

BURMA ISSUES

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MOR AND BURMA

The "Constructive Engagement" policy of ASEAN seems to be gaining more and more support from the international community. This policy operates on the assumption that the military regime of Burma can be encouraged to become more democratic and to respect the human rights of the people of Burma by a close economic relationship rather than by international isolation. However, the question it does not answer is, "When and how will the military regime finally be held accountable for the horrendous abuses it continues to carry out against the people?" For the tens of thousands of refugees, and the hundreds of thousands of displaced people throughout Burma, this is a question of crucial importance. When will the international community offer an answer to these victims of military brutality?

Villagers under the watchful eye of an armed SLORC soldier, do manual forced labor on a road near the new Ye/Tavoy rail road. There is little time left for them to do their farm work, or care for their families.



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CONSTRUCTIVE ENGAGEMENT

That ASEAN's "constructive engagement" policy towards Burma's de facto government is disastrous for the Burmese peace movement is well-documented and widely acknowledged. Merely denouncing the policy, however, is itself not particularly constructive unless such criticism poses an alternative for ASEAN and other nations to support the rights of a suffering people.

One of the most thoughtful and outspoken critics of constructive engagement has been Acharn Vithit Mutarbhorn, the prominent Thai law professor and the UN's Special Rapporteur on the Sale of Children. His vigilance in raising awareness of human rights abuse in neighboring Burma has been crucial to the Thai public's resistance to constructive engagement. At a June seminar organized by Thai NGOs, academics and journalists, Acharn Vithit presented options for Thai policy towards Burma.

According to Acharn Vithit, the past year's developments have made the issue of international action on Burma more urgent. The prolonged detention of democracy activist Aung San Suu Kyi, the continued manipulation of the national constitutional convention (see *Burma Issues*, June 1994), increased pressure on rebel groups to submit to the military junta's "divide and rule" strategy, and formation of the Union Solidarity and Development Association as a pseudo-populist pro-junta party have all complicated the distinction between genuine reform and careful manipulation by the military government.

In response to these challenges, the international community's response to Burma also has to become more sophisticated and proactive. Myths about the present policy and fears of

more honest alternatives must be confronted and dispelled. "Constructive engagement" has failed to reform the military regime, and the time has come for a new agenda: an Instructive Arrangement for Burma.

Proponents of constructive engagement argue that it is an open-minded policy for encouraging dialogue and reform within Burma. By strengthening diplomatic and economic ties, the junta can be gradually influenced to redress serious internal crises. Mostly, however, supporters of constructive engagement justify it for what it is not, for they claim that the only other policy alternative is "international isolation." The negative connotation of "isolation" is so strong that few individuals would be comfortable supporting it. If allowed to dictate options in international policy, constructive engagement advocates can quite successfully throw their hands in the air as if choosing the much lesser of two evils.

But is the only option to constructive engagement its absolute opposite? As Acharn Vithit demonstrates, truly constructive international action on human rights in Burma engages the issues without isolating the people's hopes for freedom.

Among the instructions Vithit would like to see ASEAN issue to the Burmese junta are echoes of the familiar demands on Rangoon to free Aung San Suu Kyi and all political prisoners, end the military's human rights abuse and cede power to the civilian government elected in 1990. Other interesting measures are also suggested, including:

- consult all minorities about the creation of a federal state with their full participation;

- allow the international community to facilitate safe and voluntary repatriation of refugees (using their leverage with Rangoon to guarantee safety);

- allowing access of the UN and diplomats to government opposition leaders;

- a democratically revised constitution drafting process;

- massive revision of the domestic budget to shift expenditure from military to civilian uses.

Do any of these measures indicate a move towards isolationism? Of course not; in fact, they would broaden diplomatic contact for the junta, its opposition, and the people of Burma. The image of Burma eroding silently, isolated by the world's contempt is a myth perpetuated by ASEAN's economic ambitions.

Arms embargoes, trade sanctions, and full derecognition by the United Nations of the junta's right to represent the people of Burma are the mechanisms available to the international community, especially through the UN, to negotiate the advent of this increased contact. These mechanisms-- which those getting rich off constructive engagement are quick to say indicate an "isolationist" policy-- are themselves neither the final goal nor the key elements to reform in Burma: they merely represent the element of influence needed to make Burma's generals sit up and take notice.

Contrary to ASEAN's claims, an instructive arrangement for Burma is not "isolationist." It is in fact a more realistic policy option for creating reform than ASEAN's misguided, weak and half-hearted tactics.

NGOS IN BURMA

The debate on whether or not NGO's should be setting up inside Burma is intensifying. A recent UNICEF document listed 31 international NGOs either currently working, or seriously considering working in-country. Even when reduced to the 19 listed as actually operating there, it curiously included a number which have never even visited Burma, let alone decided to initiate projects.

Clearly UNICEF is spearheading a ● to make it respectable to go into Burma, and funds are being made available to do so. Two years ago it presented a report to the U.N. Secretary-General containing a package of possible UN initiatives which included:

- Supervised ceasefires negotiated between the DAB and the SLORC, to enable possible humanitarian relief activities;

- Unconditional release of Aung San Suu Kyi and other political prisoners;

- Sanctuary for people fleeing recruitment as porters;

- Assistance for the internally displaced and refugee populations;

- Immediate cessation of the policy of forced resettlement, conscription of children and exploitative duty labour;

No-one disputes Burma's crying need for international assistance. The question is: can this assistance be offered in a way which genuinely helps the people who need it? Too often in the past, and indeed the present, money and resources poured into the country has failed to produce hospitals, schools and trained personnel: instead it lines the pockets of corrupt officials or, in the case of many infrastructure projects, actively adds to the people's misery by causing displacement and forced labour.

'Constructive engagement' in practice has often proved to be no more than a hypocritical veneer on self-interest and greed, an excuse to support the insupportable in return for profit. But perhaps there is some way to creatively address the obvious needs of a beleaguered people which does not serve simply to mask or perpetuate their condition.

A very few international NGOs are attempting to work officially within Burma. Foremost among the as *Medicins Sans Frontieres* (MSF) (Holland), working on basic health services in Rangoon and malaria control in Arakan State, and *Action Internationale Contre la Faim* (AICF), working on health, sanitation and water supply in Arakan and Chin States. Both organisations have found it necessary to drive tough bargains with the SLORC. The London-based Burma Action Group (BAG) set out a proposal for Constructive Involvement in Burma in November 1992, and AIDAB is currently drafting operational guidelines for Australian NGOs working in Burma.

A broad general consensus seems to be emerging. With the SLORC showing itself to be a master of cosmetic compromise - signing individual ceasefire agreements with some minority groups, opening up the country to foreign investment, holding verbose constitutional 'debates' at protracted intervals and, most recently, agreeing to hold dialogue with Aung San Suu Kyi (but of course setting no date), it is clear that they will cling to power for just as long as the international community - governments and multi-nationals - can be bought or duped. It may be that humanitarian NGOs will find it intolerable to wait for democracy in Burma before entering.

The difficulties of working within a dictatorship are many, and the following

points are just some of a number to be considered.

- The financial and administrative independence of the NGO must be established from the outset, with continued operations conditional upon this independence;

- NGOs should ensure that they have direct access to the target beneficiaries;

- NGOs should not be trapped into any appearance of collaboration with the SLORC by way of photographs or presence at official ceremonies.

Even with all the above safeguards, there are two further considerations. Firstly, it is unlikely that any NGO will be given permission to operate in war zones, border areas, or opium-growing areas. NGOs may be kept away from the places of greatest need.

Secondly, in a country where communications are poor, even when not deliberately subverted, agreements made in Rangoon may need to be ratified by local authorities in the actual working areas.

It would be wrong to suggest that working inside Burma will not impose complex difficulties and frustrations on any NGO attempting it. But with determination, astuteness and patience, it just may be possible.

• Sources:

TN 920302

ICVA Mission to Myanmar/Burma Recommendations; Oct. 1992

AWK 940721

BURMA AND THE UNITED NATIONS: BAG London, Nov. 1992

Draft Operational Guidelines for Australian NGOs in Burma, June 94

POLITICS

Thailand's official invitation to the SLORC military regime to attend the July ASEAN ministerial meeting, with observer status, is a further step in breaking SLORC's diplomatic isolation and an attempt to ensure that it maintains close policy ties with neighbouring countries in the future. Thailand ignored the call of Burma's democratic forces to cut ties with SLORC, which continues its systematic abuse of human rights and refuses to transfer power to a civilian government.

The meeting will be held on 21-27 July in Bangkok. On 5 May Thailand's Foreign Minister, Prasong Soonsiri, delivered his official invitation, via Thailand's Ambassador in Rangoon, to SLORC's Foreign Minister, Ohn Gyaw. SLORC accepted the invitation. Thailand is still hoping to sign an investment-protection agreement with SLORC. Prior to boosting investment in Burma, all members of ASEAN are concerned that SLORC should improve its laws regarding investment, financial affairs and taxation. Though ASEAN members consider that Burma has a high investment potential, foreign exchange is still problematic. The gap between the official exchange rate and the black market is still enormous. While US\$1 must be exchanged for around 7 Kyats at the official rate, US\$1 is equal to more than 100 Kyats on the black market. These issues will occupy the main agenda of the ASEAN meeting, rather than the terrible human rights abuses SLORC consistently carries out against the people of Burma.

As the host country, Thailand is very aware of possible protests against SLORC's representatives during the meeting. Prasong warned exiled Burmese students in

Thailand not to protest in an effort to bar SLORC's representatives from attending, and threatened students with repatriation to Burma if they carried out any anti-SLORC activities in Thailand. Police are also keeping careful watch on Thai NGOs who plan to protest SLORC's representation during the ASEAN meeting. Burmese dissidents' offices and houses in Bangkok and Chiang Mai have been raided by security officials searching for explosive devices. These security operations stumbled across a large number of illegal Burmese who were later sent to the Immigration Detention Centre in Bangkok. Police have set up check points on Thai-Burma border routes and thoroughly search passengers in buses.

Saw Bo Mya, Chairman of the Democratic Alliance of Burma, wrote to ASEAN member nations asking them not to invite SLORC to the meeting because of the regime's human rights abuses. In response to Bo Mya's letter, Prasong stated he had invited Burma in order to bring them to the outside world and that he would not have contact with the Karen as the Thai government only deals at government levels.

In a recent interview, Bo Mya said that after the Chuan Leekpai government came to power, Thailand's relationship with SLORC improved. The better Thailand's relationship with SLORC, the more problems

there are for the Karen, who are now under constant pressure from Thailand. The Karen are being forced into a dialogue with SLORC, despite the Karen demand that such talks be held in a third country. The Karen's office for Foreign Affairs, which has been running unofficially for years in Bangkok, was raided by Thai security officials a few months ago. Furthermore, Karen officials are barred from travelling in Thailand. Bo Mya said that although he has tried to contact Thai officials concerning Thai policy they refused to meet with him. They gave no reason.

For the Thai government, an economic relationship with SLORC is of the utmost importance. In the middle of May, the head of Thailand's Board of Investment led a 45-member delegation on a five-day exploratory visit to Burma. Thailand is now listed as the top foreign investor in Thailand, with a total of US\$210 million in investments.

With its rapid industrial development, Thailand is worried about a future shortage of electricity. Finalization of the gas pipeline contract with SLORC is one of its major investments.

THANKS

Many thanks to all those Burma Issues readers who took the time and trouble to respond to our recent questionnaire. You sent lots of helpful, constructive suggestions and we are considering all of them carefully. It was especially encouraging that all respondents felt the newsletter was useful. We shall be making some changes shortly in response to your ideas and concerns.

ECONOMICS

Mr. John Emil, President of UNOCAL Energy Division, strongly defended UNOCAL against allegations of company support for SLORC's human rights abuses and damage to the environment. He stated that the UNOCAL investment is a positive contribution to Burma.

UNOCAL is now planing to bring natural gas from Burma's Gulf of Martaban gas field (operated by France's TOTAL) to the Tongpaphum district of Thailand, 200 km northwest of the Thai/Burma border. The approximately 300 km offshore and 100 km onshore line would bring gas for power generating stations in Thailand. The cost of the pipeline is estimated at more than US\$1 billion

In a report by UNOCAL to shareholders, Mr. Emil said, **"When I meet critics of this project and listen to the misinformation that is there, what disturbs me most are allegations that people may be suffering as a result of our project. We would not allow that to happen. I am saddened to think there could be such a fundamental misunderstanding of who we are and what we believe in."**

An ethnic Mon rebel group, the New Mon State Party (NMSP), has reported that an estimated 120,000-150,000 local people have been forced to work on infrastructural projects related to this gas pipeline, such as clearing forests, and building railways line and roads. A 110-mile railway line connecting the two garrison towns of Ye and Tavoy on the coast of Burma is currently under construction. The pipeline route will cross through areas in which the ethnic Karen and Mon guerrillas are active on the Thai-Burma border. To ensure the safety of the pipeline,

the Burmese army is speeding up construction of the rail road for the purpose of sending troops to guard the pipeline.

When construction started in October 1993, about 2,000 local people were forced to work on alternate shifts. The number rapidly rose to 6,000 in March and April 1994. The main reason for increasing the number of forced laborers was to ensure completion of the initial stage before the start of the rainy season in the middle of May. At present nearly all families in the area are being forced to work on railway construction. If a family fails to provide labor, it is obliged to pay army officials a fine of 2,000-3,000 Kyats. Many conscripts are suffering seriously, especially from malaria. The Burmese army rarely provides medication at the work site. An unknown number of conscripts have died from disease. Conscripts are scared to flee from work sites as their families would face severe punishment from the Burmese army. Nonetheless, a large number of families have fled to the refugees camps along the Thai Burma border, while some have become internally displaced in the jungles of Burma.

However, Mr. Imel has discounted the allegations of supporting human rights abuses. **"We strictly supervise how work is carried out on our behalf by contractors,"** he said. **"We make sure wages are fair and working conditions are safe."** He added, **"Based on 40 years' experience of doing business in the international arena, time and time again we've seen how our presence has helped improve the quality of life for people in developing countries - regardless of a country's politics."**

On the issue of environmental damage, Mr Emil said, **"UNOCAL will ensure there's minimal environmental impact every inch of the way. Much of the proposed pipeline route follows river valleys with mostly scrub vegetation and some farm land. Construction of the buried pipeline will require clearing a path about 100 feet wide. After construction, the width of the cleared corridor will be reduced to about 50 feet."**

Ethnic guerrilla military experts contend that Mr Emil's environmental impact statement is misleading. The Burmese army will clear much more than a 100 foot -wide corridor along the pipeline, in order to have a clear view of possible saboteurs. Land minds would be installed in the fields. The guerrillas also predict that even local people would be forced to guard the pipeline around the clock.

Mr Emil concluded his statement by saying, **"If you ask the citizens there who have worked with us, I don't think you will find anyone who believes we should pack up our project and leave the country."**

However, if Mr Emil were truly serious about finding the truth, he and his company would make an effort to interview some of the hundreds of escaped conscripts in Mon and Karen refugee camps on the Thai-Burma border. Their answers to his questions would definitely be different from those working for and profiting from UNOCAL.

• Source:

BP(940613)

BP(940630)

NMSP (940400)

HUMAN RIGHTS FEATURE - PART THREE

This is the third and final installment of an in-depth account of injustice and perseverance under SLORC military rule. It was written by the Karen Human Rights Group in April, and describes human rights abuses in Thaton and Pa'an Districts of Karen State.

This time they demanded 100,000 Kyat. We can't give them 100,000, so we said we'll pay 50,000 Kyat. Now we and five other villages have to pay 50,000 Kyat each. Think about that! It's an awful lot for the villagers to pay. [In a village of 18 houses, this is almost 2,800 Kyat per family, over US\$450 at official rate -- a family would be very hard pressed to make this amount in an entire year.] It's very hard because some villagers have no money and have to try to borrow from others, and quarrels start because some can pay and some can't. We had to collect the money from house to house, and once we had enough we had to go give it to them. When we had 50,000 Kyat a group of us went to their camp. They didn't even give us a cup of tea when we got there, just plain water. They are very cruel. I didn't want to drink their water, but M---'s throat was very dry so she drank it. On the way home I said to her, "You must be desperate, because even though they only gave you a glass of water you drank it." I refused to drink it because these Burmese [soldiers] are very rude and cruel.

When we got home we said, "Now this problem has cooled down but what will we do if we have to do this again?" The only way is to run away. We'll have to run to the refugee camp and stay there. I said to the others "You only have some pots and plates so you can say that easily, but I have cattle and buffalos so how can I move? We could sell them all, but then if Burma gets peace later what can we do when we come back? How could we buy our land and animals back again?" There's

nothing we can do, we just have to stay here and live like this. Some people say "Oh, I just want to die. Life like this is unbearable, it would be better to die."

There are also different SLORC troops from Strategic Command at Lay Kay. Their officer is Karen but he is very cruel, even worse than the Burmese -- like a crocodile. I can't remember his name, but if I could I'd like very much to tell you. Lay Kay is a very big village, with big houses with gardens and fences. The night after New Year's Eve [Karen New Year, 12 January 1994] the SLORC said the Karen army came and shot at them, but it was lie because we know it was just SLORC troops shooting at each other by mistake. But they blamed the villagers and the next morning they started treating them very badly. They started shelling the village from the camp, and the shells killed two pairs of cows that were attached to bullock carts. They also shelled Pya Way village, and when the shells landed the novice Buddhist monks didn't know where to run, so they jumped into a big water tank to hide. After that two or three of them caught cold and then got sicker, and it took several days for them to get better. All the houses in Lay Kay village had very good fences around them, and that cruel officer who is Karen made everyone pull down their fences. Later he found a few houses that still have fences? Every house must pull down its fence." Then he forced the other villagers to pull down those people's fences and their houses as well. It's very hard for them to rebuild their houses all over again. This SLORC Battalion is from #33

Division. Their commander is Major Soe Win.

If villagers from Lay Kay travel outside the village and SLORC sees them, they shoot them. The people get wounded and it takes a long time and a lot of money to cure them. After shooting them the SLORC doesn't help them or look after them. Nearly a month ago, there were two soldiers and one of them shot a young boy in the stomach and wounded him badly. The other soldier asked him, "Why don't you shoot him again and kill him?" and he answered, "Because now his sister is in the way, and I just wanted to shoot him, not her." It was only a young boy, and he's still not better.

One month ago the soldiers in Lay Kay heard that there were Karen soldiers in Khaw Po Pleh village, just three miles away, so they shelled the village from their Lay Kay camp. Why didn't they go look and find out if Karen soldiers were there? But they didn't, they just shelled the village. How can they know where the shells will hit? They didn't hit any Karen soldiers because there weren't any there. They just wounded the villagers. There was a man from G--- village who had come to Khaw Po Pleh to buy pigs for a memorial services for his dead mother. A shell hit the branch of a tree and exploded, and a shell splinter came and hit him in the jaw. He was seriously wounded and there is no clinic or medic in Khaw Po Pleh so they couldn't cure him. They wanted to take him to the Burmese town, but at first they didn't dare go because they were afraid the SLORC would stop them and say he was a Karen soldier. It was very serious, and he lost so much blood I think he could only have had a third of the blood left in his body. There

was almost no hope and we were sure he'd die on the way to hospital. But he didn't die, now he's still in Pa'an Hospital but he can't speak anymore.

Last December [1993] the SLORC commander gave orders that many villages would have to move -- four or five villages would all have to move into one place. Our village and four others were all ordered to move to W--- and become one large village. W--- is just a small, narrow place. How can so many villages move together with their animals and everything and live in such a small area? The soldiers from 15 Battalion (they've gone away now) said, "Mother, we order you to move but that's not our idea, we were ordered to do this by our leaders. They told us the villages must be moved by the end of December, and if they are still there when a military column comes to check after that, the soldiers must burn down the whole village. But before they burn it they'll do whatever they want, steal all your things and treat you very badly, so we're warning you Mother, you'd better move by the end of December." After that many villages moved to where they'd been ordered: people in Ta Thu Kee moved to Pwa Ghaw, Noh Aw Law village had to move, and so did Kru See. Before they moved they kept going to talk to the SLORC leaders to prevent it, but it didn't work. Before the end of December #84 Battalion came to our village and said, "You'd better move now or when a military column comes you'll face big trouble. Do as we say or when the next soldiers come they won't warn you like this, they'll just take everything they want, destroy things and burn down your village."

Then we started moving to W---. We thought we'd just have to stay there a short time so we just built small huts, but four or five families built big houses out of wood. Then

the soldiers suddenly ordered us to pull all our huts and houses down, which would be terrible for the people who'd built big houses because it would be very hard for them to rebuild anything. So we went to SLORC's Strategic Headquarters and met with the officer there. He showed us the list of villages which had to move, and our village was on it. He said all the small villages have to move to big places [this is a SLORC tactic to exert closer control over villagers and cut off support for the Karen army]. I told him, "It's very hard for us to go and live in other peoples' villages and find work to survive -- it's not our place and it's very hard for us. Then we moved as you ordered and built houses, and now you order us to tear them all down. Don't you know it's hard for use to rebuild? Please don't do this, just let us go back home to our own place." Then he agreed to let us move back until he found out if his superiors would allow it. So we all packed our things and moved back, and so far they haven't ordered us to move again.

The soldiers can never run out of money because they have their salaries and they also get so much money from us every time they come, they steal food and everything and never pay for it, and they get so much money when their trucks blow up. But even so they act like they're very poor, because when they come to the village they take everything, even our pots, plates, spoons, knives and cutting boards, etc. They take all our knives, hoes, and axes and sell them to other villages or trade them for alcohol. They sell one knife for 30 or 50 kyat, or whatever price they want. They even take our clothing, even women's sarongs. Karen men wouldn't even touch a woman's sarong [it is a Karen custom that men never touch women's clothing], but the Burmese [soldiers] don't care, anything that looks nice they just take and put in their

backpacks. Maybe some of them take all these things back home to give to their wives, but some of them probably just sell them so they can buy alcohol to drink. They must make enough money doing this to feed their wife and whole family, and they also have a salary. All the SLORC troops do this-- they're all the same. When the Karen soldiers come to the village it is sad-- they have so little, sometimes they just have to eat their rice with salt. We want to give them good food and curry, but when they come the SLORC soldiers have already been there so we have nothing left. If the SLORC comes to a house which only has one hen with chicks they kill the mother and leave the chicks to go crying-- how can they survive? The SLORC is very hard and cruel and our animals are getting fewer and fewer. When the SLORC comes into the village, all the people have to run away and hide, but even the chickens and ducks run away from them, too. I have one chicken that disappeared every time they came into the village, and every time I thought they killed it, but then as soon as they left my chicken appeared again-- this chicken has done this two or three times now. The dogs, too, when they see SLORC coming they bark and then run away, and the SLORC shoots at them. They even shoot at the dogs that don't bark. There are many dogs in the village, and they all know about SLORC. Even the animals can't live happily around them, so how can the people?

NEWS IN BRIEF

A SEMINAR CRITICIZES THAI GOVERNMENT POLICY

Human Rights activists in Thailand criticized Thailand's invitation to SORC for the ASEAN meeting, at a seminar held at Thammasat University in Bangkok on 22 June. The activists demanded that Human Rights abuses in Burma should be on the main agenda during the ASEAN meeting on 21-17 July.

Prof. Vitut Mutarabhorn, Faculty of Law, demanded that the problem of human rights violations against the ethnic minorities in Burma be discussed, and that the Thai government should change its policy on Burmese refugees in accordance with international laws.

Another well-known social critic, Sulak Sivaraksa, condemned the Thai government as working hand in hand with SORC, which he called

"the bandit who has robbed democracy from all Burmese people".

• Source:

TN(940623)

BURMA "FM" SOON TO VISIT MALAYSIA

The Burmese Foreign Minister will visit Malaysia at the invitation of the Malay Foreign Minister from July 11 to 13. Ohn Gyaw will lead a four-member official delegation including politicians and members of the Foreign Ministry's protocol section.

Malaysia is seeking opportunities to invest in the agricultural sector in Burma, mainly in palm oil and rubber. Malaysia's export of palm oil reached 146,752 tonnes last year, up from 78,355 tonnes in 1990.

• Source:

TN(940708)

CONFERENCE FOR EAST TIMOR AND BURMA

A consortium of non-governmental organizations will hold a human rights conference at Chulalongkorn University in Bangkok July 19-25. Both East Timor and Burma will be featured prominently in the conference.

For East Timor, this will be the third time the contentious issue has been discussed in ASEAN within two months.

For Burma, the conference is timed to coincide with the fifth anniversary of the house detention of Nobel Peace Laureate Aung San Suu Kyi by SORC on 20 July 1989.

• Source:

TN(940707)

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