Документ подписан простой электронной подписью Информация о владельце:

Уникальный программный ключ:

ca953a0120d891083f939673078ef1a989dae18a

ФИО: Ястребов Олег Раскандрова Autono mous Educational Institution for Higher Education Должность: Ректор Дата подписания: 05.07.2022 14:3 P.E OPLES' FRIENDSHIP UNIVERSITY OF RUSSIA (RUDN University)

LAW INSTITUTE
Educational Division
COURSE SYLLABUS
International Humanitarian Law
(Course title)
Recommended by the Didactic Council for the Education Field
40.04.01 Jurisprudence / Юриспруденция
(Code and Name of the Field of Education / Specialty)
Courses (modules) are Taught as Part of the Educational Program of Higher Education

Международная защита прав человека (name (profile/specialisation)

#### 1. COURSE GOAL

The goals and objectives of the discipline are to create complex idea of International Humanitarian Law (IHL). The course is designed for the Law students having basic training on International Public and International Private Law specializing in PhD programs on international legal regulations. The course aims at training students' skills on elaboration of recommendations directed to the improvement of the Russian legislation in the sphere of international armed conflicts based on Treaties and Regulations of IHL at both universal and regional levels.

The main objectives of the course the following: to acquaint students with specific features of IHL subject, to define its place in the system of International Public Law, to analyze and study the system of sources of IHL, to create students' vision on the necessity of international intergovernmental and international non-governmental organizations participation in elaboration of IHL Rules.

### 2. LEARNING OUTCOMES

The course is aimed at building and enhancing the following target competencies (parts of competencies):

Table 2.1. List of target competencies (parts of competencies)

Шифр Code (UC, GPC, PC)	Компетенция Competence	Индикаторы достижения компетенции (в рамках данной дисциплины) Competence indicators
GPC-4	Able to argue a legal position in writing and orally in a case, including in adversarial proceedings	GPC-4.1. Knows the content of basic and specific legal concepts, terms and definitions, is able to use them to build an oral and written position on a specific legal problem; GPC-4.2. Able to argue a legal position in writing and verbally, including taking into account the adversarial principle in legal proceedings; GPC-4.3. Has skills in drafting legal documents and public speaking skills to argue a legal position for professional litigation.
PC-4	Able skillfully to apply the sources of international law in specific areas of professional activity, apply universally recognised principles and norms of international law, treaty and customary rules, other sources of international legal obligations, as well as international legal means of procedure in his/her professional activity	PC-4.1. Aware of the specifics of international legal regulation and international law enforcement practice in specific areas of professional activity;  PC-4.2. Applies international legal acts in specific areas of professional activity.

### 3. COURSE IN ACADEMIC PROGRAMME STRUCTURE

The course belongs to the part formed by the participant in the educational relations of Block 1 of the curriculum.

As part of the curriculum, students also study other courses and/or internships that contribute to the achievement of expected learning outcomes.

Table 3.1. The list of components of the Educational Program of Higher Education that contribute to the achievement of the expected results of the development of the course

Шифр Code Code (UC, GPC, PC)	Наименование компетенции Competence	Предшествующие дисциплины/модули, практики* Previous courses/internships*	Последующие дисциплины/модули, практики* Subsequent courses/internships*
GPC-4	Able to argue a legal position in writing and orally in a case, including in adversarial proceedings	Философия права Международное уголовное судопроизводство и права человека Обеспечение прав человека по праву Европейского союза	Учебная практика (педагогическая) Производственная практика, в т.ч. преддипломная
PC-4	Able skillfully to apply the sources of international law in specific areas of professional activity, apply universally recognised principles and norms of international law, treaty and customary rules, other sources of international legal obligations, as well as international legal means of procedure in his/her professional activity	История института поощрения и защиты прав и основных свобод человека Международное уголовное судопроизводство и права человека The Right to Health in International Law / Международноправовые основы права на здоровье Универсальные правозащитные механизмы	

<sup>\* -</sup> filled in based on the competency matrix

# 4. COURSE WORKLOAD AND ACADEMIC ACTIVITIES

Course workload is 4 credits (144 academic hours)

Table 4.1. Types of academic activities for <u>full-time</u> education

	TOTAL,	Se	mester	/ Mod	ule
Types of academic activities	academic hours	5	6	7	8
Classroom learning, academic hours	32		32		
Lectures (LC)	-		_		
Lab work (LW)	-		-		
Seminars (workshops/tutorials) (S)	32		32		
Self-study (ies), academic hours	94		94		

		TOTAL,	Sei	mester	/ Mod	ule
Types of academic activities		academic hours	5	6	7	8
Evaluation and assessment (exam or pass/fail grading)		18		18		
Course Workload academic hours		144		144		
	credits	4		4		

Table 4.2. Types of academic activities for <u>part-time</u> education\*

Types of academic activities		TOTAL,	Sei	mester	/ Mod	ule
		academic hours	5	6	7	8
Classroom learning, academic hours						
including:						
Lectures (LC)						
Lab work (LW)						
Seminars (workshops/tutorials) (S)						
Self-study (ies), academic hours						
Evaluation and assessment (exam or pass/fail grading)						
academic						
Course Workload	hours					
	credits					

<sup>\* -</sup> must be completed in case of implementation of the program in part-time form

# 5. COURSE UNITS AND CONTENTS

Table 5.1. The content of the course and types of academic activities

Course Units / Sections	Topics	Type of academic activity*
	Topic 1.1. The notion and definition of IHL.	S
	Topic 1.2. Subjects of IHL.	S
Section 1. The Definition	Topic 1.3. Human rights and IHL.	S
and Subject of IHL	Topic 1.4.A role of IHL in the contemporary world.	S
	Topic 1.5. The International Red Cross and Red Crescent Movement.	S
	Topic 2.1. The brief history of IHL development.	S
Section 2. The Sources of	Topic 2.2. The sources of IHL.	S
IHL and Principles of IHL	Topic 2.3. The codification IHL in brief.	S
	Topic 2.4. The notion of IHL principles.	S

Topics	Type of academic activity*
Topic 2.5. The system of IHL principles.	S
Topic 3.1. The concept of international armed conflict and its types.	S
Topic 3.2. The concept of non-international armed conflict and its types.	S
Topic 4.1. International Law criteria of conventional weapons use prohibition or restriction and human rights.	S
Topic 4.2. The general and special principles of conventional weapons use prohibition or restriction.	S
Topic 4.3. Weapons of mass destruction and IHL.	S
Topic 4.4. The problem of nuclear weapons use prohibition.	S
Topic 5.1. International Law criteria of conventional weapons use prohibition or restriction and human rights.	S
Topic 5.2. The general and special principles of conventional weapons use prohibition or restriction.	S
Topic 5.3. Weapons of mass destruction and IHL.	S
Topic 5.4. The problem of nuclear weapons use prohibition.	S
Topic 6.1. Application and control over the implementation of IHL.	S
Topic 6.2. Implementation of International Humanitarian Law within national legal systems.	S
Topic 6.3. Dissemination of IHL.	S
Topic 7.1. Responsibility for violations of IHL: concept and specific features.	S
Topic 7.2. The practice of the international courts in relation to violations of IHL and human rights.	S
	Topic 2.5. The system of IHL principles.  Topic 3.1. The concept of international armed conflict and its types.  Topic 3.2. The concept of non-international armed conflict and its types.  Topic 4.1. International Law criteria of conventional weapons use prohibition or restriction and human rights.  Topic 4.2. The general and special principles of conventional weapons use prohibition or restriction.  Topic 4.3. Weapons of mass destruction and IHL.  Topic 4.4. The problem of nuclear weapons use prohibition.  Topic 5.1. International Law criteria of conventional weapons use prohibition or restriction and human rights.  Topic 5.2. The general and special principles of conventional weapons use prohibition or restriction.  Topic 5.3. Weapons of mass destruction and IHL.  Topic 5.4. The problem of nuclear weapons use prohibition.  Topic 6.1. Application and control over the implementation of IHL.  Topic 6.2. Implementation of International Humanitarian Law within national legal systems.  Topic 6.3. Dissemination of IHL.  Topic 7.1. Responsibility for violations of IHL: concept and specific features.  Topic 7.2. The practice of the international courts in relation

<sup>\* -</sup> filled in only for full-time education: LC - lectures; LW - laboratory work; S - seminars.

# 6. CLASSROOM EQUIPMENT AND TECHNOLOGY SUPPORT REQUIREMENTS

Table 6.1. Classroom Equipment and Technology Support Requirements

Classroom for		Specialized hardware and
Academic	Classroom Equipment	software
<b>Activity Type</b>		(if necessary)
	Classroom for lectures, equipped with a set of	Multimedia projector,
Lecture	specialized furniture; a set of devices	laptop, projection screen,
Lecture	including portable multimedia projector,	stable wireless Internet
	laptop, projection screen, stable wireless	connection.

Classroom for Academic Activity Type	Classroom Equipment	Specialized hardware and software (if necessary)
	Internet connection.	Software: Office 365 (MS Office, MS Teams), Chrome
Lab	Classroom for lab work, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection.  Software: Office 365 (MS Office, MS Teams), Chrome
Seminars	Classroom for seminars, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Computer classroom	Computer classroom for academic activity, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, 30 personal computers, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Self-studies Classroom	Classroom for Self-studies, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection.  Software: Office 365 (MS Office, MS Teams), Chrome
Courtroom	Classroom for court hearing simulation equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection.  Software: Office 365 (MS Office, MS Teams), Chrome

<sup>\* -</sup> It is necessary to specify a classroom for self-study of students

# 7. RECOMMENDED SOURCES FOR COURSE STUDIES

- 1. "Jousting at windmills": the laws of armed conflict in an age of terror-state actors and nonstate elements David M. Crane and Daniel Reisner. New York: Columbia University Press, 2011. p. 67-84: tabl., diagr.. In: New battlefields, old laws: critical debates on asymmetric warfare. Cote 345.2/871.
- 2. Addendum for the war on terror: somewhere in Switzerland, Dilawar remembered, and why the Martens Clause matters Wm. C. Peters. In: Social justice Vol. 37, no. 2-3, 2010-2011, p. 99-122. Cote 400.2/325 (Br.).

- 3. Ahmed, Syed Ghayyur, Cyberwarfare and the Applicability of the Principle of Distinction (December 15, 2018).
- 4. Applicability and application of the laws of war to modern conflicts Daphne Richemond-Barak. In: Florida Journal of International Law Vol. 23, no. 3, December 2011, p. 327-357. Cote 345.29/166 (Br.).
- 5. Asymmetrical warfare and challenges to international humanitarian law Wolff Heintschel von Heinegg. Milano: Franco Angeli: International Institute of Humanitarian Law, 2011. p. 83-95. In: Global violence: consequences and responses. Cote 355/699.
- 6. Asymmetrical warfare and challenges to international humanitarian law Wolff Heintschel von Heinegg. Milano: Franco Angeli: International Institute of Humanitarian Law, 2011. p. 83-95. In: Global violence: consequences and responses. Cote 355/699.
- 7. Child soldier victims of genocidal forcible transfer: exonerating child soldiers charged with grave conflict-related international crimes Sonja C. Grover. Heidelberg [etc.]: Springer, 2012. XVI, 302 p.; 22 cm. Cote 362.7/355.
- 8. Children as direct participants in hostilities: new challenges for international humanitarian law and international criminal law Hilly Moodrick-Even Khen. New York: Columbia University Press, 2011. p. 133-149. In: New battlefields, old laws: critical debates on asymmetric warfare. Cote 345.2/871.
- 9. D Fleck (ed), The Handbook of Humanitarian Law in Armed Conflicts (Oxford University Press, Oxford, 2008).
- 10. Dieter Fleck (ed.), The Handbook of International Humanitarian Law (2nd edn). New York City: Oxford University Press, 2008.
- 11. Direct participation in hostilities: a concept broad enough for today's targeting decisions Eric Talbot Jensen. New York: Columbia University Press, 2011. p. 85-105. In: New battlefields, old laws: critical debates on asymmetric warfare. Cote 345.2/871.
- 12. Duroy de Suduiraut, Sophie, The Protection of Civil Populations Living in De Facto States (July 1, 2015).
- 13. Enhancing and enforcing compliance with international humanitarian law by non-state armed groups: an inquiry into some mechanisms Cedric Ryngaert and Anneleen Van de Meulebroucke. In: Journal of conflict and security law Vol. 16, No. 3, Winter 2011, p. 443-472.
- 14. Essays on law and war at the fault lines Michael N. Schmitt. The Hague: T. M. C. Asser Press; Berlin; Heidelberg: Springer, 2012. XII, 637 p.; 24 cm. Cote 345.25/246.
- 15. Essays on law and war at the fault lines Michael N. Schmitt. The Hague: T. M. C. Asser Press; Berlin; Heidelberg: Springer, 2012. XII, 637 p.; 24 cm. Cote 345.25/246.
- Extraterritorial law enforcement or transnational counterterrorist military operations: the stakes of two legal models Geoffrey S. Corn. New York: Columbia University Press, 2011.
   p. 23-44. In: New battlefields, old laws: critical debates on asymmetric warfare. Cote 345.2/871.
- 17. F. Kalshoven, L. Zegveld, Constraints on the Waging of War; An Introduction to International Humanitarian Law, 4th edition, ICRC, Geneva, 2011.
- 18. From "mercenaries" to "private security contractors": the (re)construction of armed security providers in international legal discourses Elke Krahmann. In: Millennium Journal of International Studies Vol. 40, no. 2, 2012, p. 343-363. Cote 345.29/163 (Br.).
- 19. G. Blum, P. Heymann, Law and Policy of targeted killing, 1 Harvard National Security Journal, 2010.
- 20. Global violence: consequences and responses ed. by Marco Odello, Gian Luca Beruto. Milano: Franco Angeli: International Institute of Humanitarian Law, 2011. 224 p.; 23 cm. Cote 355/699 Humanity's law Ruti Teitel. Oxford [etc.]: Oxford University Press, 2011.
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- 22. Greenwood, C., "The Law of War (International Humanitarian Law)", in: Evans, M.D. (ed.), International Law, 1st ed. (Oxford: Oxford University Press, 2003), pp. 789-823. [NOTE: In the 3rd ed.,which appeared in 2010, the article is written by a different author (David Turns)]
- 23. H. Fischer, International Humanitarian Law; Course Reader 2010-2011; Treaty Texts and Excerpts (Blackboard).
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- 25. Haque, Adil Ahmad, Indeterminacy in the Law of Armed Conflict (January 28, 2019). 95 International Law Studies (Forthcoming).
- 26. Humanizing irregular warfare: framing compliance for nonstate armed groups at the intersection of security and legal analyses Corri Zoli. New York: Columbia University Press, 2011. p. 190-211. In: New battlefields, old laws: critical debates on asymmetric warfare. Cote 345.2/871.
- 27. ICRC, Basic Rules of the Geneva Conventions and their Additional Protocols, pp.5-29 on Wounded, Sick and Shipwrecked, Combatants and POWs, Civilians.
- 28. ICRC, Strengthening legal protection for victims of armed conflicts, 31 st International Red Cross/Crescent Conference, Geneva, December 2011.
- 29. ICRC, Violence and use of force, 2011.
- 30. J. Welsh, Implementing the Responsibility to Protect, Oxford Institute for Ethics, Law and Armed Conflict Policy Brief, 1/2009.
- 31. Keiichiro Okimoto. The cumulative requirements of jus ad bellum and jus in bello in the context of self-defense // Chinese Journal of International Law Vol. 11, no. 1, March 2012, p. 45-75. Cote 345.2/876 (Br.)
- 32. Lawmaking by nonstate actors: engaging armed groups in the creation of international humanitarian law Anthea Roberts and Sandesh Sivakumaran. In: Yale journal of international law Vol. 37, issue 1, 2012, p. 107-152. Cote 345.2/875 (Br.). http://www.yjil.org/print/volume-37-issue-1/lawmaking-by-nonstate-actors-engaging-armed-groups-in-theoreation-of-international-humanitarian-law
- 33. Lieblich, Eliav, On the Continuous and Concurrent Application of ad Bellum and in BelloProportionality (November 14, 2018). Forthcoming, Necessity and Proportionality in International Peace and Security Law (Lieber Series Vol. 4, Claus Kress & Robert Lawless eds., OUP 2019).
- 34. M. Frulli, "Fact-Finding or Paving the Road to Criminal Justice? Some Reflections on United Nations Commissions of Inquiry" (2012).
- 35. Maral Kashgar. In: Humanitäres Völkerrecht: Informationsschriften = Journal of international law of peace and armed conflict Vol. 24, 4/2011, p. 229-233.
- 36. New battlefields, old laws: critical debates on asymmetric warfare edited by William C. Banks. New York: Columbia University Press, 2011. VI, 308 p.: tabl., diagr.; 23 cm. Cote 345.2/871.
- 37. Nonstate actors in armed conflicts: issues of distinction and reciprocity Daphné Richemond-Barak. New York: Columbia University Press, 2011. p. 106-129: tabl.. In: New battlefields, old laws: critical debates on asymmetric warfare. Cote 345.2/871.
- 38. Official documents: Diplomatic Conference on the adoption of a Third protocol additional to the Geneva Conventions of 12 August 1949, and relating to the adoption of an additional distinctive emblem (Protocol III), 5-8 December 2005, Geneva, Switzerland Confédération Suisse, Federal Department of Foreign Affairs FDFA. Bern: Federal Department of Foreign Affairs, 2012. V, 132 p.: ill.; 30 cm. Cote 345.21/13 (ENG)

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- 39. Politics and the world of humanitarian aid Wolf-Dieter Eberwein. Farnham; Burlington: Ashgate, 2011. p. 363-375. In: The Ashgate research companion to non-state actors. Cote 341.215/223.
- 40. Preventive detention of individuals engaged in transnational hostilities: do we need a fourth protocol additional to the 1949 Geneva Conventions? Gregory Rose. New York: Columbia University Press, 2011. p. 45-63: diagr.. In: New battlefields, old laws: critical debates on asymmetric warfare. Cote 345.2/871.
- 41. Private military contractors and changing norms for the laws of armed conflict Renée De Nevers. New York: Columbia University Press, 2011. p. 150-168: tabl.. In: New battlefields, old laws: critical debates on asymmetric warfare. Cote 345.2/871.
- 42. Protection of objects (Environment, cultural property, water, medical mission, emblem, etc.) Destruction of environment during an armed conflict and violation of international law: a legal analysis Rishav Banerjee. In: Asian yearbook of international law Vol. 15, 2009, p. 145-188. Cote 363.7/114 (Br.).
- 43. Recording and identifying European frontier deaths Stefanie Grant. In: European journal of migration and law Vol. 13, no. 2, 2011, p.135-156. Cote 325.3/303 (Br.).
- 44. Rethinking the law of armed conflict in an age of terrorism Christopher A. Ford and Amichai Cohen. Lanham [etc.]: Lexington Books, 2012. XXX, 325 p.: ill.; 23 cm. Cote 345.26/213.
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- 49. The ECtHR's judgment in Al-Jedda and its implications for international humanitarian law Maral Kashgar. In: Humanitäres Völkerrecht: Informationsschriften = Journal of international law of peace and armed conflict Vol. 24, 4/2011, p. 229-233.
- 50. The European Court of Human Rights and international humanitarian law by Jean-Paul Costa and Michael O'Boyle. Bruxelles: Bruylant, 2011. p. 107-129.
- 51. The history of the inter-American system's jurisprudence as regards situations of armed conflict Christina M. Cerna. In: Journal of international humanitarian legal studies Vol. 2 (2011), p. 3-52.
- 52. The implications of drones on the just war tradition Daniel Brunstetter and Megan Braun. In: Ethics and International Affairs Vol. 25, no. 3, 2011, p. 337-358. Cote 341.67/699 (Br.).
- 53. The international law of occupation. Eyal Benvenisti. Oxford [etc.]: Oxford University Press, 2012. XXIV, 383 p.; 24 cm. Cote 345.28/44 (2012) Israel, Turkey, and the Gaza blockade Daniel Benoliel. In: University of Pennsylvania Journal of International Law Vol. 33, no. 2, Winter 2011, p. 615-662. Cote 345.28/90 (Br.) http://www.law.upenn.edu/journals/jil/articles/volume33/issue2/Benoliel33U.Pa.J.Int'lL.61 5(2011).pdf

- 54. The Israeli Supreme Court and the incremental expansion of the scope of discretion under belligerent occupation law Guy Harpaz and Yuval Shany. In: Israel Law Review Vol. 43, no. 3, 2010, p. 514-550. Cote 345.28/88 (Br.) http://law.huji.ac.il/upload/Harpaz.pdf
- 55. The objective qualification of non-international armed conflicts: a Colombian case study Guillermo Otálora Lozano and Sebastián Machado. In: Amsterdam Law Forum Vol. 4, no. 1, Winter 2012, p. 58-77. Cote 345.26/214 (Br.). http://ojs.ubvu.vu.nl/alf/article/view/252/440
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- 57. The role of the Swiss armed forces in the protection of cultural property Stephan Zellmeyer. Woodbridge (Royaume-Uni): Rochester (Etats-Unis):Boydell, 2010. p. 159-166. In: Archeology, cultural property and the military. Cote 363.8/68.
- 58. Todeschini, Vito, Redressing Unlawful Use of Force in Armed Conflict: The Role of International Human Rights Law (2018). Kurt Mills and Melissa Labonte (eds), Accessing and Implementing Human Rights and Justice, Routledge 2018.
- 59. Toward an adaptive international humanitarian law: new norms for new battlefields William C. Banks. New York: Columbia University Press, 2011. p. 1-20. In: New battlefields, old laws: critical debates on asymmetric warfare. Cote 345.2/871.
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- 65. Y. Dinstein, The Conduct of Hostilities under the Law of International Armed Conflict (2010, 2nd edition, CUP).
- 66. Zamir, Noam, Distinction Matters: Rethinking the Protection of Civilian Objects in Non-International Armed Conflicts (March 1, 2015). 48(1) Israel Law Review 111-132. *Internet-(based) sources:* 
  - 1. Electronic libraries with access for RUDN students
  - RUDN Electronic library system http://lib.rudn.ru/MegaPro/Web
  - Electronic library system «University Library online» http://www.biblioclub.ru
  - Electronic Library «URAIT» http://www.biblio-online.ru
  - Electronic library system «Student. Consultant» www.studentlibrary.ru
  - Electronic library system «Lan» <a href="http://e.lanbook.com/">http://e.lanbook.com/</a>
  - Electronic library system "Troitskyi most"
  - 2. Databases and search engines:
  - Electronic Legal and Regulatory Documentation Fund <a href="http://docs.cntd.ru/">http://docs.cntd.ru/</a>

- Search system Yandex <a href="https://www.yandex.ru/">https://www.yandex.ru/</a>
- Search system Google <a href="https://www.google.ru/">https://www.google.ru/</a>
- SCOPUS http://www.elsevierscience.ru/products/scopus/
- \* Learning toolkits for self-studies in the RUDN Learning materials for self-studies on the relevant course pages in TUIS

### 8. ASSESSMENT AND EVALUATION TOOLKIT

Mid-Term Assessment and Evaluation Toolkit, Assessment and Grading Criteria are presented in the Appendix to this Course Syllabus

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