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LOMÉ REVISION PROPOSALS DRAW SHARP CRITICISM

The U.K. House of Commons International Development Committee last week issued harsh criticism against an European Commission (EC) proposal for negotiating Lomé V, the successor trade and aid agreement to the current Lomé IV Convention between the EU and 71 African, Caribbean and Pacific (ACP) nations. The EC proposal calls for the EU to phase out the preferential market access provided to ACP countries under Lomé IV and work toward establishing free trade areas with ACP countries. The U.K. parliamentary committee last week called the EC recommendations "blackmail," "immoral" and "unacceptable."

The Convention expires in 2000 and must be replaced with a pact or pacts that meet rules set by free trade enforcers from the World Trade Organisation (WTO). They presently preclude the Lomé Convention's system of trade preferences and a five year aid package currently worth 14.6 billion ECU (16.2 billion dollars).

"To put the matter crudely," the parliamentary committee's report said, "ACP countries will have the choice of either opening their markets to EU products or suffering an increase in taxes on their exports to the EU." The committee said it supported trade liberalization as a long-term goal of the ACP-EU relationship, but disagreed with the EC approach put forward. "The arguments presented to the committee [by the EC] convinced us that the pace of liberalization should not be forced and that to do so could do serious damage to the ACP economies. It is immoral for the EU to misuse its economic strength to dictate clearly unfavorable terms to the ACP."

As another point to their argument against rapid implementation of free trade with ACP countries, the committee pointed to the example of Swaziland, where 80 percent of health and education spending comes from tariff revenue.

In addition to the committee's report last week, an alliance of 200 development groups in Britain known collectively as the UK Presidency Project, called on the EC to rewrite its proposal. The group said the EC should give priority in its negotiations to "poverty-focused trade development and the building of supply-trade capacity, so that trade and investment can become a vehicle for human and social development."

"The current proposals for free trade areas would transform Lomé into a battering ram for free trade, forcing the infant industries of the developing countries in the ACP into unfair competition with the industrialised economies of Europe," said Liz Clements of the UK Presidency Project, an umbrella group linking development NGOs in Britain, current holder of the presidency of the EU.

The EU General Affairs Committee is to meet on June 8 to finalize its plans for negotiating Lomé V, talks for which are set to begin in September.

"U.K. parliament unhappy with proposals for new Lomé Convention," PANAFRICAN NEWS AGENCY, June 3, 1998; "Brussels under fire over Lomé," FINANCIAL TIMES, June 3, 1998; "EU 'blackmails' ACP over free trade area schemes," IPS, June 5, 1998.

UNEP GOVERNING COUNCIL ENDORSES INCREASED ATTENTION TO TRADE AND ENVIRONMENT

UNEP Executive Director Klaus Töpfer last month outlined to the organization's Governing Council a number of recommendations on the role the United Nations Environment Programme should play in the future. One of Dr. Töpfer's priorities is to renew and strengthen UNEP's work on trade and environment. "Together with [the United Nations Conference on Trade and Development] UNEP is launching an Intergovernmental Panel on Economic Instruments for Environmental Policy. The focus of this panel is assessment of economic instruments for implementation of international environmental agreements UNEP must contribute to the 'greening' of the tax systems. We have to include ecological components in the tax structure and we have to make sure that environmental costs are included in pricing policies of private enterprises," Dr. Töpfer said.

UNEP officials also called for strengthening the organization to effectively address major environmental issues. Some governments feel that UNEP does need a stronger authority than it currently has. "What many governments are looking at is the evolution of UNEP into a World Environmental Organization (WEO)," UNEP Managing Director Jorge Illueca said. Other governments and observers, however, feel that the creation of such an organisation is either premature or undesirable.

A WEO is not among the recommendations being considered by a 13-member U.N. task force addressing the need for reform in U.N. activities related to the environment and human settlement. The task force will issue a report to U.N. Secretary-General Kofi Annan by mid-June. The goal of the task force is to make recommendations which "optimize the work and effectiveness of the U.N. environmental work at the global level and UNEP as the leading environmental organization or authority," according to a task force statement. Some commentators think that, instead of suggesting the creation of a new institution,

the task force might establish an Inter-Agency Environment Management Group as an umbrella for "issue management" networks dealing with the environment and human settlements.

"Task force to strengthen UNEP activities," IPS, June 1, 1998; "U.N. environment body says it needs broader powers," REUTERS, June 4, 1998; "UNEP Executive Director announces plans for organization," UNEP NEWS RELEASE; "Balancing the WTO is not the way to go - and does not require a WEO," BRIDGES BETWEEN TRADE AND SUSTAINABLE DEVELOPMENT, Vol.2, No.3; ICTSD INTERNAL FILES.

INDIA'S BUDGET REVEALS IMPORT HIKE, INCREASED IPR FUNDING

India's 10-week old BJP-led coalition government last week released its 1998-99 budget including some notable provisions on import tariffs and intellectual property protection. The budget includes a proposed eight percent hike in import tariffs. Indian officials were quick to defend the hike, which they said is necessary to offset domestic sales taxes that have stifled Indian industry.

The additional tariff revenue is expected to net 33 billion rupees (about US\$1 billion) for 1998-99. Crude oil, newsprint and a number of pharmaceutical and capital goods are exempt from the increase. The nationalist-BJP party delivered the tariff hike as part of its pledge to promote "swadeshi," or economic nationalism. The tariff increase was hailed by a number of Indian industry leaders. In the words of one manufacturer, "The duty gives India's industry the breathing space to meet the challenges of globalization."

Others inside India's business community criticized the tariff hike as a retreat from a market reform policy underway since 1991. Critics warned that, rather than creating a level playing field for Indian industry, the hikes would place Indian industry among the most non-competitive in the world. Analysts said India might see increased investor pullout fearing a new era of protectionism. This follows May figures estimating that investors pulled US\$215 million dollars from Indian investments after India carried out nuclear tests.

Indian Finance Secretary Yashwant Sinha last week said the new Indian budget was not protectionist. "Economic nationalism does not mean autarchy or a policy of economic self sufficiency. Foreign investment and nationalism are not irreconcilable. I am also committed to double the foreign investment in two years and for that we have promised to remove hassles and clear foreign investment plans in 90 days."

The budget also included an allocation of 220 million rupees (about US\$5 million) for strengthening intellectual property protection. 200 million rupees will go to strengthen and modernize the Indian patent office. 20 million rupees will go toward strengthening the network for the registration of trademarks. The funding represents a 600 percent increase over last year in funding for the patent office and a 300 percent increase in trademark funding.

The enhanced funding is further evidence of India's renewed momentum toward strengthening its intellectual property protection. India last month announced it would join the Paris Convention on

Intellectual Property Rights. The push is intended to help India comply with WTO commitments and to increase and protect India's ability to compete in extremely lucrative sectors like bioproducts.

"India imposes extra duty on imported goods," INTERNATIONAL TRADE REPORTER, June 3, 1998; "Indian business chiefs applaud import barrier amid isolation fear," AGENCE FRANCE-PRESSE, June 2, 1998; "Indian import duties hike not protectionist- FinSec," REUTERS, June 1, 1998; "Foreign investors pull out 215 million dollars from India in May," AGENCE FRANCE-PRESSE, June 3, 1998; "India taking steps to strengthen patents network," REUTERS, June 4, 1998.

WTO: EU GIVEN 15 MONTHS TO COMPLY WITH BEEF HORMONE RULING

A WTO arbitrator ruled late last month that the EU has 15 months to comply with the February 1998 WTO ruling against the EU ban on hormone- treated beef imports. The EU had asked for over three years to comply with the ruling - which would have entailed a new risk assessment study and then additional time to make legislative changes.

The EU based its timing on the premise that the WTO ruling had not asked the EU to lift the ban but had merely asked the EU to provide a suitable basis to justify keeping the ban in place. Julio Lacarte-Muro, the WTO arbitrator, ruled however that the EU interpretation of the ruling was faulty in that the EU ban "was not based on a risk assessment in accordance with the provisions of the [Sanitary and Phytosanitary] Agreement." The WTO Appellate Body last February upheld the key findings of an earlier WTO dispute panel, which stated that the EU ban is not based on adequate scientific evidence and so violates international trading rules. The case went to WTO arbitrators after the EU could not come to terms with the U.S. and Canada over the timing for implementing the ruling.

EU officials maintain that the 15-month timeline does not mean absolutely that the ban must be lifted. The EU could keep the ban in place and compensate the U.S. and Canada for lost export revenue, but that option is strongly opposed by the U.S., which wants to use this case as precedent for removing non-tariff barriers to trade, especially with regard to its emerging biotechnology sector.

Removing the ban will be politically very difficult in the EU, and nearly impossible to do in the WTO time frame given the EU legislative process. This presents the risk of the EU becoming the first WTO member to fail to comply with a WTO ruling. The WTO is keen to avoid this occurring as it could undermine the WTO's ability to force other members to abide by international trade commitments. Observers say however that the U.S. and Canada would be likely to agree to an extension for implementation rather than have that occur.

Meanwhile, EU officials believe there is still enough time to build a scientific case proving the risks associated with hormone-treated beef. A major focus of the EU risk assessment will reportedly focus on showing a definitive connection between the presence of growth hormones in U.S. beef and the 30 percent higher occurrence of breast and prostate cancer in the U.S.

"EU faces challenge over hormone ruling;" "Ruling on EU hormone ban compliance," AGRA EUROPE, May 29, 1998; "WTO: commission has 15 months to comply with hormones ruling," EUROPEAN REPORT, May 30, 1998; "WTO arbiter decides EU must end ban on U.S. beef within 12 months," INTERNATIONAL TRADE REPORTER, June 3, 1998.

EFTA AND CANADA LINK UP, AHEAD OF THEIR NEIGHBOURS

The European Free Trade Association (EFTA) - which includes Norway, Switzerland, Iceland and Liechtenstein, last week announced plans to begin talks with Canada towards concluding a free trade agreement, expected to be ready for signature in 1999. 1997 trade between EFTA and Canada totaled US\$3.9 billion: EFTA countries account for about three percent of world trade.

Canadian Prime Minister Jean Chrétien initiated the talks. Canada is seeking to reduce its dependence on the U.S. by diversifying its foreign economic policy. Similarly, EFTA is reportedly looking to strengthen its competitive position against the EU by forging enhanced trade partnerships. This agreement, which will cover areas including industrial goods, fisheries and probably services, could be the prelude to transatlantic cooperation, while the EU and its North-American partners are having difficulty reaching agreement.

Canada would not be able to obtain the same conditions in a trade agreement with the EU: its clashes with Spain over fishing preclude any such agreement.

A Canada-EFTA agreement would be the fourteenth trade agreement between EFTA and third countries, EFTA having already concluded agreements with countries in eastern and central Europe and the Mediterranean basin. EFTA is also pursuing trade arrangements with Cyprus, Palestine, Lebanon and Jordan. EFTA is now also seeking partnerships with groups of countries and contacts have been made with Mercosur and Asean.

"Efta, Canada to start talks on trade accord," FINANCIAL TIMES, June 4, 1998; "Grâce au Canada, l'AELE lorgne vers le marché nord-américain avant l'UE", Tribune de Genève, June 5, 1998.

AFRICAN BANK GOVERNORS GIVE NON-AFRICANS MORE SAY - AFRICA ATTRACTS CONTROVERSIAL FOREIGN AID

Directors of the African Development Bank (AfDB) met last week in Abidjan, Côte d'Ivoire for its annual Board of Governors' meeting. Delegates from 53 African nations and 24 countries from North and South America, Europe and Asia voted to increase the voice non-African countries will have in major AfDB

decisions. This entails a switch from a simple majority vote for project passage to passage with 70 percent of directors approving, including at least two non-regional directors.

The case for a change in the voting process came after non-regional

directors threatened not to contribute to a proposed 35 percent increase in AfDB's capital base unless they were given increased say in the AfDB decision making. Nigeria, Libya and Egypt initially opposed the switch from a simple majority vote: the three countries believed non-regional banks were browbeating poor countries into the switch because non-regional nations felt the poor had no rights. Subsequent to the voting change, the AfDB Board of Governors approved the 35 percent capital increase for the bank.

The Heavily Indebted Poor Countries (HIPC) debt relief initiative, under the auspices of the International Monetary Fund and the World Bank, came up for discussion by AfDB directors. The initiative is intended to reduce HIPC debt loads to levels that poor countries would be able to service sustainably. AfDB contributes almost US\$300 million annually to the initiative.

Nigeria's Finance Minister, Chief Anthony Ani, expressed skepticism that the HIPC initiative "would ever enable beneficiaries to overcome their present economic woes because invariably, it is not going to help economic development in the countries concerned." Chief Ani proposed that rather than debt relief, heavily investing in HIPCs to create jobs and increase revenue would allow HIPCs to service their debt. HIPC's debt load is estimated at US\$315.2 billion dollars, eating one-fifth of all HIPC export revenues.

Meanwhile, some US environmentalists are joining other non-governmental organisations in a fight against a bill - expected to be debated on the U.S. Senate floor in June - promoting U.S. trade and investment in Africa. The bill is designed to promote U.S. trade and investment in sub-Saharan Africa but environmentalists from the Sierra Club and Friends of the Earth maintain that the bill will "undercut environment

protection" and promote industries, such as mining, logging and export agriculture, which "threaten Africa's ecosystems and small farmers." Trade and human rights groups have also called the plan a "de facto re-colonisation act." South African President Nelson Mandela denounced the bill as unacceptable, telling U.S. President Bill Clinton that it was a matter over which his country had serious reservations. In other regional news, Angola announced last week that it would sign trade and industry agreements with South African countries in July.

Angolan Trade Minister Vitorino Hossi said Angola would be adjusting its administrative and financial institutions to prepare for more open trade with Southern African states. At present, Angola has very limited trade with neighboring countries. Its decision is expected to increase trade and economic ties with South African countries.

"Economy-Africa: little enthusiasm for debt initiative," IPS, May 29, 1998; "World Bank approves loans for five African countries," PANAFRICAN NEWS AGENCY, June 4, 1998; "An African voice," FINANCIAL TIMES, June 3, 1998; "Finance-Africa: the north gets bigger say in development funder," IPS, June 1, 1998; "Angola to open trade to S. African countries," XINHUA ENGLISH NEWSWIRE, June 3, 1998; "Environmentalists Fight Africa Trade Bill", IPS, May 29, 1998.

DEVELOPING COUNTRIES WANT MORE TIME TO EVALUATE E-COMMERCE AGREEMENT

WTO trade ministers at last month's ministerial meeting in Geneva agreed to an interim global pact keeping electronic commerce (e-commerce) duty free until next year. Electronic trade is growing rapidly - the European Commission estimates that it could be worth \$US1,000 billion by 2001. The U.S. pressed hard for a long-term global agreement on duty-free e-commerce at the WTO ministerial in May. WTO members settled on an interim agreement after developing economies offered strong opposition to a permanent WTO agreement.

Developing countries said they needed more time to study the sector: the ministerial agenda had not included an e-commerce agreement and developing countries were not in a position to make a permanent agreement on the matter. Non-governmental organizations at the ministerial criticized the unexpected introduction of an e-commerce agreement by the U.S. as "untransparent, undemocratic and non-participatory." Several NGOs opposed the declaration as they said it could lose governments "the option for a revenue-earning source."

Developing nations are still weighing the benefits to their economies of keeping e-commerce duty free. Most important, e-commerce duties present an additional source for revenue-generation which developing economies may not be able to forgo. Most of the computer networks enabling e-commerce are in the developed countries. As the world's leader in information technology the U.S. stands to benefit the most from an increase in e-commerce of products and services.

The EU continues to push hard for the development of agreed-to rules about data protection, privacy and the validity of electronic signatures on contracts and other competitive issues. The EU maintains that e-commerce will never reach its full potential without such rules. The U.S. holds that e-commerce should be self-regulated and attempts to regulate at this stage will stifle e-commerce development.

A number of Asian economies are expected to benefit from the agreement despite the financial crisis hitting the region. Industry officials attending the Asian Internet Strategy Conference in Singapore last month said without the interim agreement, e-commerce in Asia would have difficulty crawling out of its infancy stages.

"If you want to develop the economy, you have to provide an environment where players need not think about running costs, like taxes. If governments want to encourage e-commerce they should try to withhold taxes until the teething stage of e-commerce is passed," said Harry S.K. Tan, a lecturer on business at Singapore's Nanyang Technological University.

"The Internet needs light regulation," INTERNATIONAL HERALD TRIBUNE, June 5, 1998; "Don't tax the Internet - Yet," WALL STREET JOURNAL EUROPE, June 5-6, 1998; "Asia seen benefiting from interim pact to keep E-commerce duty free," AGENCE FRANCE-PRESSE, May 21, 1998; "Global Trade Talks Reminded of Unresolved Past", PANOS, June, 1998.

TRADE-LABOUR-ENVIRONMENT: APPLES, STICKS AND CARROTS

The North-South division over trade and labour linkage is once again in the spotlight as labour ministers, employers and trade union representatives from 174 governments meet in Geneva for the annual International Labour Organization (ILO) Conference, underway since June 1. The ILO intends the conference to culminate in an agreement by members to outlaw the most severe forms of child labour, including slavery, prostitution and exposure to hazardous industries such as chemical plants. ILO members will also be asked to sign a "solemn declaration" to uphold the seven core conventions on labour including freedom of association, the right to collective bargaining, elimination of all forms of forced labor and abolition of most child labour. Countries will be asked to submit reports monitoring their performance against ILO standards, making countries "accountable to international opinion for their undertakings," according to ILO secretary-general Michel Hansenne.

Developing countries led by Mexico, Pakistan, Egypt and Malaysia are opposed to any new attempts to establish monitoring or enforcement mechanisms related to its labour practices, including opposition to naming countries which breach basic workers rights. They worry that the U.S., France and other industrialised nations leading the charge for monitoring and enforcement mechanisms could use them as protectionist tools in the future to dull any competitive advantage developing nations derive from lower labour costs.

In related news, on May 25 the EU agreed to reduce or eliminate tariffs on imports from developing countries that benefit from the Generalised System of Preferences, if the countries abide by certain international labour and environmental standards. The EU estimates that the incentives will result in US\$880 million in tariff elimination or reductions for developing countries' exports to the EU. The tariff incentives will apply to exports from developing countries that adhere to ILO conventions on child labour, the rights of workers to organise and to collective bargaining. With regard to the environment, developing countries will be eligible for tariff reductions if countries adhere to tropical timber processing standards outlined by the International Tropical Timber Organization.

United Nations Conference on Trade and Development Director-General Rubens Ricupero last week said he was encouraged by the EU action. "I have always maintained that incentives are a much preferred and effective way to promote labour and environment standards in developing countries than are sanctions or nontransparent penalties. I do believe that this is the best way to approach this very sensitive issue," Mr. Ricupero said.

Also last week, a group of Mexican trade unions and farm workers filed a complaint against Washington State apple growers for violations of workers' rights. The suit was filed under the North American Agreement on Labor Cooperation (NAALC), a side agreement to the North American Free Trade Agreement. The suit alleges that Washington State apple growers violated seven of the eleven basic labour principles agreed to under NAALC, contending that the mostly Mexican migrant workers have been denied the right to organise, to collective bargaining, to minimum labour standards, to non-discrimination in hiring, job safety and health, workers' compensation and migrant worker compensation. This suit is the eleventh filed under NAALC and the first brought against the U.S. or Canada.

"Core labor standards divide ILO members," JOURNAL OF COMMERCE, June 3, 1998; "Child labor and welfare rights for all dominate annual ILO meet," AGENCE FRANCE-PRESSE, June 1, 1998; "ILO feels its age as it tries to keep up with a changing world," FINANCIAL TIMES, June 2, 1998; "EU to reduce tariffs

on goods from countries that meet standards," INTERNATIONAL TRADE REPORTER, June 3, 1998; "Labour: Mexicans file complaint against US apple-growers," SOUTH-NORTH DEVELOPMENT MONITOR (SUNS), May 29, 1998; "EU adopts Council Regulation to enhance GSP for countries respecting social and environmental standards", Eurostep News Update, June 5, 1998.

IN BRIEF

The WTO Appellate Body recently sided with the EU, Ireland and Britain in a dispute with the U.S. over the classification of computer networking equipment. The EU last year re-classified computer networking equipment as telecommunications equipment, which significantly increased the tariffs on networking equipment imports. This decision is significant in that it appears to be the first time that the Appellate Body completely overrules the Panel finding on the same issue. ICTSD internal files, June 1998

Mozambique's transport and communications minister, Paolo Muxanga, called last week for the region's public and private sectors to make joint efforts to implement the 1996 Transport, Communications and Meteorology Protocol which all members of the South African Development Community (SADC) have signed. The Protocol, not yet in force, aims at the "establishment of transport, communication and meteorological systems that will grant efficient operations, with completely integrated costs and infrastructures, to respond to the needs of the clients and promote economic and social development in an economically and environmentally sustainable way." "Transport, Communications, Meteorology Protocol", PANAFRICAN NEWS AGENCY, June 1, 1998

A European ban on the use of drift nets in open seas was under negotiation as BRIDGES Weekly Trade News Digest went to press this week. Fisheries ministers were haggling over how the ban should be implemented. Any ban would likely be accompanied by financial aid for the fishermen affected in the UK, Ireland, France and Italy, the only countries that still use drift nets. "EU Ministers haggle over drift net ban", FINANCIAL TIMES, June 9, 1998.

On June 2, the U.S. Commerce Department recommended imposing anti-dumping duties on salmon imports from Chile, the biggest foreign supplier to U.S. restaurants and supermarkets. The Commerce Department said an investigation had uncovered Chilean producers dumping salmon on the U.S. market. But U.S. retailers and restaurant owners opposed U.S. salmon farmers' call for tariff imposition, as they like buying the cheaper imports from Chile. Chile says it can offer lower prices than U.S. salmon farmers because its industry is efficient and because it is one of the world's largest producers of fish meal, the staple food given to farmed fish. "U.S. sets anti-dumping duties on Chile salmon", Reuters, June 2, 1998.

EVENTS & RESOURCES

EVENTS

International Maritime Organization Council, eightieth session, 15-19 June, London. For more information, contact International Maritime Organization, 4 Albert Embankment, London SE1 7SR, Tel: (44 171) 735 7611, Fax: (44 171) 587 3210, Telex: 23588

UNCTAD--Preparatory Meeting for the High-Level Mid-term Review, 22-26 June, Geneva, Switzerland. For more information, contact External Relations Service, UNCTAD, Palais des Nations, 1211 Geneva, Switzerland, Tel: (41 22) 907 12 34, Fax: (41 22) 907 00 43, E-mail: ers@unctad.org

Fourth Ministerial Meeting "Environment in Europe," 23-25 June, Aarhus, Denmark. For more information, contact Serge Ludwiczak, UN Economic Commission for Europe, Tel: (41 22) 917 3174, Fax: (41 22) 907 0117

UNCTAD--Expert Meeting on Capacity-building in the Area of Electronic Commerce: Human Resource Development, 29 June-1 July, Palais des Nations, Geneva, Switzerland. This meeting will address human resource development in the context of the emerging global information economy. It will focus on needs of member States in the area of electronic commerce, and propose practical solutions to address such needs. It will also examine ways that civil society could be mobilised to help UNCTAD to design, produce and disseminate such solutions. All communications concerning representation should be sent to: UNCTAD secretariat, Intergovernmental Support Services, Palais des Nations, CH- 1211 Geneva 10, Tel: (41 22) 907 5007, Fax: (41 22) 907 0056, E-mail: correspondence@unctad.org

RESOURCES

"Co-Efficiency: The Business Link to Sustainable Development," by Livio D. DeSimone and Frank Popoff with the World Business Council for Sustainable Development (WBCSD), Cambridge, MA: MIT Press, 1997, 280 pp. In this book, the authors argue that business must become more co-efficient and that governments need to change the conditions under which business operates, including regulations and taxes, in order to become more supportive of industry's "best practice" environmental programs. For more information, contact WBCSD, 160, route de Florissant, 1231 Conches, Geneva, Switzerland, Tel: (41 22) 839 3100, Fax: (41 22) 839 3131, E-mail: info@wbcsd.ch

"Sustainable strategies for oceans : a co-management guide," Ottawa, ON: National Round Table on the Environment and the Economy (NRTEE), 1998, 85 pp. 5 June 1998 was World Environment Day, the theme of which was "For Life on Earth: Save Our Seas," in honor of the United Nations International Year of the Oceans. This co-management guide addresses the question of the sustainable management of oceans. For more information, contact NRTEE, Canada Building, Suite 200, 344 Slater Street, Ottawa, Ontario K1R 7Y3, Tel: (1 613) 992 7189, Fax: (1 613) 992 7385, Email: admin@nrtee-trnee.ca, Website: www.nrtee-trnee.ca/home

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