**International seminar on the experiences of national reconciliation**

**Rabat-Morocco January 19, 2019.**

**Intervention by Mr. Fawzi Rajab Al-Auqab**

**Second Deputy of the High Council of State of Libya**

Your Excellency Chairman,

Ladies and gentlemen present

On my part and on behalf of the Libyan delegation

I would like to extend to you all my warmest greetings.

Today, we have heard from some interventionists presentations on the experiences of their respective countries in transitional justice and national reconciliation- fundamental, human experiences, indeed.

Today, we, Libyans, are in most dire need of utilizing such experiences, as we live through hard moments in our country.

Undoubtedly, the idea of transitional justice, I just say an idea, is noble and lofty, and aims at germinating a safe and prosperous future out of harsh and painful past. As a legal and political concept, I do think that it still needs to have a more specific, more accurate meaning. This is perhaps due to differences in experiences, their nature- ethnic, and racist, ideological, sectarian- differences in state and society and society itself. There is a variety of experiences. And there is no consummate theory for transitional justice.

Therefore, through this intervention, I would like to highlight two points:

First, I believe that transitional justice is a process that falls within the idea of reform rather than change, in the sense that it is carried out by the regime or rather an unjust authority. Considering the various experiences, foremost among them is the Argentinean one of 1983, beside the Tunisian endeavors today, we opine that this process was conducted by the regimes in an attempt to co-opt the opposition. So , I believe that what de Klerk , for instance, had done in terms of South Africa’s experience was more difficult than what the Struggler Mandela had done. The same is true of Argentine: it didn’t manage to implement transitional justice except after two and a half decades of transition i.e. after power has become stable. Even the Arab experiences were initiated by authorities, as was the case with the King of Morocco, or the president of Algeria. In my perspective, the philosophy of transitional justice is restricted to a regime or unjust authority that admits, apologizes and compensates. However, if a revolution or change has taken place, then transitional justice would have become a thing of the past. Hence, classic, ordinary justice in which amnesty is not met with confession ultimately prevails.

Second, the international circumstances surrounding each experience, as international policy largely impacts both the success and failure of such experiences. From Nurnberg trails following the Second World War, to the collapse of the Soviet Union, to post-9/11 events, to post-Arab spring revolutions, all are international milestones that negatively and positively reflected on these experiences. For example, after the September 11 events, there was growing interest on the part of the international community in human rights and democracy consolidation, therefore, most Arab regimes tried to carry out essential political reforms from 2004-2006, as was the case with Morocco and Algeria.

In this respect, I would like to address you on the efforts exerted in my country, Libya, to in achieving national reconciliation. The Libyan people consists of an integrated, harmonious fabric. Thus, it is simple, non-complex society in terms of its ideological and social structure. Even during this crisis we are passing through, there are no real reasons for the conflict going on today. Indeed, the historical reasons for conflict never exist in Libya; however, regional and international interventions do obstruct stability and reconciliation in Libya. Unfortunately for us, we are trying to attain reconciliation amid regional and international conflicts and polarizations, which negatively affected our social and political stability.

I just leave it at that, as we are short of time.

Thank you all for listening.