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COMMEMORATIVE ISSUE  
HUMAN RIGHTS IN MOTION



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HUMAN RIGHTS

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# INTRODUCTION



## HUMAN RIGHTS IN MOTION: A MAP TO A MOVEMENT'S FUTURE

Lucia Nader (Executive Director, Conectas)  
Juana Kweitel (Program Director, Conectas)  
Marcos Fuchs (Associate Director, Conectas)

**Sur Journal** was created ten years ago as a vehicle to deepen and strengthen bonds between academics and activists from the Global South concerned with human rights, in order to magnify their voices and their participation before international organizations and academia. Our main motivation was the fact that, particularly in the Southern hemisphere, academics were working alone and there was very little exchange between researchers from different countries. The journal's aim has been to provide individuals and organizations working to defend human rights with research, analyses and case studies that combine academic rigor and practical interest. In many ways, these lofty ambitions have been met with success: in the past decade, we have published articles from dozens of countries on issues as diverse as health and access to treatment, transitional justice, regional mechanisms and information and human rights, to name a few. Published in three languages and available online and in print for free, our project also remains unique in terms of geographical reach, critical perspective and its Southern 'accent'. In honour of the founding editor of this journal, **Pedro Paulo Poppovic**, the 20<sup>th</sup> issue opens with a biography (by João Paulo Charleaux) of this sociologist who has been one of the main contributors to this publication's success.

This past decade has also been, in many ways, a successful one for the human rights movement as a whole. The Universal Declaration of Human Rights has recently turned 60, new international treaties have been adopted and the old but good global and regional monitoring systems are in full operation, despite criticisms regarding their effectiveness and attempts by States to curb their authority. From a strategic perspective, we continue to use, with more or less success, advocacy, litigation and naming-and-shaming as our main tools for change. In addition, we continue to nurture partnerships between what we categorize as local, national and international organizations within our movement.

Nevertheless, the **political and geographic coordinates** under which the global human

rights movement has operated have undergone profound changes. Over the past decade, we have witnessed hundreds of thousands of people take to the streets to protest against social and political injustices. We have also seen emerging powers from the South play an increasingly influential role in the definition of the global human rights agenda. Additionally, the past ten years have seen the rapid growth of social networks as a tool of mobilization and as a privileged forum for sharing political information between users. In other words, the journal is publishing its 20<sup>th</sup> issue against a backdrop that is very different from that of ten years ago. The protests that recently filled the streets of many countries around the globe, for example, were not organized by traditional social movements nor by unions or human rights NGOs, and people's grievances, more often than not, were expressed in terms of social justice and not as rights. Does this mean that human rights are no longer seen as an effective language for producing social change? Or that human rights organizations have lost some of their ability to represent wronged citizens? Emerging powers themselves, despite their newly-acquired international influence, have hardly been able – or willing – to assume stances departing greatly from those of “traditional” powers. How and where can human rights organizations advocate for change? Are Southern-based NGOs in a privileged position to do this? Are NGOs from emerging powers also gaining influence in international forums?

It was precisely to reflect upon these and other pressing issues that, for this 20<sup>th</sup> issue, SUR's editors decided to enlist the help of over 50 leading human rights activists and academics from 18 countries, from Ecuador to Nepal, from China to the US. We asked them to ponder on what we saw as some of the most urgent and relevant questions facing the global human rights movement today: 1. Who do we represent? 2. How do we combine urgent issues with long-term impacts? 3. Are human rights still an effective language for producing social change? 4. How have new information and communication technologies influenced activism? 5. What are the challenges of working internationally from the South?

The result, which you now hold in your hands, is a **roadmap for the global human rights movement** in the 21<sup>st</sup> century – it offers a vantage point from which it is possible to observe where the movement stands today and where it is heading. The first stop is a reflection on these issues by the founding directors of Conectas Human Rights, **Oscar Vilhena Vieira and Malak El-Chichini Poppovic**. The roadmap then goes on to include **interviews and articles**, both providing in-depth analyses of human rights issues, as well as **notes from the field**, more personalized accounts of experiences working with human rights, which we have organized into **six categories**, although most of them could arguably be allocated to more than one category:

**Language.** In this section, we have included articles that ponder the question of whether human rights – as a utopia, as norms and as institutions – are still effective for producing social change. Here, the contributions range from analyses on human rights as a language for change (**Stephen Hoggood and Paulo Sérgio Pinheiro**), empirical research on the use of the language of human rights for articulating grievances in recent mass protests (**Sara Burke**), to reflections on the standard-setting role and effectiveness of international human rights institutions (**Raquel Rolnik, Vinodh Jaichand and Emílio**

**Álvarez Icaza**). It also includes studies on the movement's global trends (**David Petrasek**), challenges to the movement's emphasis on protecting the rule of law (**Kumi Naidoo**), and strategic proposals to better ensure a compromise between utopianism and realism in relation to human rights (**Samuel Moyn**).

**Themes.** Here we have included contributions that address specific human rights topics from an original and critical standpoint. Four themes were analysed: economic power and corporate accountability for human rights violations (**Phil Bloomer, Janet Love and Gonzalo Berrón**); sexual politics and LGBTI rights (**Sonia Corrêa, Gloria Careaga Pérez and Arvind Narrain**); migration (**Diego Lorente Pérez de Eulate**); and, finally, transitional justice (**Clara Sandoval**).

**Perspectives.** This section encompasses country-specific accounts, mostly field notes from human rights activists on the ground. Those contributions come from places as diverse as Angola (**Maria Lúcia da Silveira**), Brazil (**Ana Valéria Araújo**), Cuba (**María-Ileana Faguaga Iglesias**), Indonesia (**Haris Azhar**), Mozambique (**Salvador Nkamate**) and Nepal (**Mandira Sharma**). But they all share a critical perspective on human rights, including for instance a sceptical perspective on the relation between litigation and public opinion in Southern Africa (**Nicole Fritz**), a provocative view of the democratic future of China and its relation to labour rights (**Han Dongfang**), and a thoughtful analysis of the North-South duality from Northern Ireland (**Maggie Beirne**).

**Voices.** Here the articles go to the core of the question of whom the global human rights movement represents. **Adrian Gurza Lavalle** and **Juana Kweitel** take note of the pluralisation of representation and innovative forms of accountability adopted by human rights NGOs. Others study the pressure for more representation or a louder voice in international human rights mechanisms (such as in the Inter-American system, as reported by **Mario Melo**) and in representative institutions such as national legislatures (as analysed by **Pedro Abramovay and Heloisa Griggs**). Finally, **Chris Grove**, as well as **James Ron, David Crow and Shannon Golden** emphasize, in their contributions, the need for a link between human rights NGOs and grassroots groups, including economically disadvantaged populations. As a counter-argument, **Fateh Azzam** questions the need of human rights activists to represent anyone, taking issue with the critique of NGOs as being overly dependent on donors. Finally, **Mary Lawlor and Andrew Anderson** provide an account of a Northern organization's efforts to attend to the needs of local human rights defenders as they, and only they, define them.

**Tools.** In this section, the editors included contributions that focus on the instruments used by the global human rights movement to do its work. This includes a debate on the role of technology in promoting change (**Mallika Dutt and Nadia Rasul**, as well as **Sopheap Chak and Miguel Pulido Jiménez**) and perspectives on the challenges of human rights campaigning, analysed provocatively by **Martin Kirk** and **Fernand Alphen** in their respective contributions. Other articles point to the need of organizations to be more grounded in local contexts, as noted by **Ana Paula Hernández** in relation to Mexico, by **Louis Bickford** in what he sees as a convergence towards the global middle, and finally by **Rochelle Jones, Sarah Rosenhek and Anna Turley** in their movement-support model. In addition, it is noted by **Mary Kaldor** that NGOs are not the same as civil society,

properly understood. Furthermore, litigation and international work are cast in a critical light by **Sandra Carvalho and Eduardo Baker** in relation to the dilemma between long and short term strategies in the Inter-American system. Finally, **Gastón Chillier and Pétalla Brandão Timo** analyse South-South cooperation from the viewpoint of a national human rights NGO in Argentina.

**Multipolarity.** Here, the articles challenge our ways of thinking about power in the multipolar world we currently live in, with contributions from the heads of some of the world's largest international human rights organizations based in the North (**Kenneth Roth** and **Salil Shetty**) and in the South (**Lucia Nader, César Rodríguez-Garavito, Dhananjayan Sriskandarajah** and **Mandeep Tiwana**). This section also debates what multipolarity means in relation to States (**Emilie M. Hafner-Burton**), international organizations and civil society (**Louise Arbour**) and businesses (**Mark Malloch-Brown**).

Conectas hopes this issue will foster debate on the future of the global human rights movement in the 21<sup>st</sup> century, enabling it to reinvent itself as necessary to offer better protection of human rights on the ground.

Finally, we would like to emphasize that this issue of Sur Journal was made possible by the support of the Ford Foundation, Open Society Foundations, the Oak Foundation, the Sigrid Rausing Trust, the International Development Research Centre (IDRC) and the Swedish International Development Cooperation Agency (SIDA). Additionally, Conectas Human Rights is especially grateful for the collaboration of the authors and the hard work of the Journal's editorial team. We are also extremely thankful for the work of Maria Brant and Manoela Miklos for conceiving this Issue and for conducting most of the interviews, and for Thiago Amparo for joining the editorial team and making this Issue possible. We are also tremendously thankful for Luz González's tireless work with editing the contributions received, and for Ana Cernov for coordinating the overall editorial process.



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## Human Rights in Motion

# Tools

**GASTÓN CHILLIER AND PÉTALLA BRANDÃO TIMO**

The Global Human Rights Movement in the 21<sup>st</sup> Century: Reflections from the Perspective of a National Human Rights NGO from the South

**MARTIN KIRK**

Systems, Brains and Quiet Places:

Thoughts on the Future of Human Rights Campaigning

**ROCHELLE JONES, SARAH ROSENHEK AND ANNA TURLEY**

A 'Movement Support' Organization: The Experience of the Association for Women's Rights in Development (AWID)

**ANA PAULA HERNÁNDEZ**

Supporting Locally-Rooted Organizations:

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Human Rights Activism in Times of Cognitive Saturation: Talking About Tools

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Strategic Litigation Experiences in the Inter-American Human Rights System

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"Get Off Your Pedestal"

**INTERVIEW WITH MARY KALDOR**

"NGO's are not the Same as Civil Society But Some NGOs Can Play the Role of Facilitators"

**INTERVIEW WITH LOUIS BICKFORD**

Convergence Towards the Global Middle: "Who Sets the Global Human Rights Agenda and How"



LOUIS N. BICKFORD

In the multi-polar world where the international human rights movement operates today, Louis Bickford is able to observe and influence different facets of the human rights landscape from an advantaged viewpoint. Bickford manages the Ford Foundation's Global Human Rights program, assisting both well-established and emerging groups to bolster the global human rights movement. Prior to joining the Ford Foundation in 2012, he was on the executive leadership

team of the Robert F. Kennedy Center for Justice and Human Rights and, before that, was a program director at the International Centre for Transitional Justice (ICTJ).

Bickford's experience with activism dates back to his time as student activist in the 1980s and then his work in Chile in the early 1990s on issues related to memory and accountability in the Southern Cone. Later in the ICTJ, Bickford's primary job was to facilitate partnerships with national NGOs in countries as diverse as Bosnia, Burma (Thai border), Ghana, Mexico, Morocco, Nigeria, and South Africa, and to collaborate with these partners on peer exchanges and joint field-building activities. These experiences gave him a deep understanding of the challenges and opportunities that international NGOs can bring to the international human rights field.

Making use of this valuable experience, in an interview given to Conectas in September 2014, Bickford offers a critical assessment of the current stage of the international human rights movement. While recognising that international NGOs are seeking to be closer to the ground and national NGOs to participate directly in the international arena, which Bickford calls "convergence towards the global middle", he conclusively states "international human rights movement has too seldom been able to frame its work in ways that resonate with poor and marginalised communities."

In this sense, in order to keep growing, for Bickford, the "movement needs to be relevant to more people more often in order to thrive". In his answers, he offers examples of organisations that have been trying to do just that and the challenges they face.

\*\*\*

Original in English.

Interview conducted in September 2014 by Thiago Amparo (Conectas Human Rights)



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## INTERVIEW

# CONVERGENCE TOWARDS THE GLOBAL MIDDLE: "WHO SETS THE GLOBAL HUMAN RIGHTS AGENDA AND HOW"

Interview with Louis Bickford

*Conectas Human Rights: You have been working in various ways with civil society organisations in every world region for over 20 years now. In your opinion, what has changed from the early human rights activism, focused on documenting civil and political rights violations and centred in international NGOs, to the current stage of human rights activism?*

**Louis N. Bickford:** The human rights system has become increasingly complex in recent decades. Part of this complexity is an expansion of the international human rights movement to encompass a much broader array of rights and activities than in the 1970s and 1980s. This happens along two axes. First, the content of rights has expanded. Since the Vienna Conference in 1993, there has been a significant broadening of the frame from a narrower set of rights claims during the Cold War (mostly civil and political rights) to claims that run the gamut of the Universal Declaration. This is evidenced by the long list of Special Procedures of the High Commissioner for Human Rights, which demonstrates the breadth of the rights claims that are now considered legitimate by the international community.

The second way that the international human rights movement has expanded is in relation to its network architecture. This refers to how the movement is structured in terms of size, location of key actors, and relationships among actors. Perhaps the single most important change here is simply the vast increase in the number of organisations that self-identify as “human rights organisations” over recent decades. Equally important is where these organisations are headquartered. During the 1970s and 1980s, for example, the international human rights NGOs became a vitally important breed of organisation, given that national/domestic NGOs in countries such as Chile, South Africa, and Russia were under extreme threats to their daily existence, and given that these national organisations – in cases where they actually existed at all – tended to be small and underfunded. The international players, from the relative safety of New York or London, were able to attract the world’s top law school graduates and others to the cause, not to mention identify and raise funds. They were able to exert real influence in Washington or at the United Nations. Working through international institutions based largely in the US and Europe,

they were also able to focus on the development of norms, creating a jurisprudential revolution in human rights law that is hardly matched in any other field, and building a global system of laws, norms, and institutions that constitutes, today, a powerful force for human rights. These INGOs remain important. But there have also been real changes in the other side of the equation: the national/domestic NGOs which have become so strong, professional, and ubiquitous. These national NGOs – groups like DeJusticia in Colombia or the Legal Resources Centre in South Africa – are increasingly involved at the international and global levels, which is creating some significant shifts in the ecosystem of the human rights movement.

*Conectas: While recognising the gains of international human rights organisations, as you have just mentioned, is the division of labour between national and international NGOs still an accurate depiction of how the international movement is structured today? Northern NGOs have moved their headquarters to the Global South and Southern organisations have increasingly worked at the international level. Recently, you have called this phenomenon 'convergence towards the global middle'. What do you mean by that?*

**L.N.B.:** The distinction between international and national organisations is not always useful (there are many organisations that are not so easily categorised) but it can be helpful in differentiating various niches and components of the international human rights movement. It is especially relevant in terms of different theories about how the human rights movement "works". What is the movement trying to achieve and what is the best way to achieve these goals? At the heart of these questions are the ways in which the human rights movement defines its global priorities and, in turn, how it generates support from various constituents. The distinction between national/domestic organisations, which operate in their own societies, and international organisations, which focus mostly on the international system or on countries other than the ones in which they are based – and tend to be based in capital cities in the Global North, including New York, London, Geneva, and Paris –, makes a difference. Because the international organisations have deeper connections with funding communities, decision-makers, elite universities, and a cosmopolitan network of opinion leaders in the North, and because they are genuinely working internationally, and therefore have higher budgetary demands, they tend to have significant power and authority in defining the agenda.

However, there is a major countervailing trend, as you mentioned, which I have called *convergence towards the global middle*. Two important and complementary tendencies are at play with each other. The first tendency is for international human rights NGOs to move to the Global South in an effort to be "closer to the ground" (in Amnesty International's words). For the international NGOs, it is more important than ever to demonstrate real and direct linkages with the Global South. In this sense, Amnesty is moving its international secretariat to be relocated in "hubs" in various Southern countries.

The second tendency is for *national* NGOs to move upward and engage more directly with the international human rights system, often beyond their own regions and/or often engaging with human rights issues in countries other than their own. This trend does not – and should not – characterise *all* national NGOs or all international ones, but it does capture a significant subset of both. Consistent with the idea of "rooted cosmopolitanism" in social movement theory, the leaders

of these national groups see no reason why they should not be directly involved in determining the future of the international human rights movement.

These two trends are complemented by the existence – both historical and new – of networks of deeply grounded national organisations which create horizontal alliances in order to strengthen their influence and advocacy at the international level.

This convergence towards the global middle is really about where power is located within the human rights movement. For instance, in relation to who sets the global agenda and how. Should there be another major global institution like the International Criminal Court? How should international principles such as the Responsibility to Protect be developed? Might certain rights, like right to education or housing, be worthy of more global attention? These questions are put under a different light once the current trends of convergence towards the global middle are taken into consideration.

This convergence is more of an evolutionary trend than a brand new development. Groups like FIDH and the Bangkok-based Asian Forum for Human Rights and Development (FORUM-Asia) have always been intimately linked to national (and South-based) NGOs. Organisations like the Business and Human Rights Resource Centre (BHRRC) and Witness are premised on an operating model requiring deep partnerships with South-based NGOs. In the women's rights field, groups like the Association for Women in Development (Awid) have been both international and based in the Global South since being founded. The international network for social and economic rights (ESCR-Net) and the new International Network of Civil Liberties Organisations (Inclo) are examples of international networks of deeply grounded national organisations. And many organisations – including BHRRC and Awid – are actively translating their materials into multiple languages, recognising the importance of communication with widely diverse constituencies.

*Conectas: Also in relation to national NGOs, several factors have challenged the representativeness of national NGOs in their own countries. As seen in recent mass demonstrations in Brazil, Ukraine, US and Middle East, just to cite a few, street protests and not NGOs have taken the primary role as promoters of social change. Do you think that the internationalisation of local NGOs brings up the danger of disconnecting them from their own local context?*

**L.N.B.:** Social movements have framing power, and these movements are able to compete with human rights discourse and, potentially, are able to “win on the terrain of imagination” as Samuel Moyne wrote once. This challenge, then, concerns how potent human rights is and will be in the 21<sup>st</sup> century as a *discursive frame* for new and future social movements as they arise nationally, regionally, and globally.

Telling a story about Egypt, a well-known figure in the human rights world explained to an audience that during the 1980s, being a human rights activist in Egypt was dangerous and frustrating. It was difficult to achieve change. But human rights organisations nonetheless played key roles in articulating a vision for a better society. They galvanised people and provided a framework for societal transformation. One part of the strategy of these actors was to use the international system and to work in Geneva, New York, Brussels, London, and Washington to achieve their goals. This was both less dangerous and in many ways less frustrating than working in Egypt. They contributed to creating international pressure on

Egypt and the more general formation of international norms. They generated strong solidarity movements and cultivated allies in other countries and regions, including in their own diaspora. They began to spend more and more time working in the international sphere. Back at home, they slowly came to be seen as 'those people who go to conferences and cocktails in London and New York'. When the Arab Spring happened, the human rights framework and many of the activists associated with it were not a central inspiration. They had less standing in Egypt on questions of societal transformation than other, newer actors who were able to harness the imagination of the protesters.

The main point of this story has to do with building dynamic national organisations that are deeply rooted in domestic experience and speak to the relevant local constituencies. If one of the main challenges facing the movement is its ability to inspire and frame broader social change goals, then probably national level organisations, if they are able to do so (considering safety concerns, etc.), should strengthen the movement based on national experience of combatting abuse and implementing rights. Indeed, in this sense, organisations like CELS in Argentina, the Legal Resources Centre (LRC) in South Africa, or the Kenyan Human Rights Commission in Kenya ought to be the driving force of innovation and change on the national level, first and foremost, where they need to earn their reputation and legitimacy.

*Conectas: One of the reasons Southern NGOs have turned more and more to the international arena is the rise of the emerging powers' influence in their own regions, transnationally and globally. The rise of Brics is an example of that. In that context, some have called upon those Southern countries to act as leaders in this newly multi-polar world, while mindful of their own (often problematic) human rights record. In your opinion, what is the role of NGOs from the South in this scenario?*

**L.N.B.:** The convergence towards the global middle could potentially help the international human rights movement to confront the challenge of adapting to the ostensible emergence of multi-polarity that includes the Brics (Brazil, Russia, India, China, and South Africa) and the Mints (Mexico, Indonesia, Nigeria, Turkey) – or other formulations – and that represents important potential shifts in the human rights system. Although it seems clear that US influence is declining globally, it is not as clear how these emerging powers will engage with global human rights policy debates. That said, there might be opportunities in terms of the foreign policies of emerging powers. Theodore Piccone has made similar arguments, suggesting that countries such as Brazil, Turkey, and Indonesia can potentially play strongly constructive roles as international actors, including through leadership on various issues related to human rights.

The key element of this challenge is how the international human rights movement pressures the foreign policy apparatus of emerging states to engage with other states or the international system. In this sense, Conectas is one of the NGOs that is setting an example of this new strategy, which seeks to put pressure on the Brazilian government's foreign policy. Similarly, international NGOs such as Amnesty International, Crisis Action, FIDH, and Human Rights Watch are increasingly focusing on the foreign policies of emerging powers. The concrete outcomes of such strategies are yet to be seen but are already promising due to the multi-polar world we are likely heading to.

*Conectas: A last question. Traditional human rights NGOs have had the challenge of better communicating their work. Often, the legalistic nature of human rights language, as well as the widening of the agenda of human rights movement (as you mentioned before) tend to make such communication even harder. In your opinion, how could the work of NGOs better serve the communities where they are situated?*

This issue brings us back to the question of human rights as a discursive frame: is the human rights framework a powerful one? If so, for which constituencies? How can the movement remain dynamic and resonant into the 21<sup>st</sup> century, mobilising young people and others? In this sense, I would argue that the international human rights movement has too seldom been able to frame its work in ways that resonate with poor and marginalised communities. From the favelas of Brazil to the slums of Nairobi and New Delhi, millions of people's lives continue to be desperate. Indeed, the human rights movement has not always provided the necessary tools for these communities to achieve their rights, including very basic rights of life, personal security, and livelihood. It would be an exaggeration to say that the movement has failed these communities, but the truth is that it has not gone far enough in identifying – and fighting for – their needs. Indeed, the most urgent challenge that the movement needs to address is the reality that the most poor and marginalised populations in the world are consistently denied their basic political, civil, social, and economic rights.

This may or may not refer to the realisation of economic and social rights, in a narrow, legal sense. The important point is that the international human rights movement needs to be *relevant* to more people more often in order to thrive. This may have as much to do with methods as with which categories of rights get prioritised. In other words, people need to understand how movements can help them make their lives better. The human rights movement is not always so good at explaining that. Having achieved a series of successes, the movement must now demonstrate how and why it is relevant to facing the challenges of extreme poverty and marginalisation, and show how it can contribute to giving voice to the voiceless, power to the powerless, and some resolution to the most pressing needs of people around the world.

For me, the answer to this lies in movement-building: how to make the human rights movement more powerful as a movement. Movements engage with norms as political opportunity structures. This is the best reason for the movement to continue to put energy into norm development, especially in certain areas, such as LGBT rights and disabilities rights, to name a few. Similarly, the movement can engage constructively with political opportunity structures such as the UN Human Rights Council, the Special Procedures, and the regional systems. In this sense, the energy of the Human Rights Council in Geneva is an indication of the importance of standard-setting and norm development among the community of nations. The Council can sometimes feel exciting, and victories of norms development and adoption are often celebrated with enthusiasm.

But standards and norms are not enough. We know from empirical research such as the work of Beth Simmons and Emilie Hafner-Burton that norms can only take us so far. Of course at some point rights must be realised in a very real way on the ground. More than ever, the movement needs to focus on what 'works' in terms of realisation, such as strategic litigation using national courts, new policy instruments, changes in budgetary allocations, etc. And in relation to the international system, the movement needs to leverage the power of the international system to real problem-solving at home.

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