the Supreme Court. The first instance courts are lower in level than the Appellate Courts and the Supreme Court.

In accordance with the First Chapter of Law No. 1-74-338 of 15 July 1974 – 24 Jumada II 1394, regarding the judicial organization in the Kingdom of Morocco, the regular courts are as follows:

- Communal and District Courts. There are 837;
- First Instance Courts. There are 68, and they also include judges and resident centers, which number 183;
- Appeals Courts. There are 21;
- Supreme Court

Specialized Courts, as follows:

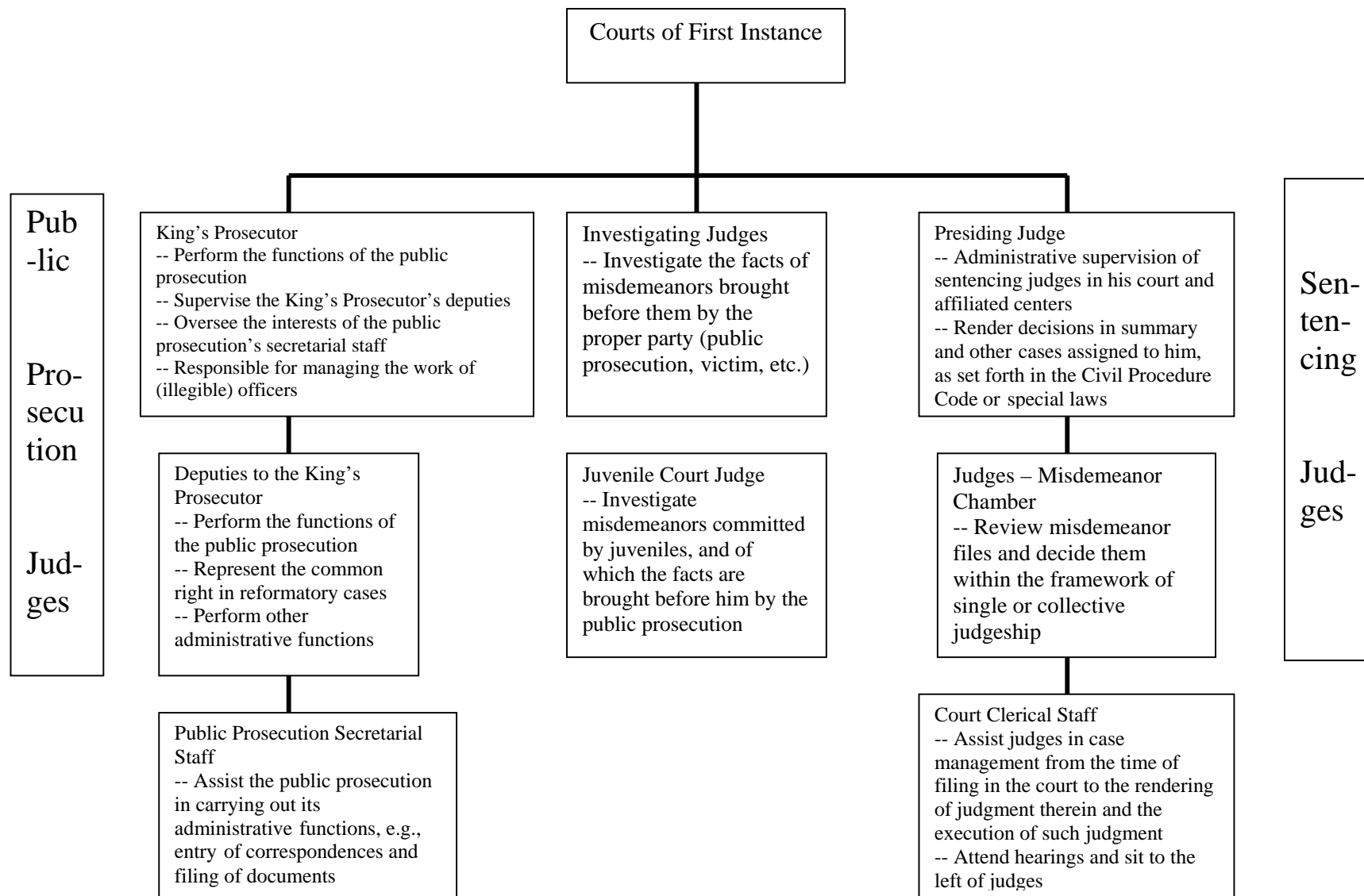
- Administrative Courts. There are 7;
- Commercial Courts. There are 8;
- Appellate Commercial Courts. There are 3;
- Supreme Court (Chapter 88 of the Constitution)

Exceptional Courts, as follows:

- Special Court of Justice;
- Standing Court for the Royal Armed Forces;
- Supreme Court.

Structure of Regular Criminal Courts in Morocco

(Law No. 1.74.338 – 15 July 1974)



The Courts of First Instance are composed of the following:

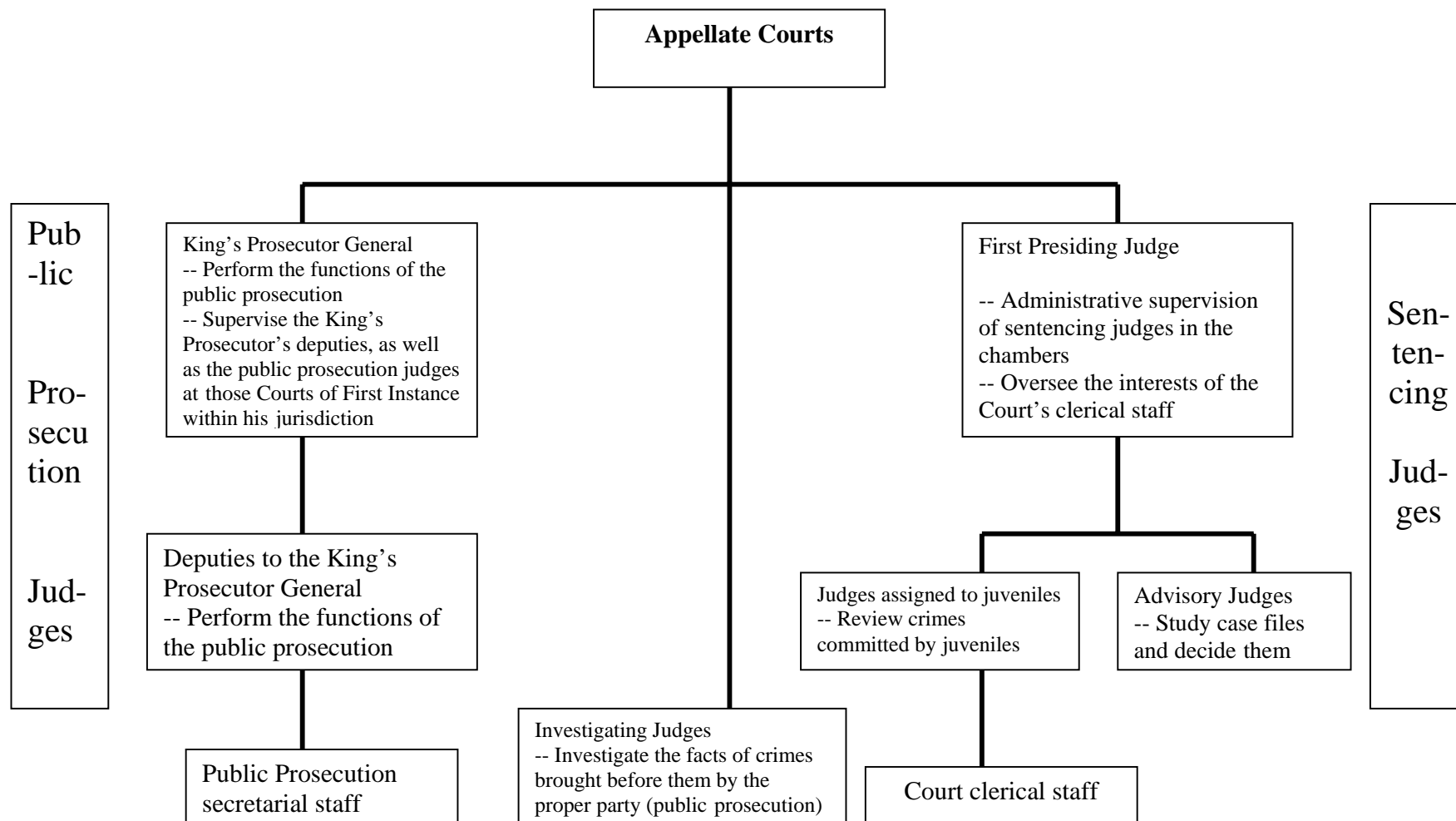
- Presiding judge, deputies to the presiding judge and judges;
- Investigating judge;
- Public prosecution consisting of the King's Prosecutor, and one or more prosecutors;
- Court clerical staff
- Public prosecution secretarial staff

These courts may be divided into chambers according to the nature of the cases brought before them. Each chamber may have one or a number of judges.

In addition, the Minister of Justice, in areas that fall within the jurisdiction of the Courts of First Instance, may assign a judge or a number of judges to perform their functions on a permanent basis, in order to enhance justice. Those judges are called resident judges. Centers for resident judges are not considered independent courts, but rather they are a part of the First Instance Courts. Presently, the number of these centers is 183.

Structure of Regular Criminal Courts in Morocco

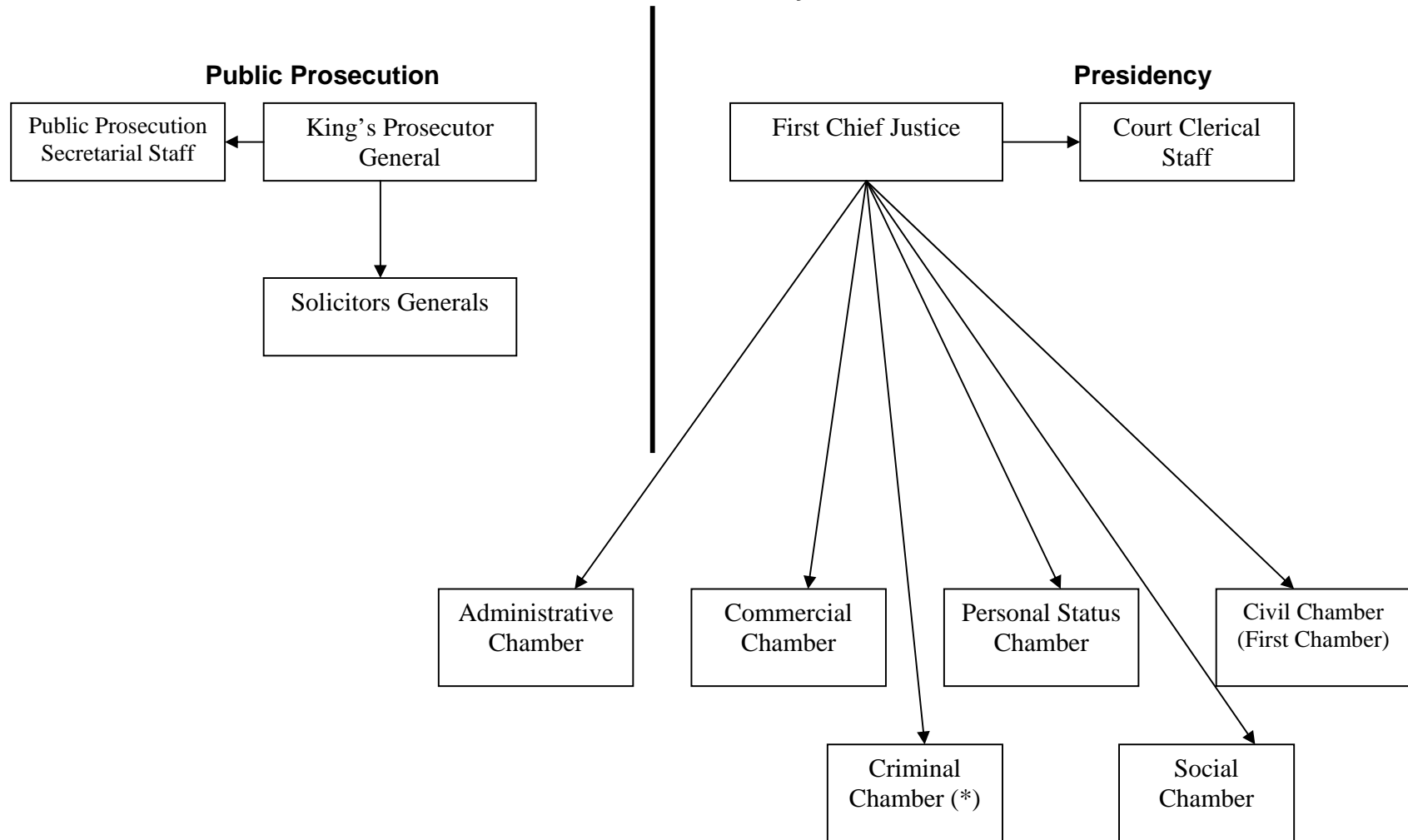
(Law No. 1.74.338 – 15 July 1974)



- The Appellate Courts are composed of several specialized chambers, among which are the personal status and inheritance chamber, and the criminal chamber.
- They are also composed of a public prosecution consisting of the King's Prosecutor General and his public deputies, and a judge or several judges assigned to investigate, as well as a judge or several judges for juveniles. They also have a clerical staff for the presiding judge and the public prosecution.
- Hearings are held for all cases. Decisions are issued through a panel consisting of three justices. Such panel is reserved due to the importance of the tasks assigned thereto.
- In view of the seriousness of the cases brought before it, the criminal chamber is composed of five judges: The chamber president, and four justices.

**Structure of Criminal Courts in Morocco
For the Supreme Court
Location: Rabat**

Law No. 1.74.338 – 15 July 1974

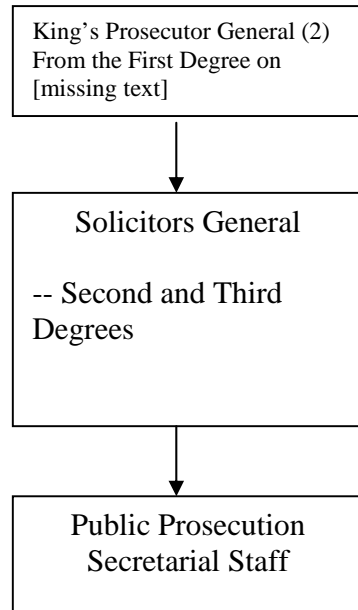


- The Supreme Court was established pursuant to Decree No. 1.57.223, dated Rabi'a Al-Thani 1377, corresponding to 27 September 1957. It exists at the top of the judicial pyramid, and oversees all trial courts in the Kingdom. With respect to its organization and competence, they are determined by the Law of 15 July 1974, which law sets forth the judicial organization in the kingdom, as well as the civil procedure code and some requirements of the criminal procedure code and military justice.
- The Supreme Court is presided over by a First Chief Justice. The public prosecution is represented before the court by one of the King's Prosecutors General assisted by solicitors general.
- The Supreme Court consists of six chambers: Civil Chamber (called the First Chamber); Personal Status and Inheritance Chamber; Commercial Chamber; Administrative Chamber; Social Chamber; and a Criminal Chamber. Each chamber is presided over by a Chamber President. These chambers may be divided into sections.
- Decisions of the Supreme Court are issued collectively. Hearings are held, and decisions are issued by five justices. In certain cases, this collective quality is reinforced, and judgments are rendered by two combined chambers. In some cases, all chambers combined issue decisions in a general session.
- (*) The criminal chamber decides on appeals brought against judgments issued by reformatory courts. It has jurisdiction to issue decisions by conducting an investigation in cases pertaining to crimes committed by some judges or staff. Moreover, it reviews petitions for release, when the matter concerns the criminal extradition code, and in cases involving revision, reconsideration and correction of decisions.

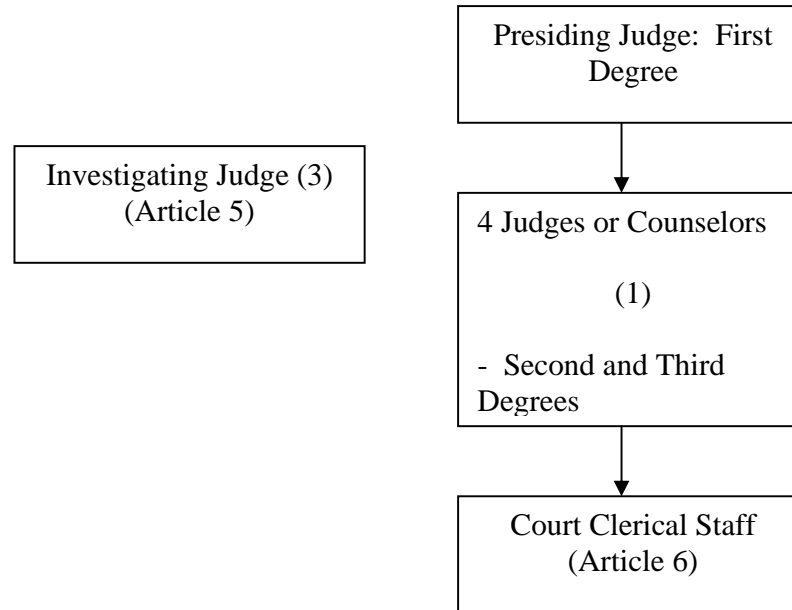
Structure of Criminal Courts in Morocco
Special Court of Justice
Location: Rabat

Law No. 1.72.157 – dated 6 October 1972, as amended and supplemented

Public Prosecution (Article [missing text])



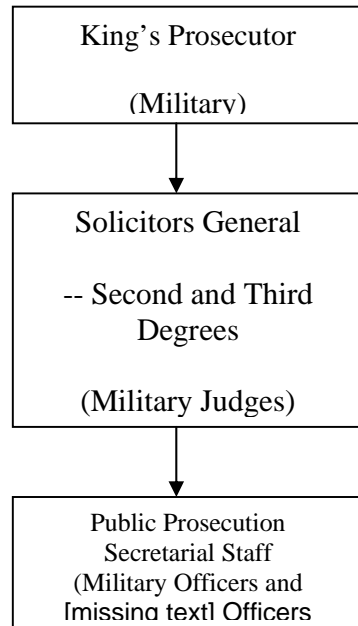
Presidency (Article [missing text])



1. The adjudicating panel consists of a presiding judge and four judges, a judge from the public prosecution, and a court reporter.
2. At the Special Court of Justice, the public prosecution is performed under the direct authority of the Minister of Justice.
3. A judge or several judges are appointed pursuant to a decision by the Minister of Justice, to investigate cases referred to the Special Court of Justice.

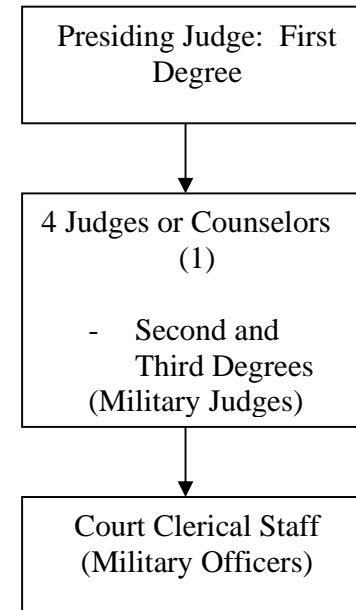
Structure of Criminal Courts in Morocco
The Military Court (*)
Location: Rabat
Law No. 1.77.56 – dated 12 July 1977
Statute Regarding Military Judges and Officer Court Clerical Staff

Public Prosecution (Article 6)



Investigating Judge
Military Officers

Presidency () (Article 12)**



(*) The standing military court, which must consist of members over the age of twenty-one, shall be composed in accordance with the following:
 First - with regard to deciding misdemeanors and violations: by a judge at the court of appeals, in whose jurisdiction the military court convenes, in the capacity of presiding judge along with two military member counselors.

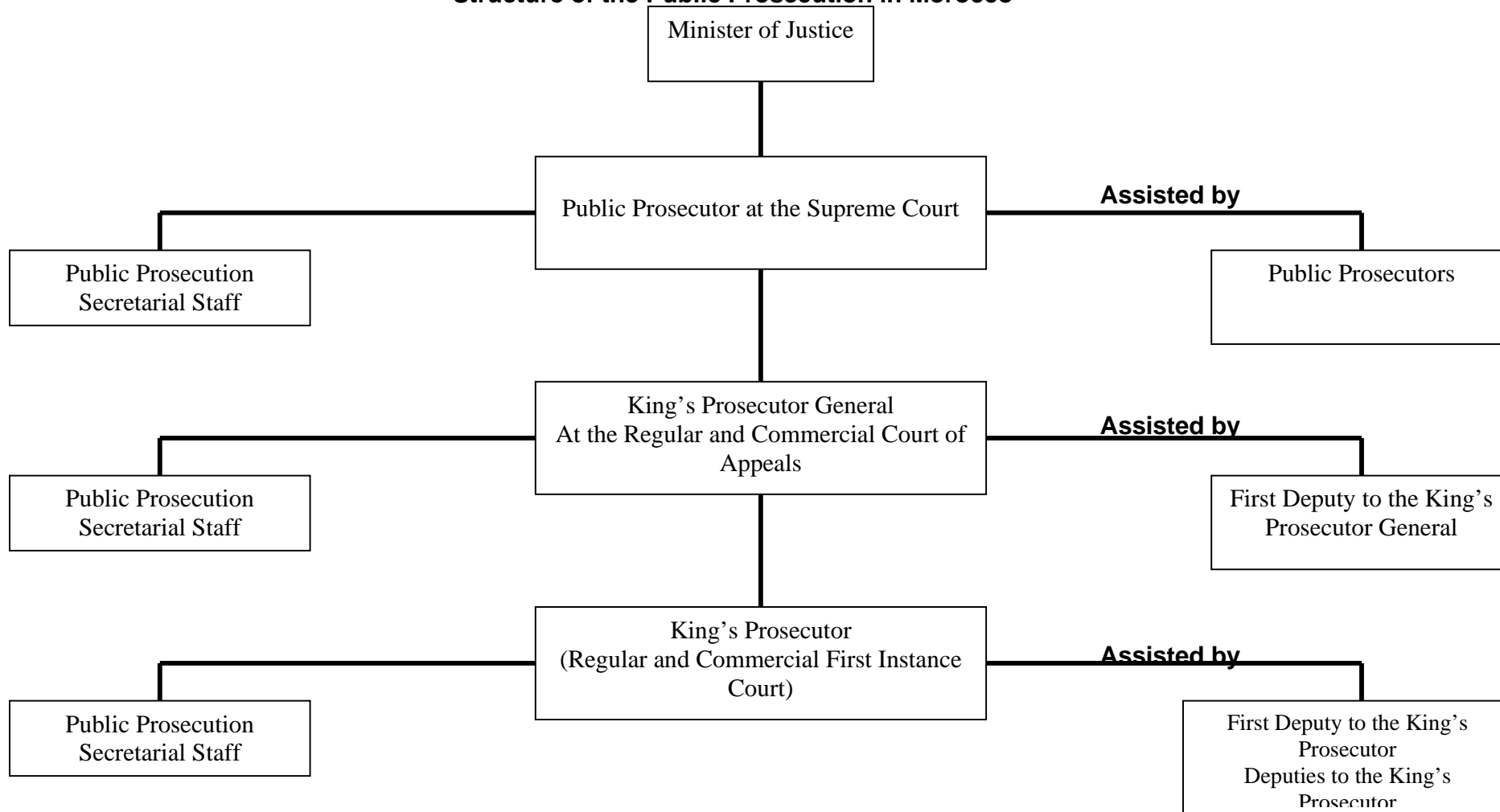
Second - with regard to deciding felonies: by a judge at the court of appeals, in whose jurisdiction the military court convenes, in the capacity of presiding judge along with four military member counselors. (Article 11 of the Military Justice Law)

(**) The presidency of the standing military court shall, within the circle of judicial authority, be entrusted with the following persons:

A judge or counselor at the court of appeals, with respect to trials of officers up to the rank of lieutenant colonel or equivalent rank;

And with the chief justice of the court of appeals, with respect to trials of colonels and generals (Article 12 of the Military Justice Law)

Structure of the Public Prosecution in Morocco



Representation of the public prosecution before the regular and exceptional courts

* Representation of the public prosecution before the regular courts:

1) Representation of the public prosecution before the Court of First Instance

According to the requirements of Chapter 39 of the Criminal Procedure Code, No. 22.01, it states that the King's Prosecutor shall, by himself or through his deputies, represent the public prosecution. Therefore, the King's Prosecutor and his deputies are the ones who represent the public prosecution before the Court of First Instance (Chapter 2 of Judicial Organization Decree of 15 July 1974).

2) Before the Court of Appeals

Chapter 48 of the Criminal Procedure Code states that the chief of the public prosecution shall be represented by the solicitor general, by himself or through his deputies, before the Court of Appeals. In addition, the public prosecution shall be represented at the misdemeanor chamber of the Court of Appeals, which replaced the indictment chamber, Chapter 214, Criminal Procedure Code (Chapter 6 of the Judicial Organization Decree of 15 July 1974)

3) Before the Supreme Court

The second chapter of Decree 57/9/27, defining the organization of the Supreme Court, and chapter ten of the 1974 Decree regarding the judicial organization, addressed the formation of the public prosecution before this Court. It shall be composed of the King's Prosecutor General, and the Solicitors General who assist him in his functions (Chapter 10 of the Judicial Organization 15 July 1974).

It is to be noted that in considering the Supreme Court a court of law, it limits the prosecution's role to defending the truth, the law, and ensuring the application and sound and proper interpretation thereof, such that it is not infringed upon when moving and prosecuting public cases. This competence remains restricted to public prosecutions before trial courts; but with respect to the public prosecution before the Supreme Court, it is a party that joins in any and all appeals brought by the parties or the public prosecution at the cassation level.

Before the Commercial Court

The public prosecution is represented before the commercial court by the King's Prosecutor and his deputies (Article 2 of the 12 February 1997 Decree).

3) Before the Commercial Appellate Court

The public prosecution is represented before the commercial court by the Prosecutor General and his deputies, Chapter 3 of the 12 February 1997 Decree.

* Representation of the Public Prosecution Before the Exceptional Courts:

1) The public prosecution before the standing military court for the royal armed forces shall be represented by the government's representative and his deputies appointed from among the military judicial officers (Chapters 23 and 24 of the Military Justice Law)

2) The Public Prosecution before the Special Court of Justice:

The functions of the public prosecution before the Special Court of Justice are performed by Prosecutor General to be selected from among judges of the first degree at least. He shall be appointed pursuant to a Royal Decree (Chapter 4 of the Decree Regarding the Special Court of

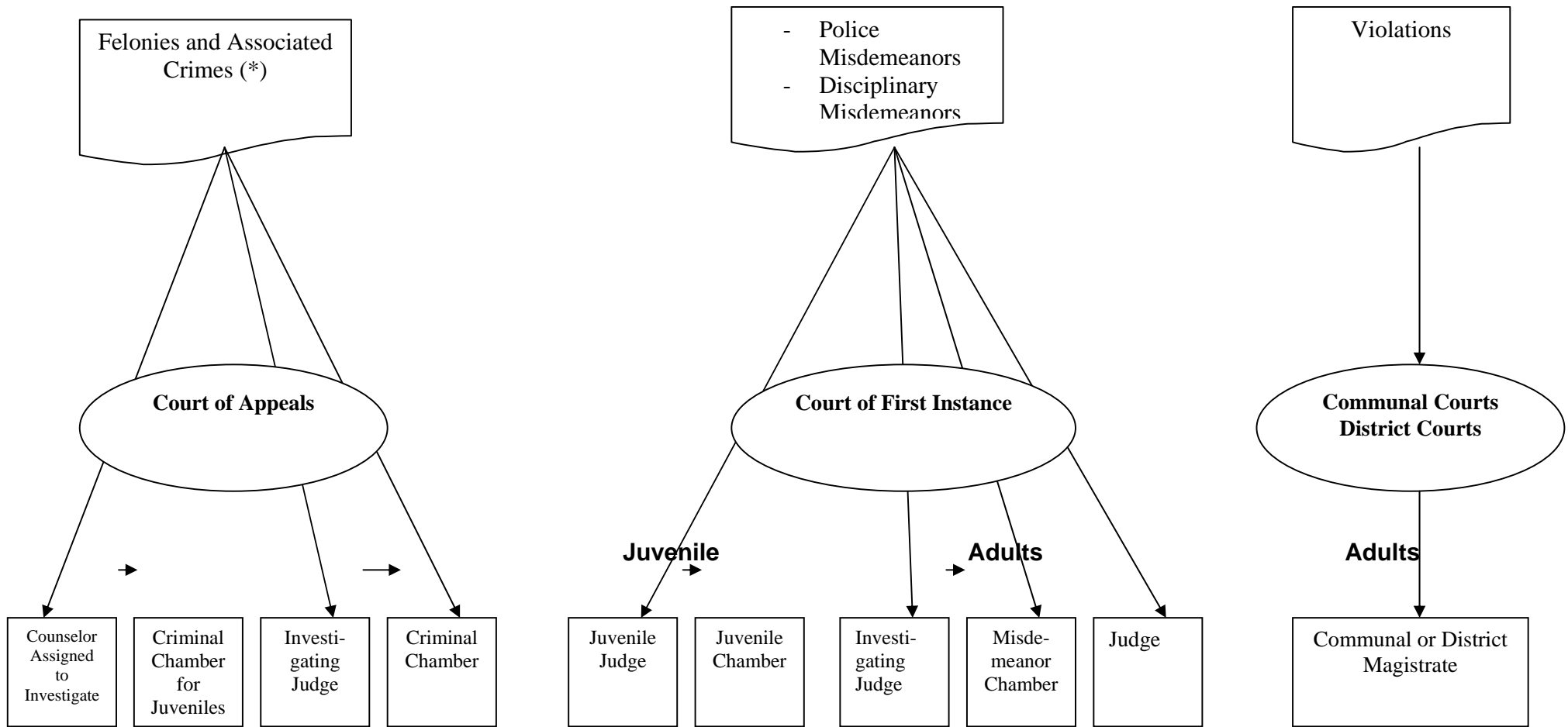
Justice, as amended by Decree 24/5/74), but it is to be noted that he performs his functions under the direct authority of the Minister of Justice.

3) Representation of the Public Prosecution before the Supreme Court for Justice

The functions of the public prosecution before the Supreme Court for Justice are performed by members of Parliament, as Chapter 89 states that the two assemblies of the Parliament may bring charges against them and circumvent the Supreme Court. However, Chapter 90 provides for a special impeachment procedure. It is noteworthy to mention that through the representation of the public prosecution before the exceptional courts, the legislator, for special considerations, gave these functions to persons outside the judicial apparatus. The best example of that is the Supreme Court for Justice and the Military Court.

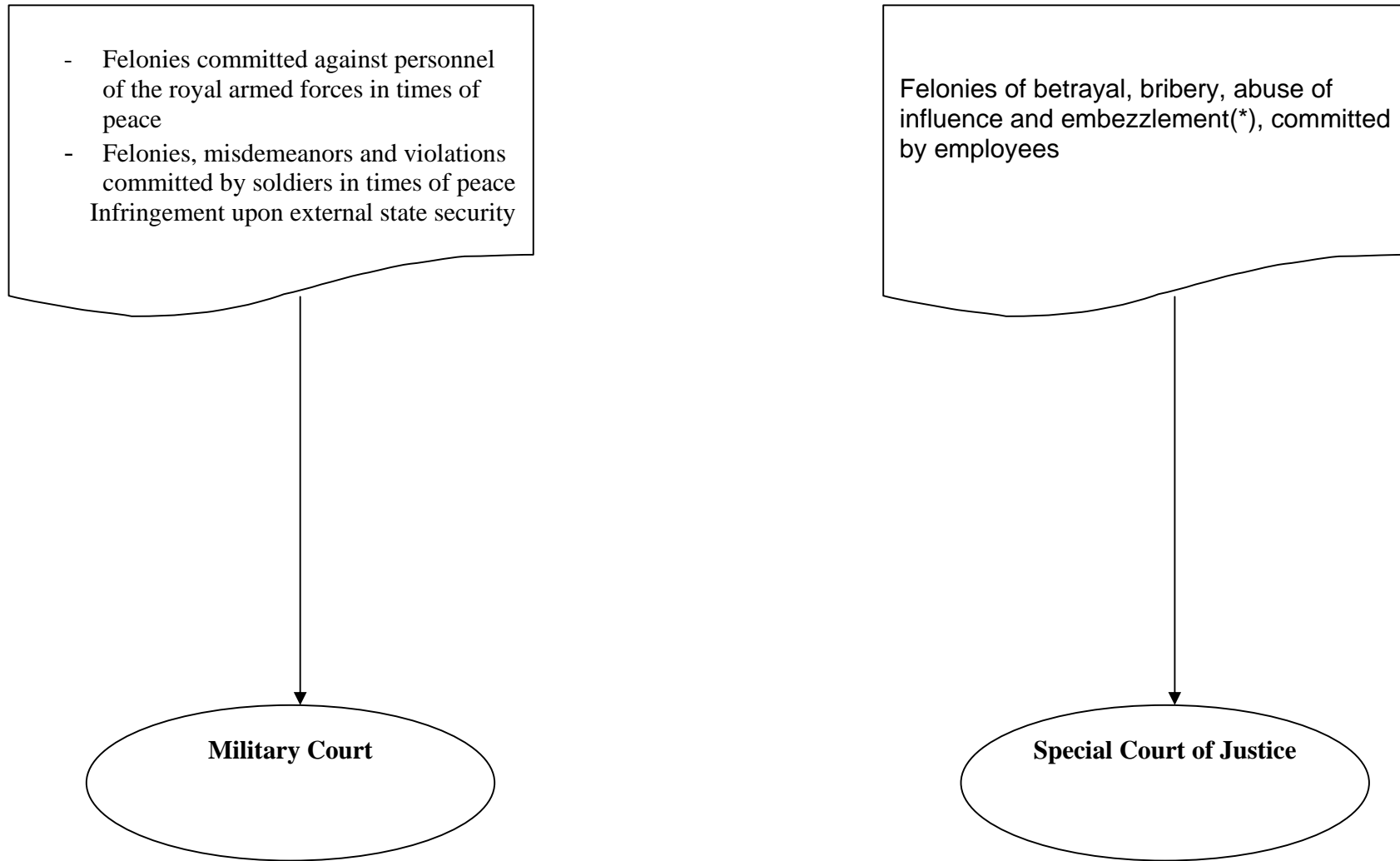
It also noteworthy to mention that the public prosecution is not represented before the Communal and District Courts, and Administrative Courts, due to the fact that the latter has at its disposal a special institution called the Royal Commissioner.

Course of Criminal Case for Different Types of Crimes



(*) With respect to terrorist crimes, the court of appeals in Rabat has the jurisdiction to pursue, investigate and adjudicate such crimes pursuant to Article 7 of Law 03.03 concerning combating terrorism.

Course of Criminal Case for Special Types of Crimes



(*) The embezzled amount must exceed 25,000 (twenty-five thousand) dirhams.

(**) The military court, in times of peace and in times of war, does not have the right to review cases involving defendants under the age of 18 years at the time of trial, unless they are soldiers (Article 5 of the Military Justice Law)

Diagram of Criminal Prosecution Procedures at Communal and District Courts

Article 15 of Law No. 1.74.339 (15 July 1974)

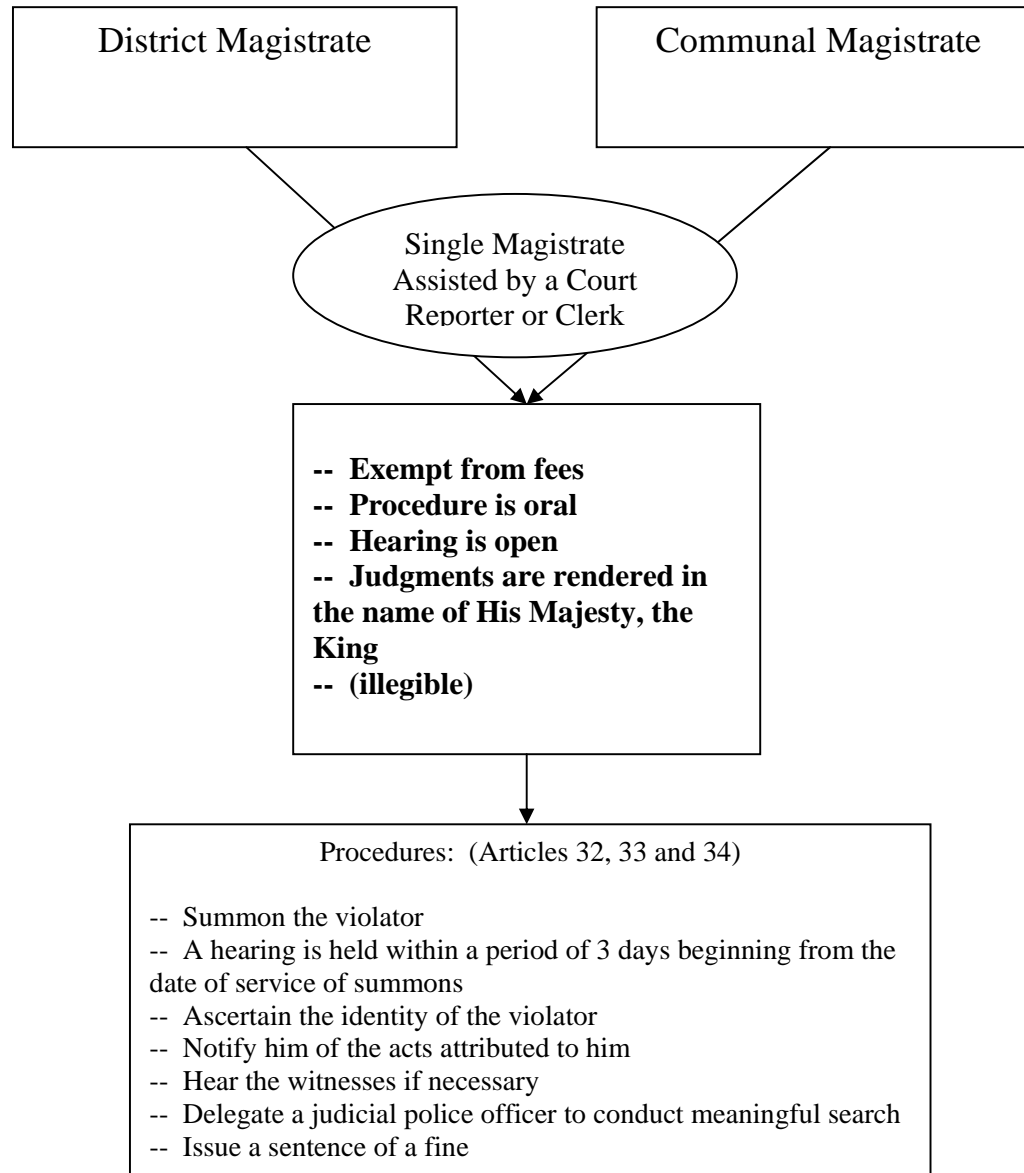
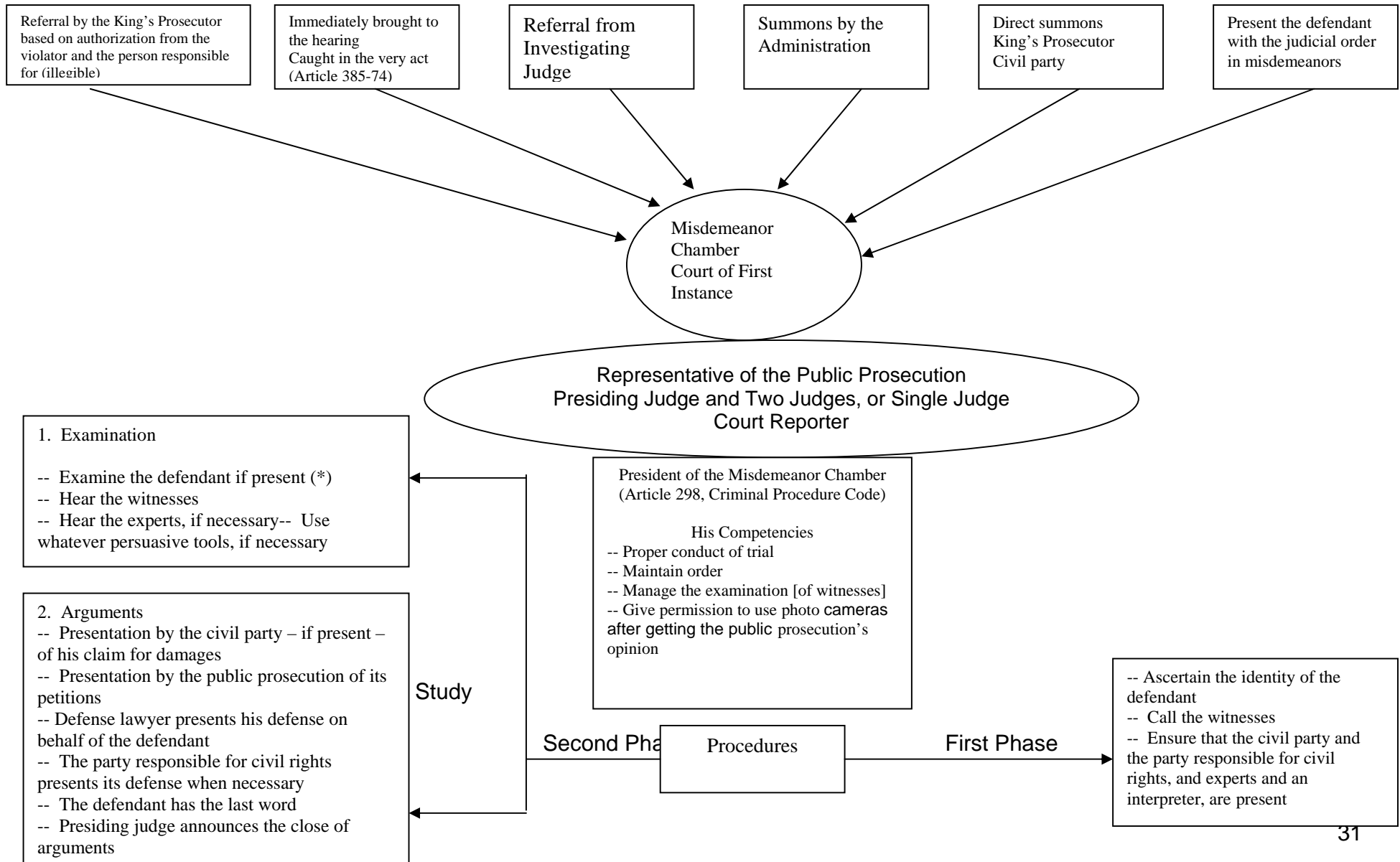


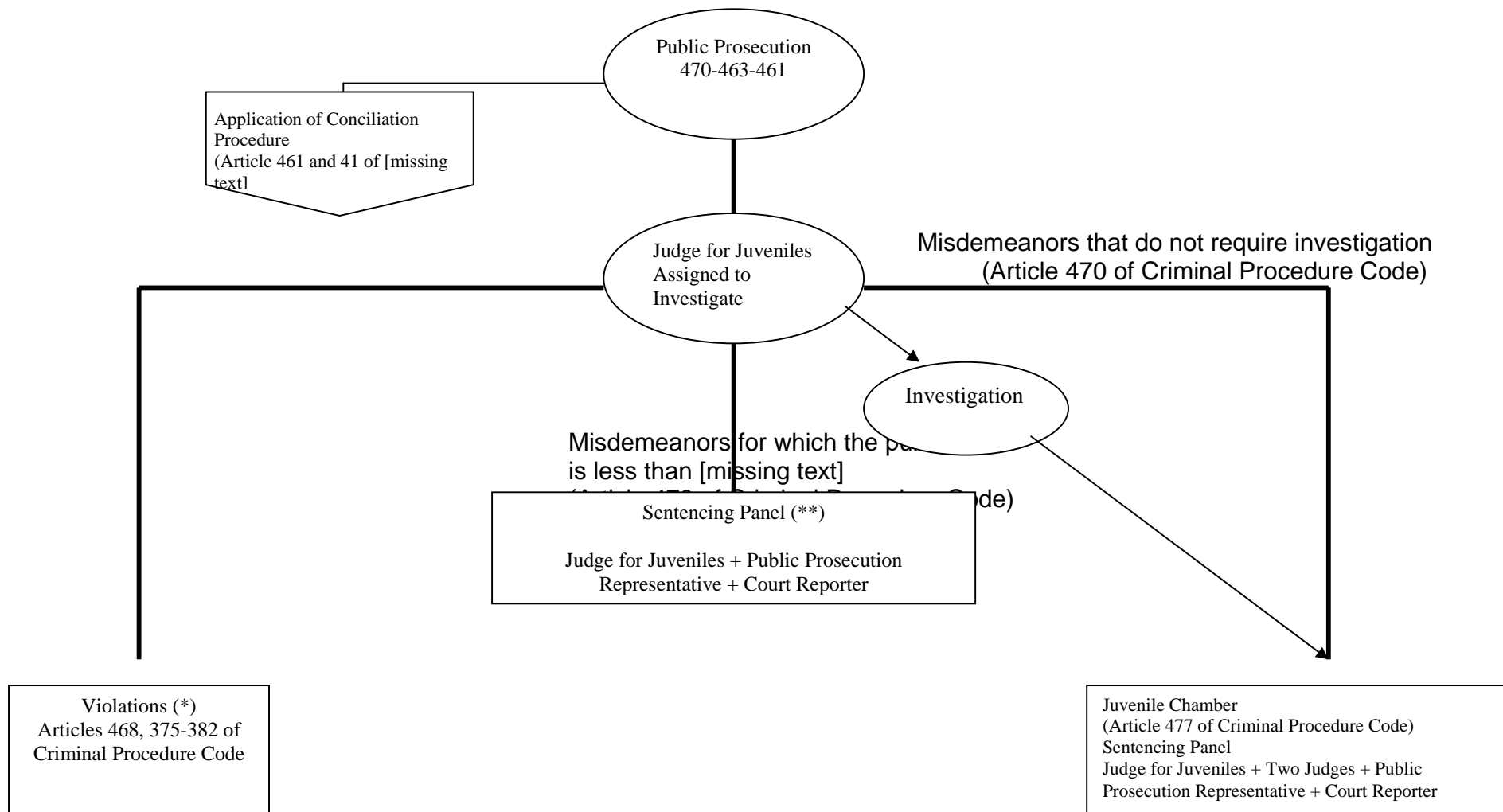
Diagram of Criminal Prosecution Procedures at the Court of First Instance
Misdemeanors and Violations (Article 252 of Criminal Procedure Code)
With Respect to Adults



* If the defendant has a health condition that prevents him from being present at the hearing, and there are serious reasons precluding any delay in adjudicating the case, then the court shall issue a special and justified decision to assign one of its members, with the assistance of the court reporter, to examining the defendant at the location where he is present. When necessary, the court shall determine the questions to be posed by the judges, public prosecution and parties. The examination shall be done in the presence of the defendant's attorney when necessary.

The judge poses whatever questions he deems necessary to the defendant, in addition to the questions set by the court's panel, and the questions which may be posed by the defendant's attorney. (Article 312 Criminal Procedure Code)

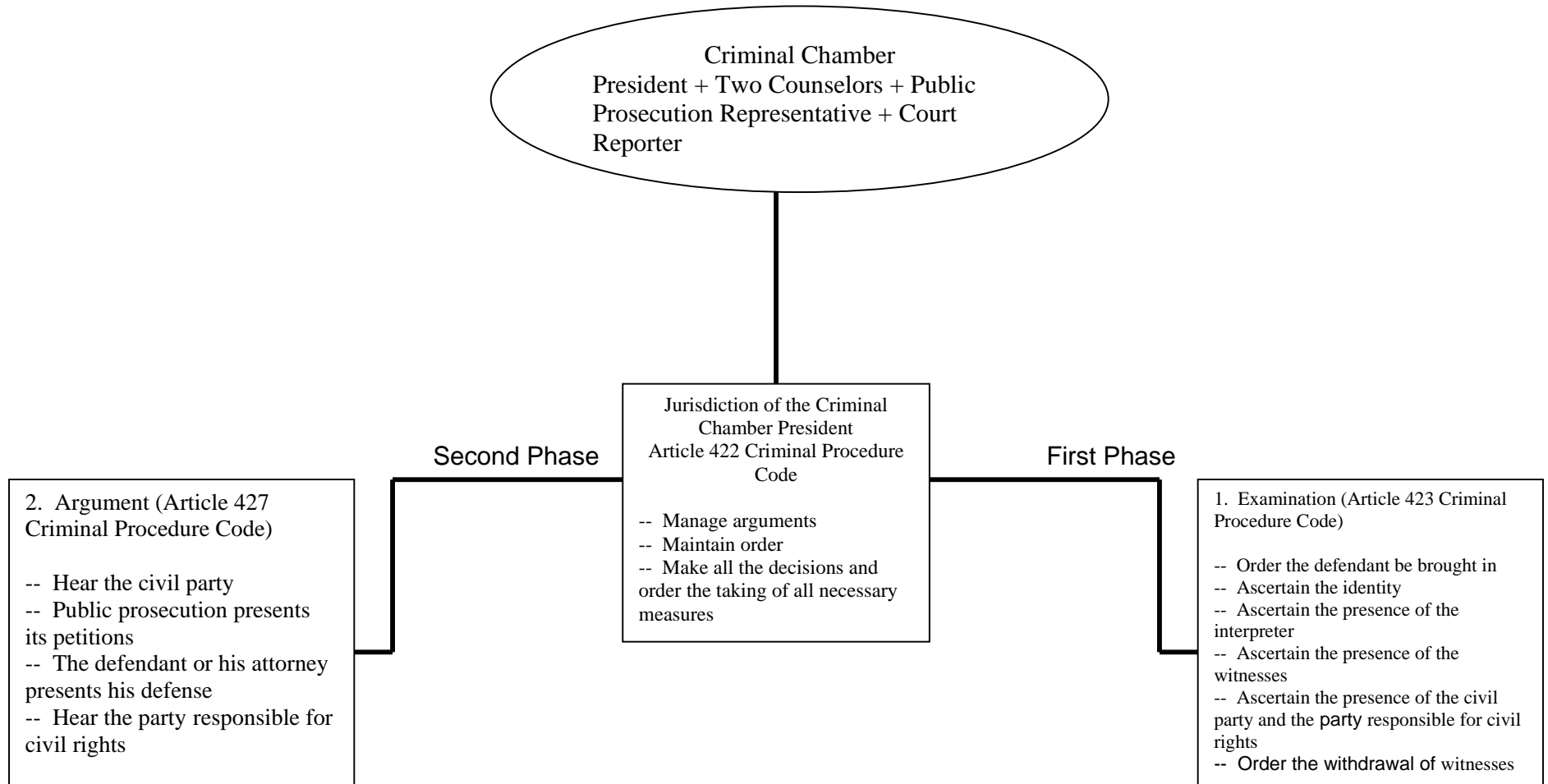
Diagram of Criminal Prosecution Procedures at the Court of First Instance In Misdemeanors and Violations Juveniles



* Violations attributed to juveniles between the ages of 12 and 18 years.

** The panel president has the same competencies with respect to management and oversight of proper conduct of trial, along with characteristics relevant to juveniles. Among those characteristics, in particular, are: secrecy of examination and arguments and presence of attorney at the hearings (Articles 468, 470, 477 of Criminal Procedure Code)

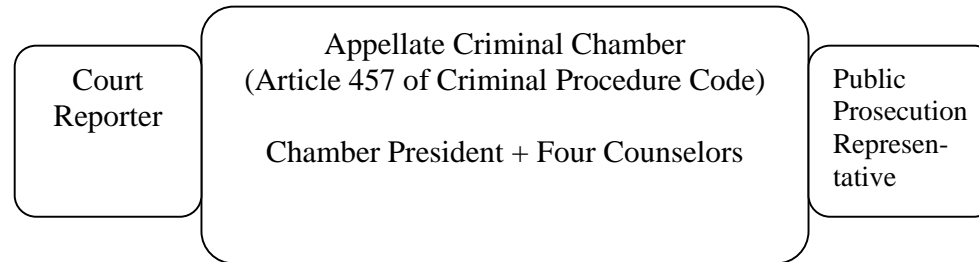
**Diagram of Criminal Prosecution Procedures at the Criminal Chamber
Court of Appeals
(With Respect to Adults(*))**



* The same procedures shown above are applied with respect to trials of juveniles before the criminal chamber for juveniles, while taking into consideration that the criminal chamber for juveniles is composed of a counselor for juveniles as president, in addition to two counselors. Its sessions are held in the presence of the public prosecution representative and court reporter, and these sessions are secret (Article 490 of Criminal Procedure Code)

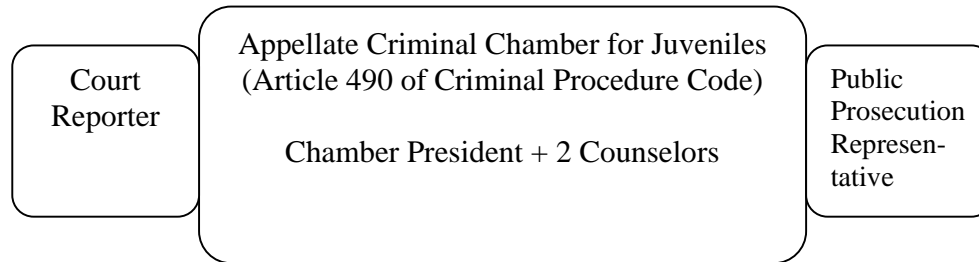
Diagram of Criminal Prosecution Procedures Before the Appellate Criminal Chamber

1. For Adults(*)



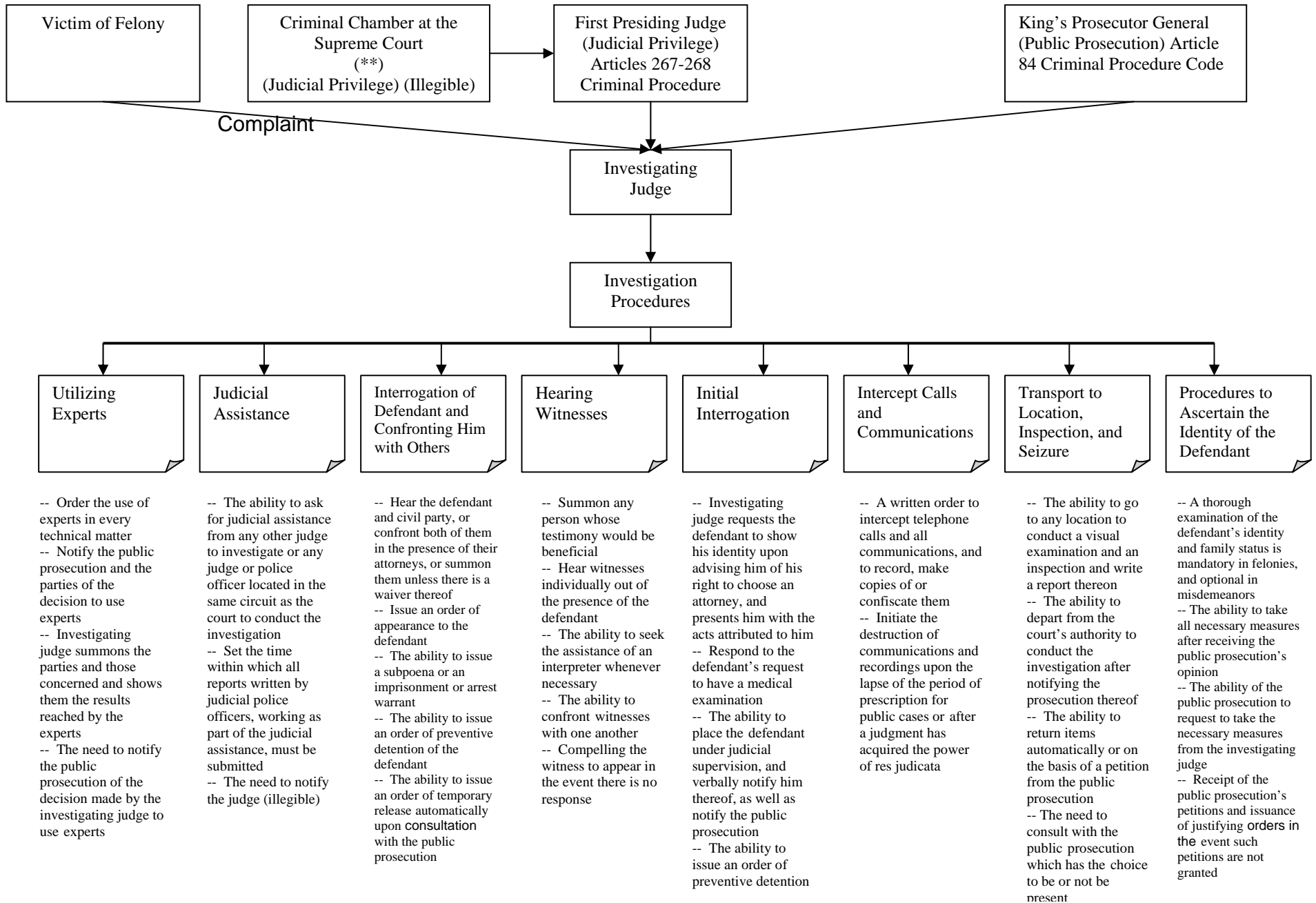
* The same procedures used before the criminal chamber shall be applied (Article 457 of [missing text])

2. For Juveniles(*)



* The same procedures used before the criminal chamber for juveniles shall be applied (Article (illegible))

Diagram Outlining the Course of a Criminal Case Before the Investigating Judge at the Court of Appeals(*) Articles 83-221 of Criminal Procedure Code



Orders Pertaining to the
Conclusion of the Investigation

- Issue an order of lack of jurisdiction
- Issue an order of referral to the criminal chamber, if the matter concerns a felony
- Issue an order of referral to the relevant court, if the matter concerns (illegible)

(*) The investigation is mandatory:

1. In felonies that are punishable by execution or life imprisonment, for which the maximum prescribed penalty is 30 years;
2. In felonies committed by juveniles;
3. In misdemeanors for which there is a special provision in the law.

It is optional in all other felonies and misdemeanors committed by juveniles, and in misdemeanors for which the maximum prescribed penalty is five or more years. (Article 83 of Criminal Procedure Code)

(**) If the act is attributed to a counselor of His Majesty, the King, or a member of the government, or State secretary or deputy State secretary, in compliance with the requirements of Title Eight of the Constitution, or a judge of the supreme council for accounting, or member of the constitutional council; or to an administrative officer or worker or first president of a regular or specialized court of appeals, or the King's Prosecutor General thereat, the criminal chamber at the Supreme Court shall order – when necessary – based on the petitions submitted by the King's Prosecutor General at the same Court, that an investigation be conducted in the case by a member or several members of its panel.

The investigation is conducted according to the method set forth in the Third Section of the First Book concerning the preparatory investigation.

After concluding the investigation, the investigating judge or judges, as the case may be, issues a judicial order after follow-up or a referral to the criminal chamber at the Supreme Court.

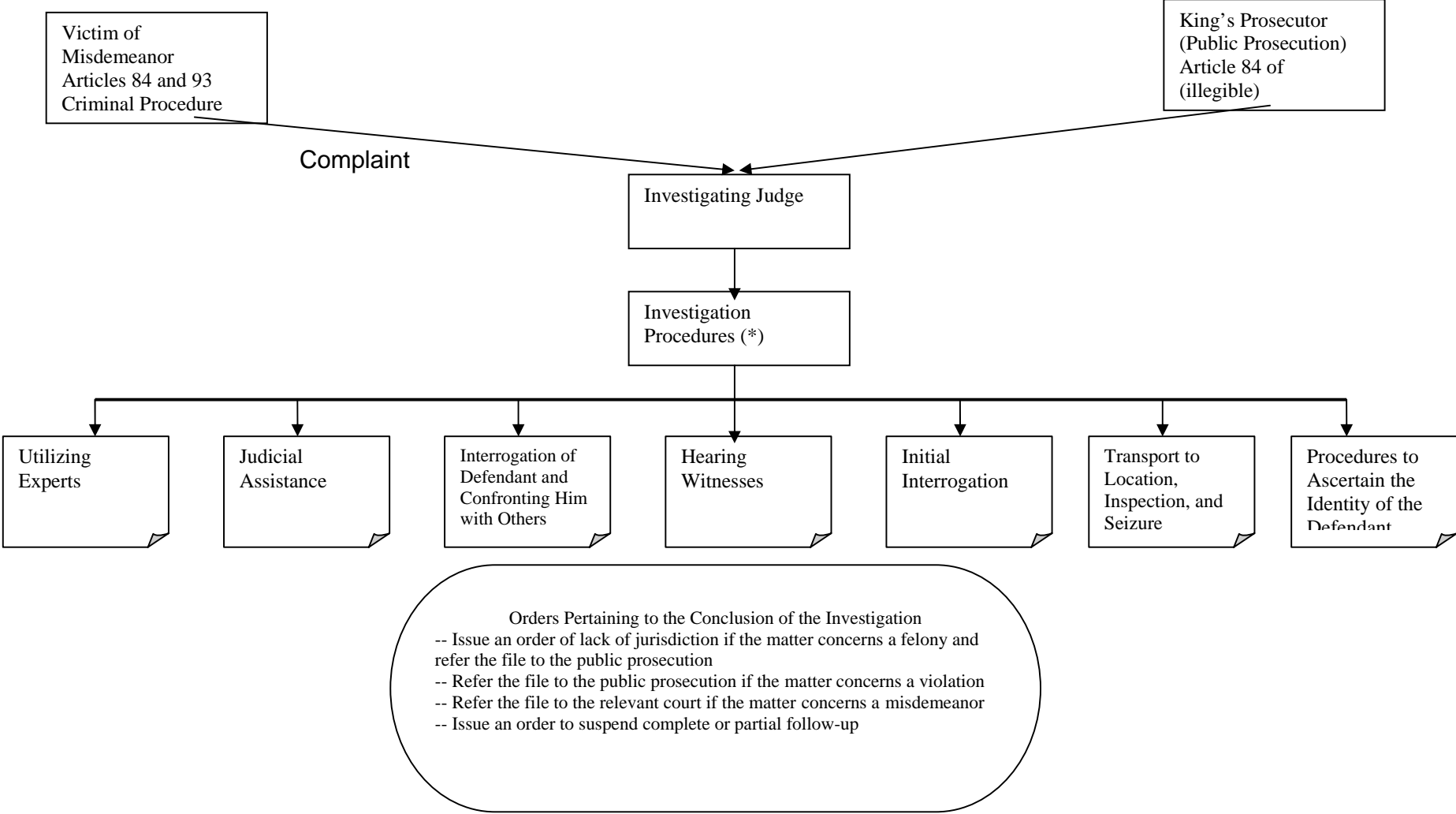
The criminal chamber at the Supreme Court shall decide the case.

The decision of the criminal chamber is appealable within a period of eight days. At the appeal level, the combined chambers of the Supreme Court decide the appeal, except for the criminal chamber which decided the case.

No claim for civil right shall be accepted at the Supreme Court.

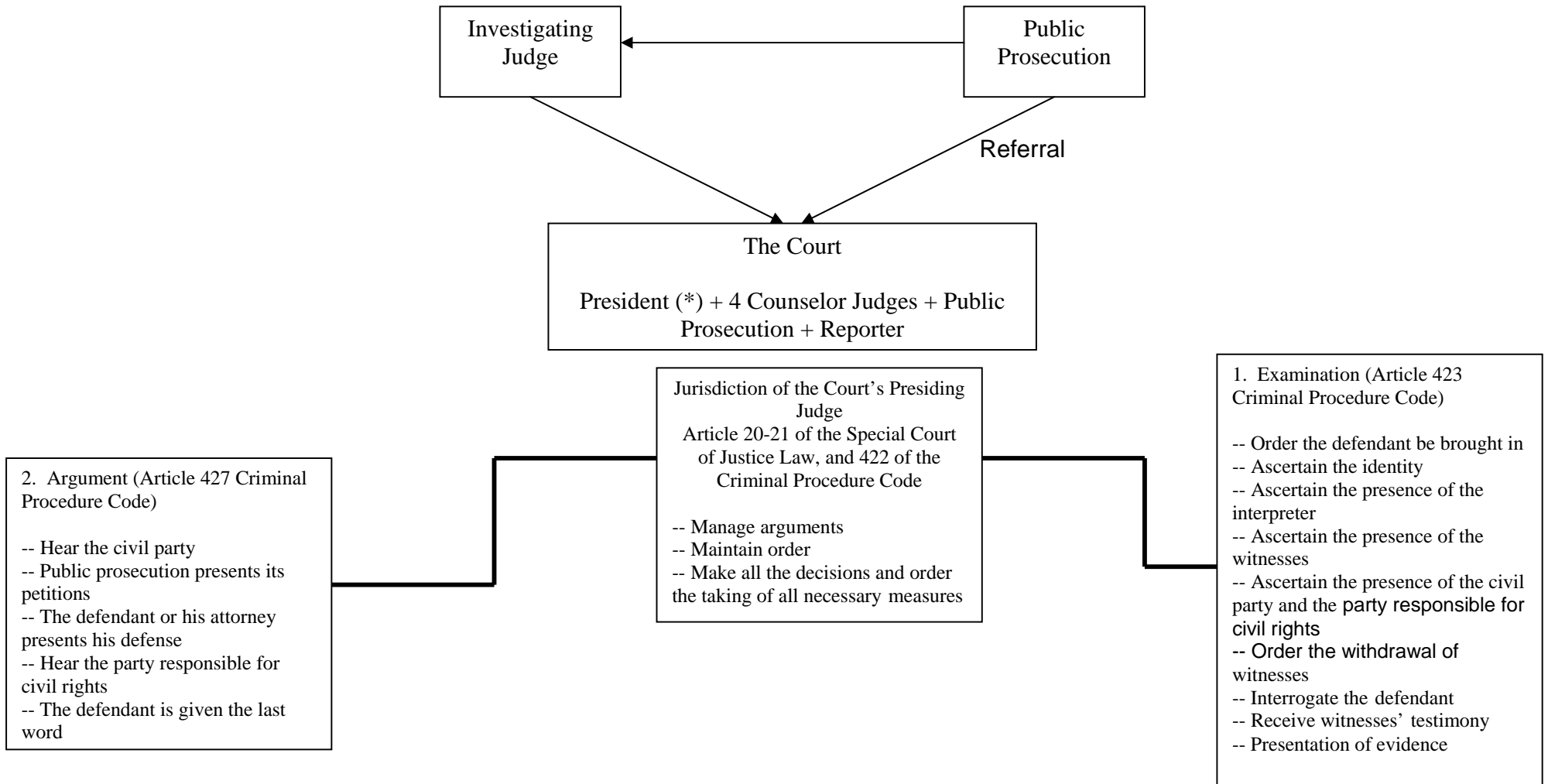
(***) The investigating judge shall direct the file to the public prosecution after the court reporter has numbered its pages, once he has determined that the examination has concluded. The public prosecution shall direct its petitions to the investigating judge within a period not to exceed eight days of its receipt of the file.

**Diagram Outlining the Course of a Criminal Case Before the Investigating Judge at the Court of First Instance(*)
Articles 83-221 of Criminal Procedure Code**



(*) The investigating judge is restricted to the court of first instance with regard to all complaints applied by the investigating judge at the court of appeals, and which conform with investigations in misdemeanors, including referring the file to the public prosecution after concluding the investigation so that it could present its petitions within a period not to exceed eight days of the date of its receipt of the file.

Diagram of Criminal Prosecution Procedures At the Special Court of Justice



* He has the same competencies granted to the president of the criminal chamber at the regular courts, with respect to managing the hearing and maintaining order therein (Article 18 of the Special Court of Justice Law)

** After announcing the conclusion of arguments, the presiding judge reads the questions to which the court must provide answers.

These questions are posed in the following sequence with respect to each defendant:

Is the defendant actually convicted of the act attributed to him?

Did he commit this act in this or those aggravating circumstances?

Did he commit this act in this or those legally excusable conditions?

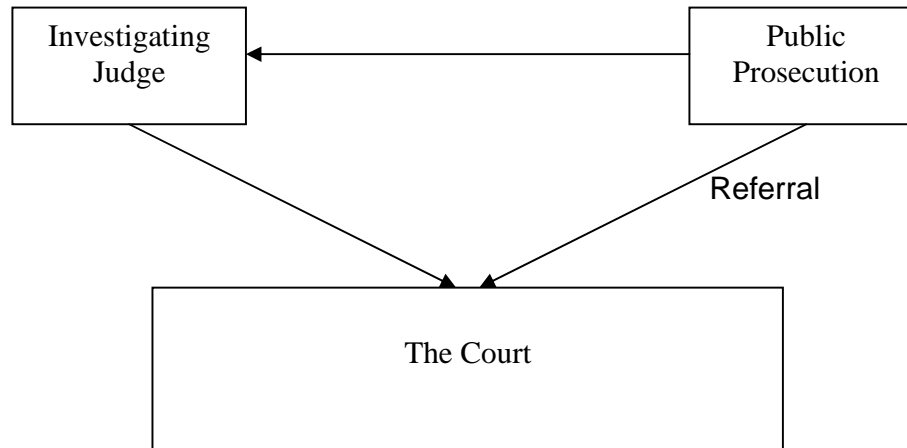
The members of the court deliberate then vote by saying “yes” or “no” to the questions asked.

The decision on these questions shall be by a majority vote.

In the event of a tie vote, the side of the presiding judge shall prevail.

It may not be in coupled with a stay of execution of any punishment that is sentenced by the Special Court of Justice.

**Diagram of Criminal Prosecution Procedures
At the Military Court (*)**



2. Argument (Articles 95, 96 of the Military Justice Law)

- Public prosecution explains the indicting evidence and presents its petitions
- The defendant or his attorney presents his defense
- The defendant is given the last word
- Announcing the conclusion of arguments (**)

Jurisdiction of the Court's Presiding Judge

- Manage arguments (Article 91)
- Maintain order
- Make all the decisions and order the taking of all necessary measures

1. Examination (Article 82 to 90 of the Military Justice Law and the Provisions of the aforementioned Criminal Procedure Code)

- Order the defendant be brought in
- Ascertain the identity and presence of the defense
- Ascertain the presence of the interpreter
- Ascertain the presence of the witnesses
- Order the withdrawal of witnesses
- Interrogate the defendant
- Receive witnesses' testimony
- Presentation of evidence

* See the composition of the Court's panel in Diagram No. 14

** During deliberations, the presiding judge poses questions in the following sequence with respect to the defendants:

First - Did the defendant commit the crime with which he is charged?

Second – Did he commit this act in aggravating circumstances? And if so, what is it or what are they?

Third – Did he commit this act in circumstances that legally excuse him? If so, what is it or what are they?

If the defendant has not reached the age of eighteen years at the time the incident occurred, the presiding judge asks the following question: "Is it necessary to impose a criminal punishment upon the defendant?" Moreover, if the defendant's age is over sixteen years, but less than eighteen years, the presiding judge asks the following question: "Is it necessary to deprive the defendant of the benefit of the mitigating factor because of his opinion?"

A vote is taken on all the questions secretly.

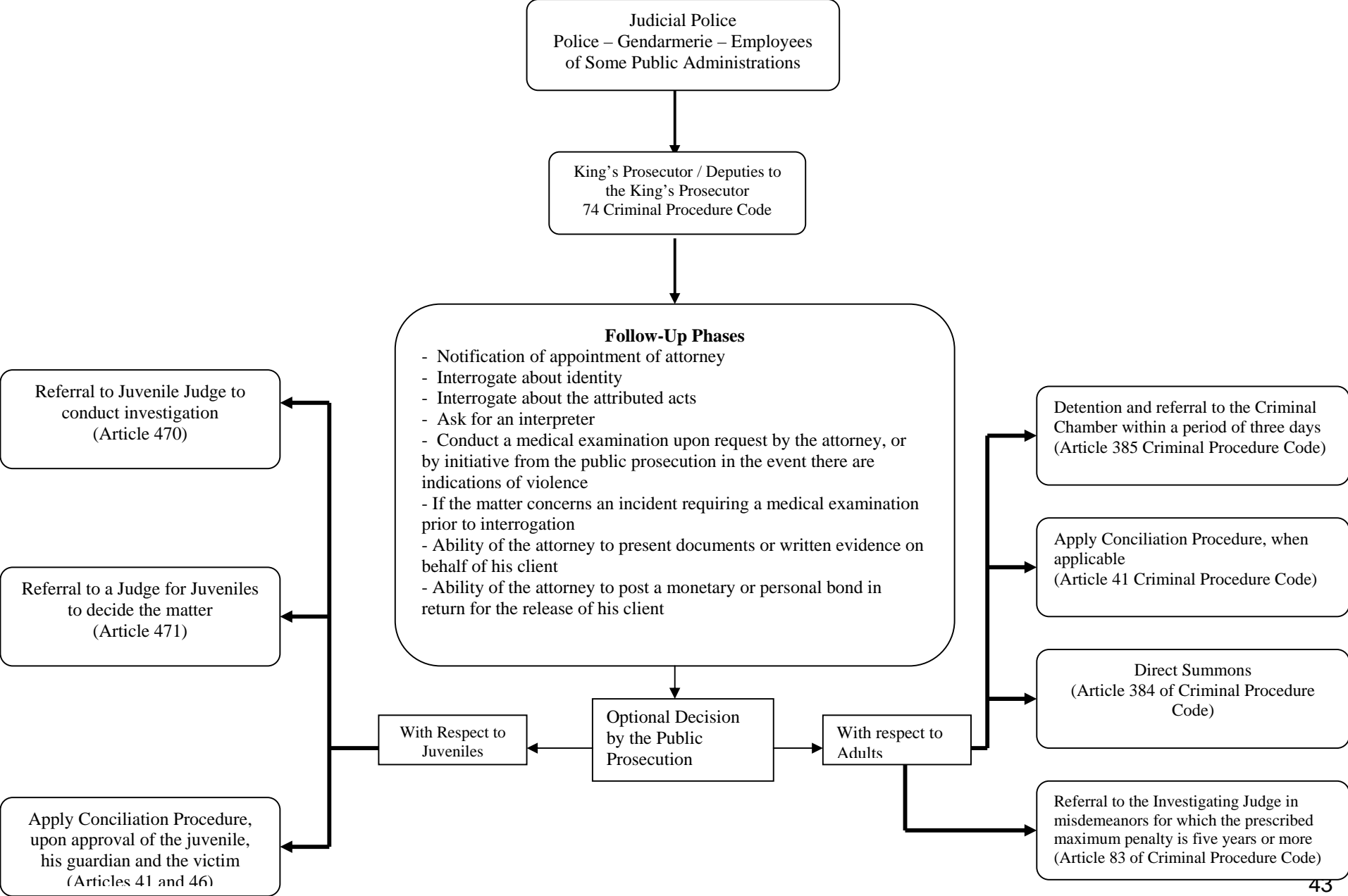
The results thereof are not applied against the defendant except after a majority is reached as prescribed in the following paragraph:

The majority shall be determined in accordance with the following:

- In disciplinary and police cases, two votes against one;
- With respect to criminal cases, four votes against one
- With respect to crimes and misdemeanors committed against external State security, five votes against two.

Each judge shall express his opinion by placing in a ballot box a printed paper bearing either of the two words "yes" or "no"

**Diagram Outlining the Course of a Criminal Case
Before the Public Prosecution at the Court of First Instance**



**Diagram Outlining the Course of a Criminal Case
Before the Public Prosecution
In Felonies and Misdemeanors Associated with
The Court of Appeals**

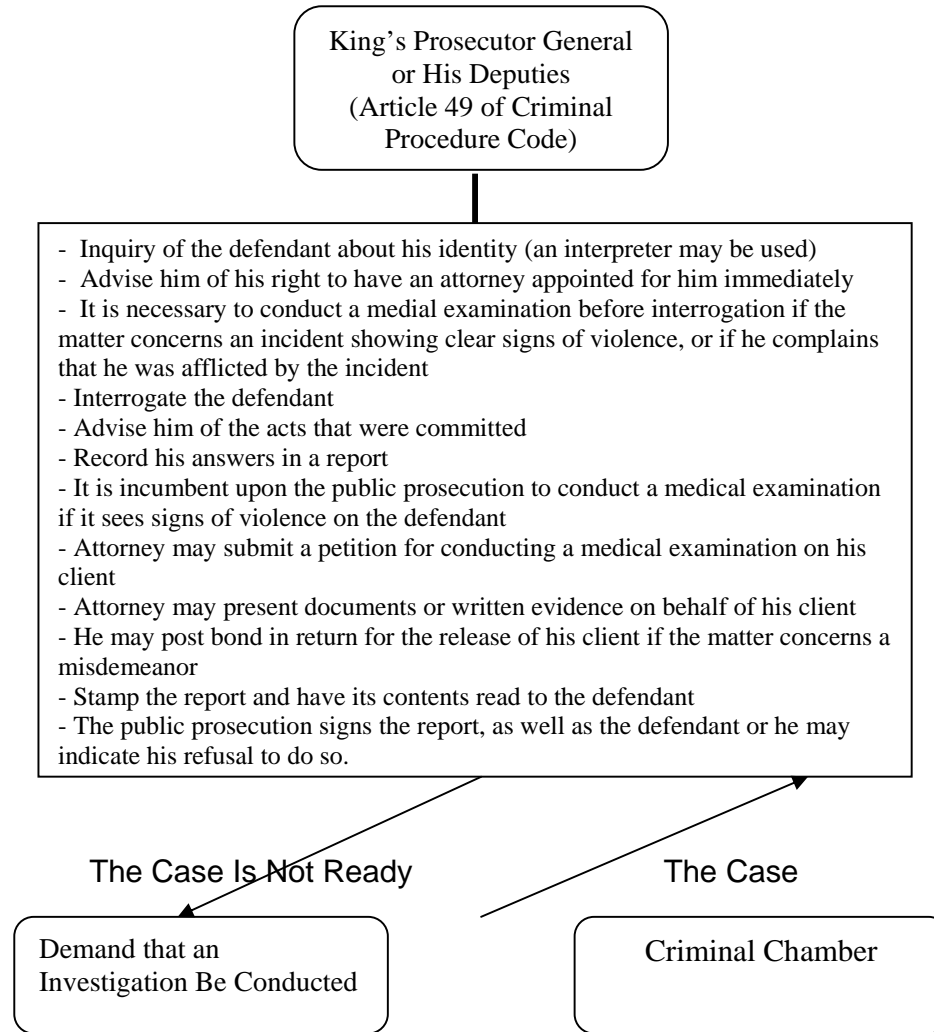
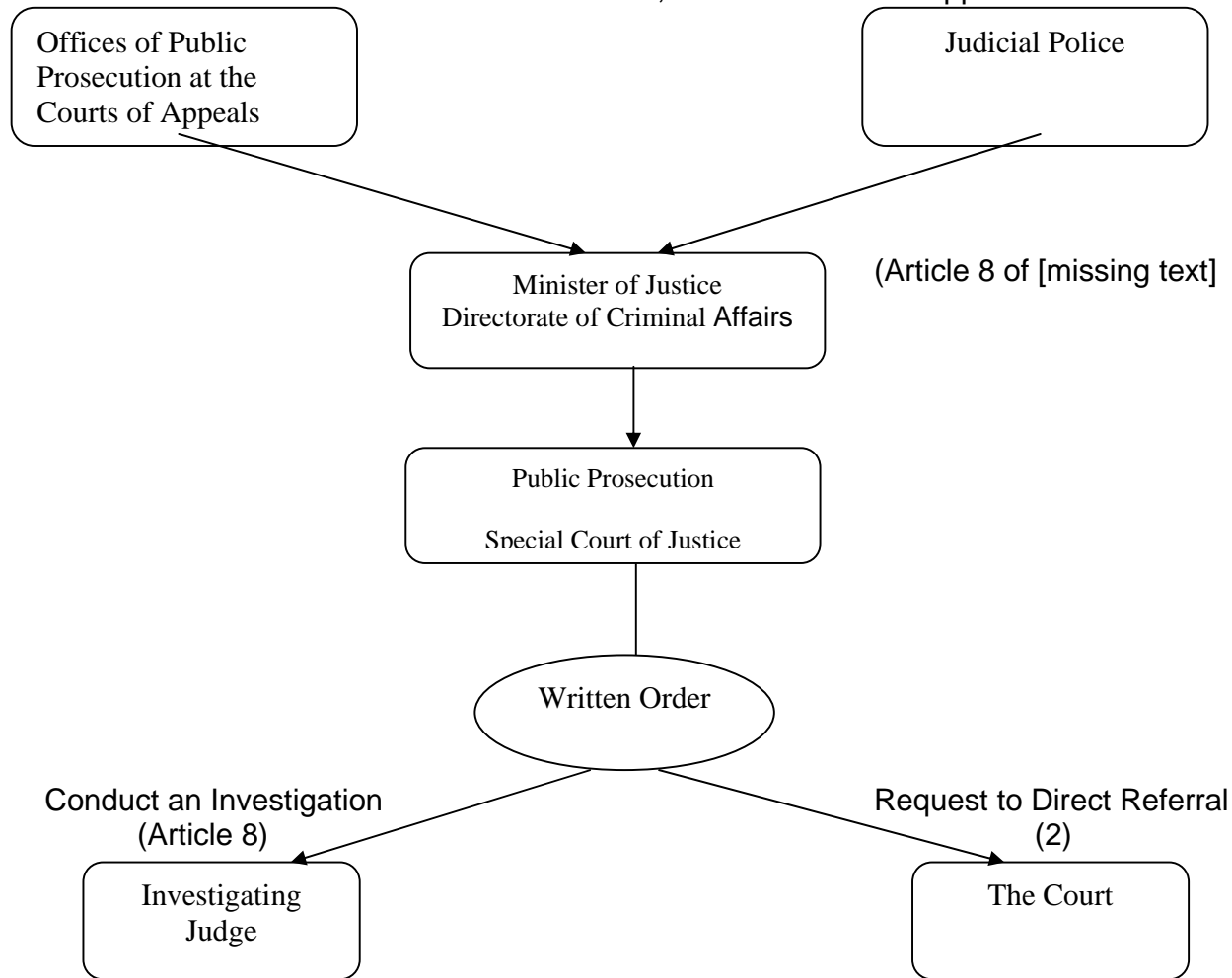


Diagram Outlining the Course of a Criminal Case
 Before the Public Prosecution at the Special Court of Justice (1)
 Law No. 1.72.157 dated 6 October 1972, as amended and supplemented



(Article 8 of [missing text])

The court convenes in Rabat; however, the Minister of Justice may order, pursuant to a decision, to hold one or several sessions in another location.

The public prosecution inquires of the defendant about his identity, and advises him of his right to appoint an attorney immediately, otherwise one would necessarily be appointed for him by the presiding judge. His statement regarding the acts with which he is charged are received, and it orders that he be put in jail on condition that he is brought before the court within a period not to exceed fifteen days ... etc. (See Article 17)