

GENDER RESPONSIVE SETTLEMENT

BROADER LEARNINGS FROM
LGBTIQ+ REFUGEES



The Migration Council Australia (MCA) is an independent, non-partisan, not-for-profit body established to enhance the productive benefits of Australia's migration and humanitarian programs. MCA brings together corporate Australia and the community sector to provide a national voice to advocate for effective settlement and migration programs. Our aim is to promote greater understanding of migration and settlement and to foster the development of partnerships between corporate Australia, the community sector and Government.

Forcibly Displaced People Network (FDPN) is the first organisation in Australia to dedicate its work to the issues of LGBTIQ+ forced displacement and be driven by the lived experience of it. FDPN is established to promote human rights and inclusion of LGBTIQ+ persons in forced displacement through peer support and strengthening services and policy responses. FDPN builds upon successful work of the Queer Sisterhood Project and the 2019 Queer Displacements Conference.

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Executive Summary

Due to persecution and violence based on their diverse gender identity, sexual orientation or sex characteristics, LGBTIQ+ refugees continue to face a number of vulnerabilities even after being granted protection. LGBTIQ+ refugees may lack forms of social support in their host country and face various barriers to accessing services, which can hinder their progress in settlement. Australia has a long and proud history of working closely with the United Nations High Commissioner for Refugees (UNHCR) by resettling refugees. While Australia is recognised for its robust approach to settlement, strengthening gender responsive service delivery will support refugee cohorts to reach their full potential and enhance the settlement sector's capacity.

This report aims to explore the specific needs of LGBTIQ+ refugees, in contrast to the broader refugee population, highlighting multiple levels of disadvantage that LGBTIQ+ refugees may face. In particular, experiences of persecution and discrimination, as well as a general absence of social support from accompanying family members or communities of the same ethnic background, increases the vulnerability of this cohort. Learnings from the settlement experiences of LGBTIQ+ refugees can be adopted to inform a more culturally responsive and gender inclusive approach to supporting refugees in Australia.

To support the effective settlement of LGBTIQ+ refugees and other refugee cohorts in Australia, services need to be both culturally responsive and inclusive of people with diverse sexual orientation, gender identity and sex characteristics. This report explores the particular needs of LGBTIQ+ refugees in accessing health care, social support, employment and housing support. A number of best practice principles for strengthening service delivery to this cohort are suggested, as well as strategies to address barriers of access. Adopting an intersectional lens to research, policy and service provision is recommended to understand the various layers of discrimination that LGBTIQ+ refugees and other refugee cohorts may face in their settlement experiences. It is essential that the settlement sector continues to invest in capacity building to implement an intersectional approach to service design and delivery, drawing on its culture of improvement to ensure that supports are responsive to the needs of the LGBTIQ+ community. Finally, establishing and maintaining data collection practices regarding sexual orientation and gender identity may also support tailored service delivery to this group.

Introduction

LGBTIQ+ refugees continue to face key vulnerabilities, such as ongoing discrimination and risks to their safety despite relocating countries (voluntarily or otherwise). Due to persecution based on their sexual orientation, gender identity or sex characteristics, many members of the LGBTIQ+ community have fled their home countries to seek protection abroad. As refugees, this cohort faces an additional burden of proof to justify their need for protection; first, they need to prove they are indeed LGBTIQ+ and second, that they face persecution because of their sexual orientation or gender identity (Kahn & Alessi, 2017).

Currently, 77 states in the world criminalise same-sex relations (UNHCR, 2020). Being both LGBTIQ+ and a refugee increases the vulnerability of this group, who require tailored supports to address their specific needs. Australia has an established record of working closely with the UNHCR by resettling refugees, including those who identify as LGBTIQ+. By providing these cohorts with effective, culturally appropriate and inclusive supports, Australia can maximise the potential of these communities to contribute productively to the nation. Improving service delivery to refugee cohorts facing heightened vulnerabilities will not only lead to better settlement outcomes but will strengthen the capacity of the Australian settlement sector as a whole.

This report explores how the needs of LGBTIQ+ refugees may differ from the needs of the general refugee cohort, identifying challenges that LGBTIQ+ refugees may face in accessing supports in Australia. In light of the COVID-19 pandemic's impact on Australian borders and international migration flows more broadly, the opportunity to reflect on refugee settlement in Australia is timely. In the waiting period between closed and open borders, it is useful to consider how Australia's current approach to settling refugee cohorts can become more gender responsive, particularly in response to the needs of people with diverse gender identity, sexual orientation or sex characteristics.

It should be noted that a variety of terms are used in the literature to refer to LGBTIQ+ refugees. These terms include 'LGBT forced migrants' and 'sexual minority refugees'. This report uses the umbrella term 'LGBTIQ+' to encapsulate members of the lesbian, gay, bisexual, trans, intersex and queer communities, including people with diverse gender identity, sexual orientation or sex characteristics who do not identify with the terms listed above. Further, the term 'LGBTIQ+ refugees' in this report includes individuals with recognised refugee status who have experienced anti-LGBTIQ+ persecution; those who have been resettled for other protection reasons and are LGBTIQ+ persons (this includes

young people who came with their families); and LGBTIQ+ individuals who claimed asylum upon arrival to their host country.

This report examines literature from the Australian context, as well as the United States and Canada – countries with relatively large refugee intakes. There is a dearth of literature on the experiences of LGBTIQ+ refugees in Australia. This report supplements the limited research available with insights from studies of the general refugee population in Australia, consultation with service providers who work with LGBTIQ+ refugees and asylum seekers, as well as literature on the experiences of Australian-born members of the LGBTIQ+ community. Further research is needed to understand the settlement experiences and needs of LGBTIQ+ refugees resettled in Australia.

LGBTIQ+ refugees have unique settlement needs

As a cohort at heightened risk of continued persecution and discrimination even after being granted protection, LGBTIQ+ refugees require specific settlement supports in their host countries. This section explores how the needs of LGBTIQ+ refugees differ from the needs of the general refugee cohort, as they may face additional risks to safety; lack the social support generally provided to refugees by accompanying family members and communities of the same ethnic background; and face additional barriers to accessing services.

Experiences of persecution increase the vulnerability of LGBTIQ+ refugees

Refugees who have experienced persecution, violence and discrimination in their home countries due to their sexual orientation or gender identity face heightened vulnerabilities. Violence and discrimination against LGBTIQ+ persons is enshrined in law in some states, with same-sex relations punishable by death in seven countries (UNHCR, 2020). In countries where there are no laws prohibiting same-sex relationships, violence and discrimination against the LGBTIQ+ community persists. This significantly limits education and employment opportunities for LGBTIQ+ persons, drives people into poverty and homelessness and forces them to engage in survival sex (Dixson, Dixson & Rubashkyn, 2019; Organization for Refuge, Asylum & Migration, 2012).

Alessi et al. (2016) highlight a number of factors that set LGBT forced migrants apart from the general refugee population, including ‘the early onset of victimization, the perpetration of violence by family members, the societal stigma that tacitly condones this violence, and the lack of formal and informal supports to help LGBT migrants cope with trauma.’

Coethnic communities may not be a source of support for some LGBTIQ+ refugees

While communities from the same ethnic background are generally a source of social support for newly arrived refugees, this may not be the case for LGBTIQ+ refugees due to the persecution they faced in their home countries.

Shidlo and Ahola (2013) highlight that LGBTIQ+ refugees typically do not have the natural support of their ethnic communities, since their ‘compatriots remind them of the very people that they have fled from and are fearful of’. Furthermore, many LGBTIQ+ refugees are resettled without family members, who may have been a source of persecution back in their home countries (Redcay et al., 2019; Shidlo & Ahola, 2013). This increases the vulnerability of LGBTIQ+ refugees, as social support from family and members from the same ethnic community is considered a protective factor for refugees (Birman & Tran, 2008 in Kahn, 2015).

Fear of contact with ethnic community members may also act as a barrier for LGBTIQ+ refugees to access services. This is highlighted in a 2015 study of gay asylum seekers who migrated from Islamic societies in the Middle East and Africa to the United States. Several participants ‘mentioned reluctance to attend a “gay organization” for fear of exposure to coethnic community members’ (Kahn, 2015). Promoting multiple points of access to services may be needed to overcome this challenge.

Intersectionality underpins LGBTIQ+ refugee experiences

An intersectional approach¹ appreciates the diverse factors that shape the experiences of LGBTIQ+ refugees, particularly their experiences of settlement. Intersectionality ‘promotes an understanding of human beings as shaped by the interaction of different social factors’ (Hankivsky, 2020). This is particularly pertinent in the case of LGBTIQ+ refugees, since the ‘intersection of their sex, age, sexual orientation, gender identity, nationality, ethnicity, race, religion, social or economic status, disability and/or HIV status may contribute to further violence and discrimination, on top of their refugee status.’ (Queer Sisterhood Project, 2019).

¹ The term ‘intersectionality’ was originally conceptualised by Kimberlé Crenshaw (1989) and refers to the intersection of multiple forms of discrimination that some individuals may experience, with Crenshaw’s initial work focusing on the double discrimination faced by Black women, by virtue of being both Black and female.

Adopting an intersectional approach also involves unpacking the power and privilege that individuals may retain alongside their disadvantage (Dhamoon, 2010; Yuval-Davis, 2006). The diversity within the LGBTIQ+ refugee cohort means that not all LGBTIQ+ refugees may experience the same level of disadvantage. For instance, in the context of gender inequality, gay men may hold more privilege than queer women, while through the lens of racial inequality, LGBTIQ+ refugees who are white-passing may not experience the same level of racism as those who are black.

Moreover, an intersectional lens is useful, not only to identify the various layers of discrimination that LGBTIQ+ refugees may face, but to determine if services are both inclusive of people with diverse gender identity or sexual orientation *and* culturally responsive, that is, respectful of the needs of people from multicultural backgrounds. For instance, an organisation that provides services to the LGBTIQ+ community may not be trained, resourced to engage interpreters or culturally competent to also provide services to refugees. Finally, an intersectional perspective is helpful to understand the multiple identities of LGBTIQ+ refugees: refugee; member of the LGBTIQ+ community; male, female or non-binary, etc. This is important, as how LGBTIQ+ refugees identify themselves may shape how they interact with services targeted towards specific groups or communities.

The lived experiences of LGBTIQ+ refugees are valuable

The perspectives and experiences of LGBTIQ+ refugees can play an essential role in influencing policy and service provision. However, it is key that the diversity of these experiences is recognised and not homogenised into Western narratives of gender expression and sexuality, as Queer Sisterhood Project (2019) highlights:

When people with the lived experience choose to tell their stories, it is important they are free to tell what matters to them. Very often, Western societies impose preferred narratives they want to hear from refugees. This includes wanting to share traumatic details of the past, fitting into a Western definition of sexuality (such as identifying as an LGBTIQ person and not through your cultural terms), describing one's home country as being backwards in comparison to Australia, being grateful and most importantly being an out and proud queer person. Such preferred narratives are highly damaging as they see all refugees being a homogenous group.

Kahn and Alessi (2017) highlight the conflict that some LGBTIQ+ forced migrants may face in reconciling their sexual orientation and gender identity with Western notions of the LGBTIQ+ community, pointing out that due to 'socio-cultural norms in their countries of

origin, the claimants may never have identified with sexual and gender categories as they are understood in Western contexts.’ Therefore, when using the lived experiences of LGBTIQ+ refugees to inform policy and service responses, it is important to be aware of the instinct to apply a Western lens of gender expression and sexuality over their individual experiences.

Capacity building for service providers is key

Efforts to improve service delivery to refugee cohorts, including members of the LGBTIQ+ community, will translate into better settlement outcomes as well as a strengthened settlement sector. Capacity building within the sector may involve integrating ‘LGBT-appropriate services within existing practices, based on the knowledge that any refugee may be LGBT and that uniform standards for access, respectful communication and protection need to be provided regardless of whether any refugees disclose information about sexual orientation or gender identity’ (Portman & Weyl, 2013).

As part of integrating services, providers require access to ongoing training and professional development to ensure their workforce is culturally competent and inclusive of people with diverse sexual orientation, gender identity and sex characteristics. Developing cultural competence is an ongoing process and may present a challenge to some providers, with research conducted by La Trobe University in 2014 and 2016 highlighting that young LGBTIQ+ people from migrant and refugee backgrounds faced ‘difficulties in accessing LGBTI services because they were not delivered in a culturally sensitive and appropriate way’. It is important to note that settlement needs of young LGBTIQ+ refugees will be distinct from those of adults, due to their age, position within the family and developmental stage (MYAN Australia, 2020). Young LGBTIQ+ refugees will have specific experiences and needs that may require further support, including the need to ensure that LGBTIQ+ refugee youth have a voice in decision-making that affects them.

Research indicates that ‘LGBTIQ+ people not only have to navigate... barriers and stigma when accessing services and support, they often have the additional burden of being expected to educate their service provider’ (Andrews & McNair, 2020). This burden can further impact LGBTIQ+ clients’ sense of confidence and trust in the organisation’s staff and capability, with flow-on effects on future help-seeking behaviours (McNair et al., 2017 & National LGBTI Health Alliance, 2013 in Andrews & McNair, 2020). For example, family violence is an area where service providers, including family violence support services and LGBTIQ+ specialist services, may have a limited understanding of how to support LGBTIQ+

refugees, especially in instances where the violence is not perpetrated by intimate partners but by families of origin.

Further, some studies suggest that LGBTIQ+ refugees may face additional barriers to accessing services due to their history of trauma and persecution. In a study of Canadian service providers to LGBT forced migrants, Kahn et al. (2017) highlight that providers 'reported that their LGBT forced migrant clients were so accustomed to being rejected that they assumed that providers, especially those presumed to be heterosexual, also would reject them.' To counteract this expectation of rejection, it is posited that 'all providers may need to be particularly mindful of the steps that they must take to create an accepting, compassionate and empowering relationship with their clients' (Kahn et al., 2017).

A variety of approaches may be adopted in creating an environment that is inclusive of LGBTIQ+ refugees. Some recommended practices² include:

- Have visible signage in the organisation reinforcing a commitment to justice for LGBTIQ+ refugees.
- Ask and use pronouns.
- Change data collection practices from binary 'male' and 'female' options to include 'non-binary' and 'other'. Collect data on sexuality (with relevant protections) to understand whether the organisation's support meets the needs of its clients.
- Ensure that interpreters are trained to use appropriate and respectful language in relation to sexuality, gender identity and intersex status.

Inclusive and culturally responsive services support better settlement outcomes

This section explores the specific needs of LGBTIQ+ refugees in accessing health care, social support, employment and housing support. To support LGBTIQ+ refugees and the broader refugee population to effectively settle into the Australian community, services need to be both culturally responsive and inclusive of people with diverse sexual orientation, gender identity and sex characteristics.

² Adapted from Queer Sisterhood Project. (2019). *Being Queer and Refugee*. Queer Sisterhood Project. Canberra.

< <https://www.dropbox.com/sh/8iijfy398vimfav/AACmGaik4zoZkeExBt1xO0jla?dl=0> >

Health care

Access to health services that are affordable, safe and non-discriminatory is essential for LGBTIQ+ refugees. In particular, transgender refugees undergoing a transition may need access to specialised medical treatment, as well as legal recognition of their gender (UNHCR, 2019). For intersex refugees, healthcare providers' knowledge of intersex health needs is particularly critical to avoid unnecessary medicalisation of intersex variance, for example corrective surgery at a young age without informed consent (Sherriff et al., 2019). However, accessing healthcare as a transgender or gender diverse (TGD) person in Australia can be a challenging experience. A 2019 study of TGD Australians found that over 80 per cent of participants were uncomfortable discussing their needs as a TGD person with a healthcare provider that they did not know (Kerr et al., 2019). Further, almost a third of participants had to educate their healthcare provider on trans and gender diverse issues in the last year (Kerr et al., 2019).

Research indicates that access to mental health services is especially important for LGBTIQ+ refugees, due to their past experiences of violence, discrimination and persecution. Hopkinson et al. (2017) highlight that for 'LGBT individuals, [the] relationship between early victimization and negative mental health outcomes may be more pronounced'. This finding is confirmed by Kahn and Alessi (2017) who highlight that various studies indicate 'LGBT forced migrants contend with psychological problems precipitated by repeated incidents of abuse and violence in their countries of origin'.

Other health services needed by LGBTIQ+ refugees may include sexual assault services, including counselling. This is based on findings from the United States that indicate LGBTIQ+ refugees are likely to have experienced sexual violence. In their study of 61 United States-based asylum seekers persecuted for LGBT status, Hopkinson et al. (2017) found that approximately two-thirds of the group had experienced sexual violence. Based on the findings of their study, the authors concluded that '[s]urvivors of persecution for LGBT status experience a higher incidence of childhood persecution, persecution by family members, sexual violence, and suicidal ideation.' Similarly, preliminary findings from a study of 26 LGBT forced migrants resettled in the United States and Canada suggest that 'repeated exposure to traumatic events in childhood and adolescence might place LGBT forced migrants at risk for developing serious mental health problems, including complex PTSD' (Alessi et al., 2016).

Further, it is important that health care services provided trans and non-binary refugees are delivered in a 'gender affirming manner, recognizing that the validity of someone's gender does not depend on whether they have had particular medical interventions' (Dixson & Dixson, 2020). Clinicians and other health care providers can ensure that clinical and service settings are safe for LGBTIQ+ refugees by using inclusive language and ensuring referral pathways to LGBTIQ+ friendly providers if their own staff are not appropriately equipped.

Social support

As many LGBTIQ+ refugees are resettled without their families and may not be able to rely on communities of the same ethnic background for support, other forms of social support are critical. The need for safe and inclusive social supports for LGBTIQ+ refugees is highlighted in the literature. In a study of 54 LGBT-identified refugee claimants, Murray (2014) emphasises the importance of LGBT refugee support groups in providing a safe space for LGBTIQ+ refugees to share their experiences in the settlement process.

However, it is noted in the literature that some LGBTIQ+ refugees may be reluctant to access social supports, due to fear of continued discrimination or lack of trust in new systems. In their study of 22 Canadian service providers delivering assistance to LGBT forced migrants, Kahn et al. (2017) find that 'providers observed that their LGBT-forced migrant clients tended to avoid members of the diaspora community, religious institutions and even mainstream LGBT organisations'. This finding is confirmed by other authors, who highlight that due to the 'involvement of family and community members in persecution, LGBT asylum seekers' ability to place trust in new support systems can be severely disrupted, increasing isolation' (Herman, 1992; Shidlo & Ahola, 2013 in Hopkinson et al., 2017).

Nevertheless, Lee and Brotman (2011) highlight in their study of 22 sexual minority refugees in Canada that one of the 'most powerful spaces where sexual minority refugees found a place of belonging and affirmation were support groups and organizations that were either sexual minority refugee-specific or queer cultural focused. These collective spaces broke social isolation, fostered self-affirmation, and built community.' However, while support groups provide an essential social outlet for LGBTIQ+ refugees, there may be associated drawbacks. Queer Sisterhood Project (2019) points out that often 'available support groups are run in secrecy and outside working hours. While for some queer refugee women this discreteness [sic] is necessary to ensure their safety, overall such an approach may further contribute to marginalisation, invisibility and erasure of queer refugees.'

Portman and Weyl (2013) find that an emerging best practice is to 'link LGBT refugees with sponsors, either in the LGBT community or among straight allies, who can assist in meeting initial needs and provide the sense of social support that LGBT refugees who are isolated from their own communities require.' Other research has reinforced the benefits of connecting LGBTIQ+ refugees with peer support to help ease settlement outcomes (ORAM, 2012; Moore, 2018). Similarly, the work of Queer Sisterhood Project also highlights the strengths of a peer-led support model for LGBTIQ+ refugees, as explored in the example below.

Example | Queer Sisterhood Project (2018 – present)

Queer Sisterhood Project has been operating since 2018 to provide LGBTIQ+ refugee-led mentoring, support, information and training for LGBTIQ+ asylum-seeking and refugee women in Australia. Its conception was driven by a lack of specific services to meet the needs of LGBTIQ+ asylum-seeking and refugee women as well as barriers and fears of these women to disclose their identity to service providers. Queer Sisterhood Project connects LGBTIQ+ asylum-seeking and refugee women with relevant services to ensure that the supports they receive are inclusive. The project draws on the principle of co-design, to ensure that its activities and supports are driven by the needs of LGBTIQ+ asylum-seeking and refugee women.

Housing

Housing is one area in particular where the safety of LGBTIQ+ refugees is paramount. LGBTIQ+ refugees may have additional privacy needs and face increased vulnerability in shared accommodation (Andrews & McNair, 2020). Consultation with caseworkers in Australia has highlighted that housing is a major struggle for LGBTIQ+ asylum seekers, especially in metropolitan areas where affordable and available accommodation is limited. Racial discrimination is identified as a key impediment for refugees navigating the housing market (Flatau et al, 2015). Further, for some LGBTIQ+ refugees who seek to settle in more cosmopolitan, LGBTIQ+ friendly areas, the cost of living is another significant barrier. Housing also presents a challenge for trans refugees, as some service providers may be unable to secure safe accommodation options for them. In the private rental market,

discrimination is an issue in particular for queer or trans people from migrant backgrounds (Andrews & McNair, 2020).

While there is limited data on the housing and homelessness experiences of LGBTIQ+ refugees, available research indicates that LGBTIQ+ people are overrepresented in the homeless population in Australia and people seeking asylum are more likely to be at risk of homelessness due to a lack of affordable housing and income support (McNair et al., 2017; Liddy et al., 2010).

A number of best practice principles for housing LGBTIQ+ refugees are identified by Dixon and Dixon (2020) who highlight that LGBTIQ+ refugees should (where possible):

- Be consulted regarding who they share accommodation with;
- Not be housed in a shared house or location with their coethnic community without their consent; and
- Not be settled in locations where hate crimes have occurred.

Employment

LGBTIQ+ refugees may experience employment challenges unique to their cohort, due to the layers of discrimination they may face as both refugees and LGBTIQ+ persons. In addition to the key barriers that some refugees face in finding jobs – limited or no English proficiency, lack of work experience in the Australian context and poor health status prior to arrival – it is well documented in the literature that LGBTIQ+ people face high levels of discrimination in the workplace (Sears & Mallory, 2014). The ‘compounded impact of violence and persecution’ that many LGBTIQ+ refugees have experienced is another factor that impacts their ability to enter the workforce (Dixon & Dixon, 2020). In particular, trans people may face additional complications, as their names or gender status in official documentation may not match their self-identification (Dixon & Dixon, 2020). Further, LGBTIQ+ refugees facing limited education and employment opportunities may be forced to engage in survival sex, which poses significant risks to their health and safety.

Key considerations

To strengthen Australia's approach to gender-responsive settlement and ensure that refugee cohorts, including those who identify as LGBTIQ+, are supported to reach their full potential, some key developments could be considered. These include:

- Adopting an intersectional approach to research, policy and service provision for refugee populations;
- Promoting capacity building for settlement services to adopt an intersectional approach to service design and delivery, including delivering culturally responsive and gender inclusive supports;
- Implementing data collection practices to identify diverse sexual orientation and gender identity in refugees and people seeking asylum.

Intersectionality is a useful tool to inform research, policy and service provision for refugee populations

Adopting an intersectional approach that recognises the multiple layers of discrimination LGBTIQ+ refugees face, as well as the general refugee population more broadly, is helpful to inform research, policy and service provision to refugee cohorts. Intersectionality considers all elements of a person's identity in a holistic way as well as how multiple forms of disadvantage and oppression shape their experience. Policymakers and service providers can use an intersectional lens to consider the various vulnerabilities that LGBTIQ+ refugees may face, which in turn influences their interaction with services and shapes their settlement experience.

Supporting capacity building within settlement services is key

Ongoing training and professional development will strengthen the existing commitment of settlement services to deliver culturally responsive and gender inclusive supports. Educating providers on intersectionality and issues specific to the LGBTIQ+ community as well as promoting awareness regarding the use of both derogatory and positive identity terms is key. This is especially relevant for providers of translation and interpretation services, since their services play a critical role in facilitating LGBTIQ+ refugees' access to essential supports.

Collecting data on diverse sexual orientation and gender identity may benefit both services and users

Services can adopt data collection practices on diverse sexual orientation and gender identity to inform and improve the delivery of certain supports. Data on the proportion of LGBTIQ+ people in their client cohort may help providers tailor their services to the specific needs of users. For example, housing support services with a significant proportion of LGBTIQ+ clients may seek to increase their supply of single accommodation spaces, to help address the need for additional privacy or safety concerns. However, it is important that clients provide informed consent regarding the use and storage of their personal data, with the ability to opt-out of collection practices. Many LGBTIQ+ persons may not wish to disclose their sexual orientation or gender identity, particularly if services have links to their coethnic communities.

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