



Brussels, 21 June 2023
(OR. en)

10296/23
CRS CRP 21

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
7 and 9 June 2023

I. Adoption of the agenda

10039/23 + ADD 1 OJ CRP1 21
10173/23 OJ CRP2 21

The Committee adopted the agenda.

II. Approval of the "I" items

The Committee approved the "I" items as set out in the Annex with the exception of items 60 and 64.

III. Discussion items II

COREPER (PART 1)

WEDNESDAY 7 JUNE 2023

Employment and Social Policy

2. Directive on the protection of workers from the risks related to exposure to asbestos at work  10023/23 + ADD 1
Preparation for the trilogue

The Committee prepared a revised mandate for the forthcoming trilogue.

Employment, Social Policy, Health and Consumer Affairs

3. Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs) on 12 and 13 June 2023: Preparation

1. Directive on improving working conditions in platform work **IC** 10013/23
General approach

The Committee finished preparing this item for the Council meeting.

2. Directive on standards for equality bodies (Article 19) **SC** 9539/23
General approach

The Committee finished preparing this item for the Council meeting.

3. Directive on standards for equality bodies (Article 157) **IC** 9541/23
General approach

The Committee finished preparing this item for the Council meeting.

Statement by Germany on items 3.2 und 3.3

„Wir stimmen der Allgemeinen Ausrichtung zu der Richtlinie unter Verweis auf folgende Auslegung zu:

1. Wir haben positiv vermerkt, dass die KOM in den Verhandlungen in der RAG-Sitzung zugesichert hat, dass wir Artikel 8 auch ausschließlich durch ein Schlichtungsverfahren, an dem die beklagte Partei teilnehmen muss, umsetzen können. Hierzu entscheidet die Gleichbehandlungsstelle auf Antrag einer Person, die eine Diskriminierung geltend macht, prüft und entscheidet diesen Fall auf Grundlage der ihr vorgelegten Informationen unter Berücksichtigung der Beweislastumkehr. DEU legt Artikel 8 so aus, dass die Informationsanfragen nicht zwangsweise durchgesetzt werden, sondern der Antragsgegner auf die Beweislastumkehr hingewiesen wird.
2. Auch haben wir positiv vermerkt, dass DEU den Gleichbehandlungsstellen untersagen kann, Daten Privater oder Unternehmensdaten im Rahmen der Zusammenfassungen nach Art. 8a zu veröffentlichen.
3. Die KOM hat in der letzten RAG-Sitzung ebenfalls zugesichert, dass wir die Möglichkeit haben, Art. 9 Abs. 2a so umzusetzen, dass sog. „competent entities“, das wären in DEU anerkannte Antidiskriminierungsverbände, die Möglichkeit zur Prozessstandschaft erhalten und auf diesem Weg von Diskriminierung Betroffene gerichtlich unterstützen. Damit wird von Diskriminierung Betroffenen eine effektive gerichtliche Unterstützung gesichert.“

Courtesy translation

„We agree with the General Approach to the Directive with reference to the following interpretation:

1. We have noted positively that in the negotiations at the Working Party on Social Questions, the COM has assured that we can also implement Article 8 exclusively through an alternative dispute resolution in which the defendant must participate. In that regard, the equality body shall, at the request of a person claiming a discrimination, examine and decide the case on the basis of the information provided to it, taking into account the shift of the burden of proof. DEU interprets Article 8 in such a way that the request for information is not enforceable with coercive measures, but the defendant is informed of the shift of the burden of proof.² Moreover, we have noted positively that DEU can prohibit the equality bodies from publishing personal or company data in the summaries referred to in Art. 8a.
3. At the last meeting of the Working Party on Social Questions, the COM also assured that we have the possibility to implement Art. 9 (2a) in such a way that so-called "competent entities", i.e. recognized anti-discrimination associations in DEU, are given the right to initiate proceedings on behalf of one or several victims and thus provide legal support to persons affected by discrimination. This ensures effective judicial support for those affected by discrimination.“

Environment

4. Regulation on reporting of environmental data from industrial installations and establishing an Industrial Emissions Portal  9952/23
Mandate for negotiations with the European Parliament

The Committee agreed on a mandate for negotiations with the European Parliament and agreed to make the mandate public.

Transport

5. Revision of the Directive on the framework for the deployment of Intelligent Transport Systems (ITS)  9859/23 + COR 1 + ADD 1
Preparation for the trilogue

The Committee prepared a revised mandate for the forthcoming trilogue.

Internal Market and Industry

6. Regulation on the Single Market Emergency Instrument (SMEI)  9683/1/23 REV 1
Mandate for negotiations with the European Parliament

The Committee agreed on a mandate for negotiations with the European Parliament and agreed to make the mandate public.

Employment, Social Policy, Health and Consumer Affairs

3. (continuation) Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs) on 12 and 13 June 2023: Preparation
4. European Semester 2023
 - a) Contribution on employment and social policies 9900/23
aspects of the country-specific recommendations: 9901/23
Recommendations on the 2023 national reform 9954/23
programmes to each Member State
Approval
 - b) Assessment of the country-specific 9955/23 + ADD 1-3
recommendations for 2023 and implementation of
the country-specific recommendations for 2022:
Opinion of the Employment Committee and the
Social Protection Committee
Endorsement

The Committee finished preparing this item for the Council meeting. The Committee agreed to recommend to the Council to use the linguistic derogation for both sub-items.

Statement by Hungary

Declaration of Hungary on the Council Recommendation on the 2023 National Reform Programme of Hungary and delivering a Council opinion on the 2023 Convergence Programme of Hungary

“Hungary acknowledges the central role of CSRs in the EU multilateral surveillance framework. This year the timeframe at the disposal of Member States on the assessment of the recommendations were extremely limited. The overstretched procedure challenges not only the multilateral character of the process but also the guarantees of national ownership. At the same time, Hungary expresses its concerns regarding the lack of fact-based, substantial policy dialogue in this year’s procedure.

The wording of the country specific recommendations must not be overly prescriptive. Hungary stresses that according to the common understanding the recommendations would need to be well grounded, based on correct assessment determine the objectives and leave appropriate room to choose the policy means to meet the agreed objectives. It could also be expected from such a comprehensive document to acknowledge properly the progress made in the field of former recommendations, thereby balancing the newly set targets with the development path taken.

This year’s Semester process took place at the detriment of the consistency and quality of horizontal and in-depth assessments. We are therefore convinced that these issues need to be addressed without delay but no later than the start of the next Semester cycle. Hungary considers that the procedure and the timeframe of the next cycle need to be negotiated and set well in advance in the Councils concerned.

Finally we find it critical that despite Hungary's limited access to new EU funds and no access to RRF resources at all, Hungary made significant progress in the implementation of the vast majority of commitments and reforms undertaken in our RRP. However, their implementation proved to be slower and sometimes partial due to the delayed funding from the RRF."

Employment and Social Policy

2. (continuation) Directive on the protection of workers from the risks related to exposure to asbestos at work **1C**
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 7 June 2023.

Energy

7. Directive on common rules for the internal markets in renewable and natural gases and in hydrogen (recast) **1C**
 and
 Regulation on the internal markets for renewable and natural gases and for hydrogen (recast)
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 1 June 2023.

8. Revision of the Directive on the energy performance of buildings (recast) **1C**
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 6 June 2023.

Transport, Telecommunications and Energy

9. Meeting of the Council (Transport, Telecommunications and Energy) on 19 June 2023: Preparation

1. Regulation amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and (EU) 2019/944 to improve the Union's electricity market design **1C** 10018/23 10009/23
General approach

The Committee started preparing this item for the Council meeting.

2. Regulation amending Regulations (EU) No 1227/2011 and (EU) 2019/942 to improve the Union's protection against market manipulation in the wholesale energy market **1C** 10018/23 10010/23
General approach

The Committee started preparing this item for the Council meeting.

Transport

5. (continuation) Revision of the Directive on the framework for the deployment of Intelligent Transport Systems (ITS) **1C**
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 8 June 2023.

Internal Market and Industry

10. Directive concerning financial services contracts concluded at distance **1C**
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 6 June 2023.

Agriculture and Fisheries

11. Meeting of the Council (Agriculture and Fisheries) on 26 and 27 June 2023: Agenda (For the items in the remit of the Permanent Representatives Committee)

The Presidency presented the main items on the agenda. The Committee agreed to hold the items on the communication on the state of play of the Common Fisheries Policy and the conclusions on the fisheries policy package, as well as the Presidency AOB on “One-Health” in public.

Internal Market and Industry

12. Directive on empowering consumers for the green transition through better protection against unfair practices and better information **1C**
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 1 June 2023.

Environment

13. Meeting of the Council (Environment) on 20 June 2023: Preparation

The Committee agreed to take an AOB requested by France in public.

1. Regulation on nature restoration **1C** 9924/23
General approach

The Committee started preparing this item for the Council meeting.

2. Regulation amending Regulation (EU) 2019/1242 on CO₂ emission standards for heavy-duty vehicles **1C** 9925/23
Policy debate

The Committee prepared this item for the Council meeting.

3. Directive on air quality (recast)
Policy debate

 9935/23

The Committee prepared this item for the Council meeting.

14. Regulation on fluorinated greenhouse gases
Preparation for the trilogue

 9949/23

The Committee prepared the forthcoming trilogue.

15. Regulation on substances that deplete the ozone layer
Preparation for the trilogue

 9951/23

The Committee prepared the forthcoming trilogue.

COREPER (PART 2)

General Affairs

28. Geographical balance of staff in EU institutions, bodies and agencies 9953/23
Exchange of views

The above-mentioned item was postponed.

29. Meeting of the Council (General Affairs) on 27 June 2023:
Agenda

The Presidency presented the main items on the agenda and agreed to the participation of the Minister of Foreign Affairs of the Republic of Moldova at the ministerial lunch. Poland requested an additional discussion item concerning the impact of the European Union carbon market on different EU policies.

Foreign Affairs

30. Meeting of the Council (Foreign Affairs) on 26 June 2023:
Agenda

The Committee took note of the information provided by the EEAS and agreed to the participation of the Minister of Foreign Affairs of Ukraine via videoconference under the item on Russian aggression against Ukraine.

31. Regulation on applying a generalised scheme of tariff preferences -review 
Preparation for the trilogue

The Committee prepared the forthcoming trilogue.

32. Russian aggression against Ukraine 

- a) Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine 8770/23
7888/23
8769/23 + ADD 1

- b) Council Decision, Implementing Regulation and Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine 9028/23
8493/23
8495/23
9027/23

Preparation for the adoption

The Committee held an exchange of views and agreed to revert to this item at its next meeting.

Economic and Financial Affairs

33. Meeting of the Council (Economic and Financial Affairs) on 16 June 2023: Preparation

- a) VAT in the Digital Age package SC 9749/23
Policy debate

The Committee prepared this item for the Council meeting.

- b) Conclusions on the progress achieved by the Code of 9285/23
Conduct Group
Approval

The Committee agreed to submit this item to the Council for approval as an A item.

- c) ECOFIN Report to the European Council on tax issues 9748/23
Approval

The Committee agreed to submit this item to the Council for approval as an A item.

- d) Other items in connection with the Council meeting

The Committee took note of the information provided by the Presidency.

Justice and Home Affairs

34. Meeting of the Council (Justice and Home Affairs) on 8 and 9 June 2023: Preparation

- a) Asylum and Migration Management Regulation¹ IC 10084/23
General approach 10065/1/23 REV 1
- b) Asylum Procedure Regulation² IC 10083/23
General approach 10065/1/23 REV 1

The Committee prepared these items for the Council meeting.

A statement by Ireland is set out in the ADD 1 to this document.

- c) Conclusions on the safety of LGBTI persons in the 9656/1/23 REV 1
European Union
Approval

The Committee prepared this item for the Council meeting.

¹ Exceptionally, in the presence of the Schengen Associated States

² Exceptionally, in the presence of the Schengen Associated States

IV. Any other business

COREPER (PART 1)

International Renewable Energy Agency (IRENA)
Information from the Commission

The Committee took note of the information provided by the Commission.

COREPER (PART 2)

Central Asia and Armenia/Azerbaijan

The Committee took note of the information provided by the cabinet of the President of the European Council.

7th conference on the future of Syria and the region

The Committee took note of the information provided by the Commission.

Non-discussion items "I"

COREPER (PART 1)

Institutional Affairs

Written questions

- | | | |
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| 16. | Replies to questions for written answer submitted to the Council by Members of the European Parliament
<i>Adoption by silence procedure</i> |  9968/23
PE-QE |
| a) | Engin Eroglu (Renew)
"Potential refugee flows resulting from the earthquake in the border area between Türkiye and Syria" | 9322/23 |
| b) | Alessandra Moretti (S&D), Dino Giarrusso (NI), Patrizia Toia (S&D), Elisabetta Gualmini (S&D), Giuliano Pisapia (S&D), Camilla Laureti (S&D), Massimiliano Smeriglio (S&D), Beatrice Covassi (S&D), Pina Picierno (S&D), Franco Roberti (S&D), Daniela Rondinelli (S&D), Brando Benifei (S&D), Irene Tinagli (S&D), Pierfrancesco Majorino (S&D), Pietro Bartolo (S&D), Carmen Avram (S&D), Margarida Marques (S&D), Achille Variati (S&D), Özlem Demirel (The Left), Dietmar Köster (S&D), Fabio Massimo Castaldo (NI)
"The situation of Turkish and Syrian children orphaned by the earthquake" | 9326/23 |
| c) | Özlem Demirel (The Left)
"Whereabouts of the armoured vehicles and weapons seized by IRINI" | 9381/23 |
| d) | Jordi Cañas (Renew)
"Distribution of European Peace Facility funds" | 9329/23 |
| e) | Charlie Weimers (ECR)
"Formal meeting between the Iranian opposition and the leaders of EU institutions" | 9323/23 |
| f) | Ciarán Cuffe (Verts/ALE)
"Eurocontrol" | 9324/23 |

Appointments

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| 17. | One member (DE) of the Advisory Committee on Freedom of Movement for Workers
<i>Adoption</i> | 9983/23
SOC |
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Other

18. Attendance of third parties at the Working Party on International Food and Agricultural Questions (Codex - CCPR) on 9 June 2023
Approval 9808/23
CODEX
19. Attendance of third parties at the Working Party on Animals and Veterinary Questions (Chief Veterinary Officers) on 19-20 June 2023
Approval 9886/23
VETER
20. Attendance of a third party at the Working Party on Genetic Resources and Innovation in Agriculture (Genetic Resources) on 3-4 July 2023
Approval 9706/23
AGRI

EU positions for international negotiations

21. ICAO - EU Coordination for the 229th session of the ICAO Council (Montreal, 12-22 June 2023)
Approval 9604/23
AVIATION
22. Council Decision on the EU position in UNECE (June 2023)
Adoption  9977/23
9705/23
MI

Agriculture

23. Directive amending various Breakfast Directives
Decision to consult an institution or body  9535/1/23 REV 1
AGRI

Energy

24. Requests from CEE Bankwatch Network and ÖKOBÜRO and from Foreningen Svenskt Landskapsskydd, Nederlandse Vereniging Omwonenden Windturbines, Vent de Colère! Fédération nationale, Vent de Raison — Wind met Redelijkheid, Bundesinitiative VERNUNFTKRAFT. e.V., Fédération Environnement Durable and Sites et Monuments — SPPEF for an internal review according to Article 10 of Regulation 1367/2006 in relation to the Council Regulation (EU) 2022/2577 of 22 December 2022 laying down a framework to accelerate the deployment of renewable energy
Approval of the Council's reply 10021/23
10026/23
ENER

Telecommunications

25. Digital partnerships - Joint Statements with the Republic of Korea and with Japan
Authorisation to negotiate an NBI
- 10070/23
TELECOM

Delegated or Implementing Acts

Internal Market and Industry

26. Commission Delegated Regulation (EU) .../... of 25.4.2023 amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures as regards the addition of notes to Part 1, section 1.1.3, of Annex VI
Delegated act - Intention not to raise objections
- 10002/23
8712/23 + ADD 1
ENT

Environment

27. Commission Decision of XXX establishing the EU Ecolabel criteria for absorbent hygiene products and for reusable menstrual cups
Decision not to oppose adoption
- 9937/23
8898/23 + ADD 1-2
ENV

Energy

67. Memorandum of Understanding on energy transition and energy supply between the Argentine Republic and the EU
Authorisation to negotiate an NBI
- 8347/23
ENER
68. Memorandum of Understanding on energy efficiency and renewable hydrogen between the Oriental Republic of Uruguay and the EU
Authorisation to negotiate an NBI
- 9434/23
ENER

Foreign Affairs

69. Council Implementing Decision and Implementing Regulation concerning restrictive measures against Somalia
- UN transposition
Adoption
- 10154/23
10151/23 + ADD 1
10153/23 + ADD 1
CORLX

COREPER (PART 2)

Judicial Affairs

35. Case T-169/23 (RT France v. Council) 9867/23
Information note JUR

Institutional Affairs

Other

36. Attendance of additional third parties at the Working Party on development cooperation and international partnerships on 8 June 2023 7076/23
Approval DEVGEN
37. Attendance of a third party at the Working Party on the Staff Regulations on 14 June 2023 10020/23
Approval STAT
38. Attendance of third parties at the Horizontal Working Party on Drugs (HDG) on 14 June 2023 10127/23
Approval CORDROGUE
39. Attendance of a third party at the Terrorism Working Party (TWP) on 14 June 2023 10043/23
Approval CT
40. Attendance of a third party at the Working Party on Dual-Use Goods on 15 June 2023 9920/23
Approval COMER
41. Attendance of a third party at the informal videoconference of the members of the Working Party on Commodities on 14 June 2023 9988/23
Approval PROBA
42. Attendance of a third party at the Working Party on Commodities on 15 June 2023 9989/23
Approval PROBA
43. Attendance of a third party at the Working Party on Terrorism (International Aspects) on 16 June 2023 9858/23
Approval COTER

44. Attendance of additional third parties at the Working Party on Humanitarian Aid and Food Aid (COHAFA) on 20-21 June 2023
Approval 9944/23
COHAFA

45. Attendance of a third party at the Security Accreditation Board on 22 June 2023
Approval 9723/23
SAB

Transparency

46. Public access to documents
Confirmatory application No 08/c/01/23
Approval 8741/23
INF

47. Public access to documents
Confirmatory application No 09/c/02/23
Approval 8774/2/23 REV 2
8774/23 ADD 1
REV 2
INF

A statement by Poland is set out in document 8774/23 ADD 1 REV 2.

48. Public access to documents
Confirmatory application No 10/c/01/23
Approval 8790/23
INF

49. Public access to documents request 23/0757
Decision to make the results of votes and the statements entered in the Council minutes public 9909/23
CIVCOM

Economic and Financial Affairs

50. New Belgian commemorative coin
Information note 9593/23
UEM

51. New Estonian commemorative coin
Information note 9595/23
UEM

52. Council Decision approving the external auditors of the Bank Ċentrali ta' Malta/Central Bank of Malta
Adoption 8819/23
8818/23
UEM

53. ECA SR No 12/2023 on EU supervision of banks' credit risk
Designation of a Working Party
Attendance of the European Court of Auditors at the working party meeting  9914/23
FIN

General Affairs

54. EP Resolutions and Decisions (May II 2023) 10068/23
PE-RE
Information note
55. Regulation laying down measures to detect, prepare for and respond to cybersecurity threats and incidents (Cyber Solidarity Act)  10011/23
CYBER
Decision to consult an institution or body
56. Regulation on managed security services (Cybersecurity Act)  10063/23
CYBER
Decision to consult an institution or body
57. Council Decision authorising the opening of negotiations with the UK on cooperation and exchange of information in competition matters  9471/23 + COR 1
9466/23 + ADD 1-2
UK
Adoption

A statement by the Commission is set out in document 9471/23 ADD 1.

Justice and Home Affairs

58. Memorandum of understanding on disaster preparedness with Latin America and Caribbean 10024/23
PROCIV
Authorisation to negotiate an NBI
59. Frontex programming document 2024-2026: Consultation of the Council in line with Regulation (EU) 2019/1896  9450/23
FRONT
Approval of a letter

Foreign Affairs

60. Revised mandate of the Working Party on Dual-Use Goods  9923/23
COMER
Approval
61. Council Decision on the signing and conclusion of the agreement between the European Union and the government of the Islamic Republic of Mauritania on the establishment and operation of the Regional Advisory Coordination Cell 7858/23
6951/23
6952/23
CORLX
Adoption
62. Council Decision in support of the universalisation, implementation and strengthening of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (CCW) 9602/23
9601/23
CORLX
Adoption

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| 63. | Council Decisions on assistance measures under the European Peace Facility to support the Nigerien Armed Forces
<i>Adoption</i> | 9095/1/23 REV 1
+ REV 1 COR 1
7665/1/23 REV 1
7666/1/23 REV 1
CORLX |
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Statements by Austria, Finland, Ireland and Malta are set out in document 9095/1/23 REV 1 ADD 1.

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| 64. | Council Decision on signing and provisional application of the EU OACPS Partnership (“post-Cotonou”) Agreement
<i>Adoption</i>
<i>Decision to use the written procedure</i> | <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px; margin-right: 5px;">C</div> <div style="border: 1px solid black; padding: 2px; margin-right: 5px;">B</div> </div> 8280/1/23 REV 1
8371/23 DCL 1
8372/23 DCL 1
ACP |
| 65. | Council Decision authorising the opening of negotiations for agreements on digital trade disciplines with the Republic of Korea and with Singapore
<i>Adoption</i> | <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px; margin-right: 5px;">C</div> </div> 8305/23
8886/23 + ADD 1
POLCOM |

A statement by the Commission is set out in the ADD 1 to this document.

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| 66. | Request for Union participation in proceedings before the International Court of Justice for an advisory opinion in relation to the obligations of States in respect of climate change
<i>Approval</i> | 10022/23
COJUR |
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| <div style="border: 1px solid black; padding: 2px; display: inline-block;">1</div> | First reading |
| <div style="border: 1px solid black; padding: 2px; display: inline-block;">S</div> | Special legislative procedure |
| <div style="border: 1px solid black; padding: 2px; display: inline-block;">⌚</div> | Silence procedure (Article 12(2) of the Council's Rules of Procedure) |
| <div style="border: 1px solid black; padding: 2px; display: inline-block;">📖</div> | Procedural decision by Coreper (Article 19(3)&(7) of the Council's Rules of Procedure) |
| <div style="border: 1px solid black; padding: 2px; display: inline-block;">👤</div> | Restricted item |
| <div style="border: 1px solid black; padding: 2px; display: inline-block;">C</div> | Item based on a Commission proposal |
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