**Morocco Cath Collins Final**

**Slide 1 (Title)**

Bon jour, Good afternoon, Buena’s trades toads y to-dos presents. It’s a difficult task to be one of the last speakers of such a long and intense 2 days. I will try to be brief and, I hope, not too dull.

Firstly my heartfelt thanks for this kind invitation and wonderful hospitality. It honors me to be in such distinguished company, and to have had the opportunity to learn so much. I also thank our interpreters, who often go unnoticed but who are perhaps the most indispensable of all.

* I have lived and worked in most of Latin America, and parts of W Europe, but have never before had the opportunity and occasion to visit the MENA region, or indeed the Africa continent.
* Our countries, regions and continents, while wonderfully diverse in history, geography, religion and culture, share challenges and pat horrors. More happily, we also share a keen desire for peace and prosperity, among us and between us. Events such as this one are a timely reminder of this shared humanity.
* While there can readymade answers from other nations and continents, there is always room to share our discoveries, difficulties, hopes and aspirations.
* I speak from the experiences of post-authoritarian Chile and post conflict NI.
* I bring no rules, models, or lessons, only greetings, solidarity and a keen desire to seek ways forward together.
* I was asked to talk about NHRIs and GNR, I speak not as staff memo of such a man but as speaker who saw chills not HR institute come it buy in 2011 , this nosey monitored its work , toward of not rest of chills HR shorter before since.

**Slide 2**

We know that we can think about transitional justice challenges in 4 or 5 dimensions

* Truth
* Justice
* Reparation
* Memory
* Guarantees of Non Repetition

We know, also that National Human Rights Institutions are potentially involved in each dimension. In Chile, for example, the creation of a NHRI was one of the principal recommendations of the first TC, even who it took more than 20 years for that finally to happen. But now it has happened, that same institute is the custodian of the TC archives, which are used for reparation and for justice. So everything is connected, and the NHRI is connected to everything.

But from a TJ viewpoint, NHRIs are often seen as in essence a GNR.

**Slide 3**

What, then, do we understand by GNR? The early focus was too formalistic: institutional engineering without real cultural change: New rulers, new institutions, new constitutions, et voila.

But this, the necessary, is not enough

The outgoing UN special reporter for TJ, the wonderful& thoughtful, Pablo de Greiff, has invited us to think about new horizons of GNR, be emphasizing

“ 3 necessary spheres of intervention”:

1. Institutional
2. Societal but also
3. The cultural and personal

**Slide 4**

If we accept this horizon , we see just how vital a strong and solid NHRI could be for every one of these 3 spheres,

* But we also see that such an institution, at the intersection of state, society, and the personal inhabits a challenging and uncomfortable place. In English we might say if finds itself between a rock and a hard place; in SP we would say, tho we hope not literally, entre la espada y la pared.
* To create and sustain such an institution requires the state to cease to see itself as conterminous with society: to surrender its sense of itself as the best , the only , the most benign definer, and guardian of the social good.
* It means that the state must not only tolerate, but actively create and promote, spaces from within which not only the actions of past elites but its own future authority, actions and good faith will be scrutinized , questioned and challenged

This is no small thing to ask or to embark upon. It should not be done lightly, and it cannot successfully ne done half heartedly so the 1st Q we have to ask read neither is it read. Is it ever posed to succeed? Or is it for ink concept inter punition. If so , it is unlikely to prosper either it will become inconvenient to the authorities , in which case it will be sidelined, co-opted, or crushed; or it will be found out by society and will lose all legitimacy.

Moreover, to tie NHRI too dosely to a vague or poorly defined definition of reconciliation; to tell it that its job is to foster reconciliation, and to judge it according to the continued absence of visible signs of conflict, can moreover be in my view a grave error.

Why? Because while in the post- conflict state, ad Dr Campos suggested, reconciliation my not even be possible; in the post – authoritarian state, reconciliation, if it is to be real, requires need to impunity clearing of infamies hip of utility on part of style sustained and transformative change in the material conditions of national life, and in what prospects they offer, particularly, to our disaffected youth.

Reconciliation cannot, then, mean, only a TC, some reparations, amnesty, alternation of elites, and a return to business as usual. Such reconciliation is not compatible with GNR: it condemns us to repeat the cycle of history- the buildup of tension and frustration, its explosive release in violence, a patching up of the wounded and a return to buildup of tension.

An NHR that does its job will seek to break this cycle historic to do so this understudy miss understand what both is reconcile require are source of bad rein whole term of re enjoys in score Amery-in chill, any esp. in Agric tells HRGPS risk with honor or get supine when steel invokes notion of reconciliation why? Because as Dr. Jurmed said, “Reconciliation there was code for those who wrote own self patron business ere for general their supports in the business wrote of why chills.

**Slide 5 (LA)**

I agree even when we understand reconciliation properly , whit Dr. Capos , that reconciliation , in whatever definition , may not always be possible, certainly not immediately, and perhaps not even within one generation or even more? Because some conflicts are intractable, and some divergent interests are fundamentally irreconcilable. Like matter and antimatter, they cannot exist in the same physical space. To force their interests or identities together in the rush to declare society reconciled may only serve to unleash this potential for destruction: to trigger a new explosion.

Ethno nationalist conflicts with a religious identify dimension are particularly prone to this kind of intractability, irreconcilability. The former Yugoslavia may well be one example, NI, another. Still in parts of Belfast , particularly the poorer parts, the conflict was not sate against society, It was neighbor against neighbor, community. It was throwing petrol bombs at the police and stones at your neighbor as they walked their children to school. It had roots going back not decided but hundreds of years. Reconciliation, there, is no superficial matter of a shake of hands and an agreement for poor sharing. It is learning not to hate, or to hate less. At best it means living side by side- not together, but segregated , behind walls that still crises cross the city, -without killing one another. And when the flag of the republic of Ireland and the flag of the UK are banned by law, in an attempted shortcut to reconciliation, it means flying the flag of Palestine in one neighborhoods, and the flag of Israel in another in neighborhoods of Belfast to signal your commitment to a proxy war, a war of word and symbol. Is reconciliation even possible here?

Yes , but it requires much more than the pious or utopian claim that dialogue and the tolerance of diversity ca resolve all conflict. They cannot, if what I want, is for you to continue to be denied rights so I can continue to enjoy my relative privilege, if what I want is for you to cease to exist, to be eradicated from the case of the earth or to go “ home” to a land your ancestors left three centuries ago, then what I want , cannot and should not be given to me: what I want, needs to change.

An a NHRI needs to be part of challenging me to make that change. So it will not be universally loved, so it will become controversial , so it may be wrongly accused, of working against the interests of reconciliation.

Does the believe in it enough to defend it against such attacks? Or will the state be tempted to join in , especially when:

**Slide 6 (trinity)**

The instant also turns its critical eye on the state, its instants, on authoritarian continuity, and especially on long running collusion and corruption?

So if you we want a NHRI, or think we want one , or think we want a more rebuts one that the one we presently have , we should be careful what we wish for ; and aware of all its implications. Because neither reconciliation nor GNR should or do result from , the mummification of the present social order and the preservation of all of its privileges and injustices.

In challenging the social order, a NHRI may need not only to rake on the stat: it may have to decide whether to lead or follow, in social mores too. Chile’s NHRI had to decide wither it was prepared to defend socially unpopular causes too. To promote gay marriage or adoption legislation in a country where the majority of the population- not the authorities- still expressed the view that gay people should not be allowed to be teachers, risked fighting battles on too many fronts at one, alienating not only authorities but also religiously or morally conservative majority of population. To defend prisoners’ rights is quickest route to unpopularity in almost any culture- NHRIs can , and will, be accused of sympathizing with criminals, with terrorist, with the breakdown of social order.

Where NHRIs are moreover staffed by or identified with, prominent activists or former dissidents, it is particularly easy to accuse them of being a Trojan horse for communism, for radicalism, for secularism: whatever accusation will most successfully discredit them and their work.

This is why Chile chose to employ, in its NHRI , not the brace HRDS and ex pp of the dictatorship era but predominantly new generation of younger , emerging professionals. This was criticized by HR organizations , who saw HRI as “ their “ natural territory or property.

But I think it was wise , because it gave the new generation a visible stake in this enterprise, but also because for too long HR has suffered from being a language spoken most fluently be victims. Perpetrators have every reason to fear and mistruth it, while the merely powerful or collusive can afford to be indifferent to it . So neighed learns to speak it, as we must, by heart, or from the heart.

If we want to reject, and I think we should , the neocolonial imposition and importation of “ HR language” in its most humidified , falsely universalized, liberal-individualistic form, then we have to perform our own syncretism.

I am of Irish heritage , but 4 or 5 generations ago, and I speak no Irish. It’s both ironic and a metaphor Almost all of us here have been forced to communicate in one or other imposed colonial language English , Spanish , French in order to share our aspirations to become more fully ourselves.

We need , I think , to create our own authentic languages of rights and responsibilities , ones that work for who we are, where we are, and where we want to go.

These languages , and not those of the colonial past, can become our lingua franca, an new grammar for our state-soc relations, but also for our interpersonal and intergenerational relations. Firstly within our own societies and from there, secure in our own identities, across our regions national , perhaps more than even regional or international HRIs have a potentially vital, creative and courageous role to play. As creators of these lingua franca, but also as its translators, transliterations, interpreters and communicators.

For this same reason, we should not expect their role to be passive or uncontroversial.