

List of Publications by
Professor Surya P. Subedi, O.B.E.
DPhil (Oxford); Barrister (Middle Temple)

RESEARCH & PUBLICATIONS

I have published high quality, agenda-setting and award-winning books and articles in international law. In recent years my major publishing efforts and research have been in the area of international investment law, international human rights law, international environmental law and international economic/trade law; I maintain an active interest in these areas. I have authored and edited six books, a good number of chapters in edited books and numerous refereed articles in almost all major international law journals such as the *American Journal of International Law*, *International & Comparative Law Quarterly*, *German Yearbook of International Law*, *Netherlands International Law Review*, *Brooklyn Journal of International Law*, *Human Rights Quarterly*, and the *European Human Rights Law Review*.

I have had a very positive review of my publications in various international law journals. My latest book entitled, *International Investment Law: Reconciling Policy and Principle* (Hart Publishing, Oxford, 2008), has received positive reviews in seven leading academic journals around the globe. For instance, Dr Mavluda Sattorova writes in her review in the *European Journal of International Law* (Vol. 20, No. 3, 2009) that my book “represents a distinct contribution by offering a succinct but incisive appraisal of the emerging principles of international investment law” and offers “a vision as to how the promotion of investment can be reconciled with competing policies.” The reviewer goes on to conclude that “With its focus, critical approach, brevity, and incisive argument, the book will provide an excellent source of reference for advanced students, academics, and practitioners.”

Similar positive reviews of this book have been published in the *Australian Journal of International Law* (by Kate Miles in Annual 2008, pp.305-307), *International Business Law Journal* (both in French and English in Issue No. 2 of 2009), the *Journal of Economic Literature* (June 2009, Vol. 47, No. 2), the *Journal of International Law and Politics* (by Brett Murray in Vol.42 (1), 2009, pp.349-354), and *Banking and Finance Law Review* (by Kyla Tienhaara in Vol.25, 2009, pp.337-340). Writing in the *Asian Journal of International Law* (published by Cambridge University Press), Diego Bernal Corredor states that “The book could be the best introductory manual” to the law relating to the protection of foreign investment and “is a great tool for those who want to do a deeper study” of the subject. (Vol. 1, Issue 1, January 2011, pp.200-201).

Commenting on another publication of mine, “*International Watercourses Law for the 21st Century: The Case of the River Ganges Basin*” (published in 2005) Professor Eyal Benvenisti of Tel Aviv University who is widely regarded as a leading authority on international watercourses law stated that “this volume presents cutting edge scholarship in the area of international watercourses law”, is “essential reading for anyone interested in the contemporary challenges of transboundary water management in general and in the Indian sub-continent in

particular” and “makes a convincing case for the acute need to foster closer co-operation between the riparians of the River Ganges.” Similarly, Professor Joyeeta Gupta of the Free University of Amsterdam wrote in the *Review of European Community and International Environmental Law* (Blackwell Publishing, Oxford, Vol. 16, July 2007, pp.254-256), that this book was “a state-of-the-art reflection of what is happening at present” in this area.

Another book of mine published by Oxford University Press and entitled “*Dynamics of Foreign Policy and Law: A Study of Indo-Nepal Relations*” has also received positive reviews, including one by K.V. Rajan, a former ambassador of India to Nepal, in *The Book Review* (New Delhi, August 2005, pp.8-9) and another one by M.K. Sinha in the *Indian Journal of International Law* (Vol. 45, No.3), July-September 2005, pp.439-441. It also has received positive reviews in *The Hindu* (11 April 2006), a main national daily newspaper of India and mainstream news magazines such as *Frontline* (New Delhi) in a review article by A.G. Noorani (4 November 2005), pp.78-81.

One of my other major books entitled, “*Land and Maritime Zones of Peace in International Law*”, published by Oxford University Press in the prestigious Oxford Monographs in International Law Series was received very well by the international intellectual community. There have been very good reviews of this book published in most major international law journals, including the *American Journal of International Law*, the *Australian Yearbook of International Law*, and the *Cambridge Law Journal*. For instance, two reviewers wrote in their review in the *American Journal of International Law* (July 1997, pp.568-570) that my book was “extremely well written”, “extensively researched” and “highly interesting intellectually”. Similarly, Prof Ko Swan Sik wrote in the *Asian Yearbook of International Law* that this book can “unhesitatingly be recommended as a seminal work and an excellent reference tool on the subject.” (Vol.7, 1997, pp.506).

The *Australian Yearbook of International Law* published a very encouraging and positive review of my book (Vol.19, pp.94-100) concluding with the following remarks: “Overall, the work constitutes a timely and significant contribution to an area of importance and provides much food for thought. It is a work clearly to be recommended to those interested or working in the fields of international law and relations.”

I was awarded a prestigious prize by the British Society of Legal Scholars (formerly the SPTL) for outstanding legal scholarship for this book in 1997.

SCHOLARLY BOOKS:

International Investment Law: Reconciling Policy and Principle (Hart Publishing, Oxford, 2008). It has received positive reviews in seven leading international law journals and was nominated for the Inner Temple Book Prize.

Dynamics of Foreign Policy and Law: A Study of Indo-Nepal Relations (Oxford University Press, 2005).

International Watercourses Law for the 21st Century: The Case of the River Ganges Basin (Ashgate Publishing, UK, 2005).

Contemporary Issues in International Law: A Collection of the Josephine Onoh Memorial Lectures (edited with Professors David Freestone and Scott Davidson), Kluwer Law International, The Hague/London (2002).

Land and Maritime Zones of Peace in International Law (1996), Oxford Monographs in International Series, Clarendon: Oxford University Press, Oxford. It received the SPTL Prize for Outstanding Legal Scholarship from the British Society of Legal Scholars in 1998.

TEXT BOOKS/STUDY GUIDES:

The International Law of the Sea (University of London Press, London, 2007).

International Economic Law (University of London Press, London, 1st edition 2005, and 2nd revised edition 2007).

(Both of these publications were commissioned by the University of London for its External LLM programme offered under the academic management of the University College London (UCL) and Queen Mary College).

ARTICLES

- 'Problems and Prospects for the Commission on the Limits of the Continental Shelf in Dealing with Submissions by Coastal States in Relation to the Ocean Territory Beyond 200 Nautical Miles', 26 **The International Journal of Marine and Coastal Law** (Martinus Nijhoff Publishers, The Hague, 2011), pp.413–431.
- 'Protecting Human Rights through the Mechanism of UN Special Rapporteurs', 33 **Human Rights Quarterly** (The John Hopkins University Press, U.S.A.), 2011, pp. 201-228.
- 'The UN Human Rights Mandate in Cambodia: The Challenges of a Country in Transition and the Experience of the UN Special Rapporteur for the Country', 15 (2) **The International Journal of Human Rights** (Taylor & Francis, London), 2011, pp.247-261.
- 'Introduction: The Role of the Special Rapporteurs of the United Nations Human Rights Council in the Development and Promotion of International Human Rights Norms', (with Steven Wheatley et al.) 15 (2) **The International Journal of Human Rights** (Taylor & Francis, London), 2011, pp.155-161.
- 'Erosion of State Sovereignty under the Law of Foreign Investment: The Challenge of Balancing Investment Protection with the Sovereignty of Investment Receiving States', 6 (1-4) **AALCO Quarterly Bulletin** (2010) (The Secretariat, Asian-African Legal Consultative Organisation, New Delhi), pp.19-26.

- 'The UN Commission on Sustainable Development', in **Max Planck Encyclopaedia of Public International Law** (Oxford University Press, Oxford, 2009).
- 'Ganges River', in **Max Planck Encyclopaedia of Public International Law** (Oxford University Press, Oxford, 2009).
- 'Indus River', in **Max Planck Encyclopaedia of Public International Law** (Oxford University Press, Oxford, 2008), p.1-6.
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- 'The Challenge of Reconciling the Competing Principles within the Law of Foreign Investment with Special Reference to the Recent Trend in the Interpretation of the Term "Expropriation" **The International Lawyer** (A journal of the American Bar Association's International Law Section); Spring 2006; Vol. 40 (1), pp.121-141.
- 'The Legal Regime Concerning the Utilization of the Water Resources of the River Ganges Basin', 46 **German Yearbook of International Law** (2004), pp.452-493.
- 'The Road from Doha: The Issues for the Development Round of the WTO and the Future of International Trade', 52 (2) **International and Comparative Law Quarterly** (April 2003), pp.425-446.
- 'The Concept in Hinduism of 'Just War'', **Journal of Conflict and Security Law** (Oxford University Press), Vol. 8 (2), 2003, pp.339-361.
- 'The UN Response to International Terrorism in the Aftermath of the Terrorist Attacks in America and the Problem of the Definition of Terrorism in International Law', **International Law FORUM du droit international: The Journal of the International Law Association** Vol. 4 (3), August 2002, pp.158-168.
- 'Incorporation of the Principle of Sustainable Development into the Development Policies of the Asian Countries', **Environmental Policy and Law** (International Council of Environmental Law, Bonn) Vol. 32 (2), April 2002, pp.85-90.
- 'Hydro-diplomacy in South Asia: The Conclusion of the Ganges and the Mahakali River Treaties', 93 (4) **American Journal of International Law** (October, 1999), pp.631-640.
- 'Balancing International Trade with Environmental Protection: International Legal Aspects of Eco-labels', **Brooklyn Journal of International Law**, Vol. 25 (2), Fall 1999, pp.373-405.
- 'Are the Principles of Human Rights "Western" Ideas? An Analysis of the Claim of the "Asian" Concept of Human Rights from the Perspectives of Hinduism', **California Western International Law Journal**, Vol. 30 (1), Fall, 1999, pp.45-69.

- 'The Legal Competence of the International Community to Create 'Safe Havens' in 'Zones of Turmoil', **Journal of Refugee Studies**, Vol. 12 (1), March 1999 (Oxford University Press), pp.23-35.
- 'Constitutional Accommodation of Ethnicity and National Identity in Nepal', **International Journal on Minority and Group Rights** (Kluwer Law International, The Hague), Vol. 6, No.1/2, 1999, pp.121-147.
- 'Problems and Prospects for the Treaty on the Creation of a Nuclear-Weapon-Free Zone in Southeast Asia', **International Journal of Peace Studies**, January 1999, Vol. 4 (1), pp.63-78.
- 'The Journey from an Oligarchy to a Parliamentary Democracy: A Case Study of Parliament in Nepal', **The Journal of Legislative Studies** (London) Vol. 4, No.4, Winter 1998, pp.163-182.
- 'Environmental Inputs into the Planning Process and Access to Justice', in **Environmental Policy and Law** (International Council of Environmental Law, Bonn), Vol. 28, No. 2, May 1998, pp.96-103.
- 'The United Nations and the Indian Ocean and the South Atlantic as Zones of Peace and Co-operation', in the **Ocean Yearbook** (Chicago University Press), 1998, vol. 13, pp.366-384.
- 'Protection of Women Against Domestic Violence: The Response of International Law' in the **European Human Rights Law Review**, Vol. 2, Issue 6, 1997, pp.587-606.
- 'Transit Arrangements between Nepal and India: A Study in International Law', in **Geopolitics and International Boundaries**, Vol. 2 (1), 1997, Frank Cass: London, pp.175-196.
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- 'The Common Foreign and Security Policy of the European Union and Neutrality: Towards Coexistence?', **Netherlands International Law Review**, Vol. XLII (3) (1995), pp. 399-412.
- 'The Doctrine of Objective Regimes in International Law and the Competence of the UN Security Council to Impose Territorial or Peace Settlements on States', **German Yearbook of International Law**, Vol. 37 (1994), pp.162-205.
- 'India-Nepal Security Relations and the 1950 Peace and Friendship Treaty: Time for New Perspectives', **Asian Survey** (University of California Press), Vol. 34, No. (3) (1994), pp.273-284.

- 'Neutrality in a Changing World: European Neutral States and the European Community', **International and Comparative Law Quarterly** (London), Vol. 42 (2), March 1993, pp.238-268.
- 'The Marine Fishery Rights of Land-locked States with Particular Reference to the EEZ', **International Journal of Marine and Coastal Law** (London), Vol. 2, No. 4 (1987), pp.227-239.
- 'Human Rights during Public Emergencies', **Obiter Dicta** (Hull University Law Students' Journal, England), Vol. 3, No. 3, 1988, pp.25-31.

CHAPTERS IN EDITED BOOKS:

- 'WTO Dispute Settlement Mechanism as a New Technique for Settling Disputes in International Law', in Duncan French, Matthew Saul and Nigel D. White (eds.), **International Law and Dispute Settlement: New Problems and Techniques** (Hart Publishing, Oxford, 2010), pp.173-190.
- 'Reassessing and Redefining the Principle of Economic Sovereignty of States', in Duncan French (ed.), **Global Justice and Sustainable Development** (Koninklijke Brill NV, The Netherlands, 2010), pp.403-410.
- 'Post-conflict Constitutional Settlement in Nepal and the Role of the United Nations', in Morly Frishman and Sam Muller (ed.), **The Dynamics of Constitutionalism in the Age of Globalisation** (Hague Academic Press, The Hague, the Netherlands, 2010), pp.71-87.
- 'The Challenges to the National Security of Nepal and the Role of International Law Foreign Policy', in Rajan Bhattarai and Geja S. Wagle (eds.), **Emerging Security Challenges of Nepal** (Nepal Institute for Policy Studies, Kathmandu, Nepal, 2010), pp.65-110.
- 'Access to Environmental Justice in a Politically Unstable Environment: A Case Study of Nepal', in Andrew Harding (ed.), **Access to Environmental Justice: A Comparative Study** (Brill/Martinus Nijhoff, 2007), pp.157-176.
- 'The Challenges Ahead for the World Bank and the International Monetary Fund with Regard to the Human Rights Agenda', in C. Raj Kumar and D.K. Srivastava (eds.), **Human Rights and Development: Law, Policy and Governance** (LexisNexis, Butterworths, Hong Kong/Singapore/Malaysia in association with City University of Hong Kong, 2006), pp.177-188.
- 'The War on Terror and U.N. Attempts to Adopt a Comprehensive Convention on International Terrorism', in Paul Eden and Therese O'Donnell (eds.), **September 11, 2001: A Turning Point in International and Domestic Law?** (Transnational Publishers, Inc., New York, 2005), pp.207-225.
- 'The Challenge of Managing the 'Second Agricultural Revolution' through International Law: Liberalization of Trade in Agriculture and Sustainable Development', in Nico Schrijver and Friedl Weiss (ed.), **International Law and**

Sustainable Development: Principles and Practice (Martinus Nijhoff, The Hague, 2004), pp.161-184.

- 'Multinational Corporations and Human Rights', in Karin Arts and Paschal Miyo (eds.), **Responding to the Human Rights Deficit** (Kluwer Law International, January 2003), pp.171-184.
- 'Resolution of International Water Disputes: Challenges for the 21st Century', in International Bureau of the Permanent Court of Arbitration, **Resolution of International Water Disputes** (Volume 6 in the PCA Peace Palace Papers series, The Hague, 2003), pp. 33-47.
- 'Sustainable Development Perspectives in International Economic Law', in Asif H. Qureshi (ed.), **Perspectives in International Economic Law**, Kluwer Law International Law, The Hague, 2002, pp.261-276.
- 'International Legal Aspects of Eco-labels' in Michael Bothe and Peter H. Sand (ed.), **Environmental Policy from Regulation to Economic Instruments** (A Publication of **The Hague Academy of International Law** (Martinus Nijhoff Publishers, The Hague, 2002), pp.191-218 (republished).
- 'Foreign Investment and Sustainable Development', in Friedl Weiss *et al.* (eds.), **Towards International Economic Law with a Human Face**, Kluwer Law International, The Hague, 1998, pp.413-428.
- 'The United Nations and the Trade and Transit Problems of Land-locked States', in Martin Glassner (ed.), **The United Nations at Work** (Praeger: Greenwood Publishing, Inc., Westport, Connecticut, 1998), pp.134-160.
- 'The Foreign Policy of the European Union and Asian States: Views from Beyond the European Union', in Wybo P. Here (ed.), **Contemporary International Law Issues: New Forms, New Applications** (T.M.C.Asser Institute, The Hague, the Netherlands), 1998, pp.235-238.
- 'Indo-Nepal Relations: The Causes of Conflict and their Resolution', in Subrata K. Mitra and Dietmar Rothermund (eds.), **Legitimacy and Conflict in South Asia** (New Delhi Branch of Heidelberg University & Manohar, 1997), pp.220-245.

PUBLISHED REPORTS

- 'The situation of human rights in Cambodia', **Third Report** (it was **focussed on Parliament**) to the UN Human Rights Council in September 2011 (U.N. Doc. A/HRC/18/46) as the UN Special Rapporteur for Human Rights in Cambodia.
- 'The situation of human rights in Cambodia', **Second Report** (it was **focussed on the judiciary**) to the UN Human Rights Council in September 2010 (U.N. Doc. A/HRC/15/46) as the UN Special Rapporteur for Human Rights in Cambodia.
- 'The situation of human rights in Cambodia', **First Report** (it was on the **general situation of human rights** situation in the country) submitted to the UN Human

Rights Council in August 2009 (U.N. Doc. A/HRC/12/40) as the UN Special Rapporteur for Human Rights in Cambodia.

- 'Development of a Legal Framework for Co-operation among India, Nepal and Bangladesh on the Management of the water Resources of the River Ganges Basin', a jointly authored report with Professor B.S. Chimni to the Dutch Research Council **WOTRO** under the Indo-Dutch Programme on Alternatives in Development (IDPAD), The Hague, The Netherlands, in 2002, pp.150.
- 'A Review of Marine and Coastal Environmental Protection Legislation' (with S. Read, M. Elliott and D. Symes), WWF-UK, the Wildlife Trusts and the Institute of Estuarine and Coastal Studies, University of Hull, 2000, pp.108).

SHORTER ARTICLES

- 'Foreword' for a book entitled, **Protection of Himalayan Biodiversity** (International Environmental Law and Regional Legal Framework), written by Dr Ananda M. Bhattarai and published by Sage Publications, London, New Delhi, 2010.
- 'Foreword' for a book entitled, **A Substantive Environmental Right** (An Examination of the Legal Obligations of Decision-Makers towards the Environment), written by Stephen J. Turner and published by Kluwer Law International, the Netherlands, 2009.
- 'Preface' to a book entitled, **Foreign Investment, Human Rights and the Environment** (A Perspective from South Asia on the Role of Public International Law), written by Shyami F. Puvimanasinghe and published by Martinus Nijhoff, 2007.
- 'Restoring Democracy: Taming the King of Nepal', **The International Herald Tribune**, 4 June 2005, p.6.
- 'OBE Acceptance Speech', **Newsletter of the International Law Association**, No. 22, 2005, London, pp.10-12.
- 'Decisions of National Tribunals concerning International Environmental Law: Cases Decided by the Supreme Court of Nepal', **International Environmental Law Reports** (Cambridge University Press), Vol. 4, 2004, pp.321-329.
- 'The UN Monterrey International Conference on Financing for Development', **International Law FORUM du droit international: The Journal of the International Law Association**, Vol.4 (2), May 2002, pp.52-53.
- 'Introduction' to **International Law and Imperialism** by Professor Martti Koskenniemi and published by the University of Hull Law School in Studies in Law Series in 1999.
- 'Introduction' to **Beyond Kosovo: The United Nations and Humanitarian Intervention** by Dr Ralph Zacklin, Assistant Secretary-General for Legal Affairs

of the United Nations, and published by the University of Hull Law School in Studies in Law Series in 2000.

EDITORSHIP OF JOURNALS

- Founder Editor, **Asian Journal of International Law** (Cambridge University Press) since 2010.
- General Editor, **Asian Yearbook of International Law** (Martinus Nijhoff/Brill, The Hague), 1999-2006.
- Guest Editor, **International Journal of Human Rights**: Special issue on UN Special Rapporteurs (Vol.15, No.2, February 2011, Routledge, UK).
- Editor, **Studies in Law** series of the University of Hull Law School, 1999-2000.
- Consulting Editor, **Peace and Conflict Studies** (George Mason University, USA) since 1998.
- Member, Advisory Board, **Human Rights and International Legal Discourse**, Intersentia (Antwerp/Oxford) since 2006.
- Contributing Editor, **European Bulletin of Himalayan Research** (SOAS, University of London), since 2010 and Member of the Editorial Board between 1999 and 2002.

BOOK REVIEWS

- *Kyla Tienhaara, The Expropriation of Environmental Governance: Protecting Foreign Investors at the Expense of Public Policy (with Nicolette Butler)* in the **Journal of World Energy Law & Business** (Oxford University Press), 2011 (4) pp. 201-203.
- 'Fresh Water and International Economic Law' edited by E.B. Weiss et al (Oxford University Press, Oxford, 2005) in the **British Yearbook of International Law**, Vol. 77 (2006), pp.453-454.
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- '*The Razor's Edge; International Boundaries and Political Geography*' by edited by Clive Schofield et al. (Kluwer Law International Law, The Hague 2002), 9 **Asian Yearbook of International Law** (2004), pp.426-427.
- '*The Political Economy of International Trade Law: Essays in Honour of Robert E. Hudec*' edited by Daniel L.M. Kennedy and James D. Southwick (Cambridge University Press, Cambridge, 2002) in **Lloyd's Maritime and Commercial Law Quarterly**, 2003, pp.549-550.

- *'Transnational Environmental Law: Lessons in Global Change'* by Peter H. Sand (Kluwer Law International, The Hague, 1999) in the **Asian Yearbook of International Law**, Vol. 8 (2003), pp.332-333.
- *'International Monetary Law: Issues for the New Millennium'* by Marion Giovanoli (Oxford University Press, 2000) in **The Law Quarterly Review**, Vol. 117 (Sweet & Maxwell, 2001), pp.176-178.
- *'Regional Peacekeeping in the Post-Cold War Era'* by Hilaire McCoubrey and Justin Morris, (Kluwer Law International, The Hague, 2000) in 50 **International and Comparative Law Quarterly**, January 2001, pp.207-208.
- *'Yearbook of International Co-operation on Environment and Development'* edited by Helge Ole Bergesen *et al.* (Earthscan Publications, London, 1999) in **Environmental Law Review**, Vol. 2(4), 2000, p.303.
- *'Multinational Enterprises and the Law'* by Peter Muchlinski (Blackwell Publishers, Oxford, 1995) in **Asian Yearbook of International Law**, Vol. 7 (2001), PP.495-496.
- *'Modern Indian Family Law'* by Werner F. Menski (Curzon Press, Surrey, UK, 2001) in **Bulletin of the School of Oriental and African Studies** (University of London), Vol. LXV, Part 2, 2002, pp.379 ff.
- *'International Law Studies: Collected Papers'* (Volume II) by Anthony D'Amato (Kluwer Law International, 1997) in 47 (2) **International and Comparative Law Quarterly** (April 1998), p.475.
- *'Recognition of Governments: Legal Doctrine and State Practice, 1815-1995'* by M.J. Peterson, (Macmillan Press), **Political Studies**, 47 (March 1999), 203 ff.
- *'Manual of European Environmental Law'* (2nd edition) by Alexandre Kiss and Dinah Shelton (Cambridge, Cambridge University Press, 1977) in the **Law Librarian**, Vol. 29 (3), September 1998, pp.187-188.
- *'Human Rights Approaches to Environmental Protection'* edited by Alan E. Boyle and Michael Anderson (Oxford University Press, Oxford, 1996) in **African Journal of International and Comparative Law**, Vol. 9 (2), June 1997, pp.534-536.
- *'The Legal Regulation of the European Community's External Relations after the Completion of the Internal Market'* edited by Stratos V. Konstadinidis (Dartmouth, Aldershot, 1996) in 3 (2) **European Public Law** (June 1997), pp.291-293.
- *'The Legal Regime for Transboundary Water Pollution: Between Discretion and Constraint'* by Andre Nollkaemper (Martinus Nijhoff, Dordrecht, Boston, London, 1993) in **International Journal of Marine and Coastal Law** (1996), pp.416-418.

- *'The International Law on Foreign Investment'* by M. Sornarajah, Grotius Publications, Cambridge University Press, 1994, in 6 **Asian Yearbook of International Law**, 1996, pp.476-477.
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- *The Future of the International Nuclear Non-Proliferation Regime'* edited by Marianne van Leeuwen (Martinus Nijhoff, Dordrecht, 1995, published for the Netherlands Institute of International Relations 'Clingendael') in 49 (7/8) **International Spectator** (1995), pp.426-427.

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