

BOSNIEN-HERZEGOVINA (79)

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109

FORMER YUGOSLAVIA LIAISON UNIT (FYLU)**MONTHLY REPORT ON BOSNIA AND HERZEGOVINA, CROATIA
AND THE FEDERAL REPUBLIC OF YUGOSLAVIA****MARCH 1998****1. BOSNIA AND HERZEGOVINA****New Special Envoy**

Mr. Carrol Faubert had to relinquish his functions as UNHCR Special Envoy to the Former Yugoslavia, for medical reasons. Mr. Nicholas Morris has been appointed as Special Envoy as from 1 April 1998.

Council of Ministers

The Council of Ministers met on 26 March and has now accepted the implementation of the Council of Ministers Law and there is a clear understanding that the seat for all common institutions will be the complex in and around the old Parliament building. A two-year period is expected to be necessary to prepare the building for all institutions to be housed there. The EU is supporting the renovation of the complex under its PHARE programme.

Inter-Entity Consultative Meeting on Return

UNHCR arranged an informal consultative meeting, on 18 March, with key senior government officials of both Entities' Ministries responsible for displaced persons and refugees as well as the Ministry of Civil Affairs and Communication. The meeting was extremely positive and constructive and participants requested that these informal consultative meetings continue on a regular basis. For many of them, it was the first time that senior civil servants could discuss matters of substance in a neutral environment.

The Federation representatives reiterated the Ministry's strong commitment to apply fully the Federation Instruction on Organized Return, and its Voluntary Return Application Form. The RS participants shared a similar draft Instruction, for comments. Both the Federation and RS participants agreed to co-operate with each other regarding inter-entity return in accordance with the above form and mechanism. UNHCR was requested to provide a first draft of a State Instruction in this regard. The possible elements of a framework legislation covering displaced persons and repatriates at the state level was also discussed.

Property Laws

The Federal Parliament adopted four Property Laws: a) The Law on the Cessation of the Application of the Law on Abandoned Apartments; b) The Law Regulating the Application of the Law on Temporarily Abandoned Real Property Owned by Citizens; c) The Law on Taking Over the Law on Housing; and d) The Law on the Sale of Apartments with an Occupancy Right. This amended property legislation package provides the essential legal framework for return of refugees and displaced persons to their pre-war homes. However,



several outstanding issues remain to be addressed by the Federation authorities, in particular how the claims process will work in practice. (The laws were published in the Official Gazette on 3 April and came into effect on 4 April.)

UNHCR and OHR are jointly chairing a newly established working group whose focus is the design and implementation of a mass information campaign on the property legislation throughout Bosnia and Herzegovina and abroad.

The Republika Srpska authorities have set up a team that is considering drafts submitted to them by the OHR and are preparing draft legislation for review of the OHR.

Peace Implementation Council Steering Board Meeting / Elections

The PIC Steering Board met in Brussels on 26 March to discuss refugee return, election strategy and the media reform strategy. It was confirmed that elections will go ahead as planned on 13 and 14 September 1998 (as approved by the OSCE Provisional Election Commission on 11 March), at each level from cantonal up to presidency level. There was agreement that the goal of the elections should be to promote multi-ethnicity and pluralist, non-nationalist political parties and political environment. On refugee return, there was broad agreement that there is a need for better coordination across the country and an even-handed approach in order to ensure more returns.

Open Cities

Zenica became the eleventh Open City to be formally recognized, on 11 March. UNHCR attaches great importance to this latest addition of Zenica which has a population of nearly 150,000. There are 32,000 displaced persons in Zenica municipality. 2,820 displaced persons currently in Zenica are from Busovaca municipality, another Open City. So far, 783 vacant houses have been identified in Zenica for potential returns.

Laktasi and Srbac became the third and fourth municipalities in Republika Srpska to be declared Open Cities on 2 March.

Land Mines

On 26 March, ICRC and UNHCR released "The Silent Menace", a joint study on land mines in Bosnia and Herzegovina, in an effort to highlight the humanitarian tragedy caused by land mines. Only 1% of an estimated 750,000 land mines planted in 30,000 mine fields have been cleared since the end of the war. UNHCR is training six teams of deminers from different ethnic groups to clear minefields in areas to which refugees and displaced persons are expected to return, under a US\$ 2 million sub-project with UNDP.

Inter-entity Telecommunications

The EU has completed a telecommunications project, establishing inter-entity telephone links between all parts of the country. Three inter-entity links have been established under the US\$ 5 million project which makes it possible to call from any part of the Federation to any part of the Republika Srpska, and vice versa.

Implementation of Election Results / Srebrenica

As of 25 March, 127 out of 136 municipalities had been certified. Nine arbitration awards had been issued by OSCE (Novi Travnik, Kresevo, Gornji Vakuf, Zepca on 2 March; Foca, Brad and Prozor-Rama on 12 March; Srebrenica on 13 March; Stolac on 18 March). In two of the latter, final certification has been granted (Gornji Vakuf and Novi Travnik).

Under the arbitration decision, the municipal assembly of Srebrenica will consist of 25 Muslim and 20 Serb deputies, based on the results of the local elections last September. The first full session of the municipal council in Srebrenica on 24 March ended when the Serb councilors and had their national anthem played, with the Muslim representatives leaving the room and refusing to come back to the meeting.

4/10

Assessment Visits

A number of visits by Bosnian Muslim, Croat and Serb displaced persons and refugees took place over the last weekend of March:

- 40-45 Bosnian Croats currently occupying Serb houses in Glamoc visited Sanski Most on 27 March.
- The same day, 148 Bosniacs currently in Sweden visited their homes in Banja Luka.
- On 28 March, 58 Bosniacs currently in Sanski Most visited houses and graveyards in the Prijedor area, especially the villages of Budimlic Japra and Halikovici.
- 510 Bosnian Serbs currently in Banja Luka and Prijedor visited Sanski Most on 29 March. This followed a similar successful visit of 380 Bosnian Serbs over the week-end 14/15 March.
- The same day, three buses went to Lusci and Palanka, where the Norwegian Refugee Council plans to construct 50 houses.
- Three buses with 350 Bosniacs went from Sanski Most to Kozarac, for the first time since 1992. Kozarac is a town notorious for the Serb "ethnic cleansing" campaign against Muslims at the beginning of the war.

Deportations

Since the beginning of 1998 (as at 26 March 1998), 603 persons have been subject to deportation procedures and arrived at the Sarajevo Airport, bringing the total to 1,786 deportation cases since October 1996. Of the 603 deportations in 1998, 503 persons were deported from Germany, of which 200 during March. 100 persons have been deported from other countries in 1998 (39 during March): from Austria (42), Switzerland (35), France (7), the Netherlands (7), Sweden (5), Slovenia (2), Hungary (1) and Italy (1).

Eastern Bosnia and Herzegovina (Sarajevo AOR)

The signature of the establishment of the Sarajevo Housing Committee finally took place on 9 March (the signature, scheduled to be signed on 26 February, was postponed due to last-minute changes by the cantonal authorities). The formation of the Sarajevo Housing Committee was an important requirement by the Sarajevo Conference to establish mechanisms between the international community and the local authorities in order to address the problem of multiple occupancy and to facilitate the return of pre-war inhabitants from Sarajevo, in particular minorities.

UNHCR participated in the first meeting of the Sarajevo Return Commission on 5 March, chaired by High Representative Westendorp. The agenda covered a range of issues including legislative developments and housing. The Entity Ministers for Refugees and Displaced Persons, UNMIBH, and EU Ambassador Chiarini also participated.

On 10 March, the Cantonal authorities in Gorazde adopted their Cantonal Return Plan. Although assistance was offered on various occasions, little opportunity was given to UNHCR to have an input in the plan. The number of actual minority returns to Gorazde remains low. However, the number of assessment visits and Bosnian Serbs interested to explore the possibilities for return is increasing.

Municipal Return/Information Offices have been set up in Sarajevo and Gorazde Cantons. UNHCR has assisted in distributing copies of the new Application Form for Return. There are no indications that the RS municipalities in the process of creating similar structures.

A Human Rights Working Group has been created by OSCE for Canton Sarajevo, comprising UNHCR, OSCE, IPTF and UN Civil Affairs, to cover general human rights issues, with particular attention to evictions.

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OSCE has also organised an Education Working Group, as part of the implementation of the Sarajevo Declaration. The working group - UNHCR, OHR, OSCE and UNESCO - will investigate claims of discrimination in the educational system and recruitment of teachers.

In an important break-through, three families were finally able to return from Visegrad (RS) to their homes in Konjic (F), the first time that Serb DPs openly returned from a collective centre in Visegrad. The general message by the authorities in Konjic is that displaced persons are welcome to return. The interest for these visits is huge, and the next bus scheduled for end April is already fully booked.

The Association for Minority Returns of Bosniaks presented a list of potential return villages in Sokolac municipality (RS) to the Mayor. All villages are reportedly destroyed, currently uninhabited and located near the IEBL. The Mayor, while expressing the difficult situation of Bosnian Serbs currently displaced in Sokolac, agreed to discuss the list of villages proposed for minority returns within his office.

The desire to acquire Open City status within the Sarajevo Canton continues to increase. Applications by the municipalities of Ilidza and Hadzici for Open City status are under consideration. The authorities of Rogatica (RS) consider their municipality to already be an Open City, acknowledging that this may be not the case on the basis of the criteria of UNHCR. The municipalities of Breza and Cajnice have also expressed interest in the Open City initiative.

Northern Bosnia and Herzegovina (Tuzla AOR)

The International Arbitration Tribunal for Brcko announced, on 15 March, that Brcko will be kept under international supervision "until the final phase of arbitration in late 1998 or early 1999". The panel said it wanted to give the Bosnian Serbs time to prove that their new, more moderate government would see through reforms. Arbitrator Roberts Owen said that the Tribunal will hold each party fully responsible for any action which could once again put at risk the implementation of the award. While representatives in both entities expressed disappointment at the decision, the announcement was welcomed by the EU, which said the decision should reassure the parties of fair and equal treatment, while maintaining the impetus for accelerated implementation of the Dayton Accords. A UN Security Council presidential statement on 19 March welcomed the decision as representing the best interests of the peace process.

11 assessment visits, involving 950 persons, took place to Zvornik and Osmaci municipalities (RS) in March. All visits went without incident, with good cooperation by the local police.

On 3 March, UNHCR opened a new inter-entity bus line, between Vlasenica and Kladanj. On 8 March, a bus line started between Zvornik and Ilijas. Since its inception in September 1997, the popular Tuzla/Zvornik bus line has transported 3,015 passengers from Tuzla to Zvornik and 2,966 from Zvornik to Tuzla (as at 31 March).

A Double Occupancy Commission was established by the mayor in Tuzla and will investigate temporary occupants of houses and apartments who also have access to alternate habitable accommodations, with the aim of freeing up housing units for returnees to the municipality. Tuzla is a candidate for Open City status.

Efforts by the authorities of Zavidovici (F) to prove they are committed to minority return continue. A double occupancy commission similar to the one established in Tuzla will be convened in April. Meetings with members of the municipality of Banovici (F) to discuss the possibility of Bosnian Serb returns to the area have also been positive and UNHCR will actively assess whether the authorities are genuine in their desire to become an Open City.

6/10

Southern Bosnia and Herzegovina (Mostar AOR)

Following the inability of the mayor and deputy mayor of Mostar to agree on a permanent solution for the opening of Mostar Airport to civil air traffic, High Representative Westendorp announced that the airport will be governed by an interim Airport Authority, consisting of three nominees of the mayor (Croat), three nominees of the deputy mayor (Muslim) and one international representative.

Obstruction of visits took place in Travnik where incidents occurred during the visit of a group of Bosnian Croat displaced persons on 21 March, including physical violence and fighting. The Croat group returned to their temporary accommodation in Busovaca. Deputy High Representative Schumacher asked for a joint statement by the political leaders and the Bosniak mayor, condemning the incidents and committing to a new process to ensure that no future incidents occur.

In another setback regarding returns within the city of Mostar, UNHCR and OHR are concerned at the refusal of the Croat Deputy Mayor of Mostar to sign an agreement previously made with President Zubak regarding the return of 30 Bosniaks to West Mostar, and 100 Croats to East Mostar.

On 5 March, High Representative Westendorp dismissed Pero Raguz, the Croat Mayor of Stolac, with immediate effect, after his systematic and sustained blocking of the return of Muslim displaced persons and refugees, including the failure to establish a Municipal Return Office, a Joint Housing Team, and commitment to the Cantonal Plan for Return. Mr. Pazin was appointed in accordance with the request for a replacement Mayor who would observe the requirements of the Dayton Accords to facilitate minority returns.

The pressure placed on Federation Cantonal Authorities since the December 1997 PIC Bonn Conference Agreements resulted in further progress in Municipal and Cantonal Return plans. On 20 March, 11 out of the 14 Municipalities in the Herzegovina-Neretva Canton jointly agreed on Phase 1 return plans endorsed by the Cantonal Government. 96 families had returned to Stolac at the end of March. Despite several security incidents, including burnings and explosions of houses in the Stolac area, some 300 displaced persons are estimated to be "cleaning their houses and planting seeds/crops" in preparation for the return of their families, and the Stolac authorities are fully involved in improving the information flow with DP representatives to ensure coordination of efforts to provide security, law and order.

Requests for return are increasing in Central Bosnia, in particular for return before the planting season, with requests to UNHCR for assistance of seeds, tools, cattle, building materials, etc.

Western Bosnia and Herzegovina (Banja Luka AOR)

Numerous international high-level delegations have been visiting RS Prime Minister Dodik, pledging their support to the new RS Government. The US Government has opened a branch of their Embassy and a German Consulate is expected to open in April.

Several houses were burnt down and groups of Bosnian Croats gathered to stop Serb displaced persons and refugees from returning to their homes in Croat-controlled regions during the reporting period. In Drvar, where additional houses were burned, SFOR is making intense efforts to identify the perpetrators. In Kupres, a visit of 28 Serb DPs from Banja Luka was stopped by some 200 Croats armed with sticks, stones and brandishing protest banners. In Glamoc, several houses were destroyed.

7/10

On 21 March, in an assessment visit organised by UNHCR, 100 refugees visited Drvar and Grahovo and surrounding villages for the first time since the war. Two visitors, whose houses are currently occupied by displaced Bosnian Croats, decided to remain in Drvar.

Assessment visits to the Una Sana Canton, monitored by UNHCR, with the cooperation of SFOR and IPTF, numbered 350 in January, 230 in February, and 1,127 in March, for a total of 1,707 so far in 1998. The most visited municipalities were Kijuc (the 350 of January), Bihac (90 in February) and Bosanska Petrovac (140 in February, and 478 in March), as well as Sanski Most (555 in March).

2. CROATIA

UNHCR welcomed the announcement by the Government of Croatia that it would rescind the Law on Temporary Take-over of Certain Property and the Law on the Lease of Flats in the Areas of Special Government Concern, as a positive step towards a better environment for the restoration of inter-ethnic trust and the two-way return process.

At the same time, Croatian Serbs continue to leave the Croatian Danube region, following continued harassment. Norwegian parliamentarians and the Oslo-based Helsinki Committee visited the Danube region on 15 March in order to get a better view of the issue of Croatian Serbs seeking asylum in Norway (over 1,625 by the end of March). The Norwegian delegation re-confirmed that all application requests will continue to be assessed on an individual basis.

International observers continued to put pressure on and publicly criticise the Croatian Government for not doing enough to prevent a "silent exodus" of Croatian Serbs from the Danubian region. The UN Security Council issued a presidential statement on 7 March expressing concern over the increased number of instances of harassment and intimidation of Serbs in the region. UNHCR addressed a letter to Minister of Foreign Affairs Granic on 12 March, referring to Croatia's announcements regarding provision of documentation for its citizens abroad and a nationwide plan for returns, by 15 and 30 March respectively, and outlining a number of points it feels should be taken into account in this regard.

On 30 March, the Croatian Government adopted the "Procedures for the Return of Persons who have left the Republic of Croatia", specifying a new legal procedure for the individual return of all refugees, including Serbs, to "express our will to allow the return of all those who wish to do so". The main novelty in the document is that those who wish to return can apply for the necessary papers in Croatia's representative office's abroad. The document, however, did not address any of the issues outlined by the European Union Troika to Foreign Minister Granic during his visit to London - credible concept for the return of refugees to Croatia without discrimination on ethnic grounds, launching a public campaign to reassure minority communities of their rights and position within society, decisive police actions to curb harassment of minorities, cooperate with international missions and initiate the reconstruction of war-ravaged areas without ethnic discrimination.

According to ODPB (18 March), the number of displaced persons' requests for return and reconstruction stands at 27,722 (80,724 persons). According to the same source, some 15,000 persons have permanently returned to the Danubian Region, out of which 7,827 returnees have received returnee status. A total of 1,545 persons have returned to the former Sectors under the JWG Agreement, which together with previous returns totals 2,398 persons.

8/10

On 24 March, a visit by 32 Croatian Serb refugees from the Banja Luka region took place to their home town Vojnic in Croatia, organized by the Association of Croatian Serbs in Banja Luka, in cooperation with UNHCR and OHR. Although approval by ODPB had been received, the Croatian police undermined the effort: the border police held up the visitors and the local police prevented passengers from getting off the bus to visit relatives waiting on the streets. This deliberate behaviour of the police was strongly condemned by UNHCR and other international organisations.

A number of incidents of arson were reported in some areas of returns, particularly in the Sisak-Moslavina and Karlovac Counties. In most of the cases family houses and stables owned by returnees and potential returnees were set on fire. Since mid-February, 16 villages have been directly affected by these incidents. According to the Karlovac office of the Croatian Helsinki Committee and the ICRC team in Vojnic, authorities are doing very little to prevent such episodes or to identify perpetrators. A joint investigation in the 16 villages concerned will be undertaken by OSCE, UNHCR and ECMM.

UNHCR organised the first voluntary repatriation of seven Bosnian refugees from Croatia to Bosnia and Herzegovina on 18 March. Three families were transported from Obonjan Collective Centre to Velika Kladusa. Pending reintegration results of this caseload, UNHCR will screen the 40 persons remaining in Obonjan and repatriate those who are interested to return to their homes in Velika Kladusa.

UNHCR attended a meeting with the representatives of two Bosnian Croat Associations on 3 March. One of the associations covers the Pakrac/Lipik area, with some 850 members. All members are holders of Croatian documents, most of them originally from the RS, while some 10% come from the Federation and Vojvodina (FRY). For the time being some 95% of the members would opt to stay in Croatia rather than return to Bosnia, mainly for reasons of fear for physical security and lack of economic opportunities.

Also on 3 March, three Croat associations met in Okucani: a) Association of Vojvodina Croats with 500 members; b) Association of Bosnian Croats from Bosanska Posavina with 1,000 members; c) Association of Bosnian Croats from Northwestern Bosnia with 2,500 members. Some 30% of the members have managed to exchange their respective properties and are now owners of the houses they occupy. It is likely that a considerable number of Bosnian Croats would be willing to repatriate provided that issues of property, pension, reconstruction and employment are resolved.

The most recent ODPB data showing the number of currently registered persons per category are as follows: 37,919 refugees; 75,150 displaced persons; 68,661 returnees; 25,283 displaced persons - reconstruction in process; 11,740 refugee settlers.

3. FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO)

The overall situation in Kosovo remained volatile. Demonstrations and counter-demonstrations kept the atmosphere in Pristina extremely tense, while new clashes in the Drenica region claimed five dead. Strong pressure from the international community did not achieve intended results.

The UN Security Council adopted resolution 1160 (1998) on 31 March (14-0, 1 abstention), imposing an arms embargo on FRY to force a peaceful settlement in Kosovo. The resolution calls on the FRY authorities and the leadership of the Kosovo Albanian community to enter into dialogue without preconditions. It also expresses support for "an enhanced status for Kosovo, which would include a substantially greater degree of autonomy and meaningful self-administration". The embargo will be monitored by a

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Committee consisting of all 15 Council members. The Council will review the situation on the basis of reports of the Secretary-General to be submitted every 30 days.

On 9 March, UNHCR asked governments to refrain from sending rejected asylum seekers from Kosovo back to the Federal Republic of Yugoslavia until the situation in Kosovo stabilises.

On 26 March, international agencies (UNHCR, ECHO, YCR, CARE) were involved in a security incident during a joint field mission to deliver assistance to some villages in the Drenica conflict area and to assess the situation there. After leaving Srbica, the convoy was stopped on its way to Likovac by some 20 masked and armed men who advised that it was unsafe for the convoy to proceed since there was sniper activity further down the road. After one hour of discussions, the convoy turned back to Srbica where it reported the incident to the local police. UNHCR Pristina decided to temporarily avoid the area of south-eastern Srbica and informed NGOs about the incident, advising them to be cautious.

The only positive development was the signing of the agreement on implementation of the Education Agreement of 1996. According to the agreement, ethnic Albanian students will reintegrate into the schooling system of Kosovo by 30 June. However, the agreement resulted in protest demonstrations by ethnic Serb students and professors of the University of Pristina.

The leader of the Democratic League for Kosovo (LDK), Ibrahim Rugova, won a massive vote of confidence from ethnic Albanian voters in the elections for presidency and parliamentary assembly of the self-proclaimed 'Republic of Kosovo', with 85% of the electorate reportedly partaking in the elections.

A significant return movement by displaced persons back to their villages was noticed, and UNHCR reported a decrease in the estimated number of IDPs from some 20,000 to approximately 13,000/14,000 (26 March). (The earlier number was based on estimations by the local NGO Mother Teresa Society.) Returns took place mainly to municipalities outside the immediate conflict area in the Drenica region. Visits by UNHCR teams to villages in the conflict area gave a picture of desolation and destruction in some areas, while cautious returns took place to other villages.

A new government was finally installed in Serbia on 24 March, ending over six months of negotiations. The new government is a coalition between the left and extreme right, consisting of 15 Ministers from the Socialist Party (SPS), 5 from the Yugoslav Left (JUL) and 15 from the Serbian Radical Party (SRS). The Socialist Mirko Marjanovic remains Prime Minister, while the Radical leader Vojislav Seselj was appointed Deputy Prime Minister. Of the five Deputy Prime Ministers, two are Socialists, two Radicals and one from the JUL.

Montenegrin President Djukanovic announced, on 24 March, new parliamentary elections for 31 May. Meanwhile, the rival faction of the ruling Democratic Party of Socialists, led by former state president Bulatovic, changed its name to the Socialist People's Party of Montenegro (SNP).

150 refugees visited Bosanski Petrovac, Drvar and Grahovo on 21 March. A go-and-see visit to Koranica in Croatia was organized by UNHCR on 27 March, with six refugees visiting their home villages.

In the 38th and 39th UNHCR-assisted voluntary repatriation movements, three refugees returned to Sarajevo and six refugees returned to Croatia on 12 March; and three refugees returned to Vukovar and 11 refugees to other parts of Croatia on 27 March.

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The current number of UNHCR-assisted voluntary returns to Bosnia and Herzegovina stands at 1,000 persons, and to Croatia 1,145 persons, totalling 2,145 persons since the signature of the Dayton Peace Agreement.

UNHCR attended the opening of the first Human Rights Center for the Roma community in FRY. Located in Kragujevac, it intends to monitor the human rights situation of the Roma minority population throughout the country. Funding permitting, plans are being made for the establishment of several sub-offices as well. According to data available, out of the total population of 180,000 in Kragujevac, 16,000 are Roma people.

The construction of new local settlements in Vojvodina - Alibunar, Backa Topola, Nova Crnja and Odzaci - is proceeding well and the Joint Selection Committees will screen and select refugee families shortly. On 26 March, a contract was signed for the construction of the first local settlement project, consisting of 16 apartments in the municipality of Raska in Central Serbia. The construction of refugee settlements in three sites in Montenegro - Kolasin, Herceg Novi and Tivat - is expected to be completed by June-July.

Following discussions with the Office of the Serbian Commissioner for Refugees and Swiss Disaster Relief, a proposal was prepared for support to local settlements, including a new type of housing unit, refugee self-help construction and support to refugees in private accommodation. Implementation of this new plan would allow UNHCR to assist larger numbers of refugees with (improved) durable accommodation. All new construction in Serbia is linked to the provision or creation of employment.

4. FINANCIAL SITUATION

Estimated revised requirements - Jan.-Dec. 1998	US\$ 187.0 million
1998 contributions	US\$ 38.9 million
Estimated carry-over 1997-1998	US\$ 33.0 million

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