



# *inform* **contact**

*NEWS FROM THE GENERAL CONFEDERATION OF TRADE UNIONS*

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## **Belarus: Struggle Goes On**

As the readers will remember from our previous issues, in October 2000 an ILO mission visited Belarus to collect firsthand information about the numerous cases of systematic encroachment upon trade union rights. Its members looked thoroughly into every complaint, and listened to the arguments presented by the country's unions, Government and Presidential Administration.

The mission's conclusions were far from comforting to the Belarusian Government. Based on them, the ILO Governing Body considered a complaint lodged earlier by Belarusian trade unions, and approved unanimously the recommendations by the ILO Committee on Freedom of Association.

The differences between the unions and the Government were so great, the Committee believed, that they could hardly be overcome through mere amendment of the legislation. The Committee were of the opinion that the Government must do its utmost to curb immediately all attempts to interfere in the unions' internal affairs.

A national meeting was called in Minsk from 5-6 April 2001 to make the union members aware of the conclusions and recommendations made by the ILO Committee. The meeting, organised by the Belarusian Federation of Trade Unions, BFTU, in conjunction with the ILO and ICFTU, brought together trade union leaders and activists of various levels.

In their confrontation with state authorities, Belarusian trade unions had enjoyed the strong support from the international trade union movement. Over 30 foreign trade unionists arrived in Belarus to attend the Minsk event. They included an ILO delegation, trade union leaders from Belgium, Moldova, Poland, Russia, Ukraine, France, and Sweden, as well as high-ranking representatives of the General Confederation of Trade Unions, the International Confederation of Free Trade Unions, and several International Trade Secretariats.

As she addressed the meeting, ILO representative Ursula Engelen-Kefer described the decisions and recommendations taken by the ILO Governing Body as very strong-worded. ICFTU General Secretary Bill Jordan insisted there should be a direct linkage between further developments in Belarus and the future of its co-operation with West Europe.

Belarusian participants expressed their concern over the all-out offensive by state authorities against the trade union movement. The final resolution said that, despite the support of the Belarusian workers' just demands by the world trade union community and the decision of the ILO Governing Body, the pressure on the trade unions had been mounting. Quite a few trade unions have been denied registration, which actually means their elimination. Attempts are being made to undermine the industrial unions and to review the unions' property rights. Participants were convinced they could win only if all trade union organisations in Belarus pooled their efforts.

Speaking to a final press conference, BFTU President Vladimir Goncharik stressed that participants in the meeting were content with the conclusions made by the ILO. The moment the Government started carrying out the recommendations, he said, would mean the end of the conflict. Should, on the contrary, the Government choose to ignore them, the Belarusian unions would take the appropriate steps.

State authorities were quite negative about the meeting. Neither the Government, nor any other state powers responded to the invitation to attend. The BFTU's request for conference facilities was rejected. In spite of the presence of many journalists, the leading Belarusian media actually imposed a blackout on the event.

### **«Electrounion» Calls for Single Energy Market**

Problems of integration and its social consequences for energy workers in the CIS countries were high on the agenda of the 2nd Congress of the GCTU-affiliated Trade Union International «Elektroprofsoyuz» («Electrounion») that took place in Moscow 29 March 2001.

Attending the event were delegates of the TUI's member organisations, i.e. the unions of workers in the power, electrical engineering, and fuel industries of most CIS countries, and also representatives of the Latvian «Enerģia» Union and the CIS Electric Power Council.

In his report, «Elektroprofsoyuz» President Vassily Bondarev stressed that the decision of the previous congress to turn the TUI into a regional trade union body for CIS countries had been fulfilled. As a result, it had been possible to find additional ways and means to enhance the protection of workers' interests in the sector, improve the co-ordination of their actions, and to strengthen solidarity.

However, the activity of the «Elektroprofsoyuz» was handicapped by the overall economic breakdown in the Commonwealth. That was the reason why both the TUI and its affiliates had been paying so much attention to accelerating the integration processes within the CIS, something that could contribute significantly

towards better living standards for the sector's workers.

Congress adopted two important documents, the Directives for the TUI's Activity to Protect Workers' Social and Economic Interests in 2001-05, and the Appeal to the Heads of Government of the Commonwealth States urging them to establish a single power space for the CIS countries.

Vassily Bondarev was re-elected President of the TUI «Elektroprofsoyuz».

### **GCTU: Model Labour Code Underrated**

Drafting framework model laws meant to help improve the state of social and labour relations in the Commonwealth of Independent States has always been a top priority for the General Confederation of Trade Unions.

Late last year, the CIS Inter-Parliamentary Assembly, IPA, approved the Concept of a Model Labour Code for the Commonwealth countries developed and presented by the GCTU. The Assembly recommended that the act should be widely used by legislatures at national level.

A memo issued by the GCTU Legal Department shows that, over the past period, a considerable number of provisions contained in the document have been included in the new national laws regulating the labour relations in the Commonwealth.

However, many provisions of national legislation are not in keeping with the Concept of a Model Labour Law. First of all this is true of the basic condition excluding any possibility of undermining workers' rights and social guarantees. Meanwhile, the new labour codes of CIS countries are often at variance with this requirement.

For example, the new Labour Code of Kazakhstan cancels almost all employment and dismissal guarantees that workers used to enjoy. Gone are the provisions forbidding the employer to demand that the worker do a job not stipulated for in the labour contract. The ban on night and overtime work for women and young persons is no longer existent. Gone are the articles establishing the trade union as the organisation

having authority to speak for the workers before the employer.

The Labour Code of Azerbaijan allows the employer to sack a worker for any failure to perform a production function. In doing so, he/she can terminate the work contract without even informing the trade union of the fact.

In many CIS countries, such as Ukraine, Belarus, and Kazakhstan, legislations broaden the scope of concluding fixed-term labour contracts, which restricts substantially workers' rights.

The current Labour Codes in the CIS countries actually lack clear-cut articles that would conform with the Concept's provisions that deal with collective labour rights and social partnership, including the unions' right to participate in determining the working conditions and in profit sharing, and their right to protect their leaders and activists.

There is no specific mention how collective bargaining is to be organised in the conditions of trade union pluralism. Simultaneously, the multistage procedure of settling down collective industrial disputes has been retained, and, unless it is followed, the strike may be classified as illegal. The Azerbaijan Labour Code provides for the employer's right to lock out, although the Concept emphasises that lockouts must be forbidden.

The Concept accentuates the necessity of a statutory minimum wage at least equal to the subsistence minimum. But in actual life none of the national labour codes has such a provision. The Concept attaches great importance to the problem of full and timely payment of wages and salaries, and the employer's responsibility for failing to do so. Meanwhile, in most CIS countries local legislation does not stipulate for any mechanism to ensure such guarantees, which reduces the provisions for the terms of payment to mere declarations (Moldova, Ukraine, Russia, Turkmenistan).

Proceeding from the above mentioned and other examples, the authors of the memo have come to a rather discouraging conclusion. In an attempt to adapt their labour legislation to the market requirements, CIS countries produce

new labour codes that infringe on their citizens' labour rights. None of them has introduced any provisions that would enhance guarantees for workers, as suggested by the Concept.

However, the GCTU believes that the new Concept of a Model Labour Code has provided trade unions in the Commonwealth with additional grounds to demand improvement of their labour laws and press for its realisation.

### **Tajikistan: Peace Is Supreme Value**

Such was the principal message of the 17th ordinary congress of Tajikistan trade unions that took place in Dushanbe 26 May 2001.

The report on activities was presented to the 113 delegates by President of the Federation of Independent Trade Unions of Tajikistan, FITUT, Murodali Salikhov. The main feature of the congress, he stressed, was that it gathered in a peaceful environment that had followed the signing, in June 1997, of the Moscow Protocol on Universal Peace and Accord in the country.

He also said that in the coming five years the unions would continue playing an efficient part in all constructive activities aiming to:

- stabilise the economy, based on its restoration and development, and support the domestic producer;
  - fix a realistic and just level of work remuneration, and achieve timely payment of wages;
  - protect citizens' rights to work, and the unions' right to control occupational health and safety.
- The Federation will further promote social partnership. Responding to critical remarks that Tajikistan unions lacked militancy, Murodali Salikhov said that, being aware of the real price paid for the fragile peace in the country, and willing to preserve the trade union structure, the Federation and its affiliates had abstained, sometimes deliberately, from any steps that could destabilise the situation.

Congress paid much of their attention to the problems of union organisation. Delegates were quite satisfied with results achieved in the field. The structure of trade unions had been kept intact, workplace organisations had become stronger, and training and information had been enhanced.

Delegates spoke highly of the support the Federation and its member organisations were getting from the GCTU and industrial trade union international affiliated with it.

The Congress approved a Programme of Action for 2001-06, and amended the Constitution. From now on, a General Council will be the highest governing body of the Federation between its congresses. The Council will consist of members delegated by each affiliated organisation. The General Council will have an Executive Committee.

Bro Murodali Salikhov was re-elected President of the Federation.

### **GCTU Wants Swifter Advance Towards Gender Equality**

The GCTU Commission for Working Women gathered in Moscow 25 April 2001 to debate the measures to improve the conditions of women workers that had been taken by CIS national governments as follow-up to the Beijing World Conference on Women. The Commission were satisfied that the national trade union centres were paying much more attention to the issues. Based on GCTU recommendations, many trade unions have already included special chapters on the protection of women, maternity and children in their agreements with the governments and employers.

Vice President of the Federation of Independent Trade Unions of Russia (FNPR) Tatiana Frolova, a Commission member, told participants about the work being done by the Russian trade union centre to achieve gender equality. FNPR analyses all Russian bills concerning women's living and working conditions. Women's commissions are being re-established in trade union organisations of all levels. The FNPR Congress to be held next November will adopt a special resolution on the social equality of women.

Nevertheless, Commission were disappointed with the progress being too slow. Today, most laws and projects on gender problems are nothing but declarations of intentions, as there are no sufficient funds to support them. In particular, health and safety legislation infringes on women's rights all too often. Some CIS

countries have raised the retirement age for women.

The Commission decided to hold a round table on the issues of the women's movement in the CIS trade unions.

### **CIS Unions Scrutinise TU Rights Violations**

Challenges facing the trade union movement in the CIS were discussed at an International Trade Union Forum on Freedom of Association that took place in Moscow from 26-27 May 2001. The event was organised by the ILO, jointly with the ICFTU, some ITS's and the AFL-CIO Solidarity Center. Over 300 union delegates from most CIS countries attended.

The debates concentrated on two basic questions: 1) How do CIS countries comply with ILO Conventions 87 and 98? 2) To what extent do the national labour codes and laws on trade unions, collective bargaining and industrial conflicts meet the requirements of the relevant ILO Conventions? The Conventions in question have been ratified by almost all CIS countries and are, therefore, part of their legislative systems. The discussion revealed that encroachments on freedom of association and on trade union rights in all CIS countries have much in common. They include mounting management pressure on union members; complicated procedures of registration of trade unions by legal bodies; government interference in trade unions' affairs and legislative limitation of their activity; unfair trials; employers' refusal to bargain, etc.

Participants criticised bitterly some provisions of the laws on collective industrial disputes. Should they be followed meticulously, it would hardly be possible to organise a full-scale strike, because of the awkward machinery of preliminary conciliation and consultation.

The Forum was particularly alarmed at the revision of labour legislation carried out in several CIS states and was about to take place in Russia. The new standards had, as a rule, worsened the situation with trade union freedoms and rights. Participants warned against a possibility that ILO Conventions might be the only real instruments left to help workers and trade unions defend their rights in court.

The Forum arrived at the conclusion that the violation of trade union rights and freedoms was spreading over the expanse of the CIS, and only a common universal struggle could stop it.

### **Kazakhstan Marks 10 Years of New Unions**

«Only strong trade unions can provide a safe protection of workers' social and economic rights» was the motto of a national meeting of trade unionists held in Astana from 2-4 April 2001. It was part of a series of events organised by the Federation of Trade Unions of Kazakhstan, FTUK, to mark the 10th anniversary of the country's independence. The meeting brought together almost 200 representatives of territorial and industrial trade union organisations.

Union leaders and activists discussed the challenges facing the country's trade union movement and the ways of its further renewal, and examined a draft Concept of the Social Protection of the Population. Close attention was paid to the system of labour relations and the recently adopted law on social partnership that would require higher skills in bargaining with the employers. Participants got acquainted with the unions' legislative activities carried out with the help of a trade union group in Parliament.

### **Kyrgyzstan: Social Dialogue Developing**

Kyrgyzstan was among the few countries on the post-Soviet territory that were the first to introduce social partnership as the basic for relations between the State and the trade unions early in the 1990-ies.

As part of this social dialogue, 25 April 2001 State Secretary Osmonakun Ibrahimov met with the leaders of the Kyrgyzstan Federation of Trade Union, KFTU, and its territorial and industrial affiliates. The union leaders heard about the Government's steps to improve social protection, and, in particular, about the planned increases in pay, pensions and benefits.

As Kyrgyzstan had declared the current year a Year of Tourism, State Secretary called for closer co-operation with trade unions in the field. It should be noted that Kyrgyzstan trade unions have managed to retain the ownership of their rest homes, health resorts, and tourism facilities.

Union leaders, in their turn, raised the burning issues of labour remuneration, timely payment of pensions, reducing the electricity and utility rates, and creation of new jobs. KFTU President Sagyn Bozgunbayev handed a package of documents on these and several other problems to the State Secretary who promised to promote their solution at the Government level.

### **GCTU President Visits Moldova**

From 2-4 May 2001, GCTU President visited Moldova to discuss how the role of local trade unions in society could be enhanced and their efficiency raised in the new political situation following the general elections in Moldova that had brought a new President in office.

As he met the leaders of the GCTU affiliate, Confederation of Trade Unions of Moldova, CTUM (former General Federation of Trade Unions of the Republic of Moldova), and its industrial unions, they exchanged opinions on how the unity of the country's trade union movement could be restored. As is known, soon after their congress last December the trade unions of Moldova had been split. Fourteen industrial unions had left the CTUM and set up a Confederation of Free Trade Unions «Solidarity».

«We regret what has happened in Moldova, GCTU President said, with all respect for the unions that have joined the new Confederation (and many of them are members of our industrial TUs). We would be ready to help find such compromises as could suit both sides. But the split can only be overcome if so wish the Moldovan unions».

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At its session 15 May 2001, the Council of the Confederation of Trade Unions of Moldova relieved Ion Godonoga of his post as President of the CTUM. Former Vice President of the trade union centre, Petru Chiriac, was elected its new leader.

### **Priorities for Russian Unions**

President of the Federation of Independent Trade Unions of Russia, FNPR, Mikhail Shmakov told a trade union conference in

St.Petersburg about the main problems to be solved by Russian trade unions this year.

The principal task is to get the wages raised. Besides, the minimum wage must be levelled up with the subsistence minimum in a time shorter than 10-20 years as proposed by some government members. Starting with 1 July 2001, the minimum monthly pay will already reach 300 roubles, or roughly \$10, and the budget for 2002 should be formulated based on the target minimum wage of 750 roubles, or \$25, a month.

The FNPR leader also said it was necessary to settle all wage debts, which, although much smaller now, still amounted to an impressive 30 billion roubles, or over a billion US dollars. The unions must do all they can to prevent the appearance of new pay debts.

The unions and workers have succeeded in blocking the government's draft labour code in the State Duma. A conciliation committee comprising, among others, trade union representatives has been set up and already stated working. However, the Government are still convinced that «what we need is a stricter labour code, one that would give more freedom to the employers». Which means that collective actions are still a possibility and that trade unions may have to bring pressure to bear on deputies.

Mikhail Shmakov reiterated the union demand that the single social tax be abolished, and the country return to the system of solidarity-based social insurance, which would need restoring the Social Insurance Fund. In spite of all government assurances, the social tax, introduced last year to replace the contributions to the Social Insurance Fund and consolidated in the state budget, has already had an adverse effect on workers' social conditions. There are no means to finance the dietary meals and workers' recreation, while the number of places in children's summer camps has been decreasing.

The ageing personnel was another sore subject for Russian trade unions, Mikhail Shmakov said. He stressed the necessity to look for new motives to organise youth, provide young activists with training facilities, and advance them to executive union positions.

## **Low Wages Threat National Security**

Such was the conclusion made by a session of the General Council of the Federation of Independent Trade Unions of Russia, FNPR, held in Moscow 23 May 2001.

In his report, FNPR President Mikhail Shmakov said that over the last ten years of reform, Russia had pursued a primitive policy of cheap labour. Since 1996, FNPR had not been able to come to terms with the Government about labour remuneration and pay rates. The Government had put forward a Programme of Development till 2010 that does not suggest any reasonable solutions to the problem of wages, and, in fact, tries to keep alive the wage restraint policy. The Federation rejects the attempts to continue such a policy.

Today, the minimum monthly wage in Russia equals 200 roubles (or 7 US dollars), the average wage 3,000 roubles, and the subsistence minimum 1,400 roubles.

As it joins the collective bargaining campaign for 2001-02, the General Council intends to press for the minimum wage being raised to the level of subsistence minimum, and for the average wage to be equal four subsistence minimums. To achieve the goal, all lawful means will be used, including industrial action.

FNPR believes that any further delay in wage reform in Russia is fraught with harmful consequences. The low wages have already become a drag on the expansion of the consumer market, and, consequently, on the economic development. The growth of the middle class, which is the backbone of social peace and a stable society, has been kept back. The gap between the well-to-do people, who make up 1.5 per cent of the population, and its overwhelming majority, who live beneath the poverty line, has been growing wider.

The General Council wound up the debate with adopting a resolution on the role of wages in the development of the economy, society and every family.

## **Russia: Railway Union Getting Ready for Struggle**

The country's railways are getting ready for an all-round reform. However, the lengthy report

on the idea of restructuring this crucial economic sector prepared by smart Ministry clerks makes little mention, if any, of eventual social consequences the forthcoming change may entail.

No wonder that the 27th congress of the Russian Union of Railway Workers and Transport Builders focused on the social dimension of reform, and even adopted a separate resolution on the issue.

According to Union President Anatoly Vassilyev, the final variant of the Concept, submitted for governmental consideration, includes only 60 per cent of the proposals made by the Union. The vital problems of pay and social guarantees have been left outside the framework of the document. Meanwhile, with all the specific features of the industry and the degree of responsibility and workloads of its personnel, there is every reason to argue that Russian railway workers are being underpaid. With their average wages of 3,870 roubles (\$136) a month, they rank as No 9 among the industries, and occupy the last but one place among transport employees. That explains why the Union demanded that wages in the sector should be raised by 2-2.5 times, otherwise it would be impossible to stop the outflow of skilled labour that has become a real scourge to the railways.

Russian railway workers have traditionally been the users of a well-developed social infrastructure run by the industry (free health care, including preventive treatment, free housing, children's facilities, education and training, recreation, etc.). It is the social sphere that largely keeps the sector's workers from quitting their jobs. The Union knows that only too well from its own hundred-year experience.

Anatoly Vassilyev is positive that his union «can prove its case» and make the authorities pay heed to the workers' demands. In any case, the union will not budge from its positions in the spheres of wages, social protection and social guarantees.

### **Ukraine's Unions Choosing Strategy**

The Council of the Federation of Trade Unions of Ukraine, FTUU, met in Kiev 11 April

2001 to analyse the present and the future of the country's trade union movement.

The session was thoroughly prepared. Prior to it, seminars and conferences had taken place in 12 cities; hundreds of union leaders and activists had been interviewed all over the country; and many round-table meetings had been organised with the involvement of specialists from FTUU.

Based on the reports made by FTUU President Alexander Stoyan and his Deputy Valentin Pozhidayev, and the contributions by participants, the Council outlined the main guidelines for strengthening the structure of trade unions and enhancing their influence in Ukrainian society. These include measures to improve the motivation to organise and the enlargement of the unions through mergers. Particular importance will be attached to the staffing problems, professional development of trade union personnel through a better organised training system, improvement of information activity, etc. FTUU is going to open a Web-site in the Internet.

The Federation has always paid special attention to participation in lawmaking. Thus, on the initiative of FTUU, 36 bills on different aspects of workers' protection have been submitted to Parliament by deputies since the last general elections.

As it discussed the trade union election strategy, the FTUU Council took aim at increasing the number of trade union MPs in the general elections to be held 31 March 2002. Today, the unions have seven deputies in National Parliament, and about 2,000 in local legislatures.

The Council said FTUU would help speed up the preparation and signing of a General Agreement for the coming two years.

The session also decided to start the procedure of applying for FTUU's affiliation with the International Confederation of Free Trade Unions. Simultaneously, it was emphasised that the Federation would proceed as an active member of the General Confederation of Trade Unions.

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**INTERNATIONAL DEPARTMENT AND  
DEPARTMENT FOR HUMANITARIAN PROBLEMS AND INFORMATION  
OF THE GCTU**

**42 LENINSKY PROSPEKT  
117199 MOSCOW, RUSSIA  
TELEFAX +7(095) 938-2155  
PHONE +7(095)938-7215  
+7(095)938-8274  
TELEX 411 010**

Web site: [www.vkp.ru](http://www.vkp.ru); E-mail: [inter@vkp.ru](mailto:inter@vkp.ru)

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*THE GENERAL CONFEDERATION OF TRADE UNIONS, GCTU, IS AN INTERNATIONAL TRADE UNION ORGANISATION THAT WAS FOUNDED AT ITS FIRST CONGRESS ON 16 APRIL 1992.*

*ITS CONSTITUTION, WHICH WAS APPROVED BY THE FIRST CONGRESS, WAS AMENDED AND SUPPLEMENTED BY THE SECOND CONGRESS OF THE GCTU ON 22 SEPTEMBER 1993, AND THE THIRD CONGRESS OF THE GCTU ON 18 SEPTEMBER 1997*

*THE BASIC OBJECTIVES OF THE GCTU ARE:*

- CO-ORDINATION OF ITS AFFILIATES' ACTIVITIES ON THE PROTECTION OF SOCIAL RIGHTS OF WORKERS, STUDENTS AND PENSIONERS;*
- ASSISTANCE IN THEIR PROTECTION OF TRADE UNION RIGHTS AND GUARANTEES;*
- AND*
- ORGANISING TRADE UNION SOLIDARITY AND CO-ORDINATION OF ITS AFFILIATES' INTERNATIONAL POLICIES.*

*THE GCTU BUILDS ITS ACTIVITIES IN CONFORMITY WITH THE UNIVERSALLY RECOGNISED STANDARDS OF INTERNATIONAL LAW, WITH FULL RESPECT FOR ITS AFFILIATES' COMPLETE INDEPENDENCE AND THE EQUALITY OF THEIR RIGHTS AND DUTIES.*

*THE GCTU AFFILIATES NATIONAL TRADE UNION CENTRES OF ARMENIA, BELARUS, GEORGIA, KAZAKHSTAN, KYRGHYZSTAN, MOLDOVA, RUSSIA, TAJIKISTAN, UZBEKISTAN, AND UKRAINE, AS WELL AS 37 BRANCH TRADE UNION INTERNATIONALS. BESIDES BILATERAL AGREEMENTS ON CO-OPERATION WAS SIGNED WITH THE TRADE UNION CONFEDERATION OF AZERBAIJAN .*

*THE GCTU IS READY TO CO-OPERATE WITH ANY OTHER NATIONAL TRADE UNION FEDERATIONS, IRRESPECTIVE OF THEIR BEING MEMBERS OF OTHER INTERNATIONAL ORGANISATIONS. ON THE OTHER HAND, THEIR PARTICIPATION IN GCTU ACTIVITIES DOES NOT IN ANY WAY RESTRICT THE INDEPENDENCE OF ITS AFFILIATES.*

*THE CONFEDERATION ENJOYS OBSERVER STATUS WITH THE CIS INTER-PARLIAMENTARY ASSEMBLY, THE CIS COUNCIL OF HEADS OF STATE, THE CIS COUNCIL OF HEADS OF GOVERNMENT, THE CIS INTERSTATE ECONOMIC COMMITTEE, ETC.*

*INTERNATIONALLY, IT IS IN CONSULTATIVE RELATIONS WITH THE ILO , UN DPI AND ECOSOC.*

*THE GCTU SUPREME BODIES ARE THE CONGRESS, CONVENED ONCE EVERY FIVE YEARS, AND, IN THE INTERVALS BETWEEN THE CONGRESSES, THE EXECUTIVE COMMITTEE.*

*CONTROL OVER FINANCIAL ACTIVITIES IS EXERCISED BY THE GCTU AUDITING COMMISSION.*

*PRESIDENT OF THE GCTU IS VLADIMIR SCHERBAKOV*

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