DIPLOMATIC TOOLS

Tool 1: Early Warning 71

Early warning is the provision of information of an emerging or escalating conflict or a likely flashpoint. The purpose of conflict early warning is to enable prevention and early response efforts. The UN does not have a systematic early warning system. However, the Secretary-General has "Article 99 authority" to bring matters of concern to the Council's attention. And, over the years, the Council has developed a number of initiatives to access early warning information, including "horizon scanning" and "situational awareness" briefings as well as other informal meeting formats and external briefings that can offer early warning information.

Tool 2: Fact-finding 79

Security Council Members can collectively undertake fact-finding missions to better understand the realities of a situation. These can occur during an emerging crisis or during active conflict. Fact-finding missions allow Council Members to see first-hand what is happening on the ground, to gather information directly from the conflicting parties, to assess the credibility of different accounts of the situation, and to formulate potential responses. If it is too dangerous or impractical to travel to the conflict affected area, the Council can also hold special fact-finding sessions in New York. Fact-finding missions are distinct from Council visiting missions, which typically have a political or diplomatic purpose, and commissions of inquiry, which are led by independent experts and seek to gather evidence for possible future legal proceedings.

Tool 3: External information

Information exchange with external actors is one of the simplest diplomatic tools at the Security Council's disposal. It can improve the Council's common understanding of country situations; increase transparency around crises and conflicts; and offer an opportunity to explore common responses to threats. In addition to formal open meetings, Council Members have a number of meeting formats to enable information exchange, each offering different benefits and participation by different actors: (i) Private meetings; (ii) Informal closed consultations; (iii) Informal Interactive Dialogues (IIDs); (iv)"Arria-formula" meetings.

Tool 4: Presidential statements (PRSTs)

PRSTs are formal decisions of the Council, second only to resolutions and letters by the Council President which set out operative decisions. They are a high-profile tool for sending public messages to conflict parties and can lay the groundwork for further engagement on a situation in the future. The wording of certain provisions in PRSTs may give them the legal force of a binding decision. As they must be agreed by consensus, they can require difficult negotiations. The Council has used PRSTs for multiple purposes, including on thematic issues and country situations, and to respond to emerging and ongoing crises.

Tool 5: Press statements and press elements 99

Security Council press statements are informal products, agreed by consensus, released to the press and published not as official Council documents, but as UN press releases. They are not legally binding, lack the status of Presidential Statements, and are a briefer product. The Council frequently uses press statements to respond to challenges to peace and security and to state its collective views on political problems. The Council has increasingly used press statements as its standard form of response to fast-moving crises. They have also been employed to address situations which are not on the Council's agenda.

Tool 6: Visiting missions 105

The Security Council can undertake visiting missions. These are missions by high-level representatives of all 15 Council Members, or an agreed subset of them, to a country or countries in their Security Council capacity. The purpose of the visits is for the Council representatives to assess political conditions, consult with local political actors and UN officials, and flag the Council's views to these interlocutors. In general, this gives Council Members a unique chance to understand the realities of UN engagement on the ground. In rare cases, Council missions have been involved directly in efforts to resolve escalating conflicts. More often, missions have given messages and warnings to national

leaders regarding the UN's concerns about medium-term political trends, although in some cases missions lack a clear political purpose.

Tool 7: Recommendations

The Security Council can issue recommendations to conflicting parties. Recommendations are points of guidance given to parties on the process for dispute resolution, or substance of a settlement. Such recommendations are non-binding. The Council has made sparing use of its authority to issue formal recommendations in this way, and has instead been more inclined to offer principles for settlement. In addition, many Council resolutions and statements endorsing peace processes or agreements have a similar effect in practical terms.

Tool 8: Good offices 116

In the UN context, "good offices" are diplomatic initiatives by the Secretary-General and his appointees to resolve international disputes and prevent or stop conflict. They can be high-profile or discrete, formally mandated or undertaken informally. The Security Council can request the Secretary-General to use his/her good offices in a particular crisis, or to choose a representative to do so on his/her behalf. The Secretary-General may also initiate such efforts on his/her own authority. Good offices offer a flexible means for UN engagement in a conflict, including in situations not on the Council's agenda. They may also open the way for other forms of UN engagement, including mediation and the deployment of peace operations.

Tool 9: Mediators and special envoys 122

UN mediation involves the organization offering third-party facilitation to parties to a conflict to settle their dispute. The UN has one of the best-developed systems for supporting mediation processes among international institutions, including a Mediation Support Unit in New York. The Security Council can request that the Secretary-General appoint a mediator to address a conflict, or the Secretary-General can do so at his/her own initiative. Special Envoys are impartial, but the Council can shape their options by setting the terms for a peace process through a Council resolution.

Tool 10: Regional offices and regional envoys

UN regional offices and envoys are field-based diplomatic presences that act as "forward platforms" for the UN's conflict prevention and other diplomatic activity. They give the Security Council greater capacity to monitor and respond to crises in sensitive regions, including in countries not on the Council's agenda. The regional offices and envoys also liaise closely with relevant regional organizations and other elements of the UN system, allowing for a holistic approach to conflict prevention and resolution. Regional offices are commonly established by the Secretary-General, who usually seeks endorsement or acknowledgement of the Security Council through an exchange of letters. Regional envoys could be established either by the Council or the Secretary-General.

Tool 11: Regional organizations

Regional organizations such as the African Union often take the lead in conflict prevention and peacemaking efforts. The Security Council can support these initiatives both diplomatically and practically. Options include: signalling support by inviting regional representatives to meet with the Council to discuss their strategies; oral support provided through statements welcoming and endorsing regional initiatives; and substantive support provided through instructing UN actors to provide direct assistance to regional initiatives.

Tool 12: Confidence building measures 144

CBMs are mechanisms that permit States or other political actors to increase mutual trust or reassure one party that another will not break military or political commitments. Originally applied to military affairs and arms control, the term has expanded to cover a wide range of political, social, humanitarian and economic mechanisms. It can also refer to multilateral agreements on issues such as non-proliferation and transparency around military manoeuvres. The Security Council generally does not mandate CBMs as stand-alone responses to disputes and conflicts, but has endorsed CBMs as part of specific peace processes.

Tool 13: Peacebuilding Commission

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The Peacebuilding Commission (PBC) has a unique convening role, and the potential to leverage information and funding, and coordinate operational activities in support of the fulfilment of the Council's peacebuilding objectives and transition of a country off the Council's agenda. The Security Council can engage with the PBC in a number of concrete ways: (i) Request information and advice; (ii) Request implementation support; (iii) Transition a situation off the Council's agenda.

LEGAL TOOLS

Tool 14: Commissions of Inquiry

The Security Council can establish a commission of inquiry. These are fact-finding and legal initiatives intended to produce impartial evidence to inform the Council's deliberations and decision-making. Many have become a preliminary step to formal international criminal investigations. Commission mandates have included fact-finding and assessment relating to significant violations of international humanitarian, human rights or criminal law, including the assassinations of Government leaders.

Tool 15: International Court of Justice (ICJ) - advisory opinions

The Security Council can request an advisory opinion from the ICJ on any legal question. Advisory opinions do not have binding force, however, the pronouncements of the Court carry great legal weight and moral authority and have been cited by the Council in its resolutions and PRSTs. By stating or clarifying the law, or addressing the merits of a dispute, ICJ advisory opinions can contribute to the peaceful settlement of a dispute and compliance with international law. Because the opinion is non-binding, the Council is afforded significant freedom in deciding what effect, if any, to give to these opinions. While it may take several months for the ICJ to render its advisory opinion, it is a swifter process than a full ICJ adjudication. The Security Council has only sought an advisory opinion on one occasion.

Tool 16: International Court of Justice - judgments

The Security Council can recommend or request parties to a dispute to refer the dispute to the ICJ. This can be done as a means of peacefully settling a dispute, preventing a conflict, or responding to a conflict. However, the Council cannot impose the Court's jurisdiction, the parties must voluntarily submit to its jurisdiction. An ICJ decision is binding, and the Council is empowered to take measures in respect of non-compliance. It can take one to two years, and often much longer, for an ICJ case to be adjudicated. However, the Court can order urgent provisional measures in a significantly shorter period of time. The Security Council has recommended that parties submit their dispute to the ICJ on one occasion.

Tool 17: Ad hoc international criminal tribunals

The Security Council can establish an ad hoc international criminal tribunal to prosecute the most serious violations of international humanitarian law, international human rights law, and international criminal law in a particular conflict situation. The tribunals work to ensure justice for the victims, and accountability of the perpetrators. The Security Council has used this tool on two occasions. While the creation of ad hoc tribunals remains an option open to the Council, it is less necessary following the establishment of the International Criminal Court. The Council is also able to support hybrid criminal tribunals that are established by an agreement between the UN and the State concerned.

Tool 18: International Criminal Court

The Security Council may refer a situation to the ICC. The ICC has the capacity to prosecute individuals for genocide, crimes against humanity, war crimes and the crime of aggression, when national jurisdictions are unable or unwilling to do so. The ICC works to ensure justice for the victims, and individual accountability of the perpetrators. The Council has referred situations to the ICC in two instances. It can make a referral whether or not the State concerned is a party to the Rome Statute, and regardless of the rank or position of the alleged perpetrator.

Tool 19: Compensation commissions

The Security Council can establish a compensation commission. This is a mechanism through which persons and entities who have suffered death, injury, loss or damage due to an act of aggression or other serious violation of international law can seek reparation from a fund established for that purpose. The objective of a compensation commission is both to provide compensation to victims, and to ensure that the violating party pays for the suffering and damage caused by their illegal acts. A commission would likely engage primarily in fact-finding and assessment of the damages suffered and the amount of compensation due, rather than determination of liability. The Council has established only one such commission. The Council may also call for or recommend reparations in respect of a situation without creating a commission.

Tool 20: Sanctions: Assets freeze

The Security Council can mandate an assets freeze, which requires all Member States to freeze funds and other economic resources within their territories that are owned or controlled by individuals and entities designated by the Council and/or one of its Sanctions Committees. The purpose of an assets freeze is to deter or prevent reprehensible behaviour rather than to punish it. An assets freeze is often mandated in conjunction with a travel ban and is usually part of a broader sanctions regime that includes other tools.

Tool 21: Sanctions: Travel ban

The Security Council can mandate a travel ban, which requires all Member States to prevent the entry into, or transit through, their territories of all individuals designated by the Security Council and/or a Sanctions Committee. The purpose of a travel ban is to deter or prevent reprehensible behaviour, rather than to punish it. It also aims to constrain the individuals concerned from contributing to further threats to or breaches of the peace. A travel ban is often mandated in conjunction with an assets freeze and is usually part of a broader sanctions regime that includes other tools.

Tool 22: Sanctions: Arms embargo 219

The Security Council can mandate an arms embargo, which obliges all Member States to prevent the sale or supply of arms and related materiel to a State, Government or armed group(s), and/or to prohibit the export and procurement from the State of all arms and related materiel. The purpose of an arms embargo is to limit the ability of the targeted State or non-State actors to inflict violence on others, to weaken their military capabilities and/or to otherwise alter their behaviour, including towards a commitment to the peaceful resolution of conflict. An arms embargo is often part of a broader sanctions regime that includes other tools.

Tool 23: Sanctions: Goods embargo

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The Security Council can mandate a goods embargo, which obliges all Member States to prevent the sale and supply of a particular good to, and/or the purchase and procurement of a particular good from, a certain country. Such trade sanctions are used to change the behaviour of States and non-State actors by targeting assets and other sources of income and finance such as oil or other natural resources. They can also be used to protect the natural resources of a country against exploitation, and to preserve the wealth for the benefit and well-being of the population. A goods embargo is usually part of a broader sanctions regime that includes other tools.

Tool 24: Sanctions: Interdiction and inspections of ships and other vessels 231

The Security Council can authorize the interdiction and inspection of ships and other vessels suspected of carrying internationally prohibited items or goods subject to embargo, in order to implement and enforce the prohibition or embargo. These measures are usually authorized for ships and other vessels on the high seas, but in some cases have involved inspection of shipments by land or air. Such measures have been authorized in various circumstances including to ensure compliance with arms embargoes, to enforce bans on the trade in natural resources, and to prevent migrant smuggling or human trafficking.

Tool 25: Sanctions: Diplomatic sanctions 2

The Security Council can mandate diplomatic sanctions, which oblige Member States to take a range of specified actions from restricting diplomatic relations with the target State to imposing measures against named senior officials and other representatives. They have been used by the Security Council to express disapproval or displeasure with the actions or positions of the Government of a target State. Diplomatic sanctions are often mandated in conjunction with an assets freeze or travel ban. They may be the first step in a sanctions regime seeking to achieve a political settlement or peaceful resolution of a conflict, prior to resorting to more stringent measures affecting the economic or trade relations of the target State.

Tool 26: Sanctions: Comprehensive economic sanctions 24

Comprehensive economic sanctions prohibit the import and export of all products and commodities as well as the transfer of funds or other financial or economic resources to/from the target State. Exceptions may be made for medical or humanitarian purposes. The purpose of comprehensive sanctions is typically to put severe economic pressure on a target State in order to change its behaviour. While the Security Council can mandate comprehensive economic sanctions, its practice has evolved towards more targeted sanctions, such as assets freezes and travel bans.

OPERATIONAL TOOLS

Tool 27: UN peacebuilding strategies 25

The Security Council may request the Secretary-General to develop a comprehensive peacebuilding strategy in respect of a potential or active conflict or in a post-conflict setting. This is a plan that seeks to harness and focus the collective efforts (and funding) of the UN and other key actors to meet a host State's peacebuilding priorities. It is intended to help prevent the intensification and/or recurrence of conflict, and to lay the foundation for sustained peace. The strategy may cover just one country, or a region, and may also be incorporated as part of a UN peace operation mandate.

Tool 28: UN special political and peacebuilding missions (SPMs): 272

The Security Council may establish SPMs with comprehensive mandates that include not only good offices, mediation and political process management, but also monitoring and peacebuilding functions in support of human rights, participatory governance, the rule of law, disarmament, and security sector reform. They range in size from about 100 people to over 1200 personnel.

Tool 29: UN special political and peacebuilding missions: focused mandates — 281 political process management

The Security Council may establish SPMs with mandates focussed on political process management. These missions are limited to core political tasks such as good offices, mediation, the promotion of national dialogue, and electoral assistance. They may also coordinate other actors in the UN system. Unlike "comprehensive" political missions, they do not engage in peacebuilding support, nor pure security functions such as the verification of disarmament. They tend to be quite small.

Tool 30: UN Special political and peacebuilding missions: 288 focused mandates - security

The Security Council may establish SPMs with mandates focussed on security. These missions focus on security-oriented tasks such as verifying a ceasefire, assisting with weapons collection, or helping to implement security guarantees. Although security-oriented, these tasks aim to serve political purposes and are performed by civilian or out-of-uniform military and police personnel. Unlike other SPMs, they do not engage in mediation although they may use good offices to carry out their security tasks. They can range in size from just a few personnel to more than 1000.

Tool 31: UN peacekeeping operations: comprehensive mandates — 29 multidimensional peacekeeping operations

The Security Council can establish UN multidimensional peacekeeping operations. These involve military, police and civilian components, deployed to facilitate transition from armed conflict to peace, often by assisting with the implementation of a peace agreement. UN multidimensional peacekeeping missions have ranged in size from a few thousand to over 30,000 uniformed personnel, complemented by much smaller civilian components. The missions are deployed with

the consent of the host State, and mandated to perform a wide range of tasks, tailored to the needs of the conflict situation and peace process. This has been the most common type of UN peace operation deployed since the end of the Cold War.

Tool 32: UN peacekeeping operations: comprehensive mandates — 303 stabilization operations

The Security Council can establish UN stabilization operations. These are deployed in the absence of a comprehensive peace agreement to assist the Government or transitional authorities extend State authority as the basis for creating a stable environment. They are always authorized under Ch VII of the UN Charter. UN stabilization operations have been large and multidimensional, including with a robust military component, Formed Police Units, as well as a range of civilian specialists. Common characteristics include: (i) operating in high-risk environments during active armed conflict; (ii) supporting the host State Government to extend or restore State authority; (iii) undertaking robust, and sometimes offensive, military operations.

Tool 33: UN peacekeeping operations: comprehensive mandates — international transitional administrations (ITAs)

The Security Council can establish ITAs. These are a type of peace operation in which the UN assumes governmental authority over a territory for a period, temporarily executing the sovereign responsibilities of the relevant State on its behalf. They can be used to aid transition out of conflict when the host State is newly independent and may not yet have built the institutions of state, or where the sovereign status of the territory is challenged and the authority of the institutions that exist is contested. In their most expansive form, these operations exercise all legislative and executive powers, including the administration of justice. An ITA may incorporate civilian, police and military components, or some of these elements may be separately undertaken by other organisations operating under the authority of the Council. Other UN and non-UN operations have been granted more limited executive powers.

Tool 34: UN peacekeeping operations: focused mandates — 320 preventive military deployments

The Security Council may authorise preventive military deployments as part of a comprehensive mandate, or where it is the sole or primary purpose of the mission. These can be authorized to prevent the outbreak, escalation or international spillover of armed conflict. The main strategic functions are observation and deterrence. Preventive deployments should occur before violence has reached a significant intensity and would require the consent of the host State. While other operations may have preventive elements as part of their military mandate, preventive military deployments are distinguished by their arrival much earlier in the conflict cycle and prevention of organized violence being their sole or primary objective .

Tool 35: UN peacekeeping operations: focused mandates — observation and monitoring

The Security Council can establish UN observer missions to monitor a ceasefire, troop withdrawal, and/or a buffer zone between conflicting parties. Some observer missions monitor arms embargoes, DDR, and, more rarely, other aspects of a peace process such as elections and human rights. Their primary purpose is to provide transparency and assurance to each side that the other will not violate the ceasefire or other agreements reached. They also allow the parties space to reach a political solution to the conflict. Occasionally, they are deployed alongside a regional peace operation to work with and monitor the activities of that operation. Sometimes called "traditional peacekeeping", they typically involve the deployment of troops or observers between regular armies along a well-defined ceasefire line between two States, but have also been deployed in the context of a war of secession and purely internal conflict.

Tool 36: UN peacekeeping operations: focused mandates — 336 policing and rule of law

The Security Council may authorise policing as standard component of multidimensional peacekeeping operations or as a stand-alone police and rule of law mission. The purpose of the stand-alone missions is to help maintain law and order and to support long-term capacity-building in the police and justice sectors. They are typically deployed as a follow-on to more expansive operations. Their mandates range from monitoring and training local police, through assessing judicial systems and advising on reform, to "executive policing" or active law enforcement. Typically, these missions are staffed by unarmed police officers and civilians. However, in at least one case, included Formed Police Units.

Tool 37: UN peacekeeping operations: focused mandates — civilian protection

The Security Council may authorise the protection of civilians (POC) as the sole purpose, a primary focus, or one among several priorities of a UN mission. The Council specifically authorizes the use of force for the protection of civilians, including against host State forces. POC mandates in UN peacekeeping operations are based on the consent of the host State but may be resisted by a range of non-State armed groups.

Tool 38: UN peacekeeping operations: focused mandates — neutralizing identified armed groups

The Security Council may direct a UN mission to neutralize identified armed groups, including through the use of targeted offensive operations, as part of a broader mandate. Such mandates have been rare in UN peacekeeping but have occurred both in the absence of a peace agreement and as part of international attempts to secure a peace process. The Council has authorized UN peacekeepers to neutralize spoiler groups for preserving the territorial integrity of a State; enforcing disarmament of belligerents; restoring order to an area; enforcing a warrant from the International Criminal Court; protecting civilians; and responding to attacks on peacekeepers. The resulting targeted offensive operations occur at the tactical level while enjoying host State consent. In contrast, military enforcement operations either for humanitarian purposes or to repel acts of aggression occur without host State consent.

Tool 39: Other UN operations: Cross-border humanitarian relief operations 365

The Security Council can establish mechanisms for the delivery of humanitarian relief in contested environments. These mechanisms fall somewhere between normal humanitarian relief activities and coercive "humanitarian intervention". They are needed in situations when the host Government or other parties to the conflict are withholding consent to the delivery of humanitarian relief or are actively obstructing access to vulnerable populations, and where, without sufficient and predictable access, the humanitarian situation would deteriorate considerably.

Tool 40: Other UN operations: Health emergency response operations 372

The Security Council can establish health emergency operations. UN health emergency operations have come in two forms: mandates for peacekeeping operations and special political missions to support host country authorities and external actors; and mechanisms to coordinate UN entities that are providing support for health emergency responses

Tool 41: Other UN operations: Weapons of mass destruction (WMD) 380 inspection and destruction operations

The Security Council can authorize WMD inspection and destruction operations. The tool takes one of two forms: a mandate to an existing international institution, such as the International Atomic Energy Agency (IAEA) or the Organization for the Prohibition of Chemical Weapons (OPCW) to undertake the task; or establishment of an ad hoc body to do so when no standing verification agency is available. Another tool that has never been used by the Security Council, but could be, is the Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons.

Tool 42: UN operational support to non-UN operations: Hybrid operations 389

The Security Council can authorize hybrid peace operations. These missions are deployed by the UN in partnership with another organization, most likely a regional organization. Such missions operate with a jointly authorized mandate, integrated leadership, and shared command and control structures. These joint structures distinguish hybrid operations from other forms of UN partnership and support to regional missions. Ideally, hybrid missions draw on the legitimacy, political and material capabilities of the partnering international organizations. They can also be employed to overcome political and operational challenges faced by a solely UN deployment.

Tool 43: UN operational support to non-UN operations: Support to regional 397 peace operations

The Security Council can authorize the provision of UN operational support to peace processes either alongside or in direct support of operations carried out by regional organizations. In the past this has included: (i) sending UN personnel to observe a regional mission; (ii) deploying a separate but parallel UN mission; (iii) providing equipment, logistical

a regional mission into a UN peace operation. The support mechanisms have usually been designed to help a regional mission fill significant capability gaps and/or closely observe the regional operation's activities in the field. The UN creates its own dedicated mechanism to provide such support or monitoring, which remains distinct from the regional organization's command and control arrangements.

and technical support to the regional force; (iv) supporting the transition ("re-hatting") of

Tool 44: UN operational support to non-UN operations: Support to coalition military deployments

The Security Council can authorize the provision of UN operational support to an ad hoc coalition of States engaged in regional counter-insurgency and/or counter-terrorism activities. These ad hoc security coalitions operate across multiple countries, but unlike peace operations, mainly comprise a group of domestic security forces operating on their home territories (sometimes with a right of hot pursuit across national borders), which erases the crucial distinction between troop-contributing country and host State. The UN's support mechanisms have been designed to help these ad hoc forces fill significant capability gaps. Such support has been rare. It has happened twice, and in those instances involved political endorsement and the provision of equipment, logistical and technical assistance via existing UN peacekeeping operations. In both cases the UN has supported coalition forces undertaking combat campaigns in hostile environments.

Tool 45: UN-authorized non-UN operations: National, coalition or regional peace operations

The Security Council may authorize the deployment of a peace operation carried out by a single State, a coalition of States, or a regional arrangement. Such operations are carried out with the consent of the host Government, but perhaps in the face of significant opposition from other actors. They are not under UN operational command and control. Plans for such operations are often generated outside the Council and it has very little control over most such missions. These operations have often undertaken tasks considered beyond the usual capabilities of UN peacekeeping operations, sometimes as a preliminary step in anticipation of the mission transitioning into a UN-led operation or in parallel to existing UN missions.

Tool 46: UN-authorized non-UN operations: Military enforcement for humanitarian or human rights purposes

regional arrangement to deploy a military intervention force to stop mass atrocities or for other humanitarian purposes without host State consent. This involves the temporary deployment of military forces (and perhaps police and other civilian personnel) to reduce direct or indirect harm to the local civilian population. Plans for such operations would likely be generated outside the Council, and it has very little control over such missions.

The Security Council may authorize a coalition of States or a

Tool 47: UN-authorized non-UN operations: 4: Military enforcement to repel aggression

The Security Council may authorize a coalition of States or a regional arrangement to use military force in response to acts of aggression, breaches of the peace, or threats to international peace and security. Such collective security enforcement missions are essentially engaged in war-fighting against a hostile military (and perhaps allies) and hence need to be very large and robust forces. An alternative legal justification for military action in response to an armed attack is self-defence on the basis of Article 51 of the UN Charter, in which case they are not a "tool" of the Council because they do not require Security Council authorization. However, there have been occasions when the Council has expressed support for self-defensive action. Plans for such action would likely be generated outside the Council, and it has very little control over such operations.



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