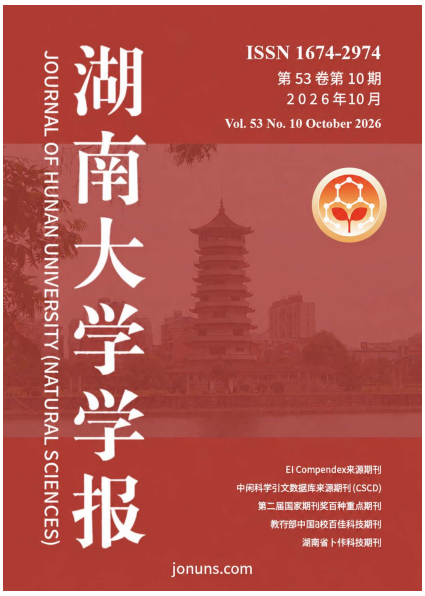


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The Role of the Mediator of the Kingdom of Morocco in Implementing the Right to Inclusive Education for Persons with Disabilities: An Analytical Study in Light of Comparative Ombudsman Experiences

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Abstract: This study examines the institutional capacity of the Mediator of the Kingdom of Morocco to operationalize the right of persons with disabilities to inclusive education, evaluated against comparative Ombudsman frameworks. Grounded in the legal architecture of the institution, including Dahir No. 1.11.25 of March 17, 2011, Law No. 14-16, the internal regulations, and the strategic planning framework, the research analyzes how the Mediator's general mandate intersects with Morocco's constitutional commitments under Article 34 and international obligations under Article 24 of the Convention on the Rights of Persons with Disabilities (CRPD). Employing a qualitative documentary methodology combined with systematic comparative analysis, the inquiry benchmarks the Moroccan institution against the French Défenseur des droits and the Ombudsman of the Republic of North Macedonia. The findings reveal that while the Moroccan Mediator possesses latent constitutional and statutory authority to oversee administrative compliance in public education, its actual interventions remain incidental, reactive, and constrained by the non-coercive character of its recommendations when addressing diffuse, multi-actor administrative omissions. The study proposes three transferable policy mechanisms: establishing a specialized internal thematic desk, issuing periodic evidence-based thematic reports on educational accessibility, and adopting the social model of disability within administrative oversight.

Keywords: Mediator of the Kingdom of Morocco; Ombudsman; inclusive education; persons with disabilities; right to education; comparative administrative law.

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摩洛哥王国调解人机构在落实残疾人融合教育权利中的作用：基于申诉专员制度比较经验的分析

摘要：本研究旨在评估摩洛哥王国调解人（Wassit al-Mamlaka）在保障残疾人享有包容性教育权方面的机构能力，并将其与国际申诉专员（Ombudsman）框架进行比较分析。本研究立足于该机构的法律架构——包括2011年3月17日第1.11.25号达希尔法令（Dahir）、第14-16号法律、内部规章以及2019-2023年战略规划，深入探讨了调解人的泛化法定职责与摩洛哥《宪法》第34条的宪法承诺以及联合国《残疾人权利公约》（CRPD）第24条规定的国际义务之间的交汇点。本研究采用质性文献分析与系统比较相结合的方法，以法国权利保护官（Défenseur des droits）和北马其顿共和国申诉专员为参考对象。研究结果表明，虽然摩洛哥调解人在监督公共教育行政合规方面具备潜在的宪法和法定职权，但其目前的干预仍具有附带性和被动性，且在应对多方行政失职与弥散性制度障碍时受到其建议非强制约束力的限制。基于此，本研究提出了三项具有可移植性的政策机制：设立专门的内部主题工作案头、定期发布关于教育可及性的实证主题报告，以及在行政监督中全面引入残疾社会模型。

关键词：摩洛哥王国调解人；申诉专员；融合教育；残疾人；受教育权；比较行政法。

1. Introduction

The evolution of disability rights over the past four decades represents a fundamental transformation in public international law and administrative governance, shifting from a charitable-medical paradigm toward a human rights-based framework. The United Nations Convention on the Rights of Persons with Disabilities (CRPD) codified this transformation, explicitly obliging States Parties under Article 24 to guarantee an inclusive education system at all levels without discrimination and on the basis of equal opportunity [4], [5], [12].

Inclusive education requires systemic structural adaptation by public administrations, ensuring that mainstream schools accommodate the diverse physical, cognitive, and pedagogical needs of all learners [9], [11]. The Kingdom of Morocco formally ratified the CRPD and its Optional Protocol in 2009, subsequently enshrining the protection and social integration of vulnerable groups in Article 34 of the 2011 Constitution [6], [9]. Article 34 explicitly directs public authorities to formulate and execute policies that rehabilitate persons with physical, sensory-motor, or cognitive disabilities and facilitate their full enjoyment of fundamental rights and freedoms.

However, the operational translation of constitutional directives into frontline educational practice remains fraught with administrative bottlenecks, infrastructural deficits, and procedural omissions [8], [10]. In modern administrative law, Ombudsman institutions, often designated as parliamentary commissioners, human rights defenders, or national mediators, serve as essential oversight mechanisms to bridge the gap between statutory rights and administrative execution [4], [7], [13].

Combining administrative supervision with human rights promotion, Ombudsmen possess the legal mandate to investigate administrative maladministration, evaluate administrative practices against equity principles, and recommend systemic policy reforms [1], [4]. The Mediator of the Kingdom of Morocco, established by Dahir No. 1.11.25 of March 17, 2011, and reorganized by Law No. 14-16, serves as the constitutional Ombudsman tasked with defending rights, reinforcing the rule of law, and disseminating justice and equity across public administration [1], [2], [15].

Despite this mandate, a significant institutional disjunction persists within the Moroccan public sector: while the Ministry of National Education has instituted specialized policy frameworks for inclusive schooling, such as the *Reference Framework for Inclusive Education* (2019) [9], the Mediator of the Kingdom remains largely absent as an active monitoring, investigative, or recourse body within this sector [15], [16]. Existing literature treats institutional mediation and inclusive education as distinct domains. Scholars of administrative law, such as Hamdani, have examined the constitutional expansion of the Mediator's mandate [6], while international educational researchers have explored policy mapping for inclusive schooling [11]. However, no scholarly study has investigated the Mediator of the Kingdom specifically as an operational instrument for securing the right to inclusive education.

This article addresses this knowledge gap through four structured objectives:

1. It analyzes the constitutional and statutory architecture of the Mediator of the Kingdom to evaluate its explicit and implicit jurisdiction over inclusive education.
2. It conceptualizes the operational challenges posed by the non-binding nature of Ombudsman recommendations when confronted with systemic, diffuse administrative omissions.
3. It examines comparative Ombudsman practices, specifically analyzing the French *Défenseur des droits* and the Ombudsman of the Republic of North Macedonia, to identify successful institutional strategies for monitoring inclusive education [8], [14].
4. It formulates a set of transferable, policy-actionable mechanisms to enhance the Moroccan Mediator's supervisory capacity without requiring constitutional amendments.

2. Legal Architecture and Institutional Framework of the Moroccan Mediator

2.1. Constitutional Anchoring and Statutory Mandate

The Mediator of the Kingdom occupies a prominent position in the constitutional architecture of the Moroccan state. Article 162 of the 2011 Constitution establishes the institution as an independent, specialized national body tasked with defending rights within the context of relations between public administrations, local authorities, public establishments, and citizens [1], [2]. This constitutional status elevates the institution above standard departmental inspection units and equips it with an institutional authority derived from constitutional rank rather than administrative subordination.

The operational competencies of the Mediator are defined across four primary normative instruments:

1. Dahir No. 1.11.25 (March 17, 2011), which established the institution, defining its foundational objectives and appointment procedures [1].
2. Law No. 14-16, which reorganized the institution, detailing its investigative powers, procedural workflows, and follow-up mechanisms [2].
3. The Internal Regulations, which establish the internal administrative hierarchy, complaint-handling procedures, and criteria for issuing special and thematic reports, and which create a dedicated Unit for Reports and Own-Initiative within the Studies, Monitoring and Analysis Pole (Article 23) [3].
4. The Strategic Plan (2019–2023), which sets organizational priorities, focusing on administrative simplification, digital transformation, and regional governance [15].

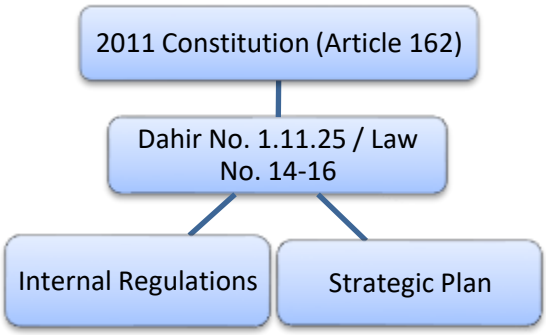


Figure 1. Normative Legal Architecture and Governance Hierarchy of the Mediator of the Kingdom of Morocco (the authors' elaboration).

The institutional framework exhibits two core structural features. First, the Mediator is designed as a unified, generalist Ombudsman rather than a collection of sectoral commissions. Unlike comparative structures that incorporate semi-autonomous specialized colleges for children's rights or disability discrimination, the Moroccan Mediator operates through a centralized national structure supported by regional delegations [2], [7]. Second, the statutory mandate is formulated in general terms, specifically charging the institution with "defending rights" and "spreading the principles of justice and equity" [1], [2]. This broad formulation provides legal flexibility, allowing the institution to investigate disability-related education disputes without statutory revisions. However, it lacks imperative statutory clauses mandating routine, systemic monitoring of inclusive education services.

2.2. Functional Competencies and Operational Mechanics

The statutory competencies assigned to the Mediator under Law No. 14-16 can be classified into three operational functions:

- Complaint-Handling Function: The institution receives, evaluates, and investigates individual complaints submitted by natural or legal persons who consider themselves aggrieved by an administrative act, decision, or omission [2].
- Ex Officio Investigative Function (Own-Initiative Power): The Mediator possesses the authority to initiate investigations independently into administrative dysfunctions, systemic malpractices, or recurring procedural failures without requiring a formal individual complaint [2], [3].
- Advisory and Promotional Function: The institution is authorized to issue recommendations for legislative and regulatory reform, propose administrative simplifications, submit annual reports to the King, and publish thematic reviews (*Insaf*) aimed at promoting administrative ethics and human rights alignment [2], [15], [16].

A critical boundary of this functional framework lies in the legal nature of its outputs: the Mediator's recommendations are non-binding in the narrow sense that the institution possesses no coercive authority to annul administrative decisions, impose disciplinary sanctions, or mandate financial allocations [2]. It does not follow, however, that compliance rests on moral persuasion and administrative goodwill alone. The founding Dahir itself imposed a statutory duty on the administration: within thirty days of receiving the Mediator's recommendations, it must take the necessary steps to examine the referred matter and inform him in writing of the decisions or measures adopted (Article 14). Law No. 14-16 subsequently strengthened this into an affirmative obligation, the administration "must act upon the Mediator's recommendation" and inform him of the measures taken or of the obstacles preventing their implementation (Article 38), and added a mandatory escalation channel requiring the Mediator to keep the Head of Government regularly informed of every case of non-compliance (Article 39). The 2022 internal regulations operationalized this framework at the procedural level: Article 74 fixes a thirty-day deadline for the administration to implement each recommendation; Article 75 reiterates the administration's duty to act upon the recommendation and to report on implementation or on the obstacles that prevented it, and obliges the institution to follow up execution; Article 76 subjects every unimplemented recommendation to a special report addressed to the Head of Government; and Article 77 records unimplemented recommendations in the annual report submitted to the King [3]. The operative limitation is therefore the non-coercive character of this legal framework, the Mediator holds no power judicially to compel execution, rather than the absence of any legal duty on the administration. Enforcement in practice nevertheless continues to rely substantially on institutional prestige, administrative goodwill, and the public pressure generated by published annual and special reports [2], [4].

2.3. Statutory Placement of Persons with Disabilities and Inclusive Education

A precise textual analysis of Dahir No. 1.11.25 and Law No. 14-16 reveals a nuanced statutory landscape: while both founding instruments remain silent regarding 'inclusive education' and 'special educational needs' as discrete sectoral categories [1], [2], they explicitly embed disability within their procedural access architecture. Dahir No. 1.11.25 articulates this protection in dual procedural settings: Article 7 identifies 'persons with disabilities' as a vulnerable cohort eligible for institutional recommendations of judicial assistance, while Article 11 imposes an affirmative statutory duty on the institution to provide individuals 'in a disability situation' with the requisite administrative and legal aid to lodge complaints. Law No. 14-16 mirrors this doctrinal design: Article 14 extends provisional judicial assistance to complainants with disabilities, and Article 19 prescribes an individualized duty of administrative support toward persons in disability situations during complaint intake.

This procedural framework is reinforced by the 2022 Internal Regulations, wherein Article 47 obliges intake officers to provide tailored administrative accompaniment to complainants who are unable to speak, are in a disability situation, or navigate linguistic barriers [3]. Consequently, the Mediator possesses an unambiguous, disability-specific procedural standing anchored across five distinct provisions in three normative instruments. What remains absent, however, is an imperative substantive clause charging the institution with systemic oversight of inclusive schooling.

The substantive legal foundation for disability rights in education thus resides elsewhere, primarily in Article 34 of the 2011 Constitution, complemented by Framework Law No. 97-13 on the Protection and Promotion of the Rights of Persons with Disabilities [6], [9]. Operationally, the Ministry of National Education, Preschool and Sports has sought to implement these constitutional imperatives through dedicated administrative instruments, most notably the 2019 *Reference Framework for Inclusive Education for Children with Disabilities* [9] and the *Structured Programme for Inclusive Education* [10], which formalize pedagogical accommodations and individualized schooling pathways.

3. Method

3.1. Research Design

This study employs a qualitative documentary design integrated with a comparative legal and administrative analysis. A systematic review protocol was adopted to examine primary legal instruments, institutional reports, policy frameworks, and comparative Ombudsman outputs. This approach enables the analysis of statutory authority alongside institutional practices, evaluating how generalist Ombudsman mandates operate when applied to specialized human rights domains.

3.2. Corpus Identification and Filtering

The documentary corpus was identified, screened, and synthesized in accordance with a structured multi-stage protocol adapted from the PRISMA 2020 guidelines [17]. Systematic documentary searches were conducted across official legal repositories and multidisciplinary research databases, including the Official Gazette of the Kingdom of Morocco (*Bulletin Officiel*), the official publication archive of the Institution of the Mediator of the Kingdom, the digital documentation portal of the Moroccan Ministry of

National Education, Preschool and Sports, HeinOnline, Scopus, Web of Science, and Google Scholar. Comparative institutional records were extracted directly from the official repositories of the French *Défenseur des droits* and the Ombudsman of the Republic of North Macedonia.

The search protocol deployed combinations of bilingual and trilingual search strings (English, French, and Arabic): (*"Mediator of the Kingdom"* OR *"Wassit al-Mamlaka"* OR *"Ombudsman"* OR *"Défenseur des droits"*) AND "inclusive education" OR "disability rights" OR "persons with disabilities" OR "handicap" OR "at-tarbiya ad-damija [inclusive education]" OR "huquq al-ashkhas fi wad'iyyat i'aqa [disability rights]". Selection criteria were governed by strict eligibility thresholds: (i) inclusion of primary constitutional, statutory, and regulatory texts governing the Ombudsman institutions; (ii) inclusion of ministerial policy frameworks and implementation guidelines on inclusive schooling; (iii) inclusion of published annual and special thematic reports between 2011 and 2025; and (iv) inclusion of peer-reviewed administrative law literature. Non-authoritative media commentaries, opinion pieces, and individual complaint files devoid of systemic or educational relevance were systematically excluded.

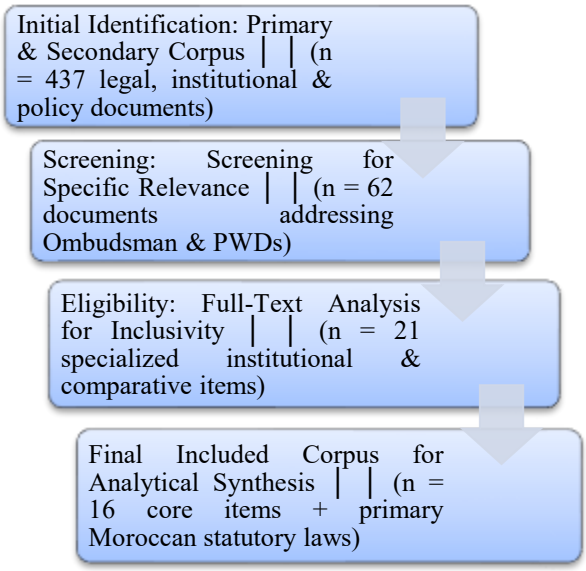


Figure 2. PRISMA-Adapted Systematic Selection Flowchart for the Documentary Corpus and Legal Instruments (the authors' elaboration).

The final analyzed corpus comprises:

1. Moroccan Legal and Institutional Texts: Constitutional provisions (Articles 34, 162), Dahir No. 1.11.25 [1], Law No. 14-16 [2], Internal Regulations [3], Strategic Plan 2019–2023 [15], and issues of *Insaf* review [16].
2. Moroccan Inclusive Education Frameworks: Framework Law No. 97-13, Ministry of National Education Reference Framework (2019) [9], and the Structured Programme for Inclusive Education [10].
3. International and Comparative Documents: UN CRPD Article 24 [4], OHCHR Thematic Study on Education [5], AHRC Special Inquiries [13], French *Défenseur des droits* annual and thematic reports [8], and the North Macedonian Ombudsman Research Report on Inclusive Secondary Education [14].

3.3. Analytical Procedure and Comparative Selection Criteria

The analysis proceeded in four stages:

1. Statutory Mapping**:** Evaluating the legal architecture of the Mediator to determine the explicit, implicit, or latent nature of its jurisdiction over inclusive education.
2. Institutional Output Analysis**:** Reviewing published annual reports and thematic dossiers (*Insaf*) to quantify and contextualize the institution's actual interventions in education and disability.
3. Comparative Selection**:** Retaining foreign Ombudsman institutions based on three criteria:
   - The institution operates as a generalist or hybrid Ombudsman rather than a single-issue tribunal.
   - The institution has published documented, evidence-based thematic interventions on the schooling of children with disabilities.
   - The institutional outputs demonstrate transferable methods for monitoring administrative compliance in education.
4. Synthesis: Drawing transferable mechanisms from the comparative findings and the Moroccan statutory framework.

Based on these criteria, the French *Défenseur des droits* was selected to illustrate systemic thematic reporting and promotional oversight [8], while the Ombudsman of the Republic of North Macedonia was selected to demonstrate empirical field-research functions in data-scarce environments [14].

4. Results and Discussion

4.1. Current Institutional Capacity and Empirical Mapping

The statutory analysis demonstrates that the Mediator of the Kingdom possesses a latent jurisdiction over inclusive education. Under Law No. 14-16, the institution holds the legal authority to investigate any administrative practice that compromises the rights of citizens or violates principles

of equity [2]. However, empirical mapping of the institution's published outputs reveals that this legal authority remains largely undeployed in the inclusive education sector.

Table 1 provides an analytical mapping of the Mediator's primary institutional publications and outputs over the 2019–2025 period, evaluating the visibility and depth of interventions related to disability and inclusive education.

Table 1. Analytical Matrix of the Moroccan Mediator's Institutional Outputs and Sectoral Coverage (2019–2025) (the authors' elaboration).

Institutional Output / Document	Primary Focus Areas	Coverage of Disability Rights	Coverage of Inclusive Education	Operational Mechanism Deployed
Annual Reports (2019–2024)	Civil service disputes, land expropriation, financial delays, general administrative performance	Incidental / Low (grouped under general social complaints)	Absent / Negligible	Individual complaint handling
Strategic Plan (2019–2023) [15]	Digitalization, administrative simplification, regional proximity, governance quality	Indirect (subsumed under "vulnerable users")	Absent	Institutional capacity building
Insaf Periodical Review [16]	Administrative justice, ethics, legal philosophy, procedural transparency	Incidental (theoretical articles on human rights)	Absent	Academic / Promotional analysis
Ex Officio Inquiries [2]	Systemic administrative delays, public service continuity	Incidental / thematic — 2023 own-initiative proposals on PWD access to education & services	Indirect / thematic (via 2023 own-initiative proposals; no dedicated education report)	Own-initiative investigation

The analysis presented in Table 1 confirms that the Mediator's engagement with inclusive education remains incidental. It would nonetheless be inaccurate to characterize this engagement as a total absence of own-initiative action: the institution's own-initiative files for 2023 included proposals expressly aimed at strengthening the rights of persons with disabilities, in particular by guaranteeing their access to education and services and by reviewing legislation to secure their social integration. The accurate characterization is therefore *marginality and subordination to reactive complaint-handling*: while the institution processes individual complaints regarding general public service delivery, incoming complaints (around twenty per day) absorb most of its human and time resources, leaving own-initiative interventions residual, no more than seven files per year over 2020–2023. It has accordingly not issued dedicated thematic reports addressing the structural barriers encountered by children with disabilities in public schools. The structural capacity for such work nonetheless already exists in the 2022 internal regulations, whose Article 23 establishes a dedicated Unit for Reports and Own-Initiative within the Studies, Monitoring and Analysis Pole [3], an internal anchor on which the specialized thematic desk proposed below can be built.

4.2. Non-Binding Recommendations and Diffuse Administrative Barriers

The operational effectiveness of the Mediator is conditioned by the legal nature of its outputs. Under Law No. 14-16, recommendations issued by the Mediator are non-binding in the narrow sense that the institution cannot annul administrative decisions or substitute coercive orders for them [2]; at the same time, the administration is subject to a statutory framework of duties, a thirty-day reply obligation under the founding Dahir, an act-upon-recommendation obligation and a Head-of-Government escalation channel under Law No. 14-16. In standard administrative disputes, such as the delayed payment of a pension or the failure to issue a civil document, this framework often prompts administrative compliance due to the clear, single-actor nature of the violation [2], [6].

However, the exclusion of a child with a disability from inclusive education is rarely caused by a single, discrete administrative act. Instead, it results from diffuse, multi-actor administrative omissions: infrastructural deficits (inaccessible school buildings), human-resource shortages (lack of specialized support staff), and procedural and pedagogical gaps (absence of individual adaptation plans:

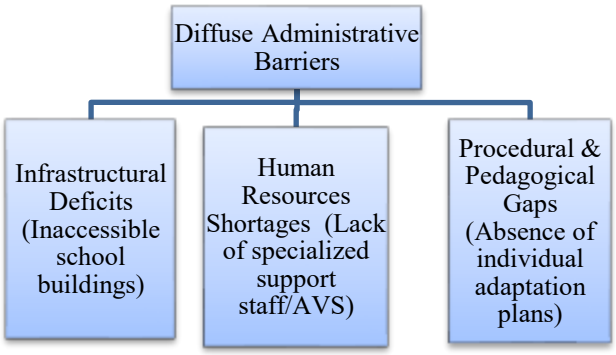


Figure 3. Typology of Multi-Actor Administrative Bottlenecks and Diffuse Barriers in Inclusive Education Governance (the authors' elaboration).

When confronted with these diffuse barriers, individual complaint processing yields limited systemic results. Remedying an isolated grievance at a single school does not resolve the structural resource allocations or procedural gaps across regional education academies (*AREFs*). To address diffuse administrative omissions effectively, a non-binding Ombudsman must shift from individual dispute resolution toward systemic thematic monitoring, converting accumulated complaint data into comprehensive policy evaluations.

4.3. Comparative Ombudsman Experiences

4.3.1. The French Model (Défenseur des droits)

The French *Défenseur des droits* offers a model of systemic monitoring within a generalist Ombudsman structure. Although the institution was created through the merger of several predecessor bodies [7], it operates as a unified authority that systematically monitors disability rights and educational access.

In its thematic evaluations regarding the schooling of children with disabilities, the French institution established an empirical link between individual complaint flows and systemic policy reform. Official reporting by the institution highlighted that:

"Twenty percent of all referrals received by the Défenseur des droits concerning children's rights relate directly to difficulties in accessing education for children with disabilities" [8].

By aggregating individual complaints, the *Défenseur des droits* identified systemic dysfunctions within departmental accessibility boards (*MDPH*), documented shortages of school support staff (*AESH*), and issued public thematic recommendations. Although its recommendations remain legally non-binding, their empirical foundation and public disclosure generated parliamentary debate and forced administrative adjustments by the Ministry of National Education [7], [8].

4.3.2. The North Macedonian Model

The Ombudsman of the Republic of North Macedonia demonstrates how a generalist Ombudsman can address severe data deficits in developing administrative systems. Recognizing that public authorities lacked disaggregated data on disabled students in secondary schools, the Ombudsman conducted an empirical field investigation in collaboration with civil society and international bodies [14].

The resulting research report explicitly stated its structural rationale:

"The findings and insights obtained are expected to alleviate the continuous lack of statistical data regarding the inclusion of students with disabilities in the Macedonian educational system in general, and particularly in mainstream secondary education" [14].

This experience illustrates that an Ombudsman can deploy field-based empirical methodologies to map administrative realities. By independently generating field data, the Ombudsman established an empirical baseline that forced educational authorities to address structural accessibility gaps.

Table 2. Comparative Synthesis of Ombudsman Institutions in Inclusive Education Oversight (the authors' elaboration).

Institutional Dimension	Mediator of the Kingdom of Morocco [1], [2]	Défenseur des droits (France) [7], [8]	Ombudsman of North Macedonia [14]
Structural Architecture	Unified national generalist Ombudsman	Unified hybrid Ombudsman with specialized colleges	Unified generalist Ombudsman with thematic departments
Statutory Mandate Basis	General mandate ("defending rights", equity) plus disability-specific procedural clauses (Dahir Arts. 7 & 11; Law 14-16 Arts. 14 & 19; Internal Reg. Art. 47)	Broad human rights & anti-discrimination mandate	General human rights & child protection mandate
Primary Method in Education	Reactive individual complaint handling;	Systemic thematic reporting & complaint	Empirical field research &

	residual own-initiative (≈7 files/yr)	aggregation	structural data mapping
Disaggregated Data Publishing	Absent / Limited to broad administrative sectors	Systematic annual disaggregation by disability type	Independent field data collection & publication
Impact Mechanism	Non-coercive statutory duties (30-day reply; act-on-recommendation; Head of Gov. escalation; Internal Reg. Arts. 74–77) + annual reporting	Public thematic reporting and parliamentary debate	Evidence-based policy advocacy & civil society synergy

The comparative synthesis in Table 2 shows that statutory single-purpose mandates are not a prerequisite for effective oversight in inclusive education. Both comparative institutions converted general mandates into proactive monitoring frameworks through specific operational choices: publishing disaggregated data, executing ex officio thematic investigations, and partnering with empirical research entities.

4.4. Transferable Mechanisms for the Moroccan Context

Based on the comparative findings and the statutory framework of Law No. 14-16, three institutional mechanisms are directly transferable to the Moroccan Mediator:

1. Establishment of an Internal Specialized Thematic Desk:

Without requiring legislative amendments, the Mediator can exercise its internal organizational authority [3] to establish a dedicated internal desk focused on disability rights and vulnerable groups. This unit would serve as an internal focal point for processing, categorizing, and analyzing complaints related to inclusive schooling.

2. Issuance of Periodic Thematic Reports on Educational Accessibility:

The Mediator should utilize its statutory reporting powers [2] to publish dedicated thematic reports on inclusive education. By aggregating individual complaint data and conducting *ex officio* regional inquiries, the institution can document systemic administrative omissions, such as infrastructural barriers and support staff shortages, and submit concrete recommendations to public authorities [9], [15].

3. Adoption of the Social Model of Disability in Administrative Oversight:

Aligning administrative reviews with the social model of disability, as codified in the CRPD [4] and emphasized by Reif [4], requires the Mediator to evaluate administrative performance based on the removal of environmental, procedural, and institutional barriers, rather than treating disability as a medical deficit.

5. Conclusion

This study demonstrates that the primary obstacle to the Moroccan Mediator's oversight of inclusive education is not a deficit of formal constitutional jurisdiction, but the operational persistence of a generalist, reactive dispute-resolution posture. Under Article 162 of the 2011 Constitution and Law No. 14-16, the Mediator possesses latent legal authority that encompasses administrative monitoring of educational services for vulnerable groups. However, because educational exclusion stems from diffuse, multi-actor administrative omissions across decentralized educational academies, traditional individual grievance handling produces negligible systemic impact.

The comparative experiences of the French *Défenseur des droits* and the North Macedonian Ombudsman confirm that non-binding recommendations can exert significant institutional leverage when backed by aggregate complaint analytics, independent field investigations, and thematic public reporting. For the Moroccan Mediator, activating this latent potential requires no constitutional or statutory revisions. By establishing an internal thematic desk for disability rights, deploying *ex officio* inquiries to generate disaggregated educational accessibility data, and evaluating administrative omissions through the human rights-based social model of disability, the Mediator can effectively bridge the divide between constitutional commitments and frontline administrative compliance in inclusive education.

Declarations

Author Contributions

Abdellatif Zbour: Conceptualization, Methodology, Formal Analysis, Investigation, Writing – Original Draft Preparation, Visualization, and Supervision.

Hayat Laariche: Validation, Legal Analysis, Writing – Review & Editing, Literature Curation, and Statutory Data Verification.

Both authors have read and agreed to the published version of the manuscript.

Data Availability Statement

- No new empirical datasets were generated or analyzed during the current study. Data sharing is not applicable to this article as all analyzed legal statutory

texts, policy documents, and institutional reports are publicly available in official repositories.

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Institutional Review Board Statement

Not Applicable. This study did not involve human subjects, biological trials, or animal testing.

Informed Consent Statement

Not Applicable.

Conflicts of Interest

The authors declare no conflict of interest regarding the publication of this manuscript. Furthermore, strict adherence to academic ethics, originality, and publication standards has been observed throughout.

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