
THE ROLE OF NEW MEDIA IN THE PROTECTION OF CULTURAL PROPERTIES AND HERITAGE

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Abstract

The study deals with the role of the media in the protection of cultural heritage and properties through three axes: first, the definition of cultural properties in a comprehensive definition covering heritage, culture, archeology and civilization, the second on the protection of cultural properties during periods of armed conflict.

The research aims to highlight the serious repercussions and dangers that surround the cultural and cultural wealth of the Arab countries, including Iraq (for example), which took systematic forms in the destruction of historical monuments and religious sites.

The dominance of Western media and the bias of Western agencies against Arab countries, and the control of news stories on Arab news.

And the role of media awareness, which is the definition of the citizen on the importance of cultural properties and seize opportunities to raise interest in cultural heritage and notice responsibility.

And the involvement of young people in taking responsibility for the protection of cultural heritage, the first basis for the formation of national identity, in the face of the impact of hostile satellite and the Internet and social networks, and other media dominant, a large part of which is a threat to national identity.

The research follows the descriptive approach by extrapolating the definition of cultural properties, treaties and conventions to protect it in situations of armed conflict, monitoring the destruction of Iraqi cultural properties, and the analytical approach to determining the role of the new media in the protection of cultural properties.

Keywords: New media, heritage, cultural properties, armed conflict, historical monuments, cultural heritage.

1. Introduction

Heritage and cultural properties in all its forms represent the collective memory of peoples, which are passed down from one generation to the next, combined with national characteristics and distinctive national characteristics. Moreover, the effects constitute a cycle of cultural and civilizational development. This confirms that the loss or loss of any impact represents a great loss, not only to the

State that has the effect, but to humanity as a whole. In these circumstances, it is not surprising that wars have become a threat to the effects and their value, destroying the monuments, cultural properties and heritage of many countries under the pretext of military necessity.

If the media has national and national responsibility, especially in countries and societies that are engaged in a comprehensive struggle against new colonialism and its regional and international instruments, as is happening today in many countries of the Arab world, the media inevitably becomes a powerful force. And to defend the components of the national memory, especially the heritage and the cultural and civilizational heritage, and thus defend the identity threatened by destruction and distortion.

Instead, the media system plays an active role in defining the cultural heritage and contributing to the preservation of identity and the consolidation of its components in society. They gradually ignore these components, although the deliberate destruction of monuments, places of worship and works of art is a manifestation of the slide into the abyss of comprehensive cultural warfare.

2. Definition of cultural properties

The term cultural properties [1] is a modern term, [2], [3] [4], which some international conventions have not clearly understood. [5] [6] [7] The first of the American covenant of 1935, known as the Roerich Charter for American States, defines cultural heritage [8], [9] [10] as: objects, places and works of art [11], [12], [13], [14], [15], and includes - in accordance with Article 1 of the American Covenant of 1935 - known as the Ruirekh Charter - the sum of the arts [16] and historical monuments [17], [18].

The material heritage [20], [21], [22], [23]. As for the Geneva Convention of 1949, it limited the mention of certain cultural properties in article 53 of the First Protocol thereto (1977), which provided for the prohibition of any hostile acts against historical monuments, works of art or places of worship. Constitute the cultural or spiritual heritage of peoples.

Cultural properties was defined in the Hague Convention of May 14, 1954, and it was the first agreement to specify the meaning of cultural properties in general and in detail, since the definition of international and regional conventions that preceded this convention was mostly limited to a number of cultural properties, Or according to those definitions, is not inclusive of all cultural properties.

The first article states that: movable or immovable properties of great importance to the cultural heritage of peoples, such as architectural, artistic, historical or religious buildings, And other objects of artistic, historical, and archaeological value, as well as scientific collections, collections of important books, archives and copies of the above-mentioned properties, and buildings designated primarily and effectively for the protection and display of movable cultural properties as set out in Paragraph (a) such as museums, major book houses and archives, as well as bunkers intended for the protection of movable cultural properties described in paragraph (a) in case of armed conflict, [24] and centers

containing a large body of cultural properties, called "centers of memorial buildings" in accordance with the provisions of Article 1, shall be applied to the protection of buildings, Of the Hague Convention of 1954 [26].

The Convention for the Protection of the World Cultural and Natural Heritage of 1972, adopted by the General Conference of UNESCO at its seventeenth session in Paris on 16 November 1972, concerns the protection of the world cultural and natural heritage. The Unidroit Convention on the Return of Illegally Stolen Cultural Objects (1995) [27], which defined cultural properties in article 1, states that the effects are: architectural works, sculpture and painting on buildings, Archaeological sites, monuments, caves and monuments, all of which are of exceptional international value from the point of view of history, art or science, and complexes, a group of isolated or connected buildings that have exceptional universal value from the point of view of history, art or science due to their architecture, in a Landscapes, sites, human works, or joint works between man and nature, as well as areas including archaeological sites of exceptional universal value from a historical, aesthetic, anthropological or anthropological point of view.

The above Convention affirms that each State shall adopt a public policy aimed at making cultural properties perform a function in the life of the group, working to establish a department for its protection and preservation as well as the development of studies and scientific research.

The Statute of the International Criminal Court, adopted at the Rome Conference of 1998, also refers to the term "historical monuments" for the purpose of expressing cultural properties protected during armed conflict, the offense of which is a war crime, [30], [29], [28]. The Second Protocol to the Hague Convention in 1999 affirms the definition contained in article 1 [33], [32], [31] of the 1954 Convention on the Identification of Cultural Properties Protected by Legal Protection in Time of Armed Conflict and in Time The occupation in particular, in Article I paragraph (b) thereof.

This has led all nations to pay attention to heritage and protect it by drawing up plans and strategies and enacting legislation and laws to protect this heritage from various destructive factors, [35], [34]. The Arab architectural heritage in its historical reality is a cultural achievement that largely crystallizes the features of the civilizational personality and the preservation of national identity. However, this rich and diverse heritage faces serious dangers due to natural and human destruction factors that have led to the destruction and loss of an important part of the nation's cultural heritage [36], [37].

There is a tendency that no cultural properties will have any artistic or historical value, unless there is general agreement at the international level to appreciate it, and proponents of this trend provide examples of this type of properties.

The second approach adopted the broad concept of protected cultural properties under the provisions of international law. Supporters of this trend extended the scope of this protection to all cultural properties as determined by States parties to the Convention on whose territory such properties is



located, in accordance with their national standards and norms, Hence all cultural properties is protected [4].

The criteria for determining whether a cultural properties is important to the heritage of a people are not limited to: the criterion of connection to civilian objects, where it is a civilian eye of all objectives that are not military objectives [39], and the criterion of importance for the cultural heritage of peoples [40], and this standard certainly extends the scope of protection of cultural properties [41].

Thus, the term cultural properties includes a variety of interrelated and sometimes independent terms. The most important of these are heritage, culture, civilization and archeology. Culture is a behavior that is rooted in human values rooted in society and can be modified and modified according to changing circumstances. To live within diverse societal, economic and behavioral frameworks [42].

As for civilization, it represents constructivist values. It refers to scientific achievements associated with material life models, and some find them as a form of culture, when they have a distinct aspect of sophistication with distinct characteristics from other cultures. In this way, cultural properties is a mixture of Movable or immovable objects of material and moral content having cultural, cultural, historical and historical content. The importance of preserving cultural heritage lies in the objectives of this heritage, which it preserves for the memory and identity of man and society. The loss of cultural heritage means loss of memory and means an important economic deficiency in the local development of the heritage areas [43], [44], [45].

Recently, the academic and socio-cultural interest in the issue of heritage has grown on the basis that it is a world heritage [46]. The term World Heritage is used internationally, meaning the heritage of exceptional universal value from the cultural or natural heritage, Of World Heritage [47], and heritage and heritage share the identity of the community [23]. Therefore, we found that some of the national or international effects legislation used the term heritage to denote the effects, or as a referential term for the effects, or as comprehensive, considering that the effects are implicit in heritage.

3. Protection of cultural properties during periods of armed conflict

The destruction of cultural properties is one of the most serious human rights violations, where cultural properties is destroyed, and there are several reasons for the destruction and destruction of cultural properties, the first of which is the human causes, with its most destructive and destructive factors [24], [48], [49], [51], [51], [52], erroneous restoration, installations, transportation, and lack of awareness among citizens of the importance of heritage [53], [54]. The special protection of cultural properties is considered in periods armed conflict [19] is one of the forms of protection afforded by international law of the world cultural heritage, given that for his association with man and expressing his national self and cultural civilization.

This protection reflects the expansion of the scope of international humanitarian law, which is no longer limited to the protection and alleviation of the suffering of war victims, but extends to ensure the special protection of cultural properties. This expansion extends to include, as a natural



consequence of wars, destruction, looting and looting of properties of various kinds, including cultural ones, as well as the difficulty of compensating for what is being looted or repairing what is being destroyed.

International humanitarian law was the first to guarantee the protection of cultural properties. It laid down many provisions for the protection of civilian objects and cultural properties. It also decided to protect historical, religious, artistic and scientific sites because of their historical and spiritual significance to nations and peoples.

The statement of the concept of special protection of cultural properties and its provisions indicates that there are several types of protection. First, all cultural properties is automatically granted to public protection. The parties to an armed conflict are obliged to take all possible measures not to use cultural properties for any military purpose on military objectives or not to establish military targets near them. The other party to the armed conflict must refrain from the looting, looting or destruction of cultural properties and to prevent any act of hostility aimed at the destruction or reprisals of such properties. Such a commitment may not be waived unless such imperative military necessity, namely the special protection and protection granted under Protocol II to the Hague Convention, which is an enhanced protection of the immunity of cultural properties from attack and the prohibition of its use or adjacent areas directly in military action.

The protection does not depend on the determination of the quality of the target, whether civilian or military, Even if the cultural properties is a military objective, it may not be the object of attack unless the attack is the only means of ending the use of such cultural properties for military purposes or if all precautions are taken in the choice of means and methods of attack with a view to ending such use or In case of self-defense.

In 1970 the Sixteenth Congress of UNESCO adopted measures to prohibit the illegal import, export and transfer of cultural properties. Several international conventions on the protection of cultural properties such as the Convention for the Protection of Cultural and Natural Heritage (1972) have also been issued, and the International Institute for the Unification of Private Law (1995) has recommended the return of stolen or illegally exported cultural objects.

There is no doubt that the Hague Convention authorized the establishment of a limited number of bunkers designated for the protection of movable cultural properties, monuments and other fixed cultural properties of great importance, under the special protection regime, in accordance with article 8/1 (a) decided by the Hague Convention on a limited range of cultural properties, under special circumstances and specific conditions set out in article 8 of the Convention, where the requirement for the enjoyment of cultural properties by special protection was achieved by two substantive police officers:

The first condition is that this cultural properties should not be used for military purposes. This means that cultural properties can not enjoy special protection if it is used to support the war effort as a



military objective. [56] Armed guards who were specifically assigned to protect and guard cultural properties, their presence is considered for military use [57].

The second condition is that the cultural properties is located at a sufficient distance from any large industrial center or an important military objective, which is a vital point, despite the importance of this condition, but it raises many problems and its dilemma lies in the possibility of hiding caches of cultural properties under the special protection system. Its location was so constructed that it was safe from bomb attacks and that cultural properties may be placed next to military objectives, provided that States Parties undertake not to use the said objective in case of armed conflict.

In this condition, the Convention is taken into account in that it does not specify what is meant by a sufficient distance, since it would be better to define that distance so that the conflicting parties do not interpret and disagree with each other according to their interests [7], the circumstances of armed conflict may compel the Contracting State not to use the military objective located near the cultural properties.

In addition, States in the event of armed conflict may not remain on the commitments they had made before the conflict, and the development of war technique The use of modern weapons, such as intercontinental missiles and weapons of mass destruction, leaves no room for the claim that it would not harm the cultural properties as a result of the use of weapons, even if we are strongly fortified.

Cultural properties is not automatically protected as soon as the above conditions are met. The Hague Convention requires that the properties in which the State party to the Convention wishes to provide special protection in the International Register of Cultural Properties under the special protection regime should be registered [7], [12], [59], [60], in accordance with Articles 12.2 and 14.4 of the Regulations of the Hague Convention and Article 14 / P.7, this requirement is formalized, meaning that the Convention has decided to establish such a registry, and the Regulations of the Convention have been set forth in its Regulations (Articles 12-16).

The practical benefit of registering a cultural properties is that, when registered in the Register, it acquires special status in case of armed conflict, so that other States may be informed and therefore can not take military action against such cultural properties.

The destruction of cultural properties and places of worship does not reflect a military necessity, as it is intended to eliminate the identity, history and culture of the adversary in order to erase every trace of its existence [40]. It is a political necessity to destroy the morale of the other party and its symbols and spirituality, it was a political necessity to instill division and sectarianism among our Iraqi people. The holy sites must be protected and not targeted, whatever the argument presented.

It should be noted that the Hague Convention did not establish special protection for places and places of worship other than article 53 of the First Protocol (1977), which is annexed to the four Geneva Conventions of 1949, which included such special protection for cultural objects and places of worship (6) of the Second Protocol to the four Geneva Conventions.

4. Destruction of Arab Cultural Properties (Iraq as example)

By observing the behavior and actions of the occupation forces in Iraq, we find that they violated many provisions of international humanitarian law. If we have reviewed what happened in some countries such as Iraq, Syria, Egypt, Libya, Yemen, Lebanon and Palestine, we find that most of what we have mentioned above has already happened, and that it is not a matter of time until all of it has been achieved.

A number of experts and specialists and those interested in cultural affairs and cultural heritage have warned of the repercussions and the dangers that surround the cultural and cultural wealth of these countries, which have taken systematic forms in the destruction of historical monuments and religious sites.

The American occupation forces in Iraq have violated many provisions of international humanitarian law. The thefts of historical monuments began from the first moments of the invasion of the US army in 2003. The US military built its largest military base on the most ancient architectural sites in the world, and the establishment of military bases over 16 historic archaeological graveyards in Iraq, and it is not surprising not to intervene US forces, which occupied Iraq to prevent the looting of the effects in front of the cameras in live and direct broadcast.

Israel sought in various ways to obtain the archive of Jews in Iraq, which was stored in a cellar within the Iraqi Intelligence Service. Which was transferred to America and handed over to Israel, Israel has described the possession of the most important effects on the history of the Jews in Iraq, the real victory of the Jewish nation, has got a genuine and important part is the best of all the heritage of the Jews.

The Jewish archive also contains documents and rare artifacts documenting the covenants during which the Jews were captured in Iraq, namely, the Babylonian captivity I and II, in addition to the traces of the Jews of Iraq already present in these lands. It also contains traces dating back to the Babylonian era, a copy of the Talmud and the oldest copy of the Torah and other manuscripts.

The Americans seized the treasure of the gold, consisting of (650) pieces of gold archaeological, which belongs to the king Sumer Nimrod, was found in the treasure north of Mosul between 1988-1992, although the state dealt with him in full secrecy and was transferred in funds to the Central Bank And kept in the vault of the bank in complete secrecy, and yet the Americans opened these funds and seized the treasure.

Ten thousand artifacts were stolen during the US-led attack on Iraq, spread over the museums of New York, Pennsylvania and other American cities, where US and British forces removed more than 3,000 documents and 80,000 pieces of antiquities. The United States offered to return 3,500 pieces to Iraq Re-establishing the relationship with the Iraqi Ministry of Tourism and Antiquities, which was rejected categorically. Iraq has recovered (4764) pieces, while the unregistered (117) thousand pieces.



The looting of Iraq has destroyed unique collections of Mesopotamian civilizations, museums and the looting of the Mosul Museum. The looting and destruction of the effects of Iraq, it has not escaped neglect, and still in the possession of Israel large amounts of Iraq's historical treasures, and it is enough that (1000) Iraqi artifacts are currently displayed in the Land Museum in Israel.

The research sheds light on the extent of the enormous damage to Iraqi cultural properties as a result of the circumstances of the invasion of Iraq by the international coalition forces in relation to the disaster that has afflicted the Iraqi cultural heritage. Which favor the looting and illegal transfer of cultural material across national borders, and highlights internal and external challenges to recover what can be recovered from illegally exported cultural properties and to protect existing cultural heritage, particularly archaeological sites.

The devastating damage to Iraq's cultural heritage between 1990 and 2003 is a well-known fact. The damage was the direct result of a series of traumatic events, including the first Gulf War between Iraq and Iran (1980-1988), the invasion of Kuwait (1990), The Second Gulf War (1991), the popular uprisings that swept the cities and villages of the southern and northern provinces in the spring of 1991, and the economic blockade imposed by the United Nations on Iraq during the nineties of the last century.

The period witnessed a sharp reduction in the funds allocated by the central authorities in Baghdad to protect the national cultural heritage. At the same time, the looting of archaeological sites increased steadily and in parallel with the deterioration of the security situation and public order. The spread of want and ignorance and the phenomenon of corruption among some officials also explain the rise in the work of digging, smuggling and illegal trafficking in cultural properties, and it was only recently discovered that in the wake of the second Gulf War was smuggled about (10000) old cuneiform plate, dating back to the third millennium before Birth, currently in the possession of Cornell University of America.

The aftermath of the invasion and its aftermath is a national disaster that no country has experienced in recent history. The events of Iraq's invasion and occupation have had unprecedented devastating effects on Iraq's cultural heritage. The infrastructure of public cultural institutions and academic centers has suffered damage and losses, The theft of thousands of ancient artifacts and other cultural materials, accompanied by deliberate sabotage of many elements of the Iraqi cultural heritage, and disappeared inside Iraq or illegally transferred to millions of files of the state, and stole thousands of people Cultural and other works of rare books, ancient manuscripts and works of art by Iraqi artists. International coalition forces have also contributed directly to the exposure of archaeological sites, especially in Babylon, to a real danger by establishing military bases there.

Looting and destruction were a direct result of the collapse of the former regime's security institutions, the rampant phenomenon of corruption and crime, the failure of national cultural institutions to take any real plans in the area of disaster prevention and management, and most important of all the



indifference of the invading international coalition leadership, Warnings by international experts and others specifically to the US administration before the outbreak of fighting for a long time on the importance of providing special protection of Iraqi cultural heritage.

The enormous damage caused to Iraq's cultural heritage has resulted in swift and direct reactions worldwide, and an urgent legal framework has been needed to restore stolen cultural properties as soon as possible. This was the background to the United Nations Security Council's resolution 1488 of May 2003 which obliged Member States to take appropriate steps to facilitate the safe return of Iraqi cultural properties and all other items of archaeological, historical, cultural, scientific and rare archaeological significance from Iraqi institutions, And to prevent the illegal movement of such materials.

The resolution also called upon UNESCO and other international organizations concerned with cultural heritage to assist in the application of this international authorization and extended this obligation to all Member States, regardless of whether they are party to or not in a convention (1970), which prohibits the illegal movement of cultural properties.

Security Council resolution 1546 (8 June 2004) stressed the need for all parties to respect Iraq's historical, cultural, and religious properties. The task of implementing the United Nations resolution was the responsibility of the Coalition Provisional Authority, which consisted mainly of the United States of America and the United Kingdom, As an occupying Government recognized by the international organization, the restoration of stolen cultural material, the protection and preservation of archaeological sites, the restoration of damaged cultural properties and the reconstruction of cultural institutions that suffered destruction, including museums and libraries. Despite its cooperation with UNESCO experts, the Coalition Provisional Authority has been very slow in its efforts to restore looted cultural properties or to protect existing archaeological sites.

The Coalition Provisional Authority failed to prepare a plan of action to protect existing cultural heritage or recover stolen properties, looting and vandalism did not stop, despite considerable pressure from the international community, Iraqi officials and the national media. But failed to prevent members of its civil administration or occupation forces from stealing Iraqi cultural properties scattered everywhere.

UNESCO has sent a mission of international experts to assess the damage caused by looting and destruction of museums, historic buildings, archives and libraries, and to prepare ways to rebuild major cultural institutions, primarily the Iraqi Museum and the Library and Documentation House in Baghdad. UNESCO was the first of its kind in the history of UNESCO and consisted of a number of international experts and representatives of international and non-governmental organizations that could finance or implement activities to protect cultural heritage. Iraq. Its main objective was to develop a strong operational mechanism that would allow the best international minds to be used alongside their Iraqi counterparts.



The role of the Committee is to review the various activities at that time with a view to rehabilitating the national cultural heritage in accordance with the priorities set by the relevant cultural authorities and ensuring the implementation of international assistance in accordance with the highest international standards. An appeal was made to the international community to include a request for assistance to stop the illegal pogrom, looting and illegal transfer of Iraqi cultural properties. ICC has also launched an awareness campaign over a year to remind the international community of its responsibilities and penalties for the illegal transfer of cultural properties.

Academic circles, independent scientists and media in Western countries have put considerable pressure on their governments to assist Iraq in its ongoing efforts to restore stolen cultural properties in many countries. Activities have been undertaken to raise public awareness about the illegal trade in Iraqi cultural properties and have drawn attention to the activities of specific cultural institutions and auction institutions in dealing with looted Iraqi cultural properties.

For political reasons, many Western countries, the main importer of cultural properties, have not reacted positively to the cultural catastrophe of Iraq (2003). With 2009, these attitudes began to change slowly as those countries began to declare their willingness to deal positively with the UN resolutions on Iraq's cultural heritage.

Almost all of Iraq's looted cultural properties from museums, libraries, state archives, archaeological sites and places of worship, including ancient artifacts, manuscripts and paintings, has been smuggled into Western markets in Europe, America, Japan and the Gulf states across the territory of countries neighboring Iraq. Regrettably, official authorities in neighboring countries have not taken serious steps to combat smuggling and trafficking in Iraqi cultural properties, although their official media have denounced and condemned Iraq's cultural destruction.

The emergence of terrorist groups and the escalation of bloody campaigns have had a negative effect on official efforts to protect archaeological sites, combat illegal excavations and smuggling activities across international borders. That the terrorists had taken part in the seizure of Iraqi archaeological materials, perhaps for the purpose of financing bloody acts.

At the same time, the phenomenon of weak law enforcement in remote areas has created opportunities for criminals to dig archaeological sites and smuggle their pieces without any fear or deterrent. These smuggled artifacts soon find their way into European, American, Asian and Gulf markets. It is therefore essential that States importing cultural properties take into account the growing relationship between terrorism and trafficking in such properties, when their cooperation requires the affected States.

In its attempts to recover stolen cultural properties, the Iraqi authorities have faced several internal and international challenges as follows:

1. Exhaustion of the country's financial and human resources, which has had negative effects on the official Iraqi efforts to restore stolen cultural properties.

2. The resort to diplomatic means and improvement in bilateral relations with most neighboring countries has had a new experience in the recovery of some looted cultural properties.
3. Iraqi experience in the field of international legislation on cultural heritage has not been satisfactory, and recourse to the official courts in foreign countries has proved difficult in terms of the considerable depletion of effort, time and money.
4. The looted cultural materials are numerous in their forms and geographically dispersed among countries on several continents. This is difficult for Iraq to attempt to recover its properties abroad.
5. Special collections in museums, plastic arts, bookstores, libraries, endowments and other educational and academic institutions were not documented in accordance with international standards. There were insufficient databases on cultural properties.
6. The embarrassing situation in which Iraq found itself after 2003 necessitates the fortification of its international position through the signing of important international instruments and protocols such as the Unidroit Convention of 1995 and the Second Protocol (1999) of the Hague Convention of 1954.
7. The presence of terrorist groups, the large number of their operations, the spread of thousands of archaeological sites in various areas of Iraq and the long international borders with neighboring countries made it difficult to combat illegal excavations and the illegal movement of cultural properties.

Conclusion

- The research dealt with the role of media in the protection of cultural heritage and properties, which constitute a cycle of cultural and civilizational development. It represents the memory of peoples that are transmitted from one generation to another through three axes: the first is the definition of cultural properties; the second is the protection of cultural properties during periods of armed conflict; (Iraq as a model).
- The research tackled plans to destroy monuments and cultural properties on the pretext of military necessity.
- The research emphasized the role of media in Arab countries and societies, which are engaged in a comprehensive struggle against new colonialism and its regional and international instruments.
- The research confirms that the media is transformed by necessity into a highly influential force. One of its priorities is to defend the components of the national memory and the identity that is threatened with destruction and distortion, especially the heritage and the cultural and civilizational heritage.
- The study highlighted the serious repercussions and dangers that surround the cultural and cultural wealth of the Arab countries, including Iraq (for example), which took systematic forms in the destruction of historical monuments and religious sites, Western media control and the bias of

Western agencies against Arab countries..

- The research focused on the role of media awareness, which is the definition of citizens on the importance of cultural properties and seize opportunities to raise their interest in cultural heritage and involve them in taking responsibility for the protection of cultural heritage.

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