

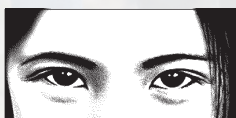


Working with children and youth affected by migration in Europe

Regional Strategy 2018 - 2020



Terre des hommes
Helping children worldwide.



Terre des hommes

Helping children worldwide.

Terre des hommes (Tdh) is the leading Swiss organisation for children's aid. Since 1960, Tdh has helped build a better future for deprived children and their communities, making an impact with innovative and sustainable solutions. Active in more than 45 countries, Tdh works with local and international partners to develop and implement field projects which improve the daily lives of over 3 million children and their relatives, in the domains of health, protection and emergency relief. This engagement is financed by individual and institutional support, with administrative costs kept to a minimum.

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Acronyms

CoM

Children on the move

C/SEE

Central and South Eastern Europe

CYAM

Children and Youth Affected by Migration

EU

European Union

IOM

International Organisation for Migration

M&E

Monitoring and Evaluation

TCN

Third Country National

Tdh

Terre des hommes

TDHIF

Terre des Hommes International Federation

ToC

Theory of Change

UASC

Unaccompanied and separated Children

UN

United Nations

UNHCR

United Nations High Commissioner for Refugees

UNICEF

United Nations Children's Fund

1 Preamble

Tdh recognizes that children are the first to suffer in times of war, natural disasters and as a result of poverty. At Terre des hommes, our goal is to steadily improve the conditions of the most vulnerable children worldwide. As outlined in our core institutional strategic framework which comprises our Vision for 2030, and our Operational Plan 2016-2020, Tdh decided to focus its efforts on 5 main objectives^[1], among which

one is to ensure that children and youth on the move are protected. Tdh intends to act on major migration routes in Latin America, West Africa, the Middle East, Europe and Asia.

The present document is focussing on Europe, albeit designed in full complementarity with all other regional strategies.

1.1. Context

Children are involved or otherwise affected by migration in all regions of the globe, and in different ways: children migrate together with their parents, or are left behind by them; sometimes they migrate alone, independently of parents and adult guardians. Other children do not move, but are still affected because they live in communities that send or receive large numbers of migrants. Some children are returning or have been repatriated to their country of origin or departure.

It is a common view that children will likely be increasingly affected by migration over the next decades, Europe being no exception to this. Tdh has

identified the rights of children and youth affected by migration, particularly their right to protection, as one of its priorities at global level.

Building on its work on the topic that dates back to 2002, the Organization intends to address protection concerns for children on the move across all the regions where it works, acting along major migration routes to tackle current and new protection challenges that these children are facing, as well as to accompany and protect children along their personal and/or family migration project, when and as this is in the best interests of the individual child concerned.

1.2. Vision

In Europe and all around the world, Tdh is guided by an overall strategic goal which reads as follows:

“By 2030, children and youth affected by migration in Europe realize their right to be protected along all stages of their migration and seize development opportunities”.

The ambitions outlined in the Vision for 2030 are being shaped into concrete objectives and implementation plans of five years each. Moreover, a Theory of Change developed to support the implementation of the global migration programme has also strongly influenced the content and strategic directions outlined in this document. In Europe, 6 country offices and 1 regional office^[2] are directly involved in the process.

^[1] The five main objectives of Tdh are to improve the health of infants up to the age of 3 and of children in need of specialized medical care; protect migrant children; prevent child exploitation; promote restorative justice for children in conflict with the law; provide humanitarian aid to children and their families in times of emergency and crisis.

^[2] These are: country offices in Albania, Greece, Kosovo, Romania, Moldova and Ukraine, and the Budapest Regional Office.



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1.3. Purpose and Feature of the strategy

The current document aims at providing a clear framework for decision making and strategic development of Tdh migration programme in Europe, by outlining our vision and the specific objectives that will allow it to materialise in Europe (Section 2), and by detailing out the key guiding principles that are underpinning our work in the region (section 3). The approaches guiding Tdh work in order to attain such objectives are also provided in Section 4, while the final section of the strategy provides for a number of concrete examples (Section 5) that will help our teams in the field as well as our colleagues based in Headquarters to better understand the required interactions that will allow us to all work towards the same goal: ensuring that children and youth affected by migration realise their right to be protected at all stages of their migration journey.

A large number of documents presented in the Appendixes have informed the choices that were made and which are presented in the chapters below. Indeed, the development of the strategy and the difficult decisions that have been made are the result of a participatory process which included a thorough analysis of the context in which Tdh operates in Europe, which allowed us to capture the different dynamics, challenges and opportunities that can be seized to advance the protection of children and youth on the move (Appendix 2), always keeping in mind the limitations we operate under, but also the particularities that make Tdh different, with an added value that allows us to have an impact on the lives of thousands of children in Europe and beyond (Appendix 3).

2. Strategic interventions and specific objectives

The following section presents measures designed to address the challenges described above. The goal and objectives identified are anchored in the background analysis and consultations' outcomes summarized in this document.

They have been formulated in accordance with the guiding principles underpinning the Strategy, and have been inspired by (and designed to be in line with) the Organization's Theory of Change on Migration (Annex 4).

2.1. Target Groups

Children (under 18 years old) and youth (16-24 years old) affected by migration. Any child/youth belonging to one of the 4 following categories:

1. Children and youth on the move (involved in an internal or trans-border migration process, forced or voluntary);
2. Children and youth who are potential migrants (living in environments that are affected by migration and/or that could lead to migration for economic, social, cultural, political reasons, etc.);
3. Children and youth left behind by parents/caregivers that left in migration;
4. Children and youth temporarily or permanently out of a migration process (e.g.: integrated in destination/transit countries, refugees in host countries, reintegrated in a third country or returned to the country of origin...).

2.2. Thematic areas of intervention

The Strategy is divided into two main areas of intervention which aim to:

- **Prevent unsafe migration** – which encompasses, on the one hand, strengthening resilience among children on the move or at risk of undertaking unsafe migration, whilst on the other hand supporting child rights-based case management at local, national and transnational levels;
- **Address root causes of migration** – including all push and pull factors that can lead children, young persons, their families and communities to choose migration as their key survival strategy (as opposed to a reasonably independent and free choice).

Within these two main areas, **specific thematic areas or 'niches'** will be developed by pilot projects, position papers, campaigns and other relevant instruments and tools, such as **"Return and reintegration"**, **"children left behind"**, **"Living together"**, etc.

Area 1: Prevent unsafe migration

Specific Objective 1: By 2020, number^[3] of children and youth affected by migration are better equipped to identify and cope with risks of abuse, violence and exploitation, and seize development opportunities

Key actions to fulfil the Specific Objective 1 will include:

- Information campaigns to improve children and youth's ability to identify and cope with risks of abuse, violence and exploitation – including trafficking in children - and to prepare for safe migration;
- Direct interventions aiming to improve children and families on the move's resilience, including technical support and capacity development of formal and non-formal stakeholders
- Other strategic actions to empower children and youth and their participation in public and societal spheres, and to maximize their resilience.

Specific Objective 2: By 2020, number^[4] of children and youth on the move at risk of violence, abuse and/or exploitation along 3 migration corridors are effectively protected

Key actions to fulfil the Specific Objective 2 will include:

- Contributing to the strengthening of functional local and national child protection systems.
- Supporting the establishment/strengthening of transnational case management systems;
- Advocating for the adoption of national and regional legal and policy framework in compliance with the rights of children on the move;

Area 2: Address root causes of migration

Specific Objective 3: By 2020, number^[5] of children and youth at risk of undertaking unsafe migration are protected from the risks of abuse, violence and exploitation

Key actions to fulfil the Specific Objective 3 will include:

- Contributing to the building/strengthening of national child protection systems in at least two countries outside Europe (according to the Euro-Med strategic tools to be developed in 2018).
- Contributing to the strengthening of national child protection systems in 7 countries in Europe

Specific Objective 4: By 2020, number^[6] of children and youth on the move in countries of destination who contribute to shaping integration narratives together with host communities.

Key actions to fulfil the Specific Objective 4 will include:

- Promote safe and meaningful participation of children and youth in leading advocacy initiatives aiming to:
 - prevent and reduce the occurrence of violence and abuse of – as well as exploitation (including trafficking in children) against - children in family, school and community settings in countries of destination, and;
 - foster appropriate integration schemes including CYAM and host communities views in their design and implementation in countries of destination.
 - Further promote the opportunities opened up by the migration and development nexus.

^[3] Numbers will be defined once the new reporting system will be in place.

^[4] Idem note 3.

^[5] Idem note 3.

^[6] Idem note 3.

2.3. Geographic areas of intervention

Tdh (and partners)'s presence throughout Europe, as well as throughout the wider Mediterranean region (including in the Middle East and Africa) provides a unique opportunity to ensure its interventions are both informed by an in depth understanding of the situation of CYAM throughout their migration path (from their area of origin to their final destination) but also strengthened by its capacity to link up CYAM's realities and situations regardless of borders striving to provide a continuum of care for all children.

In designing the Europe strategy, Tdh cannot elude the consequences of migration for the protection of children where borders lose their significance from a strict protection perspective.

The geographic focus of Tdh is therefore resolutely based on the continuum of care logic and therefore designed along the main migration paths taken by children where Tdh has the capacity to intervene.

Terre des hommes will therefore focus its interventions within Europe in the countries where the needs of children and youth on the move are the most pressing:

1. In Central, South Eastern and Eastern European countries working in Albania, Greece, Kosovo, Moldova, Romania, Ukraine but also along East-East migration routes;
2. Throughout the wider European region as part of regional projects designed in partnership with key players in countries where Tdh does not have a delegation, with a focus on intra-European migration, East-East migration route but also by building bridges between Western and Eastern European countries;
3. Throughout the wider Euro-Med region, in close collaboration with the Middle East and North African region as well as the West African region, where Tdh has been developing its migration programme for decades.

3. Guiding Principles

A set of guiding principles should provide the conceptual framework for the design as well as the implementation of the Strategy.

These principles should be reflected in all elements of the Strategy and guide all actions envisaged therein.

3.1. Child rights-based intervention

This Strategy is based on international human rights and child rights standards, as enshrined primarily in the CRC. This covers a very wide range of rights. Four of these rights have been identified by the UN Committee on the Rights of the Child as general principles that are to be considered in the implementation of every article of the CRC, and in all situations concerning children.

3.1.1. Best interests of the child principle

According to this principle, in all actions affecting children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child should be the primary consideration (art. 3 CRC). These include all those actions aimed to protect children and youth on the move from all forms of violence.

3.1.2. Child Participation

With respect to the right to participate, States should assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child (Art. 12 CRC). For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting him/her, either directly, or through a representative or an appropriate body,

in a manner consistent with the procedural rules of national law. Children shall also be supported in expressing their views, which includes to provide them with accurate, age-appropriate information.

3.1.3. Right to life, survival and development

States should recognize the right to life and ensure the survival and development of the child, including care, health and education (Art. 6 and Art. 27 CRC).

3.1.2. Non-discrimination

All key-principles and fundamental rights enshrined in the CRC apply to all children within a State's jurisdiction, **without any discrimination** based on nationality, immigration status or statelessness (Art. 2 CRC). Therefore, States shall treat children on the move as children first and foremost. This means that, when travelling to or across Europe, children should be regarded and treated as any other children and granted equal access to their fundamental rights as national children, with additional special protection if they are (temporarily or permanently) deprived of their family environment and parental care. In the European context, this bears particular significance when working with ethnic minorities (e.g. Roma, Ashkali, Egyptians) or children and youth on the move coming from conflict areas (e.g. Middle East, East Africa) or fleeing poverty (e.g. West Africa).

3.2. Right to Protection

States have the duty to ensure protection to every child from any form of neglect, abuse, violence and exploitation (Art. 19, 32, 34, 35 e 36 CRC). States are

obliged to provide special protection and assistance to children deprived of their family environment (Art. 20 CRC^[7]).

3.3. Continuity of care

Children do not become adults overnight. While aware of the existing legal and policy frameworks enshrining the specific rights held by children as individuals aged below 18, Tdh recognizes that young people are still exposed at an increased risk of violence and abuse as compared to adults, and more broadly need support in developing their full potential. This is especially true for adolescents and youth who are on

the move (or otherwise affected by migration), and who are at risk of losing a range of entitlements, as well as access to fundamental services, as soon as they turn eighteen. In the framework of its Migration Strategy for Europe, Tdh will work with and for children and young people, supporting their resilience and gradual steps towards increasing independence and self-reliance.

3.4. Sustainability

Actions designed and implemented as part of the Strategy should be able to endure over the long term and to adapt to changing conditions over time. There

should be no critical dependencies (for example major external funding) that could make the measures to collapse.

3.5. Gender Awareness

Gender aspects of child migration should be addressed as part of the Strategy, and due account should be taken of the different risks that girls and

boys face while on the move or otherwise affected by migration, and the different consequences they bear as a result of it.

3.6. Cross-sectoral interventions

Child migration is a complex phenomenon, which is related to different field and interests, such as discrimination, poverty, organized crime, labour, etc. An effective Strategy should take this complexity into consideration in order to address the different aspects of the situation simultaneously. Therefore, it is necessary to work in

an interdisciplinary and cross-sectoral manner, which means that the knowledge and expertise of different disciplines as well as their respective methods are combined to protect children on the move (e.g. legal instruments, educational methods, social research, psychological assistance etc.).

^[7] Other CRC articles relevant to children's right to protection are: Art. 9,10, 11, 16, 20, 21, 22, 23, 24, 25, 37, 39, 39 and 40.

4. Approaches

Tdh will implement its Migration Strategy for Europe in adherence to some distinctive approaches, streaming

across all specific objectives and actions envisaged therein. These are:

4.1. Reinforcing formal/informal child protection systems

This includes the introduction or strengthening of case management systems ensuring a protective accompaniment of children and youth on the move along their journey, as well as reinforcing the (social) inclusion of those children most marginalised. It will also encompass: training local child protection actors

on how to protect children and youth on the move and uphold their rights; and contributing to strengthening identification, referral, care and accommodation, identification and implementation of long-term solutions for children in compliance with the best interests of each individual child/young person.

4.2. Direct support to girls and boys

Tdh will work directly with girls and boys, as well as adolescents and youth on the move (or otherwise affected by migration) in a range of ways, including: providing humanitarian assistance; equipping them with life-skills; promoting their safe and meaningful

participation; enhancing their economic empowerment; informing them about alternatives to unsafe migration pathways; and ensuring their access to safe spaces where they can be protected and develop their potential.

4.3. Enhancing community protection initiatives

Tdh will work to strengthen existing coping strategies and child protection mechanisms within communities hosting children on the move. It will also promote

social cohesion between migrants and communities concerned.

4.4. Youth empowerment

In order to mainstream youth participation within Tdh migration programme, processes and systems must be in place to empower young people by not merely listening to their voice, but by providing them with the means they need to act and raise their voice or, whenever the latter is not possible and if appropriate, by acting on their behalf. For that purpose it is essential to be better informed about the needs and specific interventions required to address their vulnerabilities and bank on the tremendous potential of youth affected by migration.

In this respect, a ground-breaking initiative is needed to prioritize and mainstream youth participation in Tdh migration programming and implementation through the provision of the necessary information and training they need; providing youth with a platform and increasing the limited space they have to engage and interact with other stakeholders is crucial, as is the need to ensure that actions and decisions being taken on their behalf respect their own views and opinions. It is equally important to share good practices and operational strategies with all actors involved in youth migration issues with a view to identifying sustainable solutions as part of national, regional and international decision-making processes.

4.5. Evidence-based advocacy and partnerships

Building on solid research findings, as well as on knowledge and evidence stemming from projects,

Tdh will advocate for the adoption of national and regional laws and policies that protect the rights of children and youth on the move, and that ensure a continuum of care along their migration journey. Advocacy interventions will combine stakeholders' expertise with the best and most reliable external evidence available in order to identify problems, prioritize them, and consequently design objectives and activities.

Moreover, Tdh recognizes that its advocacy interventions are less powerful and therefore likely to yield positive results, if implemented in isolation from other actors. Be it at regional or national level, all advocacy interventions will be seeking the contribution of all key like-minded actors that aim to promote normative, policy or behavioural changes for the benefit of children and youth affected by migration.

In this last regard, partnerships established for the purpose of influencing activities will need to be as diverse as possible, including a wide variety of actors from private and public sectors, businesses and government authorities, NGOs as well as networks, alliances and non-formal entities such as community actors or grass-root activist movements.

Finally, advocacy is not to be circumscribed to, or understood as focussing exclusively on, public policy changes. Working with communities and informal actors and systems is also likely to have a significant impact on children and is therefore to be promoted in our interventions.

The advocacy strategy of the Children and Youth in Migration programme in Europe is following and sometimes anticipating on global and regional strategies and instruments, such as the Global Compacts on Migration (GCM), the Sustainable Development Goals (SDGs), the Global Forum on Migration and Development (GFMD), the EU migration policy and those of the Member States, etc. We do integrate the evolutions of migration related programmes from various EU institutions, the Council of Europe, the OSCE, and UN agencies (i.e. UNHCR, Unicef, OHCHR).



Simultaneously, from Budapest regional office or through the TDHIF – International Secretariat based both in Geneva and Brussels, our European migration strategy is including several important civil society alliances (Concord Europe, Human Rights & Democracy Network - HRDN^[8], the Migration and Development Civil Society Network - MADE^[9], Separated Children in Europe Programme - SCEP^[10],

The Children Rights Action Group - CRAG^[11], the Child Rights Manifesto^[12], etc.

Both TDHIF led actions Destination Unknown campaign^[13] and the Initiative for child rights in the global compacts^[14] are giving a larger frame for our European migration strategy, as well the non-branded initiative of the nine recommended principles^[15].

4.6. Promotion of innovative approaches

Innovation has become a distinctive feature of Tdh interventions over the past years, and will continue to be a defining element of Tdh interventions in the future. Innovative projects, be they of a social or of a technological nature must be prioritized.

The potential of Information and Communication Technologies for development has already proven to be a powerful driver of impact on Tdh beneficiaries around the world.

Initiatives such as the ChildHub currently implemented in Europe and the pilot mobile data collection model developed in Bulgaria will be capitalised on to boost the innovative nature and potential of impact of projects designed under the guidance of this strategy. The Children and Youth in Migration programme is already involved and will develop MOOCs (Massive Open Online Courses), virtual reality learning, mobile data collection and will anticipate on next steps in online learning.

^[8] <http://hrdn.eu/>

^[9] <http://madenetwork.org/>

^[10] <http://www.separated-children-europe-programme.org/>

^[11] http://www.eurochild.org/policy/library-details/article/childrens-rights-action-group-crag-invest-in-children-through-the-eu-budget-2014-2020/?tx_news_pi1%5Bcontroller%5D=News&tx_news_pi1%5Baction%5D=detail&cHash=653c96baa4410b8db21c24f00b61a3d6

^[12] <http://www.childrightsmanifesto.eu/>

^[13] <https://destination-unknown.org/>

^[14] <http://www.childrenonthemove.org/>

^[15] <https://principlesforcom.jimdo.com/>

5. Operational Application

The present strategy is a reference document and its observance is conditioning the design and implementation of all types of actions (encompassing management at all stages of a project cycle, including pilot projects and joint initiatives) run by Tdh and its

partners within the above mentioned geographic scope. To illustrate the application of this strategic framework as part of Tdh internal mechanisms, some concrete examples are provided as follows:

5.1. National action

A delegation (and/or a partner) develops a concept and the delegation consults the regional migration programme team. The evaluation of the concept is

based on a minimum of key elements of the strategy and jointly conducted by both national and regional teams.

5.2. Regional action

The regional migration programme team develops a concept and consults national delegations and/or partners to assess its adequacy and feasibility. Initial

criteria are based on the strategy and operational details are discussed by both regional and national actors.

5.3. Global action

Allies of Terre Des Hommes International Federation or of Tdh Lausanne, members (or not) of already existing alliances, initiatives or campaigns (such as the Initiative for Child Rights in the Global Compacts, the Destination Unknown campaign, etc.) develop a concept which contains migration related component in Europe.

The Children and Youth in Migration programme at HQ involves the Europe Migration team and they jointly evaluate the synergies (or deviances) between the concept and the present strategy to decide on the nature and level of involvement of Tdh in the proposed action. National actors are involved whenever relevant (e.g. national contribution to complement or illustrate regional or global initiatives).

Annex - Definitions

A **Child** is any person under the age of 18 years^[16].

Youth are those persons between 18 and 24 years of age.

Migration is the movement of a person or a group of persons, either across an international border, or within a State. It is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification^[17].

Children and youth affected by migration: any child/youth belonging to one of the 4 following categories:

1. Children and youth on the move (involved in an internal or trans-border migration process, forced or voluntary);
2. Children and youth who are potential migrants (living in environments that are affected by migration and/or that could lead to migration for economic, social, cultural, political reasons, etc.);
3. Children and youth left behind by parents/caregivers that left in migration;
4. Children and youth temporarily or permanently out of a migration process (e.g.: integrated in destination/transit countries, refugees in host countries, reintegrated in a third country or returned to the country of origin...).

Children on the move shall be understood as those children who have left their place of habitual residence and are either on the way towards a new destination, or have already reached such a destination^[18]. According to the above-definition, a child can move across State borders, or within a country. S/he can be on the move alone, with parents or other family members, with other adults and/or children, previously known or unknown to the child.

“Unaccompanied minors” means third-country nationals or stateless persons below the age of 18, who arrive on the territory of a country other than theirs (in case of EU member states, the definition applies to any child coming from any non-EU country) unaccompanied by an adult responsible for them whether by law or custom, and for as long as they are not effectively taken into the care of such a person; it includes minors who are left unaccompanied after they have entered the territory of the Member States”^[19].

Separated children are under 18 years of age, outside their country of origin and separated from both parents or their previous legal, or customary primary caregiver^[20].

A **trafficked child** is any child who is recruited, transported, transferred, harboured or received for the purpose of exploitation, either within or outside a country, even if no element of coercion, deception, abuse of authority or any other form of abuse is used^[21].

^[16] Art.1 CRC.

^[17] IOM, Key migration terms, Migration, accessible at <https://www.iom.int/key-migration-terms>

^[18] Definition adopted by Terre des hommes, 2011.

^[19] Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, Chapter 1, Article (2) (i), <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0083:en:HTML>

^[20] Separated Children in Europe Programme (‘SCEP’), Statement of Good Practice, 4th Revised Edition, 2009. This definition – largely adopted by the General Comment No 5, recognizes that some children may appear ‘accompanied’ but in practice the accompanying adult may be either unable or unsuitable to assume responsibility for their care.

^[21] SCEP/Save the Children, Position Paper on Preventing and Responding to Trafficking of Children in Europe, 2007. This definition is largely based on Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000).

Child protection refers to protecting children from all forms of violence, abuse, neglect or exploitation^[22].

A **refugee** is someone who has been forced to flee his or her country because of persecution, war, or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social

group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries^[23].

Children left behind are those children whose parents have migrated and are as a consequence deprived of adequate care.

^[22] General Assembly of the United Nations, 1989




^[23] Geneva Convention Relating to the Status of Refugees, 1951, <http://www.unrefugees.org/what-is-a-refugee/>



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Terre des hommes Regional Office for Europe
József körút 78. 2/7 – 1085, Budapest, Hungary
T + 36 1 266 5922, F + 36 1 266 3167
E-mail: info@tdh-europe.org

 www.tdh-europe.org
 www.tdh.ch
 www.facebook.com/TdhEurope
 www.twitter.com/TdhEurope
 www.twitter.com/Tdh_migration



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