

EDUCATION OF MIGRANT AND REFUGEE CHILDREN IN SERBIA AS PROTECTION FROM CRIMINAL ACTIVITIES

Zorica Mršević, PhD

Faculty of European Legal and Political Studies, Belgrade, Serbia

Svetlana Janković, PhD¹

School of Engineering Management, Belgrade, Serbia

Purpose

The purpose of this text is to point out the necessity of educating children in migratory movements through Serbia, on the still functioning so-called Balkan migratory route towards destination countries of the EU. The decisions that European countries have made in the last five years trying to manage the refugee crisis have made the movement of refugees, children and adults more difficult and more dangerous. In many European countries, in addition to closing the borders for migrants, the procedures for determining the detention of children have been simplified, and the reunification of children with their parents has been made difficult or impossible. Therefore, Save the Children report (Save the Children International, 2020) warns that these new migration policies should not be created at the cost of children's lives.

It is not known exactly how many migrant children there are in Serbia, because only those in the reception centres were counted and registered ("Deca migranti i izbeglice", 2023). In 2019, 5,241 migrants stayed in them, and we estimate that there are around 2,500 more outside them, while children make a constant 10 percent. About 10 percent of the 27,000 migrants who entered Serbia in 2019 are unaccompanied teenagers, and the number increases by several hundred every month. The trend of increase in the number of migrants started in June 2023, but it is not characteristic only for Serbia, but for the whole of Europe. Five countries from which migrants come dominate, namely Afghanistan, Syria, Pakistan, Morocco and Burundi. Most migrants come from Afghanistan and Syria - 34.82 and 34.50 percent respectively, while Pakistanis are in the third place with 4.35 percent. 3,300 migrants were staying in 15 reception centres for migrants and asylum centres in Serbia in August 2023, and it is assumed that another 500 migrants are currently outside the centres in Serbia. More than 7,000 migrants were displaced in the area of Subotica, the Subotica Forest, and the border place Horgoš, and they were all taken to reception centres. The large difference in the number of the reported and caught attempts to cross the border illegally points to the existing crimes within the context in which people smugglers profit. The largest number, 91 percent, are adult men between the ages of 20 and 40, followed by adult women, but there are also families and unaccompanied minor migrants (Commissariat for Refugees and Migration, 2022).

When it comes to unaccompanied minor migrants, the Commissariat for Refugees and Migration immediately informs the centres for social work, which, by law, take over temporary guardianship in order to protect all children's rights that exist, both in Serbia and according to the UN Charter (Asylum Protection Center, 2018). The Asylum Centre in Vranje is exclusively intended for housing

¹ svetlana.jankovic.cacak@gmail.com



refugees from Ukraine. Last year, in 2022, there were 76 of them in the facility in Vranje, of which 20 were school-age children, who have been attending classes regularly since September 1, 2022, which is 26.3 percent of children attending school (Commissariat for Refugees and Migration, 2023).

Migrant² and refugee³ children are members of a marginalized group, which might be almost completely excluded from the entire social environment and education without targeted governmental effort. Moreover, they are systematically exposed to violence by other migrants, smugglers and the police, and other risky life-threatening situations. Although education is a basic human right, migrant and asylum-seeking children⁴ face obstacles in accessing any education during the refugee journey due to language barriers and ethnic differences, unresolved legal status, experience of wars, surviving violence, cumulative stress and trauma, and lack of social adaptation.

The biggest challenge is the fact that at any given time there are between 400 and 500 children who have set off on their way to Western Europe alone, i.e. that even around 10 percent on an annual basis for 2019 are unaccompanied children. The largest number of them are boys from Afghanistan, the youngest are ten years old, while the majority are teenagers, from 15 to 18 years old. They are the most vulnerable category, because they are completely unprotected, under the attack of human traffickers, smugglers, repeatedly exposed to all kinds of abuse. Contrary to the stereotypical assumption that these are probably children who ran away from home in a youthful desire for freedom from family constraints in search for adventures, most often they are actually under pressure by their parents and family members who deliberately sent them on their way to Western Europe to escape from hunger and poverty (Mršević & Janković, 2023), and thereby practically hand them over to smugglers. “The families normally ask one member, usually the oldest brother, to go to Europe in search for better living conditions and resources to help the entire family” while some of them “left the country either because of the persecutions operated by the Talibans or because they were afraid to be recruited for the army” (Šantić et al., 2017: 234). On the so-called the Balkan route, they travel to Western Europe for an average of four and a half years, not knowing the local languages, many of them do not even know any other language than their mother tongue. During that period, the “majority of these migrants are technically stranded in Serbia” (Šantić et al., 2017: 237), unable to continue their journey between strictly guarded borders, run out of money and become particularly vulnerable to violence and a series of group criminal activities and actions of individuals. All boys and girls who stay in our country for a long time should start and attend classes, as well as be helped in mastering the education material by young volunteers who are also translators. “School is the only healthy and safe place for them, offering security that is very important and that is our position that children should be included in primary school as soon as possible when they arrive,” says the Centre for Protection and Assistance to Asylum Seekers (Ćatić, 2023). A multicultural approach is one of the ways that gives the best results, because it emphasizes the importance of tolerance and acceptance and enables mutual respect, openness and broadening of horizons among different groups (Solarević & Pavlović, 2018). That is why those who stay in Serbia even for a short time, bring back good memories from here.

2 A migrant is a person who temporarily or permanently moves from one geographical area or country to another for various reasons, such as economic opportunities, education, seeking asylum, marriage or other personal or social factors. In this paper, the term “migrant” is used in a broader sense, including different types of human movements.

3 Law on Asylum and Temporary Protection in Art. 2 paragraph 1 to 6 states that a refugee is a foreigner who, due to a justified fear of persecution because of his race, gender, language, religion, nationality or belonging to a certain social group or because of his political beliefs, is not in the country of his origin and is unable or because of that fear does not want to place himself under the protection of that state, as well as a stateless person who is outside the state of his habitual residence and who cannot or because of that fear does not want to return to that state.

4 Law on Asylum and Temporary Protection in Art. 2 paragraph 1 to 4 states that the asylum seeker is a foreigner who submitted a request for asylum on the territory of the Republic of Serbia, on which a legally binding decision has not been made.



Design/Approach

The inclusion of migrant children in the formal education system of the Republic of Serbia is a long-term project implemented by the Ministry of Education, Science and Technological Development with the support of international organizations and civil society organizations, because the international standard is accepted, that “integrating migrants is not an option but a necessity – and one that benefits everyone, creating more inclusive and sustainable cities for all” (OSCE, 2023). It is well known that “one of the main components of any migration and integration policy is the integration of children and young people into the education system, which lays and strengthens the foundations of integration into society for current and future generations. But “apart from the legal obligation, the moral obligation of an adequate and humane attitude towards migrant children, in the uncivilized conditions of their upbringing, should not be neglected” (Solarević & Pavlović, 2018: 239). Examples of good practice have shown that successful integration into the school (educational) system reduces the economic and social marginalization of migrants and creates opportunities for social mobility (Solarević & Pavlović, 2018).

In the first two months of 2016, new developments led to the official closure of the Balkan route. The Serbian authorities have initiated a program of integration for refugee children in order to allow them to attend regular schools, and training for foster parents to adopt unaccompanied minors (Šantić et al., 2017). However, the majority of migrants, mostly young males with a significant component of minors at the beginning refused to move to the centres from the so-called “Afghan Park” (near Belgrade’s Bus station) where the illegal crossings were organized. Their wish was not to attend any education program but rather, to move north as quickly as possible while having fear of being deported to another country if regularly registered in that camp.

The education system of the Republic of Serbia faces two key challenges in terms of their education. The first challenge is that children are in transit through Serbia and the length of their stay is unpredictable. Another challenge is the way of organizing and implementing teaching in schools in combined classes of students, but also within reception centres, as well as supporting students through supplementary work after inclusion in elementary school. Experiences in conducting both forms of teaching are positive because it contributes to the reduction of prejudices and stereotypes about migrant children, as well as more effective realization of their legal education in the official education system (Đorđević et al., 2018).

Migrant children and refugees who travel on the so-called Balkan route to the cities of Western Europe are exposed to systemic violence, and the perpetrators are most often the police and smugglers, according to the research entitled “Wherever we go, they do us harm”, which was carried out under the auspices of Save the Children organization, Centre for Interdisciplinary Studies of the University of Sarajevo and the Faculty of Political Sciences from Belgrade. During that journey, it often happens that the police beat them, strip them to their bare skin, unleash dogs on them, use electric shock batons or leave them without food and water, shoes and clothes. Children usually have no one to report this violence to. There are children who spend their entire childhood in such conditions and grow up on migrant routes, as journeys to some of them last up to nine years. On the way to the expected countries of destination, children on the move are often physically exhausted, psychologically traumatized and in need of medical assistance and protection (Burgund Isakov et al., 2022). Unaccompanied children are at a particularly high risk of violence, abuse and other problems, so it is necessary to conduct a timely assessment and determine their best interests, adequately assess their age and provide them with special support during their stay in Serbia and the entire process of managing the case. It is clear that the needs of young refugees and migrants, especially adolescents, have not been fully met until now (UNICEF



Srbija, 2021). Children who migrate to Europe using the Balkan route are exposed to violence that threatens their health, well-being, and even their lives. According to children's testimonies, the most frequent perpetrators of violence are border police and smugglers with whom children travel.

Violence in migrant camps is very present, and unaccompanied boys are especially exposed to it, when they were accommodated together with adults. Those children spoke about the violence they suffered, witnessed or threatened, and mostly about the experiences of trying to cross different borders, from where they were forcibly returned, but also about the violence of smugglers in the camps, even about the killing of children and adults on the way.⁵ Children say smugglers sometimes kill or leave children and adults in conditions where they could not survive on their own, and their bodies remain as a warning to other children traveling that way. Some of them tried nine or ten times to cross the border of Bosnia and Herzegovina or Croatia and were forcibly returned (Burgund Isakov et al., 2022).

Four of the 48 children interviewed described how they themselves were abducted during the migration journey, and many more talked about other children who were abducted by gangs and then demanded a ransom from their families - most often during their stay in Iran and Turkey. Although they usually did not talk about peer violence, professionals who are in contact with them testified that this type of violence was also present. In addition to other forms of violence, sexual violence is very present, which was witnessed or heard from other children in numerous cases. Although no children said they had been sexually abused, two-thirds said they had seen children being raped. "Beautiful children" were especially exposed to abuse. The fact that in such a way the opinion is formed that these children somehow provoked the abusers themselves "because they are beautiful", thus becoming sex toys who in return are promised some benefits and privileges such as, for example, a free trip (Đorđević, 2023).

Many express the belief that no one can help them, while some of them believe that they cannot even help themselves. Adults in their immediate environment who have power, either to help - such as police officers, or to organize their journey - such as smugglers, are actually, according to children's testimonies, the most frequent perpetrators of violence. Children also often talk about examples of self-harm, suicide attempts, alcohol and drug abuse as strategies that children use to cope with the stress, difficulties, and terrible experiences they are exposed to (Burgund Isakov et al., 2022).

Findings

Migrant children have the same right to education as every child in the world. The right to education of migrant children rests on the basic rights guaranteed by the United Nations Convention on the Rights of the Child (Art. 23, 28 and 29), the Constitution of the Republic of Serbia (Art. 71), the Law on the Basics of the Education System (Art. 3 and 23), the Law on Asylum (Art. 38 and 41) and the Law on Prohibition of Discrimination. This implies a legal obligation (Solarević & Pavlović, 2018) to include migrant children in the education system of the Republic of Serbia, respecting the right to education, free time, play and recreational activities, participation in cultural life (Solarević & Pavlović, 2018). Although education is a basic human right, migrant and asylum-seeking children during the refugee journey, all that has been said points to the fact that children face numerous and often insurmountable obstacles in accessing any kind of education.

⁵ BBC reported on missing migrant children in Europe: Almost 20 percent of unaccompanied migrant children who were accepted by Kent County Council in Southeast England in 2022 are missing ("Channel Crossings", 2022). And they are certainly not the only missing migrant children, nor is it the only or rare place where they lose their lives.



Bearing in mind that migrant children move in a criminal environment where various illegal activities are a daily occurrence, there is a justified fear that under the influence of such an environment, sooner or later they themselves will opt for such activities. Therefore, the education of migrant children is not only their human right, but can be seen in the light of possible positive effects on the possible reduction of their willingness to engage in criminal activities (Konstantinović-Vilić et al., 2012).

Migrant children in Serbian educational institutions acquire functional knowledge and skills in order to adapt to a new environment, socialization, relief from stress, a sense of security and freedom (Đorđević et al., 2018). Education reduces their sense of exclusion and helplessness that can contribute to criminal behaviour, enables children to integrate into society, develop social skills and adopt community norms and values, which reduces the risk of involvement in criminal organizations and their illegal activities (Mršević & Janković, 2021a). Mental health is improved by education that enables children to develop skills to cope with stress and anxiety, which can reduce the tendency towards anti-social behaviour. Also, education encourages the development of critical thinking, which can help children refrain from impulsive or risky actions (Konstantinović-Vilić et al., 2012). Educated children have a greater chance to use better work opportunities and economic opportunities at a slightly older age, which reduces the motivation to participate in criminal activities as a way to achieve their life ambitions. Research supports the idea that there is a positive relationship between education and crime reduction (Levesque, 2020). This research analyses how risk factors and protective factors, including education, influence adolescent criminal behaviour, noting the positive impact of education on reducing adolescent criminal behaviour. It is important to note that although education has a positive impact, criminality is a complex phenomenon that depends on many factors, including economic, social, cultural and personal circumstances that are all quite unfavourable in the case of migrant children. The provision of education alone will not necessarily automatically prevent crime, but it is part of society's preventive efforts with the aim of a comprehensive and sustainable effect of reducing the crime of migrant children.

Through the educational process, it is important for refugee and migrant children to receive psychological and language/social support, both for themselves and their parents. At psychological workshops, they are offered explanation that education brings economic, social and health benefits, and that it is the most important tool in the fight against discrimination. What is always emphasized, when working with children and parents, is first of all, that the right to education is their right, like that of every child in the world, and that what they are learning here will be of practical use to them wherever they go (Marinković, 2020). It is noticed however, that domestic authorities still do not recognize the special type of violence that girls are exposed to in the form of the custom of early marriage, because it is considered by their families as the best way of female children to be taken care of. The girls themselves say that they live in an environment where there are not many opportunities for education and advancement, because they come from countries that prevent girls from continuing their education after primary school (Đorđević, 2023).

International organizations are also involved in some education programs for refugee and migrant children. In cooperation with the Ministry of Labour, Employment, Veterans and Social Affairs and the Commissariat for Refugees and Migration of the Republic of Serbia, UNICEF is working to strengthen the child protection system by supporting sector coordination, providing technical assistance and improving the competencies of all service providers for quality and timely child care. UNICEF supports the Ministry of Education, Science and Technological Development, school administration, local institutions and partners in enrolling refugee and migrant children in schools and promoting regular school attendance and non-formal education activities, as well as providing training and the development of appropriate information materials in the languages of refugees and migrants (UNICEF Srbija,



2022). The European Union (EU) and UNICEF announced in March 2021, the start of a 5-million Euros worth program to mitigate the impact of COVID-19 on the most vulnerable children and their families in the Western Balkans and Turkey (UNICEF Srbija, 2021). Through the partnership, around 490,000 children and parents will be provided with better access to public services that promote development, education, health services and early childhood care as part of the recovery from COVID-19.

In the Western Balkans and Turkey, UNICEF's cooperation with the European Union aims to protect children's rights to education, health and protection and to ensure that national systems that provide these services are fairer, more inclusive and meet the needs of the most vulnerable children and parents. The slogan was launched: "The formation of the COVID generation cannot be allowed" (UNICEF Srbija, 2021). This program helps provide continued access to essential child care services for nearly half a million children and parents. This will include providing digital tools and quality digital content to families in remote areas, supporting continued health and nutrition services, and improving the availability of early childhood development services.

The EU and the UNICEF multi-sector program will strengthen efforts to improve access to basic services, introduce new types of support for children and families and build the capacity of frontline workers in different sectors. Funding for the program is part of the EU's aid package to the Western Balkans for the response to COVID-19. This support will ensure the continuity of basic services in the field of health, child protection and education for children and their families.

Besides this short-lasting project based educational programs, in order to include migrant children and asylum seekers in the formal educational system of Serbia, significant measures have been taken over the past years. At the end of 2016, a working group was formed to deal with this issue. International organizations and civil society organizations participated in the work of the Working Group. Relatively soon after the formation of the Working Group, and in coordination with the school authorities, 21 children from the Asylum Centre in Krnjača started attending classes at the Branko Pešić Primary School in Zemun, while four girls were enrolled in the secondary Agricultural School in Belgrade. With the support of civil society organizations, these children were provided with transportation and appropriate school supplies, and a certain number of translators - cultural mediators - were hired to help the children during classes. More than 500 children of migrants and asylum seekers started attending 27 schools across Serbia at the beginning of September 2017, and it is planned that in the coming period another seventy children will start attending classes in three schools in Bujanovac and one in Belgrade (Grujičić, 2017).

The expert instruction for the inclusion of refugee and asylum-seeker children in the education and training system regulates in more detail the way of enrolling students and the way in which they should be helped to join the primary and secondary educational process. It represents the first step in building a wider institutional system of support for migrant children within the framework of educational integration. "Migrant children are enrolled when their parents, or other legal representatives or the competent institution submits a request for enrolment to the school, which is obliged to respond within 5 days. Proof of previous schooling in the country of origin, if the student has it, is attached to the request, so that the child can be enrolled in the appropriate class in accordance with the previously acquired level of education. Migrant children who did not have proof of previously acquired education were enrolled by submitting only a request and a certificate of a medical examination" (Solarević & Pavlović, 2018: 23).

When assigning migrant children care was taken to ensure that they are in classes with children of local citizens, as well as not to be in classes with children with special needs, in order to ensure that all additional attention of teachers is devoted exclusively to their adaptation and integration. Development of an adequate individual plan student support is one of the key prerequisites for the effective



integration of migrant children into the regular flow of the Serbian education system. Support for continuing education also takes place through special project programs such as Akelius (Miljković, 2022). That project was launched by a joint initiative of UNICEF Serbia, the Ministry of Education, Science and Technological Development and the Commissariat for Refugees and Migration in order to support the continuous education of migrant children in Serbia. The Faculty of Philosophy in Niš - Department of English Studies was involved in the project for the implementation of the English Language Learning Program for children aged 6-18, and operational support is provided by the organization Indigo. Our teachers employed in schools where migrant children are included, and who have experience working with children and young people from the refugee and migrant population, provide support in mastering the teaching content in regular classes for children aged 6-14 (Ministry of Education, Science and Technological Development, 2020). Another sixteen school children in the Reception Centre in Vranje are included in the project "Akelius platform - support for the education of refugee and migrant children in Serbia - responding to the COVID-19 crisis through online learning" which was launched in June 2020 as a joint initiative of UNICEF and the Akelius Foundation.

Teachers from local schools provide children in three reception centres with continuous online learning support, and ten-week online English language courses are also organized. UNICEF provided 112 tablets that the children use during support classes and language courses, which also strengthens their digital competences. It is expected that around 300 refugee and migrant children will receive this type of support by the end of the project. "Their English language courses are taught by students in their final years of study at the Department of English at the Faculty of Philosophy of the University of Niš, and support in their learning is provided by teachers - mentors who work in local schools where children are regularly enrolled here." It is said that it is very important for children to go to school, to learn everything that is taught there, including English language (Miljković, 2021). The Ministry of Education, Science and Technological Development, apart from formal education, also provides support in the process of informal education of migrant students. English language courses were successfully completed by 51 students from the population of migrants and asylum seekers in the Republic of Serbia, who were enabled to attend initial English language courses through the Akelius project. Through the Akelius project, three centres for the accommodation of migrants/asylum seekers, which have the largest number of children and families in the accommodation, Krnjača, Vranje and Šid (Commissariat for Refugees and Migration, 2021), were supported, and support in learning English was provided for a total of 88 students attending classes within the formal education system in Republic of Serbia. 135 children in 14 elementary and two secondary schools in the territory of the Republic of Serbia are currently included in the regular system of education and upbringing from reception and asylum centres.

In the Republic of Serbia, migrant and refugee children have access to education just like local children, in accordance with the protection of the rights of workers and migrants and their family members, the Convention on the Rights of the Child, and other international documents, as well as national regulations. During December 2022, 182 migrant and refugee students were included in the education system. They attend a total of 51 schools - 33 primary, 16 secondary schools, and two preschool institutions. Of the total number of enrolled children, 68 are from Ukraine. Children attend classes in the following school administrations: Belgrade, Novi Sad, Leskovac, Sombor, Valjevo, Kraljevo, Novi Pazar, Zrenjanin, Užice ("Deca migranti i izbeglice", 2023).

In the course of 2022, 12 mentors were hired who represent the link between the Ministry of Education and the schools attended by migrant and refugee children. Mentors provide continuous support to schools, and thus to migrant and refugee students, in order to make the education system of the Republic of Serbia as accessible to them as possible. Seven translators have been hired through the EU Support for Migration Management in Serbia to help translate teaching material into the student's



native language, primarily for those students who have not yet mastered Serbian language enough to fully follow all the teaching content. Translations of didactic materials were carried out when refugees from war-affected areas began to arrive in Serbia. After the adaptation period, children are included in the education system. Considering that this is not the first time that schools work with refugee students, they are prepared to work with them. Two translators are in charge of translating the materials into the Ukrainian language, so students from Ukraine have access to school materials in their native language (“Deca migranti i izbeglice”, 2023).

Originality/Value

Making migrant integration work is a key step for building prosperous communities based on anti-discrimination and equality, where everyone belongs and thrives.
(OSCE, 2023)

Bearing in mind that children and adolescents have the right to equal access to quality, inclusive learning opportunities, the conclusion is that governments must increase efforts to enrol migrant children in mainstream schools, including improving school capacity and providing language support to children and their guardians. It is also necessary to strengthen the child protection system in order to prevent all forms of violence, exploitation and abuse (Mršević & Janković, 2019). It is also necessary, through the education system, to increase the resistance of the environments receiving migrant children from discriminatory and racist prejudices (Mršević & Janković, 2021b).

There are countries where xenophobia is developing towards migrants, but Serbia is an open society. Serbia knows what it means to be a refugee, having had such situations twice. That is why Serbia wants to act responsibly towards migrants, and pays special attention to minors passing through our country (Đorđević, 2018). Governments of countries receiving refugees have a key role in supporting children so that issues such as anxiety and sadness do not develop into long-term mental health problems, developing destructive, aggressive and self-aggressive behaviour. Governments must redouble efforts to enrol children in schools and address barriers that prevent children from attending school, including increasing school capacity and providing language support to children and their caregivers (Adamenko, 2023).

Regarding access to education, student registration, the principle of equal treatment, prevention of xenophobia and intolerance, the Republic of Serbia fulfils its obligations in accordance with the International Convention on the Protection of the Rights of Workers and Migrants and Members of Their Families, the Convention on the Rights of the Child and other international and national documents, all with the aim of ensuring the conditions for the education of migrant children. By engaging educational institutions in Serbia, from the 2016 year, 98% of children from the migrant population are included in the education system. Professional instructions for the inclusion of refugee students in the education system were adopted in 2017 (Ministry of Education, 2022). The child protection system was strengthened to prevent all forms of violence, exploitation and abuse.

According to the guidelines provided by the European Union, integration should be viewed as a “dynamic, long-term and permanent two-way process of mutual adjustment”. The existing normative framework related to the field of integration is contained in Article 46 of the Law on Asylum (Official Gazette of RS, No. 24/2018), and in Article 16 of the Law on Migration Management (Official Gazette of RS, No. 107/2012). Those two articles in principle guarantee the right to integration of persons granted asylum, but not subsidiary protection. It is positive that the Draft Law on Asylum and Tem-



porary Protection, among other things, foresees an almost complete equalization of available rights for persons enjoying refugee status and persons enjoying subsidiary protection, including the right to assistance during integration through education.

The goals of the Refugee and Migrant Crisis Response Plan also contain a strong educational component. In order to provide support for the prevention and mitigation of the impact of Covid-19, UNICEF plans to: provide quality child protection support for 1,100 children, provide prevention and response services to gender-based violence for 1,500 women, girls and boys, enable 500 children benefit from a strengthened and more inclusive formal education system, also provide access to maternal and child care and nutrition services for 300 children under the age of 5, provide culturally appropriate basic necessities, including clothing, baby hygiene products and hygiene kits for women and girls (UNICEF Srbija, 2021).

These measures include providing instruction in the host language, building and maintaining relationships with parents of migrant children, devoting more resources to schools with a high concentration of migrants to allow them to be flexible to student needs, and discouraging associated segregation practices to abilities and socio-economic factors (Janta & Harte, 2016).

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