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- INTEGRATION PERSPECTIVES
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THE FAILURE OF GEORGIA'S PRO-EUROPEAN FOREIGN POLICY THE MAIN OBSTACLE TO OBTAINING CANDIDATE STATUS

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In June 2022, the EU granted candidate status to Ukraine and Moldova, while Georgia's application was rejected. The European Commission presented 12 conditions, in the case of fulfilment of which Georgia will receive candidate status in December 2023. Particularly important points refer to issues such as overcoming political polarisation, the effective functioning and independence of institutions, the independence and impartiality of the judiciary, deoligarchisation and media freedom. In the light of the ongoing war in Ukraine, the "failures" in Georgia's pro-European foreign policy became especially clear. The official positions of Tbilisi often contradict the policies of the United States and the European Union towards Russia. Moreover, at the level of political narrative, they often coincide with the positions of the Kremlin. Hence, our main research questions will be as follows: What factors caused Georgia to fail to receive candidate status in June 2022? What factors and reasons cause "failures" in the pro-European course of Georgia's foreign policy and, possibly, its deviation towards Russian positions?

Introduction

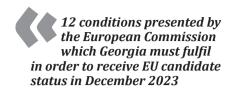
This paper reviews the serious changes that have taken place in Georgia's foreign policy in recent years, and which have come to the surface more clearly since the full-scale Russian invasion of Ukraine in February 2022. One can easily notice how the foreign (and also domestic) policy discourse of the current political leadership of Georgia gradually has changed – how it is moving away from a pro-European course and how it is more and more aligned with the interests of the Kremlin. As a rule, such behaviour is justified by official Tbilisi with the motive of

maintaining peace in the country (although, at the same time, the Georgian authorities do not actually back down, and claim that they fully support Ukraine's struggle for freedom).

In June 2022, the European Union refused to grant candidate status to Georgia (unlike Ukraine and Moldova), and gave the latter a kind of "probationary" period until the end of 2023. After discussing their application for membership, the European Council "stated its readiness to grant Georgia EU candidate status once the priorities set out in the European Commission's opinion on its

EU membership application are addressed". 1 This referred to the 12 conditions presented by the European Commission which Georgia must fulfil in order to receive EU candidate status in December 2023. The European Parliamentarians and European Commissioners often emphasise the readiness of the Georgian people to get closer to the European Union.² According to the latest polls, 83% of the population Georgia supports the country's integration into European and Euro-Atlantic organisations³, and in March 2023, tens of thousands of people took to the streets of Tbilisi to protest the adoption of a Russiantype law by the Parliament of Georgia. For reference, in 2022, the Russian State Duma adopted the law "On control over the activities of persons being under foreign influence".4 The Georgian bill was almost identical to the Russian one.

In the light of all this, one can see a Georgian drift away from Europe. Such a dual foreign policy of the Georgian authorities caused the hesitation in the European Union to give Georgia candidate status along with Ukraine and Moldova. This not only threatens Georgia's European prospects, but also seriously harms the interests of the West in the Black Sea region. In any case, the national interest of Georgia is under serious threat, and its deviation towards the strategy of jumping on Russia's bandwagon can be



noticed. Certainly, the EU has observed these developments, and after the March protests in Tbilisi, the High Representative urged the Georgian government "to uphold its commitment to the promotion of democracy, the rule of law and human rights". And one commentator more harshly distinguished between the divergent positions of the Georgian government and the Georgian people, urging that "Georgians have big EU dreams, but fear their government is more interested in keeping sweet with the Kremlin".6 This results in a strong alienation between the people and the government, which can have negative consequences for the country.

The 2008 August War: A Lesson Not Learned by Georgia?

After NATO failed to provide the Membership Action Plan (MAP) for Georgia at the NATO summit in April 2008, this move by the Alliance turned out to be a "green light" for Russia to launch a war against Georgia (and

¹ Council of the EU, EU Enlargement Policy: Georgia, 09.02.2023, https://www.consilium.europa.eu/en/policies/enlargement/georgia/

² In March 2023, the Socialists and Democrats in the European Parliament clearly stated that they "always stand by people who defend democracy, promote democratic reforms and strive to fulfil their European aspirations. We support the Georgian People." 14.03.2023, https://www.socialistsanddemocrats.eu/newsroom/sds-deplore-georgian-prime-ministers-statement-against-european-parliament

³ A. Paul and I. Maisuradze, Georgia must get its act together to become an EU candidate country, 27.03.2023, https://www.epc.eu/en/Publications/Georgia-must-get-its-act-together-to-become-an-EU-candidate-country~4f4ad4

⁴ The State Duma, New law on activities of foreign agents, 29.06.2022, http://duma.gov.ru/en/news/54760/

⁵ European Union External Action, Georgia: Statement by the High Representative on the adoption of the "foreign influence" law, 07.03.2023, https://www.eeas.europa.eu/eeas/georgia-statement-high-representative-adoption-"foreign-influence"-law_en

⁶ D. Parulava, *Georgians fear their government is sabotaging EU hopes*, "POLITICO", 11.07.2022, https://www.politico.eu/article/georgian-fear-government-sabotaging-eu-hope/

also against Ukraine later) in August of the same year. In the Bucharest Declaration, one can read that "NATO welcomes Ukraine's and Georgia's Euro-Atlantic aspirations for membership in NATO. We agreed today that these countries will become members of NATO... MAP is the next step for Ukraine and Georgia on their direct way to membership".7 The 2008 Russian-Georgian significantly hindered Georgia's aspiration to join Europe, too. At the same time, the consequences of this war created a serious destabilisation of the post-Soviet space as a whole. The European Parliament observed that "Ukraine, Azerbaijan and the countries of ex-Soviet Central Asia have all experienced increased Russian pressure since the crisis in Georgia".8 It means that the August War was not just a local conflict, but it had wider regional reactions and impacts.

Henry Kissinger held a very similar position on Russia's invasion of Georgia in 2008, as well as Russia's annexation of Eastern Ukraine and Crimea in 2014 and the invasion of Ukraine in 2022.9 In September 2008, he wrote that "isolating Russia is not a sustainable long-range policy" His realist considerations are often incomprehensible to the countries which are victims of Russian aggression. As for Russian-Georgian relations, "the situation deteriorated through the years

and in 2008 the August War between Russian and Georgia was a culmination of Russia's foreign policies and for Georgia's further disintegration". Considering this, it seems very difficult to understand, especially in the light of the ongoing Russia-Ukraine War, why the Georgian government pursues an "appeasement" policy towards Moscow and, in some cases, even aligns its interests with it.

2008 August War is not a lesson learned for the Georgian authorities, because the "Georgian Dream" party's flirtation with the Kremlin corresponds with neither Georgia's historical-cultural proximity with Europe, nor with the Georgian people's aspirations towards EU integration

To some extent, Kissinger was accusing Georgia of making mistaken political calculations; in his words, "the Georgian crisis originated in a series of miscalculations. Georgia's leadership misjudged the scope for military action and the magnitude of Russian response". Frequently, the official statements of Georgia seem to be critical of Russia; as Georgia's

⁷ NATO, Bucharest Summit Declaration: issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Bucharest on 3 April 2008, 03.04.2008, https://www.nato.int/cps/en/natolive/official_texts_8443.htm

⁸ European Parliament, Directorate General External Policies of the Union, *Briefing Paper: Georgia after the August War: Implications for EU Engagement*, October 2008, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.europarl.europa.eu/RegData/etudes/note/join/2008/406969/EXPO-AFET_NT(2008)406969_EN.pdf

⁹ J. Bosco, Kissinger need another reversal, 17.02.2023, https://www.taipeitimes.com/News/editorials/archives/2023/02/17/2003794499

¹⁰ H. Kissinger, Finding Common Ground, 30.09.2008, https://www.henryakissinger.com/articles/finding-common-ground/

¹¹ I. Javakhishvili, Covid-19-Pandemic Measures in Conflict Zones in 2020 and 2021 – The Case of the OSCE and South Ossetia in Georgia, p. 262, in A. Mihr (ed.), Between Peace and Conflict in the East and the West, Springer Publication, 2021.

¹² H. Kissinger, Finding Common Ground, 30.09.2008, https://www.henryakissinger.com/articles/finding-common-ground/

ambassador to the EU stated, the "exercises' of 2008, 2014, and 2022 are parts of the same strategy of Russia to redraw the borders in Europe and establish the new so-called zones of influence, undermining the independence and the European aspirations of sovereign countries. And the target here is the collective West per se". But in daily political discourse, one can clearly see how the leading figures of the "Georgian Dream" party accuse ex-president Saakashvili and the United National Movement not only of starting the war in August 2008, but also of trying to drag Georgia into war with Russia now. 14

It is clear that the 2008 August War is not a lesson learned for the Georgian authorities, because the "Georgian Dream" party's flirtation with the Kremlin corresponds with neither Georgia's historical-cultural proximity with Europe, nor with the Georgian people's aspirations towards EU integration.

The "Peace Discourse" as the Main Tool for Georgia's Drift away from Europe

To avoid supporting Ukraine and, more generally, expressing a clear pro-European position, the current Georgian government actively uses the theme of 'peace', effectively manipulating a significant portion of Georgian society. In this regard, Prime

Minister Irakli Garibashvili often emphasises the importance of maintaining peace and staying calm, but not infrequently one can easily notice ambiguity in some of his statements. In October 2022, the Georgian PM stated that "We must be very calm, we certainly have the challenges - 20% of the country is occupied, and considering all this. we need intelligence, lack of emotions, more work and economic development, as well as more prosperity, love and positivity" 15. On the other hand, he immediately added that "the main thing I want to tell you is that the country does not face any challenges, we very firmly follow our path, our chosen peaceful policy, and our citizens will not have any interruptions in the winter in terms of energy supply"16.

Such rhetoric has a considerable influence on a large part of the population, although the pro-European part of Georgian society also openly expresses its position. The main message is that the Georgian government does not echo the will of the Georgian people. In March 2022, participants at a large demonstration in support of Ukraine in Tbilisi publicly announced: "We are not our government" 17. This fact once again shows serious divisions between the Georgian Dream party and the Georgian people. In March 2022, The Caucasus Research Resource Centres reported that 85% of the Georgian population urged their government to provide humanitarian

¹³ V. Makharoblishvili, Lessons from 2008: 14 years since Russia's military aggression in Georgia, 08.08.2022, https://www.euractiv.com/section/eastern-europe/opinion/lessons-from-2008-14-years-since-russias-military-aggression-in-georgia/

¹⁴ Irakli Kobakhidze, chairman of the Georgian Dream often calls them the Global War Party. See *Irakli Kobakhidze: "It is time to neutralize United National Movement"*, "Caucasus Watch", 22.04.2023, https://caucasuswatch.de/en/news/irakli-kobakhidze-it-is-time-to-neutralize-united-national-movement.html

¹⁵ Georgian PM stresses importance to maintain peaceful environment in country, to be calm, firm, continue development, "Agenda.ge", 09.10.2022, https://agenda.ge/en/news/2022/3916

¹⁶ Georgian PM stresses importance to maintain peaceful environment in country, to be calm, firm, continue development, "Agenda.ge", 09.10.2022, https://agenda.ge/en/news/2022/3916

¹⁷ C. Sheils, "We are not our government": Georgians slam Ukraine war response, Al Jazeera, 05.04.2022, https://www.aljazeera.com/features/2022/4/5/we-are-not-our-government-georgians-slam-ukraine-war-response

aid to Ukraine, 79% supported the idea of accepting Ukrainian refugees in Georgia, and 61% believed that the government should support Ukraine more.¹⁸

Civil society and the non-governmental often criticise the Georgian government for its non-pro-European policies. In March 2022, Transparency International - Georgia, one of the most influential Georgian non-governmental organisations, stated that "we should unambiguously stand with the West. No other choice will ever be accepted by the Georgian society! Unfortunately, the steps taken by the government, their obscure and inconsistent rhetoric, puts a question mark over Georgia as a reliable and loyal partner for the West"19. Georgian Dream does not share the positions of the civil sector and, moreover, tries in every way to limit the scope of the latter. As time goes by, Georgia is ever more open to criticism by the European Union.²⁰ This is another indicator that there may be a serious threat to Georgia's EU candidate status.

Georgian Dream is also criticised also by President Salome Zourabichvili. While delivering her state-of-the-nation address to the legislature earlier in 2023, she reproached the ruling party: "Where do you stand today? Why have you strayed from the people's will, from the mandate given to you by the people?"²¹ Zourabichvili emphasised that during the rule of Georgian Dream, Georgia's commitment to European integration has been called into question. She also criticised the rhetoric of the Georgian government that some internal forces are trying to open a "second front" in Georgia against Russia. Zourabichvili told them that "you can speak all you want of second front conspiracies, but the people are well aware that the EU was founded on the idea of peace, not war"22. Certainly. the Georgian President often becomes the object of harsh criticism from the ruling party.

In this way, the "Peace Discourse" is a very effective means in the hands of Georgian Dream not to support Ukraine in practice, and little by little to move away from the European Union, or as Le Monde calls it, "the Georgian government has used one word as a totem: 'peace'"23. Obviously, supporting Ukraine does not mean Georgia going to war with Russia; therefore, making a strong impression remains as simply an excuse and justification for the Georgian government to avoid identifying with Europe, and to try to flirt with Moscow again, albeit to no purpose.

¹⁸ CPRC: გამოკითხულთა 79% ფიქრობს, რომ საქართველოს უკრაინელი ლტოლვილები უნდა მიიღოს (79% of respondents think that Georgia should accept Ukrainian refugees), "რადიო თავისუფლება", 15.03.2022, https://www.radiotavisupleba.ge/a/31753719.html

¹⁹ Transparency International – Georgia, Georgia Should Firmly Stand with the West, 23.03.2022, https://www.transparency.ge/en/post/georgia-should-firmly-stand-west

²⁰ E. Avdaliani, Georgia and the West Fall Out, "CEPA", 03.03.2023, https://cepa.org/article/georgia-and-the-west-fall-out/

²¹ G. Lomsadze, Georgian president rails against Georgian government, "Eurasianet", 31.03.2023, https://eurasianet.org/georgian-president-rails-against-georgian-government

²² G. Lomsadze, Georgian president rails against Georgian government, "Eurasianet", 31.03.2023, https://eurasianet.org/georgian-president-rails-against-georgian-government

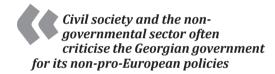
²³ F. Vincent, War in Ukraine: Georgia's ambiguous neutrality, "Le Monde", 17.12.2022, https://www.lemonde.fr/en/international/article/2022/12/17/war-in-ukraine-georgia-s-ambiguous-neutrality_6008070_4.html

12-Point Conditions for Georgia

Why did the European Union refuse to grant Georgia candidate status in June 2022? Why is Brussels dissatisfied? On June 17, the European Commission recommended that Georgia should be given the prospects of membership of the EU. To achieve this. Georgia must fulfil several important conditions. This is a "ticket" for Tbilisi to obtain the status. We can highlight some important priorities such as addressing the issue of political polarisation, guaranteeing the proper functioning of state institutions, implementing transparent and effective judicial reforms, the commitment of "deoligarchisation", a free. professional. independent pluralistic media and environment, ensuring the involvement of civil society in decision-making processes, etc.²⁴ A few days before this report, there were already doubts regarding candidate status for Georgia, as on June, 9th, 2022, European Parliament adopted a resolution regarding the violations of media freedom, and problems faced by the issue of iournalists' safety in Georgia.²⁵

In July 2022, the representative of the European Commission clearly stated that "After careful consideration, we decided that we should not rush the Georgian political elite in their efforts to depolarize the country so that they can sit down at the same table and work hard on reforms. At the request of the European Council,

we will prepare a reprioritization of the expansion package by 2023. This will give the political system of Georgia enough time to carefully work out priorities"26. Paata Gaprindashvili, the director of Georgia's Reforms Associates (GRASS). non-partisan, non-governmental policy watchdog, concluded that "the 12 priorities put more emphasis on the fundamental political issues and therefore pose a unique challenge for the country"27. He also highlighted that Georgian Dream was against the active involvement of NGOs in parliamentary working groups at the preparatory stage of Georgia's application for candidate status.



Several days after the commission's report, the Political Council of the Georgian Dream party met to discuss the possibilities of fulfilling the conditions. Chairman Irakli Kobakhidze argued that this fulfilment should be in an "appropriate time and manner" 28; as a rule, the creation of various monitoring and working groups within the framework of the parliament was chosen as the most proven method. Whatever it is, the

²⁴ European Commission, Opinion on the EU membership application by Georgia, 17.06.2022, https://ec.europa.eu/commission/presscorner/detail/en/QANDA_22_3800

²⁵ Georgian NGOs present a plan for obtaining EU candidate status, "JAMnews", 04.07.2022, https://jam-news.net/georgian-ngos-present-a-plan-for-obtaining-eu-candidate-status/

²⁶ European Commission pushed assessment of Georgia's readiness for candidate status to 2023, "JAMnews", 14.07.2022, https://jam-news.net/european-commission-pushed-assessment-of-georgias-readiness-for-candidate-status-to-2023/

²⁷ P. Gaprindashvili, Georgia can show positive trajectory and get EU candidate status, "EURACTIV", 13.02.2023, https://www.euractiv.com/section/europe-s-east/opinion/georgia-can-show-positive-trajectory-and-get-eu-candidate-status/

²⁸ Ruling party presents strategy for EU membership candidate status, "Agenda.ge", 01.07.2022, https://agenda.ge/en/news/2022/2534

fact is that if in December 2023 "Georgia is unable to attain candidate status, it will be a strategic failure for the EU and could push the country closer to Russia"²⁹. However, on the other hand, it is clear that Georgia's failure to obtain candidate status in June 2022 was caused by problems related to democracy and the rule of law within the country.

2022. In December civil society organisations also actively responded to the European Council, on giving Georgia a "European perspective" and assigning the 12 priorities. They addressed the President of the European Commission and the European Commissioner for Neighbourhood and Enlargement: "On the one hand, the Government of Georgia states that it will address the priorities set as prerequisites for receiving the European Union membership candidate status. On the other hand, it is a matter of great debate in the Georgian public whether the decisions made by the Georgian Government will actually secure the candidate status for the country, since at this stage the government does not show enough political will and readiness to fully implement the 12 priorities"30. Indeed, this is the position of the civil society in Georgia; it does not believe that the Georgian government has the political will and ability to fulfil the conditions set by the European Union in order to receive candidate status.

"Foreign Agents" Bill and Its Repercussions

After Georgia failed to gain candidate status from the EU, the hostile attitude towards non-governmental sector became even stronger. The representatives of the mentioned sector were especially discredited by members of the parliamentary majority and persons affiliated with Georgian Dream. At the end of December 2022, one such close-knit group ("People's Power") announced the formulation of the so-called "Foreign Agents" bill. As a rule, such a law is a good tool in the hands of the government to label any representative of civil society and the non-governmental sector which is undesirable to the government as an "agent". A classic example of this is to be found in Russia.³¹ This is another step in which Georgian Dream is clearly imitating Moscow.

The official purpose of this new bill was to strengthen defence against malicious foreign influence. This official aim was to ensure the transparency of the NGOs, but in reality, the political rhetoric was aimed at exposing "agents of foreign influence". On March 7, 2023, the Georgian Parliament adopted the bill in its first reading. This act was criticised by influential international non-governmental organisations; Human Rights Watch said that "The 'foreign agent' bills seek to marginalize and discredit independent, foreign-funded groups and media that serve the wider public interest

²⁹ S. Stone, S. Kevkhishvili, A. Kupatadze, T. Oniani, G. Gigiadze, G. Gvilava, S. Gvineria and O. Vartanyan, Reform and Resistance: Georgia's Path to EU Candidacy, "Center for European Policy Analysis", 06.04.2023, https://cepa.org/comprehensive-reports/reform-and-resistance-georgias-path-to-eu-candidacy/

³⁰ Civil society organizations appeal to the European Commission to increase oversight over Georgia's implementation of 12 priorities, "Georgian Court Watch", 14.12.2022, https://courtwatch.ge/en/articles/civil-society-organizations-statement/

³¹ At the beginning of December 2022, Human Rights Watch stated that the "Foreign Agents" Law which entered into force in Russia expanded "the country's oppressive and vast 'foreign agents' legislation" and that "the law is yet another attack on free expression and legitimate civic activism in Russia". Russia: New Restrictions for "Foreign Agents, "Human Rights Watch", 01.12.2022,

https://www.hrw.org/news/2022/12/01/russia-new-restrictions-foreign-agents

in Georgia," and "They clearly aim to restrict critical groups and crucial media, violate Georgia's international obligations, and would have a serious chilling effect on groups and individuals working to protect human rights, democracy, and the rule of law"32. According to Amnesty International, "If adopted, the bills would also impose additional onerous reporting requirements, inspections, and administrative and criminal liability, including up to five years in prison for violations" 33 . The most important protest came from the people. Tens of thousands of people took to the streets of Tbilisi to protest the said decision of the parliament. After two days of demonstrations, the authorities backed down and rejected the bill at the second reading. In this pro-European victory, the so-called Gen-Z made a great contribution³⁴.

The West also reacted very negatively to the bill; the USA and the EU condemned this step taken by the Georgian authorities. EU High Representative Josep Borrell stated that "This is a very bad development for Georgia and its people"³⁵. Then he clarified that "This law is incompatible with EU values and standards. It goes against Georgia's stated objective of joining the European Union, as supported by a large majority of Georgian citizens. Its final adoption may have serious repercussions on our relations"³⁶. These words show that the adoption of such a law and even its initiation poses a serious

threat to Georgia's European perspective, and in a short period of time it is very counterproductive for the country's hopes of receiving candidate status. However, at this stage the pro-European civil society won the battle. Reiterating that after large-scale demonstrations, the Georgian Parliament rejected the bill on foreign agents at the second reading.

Conclusion

Georgia's pro-European foreign policy faces a serious risk of failure. Overall, this threatens Georgia's centuries-old European identity. The war waged by Russia against Ukraine, which continues today, turned out to be a good 'litmus test' to reveal the real direction of Georgia's foreign policy. In this regard, this article has emphasised the important policies - those of real support for Ukraine and fulfilling the 12-point recommendation. In the light of all this, a number of steps taken by the Georgian government put into serious question whether the country will obtain EU candidate status in December of this year. Notable among them are unfriendly rhetoric (and, in some cases, actions too) towards Ukraine, very frequent and inaccurate criticism of EU officials, refusal to join sanctions against Russia, a "Peace Discourse" as a tool of manipulating the population, informal governance (oligarchisation) and, not the least significant, efforts to pass the "Foreign Agents" Bill.

³² Georgia: "Foreign Agents" Bill Tramples on Rights, "Human Rights Watch", 07.03.2023, https://www.hrw.org/news/2023/03/07/georgia-foreign-agents-bill-tramples-rights

³³ Georgia: "Foreign agents" bill tramples on rights by restricting freedom of expression and association, "Amnesty International", 07.03.2023, https://www.amnesty.org/en/latest/news/2023/03/georgia-foreign-agents-bill-tramples-on-rights-restricting-freedom-of-expression-and-association/

³⁴ F. Vincent, Gen Z Georgians push back against "foreign agents" law, "Le Monde", 13.03.2023, https://www.lemonde.fr/en/international/article/2023/03/13/gen-z-georgians-push-back-against-foreign-agents-law_6019128_4.html#:~:text=In%20all%2Dnight%20demonstrations%20in,an%20unprecedented%20 turn%20toward%20authoritarianism.

³⁵ US, EU criticize Georgia's foreign agents law that sparked protests, "Anadolu Agency", 08.03.2023, https://www.aa.com.tr/en/europe/us-eu-criticize-georgias-foreign-agents-law-that-sparked-protests/2839748

³⁶ European Union External Action, Georgia: Statement by the High Representative on the adoption of the "foreign influence" law, 07.03.2023, https://www.eeas.europa.eu/eeas/georgia-statement-high-representative-adoption-"foreign-influence"-law_en

The "Peace Discourse" is a very effective policy for Georgian Dream in order to, in an indirect way, mobilise Georgian society against the West and justify the policy of "warming" towards the Kremlin. For the ruling party, this policy is its primary means of persuading the domestic audience that it is unnecessary for the nation to actively pursue a pro-Western policy and to 'irritate' Russia. The non-European attitudes of the society can have a grave indirect effect, in creating obstacles on the path to obtaining candidate status. Today Georgia faces a historic challenge - the failure of its pro-European foreign policy, with all its characteristics, may turn out to be a real obstacle to obtaining candidate status. The former is directly proportional to the latter.

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