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At least 441 Cases of Arbitrary Arrests Documented in Syria in September 2019

Including 276 Cases of Enforced Disappearance



Wednesday, October 2, 2019

The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.



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I. Introduction and Methodology

Arbitrary arrests and enforced disappearances have been amongst the most widespread violations since the early days of the popular uprising for democracy in Syria in March 2011. These are considered to be the most common and pervasive regime violations against Syrian citizens, affecting hundreds of thousands of Syrians. These violations are carried out by the Syrian security services, as well as their affiliated militias, as part of a deliberate and planned strategy, often in a sweeping indiscriminate manner, in order to instill terror and fear into the largest possible number of Syrian people. Approximately eight months after the start of the popular uprising, other parties began to emerge in Syria, also carrying out arrests and kidnappings. The process of documenting the cases of detention and cataloguing whether detainees are released or join the ranks of the forcibly disappeared has been one of the greatest challenges and difficulties faced by the Syrian Network for Human Rights, as is clarified in our methodology¹.

Since 2011, the Syrian Network for Human Rights has created complex electronic programs to archive and categorize the detainees' data, which the team collects and verifies; this enables us to catalogue the detainees according to gender, the location where each was arrested, the governorate from which each detainee originally came, and the party responsible for their arrest. These programs also enable us to cross-index cases and make comparisons between these parties, as well as identifying the governorates from which the largest proportion of residents have been arrested and disappeared.















^{1 &}quot;Syrian Network for Human Rights Methodology", Syrian Network for Human Rights, http://sn4hr.org/public_html/wp-content/pdf/english/SNHR_Methodology_en.pdf

Given the importance and sensitivity surrounding the violation of arrest of Syrian citizens, the Syrian Network for Human Rights has since its establishment never stopped issuing daily news of arrest incidents, or publishing monthly reports documenting the arrests, enforced disappearances and releases that took place in the preceding month, in addition to issuing an annual report, as well as publishing dozens of other reports on different detention centers run by various parties to the conflict, and additional special reports concerning detainees. Also, the SNHR periodically submits special forms to the United Nations Working Group on Enforced or Involuntary Disappearances, the Working Group on Arbitrary Detention, and the Special Rapporteur on the question of torture.

Most of the arrests in Syria are carried out without any judicial warrant while the victims are passing through regime checkpoints or during raids, with the security forces of the regime's four main intelligence services often responsible for extra-judicial detentions. Every detainee is tortured from the very first moment of his or her arrest and denied any opportunity to contact his or her family or to have access to a lawyer. The authorities also flatly deny the arbitrary arrests they have carried out and most of the detainees are subsequently forcibly disappeared.

The Syrian regime is responsible for no fewer than 89 percent of all the arbitrary arrests that we have documented, and is the first and most prominent of all the parties to the conflict in systematically perpetrating this violation. In most cases, victims' families are unable to accurately identify the body responsible for making the arrest, given the vast array of forces affiliated with the Syrian regime (Iranian militias, the Lebanese group Hezbollah, and others), in addition to the four main regime security agencies and their many branches, all of which are authorized to arrest and torture detainees, and to commit the crimes of enforced disappearance.

The issue of detainees and disappeared persons is one of the most crucial human rights issues in Syria which there has been no progress in resolving despite its inclusion in several resolutions of the UN Security Council, as well as in UN General Assembly resolutions, in Kofi Annan's plan, and finally in the statement of cessation of hostilities issued in February 2016, which states that "all parties undertake to work for an early release of any arbitrary detained persons, particularly women and children", and in Security Council resolution 2254 of December 2015, article 12, which states that all detainees, especially women and children, must be released immediately. Despite all these resolutions and other official statements, no progress has been made on the issue of securing the release of detainees in any of the rounds of negotiations sponsored by international parties regarding the conflict in Syria.















In light of these considerations in regard to this particular issue, we therefore recommend:

- 1- Arbitrary arrests and enforced disappearances, which are still ongoing, as detailed in this SNHR monthly report, must be ended immediately. The fates of all detainees must be revealed, and their families' right to visit them must also be ensured immediately.
- 2- All detainees imprisoned for merely exercising their political and civil rights must be released unconditionally. The use of women and children as prisoners of war must be stopped and they must all be released.
- 3- The independent international monitors of the Independent International Commission of Inquiry on the Syrian Arab Republic, which was established by the UN, and the International Committee of the Red Cross must be granted access to all official and unofficial detention centers without establishing any prior arrangements or any restrictions or conditions.
- 4- A UN committee should be formed to monitor and periodically assess the release of the detainees according to a timetable that must be presented by all the detaining parties, primarily the Syrian regime forces that are responsible for 89 percent of all detentions.
- 5- All rulings issued by the regime's field military courts and terrorism courts should be suspended or repealed, since they are non-compliant with domestic and international legislation, as well as failing to provide guarantees of a fair trial.

Methodology

This report outlines the record of arbitrary arrests by the parties to the conflict documented in September. In addition, it records the most notable raids and arrests at checkpoints that resulted in deprivation of freedom, as well as shedding light on the most notable individual cases and incidents of arbitrary arrest that the SNHR's team documented in September, as well as categorizing cases and incidents of arrest according to the location of the incident. According to the SNHR's database, we can categorize cases of arrest according to the governorate in which the incident occurred, and according to the governorate from which the detainee originally came. In this report and in most of our reports, we categorize the record of arrests according to the place where the arrest took place, not according to the governorate from which the detainee originally came. It should also be noted that sometimes we categorize the cases of arrest according to the governorate from which the detainee originally came in order to show the magnitude of loss and violence suffered by the people of that governorate compared to other governorates, in which case we refer to this in the report.

The report also documents arbitrary arrests that subsequently turned into enforced disappearances. A number of criteria must be met before SNHR will classify a case as an enforced disappearance: the individual must have been detained for at least 20 days without











his or her family being able to obtain any information from the relevant authorities about their status or location, with those responsible for the disappearance denying any knowledge of the individual's arrest or whereabouts.

The SNHR team implements strict standards in evaluating and assessing any incident of arbitrary arrest in accordance with principles of the international laws and the aforementioned set of principles on arbitrary arrest.

The Detainee and Forcibly-Disappeared Department at SNHR records cases of arrest which departmental personnel collect from various sources, such as: victims' families, SNHR members in Syrian governorates, cooperating local activists, and former detainees, before diligently working to contact the families of the detainees and forcibly disappeared persons, as well as people close to them and people who survived detention, for the purpose of collecting as much information and data as possible, in light of the extraordinary and extremely complex challenges. We also record eyewitnesses' accounts and track cases of arrest to update these records regularly in order to determine the fate of a detainee, their place of detention, and the circumstances of their arrest. We have created on our website a special form to document a detainee to facilitate access and contact with victims' families.

The ongoing daily process of documenting detainees also comes with other additional challenges for SNHR, which has been documenting detainees' cases since 2011. One of the most notable challenges amongst these is the reluctance of victims' families to cooperate and reveal or provide details of any information on their family members' arrest, even confidentially, more especially if the arrested individual is female, due to a well-founded fear still prevalent in Syrian society that being discovered doing so would result in more torture and further danger for their loved ones and themselves. Instead, families try to negotiate with security forces which usually blackmail these families and demand cash payments, effectively ransoms, that can amount to thousands of dollars in some cases. Despite the fact that SNHR possesses lists detailing the cases of more than 144,000 detainees, including children and women, we can safely say that our estimate of the actual number of detainees exceeds 215.000.

The failure of the international community and of all the organs of the United Nations to apply pressure on the Syrian authorities to release even one individual (including those whose sentences are completed), even prisoners of conscience, has affirmed the conviction of many within Syrian society that it is useless to cooperate in the documentation process. Most of the releases achieved were part of exchange deals with the armed opposition.













The detainee figures included in this report don't include prisoners with a criminal background, but do include cases of arrest that are based on the internal armed conflict, mainly due to opposition activity against the ruling authorities, as well as cases of detention to suppress freedom of opinion and expression.

II. September Outline

In September, Syrian Regime forces continued to pursue and arrest refugees returning to Syria via land crossings, particularly the Kasab border crossings with Turkey and the Masna' border crossing with Lebanon, despite the returnees' settlement of their security situations prior to their return, as well as targeting civilians, and former members of factions of the Armed Opposition along with their families in areas that have signed settlement agreements with Syrian Regime forces, with these arrests concentrating in Daraa governorate. In September, we documented the detention by Syrian Regime forces of a large number of civilians who had previously reached security settlements with the regime as they were traveling to areas not currently under the control of Syrian Regime forces whilst they were passing through regime checkpoints and crossings.

Throughout the month of September, Syrian Regime forces continued to implement the regime's policy of pursuing civilian family members of activists involved in the popular uprising for democracy and also of family members of fighters with factions of the Armed Opposition in areas under regime control, with SNHR documenting the Syrian Regime forces carrying out systematic campaigns of raids and arrests that targeted entire families related to members of factions of the Armed Opposition. These arrests, which included women and children, were concentrated in Deir Ez-Zour governorate.

Syrian Regime forces also carried out raids and mass arrests targeting all segments of society aged between 18 and 42 years, with the aim of forced conscription and reserve military service in their forces.

In September, we recorded that Syrian Regime forces released 19 detainees from their detention centers between September 1 and September 30, most of whom had served their sentences, and those included in the amnesty legislation issued by the Syrian regime on September 15.

Meanwhile, Kurdish-led Syrian Democratic Forces continued enforcing the group's policies of arbitrary arrest and enforced disappearance throughout the month of September, targeting political activists and members of civil society groups who oppose their ideological views. These arrests were concentrated in the governorates of Ragga and Hasaka. Also in September, SNHR documented Syrian Democratic Forces carrying out mass arrests against several families targeting several members of the same family without providing clear charges and taking them to an undisclosed location.













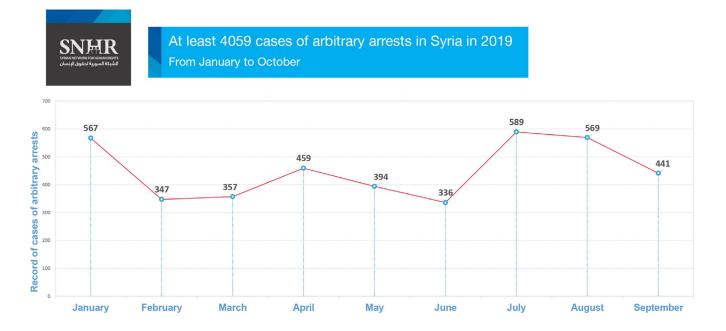
In addition to these incidents, September also saw the arrests of activists with civil society groups, media activists, university professors and civilians, including children and elderly people, by Hay'at Tahrir al Sham. We documented increased rates of arbitrary arrests carried out by HTS in areas under its control, focused on media activists and civilians, with most of these arrests occurring because of publications on social networking pages criticizing the HTS's management of areas under its control. These arrests were carried out arbitrarily in the form of raids in which HTS members broke down the doors of homes and stormed their targets' homes or by kidnapping their victims while travelling or while passing through temporary checkpoints, with HTS opening fire with guns towards their victims to intimidate them.

Factions of the Armed Opposition also continued carrying out arrests in the territories under their control during September, which were concentrated in Aleppo governorate, particularly in the Afrin area. Most of these arrests occurred without judicial authorization and without the participation of the police force, which is the legitimate administrative authority responsible for arrests and detentions through the judiciary. Those responsible for these operations were specific factions who detained individuals without any clear charges. The aim of these arrests was to spread fear among the population in the areas under the influence of the faction controlling the area. We recorded several cases of arrests and kidnappings carried out in order to extort ransom money to secure the hostages' release.

III. Record of Cases of Arbitrary Arrests by the Parties to the Conflict

A. Record of cases of arbitrary arrests since the start of 2019:

SNHR documented 4,059 cases of arbitrary arrests at the hands of the main perpetrator parties in Syria since the start of 2019 up to October 2019, distributed as follows:















The chart above shows the increasing rates of cases of arbitrary arrests in the months of July and August 2019. This was due to the widespread nature of the arrests and kidnappings carried out by Syrian Democratic Forces targeting Arab civilians in areas under SDF control, specifically in Manbej city in the northwestern suburbs of Aleppo governorate.

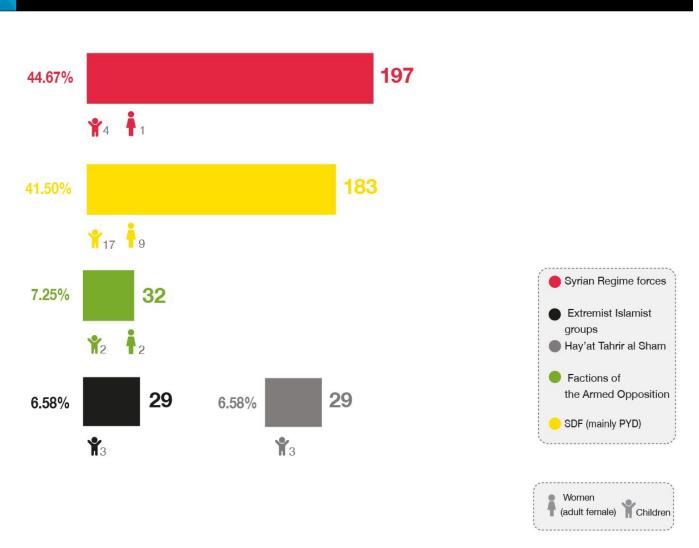
B. Record of cases of arbitrary arrests in September:

SNHR documented at least 441 cases of arbitrary arrests in September 2019, including 26 children and 12 women (adult female), at the hands of the main perpetrator parties to the conflict in Syria, including 276 which have subsequently been categorized as cases of enforced disappearance.

These arrests were distributed according to the main perpetrator parties responsible, as follows:





















A. Syrian Regime forces (army, security, local militias, and Shiite foreign militias):

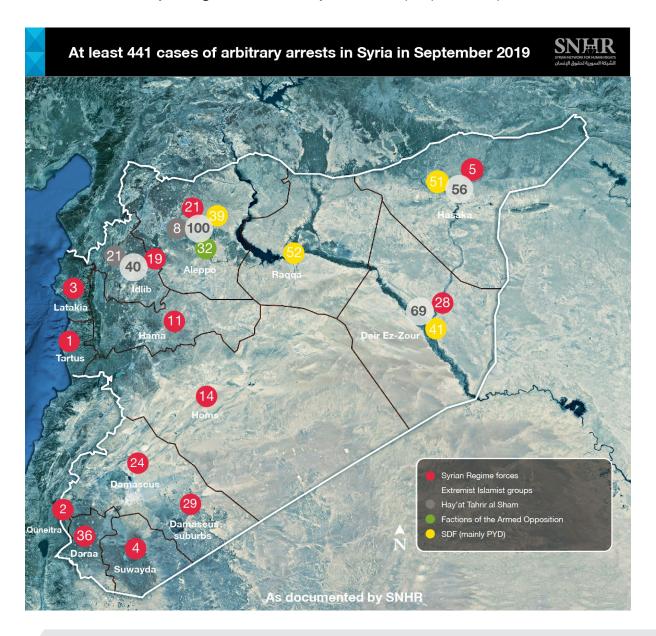
197 individuals, including four children, and one woman. 126 of these have subsequently been categorized as cases of enforced disappearance.

- B. Kurdish-led Syrian Democratic Forces (the Democratic Union Party): 183 individuals, including 17 children and nine women. 115 of these have subsequently been categorized as cases of enforced disappearance.
- C. Factions of the Armed Opposition: 32 individuals, including two children and two women. 20 of these have subsequently been categorized as cases of enforced disappearance.

D. Extremist Islamist groups:

Hay'at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of factions of the Armed Opposition): 29 individuals, including three children. 15 of these have subsequently been categorized as cases of enforced disappearance.

The following map shows the distribution of cases of arbitrary arrests documented in September across all the Syrian governorates by the main perpetrator parties:









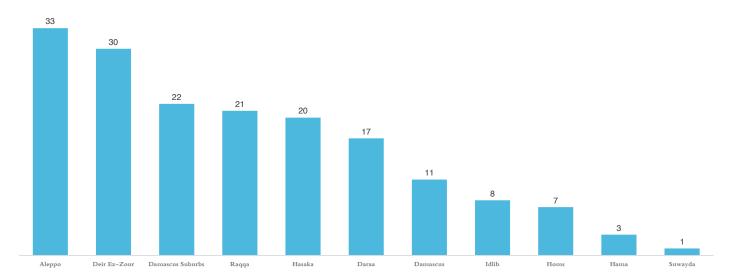




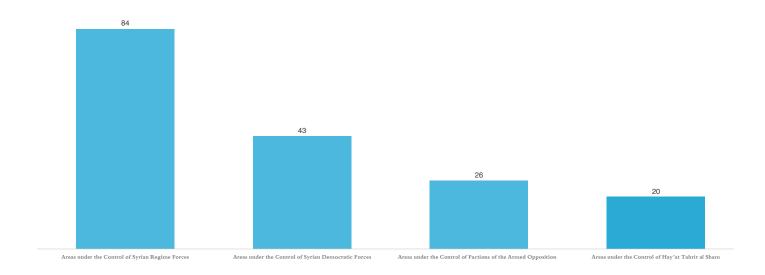


The map above shows that the highest rate of cases of arbitrary arrests was seen in Aleppo governorate due to its unique status compared to other Syrian governorates in having the largest number of the parties involved in the Syrian conflict present, with control of various parts of the governorate being divided among Syrian Regime forces, Syrian Democratic Forces, factions of the Armed Opposition and Hay'at Tahrir al Sham, followed by the governorates of Deir Ez-Zour and Hasaka.

We also documented at least 173 raids and checkpoints in September, which resulted in deprivation of freedom. These were distributed across all governorates as follows:



Record of raids and checkpoints, distributed according to the responsible party as follows:













IV. Most Notable Cases and Incidents of Arbitrary Arrest in September:

A. Syrian Regime forces (army, security, local militias, and Shiite foreign militias): - Most notable incidents:

On Wednesday, September 25, 2019, Syrian Regime forces arrested five civilians as they were returning from Turkey to Syria via the Kasab border crossing in the northern suburbs of Latakia governorate, taking them to an undisclosed location. We note that these detainees, who are from al Tal city north of Damascus Suburbs governorate, were on their way to organize a security settlement to validate their legal status. Their fate remains unknown to the SNHR.

On Monday, September 9, 2019, Syrian Regime forces arrested eight civilians from Daraa city, while they were passing through one of the regime's checkpoints in the city, taking them to an undisclosed location. Their fate remains unknown to the SNHR, as well as to their families.

Most notable cases:

Dr. Bassam Swaidan and paramedic Hayyan Swaidan, brothers, from Daraa city, who were working in the former Daraa al Balad field hospital in Daraa city, were arrested by members of the Syrian regime's Air Security Force on Wednesday, September 25, 2019, in Aleppo governorate, while they were on their way from Daraa city to areas controlled by factions of the Armed Opposition in the suburbs of Aleppo governorate. Their fate remains unknown to the SNHR.

Ayham al Shahbani, known as Abu al Yaman, a former Imam and preacher at al Nour Mosque in Seyda town in the eastern suburbs of Daraa governorate, from Ibta' town in the northern suburbs of Daraa governorate, was arrested on Thursday, September 5, 2019, by Syrian Regime forces in a raid on his house in Ibta' town, before being released on Friday, September 20, 2019.



Amin Mohammad al Zulumat, aged 70, from Hatla town in the eastern suburbs of Deir Ez-Zour governorate, was arrested by Syrian Regime forces on Thursday, September 19, 2019, in a raid on his house in Hatla town. His fate remains unknown to the SNHR.













Ibrahim Bdaiwi al Yasin, from Bugrus Tahtani village in the eastern suburbs of Deir Ez-Zour governorate, was arrested on Sunday, September 15, 2019, by Syrian Regime forces in a raid on his house in Bugrus Tahtani village, despite being among those who previously settled their security status. His fate remains unknown to the SNHR.

Abdul Ghaffar Ziad al Bardan, Yamen Shaher al Bardan and Ahmad Yousef al Bardan, from Tafas city in the western suburbs of Daraa governorate, were arrested on Friday, September 20, 2019, by Syrian Regime forces as they were passing through one of the regime's checkpoints in Namer village in the northeastern suburbs of Daraa governorate and taken to an undisclosed location. Their fate remains unknown to the SNHR.

Abdul Salam al Ghazzawi, a former fighter with a faction of the Armed Opposition, from Heet town, west of Daraa governorate, was arrested by Syrian Regime forces on Sunday, September 22, 2019, as he was passing through one of the regime's checkpoints in in Saham al Joulan village, northwest of Daraa governorate, and taken to an undisclosed location, despite being among those who previously settled their security status. His fate remains unknown to the SNHR.

B. Extremist Islamist groups

- Hay'at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of factions of the Armed Opposition):

- Most notable incidents:

On Sunday, September 8, 2019, Hay'at Tahrir al Sham members carried out a raid and arrest campaign inside the Idlib University building in Idlib city. SNHR documented the arrest of a university student from Kafr Yahmoul village in the northern suburbs of Idlib governorate, who was taken to an undisclosed location. His fate remains unknown to the SNHR.

- Most notable cases:

Hani Ata, the head of the local council of Batabo town in the western suburbs of Aleppo governorate, who comes from Batabo town, was arrested on Wednesday, September 11, 2019, by members of Hay'at Tahrir al Sham in a raid on the local council building in Batabo town and taken to an undisclosed location.













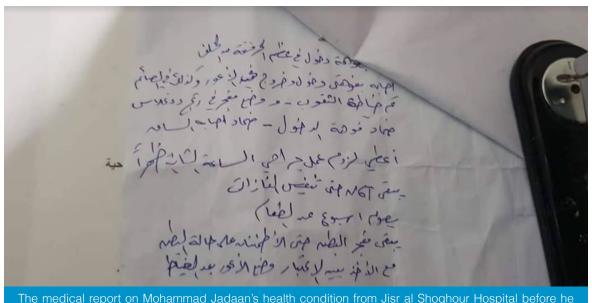


Mohammad Mohi al Din al Taha, a graduate of Business Administration and Accounting, born in 1992, is a married father of three daughters, from Shnan village in the southern suburbs of Idlib governorate. He was arrested by members of Hay'at Tahrir al Sham on Wednesday, September 11, 2019, while trying to cross the Turkish border in Kherbat al Jouz area in the western suburbs of Idlib governorate and taken to an undisclosed location.

Mohammad Jad'an, a trainer in monitoring and evaluation at the Adam Smith and Rteam organizations, was previously a media activist with several media outlets, from Jozef village in the southern suburbs of Idlib governorate. He was arrested by members of Hay'at Tahrir al Sham on September 12, 2019, after being shot at by HTS members while passing through one of the HTS checkpoints on the road between Jozef village and Mhambel town, and taken to Jisr al Shoghour Hospital in the western suburbs of Idlib governorate, then to Idlib city hospital, and then to Bab al Hawa Hospital in northern Idlib governorate under tight security.







The medical report on Mohammad Jadaan's health condition from Jisr al Shoghour Hospital before he was transferred from there and taken to an undisclosed location by HTS.













Ahmad Rahhal was arrested by members of Hay'at Tahrir al Sham on Wednesday, September 11, 2019, in a raid on his house in Idlib city, and his equipment was confiscated. He was subsequently released on Thursday, September 19, 2019. Ahmad Rahhal, a reporter with el Dorar al Shamia network and other media outlets, is from Mhambel town in the western suburbs of Idlib governorate.



C. Factions of the Armed Opposition

- Most notable incidents:

On Friday, September 13, 2019, gunmen belonging to factions of the Armed Opposition arrested nine civilians in Deir Ballout village in the northern suburbs of Aleppo governorate, and took them to an undisclosed location. Their fate remains unknown to the SNHR, as well as to their family.

- Most notable cases:

Sabri Hannan, aged 75, the director of Jihan Hospital in Afrin city in the western suburbs of Aleppo governorate, comes from Ba'denou village which is administratively a part of Afrin city. He was arrested by members affiliated with factions of the Armed Opposition in Afrin city on Tuesday, September 10, 2019, and taken to an undisclosed location. His fate remains unknown to the SNHR.



D. Kurdish-led Syrian Democratic forces

- Most notable incidents:

On Thursday, September 19, 2019, Syrian Democratic Forces carried out a raid and arrest campaign in Sharmoukh village, which is administratively a part of al Qameshli area in the northern suburbs of Hasaka governorate. Four civilians from one family were documented as having been arrested and taken to an undisclosed location. Their fate remains unknown to the SNHR.











On Thursday, September 19, 2019, Syrian Democratic Forces raided a civilian house in the center of Raqqa city inhabited by IDPs from all Boukamal city in the eastern suburbs of Deir Ez-Zour governorate. Six civilians from one family were documented as having been arrested and taken to an undisclosed location. Their fate remains unknown to the SNHR.

- Most notable cases:

Engineer Mohammad Abdullah al Sheikh, from al Tabaqa city in the western suburbs of Idlib governorate, was arrested on Friday, September 13, 2019, by Syrian Democratic Forces in a raid on his house in al Tabaqa city and taken to an undisclosed location. His fate remains unknown to the SNHR.



Ragheb Sherabi al Harfeesh, aged 32, the head of the Syrian Democratic Forces' educational complex in Tal Barrak town in the northern suburbs of Hasaka governorate, who comes from Tal Barrak town, was arrested by Syrian Democratic Forces on Saturday, September 21, 2019, at the educational complex in Tal Barrak town. His fate remains unknown to the SNHR.

The brothers Hamad and Mustafa Hasan al Dalli, from al Jazara neighborhood in the western part of Raqqa city, were arrested on Thursday, September 19, 2019, by Syrian Democratic Forces in a raid on their house in al Jazara neighborhood and taken to an undisclosed location. Their fate remains unknown to the SNHR.

The brothers Ali and Mohammad Hammadi al Lejji, from Ghwayran neighborhood in Hasa-ka city, were arrested on Friday, September 8, 2019, by Syrian Democratic Forces in a raid on their house in Ghwayran neighborhood and taken to an undisclosed location. Their fate remains unknown to the SNHR.

Sa'do Mohammad Hussein al Alo and Tayseer al Alo (cousins), from Tal Abyad city in the northern suburbs of Raqqa, were arrested by Syrian Democratic Forces on Thursday, September 5, 2019, in a raid on their house in Tal Abyad city and taken to an undisclosed location. Their fate remains unknown to the SNHR.



V. Conclusions and Recommendations

- The SNHR believes that the Syrian regime has not fulfilled any of its obligations under any of the international treaties and conventions which it has ratified. We refer specifically to the International Covenant on Civil and Political Rights. It also violated several articles of the Syrian Constitution itself, with thousands of detainees detained without any arrest warrant and held for many years, without charges, and prevented from appointing a lawyer and from receiving family visits. 65.08 percent of all detentions documented have subsequently been categorized as enforced disappearance cases, with detainees' families being denied any information on their loved ones' whereabouts, while anyone making enquiries about the detainees faces the risk of being arrested themselves for doing so.
- Hay'at Tahrir al Sham imposes absolute authority over the large areas it controls and the residents there. The group which has a political entity, and has developed a highly hierarchical structure, is therefore obliged to implement the provisions of international human rights law. Hay'at Tahrir al Sham has committed widespread violations through arrests and enforced disappearances.
- Factions of the Armed Opposition have carried out arrests and torture against a number of residents in areas under their control.
- Kurdish-led Syrian Democratic forces have violated many basic rights and practiced numerous violations such as torture and enforced disappearance. They also have a political entity with a largely hierarchical structure and are, therefore, also obliged to apply the provisions of international human rights law.

Recommendations

Security Council

 Monitor the implementation of Resolution 2042, adopted on April 14, 2012, Resolution 2043, adopted on April 21, 2012, and Resolution 2139, adopted on February 22, 2014, all of which demand the immediate cessation of the crime of enforced disappearance.

Human Rights Council

- Follow up on the issue of detainees and forcibly disappeared persons in Syria and highlight this issue in all annual meetings.
- Cooperate and coordinate with all active local human rights groups in Syria.

Independent International Commission of Inquiry (COI)

Launch investigations into the cases included in this report and previous reports. SNHR is willing to cooperate and provide more evidence and data.















International, Impartial, and Independent Mechanism (IIIM)

Address the cases mentioned in this report and past reports. SNHR is willing to cooperate and provide more evidence and data.

United Nations and the guarantors of the Astana talks

- An impartial special committee should be formed to monitor cases of enforced disappearance, and to make progress in revealing the fate of the nearly 98,000 documented missing persons in Syria, approximately 85 percent of whom are detained by the Syrian regime.
- Immediately begin applying pressure on all parties to ensure that they immediately reveal their detention records according to a timetable. In the meantime, detention places should be revealed immediately, and humanitarian organizations and the International Committee of the Red Cross should be allowed to visit them directly.
- Ensure the release of children and women, and the end to the practice of holding families and friends as war hostages.
- We call on the official recently appointed to take charge of the detainee file at the UN special envoy's office to include the issue of the detainees during the upcoming round of Geneva talks, as this issue is of far greater importance to the Syrian people than other longer-term issues which can be jointly addressed later by the parties after a political settlement is reached, such as the constitution.

Acknowledgments

Our sincere thanks to the relatives and families of the victims, their friends, eyewitnesses and local activists who have contributed effectively to the collection and verification of data.

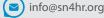






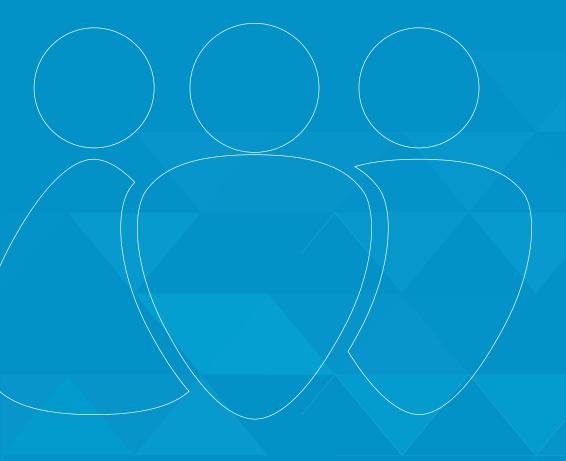








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