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**Submission by:**

ADF International  
Rue Pré-de-la-Bichette 1  
1202 Geneva, Switzerland

Web: [www.ADFinternational.org](http://www.ADFinternational.org)  
Email: [UN@ADFinternational.org](mailto:UN@ADFinternational.org)

## Introduction

1. ADF International is a faith-based legal advocacy organization that protects fundamental freedoms and promotes the inherent dignity of all people.
2. This report addresses the situation of religious minorities in Egypt, especially Coptic Christians, particularly the impact of laws prohibiting blasphemy and other religious expression on their enjoyment of freedom of religion or belief and freedom of expression. Furthermore, the report highlights the ongoing barriers to the registration and maintenance of churches, as well as attacks against Christians across the country, including incidents of mob violence targeting places of worship, extremist violence, and the abduction, forced marriage, and forced religious conversion of women and girls.

### (a) Freedom of Religion or Belief and Freedom of Opinion and Expression

#### *Background*

3. Egypt has one of the largest Christian minorities in the Middle East.<sup>1</sup> There are approximately 9.8 million Christians in Egypt, comprising just over 9% of the population. The majority of these belong to the Coptic Orthodox Church.<sup>2</sup>

#### *Constitutional Framework*

4. Article 2 of the Egyptian Constitution identifies Islam as the state religion and Shari'a as the principle source of legislation.<sup>3</sup> Article 3 states that Christian and Jewish principles regulate their respective personal status, religious affairs and the selection of spiritual leaders.<sup>4</sup>
5. Article 53 establishes equality before the law and prohibits discrimination on any ground, including on the basis of religion or belief.<sup>5</sup>
6. Article 64 of the Constitution states that freedom of belief is absolute. However, only members of revealed religions (Muslims, Christians, and Jews) have the right to publicly practice their faith and establish places of worship.<sup>6</sup> Other religious groups, including Jehovah's Witnesses, the Church of Jesus Christ of Latter-day Saints and Baha'is are not formally recognized by the government.
7. Article 65 guarantees the right to freedom of thought and opinion and the right of all individuals "to express their opinion through speech, writing, imagery or any other means of expression and publication".<sup>7</sup>

#### *Laws Prohibiting Blasphemy and Related Expression*

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<sup>1</sup> Paul Marshall, Hudson Institute, Are Egypt's Christians Persecuted? Why Some Copts Say No, 15 January 2021, Accessible here: <https://www.hudson.org/research/16629-are-egypt-s-christians-persecuted-why-some-copts-say-no>.

<sup>2</sup> Open Doors International, 'Egypt: Full Country Dossier' (January 2024) *World Watch Research*, [https://www.opendoors.org/persecution/reports/Egypt-Full\\_Country\\_Dossier-ODI-2024.pdf](https://www.opendoors.org/persecution/reports/Egypt-Full_Country_Dossier-ODI-2024.pdf), 5.

<sup>3</sup> The Egyptian Constitution (2014, last amended 2019), [https://www.constituteproject.org/constitution/Egypt\\_2019](https://www.constituteproject.org/constitution/Egypt_2019), art. 2.

<sup>4</sup> *Id.*, art. 3.

<sup>5</sup> *Id.*, art. 53.

<sup>6</sup> *Id.*, art. 64.

<sup>7</sup> *Id.*, art. 65.

8. Egypt's Penal Code explicitly prohibits blasphemy. Article 98(f) of the Penal Code penalizes "anyone who exploits religion to promote, verbally, in writing or by any other means, extremist ideas with the intention of provoking discord, disdain or contempt of one of the heavenly religions or the sects belonging to it, or harming national unity."<sup>8</sup>
9. Article 86bis prohibits the establishment or participation,
 

"in an association, body, organization, group, or gang, the purpose of which is to call, by any means, for the disruption of the provisions of the Constitution or laws, or to prevent a state institution or public authority from carrying out its work, or attacking the personal freedom of the citizen or other public freedoms and rights guaranteed by the Constitution and the law, or harming national unity or social peace."<sup>9</sup>
10. Article 201 prohibits any insult or disparagement of the government, a law or any other government action by religious leaders in the exercise of their duties, punishable by imprisonment and/or a fine.<sup>10</sup>
11. Other laws, such as the Anti-Terrorism Law No. 94 of 2015 (the "Anti-terrorism Law") have also been reportedly employed to curtail religious expression.<sup>11</sup>
12. While these disproportionately target Christians and other persons belonging to religious minorities,<sup>12</sup> Muslims have been charged and convicted as well, particularly those regarded as less theologically conservative.<sup>13</sup>
13. In November 2021, Nour Fayez Ibrahim Girgis, a Christian pharmaceutical employee was arrested for his involvement with a Facebook page dedicated to supporting converts to Christianity from Islam. Girgis has been requested by his employer to visit a local police station for questioning, where he was placed in custody and detained for more than 40 days. He was held incommunicado and subjected to torture and humiliation by national security agents. After his arrest, his family started to look for him as they did not know where he was, and he was not permitted to reach out to them. Subsequently, he was verbally informed that he was being held under terrorism laws and was charged with participation in an illegal group (Art. 86bis) as well as blasphemy (Art. 98(f)). He was then transferred to another location and his detention period was repeatedly extended, all the while being subjected to continued interrogations and torture.<sup>14</sup>
14. Similarly, in December 2021, Abdulbaqi Saeed Abdo, Yemeni asylum-seeker, was arrested in connection to the same Facebook group as well as for publicly sharing his own conversion to Christianity. He was also held incommunicado before being transferred to Central Giza prison. Authorities have not granted Abdo full access to his

<sup>8</sup> Egyptian Penal Code (1937, last amended August 2021), art. 98(f), <https://manshurat.org/node/14677>.

<sup>9</sup> Id., art. 86.

<sup>10</sup> Id., art. 201.

<sup>11</sup> Anti-Terrorism Law (August 2015), [https://www.atlanticcouncil.org/wp-content/uploads/2015/09/Egypt\\_Anti-Terror\\_Law\\_Translation.pdf](https://www.atlanticcouncil.org/wp-content/uploads/2015/09/Egypt_Anti-Terror_Law_Translation.pdf).

<sup>12</sup> T. Mansour 'Egyptian Christian sentenced to five years in prison over contempt of Islam' (2 February 2022) *The New Arab*, <https://english.alaraby.co.uk/news/egyptian-christian-sentenced-five-years-over-blasphemy>.

<sup>13</sup> S. Amin 'Egyptian liberals outraged by lawyer's blasphemy indictment' (30 November 2021) *Al-Monitor*, <https://www.al-monitor.com/originals/2021/11/egyptian-liberals-outraged-lawyers-blasphemy-indictment>.

<sup>14</sup> ADF International 'Religious freedom advocates call on Egypt to release detained Christians accused of 'terrorism' for peaceful engagement on Facebook' (4 June 2024) <https://adfinternational.org/news/egypt-christians-detained>. *Additional information from direct sources.*

lawyer and have given no official explanation for the reason for his arrest. The only indication he was given regarding his alleged offenses was a communication by the Supreme State Security Prosecution (SSSP) that his detention was a “precautionary” measure based on his involvement in an alleged terrorist group. Abdo has had his criminal trial repeatedly postponed, despite suffering from serious medical issues. He has only been allowed occasional visits from his wife and children, and faces risks of being deported back to Yemen.<sup>15</sup>

15. As of June 2024, over 30 months since their original arrest, both Girgis and Abdo continue to be held in pre-trial detention despite international calls for their release.<sup>16</sup>

16. Christians have also reportedly been subjected to reprisals for their online expression. In November 2019, Ramy Kamel Saied Salib was arrested for speaking out on behalf of Copts on social media. He was charged with broadcasting false information and with joining and financing a terrorist organization (Article 12, and 13 of the Anti-Terrorism Law and Art 86bis of the Egyptian Penal Code). His social media posts reportedly criticized the Islamization of Christian women in Egypt, as well as reporting on church burnings in Cairo. His arrest took place several days before his scheduled participation at the 12<sup>th</sup> UN Forum on Minority Issues.<sup>17</sup> Since his original arrest, his case has been repeatedly raised by UN Special Procedures mandate holders.<sup>18</sup>

17. In February 2020, Patrick George Zaki, a Coptic Christian and postgraduate student and human rights researcher, was arrested in relation to an online article entitled “Displacement, Killing and Restriction: A Week’s Diaries of Egypt’s Copts” which discussed current events and discrimination against Coptic Christians in Egypt. He was charged with “spreading fake news” under Articles 80(d), and 102(bis) of the Egyptian Penal Code. He was kept in arbitrary detention for 22 months, during which time he was subject to beatings and various forms of torture. He was finally released on bail in December 2021.<sup>19</sup> In July 2023, he was again taken into custody and sentenced to 3 years imprisonment but was pardoned the next day by President El-Sisi.<sup>20</sup>

### *Restrictions on Places of Worship*

18. Article 64 of the Egyptian Constitution states that members of the “revealed religions” have the right to establish places of worship.<sup>21</sup> Unrecognized religious minorities (such

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<sup>15</sup> Id.

<sup>16</sup> Id.

<sup>17</sup> M. E. Said ‘Egypt: Immediately release Coptic activist Ramy Kamel’ (2 December 2019) Cairo Institute for Human Rights Studies, <https://cihrs.org/egypt-immediately-release-coptic-activist-ramy-kamel/?lang=en>.

<sup>18</sup> See e.g. UN Special Procedures Communication to Egypt (6 December 2019) AL EGY 13/2019, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=24984>;

UN Special Procedures Communication to Egypt (16 June 2021) AL EGY 5/2021,

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=26441>.

<sup>19</sup> Observatory for the Protection of Human Rights Defenders ‘Egypt: Release of Patrick George Zaki’ (9 December 2021) <https://www.omct.org/en/resources/urgent-interventions/egypt-release-of-patrick-george-zaki>.

<sup>20</sup> Christian Solidarity Worldwide ‘Christian human rights defender receives three-year prison sentence’ (19 July 2023) <https://www.csw.org.uk/2024/01/04/prayer/6140/article.html>.

Christian Solidarity Worldwide ‘Prayer Diary: Egypt’ (4 January 2024)

<https://www.csw.org.uk/2023/07/19/press/6045/article.html>.

<sup>21</sup> The Egyptian Constitution (2014, last amended 2019), [https://www.constituteproject.org/constitution/Egypt\\_2019](https://www.constituteproject.org/constitution/Egypt_2019), art. 64.

as Jehovah's Witnesses and Baha'is) are unable to establish legally recognized places of worship.

19. The state regulates the construction and renovation of Christian churches through Law 80/2016, commonly known as the Church Building Law, which was passed in 2016.<sup>22</sup> The Church Building Law requires those seeking church construction or renovation approval to apply to the relevant provincial governor in order to be granted the relevant permission.<sup>23</sup> In contrast, there are no legal provisions restricting the construction of Muslim mosques, insofar as they are approved by the Ministry of Religious Endowments.<sup>24</sup>
20. Article 1 of the Law defines "church" as "a distinct building topped by one or more domes, where prayers and religious denominations are practices in their traditional form". It further specifies that such a building may have an altar, a baptismal hall and a tower.<sup>25</sup> This strict interpretation excludes many existing places of worship, particularly of smaller or less traditional Christian denominations.<sup>26</sup>
21. Article 2 further states that, in determining whether permission should be granted, consideration should be made of the "number and need" of the Christians in the denomination seeking to build a church. This gives discretion to the provincial governor to refuse to permit churches in areas with smaller communities of Christians.<sup>27</sup>
22. The law does not outline an appeal process for requests that are denied, with only a general provision in Article 5 that "the rejection must be justified".<sup>28</sup> The law also does not indicate whether a failure of the governor to respond to a request for approval within the deadline constitutes a tacit approval or rejection, leaving many churches in a legal limbo.<sup>29</sup>
23. The adoption of the Church Building Law resulted in a moderate improvement in the number of Christian churches approved by the government, compared to a previous legal regime which made legal registration of churches effectively impossible for many. The government has also expressed its commitment to constructing new places of worship for Christians, including in its new cities.<sup>30</sup> As of 2024, over 3000 churches have received approval out of over 5500 requests.<sup>31</sup>

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<sup>22</sup> Law 80 of 2016 (Church Construction Law), Unofficial Translation, <https://static1.squarespace.com/static/5947e4266a49635915ac0a31/t/5bf47b38758d46657aeffeb/1542748985497/March+2017+-+Church+Construction+Law+Translation.pdf>.

<sup>23</sup> Id., arts. 3-4.

<sup>24</sup> Tahrir Institute for Middle East Policy 'TIMEP Brief: Church Construction Law' (29 July 2019) <https://timep.org/2019/07/29/timep-brief-church-construction-law/>.

<sup>25</sup> Id., art. 1.

<sup>26</sup> Human Rights Watch 'Egypt: New Church Law Discriminates Against Christians' (15 September 2016) <https://www.hrw.org/news/2016/09/15/egypt-new-church-law-discriminates-against-christians>.

<sup>27</sup> Church Construction Law, art. 2.

<sup>28</sup> Id., art. 5.

<sup>29</sup> Tahrir Institute for Middle East Policy 'TIMEP Brief: Church Construction Law' (29 July 2019) <https://timep.org/2019/07/29/timep-brief-church-construction-law/>.

<sup>30</sup> Agenzia Fides "'A church for every mosque", President al-Sisi confirms the provisions on the construction of places of worship in the new urban centers' (7 March 2022), [http://www.fides.org/en/news/71775-AFRICA\\_EGYPT\\_A\\_church\\_for\\_every\\_mosque\\_President\\_al\\_Sisi\\_confirms\\_the\\_provisions\\_on\\_the\\_construction\\_of\\_places\\_of\\_worship\\_in\\_the\\_new\\_urban\\_centers](http://www.fides.org/en/news/71775-AFRICA_EGYPT_A_church_for_every_mosque_President_al_Sisi_confirms_the_provisions_on_the_construction_of_places_of_worship_in_the_new_urban_centers).

<sup>31</sup> Open Doors International, 'Egypt: Full Country Dossier' (January 2024) *World Watch Research*, [https://www.opendoors.org/persecution/reports/Egypt-Full\\_Country\\_Dossier-ODI-2024.pdf](https://www.opendoors.org/persecution/reports/Egypt-Full_Country_Dossier-ODI-2024.pdf), 8.

24. In spite of this, Christians continue to face significant barriers to the registration and use of churches. It is likely that many congregations refrain from applying due to fear of sectarian backlash by local extremist groups.<sup>32</sup> The Egyptian authorities have also refused to approve the rebuilding or renovation of certain Christian churches, while others have been forcibly closed because of their unregistered status, with individuals protesting these decisions being detained according to reports.<sup>33</sup> In addition, the government entity charged with issuing or denying the permits has been criticized for its lack of transparent processes or clear timelines.<sup>34</sup>

### *Violence and Other Targeting of Christians*

25. Christians in Egypt continue to be victims of targeted attacks perpetrated by extremists.

26. In April 2022, Father Arsanios Wadid, a Coptic priest, was brutally stabbed in Alexandria during an outing with a group of young parishioners.<sup>35</sup> In the same month, Rani Ra'fat, a Coptic engineer who was working as a teacher, was also fatally shot in Alexandria.<sup>36</sup>

27. In another case in 2022, a Christian father in Alexandria was stabbed multiple times when he attempted to rescue his son from an extremist neighbor, who had attempted to kill the 17 year old. The perpetrator was sent to a psychiatric hospital upon arrest. This echoes another case of a knife attack in Cairo in January 2020, where a 56 year old woman was attacked by a man for not wearing the veil. Upon being apprehended, the man underwent a psychological evaluation and was ultimately acquitted of all charges.<sup>37</sup>

28. In August 2022, a Christian family was targeted in the Sinai Peninsula by suspected Islamic State militants, leaving a father and his son dead.<sup>38</sup>

29. Christian churches and houses of worship are also targeted. In December 2022, on Christmas Eve, a mob attacked a church in the Nile Delta, throwing stones in an effort to prevent a roof from being replaced. The homes of several Coptic families were also damaged, with several individuals being injured. The church, which serves 17 villages, had waited two years to receive approval for the repairs.<sup>39</sup>

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<sup>32</sup> Id., 6,8.

<sup>33</sup> Amnesty International 'Egypt: Release nine Coptic Christians detained for attempting to rebuild church' (30 March 2022), <https://www.amnesty.org/en/latest/news/2022/03/egypt-release-nine-coptic-christians-detained-for-attempting-to-rebuild-church/>.

<sup>34</sup> J. Habib 'Egypt's Copts want changes to law after deadly church fire' (20 August 2022) *Aljazeera*, <https://www.aljazeera.com/news/2022/8/20/egypts-copts-want-changes-to-law-after-deadly-church-fire>.

<sup>35</sup> H. Hendawi 'Man charged with murder of Egyptian Christian priest' (19 April 2022) *The National News MENA*, <https://www.thenationalnews.com/mena/egypt/2022/04/19/egypts-prosecution-refers-man-to-criminal-court-over-murder-of-coptic-priest/>.

<sup>36</sup> Watani International 'Copt shot in Marsa Matrouh, local Salafis condemn crime' (2 May 2022) <https://en.wataninet.com/news-2/crime/copt-shot-in-marsa-matrouh-local-salafis-condemn-crime/38538/>.

<sup>37</sup> World Watch Monitor 'Egypt: Copt stabbed seven times by neighbour who'd lured in his son' (24 March 2022) <https://www.worldwatchmonitor.org/2022/03/egypt-copt-stabbed-seven-times-by-neighbour-whod-lured-in-his-son/>.

<sup>38</sup> World Watch Monitor 'Egypt: Copt and son killed in IS attack' (7 September 2022) <https://www.worldwatchmonitor.org/2022/09/egypt-copt-and-son-killed-in-is-attack/>.

<sup>39</sup> R. Ibrahim 'Christmas Eve church violence erupts in Egypt' (27 December 2022) *Coptic Solidarity*, <https://www.copticsolidarity.org/2022/12/27/christmas-eve-church-violence-erupts-in-egypt/>.

30. In December 2023, another mob attacked a church in Al-Azeeb village in Samalout with stones and arson, Minya Province, also damaging Christian homes and properties in the process. The church is the only one in an area of 3000 Coptic Christians.<sup>40</sup> More recently, in April 2024, extremists attacked Al-Fawakher village in the same Province, burning a new church building as well as several homes. Prior to the incident, the community had informed the police of violent threats over the constriction of the church, but these had gone unacknowledged.<sup>41</sup>
31. In addition to targeted violence against Christians in general, a key threat to Christian women and girls, especially in rural areas, is targeted kidnapping, forced marriage and forced religious conversion. In its recent report covering the period from October 2022 to September 2023, Open Doors reported that at least 29 Coptic women were missing and only 11 were eventually returned to their families.<sup>42</sup> Kidnappers belonging to extremist trafficking networks allegedly receive a large amount of money for abducting Christian women and girls in particular.<sup>43</sup>
32. In January 2024, medical student Irene Ibrahim Shehata disappeared in the middle of her mid-term exam season. Shortly after, her family received a phone call from her, crying for help before being cut off by a man. Upon reporting the situation to the police, the family had allegedly been threatened with arrest if they attempted to rescue her. A month after her disappearance, the student's ID card had been changed to "Muslim". Her family reported that the Muslim Brotherhood network was responsible for her abduction and that the state security forces were also complicit.<sup>44</sup>

#### *Freedom of Religion or Belief and Expression in International Law*

33. Article 18 of the International Covenant on Civil and Political Rights (ICCPR) guarantees the right to the "freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching".<sup>45</sup> Article 19 protects the right to freedom of opinion and expression, including the right to seek, receive, or impart information and ideas of "all kinds".<sup>46</sup>
34. Egypt's criminalization of religious offense does not constitute a permissible limitation on the exercise of these rights in line with the narrow scope outlined in Articles 18.3 and 19.3 of the ICCPR respectively.<sup>47</sup> Furthermore, the vague wording and subjective interpretation of the provisions criminalizing so-called "contempt of the heavenly

<sup>40</sup> Christian Solidarity Worldwide 'Extremists attack church building site and Christian homes and properties' (20 December 2023) <https://www.csw.org.uk/2023/12/20/press/6135/article.htm>.

<sup>41</sup> R.B. Kama 'Egyptian Christians attacked by Islamic extremists' (30 April 2024)

<https://www.mnnonline.org/news/egyptian-christians-attacked-by-islamic-extremists/>.

<sup>42</sup> Open Doors International, 'Egypt: Full Country Dossier' (January 2024) *World Watch Research*, <https://www.opendoors.org/persecution/reports/Egypt-Full-Country-Dossier-ODI-2024.pdf>, 8.

<sup>43</sup> Coptic Solidarity 'Egypt: Ex-Kidnapper admits 'They get paid for every Coptic Christian girl they bring in'' (14 September 2017) *World Watch Monitor*, <https://www.copticsolidarity.org/2017/09/14/egypt-ex-kidnapper-admits-they-get-paid-for-every-coptic-christian-girl-they-bring-in/>.

<sup>44</sup> Christian Daily International 'Officials in Egypt Abet Kidnappers of Christian Woman, Father Says' (14 March 2024) *Morning Star News*, <https://morningstarnews.org/2024/03/officials-in-egypt-abet-kidnappers-of-christian-woman-father-says/>.

<sup>45</sup> International Convention on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), art. 18.

<sup>46</sup> Id., art. 19.

<sup>47</sup> Id., arts. 18(3) & 19(3).

religions” and “harming national unity” opens the door to arbitrary and unjustified restrictions and penalties, while also creating a chilling effect on the expression of ideas or beliefs.

35. Article 26 ICCPR obligates the government to “prohibit any discrimination and guarantee to all persons equal and effective protection from discrimination” including on the group of religion.<sup>48</sup> Relatedly, Article 27 ensures that religious minorities “shall not be denied the right, in community with other members of their group, [...] to profess and practice their own religion”.<sup>49</sup>
36. Egypt’s lack of legal recognition for religious groups apart from Islam, Christianity and Judaism, as well as the inability for members of these groups to register and maintain places of worship constitute major barriers to the equal enjoyment of their human rights. The existence of a distinct legal regime overseeing the registration of Christian churches also constitutes a discriminatory state of affairs.
37. Finally, Egypt must redouble its efforts to ensure the protection of Coptic Christians and other minority groups from violence and other forms of targeted persecution, as well as ensuring the prompt investigation of all such cases where they occur and the effective prosecution of perpetrators.

#### **(b) Recommendations**

38. In light of the aforementioned, ADF International suggests the following recommendations be made to Egypt:
  - a. Guarantee full respect for the right to freedom of religion or belief, both in law and practice, without discrimination, in accordance with its international human rights obligations;
  - b. Repeal all criminal and other legal provisions that unduly restrict freedom of religion and expression including laws prohibiting offenses against religion;
  - c. Decriminalize blasphemy;
  - d. Repeal or, in a manner compatible with its international human rights obligations, review Articles 80(d), 86bis, 98(f), and 201 of the Penal Code;
  - e. Amend the Church Building Law by removing burdensome and oppressive registration requirements and rescinding criminal prohibitions on religious or belief communities operating on an unregistered basis;
  - f. Revise the Anti-Terrorism Law to prevent its abuse to target persons belonging to religious minorities, and immediately release those unjustly imprisoned;
  - g. Ensure the effective protection of persons belonging to religious minorities from all forms of violence and harassment;
  - h. Ensure the prompt and effective investigation and sanctioning of all human rights violations and abuses perpetrated against persons belonging to religious

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<sup>48</sup> Id., art. 26.

<sup>49</sup> Id., art. 27.



minorities, with a view to ensuring accountability for perpetrators and justice for victims;

- i. Immediately release prisoners detained for peacefully exercising their right to freedom of religion or belief and expression, and ensure due process in all cases;
- a. Urgently enact and implement laws outlawing forced religious conversion and forced marriage, and protecting women and girls who have been subject to, or are at risk of suffering these human rights violations;



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