

Lori Fisler Damrosch
Curriculum Vitae

Present Positions:

Hamilton Fish Professor of International Law
and Diplomacy
Columbia University Law School
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Honorary Vice President of American Society of International Law (since April 2016; served as ASIL President from April 2014 to April 2016)

Experience

- July 1984 to present, professor of law, Columbia University
(Associate professor 1984-89; with tenure since 1989; Henry L. Moses Professor of Law and International Organization 1999-2014; Hamilton Fish Professor of International Law and Diplomacy since 2010.) Teaching responsibilities have included public international law; the Constitution and U.S. foreign affairs; and courses on related subjects including enforcing international law, human rights, international criminal tribunals, international institutions, law of the sea, scholarship and international law, and transnational litigation.
- January 2009-December 2009, visiting professor, Harvard Law School (Learned Hand Visiting Professor of Law, spring 2009 semester), teaching International Law; Reading Group on Law and Non-Proliferation; Reading Group on Enforcing International Law
- September 1995 to June 1996, Senior Fellow, U.S. Institute of Peace, Washington, D.C.
- February 1981 to July 1984, Sullivan & Cromwell, New York City
Associate in litigation group, with a wide range of cases before federal and state courts and international arbitral tribunals, including the Iran-U.S. Claims Tribunal.
- September 1977 to January 1981, U.S. Department of State, Office of the Legal Adviser
 - 1980 - Special Assistant to the Legal Adviser, with responsibilities including legal aspects of Iran crisis; litigation in international, foreign and domestic tribunals.
 - 1979 - Economic and Business Affairs, with responsibility for international antitrust and aviation; East-West trade; legal relations with China and Taiwan.
 - 1977-78 - European & Canadian Affairs (U.S.-Canada; East-West trade; Berlin).
- September 1976 to August 1977, law clerk to Judge Jon O. Newman, U.S. District Court, District of Connecticut.

Education

- Yale College, B.A. 1973, summa cum laude; Phi Beta Kappa; with departmental honors in Russian and East European studies.
- Yale Law School, J.D. 1976.

Publications

Books (Edited)

- International Law: Cases and Materials and Basic Documents Supplement
(St. Paul, Minn: West Publishing Company, 2019) (7th ed., with Sean Murphy; 4th & 5th editions with Louis Henkin, Richard Pugh, Oscar Schachter & Hans Smit)
- Beyond Confrontation: International Law for the Post-Cold War Era
(Boulder, Colo.: Westview Press, 1995) (co-edited with Gennady Danilenko and Rein Müllerson, co-authored by pairs of scholars from United States and former Soviet Union)
- Enforcing Restraint: Collective Intervention in Internal Conflicts
(New York: Council on Foreign Relations Press, 1993)
- Law and Force in the New International Order
(Boulder, Colo.: Westview Press, 1991) (co-edited with David J. Scheffer)
- The International Court of Justice at a Crossroads
(Dobbs Ferry, N.Y.: Transnational Publishers, 1987) (awarded Certificate of Merit of the American Society of International Law, 1988)

Monograph

- Enforcing International Law Through Non-Forcible Measures
(Collected Courses of the Hague Academy of International Law, vol. 269, pp. 9-250, 1997)

Major Work in Progress

- How Constitutional Democracies Make War-and-Peace Decisions
(comparative constitutional study of the approaches of some twenty established democracies to the control of the external military powers of the state)
- Cases and Materials on Foreign Affairs and the U.S. Constitution (with Louis Henkin)
(under contract with Foundation Press, projected for 2021)

Articles, Book Chapters, Reviews, and Published Lectures

- “The Legitimacy of Economic Sanctions as Countermeasures for Wrongful Acts,” 37 Berkeley J. Int’l L. 249 & 47 Ecology L. Q. 95 (2019)
- “Article 56,” in The Statute of the International Court of Justice: A Commentary 1511-1527 (Andreas Zimmermann & Christian J. Tams, eds., Oxford Univ. Press, 3rd ed., 2019)
- “The Sources of Immunity Law – Between International and Domestic Law” in The Cambridge Handbook of Immunities and International Law 40-60 (Tom Ruys et al., eds., 2019)
- “Remarks on Panel: How International Is International Law?” 111 Proc. Am. Soc’y Int’l L. 69 (2017)
- “Military Activities in the UNCLOS Compulsory Dispute Settlement System: Implications of the South China Sea Arbitration for U.S. Ratification of UNCLOS,” in Symposium on the South China Sea Arbitration, 110 AJIL Unbound 273 (Am. J. Int’l L. online), September 2016
- “International Legal Dialogue – Middle East North Africa: Notes from the President,” ASIL Newsletter, Vol. 32, Issue 1, January/March 2016
- “Perspectives on the Iran Nuclear Accord, the Paris Attacks, and International Law: From the 1979 Hostage Crisis to the 2015 Joint Comprehensive Plan of Action and Beyond: Notes from the President,” ASIL Newsletter, Vol. 31, Issue 4, October/December 2015
- “International Law and the South China Sea: Notes from the President,” ASIL Newsletter, Vol. 31, Issue 3, July/September 2015
- “Planning for a Conference in the Middle East: Notes from the President,” ASIL Newsletter, Vol. 31, Issue 2, April/June 2015
- “International Law Weekend 2014 Keynote Address: Democratization of Foreign Policy and International Law, 1914-2014,” 21 ILSA Journal of International and Comparative Law 281 (2015)
- “Torture: Reports of the Senate Select Committee on Intelligence and the United Nations Committee against Torture: Notes from the President,” ASIL Newsletter, Vol. 31, Issue 1, January/March 2015
- “Democratization of Foreign Policy and International Law, 1914-2014, Notes from the President,” ASIL Newsletter, Vol. 30, Issue 4, October/December 2014
- “China and International Law: Trans-Pacific Dialogues over Global, Regional, and Local Issues: Notes from the President,” ASIL Newsletter, Vol. 30, Issue 3, July/September 2014

- “The ‘American’ and the ‘International’ in the American Society of International Law: Notes from the President,” ASIL Newsletter, Vol. 30, Issue 2, April/June 2014
- “The Impact of the *Nicaragua* Case on the Court and Its Role: Harmful, Helpful, or In Between?” 25 *Leiden J. Int’l L.* 135 (2012)
- “Gross and Systematic Violations of Human Rights,” 4 *Max Planck Encyclopedia of Public International Law* 597-603 (Rüdiger Wolfrum et al., eds., electronic and print editions, Oxford University Press, 2012)
- “Changing the International Law of Sovereign Immunity Through National Decisions,” 44 *Vand. J. Transnat’l L.* 1185 (2011)
- “*Medellin and Sanchez-Llamas*: Treaties from John Jay to John Roberts,” in *International Law in the U.S. Supreme Court: Continuity and Change* 451-464 (David L. Sloss, Michael D. Ramsey & William S. Dodge, eds., Cambridge University Press, 2011)
- Remarks on Panel, “History of International Law at the U.S. Supreme Court,” 105 *Proc. Am. Soc’y Int’l L.* 538 (2011)
- “Louis Henkin (1917-2010),” 105 *Am. J. Int’l L.* 287 (2011)
- “Louis Henkin: Courage and Convictions,” 49 *Colum. J. Transnat’l L.* 5 (2010)
- Book review of Thomas Buergenthal, *A Lucky Child: A Memoir of Surviving Auschwitz as a Young Boy*, 104 *Am. J. Int’l L.* 307 (2010)
- Editorial comment, “Book Reviews and Libel Proceedings,” 104 *Am. J. Int’l L.* 226 (2010) (co-authored with Richard B. Bilder, David D. Caron & Bernard H. Oxman)
- “Codification and Legal Issues,” in *The United Nations and Nuclear Orders* (Jane Boulden, Ramesh Thakur & Thomas Weiss eds., Tokyo and New York: United Nations University Press, 2009)
- “Comparative Enforcement of International Judgments,” 103 *Am. Soc’y Int’l L. Proc.* (2009)
- “International Courts, the U.S. Supreme Court, and the Rule of Law,” in *Sesquicentennial Essays of the Faculty of Columbia Law School: 1858-2008* (2008)
- “Remarks on the Future of International Law,” 101 *Am. Soc’y Int’l L. Proc.* 233 (2007)
- “Editors’ Introduction: Centennial Essays in Honor of the 100th Anniversary of the *American Journal of International Law* and the American Society of International Law” (with Bernard H. Oxman) (*Am. Soc’y Int’l L.* 2007)
- “Domestic Enforcement of International Decisions,” 100 *Am. Soc’y Int’l L. Proc.* 234 (2006)

- “The ‘American’ and the ‘International’ in the *American Journal of International Law*,” 100 *Am. J. Int’l L.* 2 (2006)
- “War and Uncertainty,” 114 *Yale L. J.* 1405 (2005)
- “Discussion: *Medellin v. Dretke*: Federalism and International Law,” 43 *Colum. J. Transnat’l L.* 667 (2005) (edited transcript of panel)
- “Editors’ Introduction, Agora: ICJ Advisory Opinion on Construction of a Wall in the Occupied Palestinian Territory,” 99 *Am. J. Int’l L.* 1 (2005) (with Bernard H. Oxman)
- “The United States Congress, the German *Bundestag*, and NATO’s Intervention in Kosovo,” in The “Double Democratic Deficit”: Parliamentary Accountability and the Use of Force Under International Auspices 131-146 (Aldershot, UK: Ashgate, Hans Born & Heiner Hänggi, eds., 2004)
- “The International Court of Justice and Other International Tribunals,” in Encyclopedia of Government and Politics 939-952 (2nd ed., Routledge, Mary Hawkesworth & Maurice Kogan, eds., 2004)
- “Comment: Connecting the Threads in the Fabric of International Law,” in Universal Jurisdiction: National Courts and the Prosecution of Serious Crimes Under International Law 91-96 (Philadelphia: U. Penn. Press, Stephen Macedo, ed., 2004)
- “Editors’ Introduction, Agora: The United States Constitution and International Law,” 98 *Am. J. Int’l L.* 42 (2004) (with Bernard H. Oxman)
- “Treaties and International Regulation,” 98 *Am. Soc’y Int’l L. Proc.* (2004)
- “Remembering Oscar Schachter,” 104 *Colum. L. Rev.* 542 (2004)
- “Oscar Schachter (1915-2003),” 98 *Am. J. Int’l L.* 35 (2004)
- “Editors’ Introduction, Agora: Future Implications of the Iraq Conflict,” 97 *Am. J. Int’l L.* 553, 803 (July, Oct. 2003) (with Bernard H. Oxman)
- “The Interface of National Constitutional Systems With International Law and Institutions on Using Military Force: Changing Trends in Executive and Legislative Powers,” in Democratic Accountability and the Use of Force in International Law 39-60 (Cambridge: Cambridge U. Press, Charlotte Ku & Harold K. Jacobson, eds., 2003)
- “Constitutional Control of Decisions to Use Military Force,” 101 *J. Int’l L. & Dipl.* 657 (*Kokusaiho Gaiko Zassi*, published by Japanese Society of International Law, 2003)
- “Interpreting U.S. Treaties in Light of Human Rights Values,” 46 *N.Y. L. Sch. L. Rev.* 43

(2003)

- "An Appreciation of Jonathan I. Charney," 36 Vand. J. Transnat. L. 29 (2003)
- "Human Rights, Terrorism and Trade," 96 Am. Soc'y Int'l L. Proc. 128 (2002)
- "The Permanent Five as Enforcers of Controls on Weapons of Mass Destruction: Building on the Iraq 'Precedent'?", 13 Eur. J. Int'l L. 305 (2002)
- "Obligations of Cooperation in the International Protection of Human Rights," in the symposium of the Walther-Schücking-Institute of the University of Kiel (Jost Delbrück, ed., Duncker & Humblot, Berlin, 2002)
- "Presidents, Secretaries of State, and Other Visible International Lawyers," 95 Am. Soc'y Int'l L. Proc. 15 (2001)
- "The Clinton Administration and War Powers," 63 Law & Contemp. Problems 125 (2000)
- "The Election of Thomas Buergenthal to the International Court of Justice," 94 Am. J. Int'l L. 579 (2000)
- "The Inevitability of Selective Response? Principles to Guide International Action," in Kosovo and the Challenge of Humanitarian Intervention (A. Schnabel & R. Thakur, eds., 2000)
- "Sanctions Against Perpetrators of Terrorism," 22 Houston J. Int'l L. 63 (1999)
- "Impeachment as a Technique of Parliamentary Control Over Foreign Affairs in a Presidential System?" 70 U. Colo. L. Rev. 1525 (1999)
- "The Justiciability of Paraguay's Claim of Treaty Violation," 92 Am. J. Int'l L. 697 (1998)
- "Collective Economic Sanctions: Nonforcible Responses to Threats to Peace," in The Dumbarton Oaks Conversations and the United Nations 1944-1994 (Ernest R. May & Angeliki E. Laiou, eds., 1998)
- "Genocide and Ethnic Conflict," in International Law and Ethnic Conflict (Ithaca, N.Y.: Cornell Univ. Press, D. Wippman ed., 1998)
- "Use of Force and Constitutionalism," 36 Colum. J. Transnat. L. 449 (1997) and in Politics, Values and Functions: International Law in the Twenty-First Century (J. Charney, M.E. O'Connell & D. Anton, eds., 1997)
- "'Sovereignty' and International Organizations," 3 U.C. Davis J. Int'l L. & Pol'y 159 (1997)
- "Commentary on Ensuring the Best Bench: Ways of Selecting Judges,"

- in Increasing the Effectiveness of the International Court of Justice (C. Peck & Roy Lee, eds., 1997)
- "Is There a General Trend in Constitutional Democracies Toward Parliamentary Control Over War-and-Peace Decisions?," 90 Am. Soc'y Int'l L. Proc. 36 (1996)
 - "Constitutional Control Over War Powers: A Common Core of Accountability in Democratic Societies?" 50 U. Miami L. Rev. 181 (1995)
 - "Setting Policies for United Nations Action: Legislative-Executive Relations," in The United Nations, Peacekeeping and Lessons for American Policy (Conference Proceedings, Aspen Institute, 1995)
 - "The Constitutional Responsibility of Congress for Military Engagements," 89 Am. J. Int'l L. 58 (1995) (in "Agora: The 1994 U.S. Action in Haiti")
 - "The Role of International Law in the Contemporary World," in Beyond Confrontation, *supra* (with Rein Müllerson); also the Preface in the same volume (with Gennady Danilenko)
 - "The Collective Enforcement of International Norms Through Economic Sanctions," 8 Ethics & International Affairs 59 (1994)
 - "The Civilian Impact of Economic Sanctions," in Enforcing Restraint, *supra*; also the Introduction, Conclusion and Epilogue in the same volume
 - "Changing Conceptions of Intervention in International Law," in Emerging Norms of Justified Intervention (L.R. Reed and C. Kaysen, eds., American Academy of Arts and Sciences, 1993)
 - "The Role of the Great Powers in United Nations Peace-Keeping," 18 Yale J. Int'l L. 429 (1993) (based on oral presentation)
 - "The Role of the United States Senate Concerning 'Self-Executing' and 'Non-Self-Executing' Treaties," 67 Chicago-Kent L. Rev. 515 (1992) and in Parliamentary Participation in the Making and Operation of Treaties (S. Riesenfeld & F. Abbott, eds., 1994)
 - "GATT Membership in a Changing World Order: Taiwan, China and the Former Soviet Republics," 1992 Colum. Bus. L. Rev. 19
 - "International Human Rights Law in Soviet and American Courts," 100 Yale L. J. 2317 (1991)
 - "Constitutional Control of Military Actions: A Comparative Dimension," 85 Am. J. Int'l L. 92 (1991)
 - "Commentary on Collective Military Intervention to Enforce Human Rights,"

in Law and Force in the New International Order, *supra*, at pp. 215-23

- Remarks on Panel on The U.S. Constitution in its Third Century: Foreign Affairs, 85 Am. Soc'y Int'l L. Proc. 195 (1991)
- Book Review of John H. Jackson, The World Trading System: Law and Policy of International Economic Relations, 44 J. Int'l Aff. 263 (1990)
- "Politics Across Borders: Nonintervention and Nonforcible Influence Over Domestic Affairs," 83 Am. J. Int'l L. 1 (1989)
- "The Taiwan Relations Act After Ten Years," 3 J. Chinese L. 157 (1989)
- "Covert Operations," 83 Am. J. Int'l L. 795 (1989)
- Remarks on Panel on Current Developments Concerning the Settlement of Disputes Involving States by Arbitration and the World Court, 83 Am. Soc'y Int'l L. Proc. 580 (1989)
- "Foreign States and the Constitution," 73 Va. L. Rev. 483 (1987)
- "Multilateral Disputes," in The International Court of Justice at a Crossroads, *supra*, at pp. 376-400
- Remarks on Panel on Congress and the Executive: Who Calls the Shots for National Security? 81 Am. Soc'y Int'l L. Proc. 252 (1987)
- "Banning the Bomb: Law and its Limits," (book review of A.S. Miller and M. Feinrider (eds.), Nuclear Weapons and Law), 86 Colum. L. Rev. 653 (1986)
- "Democratic Control over Secret Services: The American Experience," published in Italian in a monograph entitled Democrazia e segreto: Riflessioni a partire dal caso americano (Bologna, Italy: Cattaneo Institute 1986)
- "Book Review: R.B. Lillich (ed.), The Iran-U.S. Claims Tribunal 1981-1983," 24 Colum. J. Transnat. L. 429 (1986)
- United States Law of Sovereign Immunity (with John R. Stevenson and J.F. Browne), Euromoney Publications (1983 and 1984)
- "The Application of Customary International Law by U. S. Domestic Tribunals," 76 Am. Soc'y Int'l L. Proc. 251 (1982)
- "The International Legal Status of Foreign Government Deposits in Overseas Branches of U.S. Banks" (with Roberts B. Owen), 1982 U. Ill. L. Rev. 305 (1982)
- "Retaliation or Arbitration -- or Both? The 1978 U.S.-France Aviation Dispute,"

74 Am. J. Int'l L. 785 (1980)

- "Advertising, Product Differentiation, and Monopoly Power: A Critical Look at the Proposed Solutions," 9 Antitrust L. & Econ. Rev. 25 (1977)

Selected Lectureships, Fellowships, and International Speeches

- Max Planck Institute for Comparative Public Law and International Law, Heidelberg, Germany, Visiting Scholar and Lecturer, September-December 2017; January-March 2014
- Seoul Academy of International Law, lectures on "Peaceful Settlement of Disputes and the Regulation of the Use of Force in International Law," July 2016, July 2017, July 2018
- President's Global Innovation Fund of Columbia University, principal investigator for project on "International Legal Dialogue – Middle East North Africa," planning grant awarded May 2014; project grant awarded May 2015, for convening of international conference in Amman, Jordan held in December 2015
- Xiamen Academy of International Law, lectures delivered in Xiamen, China, July 2014
- Qatar University, panelist on the Syria Conflict and International Law, Doha, February 2014
- Lecturer at Ono Academic College, Israel, May 2011 and June 2013
- Lecturer at Hague Academy of International Law, symposium on *The Nicaragua Case 25 Years Later*, June 2011
- Visiting Lecturer, Wuhan University, Wuhan, China, January 2011
- Lecturer at Constitutional Court of Republic of Georgia, July 2010 and July 2011
- Visiting Fellow, European University Institute, Florence, Italy, May-June 2010
- *Phi Beta Kappa* Visiting Scholar (designated 2007; lectures and campus visits 2008-2009)
Lecture topics: (1) "International Courts and the U.S. Supreme Court: Who Has the Final Word?" (2) "Mistakes of Fact and Congressional Authorizations for War"
- Godfrey Distinguished Lecturer, University of Maine School of Law (Sept. 2006)
- Lecturer for course on Enforcement of International Law: New Tendencies, Institute of Politics and International Relations, Thessaloniki, Greece, Sept. 2005
- Sterry Waterman Lecturer, Vermont Law School, April 2004
- Daniel J. Meador Lecturer, University of Alabama Law School, Feb. 2004
- Keynote lecturer at annual meeting of Japanese Society of International Law, Oct. 2002
- Lecturer at Walther-Schücking-Institut, symposium on Obligations of Cooperation in International Law, University of Kiel, Germany, May 2001
- Speaker at symposium on The Impact on International Law of a Decade of International Measures Against Iraq, European University Institute, Florence, Italy, May 2001
- Speaker at symposium on Kosovo intervention, Central European University, Budapest, Hungary, Sept. 1999
- Lecturer at Hague Academy of International Law, course on Enforcing International Law, The Hague, the Netherlands, Aug. 1997
- Commentator at colloquium in honor of 50th anniversary of International Court of Justice, The Hague, the Netherlands, April 1996
- Jennings Randolph Fellowship, U.S. Institute of Peace, Washington, D.C., 1995-1996
- Lecturer on Setting Policies for United Nations Action: Legislative-Executive Relations, Aspen Institute, Congressional Program, St. Croix, V.I., April 1995

- Visiting Lecturer-in-Residence, Joan B. Kroc Institute for International Peace Studies, Notre Dame University, March 1995
- Speaker at symposium on Parliamentary Participation in the Making and Operation of Treaties, Geneva, Switzerland, May 1991

Selected Honors

- Invited by the Hague Academy of International Law to deliver General Course in Public International Law in 2021
- Wolfgang Friedmann Memorial Award, conferred by Columbia Journal of Transnational Law, April 1, 2015
- Order of King Tamar, awarded by Decree No. 04/11/01, November 4, 2013, of the President of Georgia Mikheil Saakashvili, presented at Embassy of Georgia, Washington, July 2014
- Elected as associate member of *Institut de Droit International* (September 2009); full member as of August 2015
- Awarded Certificate of Merit by the American Society of International Law in 1988 for The International Court of Justice at a Crossroads (distinction for creative scholarship)
- Awarded Francis Deák Prize by the American Journal of International Law in 1981, for “especially meritorious contribution to the Journal by a younger author.”
- Department of State Superior Honor Award, 1980.

Selected Professional Activities

- President, American Society of International Law, April 2014-April 2016; Honorary Vice President since April 2016 (President-Elect April 2013-April 2014; Vice President 1996-1998; Executive Council 1985-88; study panels on International Court of Justice, State Responsibility, and the Legal Adviser; coordinator of joint program of research with former Soviet Union; chair of Research Committee 1998-2000; Counsellor 2001-2005; Task Force on Treaties 2008-2010)
- Co-Editor in Chief, American Journal of International Law, April 2003-April 2013 (with Bernard H. Oxman) (member of Board of Editors 1990-2002); honorary editor 2019-
- Member, U.S. National Group, Permanent Court of Arbitration, 1993-2005
- Council on Foreign Relations (term member 1982-87; full member 1989-; consultant for study group on Collective Involvement in Internal Conflicts, 1991-93)
- Department of State Advisory Committee on International Law, since 1987
- Carnegie Commission on Prevention of Deadly Conflict, Advisory Council (1994-1997)
- Board of Editors, *International Lawyer* (1984-87)
- Board of Advisers, *Columbia Journal of Transnational Law*
- Director, International Fellows Program, Columbia University School of International and Public Affairs, 1985-87
- Association of the Bar of the City of New York (Sec’y, International Law Committee, 1981-84)
- American Arbitration Association (International Law Committee) (1982-1989)
- American Bar Association
- Human Rights Watch (member of Policy and Legal Committee)
- Jacob Blaustein Institute for the Advancement of Human Rights, Administrative Council
- Stimson Center, member of Board of Directors since 2014

Selected *Pro Bono* Service

- Principal author of briefs of *Amici Curiae* in cases at U.S. Supreme Court and Courts of Criminal Appeals of Oklahoma and Texas concerning application in U.S. legal system of rulings of International Court of Justice (*Avena* judgment):
 - *Medellín v. Texas*, 552 U.S. 491 (2008)
 - *Sanchez-Llamas v. Oregon*, 548 U.S. 331 (2006)
 - *Medellín v. Dretke*, 544 S.Ct. 660 (2005); and related case in Texas C.C.A.
 - *Torres v. Oklahoma* (Oklahoma C.C.A., 2004)
 - *Republic of Paraguay v. Gilmore (sub nom. Breard v. Greene)*, 523 U.S. 371 (1998))
- Principal author of brief of *Amici Curiae* in support of petitioner in case at U.S. Supreme Court:
 - *Jam v. International Finance Corp.*, No. 17-1011, 586 U.S. (Feb. 27, 2019)

Bar Admissions - New York, Connecticut (also D.C. in inactive status), U.S. Supreme Court, and federal courts (district courts and courts of appeal in 2d Circuit and D.C.)

Languages - competence in French and Russian; reading knowledge of Spanish, German, Italian

Personal – date of birth November 4, 1953; married to David Damrosch; mother of Diana (b. 1986), Eva (b. 1988), and Peter Damrosch (b. 1990)

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