

EXPLORING THE ROLE OF GOOD GOVERNANCE IN ROAD SAFETY ADMINISTRATION IN NIGERIA

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ABSTRACT

The Federal Road safety Corps (FRSC) was established with a workforce drawn from volunteer young University Graduate in the National Youth Service scheme as well as from the Vanguard of positive societal change and moralist who had been involved in raising road safety to national consciousness before then. Despite this noble stock at its background, the FRSC had to deal with emerging problem of every organization after its establishment. These include; corruption, laziness, bureaucracy, inadequate funds, misappropriation of funds, award of contracts and execution of projects etc in addition to the normal work of crash reduction. This is a kind of case study of a developing Country as it hypes the integrity upon which the Corps was built in the employment of first set of staff, the various measures of good governance introduced by FRSC management to cope with emerging challenges and how FRSC has keyed into various policies of good governance of Federal Government. The paper also highlights areas of improvement on these policies.

1. INTRODUCTION

Road traffic accident is unarguably one of the "titanic" tragedies confronting man. The magnitude and trend world-wide is heartbreaking. Unfortunately, the rising tide of this global problem has continued to outstrip all efforts to curtail it. Such major efforts in major parts of the world especially in developing Nations are either half hearted or half baked. Incidentally such infertile decisions involve money, time, and resources and so on which are more often than not limited thus making good governance imperative.

One of the indices of good governance noted by Transparency International is corruption perception index. Bribery is a corrupt act involving offering, giving, receiving or soliciting gift (i.e money, privilege, good, right in action, promises, undertaking, free food or tips, backing, advantage) that alter or influence the behavior or conduct of the receiver. Meaning that, both the giver and taker are corrupt. The perspective of bribe varies from Country to Country even though it does not enjoy support anywhere. Sponsorship of Political campaign may be a bribe in any country except United States of America. Bribe is referred to as a bite in Spanish countries and a tip in Arabian Countries. Nigerian National Assembly can also be lobbied.

Other terminologies used to legitimize bribe by the elite include greasing ones palm, mobilize etc. Where the power lies with the taker it is referred to as extortion. The pervasive role of bribery and corruption in the society and on the road has contributed to recalcitrant traffic offense on the road and the road crash. This is because it has encouraged bad traffic behaviors. Good governance can also be thwarted by poor attitude

to work by the employee. A lazy man is not different from one who is ready to destroy the work.

There is common saying that 'all work no play makes Jack a dull boy' but the more we relax the more the job suffers. Lazy officers often spend most of the time doing irrelevant things and giving flimsy excuses. Time is one of the most priceless things that we all possess in equal measure but what set people apart is how individual utilize their time. A time waster often do not plan their trip properly hence over speed and drive dangerously in other to meet up. Laziness can reduce quality of service significantly since it result in delay in processing traffic offenses and misjudgment.

It is against this backdrop of corruption and other ineptitude pervading the society that the founding fathers of FRSC in the seventies felt strongly to challenge¹. The challenge first started as an intellectual discuss in the Universities among the intellectuals in Social Sciences and Arts, then the Military and State Governments. Papers are being presented on transportation and road safety by the academia in Nigeria right from the sixties. Many efforts were made towards the realization of road safety today.

There was the Motor traffic ordinance of 1913 operated in Southern Protectorate only. Then the National Motor traffic ordinance of 1916, reviewed in 1940 and 1945 based on English road traffic Act 1930. The transport companies with large fleet of vehicles also engaged in conducting drivers training and testing. After independence in 1960, the traffic police unit was established with its function and limitation. The Vehicle inspection unit was also established in the Ministry of Works and Transport between 1971- 1974².

The Nigerian Army organized annual one week safety campaign in 1972. But the Military took it upon themselves to organize a National road safety week in 1972 in response to the road carnage during the period and as their contribution towards development of Nigeria after the Civil war. It also brought the Nation's Military together as one after the war. The success recorded by the Nigerian Army road safety campaign brought the effect of the carnage recorded on the highways to National consciousness and the declaration of 1974 by FGN as National Road Safety year. Unfortunately, since this is not their primary assignment, the gain could not be sustained over time.

And in furtherance of the campaign the Road Safety Advisory Commission was established in the Federal Ministry of Works and Housing in 1974. Edict No. 18 of 1977 from Oyo State established Oyo Road Safety Corps with its objectives, powers, limitation. It is the first active step towards road safety in Nigeria. This group was called 'Majamaja'. Being social reforming group, their activities attracted commendation and emulation in the neighboring States like Ogun State, Lagos, Anambra, Kano etc. The members were seen as non corrupt social reformer. Even though the motivation of these groups was the crashes on the highway, the curbing of traffic indiscipline in the urban area made them more popular. This cannot be successful without the help of the Nigerian Police.

Consequently the urban traffic Unit by Nigerian Police was established in 1978 to ease traffic in urban area. But most of the early States that embraced the road safety idea were

in a Political party (Unity Party of Nigeria) different from the ruling National Party of Nigeria (NPN) then. The licensing procedure was in chaos as sign writers were in charge of producing number plate. Even though there were licensing Authorities, respected Vehicle Inspection Officers and testing grounds for drivers licensing, the administration of this was incapable of coping with the anticipated traffic increase in the Country.

This situation became very glaring following the 'Udoji Award' to Civil servants in 1976 during which the level of Motorization in the Country doubled and have been on geometric increase since then. Furthermore, the country had reached a point where vehicle in one State found it difficult to operate in the neighboring State because of difference in traffic requirements. This is because traffic is on the concurrent list of legislation and both the States and the Federal Government can legislate on it.

Therefore, in order to catch up with the success recorded from the wide acceptance of road safety idea in these States, the Federal Government established the National Road Safety Commission (NRSC) at Federal Ministry of Works and Housing to apply the idea nationally. The staffs were mostly civil servants and the retired Military personnel. It was obvious that the Philosophy of social reformist, selflessness, and the academic input was lacking in this arrangement and so not likely to achieve the envisaged result found in the State organized road safety.

The NRSC also had logistic and Bureaucratic problem because of the people that constitute it. It was seen as a department in the ministry; an environment which is unfavorable to the social reformist. Yet implementing Road Safety on a National scale was far better than the individual State arrangements. The NRSC had power to recommend only, it cannot implement / enforced³.

The NRSC was therefore scrapped in 1988 to pave way for Federal Road Safety Corps (FRSC) same year. The staff in FRSC was drawn from the National Youth Service Corps (NYSC) members of 1988, particularly those who did their primary assignment in FRSC, the seasoned members of the road safety Agencies at State level, and some members of the NRSC. More importantly, the leading social critic and protagonist of good governance in Nigeria in Person of Professor Wole Soyinka was given free hand to set up the FRSC as did in the Oyo State road Safety under Chief Bola Ige. There was no better opportunity for anyone to implement what he preached and the revered Professor did not miss any chance in the assignment.

Having a mind set to change the society was the most important qualification of the members. All shared the views of the Professor with regard to the prevailing indiscipline, corruption, favoritism going on in the society and the need to change it by EXAMPLE. This "Branding" portray FRSC as an efficient, fair and corruption-free organization, thus favorably setting it apart from other law enforcement and paramilitary agencies in the country⁴. But suffice to say that all staff had to be 'born again'- born into the life of selfless service, and agent of societal change for good governance and corrupt free society. A motorist could bet that all, except FRSC staff would take bribe. As such the probability of

an offender being penalized was high. The probability of being caught was also high because the FRSC was provided with Logistic that supersede the vehicles in the country at the time.

The integrity of the Professor gave FRSC its identity and this rubbed on positively on the entire staff under him to the extent that motorist was sure of justice when caught. Whether a driver will commit traffic offense or not depend on the chance of being caught, the chance of being penalized, and to what degree other financial implications arising from the offense or its consequences, the social stigma or peer approval attached to the offense or getting caught, the risk of injury (to oneself and to others) attached to the offense, gains in time or convenience, any enjoyment derived from the offending behaviors and the risk of damage to own or other vehicle or property.

The volunteering spirit and integrity of the founding fathers made it possible for Academia, Professionals in the civil service as well as students at all level to key into road safety idea even as a volunteer. Specifically, the FRSC operate a three tier structure comprising the Regular Marshals (Paid), Special Marshal (Volunteer) and the road safety clubs⁵. FRSC presently command the largest volunteer force in the Country copied by other Agencies like the Police, Nigerian Drug Law enforcement Agency, Civil defense and so on. It also spearheaded Agencies in positively utilizing the youthful energies of the young Nigerian Graduates.



Fig 1: Three tier Structure of Interlocking effort

This background made it easy for FRSC to implement the National assignments given to it. These include harmonization of traffic regulation in the Country, education and enforcement of motoring public on the safety advantage of good traffic behavior and so on, aptly termed 4E's (Enforcement, Education, Environment and Evaluation).

Different strategies and models of road safety which are in line with global best practices had already been discussed in the academic circle in the country so FRSC need not look too far. However, the staff were properly trained locally and internationally on how to implement the Paramilitary inclined-Nigerian Model of the Road Safety⁶. The administrative capacity of government to develop and implement policy is crucial to effective regulation of safety and environmental standard in all modes of transport. It must not only be based on the principle of centrally defined standard and procedure but there must be efficient way to monitor transport situation, infer road safety information and translate it into policy action, laws, regulation needed for law enforcement.

The Financial implication of doing this in face of overlapping function of institutions involved in road safety (VIO, FRSC, Police, NBBRI, Red cross, SON, Traffic warden, Universities etc) sometimes create gap here. This institutional problems require one to know function of each organizational unit, reporting ministry, what incentives are built in their procedure, how they source their funds and what road safety information is generated by them.

The Nigerian Army saw FRSC as a product of their effort hence gave much support to sustain the Paramilitary status of FRSC. On the other hand, much of the work done by FRSC was carved from what traffic Police and Road Traffic Officers were doing at the time. And up till today areas of overlap still exist in their job function, though often resolved amicably. But on several occasion these overlap has tempted several government to merge FRSC with the Police.

Notable constraint to road safety administration is unavailability of data. Data are needed on vehicle fleet (type, size, range etc), operator license (area, no /capacity of buses), driving license, accident and safety (death, injured, inspection). Standard of vehicle inspection and loading are lowered in many countries not due to lack of testing equipment but because impounding them further affect the marginal economy, regrettably this weakens the administrative control and encourage corruption.

A benchmark is resorted to which distinguish 'must' met standard from 'need' standard for safety. Road safety needs to be proactive in risk assessment, responsive to changes in policies, land use or traffic and reactive during rescue operation. In this globalized world there is need for networking with other road safety institutions in Nigeria and abroad and exchange capacity with these institutions. Road safety should not stop at prevention and planning but instilling confidence in commuters and remove risk in traveling.

After its establishment the Federal Road Safety Corps (FRSC) had to deal with problems concerning corruption, inadequate funds, misappropriation of funds etc. This paper therefore shows the troubleshooting strategies. It shows the various measures of integrity and of good governance introduced by FRSC management to cope with emerging challenges. Furthermore the paper shows the pervasivity of corruption in developing countries and the challenges they have to cope with.

2. MANAGEMENT OF ROAD SAFETY AND CONTROL IN NIGERIA

- “ Under the Presidency
- “ Under the governing boards
- “ Under the Presidency (2nd time)
- “ Under the Nigerian Police.
- “ Then the Board

2.1 Past efforts to merge with the Police

- “ 1993 Abdulah Koki Secretary Police Affairs
- “ 1994 Constitutional Conference
- “ 1997 Alison Ayida Panel
- “ 1997 Vision 2010 report
- “ 1998 by Alhaji Gidado Idris.

2.2 Past Leaders

- “ Professor Wole Soyinka Chairman of Governing Council 1988-1992
- “ Vice Admiral Akin Aduwo (rtd) 1992-1994
- “ Alhaji Adamu Maina Waziri 2006-2007
- “ Ambassador Greg Mbadiwe 2006-2007
- “ Col Lawan Gwadabe (rtd) March 2009- Date

2.3 Succession of COMACE

- “ Dr Olu Agunloye 1988-1994
- “ Gen Anthony Haladu Hananiya (rtd) 1994-1999
- “ Malam Danyaro Yakasai (Acting) 1999
- “ Engr Abba Kyari Wakilbe (DCM FRSC under Police) 1999-2003
- “ Gen Anthony Haladu Hananiya (rtd) 2003-2007
- “ Mr Osita Chidoka June 2007-Date

2.4 National Coordinator of Special Marshal

- “ Chief Audu Ogbe
- “ Group Capt RA Sodeyi (rtd)
- “ Otunba Bisi Lawal
- “ Rev Fr Emanuel Otiaba

3. GOOD GOVERNANCE MEASURES TO COPE WITH CHALLENGES OF CORRUPTION, BUREAUCRACY, INADEQUATE FUNDS, EXECUTION OF PROJECTS ETC

The work of FRSC entails dealing with Public funds realized through fines on traffic offenders. And in order to insulate the staff from the temptation of misappropriating the funds, the FRSC made it a priority that;

(a) Ticket are issued to traffic offenders at the point of arrest, stating the offense, penalty, designated Bank of payment and period of payment

(b)The FRSC staff had no right to waive the offense. This measure is aimed at eliminating the personal collection of the fine by the Ticket issuing officer.

(c) The FRSC staff is not allowed to pay the fines for the offender so that they are not accused of collecting extra money for this service⁷.

In the past when offenders come to collect teller to go and pay in the Bank, corrupt duty staff usually pretend to assist the offender to pay by releasing the original confiscation to the offender after making Photocopies of it. Such money is never paid to FRSC account while the corrupt staff will simply write 'PC-Photocopy' in front of places where original is written in the offense register. An auditor may not detect this but the abolition of collection of photocopy stopped this fraud permanently.

A recent trend which has not been addressed is booking on trust. Here, a staff issues a ticket to offender without confiscating any item. When such offender comes to pay, the duty staff often offers to help by collecting the ticket but will refuse to pay it to FRSC account while the photocopy of the ticket is abandoned in the file. Such photocopies are thrown away after some times, particularly after the Audit year, while the offender is assumed to be non compliant. But since all aspect of road safety (Process, waste and end result) are being Audited, these loophole are continually being blocked.

(d)The FRSC has a recent arrangement with the designated Banks that make fines payment accessible by FRSC headquarters in real time. In the past corrupt staff use to print illegal notice of offense which is issued by their loyal but corrupt Marshals to offenders and fines from such money is paid into a separate account different from FRSC account in the same Bank. This practice requires the connivance of head of Operation, duty room, arresting Marshals and the Banks.

(e) Usually, tyres of impounded vehicles are deflated for security reason, therefore when the Marshal on night duty threaten the offender to deflate the tyre, the offender is coerced to bribe so that the tyre is not deflated. The Intelligence Unit of FRSC has been helpful in curbing this sharp practice. Such sharp practices are also common with offenders who does not want to listen to Public Education before the vehicle is released or offender who does not have enough money to buy the mandatory Highway Code.

(f)The Patrol activity is always a nightmare to an in corrupt officer. On busy route where FRSC has no time to book the offender at the location, the officer usually detail Marshals to be taking the vehicle to the FRSC office as soon as the vehicle is impounded. Unfortunately however, such Marshals do negotiate with the offender before getting to base and latter lied that the offender threatened him so he ran out of the vehicle. However when the team leader of the Patrol is involved in the crime all the vehicles are brought to the Command and he may now decide to book some and take bribe then leave others without anybody apart from his team knowing. The introduction of mobile Court has helped

to reduce this. In the Mobile Court, the offender is apprehended, adjudicated and penalized on the highway.

(g) The Patrol team is also involved in diverse forms of bribery on the road using various tactics to extort money from drivers who do not want to waste time on the road, due to illiteracy and lack of trust in the judicial system. But the intelligence Officer of FRSC does apprehend such corrupt officers. Since the operational procedure of FRSC allow only four (4) staff to be on patrol, these Marshals use to employ the 'fifth man' (who is not FRSC staff) whom the drivers pay the bribe to after their negotiation.

(h) The FRSC was the first government Agency to commence the e-Payment of staff salary. This took place long before the Federal Government of Nigeria mandated all the Ministry, Department and Agencies (MDA's) to implement e-Payment⁸. It was therefore easy to implement it on Contractors when asked to do so by the Federal Government. The implementation of e-Payment has eliminated the need for carrying money about, quicken fund transfer rate and minimize financial leakages to middlemen in the Account department and Banking halls.

(i) Strong attempt is been made to introduce the use of machine readable driver's license. This would minimize the sharp practices in the duty room since the offender would be fined and penalized online and the money deducted from his account directly. An un-apprehended offender may still be made to pay fine by this method. Modalities for it success in the country is being worked out.

(j) The Patrol officers in FRSC are not allowed to carry more than one hundred Naira (#100) while on duty. This money must have been declared and its number recorded before embarking on Patrol activities. They are also not to accept money or gift during the Patrol activities. These must neither be found in their vehicle or vicinity of their Patrol beat. Regular Surveillance activities are being carried out at all level of Command to ensure compliance to this. Many corrupt staff has also been apprehended and dismissed for violating above policy. Wrongful detention of traffic offenders in FRSC premises and sometimes meting out corporal punishment on such offenders is abuse of the fundamental rights of citizens. Or not charging vehicles detained for more than 15 day to court can make offender claim that they are being unduly detained.

(k) The National Drivers' license and vehicle number plate are some of the products of FRSC. Incidentally the procurement of these by the motoring public requires testing by the Road Traffic officers, payment at Board of Internal revenue, production and collection at FRSC. This tripartite arrangement has not only been a source of mutual suspicion between the stakeholders but has provided areas of financial leakages for middlemen. This has made the cost of these products arbitrary, reduced the integrity and the money involved had kindled the interest of some State Government and touts that have the knowledge of establishing processing centers. This is more so that traffic is under the concurrent list of legislation. Many staff in the license processing offices of FRSC has been dismissed for producing license for untested drivers⁹.

In the past, these officers collect licenses from people in their offices without making them undergo the normal procedure. These licenses are produced secretly using FRSC materials but their activities are being constantly monitored.

(l) The FRSC is a signatory to SERVICOM (Service Compact Charter of Federal Government). This pact ensures excellent service delivery in all activities of FRSC such as Operation, Licensing, Information gathering and release, dealing with public and so on. The services are to be provided timely and equitably without any intimidation or extortion of any kind. In time past, people hide under bureaucratic red tape to perpetrate laziness and corruption. Files pile up on officers table for weeks unattended to while many engage in private business at the expense of the government.

In order to further evaluate the integrity of the system and re brand the Corps, the FRSC subjected its Operation activities to the scrutiny of ISO: 9001 in the year 2008¹⁰. A lot of staff have been trained as ISO Auditors, produced FRSC Quality Manual, Provide holistic and integrated approach to service delivery in line with global best practices. The manual outlines the quality policies, process and procedure for effective Road traffic management. It specifies requirement for a quality management system (QMS) where FRSC needs to demonstrate its ability to consistently provide services and products that meet customer requirement and sophistication.

Lack of maintenance culture can lead to the systematic destruction of the Commission's operational asset, despite the regular release of funds for the purpose. A situation where FRSC patrol vehicles, radios, walkie-talkies, radar guns, etc, constitute an eyesore is not a healthy development and can erode the Commission's moral status at checking other vehicles. This also include non settlement of utility bills as at when due. Policies have been put in place to check this. All patrol vehicles must have basic rescue equipments e.g. tow ropes, first aid box, water, fire extinguisher, fireman axe, etc. One of the yardsticks for accessing the Commanding officers is also their initiative and compassion for their staff in distress.

In order to avoid the lobby and embarrassment that characterize recruitment due to the high rate of employment in the Country, the FRSC recently contracted the examination of prospective applicant to the National Examination body (JAMB). This relieved the staff of the numerous calls by their relation to help employ their wards at the same time guarantee recruitment of qualified staff.

4. NOTABLE RESULT OF GOOD GOVERNANCE

1. Laminated National drivers license (1990)
2. Revision, Translation and Production of the Highway Code in Major Nigerian Languages
3. Establishment of Road Safety Officers Wives Association (ROSOWA)
4. Harmonization of the National Road Traffic Regulations, 2004
5. Expanding Communication/Radio network
6. Upgrading the FRSC to full Paramilitary status

7. Establishment of a National Uniform Licensing Scheme (NULS)
8. Nationwide Traffic Count/Survey.
9. Restructuring and Staffing of the Commission
10. Establishment of viable staff Housing and Cooperative Schemes.
11. Increased public awareness on road safety
12. Production of safety publications such as Road Safety tips for children.
13. Successful introduction of Road Safety Clubs in schools and the Special Marshals Scheme to complement the Regular Marshals efforts.
14. Establishment of the Road Traffic Safety Standardization Scheme (RTSSS) to ensure use of passenger manifest, discourage Night Journeys and co-ordinate the activities of Transport companies.
15. Hosting of various stakeholders meetings with bodies such as SON, NUPENG-PTD, NURTW, ACOMORON, LUBOAN, etc towards addressing some emerging traffic issues.
16. Successful use of Mobile Courts and introduction of SACORS and LACORS at State and Local Government Levels as alternative conflict resolution mechanisms.
17. Expansion of Operational activities through the establishment of more Commands
18. Creation of road safety awareness in the country through NTA Network programme etc.
19. Quantitative reduction in road traffic fatalities in the country
20. Creation of a Regimental Band unit in the FRSC
21. Introduction of Internet services and creation of an FRSC website.
22. Introduction of ceremonial uniform for staff
23. Firearms training for Officers and Marshals.
24. Creation of Special units such as Intelligence, Provost, Corps Secretary, Pensions and Insurance etc.
25. Procurement/building of Offices and residential accommodation for enhanced staff welfare.
26. Expanding the Manpower Base of the Corps
27. Establishing the Anti-Corruption Unit, SERVICOM and Due Process in line with the Reform Agenda of the Federal Government
28. The first road side clinic was established in Birni Yaro in 1990. up to 15 are available now
29. National vehicle identification scheme (NVIS) Jan 1993
30. First ever international conference on road safety 1992
31. National road traffic regulation 1994
32. Enhanced National drivers license 1997 (PVC Card)
33. Customised National drivers' license 2007
34. Implementation of Policy on Driving schools (2008)
35. Enhanced emergency response capability (20minutes) by the acquisition and deployment of 16 state of the Art Ambulance, ICT center in HQ and VHF in all commands
36. Gained World Bank approval for Country capacity review
37. Get 13 states to include FRSC in their security council (Taraba 3.3, Bauchi 12.1, Portharcort 6.1, Calabar 6.4, Kaduna 1.1, B/Kebbi 10.2, Lagos 2.1, Abuja 7.1, Plateau 4.1 and Borno 3.1)
38. Gaining ISO certificate
39. Introduction of vehicle management suite to track FRSC vehicles (Oct 2009)
40. First parastatal in Nigeria to introduce E payment (31 August 2008)
41. Increase in enumeration of staff
42. Computer literacy in staff

43. Installation of VHF in all zonal command
44. Installation of internet in all commands
45. Revising highway code 2008

5. THREATS

1. Increased aggression by the motorist towards law enforcement agents.
2. Staff are particularly vulnerable in the absence of Fire Arms while
3. Compromise by Staff in form of bribery / corruption
4. Overlapping functions, poor coordination and networking among different law enforcement agencies
5. Proliferation of non cooperative State road Safety Agencies who prefer to run parallel organization to FRSC
6. Inadequate funding for both Capital and Overheads
7. Problem arising from inefficiencies of other sub sector of road Transportation such as in road maintenance and importation and manufacture of quality vehicle for which FRSC has little control
8. Incessant mob action and demonstration by drivers against traffic rules (i.e overloading) without repercussion measures on the perpetrators
9. Apathy by Private Sector in funding government projects
10. Non bearing of Fire Arms
11. Lack of progression courses in the training schools
12. Flagrant abuse of traffic rule by the elite political class with impunity.
13. Lack of genuine commitment and Political will of various levels of decision makers in Road Safety in Project Implementation
14. Lack of measurable target on most policy issues and;
15. FRSC data is inconsistent with international standard

6. WAY FORWARD

1. Sincere dedication to the FRSC mandate and Political willingness of the Presidency
2. Organizational Restructuring & Re-engineering towards a vibrant and efficient work force
3. Harmonizing the institutional responsibilities of all Road Transport Agencies
4. Acquisition of state of the art operational equipment (ambulances, Tow trucks, speed guns, Mobile data processors)
5. Stepping up activities on pre crash measures (seat belts, helmets, increased public enlightenment)
6. A holistic approach of improving road infrastructure and furniture (eg wider road shoulders, road marking etc) and;
7. Private Sector Participation
8. Constantly reminding the staff of the virtues upon which the Corps was built.
9. Provision of adequate incentives to cater for the hazard faced by the staff.
10. Acquisition of more office and barracks (residential) accommodation for its staff.

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