Developing the Regional Position on Proposed Inclusion of Commercially-exploited Aquatic Species into CITES Appendices: the Southeast Asian Region under the Spotlight

Suwanee Sayan, Worawit Wanchana, Lawrence Kissol, Jr., and Virgilia T. Sulit

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) which was entered into force on 1 July 1975, is an international agreement among governments (also known as Parties) with the objective of ensuring that international trade in specimens of animals and plants does not threaten their survival in the wild. Specifically for the commerciallyexploited aquatic species (CEAS), CITES sets the criteria and guidelines for making decisions as to whether or not a certain CEAS should be listed into the CITES Appendices. The listing of some species of CEAS in the CITES Appendices on the one hand, could have certain impacts not only on the management of the fisheries of the species but also on the economies of many countries of the Southeast Asian region that have been catching and trading some of the species and their "look-alikes" as well as trading in parts of their processed forms. On the other hand, the inclusion of any CEAS in the CITES Appendices would serve as means of addressing the concerns with regards to the conservation and management of such species. The Parties to CITES, referred to as the Conference of the Parties (CoP), meet every two to three years mainly to review the progress in the conservation of the species included in the CITES Appendices, and consider the proposals to amend the lists of species in Appendices I and II or to list new species in the Appendices. To equip the Southeast Asian countries with the necessary justifications with respect to the proposals for listing certain CEAS in the Appendices, which the countries could also use as reference during the voting at the meetings of the CITES CoP, the Southeast Asian Fisheries Development Center (SEAFDEC) regularly organizes regional technical consultations (RTCs) to discuss the possible impacts of the proposals on the fisheries of such species, and develop the common or coordinated position of the SEAFDEC Member Countries on such proposals. Implemented as part of the SEAFDEC collaborative project "Assistance for Capacity Building in the Region to Address International Fish Trade-related Issues," which receives generous financial support from the Government of Japan Trust Fund (JTF), the RTCs also aspire to come up with recommendations on the issues related to the conservation and sustainable utilization of such CEAS which the countries could also raise during the CITES CoP.

In order to protect some endangered species of wild animals and plants from over-exploitation and intensify the conservation efforts for such species, CITES lists such species in any of the three CITES Appendices (**Box 1**) taking into consideration their exploitation status and the types of

Box 1. Listing of species of animals and plants in the CITES Appendices

Appendix I: Species that are the most endangered among CITES-listed animals and plants, and are threatened with extinction are listed in this CITES Appendix. International trade in specimens of these species is prohibited except when the purpose of the import is not commercial, e.g. for scientific research. Thus, trade could still take place provided it is authorized by the granting of an import permit and an export permit (or re-export certificate).

Appendix II: Species that are not necessarily threatened now with extinction but could become so unless trade is closely controlled are included in this CITES Appendix. In addition, the so-called "look-alike species," i.e. species whose specimens in trade look like those of the species listed for conservation reasons are also placed in this Appendix. International trade in specimens of the species in this Appendix may be authorized by the granting of an export permit or re-export certificate. No import permit is necessary for these species under CITES, although a permit may be required by some countries that have taken much stricter measures than those required by CITES. Permits or certificates would only be granted if the relevant authorities are satisfied with the certain conditions that are met, and that such trade will not be detrimental to the survival of the species in the wild.

Appendix III: Under this CITES Appendix are species which a Party requests to be included, as the trade of such species is already regulated by this concerned Party but needs the cooperation of other countries (other Parties) to prevent the unsustainable or illegal exploitation of such species. International trade in specimens of species listed in this Appendix is allowed only upon presentation of the appropriate permits or certificates.

protection afforded them corresponding to their international trade (CITES, 1995). The listing of certain species of wild animals and plants in the CITES Appendices therefore implies that the import, export, or re-export of specimens, as well as introduction from the sea of such species are subjected to certain international trade controls.

Moreover, CITES also specifies that certain species could be added to or removed from Appendix I and Appendix II, or moved between them, only by the CITES CoP, either during its regular meetings or by postal procedures (FAO, 2010). However, certain species may be added to or removed from Appendix III at any time and by any Party unilaterally, although such changes could be timed to coincide with amendments to Appendices I and II during the meetings of the CITES CoP.

Listing in CITES Appendices of CEAS that are Economically Important for the Southeast Asian Region

CITES (2018) reported that as of January 2017, about 5,800 species of animals and 30,000 species of plants are protected by CITES against over-exploitation through international trade, and are listed in the CITES Appendices. Currently, the CITES Appendices include approximately 100 commercially-exploited aquatic species of fish, mollusks and echinoderms, some of which are shown in **Table 1**.

The listing of commercially-exploited aquatic species (CEAS) into the CITES Appendices is one crucial issue faced by the fisheries sector of Southeast Asia as it could impact not only on the management of fisheries but also on the economies of the countries in the region. Such impacts are anticipated not only as a result of regulation in trade of the species being listed in the CITES Appendices, but also in the trade of lookalike species, as well as trade in parts or processed forms of the species. Moreover, the listing could also result in the termination of data collection on the catch and landing of these species, leading to the unavailability of data and information on the status of the species. Furthermore, difficulties could

also be anticipated in delisting or down-listing of the species once these are listed in the CITES Appendices.

Given such a scenario, SEAFDEC has always heeded to requests by its Member Countries to carefully give consideration on the proposed listing of CEAS into the CITES Appendices, by organizing series of fora to facilitate regional discussion and development of common/coordinated positions among countries in Southeast Asian region on the aquatic species that have been proposed for listing into the CITES Appendices. An example of such fora is the recently organized Regional Consultation for Development of the ASEAN-SEAFDEC Common Position on the Proposed Listing of Commercially-exploited Aquatic Species into the CITES Appendices on 30-31 January 2019 in Bangkok, Thailand

Furthermore, SEAFDEC has also been undertaking technical activities on the conservation and management as well as sustainable utilization of aquatic species (Latun *et al.*, 2011; Chamchai and Siriraksophon, 2011), *e.g.* sharks and rays (Chamchai *et al.*, 2013; Wanchana *et al.*, 2016; Arnupapboon *et al.*, 2019), seahorses (Ursua, 2017), sea cucumbers (Bumrasarinpai, 2007), marine turtles (Talib *et al.*, 2003; Isa *et al.*, 2008; Chokesanguan, 2008; Chanrachkij *et al.*, 2009;

Table 1. Major commercially-exploited aquatic species listed in CITES Appendices

| English Name | Scientific Name | CITES Appendix | Year Listed |
|----------------------------|--------------------------|--|-------------|
| Silky shark | Carcharhinus falciformis | Appendix II | 2016 |
| Thresher sharks | Alopias spp. | Appendix II | 2016 |
| Devil rays | Mobula spp. | Appendix II | 2016 |
| Clarion angelfish | Holacanthus clarionensis | Appendix II | 2016 |
| Nautilus | Nautilidae spp. | Appendix II | 2016 |
| Scalloped hammerhead shark | Sphyrna Iewini | Appendix II | 2014 |
| Great hammerhead shark | Sphyrna mokarran | Appendix II | 2014 |
| Smooth hammerhead shark | Sphyrna zygaena | Appendix II | 2014 |
| Oceanic whitetip shark | Carcharhinus Iongimanus | Appendix II | 2014 |
| Porbeagle shark | Lamna nasus | Appendix II | 2014 |
| Manta rays | Manta spp. | Appendix II | 2014 |
| European eel | Anguilla anguilla | Appendix II | 2007 |
| Sawfishes | Pristidae | Appendix I apart from 1 species on Appendix II | 2007 |
| Humphead (Napoleon) wrasse | Cheilinus undulatus | Appendix II | 2004 |
| Mediterranean date mussel | Lithophaga lithophaga | Appendix II | 2004 |
| White shark | Carcharodon carcharias | Appendix II | 2004 |
| Sea cucumber | Isostichopus fuscus | Appendix III | 2003 |
| Basking shark | Cetorhinus maximus | Appendix II | 2002 |
| Pipefishes and seahorses | Hippocampus spp. | Appendix II | 2002 |
| Whale shark | Rhincodon typus | Appendix II | 2002 |
| Sturgeons and paddlefish | Acipenseriformes | Appendix II apart from 2 species on Appendix I | 1997 |
| Caribbean queen conch | Strombus gigas | Appendix II | 1994 |
| Stony corals | Scleratinia | Appendix II | 1990 |
| Giant clams | Tridacnidae | Appendix II | 1983 |
| Arapaima | Arapaima gigas | Appendix II | 1975 |

Source: SEAFDEC (2019, unpublished)



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Siriraksophon, 2009), catadromous eels (Siriraksophon *et al.*, 2014; Muthmainnah *et al.*, 2016; Suryati *et al.*, 2019). These efforts are meant to come up with data and information on the status and trends of these species, as well as improved compilation of the existing conservation and management measures undertaken by the countries that could serve as basis for discussion during the meetings of the CITES CoP. Specifically for sharks and rays, SEAFDEC has been supporting the Southeast Asian countries in the improvement of their data collection activities, by recording sharks and rays at species level, and also in capacity building for the development of Non-Detriment Findings (NDFs) to provide scientific views with regards to the trade of such species (Arnupapboon *et al.*, 2019).

Recent Updates on the Proposals to List More CEAS in CITES Appendices

In January 2019, SEAFDEC organized a Regional Consultation for the Development of Common Position on the Newly Proposed Listing of CEAS into the CITES Appendices (SEAFDEC, 2019 unpublished), which include several species found in the waters of Southeast Asia (Box 2; Figures 1-5).

Box 2. New proposals for listing of CEAS into the CITES Appendices

- a) Inclusion of the blackchin guitarfish (*Glaucostegus cemiculus*) and the sharpnose guitarfish (*Glaucostegus granulatus*), and all of other giant guitarfish, *Glaucostegus* spp. in Appendix II
- b) Inclusion of the following three species belonging to the subgenus Holothuria (Microthele): Holothuria (Microthele) fuscogilva, Holothuria (Microthele) nobilis and Holothuria (Microthele) whitmaei, in Appendix II
- c) Inclusion of the short-fin Mako shark, *Isurus oxyrinchus* and long-fin Mako shark *Isurus paucus* in Appendix II
- d) Inclusion of the two species commonly referred to as the white-spotted wedgefish, *Rhynchobatus australiae* and *Rhynchobatus djiddensis* in Appendix II, and inclusion of all other species in the Family Rhinidae (wedgefish): *Rhynchobatus cooki, Rhynchobatus immaculatus, Rhynchobatus laevis, Rhynchobatus luebberti, Rhynchobatus palpebratus, Rhynchobatus springeri, Rhynchorhina mauritaniensis, Rhina ancylostoma, and any other putative species of Family Rhinidae in Appendix II*

Upon analyzing the proposed listings, the 2019 Regional Consultation came up with a synthesis of the aforesaid proposals including the status of fisheries of the species in Southeast Asia and technical recommendations with respect to the conservation and utilization of such species (**Table 2**).

Moreover, the possible impacts of the listing of the CEAS into CITES Appendix II identified during the 2019 Regional Consultation (SEAFDEC, 2019 unpublished), are shown in **Table 3**.





Figure 1. blackchin guitarfish Glaucostegus cemiculus (above) and sharpnose guitarfish Glaucostegus granulatus (below)

Source: Presentations made during the 2019 Regional Consultation for the Development of Common Position on the Newly Proposed Listing of CEAS into the CITES Appendices (SEAFDEC, 2019 unpublished)







Figure 2. Holothuria (Microthele) fuscogilva (above), Holothuria (Microthele) nobilis (center) and Holothuria (Microthele) whitmaei (below)

Source: Presentations made during the 2019 Regional Consultation for the Development of Common Position on the Newly Proposed Listing of CEAS into the CITES Appendices (SEAFDEC, 2019 unpublished)



Figure 3. short-fin Mako shark, Isurus oxyrinchus (above) and long-fin Mako shark Isurus paucus (below)

Source: Presentations made during the 2019 Regional Consultation for the Development of Common Position on the Newly Proposed Listing of CEAS into the CITES Appendices (SEAFDEC, 2019 unpublished)





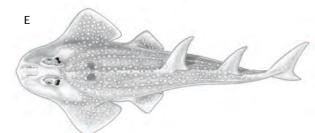
Figure 4. white-spotted wedgefish, Rhynchobatus australiae (above) and Rhynchobatus djiddensis (below)

Source: Presentations made during the 2019 Regional Consultation for the Development of Common Position on the Newly Proposed Listing of CEAS into the CITES Appendices (SEAFDEC, 2019 unpublished)









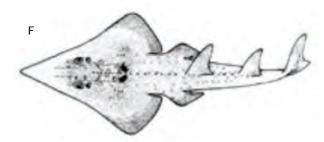


Figure 5. A - Rhynchobatus cooki; B - Rhynchobatus immaculatus; C - Rhynchobatus Iaevis; D - Rhynchobatus springeri; E - Rhynchorhina mauritaniensis; F - Rhynchobatus luebberti

Source: Presentations made during the 2019 Regional Consultation for the Development of Common Position on the Newly Proposed Listing of CEAS into the CITES Appendices (SEAFDEC, 2019 unpublished)

Way Forward

SEAFDEC has continued to provide the platform for the AMSs to discuss and develop common positions on the proposed listings of CEAS into the CITES Appendices during the CITES CoP. For example, in preparation for the CITES CoP18 which was originally scheduled in May 2019 in Sri Lanka, SEAFDEC convened the Regional Consultation for

Development of the ASEAN-SEAFDEC Common Position on the Proposed Listing of Commercially-exploited Aquatic Species into the CITES Appendices on 30-31 January 2019 in Bangkok, Thailand. Results of the said Regional Consultation indicated that the AMSs have no common position to support most of the proposals except for the proposed listing of the Mako sharks, wherein the common position of the AMSs is not to support the said proposed listing (Table 2).

| Table 2. Synthesis of the Newly Proposed Listing of CEAS in CITES Appendices | | | | | | |
|--|---|--|--|--|--|--|
| Proposals | Status of fisheries of species in Southeast Asia | Recommendations for conservation and utilization | Remarks | | | |
| Inclusion of the blackchin guitarfish (Glaucostegus cemiculus) and the sharpnose guitarfish (Glaucostegus granulatus), and all of other giant guitarfish, Glaucostegus spp. in Appendix II | Catch of these species has been recorded in Southeast Asia except for Glaucostegus cemiculus Only few G. granulatus had been caught in Thailand, while reports indicate that this species had been observed to be distributed in Viet Nam There is no record of catch of Glaucostegus spp. in Cambodia, Japan, Myanmar Although Glaucostegus spp. had been reported to be caught in the waters of Indonesia, Malaysia and Viet Nam, there is no species specific information (e.g. oftentimes these are recorded together with sharks) There is no record of catch of Glaucostegus spp. in the Phillippines | Glaucostegus cemiculus and G. granulatus are not reported in the Southeast Asian region, while other species under the Genus Glaucostegus are caught as "by-catch," so listing of the species into the Appendix II of CITES would not reduce the catch of these species Promotion of better management schemes, e.g. by-catch reduction, use of selective fishing gears, would therefore be the more appropriate approaches for the conservation of the species | No common position to SUPPORT the Proposal | | | |
| Inclusion of the following three species belonging to the subgenus Holothuria (Microthele): Holothuria (Microthele) fuscogilva, Holothuria (Microthele) nobilis and Holothuria (Microthele) whitmaei, in Appendix II | The three species proposed for listing are distributed in the Southeast Asian waters, but the catch data has not been classified at species level (i.e. catch is generally grouped as sea cucumbers) Based on scientific evidence, the three species proposed are found to be over-exploited in most range States, while the major threats are not only from fishing activities but also due to habitat destruction and pollution Besides the three species proposed, there are nearly 40 species of sea cucumbers distributed in the region which could be considered as look-alike species, making it difficult to distinguish the species from their products, e.g. in dried and powdered forms The species of sea cucumber widely cultured in the region is Holothuria scabra, in Thailand, Philippines, Malaysia, and Viet Nam, hatchery technologies have been developed for some Holothuria species (but not on the three species proposed), mainly for stock enhancement purposes as well for commercial aquaculture, and in Indonesia, sea cucumber culture relies mainly on wild seeds, and the country is still in the process of developing the hatchery techniques for sea cucumbers There are existing management measures for sea cucumbers adopted by the countries in the region, e.g. one island in Malaysia has been declared as sea cucumber sanctuary; the Philippines allows the commercial export of only the dried whole sea cucumber meat with the minimum size limit of 5-cm in length regardless of the species; while Cambodia has established a working group to identify and protect the aquatic species listed as endangered and under CITES | While fisheries management measures for sea cucumbers are being promoted in some countries in the region, e.g. in the Philippines, such effort should be strengthened The potentials for hatchery production of teatfish should be explored to support prospects for aquaculture and stock enhancement | No common position to SUPPORT the Proposal | | | |

| Table 2. Synthesis of the Newly Proposed Listing of CEAS in CITES Appendices (Cont'd) | | | | | |
|---|---|--|--|--|--|
| Proposals | Status of fisheries of species in Southeast Asia | Recommendations for conservation and utilization | Remarks | | |
| Inclusion of the short-fin Mako shark, Isurus oxyrinchus and long-fin Mako shark Isurus paucus in Appendix II | Short-fin Mako shark is under the management of several RFMOs, and stock assessments have been undertaken, coming up with the following information on its stock status: In North Atlantic, stock evaluation (undertaken by ICCAT in 2017) indicated that the stock was overfished and since overfishing was continuing, conservation and management measures had been adopted in 2017 In the North Pacific, stock evaluation (undertaken by the International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean (ISC) in 2018) showed that the stock was not overfished and that overfishing was not occurring In both North Atlantic and North Pacific, the stock status does not meet the criteria for listing of the species into the CITES Appendices In the Indian Ocean, the Indian Ocean Tuna Commission (IOTC) plans to undertake stock assessment in 2020, nevertheless, the CPUE data does not show a marked increasing or decreasing trend | As the proposed species are not targeted in the Southeast Asian region but is caught as "by-catch," listing of the species into the CITES Appendix II would not reduce the catch of these species. Promotion of better management schemes should therefore be the more appropriate measures for the conservation of the species Listing of the species should be considered taking into account the situation that the stock status does not meet CITES listing criteria and that implementation challenges are expected | Common position is NOT TO SUPPORT the Proposal | | |
| Inclusion of the two species commonly referred to as the white-spotted wedgefish, Rhynchobatus australiae and Rhynchobatus djiddensis in Appendix II, and inclusion of all other species in the Family Rhinidae (wedgefish): Rhynchobatus cooki, Rhynchobatus immaculatus, Rhynchobatus luebberti, Rhynchobatus luebberti, Rhynchobatus palpebratus, Rhynchobatus springeri, Rhynchorhina mauritaniensis, Rhina | Out of the ten proposed species, six species are distributed in the Southeast Asian waters From the stock assessment based on available data, the species population had been observed to have declined in most regions including the Southeast Asian region, nonetheless, the available data is still insufficient to determine whether the species meet the criteria for listing in CITES Appendix II From the 1-year data collection undertaken by SEAFDEC in selected Member Countries, wedgefishes were caught as by-catch, but with very low composition in the total catch, and despite the limited data that may not be able to represent the status of the species, it could be observed that most species are still easily found in the region and not over-exploited | As the proposed species are not targeted in the Southeast Asian region but caught as "by-catch," listing of the species into the CITES Appendix II might not reduce the catch of these species. Promotion of better management schemes for reduction of by-catch should therefore be the more appropriate measures for the conservation of the species | No common position to SUPPORT the Proposal | | |

As the CITES CoP 18 had been rescheduled for August 2019 in Geneva, Switzerland, the positions of the AMSs with respect to the newly proposed listing of CEAS into the CITES Appendices would be raised by the representatives from the AMSs during the said CoP. It should be noted that such common positions of the AMSs have been submitted for endorsement by the SEAFDEC Council and subsequently by the ASEAN Working Group on Fisheries (ASWGFi), and

finally endorsed by the Senior Officials Meeting of the ASEAN Ministers on Agriculture and Forestry (SOM-AMAF).

Furthermore, in order to strengthen the views of the AMSs with regards to the conservation efforts carried out by the AMSs on the CEAS that merit the development of the common positions for the proposed listing of some CEAS into the CITES Appendices, SEAFDEC with financial assistance

ancylostoma, and any other putative species of Family Rhinidae in

Appendix II

Proposals

Possible Impacts of Proposed Listings into CITES Appendix II

- Inclusion of the blackchin guitarfish (Glaucostegus cemiculus) and the sharpnose guitarfish (Glaucostegus granulatus), and all of other giant guitarfish, Glaucostegus spp. in Appendix II
- Although *Glaucostegus cemiculus* and *G. granulatus* are not reported in the Southeast Asian region, if these species are listed in the Appendix II, this might have an impact on the trade of other species under this Genus and their products
- More trained officers would be needed in the field (landing ports) to identify the catch up to the species level, and also identify the products from these other species
- If these species are listed in the Appendix II, it is likely that the other species under the Genus Glaucostegus found in the region would also be proposed for listing in Appendix II in the future
- There is need to conduct an assessment to support the development of nondetriment finding (NDF) documents to sustain the trade of the listed as well as the look-like species
- Inclusion of the following three species belonging to the subgenus Holothuria (Microthele): Holothuria (Microthele) fuscogilva, Holothuria (Microthele) nobilis and Holothuria (Microthele) whitmaei, in Appendix II
- The listing might create impacts to the trade of products from other species of the same Genus that could not be identified from the product forms (particularly powdered form, as dried teatfish could be easily distinguished) at the entry or exit point of the countries
- Other species could also be proposed for listing in the Appendix II in the future.
- Data on catch and status of the proposed species from all Southeast Asian countries are still insufficient, so the listing of the species might lead to difficulties in data collection in the future
- Although CITES would support the data collection once the species are listed in the CITES Appendices, such data collection would require considerable amount of investments from donors.
- Listing of the proposed species into the CITES Appendix II could result in increased illegal trade of the species in the future
- If the proposed species are listed under the CITES Appendix II, trade of the species might require NDF documents
- Implementation issues might emerge, such as introduction from the sea
- Inclusion of the two species commonly referred to as the white-spotted wedgefish, Rhynchobatus australiae and Rhynchobatus djiddensis in Appendix II, and inclusion of all other species in the Family Rhinidae (wedgefish): Rhynchobatus cooki, Rhynchobatus immaculatus, Rhynchobatus laevis, Rhynchobatus luebberti, Rhynchobatus palpebratus, Rhynchobatus springeri, Rhynchorhina mauritaniensis, Rhina ancylostoma, and any other putative species of Family Rhinidae in Appendix II
- If the species are listed in the Appendix II, the trade of other species and their products (e.g. guitarfishes) would create some impacts, e.g. more officers in the field (landing ports) would be necessary to classify the catch up to the species level, and also identify the products from other species (e.g. dried fins)
- Implementation issues might emerge, such as introduction from the sea

from the Japanese Trust Fund would support the participation in the upcoming CITES CoP, of additional representatives from some AMSs, namely: Cambodia, Lao PDR, Myanmar, and Viet Nam, as well as the representative from Malaysia who served as Chairperson during the Regional Consultation for Development of the ASEAN-SEAFDEC Common Position on the Proposed Listing of Commercially-exploited Aquatic Species into the CITES Appendices on 30-31 January 2019 in Bangkok, Thailand.

Meanwhile, SEAFDEC continues to monitor the developments in the international arena related to the conservation of CEAS and the movements that eventually lead to the proposals for the listing of CEAS in the CITES Appendices. In the Southeast Asian scenario, SEAFDEC sustains its efforts in promoting

the sustainable development of fisheries for food security in the region.

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About the Authors

- Ms. Suwanee Sayan is the Policy and Program Officer of SEAFDEC based at SEAFDEC Secretariat in Bangkok, Thailand, and currently, the Assistant Coordinator of the Project "Assistance for Capacity Building in the Region to Address International Fish Trade-related Issues."
- Dr. Worawit Wanchana is the Policy and Program Coordinator of SEAFDEC based at SEAFDEC Secretariat in Bangkok, Thailand, and currently, the Coordinator of the Project "Assistance for Capacity Building in the Region to Address International Fish Trade-related Issues."
- Mr. Lawrence Kissol, Jr. is a Senior Fisheries Officer of the Marine Resource Management Office, CITES and Conservation of Endangered Species Unit, Department of Fisheries Sabah, Malaysia. He was elected Chairperson for the Regional Consultation for Development of the ASEAN-SEAFDEC Common Position on the Proposed Listing of Commercially-exploited Aquatic Species into the CITES Appendices convened by SEAFDEC on 30-31 January 2019 in Bangkok, Thailand.
- Ms. Virgilia T. Sulit is the Managing Editor of Fish for the People based at the SEAFDEC Secretariat in Bangkok, Thailand, and Member of the Secretariat of the 2019 Regional Consultation.

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