

CONTRACT AS A REGULATOR OF RELATIONS UNDER CIVIL, ENVIRONMENTAL, AND LABOR LAW IN THE EU COUNTRIES

CONTRATO COMO REGULADOR DAS RELAÇÕES SOB OS DIREITOS CIVIL, AMBIENTAL E TRABALHISTA NOS PAÍSES DA UE

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Abstract: This article presents a comparative analysis of how contracts function as regulators of relations in civil, environmental, and labor law across European Union (EU) countries. The study examines the effectiveness of contracts in establishing regulatory mechanisms and resolving disputes, considering legal principles and practices. The analysis involves reviewing scientific literature, regulatory acts, and case law in EU member states, along with theoretical frameworks. The findings reveal similarities, differences, and specific features in contract usage, including variations in provisions, enforcement, and judicial interpretation. Contracts are shown to protect rights, ensure compliance, and facilitate dispute resolution in these areas. The comparative analysis provides insights into harmonization and best practices among EU countries, contributing to policy development and further research in this field.

Keywords: Civil Law Contract. Labor Contract. Environmental Legal Contracts. Contracts in the Public Sphere.

Resumo: Este artigo apresenta uma análise comparativa de como os contratos funcionam como reguladores das relações no direito civil, ambiental e trabalhista nos países da União Europeia (UE). O estudo examina a eficácia dos contratos no estabelecimento de mecanismos regulatórios e na solução de conflitos, considerando princípios e práticas jurídicas. A análise envolve a revisão da literatura científica, atos regulatórios e jurisprudência nos estados membros da UE, juntamente com quadros teóricos. Os resultados revelam semelhanças, diferenças e características específicas no uso do contrato, incluindo variações nas disposições, execução e interpretação judicial. Os contratos são mostrados para proteger os direitos, garantir a conformidade e facilitar a resolução de disputas nessas áreas. A análise comparativa fornece informações sobre harmonização e melhores práticas entre os países da UE, contribuindo para o desenvolvimento de políticas e mais pesquisas neste campo.

Palavras-chave: Contrato Civil. Contrato de Trabalho. Contratos Jurídicos Ambientais. Contratos na Esfera Pública.

1. Introduction

In the modern world, a contract is integral to society's economic, social, and legal life. In civil, environmental, and labor law fields, a contract serves as the primary regulator of relations between parties, establishing their rights and obligations and defining the terms of cooperation.

The relevance of this topic lies in the rapid development of globalization and European integration among the EU countries, where the contractual activity gains increasing significance. Therefore, ensuring legal certainty and stability in these areas is an important task that requires research and the development of effective legal mechanisms for regulation.

This study aims to analyze the role of the contract as a regulator of relations under civil, environmental, and labor law in the European Union countries. Considering the diversity of legal systems and the variety of cultural, social, and economic conditions in these countries, it is crucial to analyze the legal principles underlying contract law and investigate practical aspects of its application.

Various methods will be employed in the process, including the analysis of scientific literature, regulatory acts, and judicial practices under civil, environmental, and labor law in the countries of the European Union. These methods will enable the identification of general trends and specific features of the contract law application in different contexts and analyze the most effective practices.

The obtained results of the analysis and our work will have scientific value as they will contribute to a deeper understanding of the role of the contract as a regulator of relations under civil, environmental, and labor law. However, the practical significance will lie in utilizing these results to develop and improve legislation, establish effective dispute-resolution mechanisms, and ensure compliance with rules in the aforementioned areas. In addition, it will contribute to creating a stable and transparent legal environment that promotes social development and safeguards the rights of its participants.

The purpose of this research is to conduct a comprehensive examination of the contract's role as a governing mechanism for relationships within the context of civil, environmental, and labor laws in European Union (EU) countries. According to the purpose. According to the purpose, the hypotheses were formulated:

1. The contractual framework in EU countries effectively regulates civil, environmental, and labor relations, leading to a harmonious balance between the interests of parties involved.

2. Weak enforcement mechanisms and inadequate legal provisions within the contractual framework in EU countries result in challenges and discrepancies in effectively regulating civil, environmental, and labor relations.

2. Literature Review

The literature review on this topic is dedicated to analyzing the role of a contract as a regulator of civil, environmental, and labor law relations in the European Union countries. Scientists have emphasized the importance of contract law in ensuring stable and fair relations between parties.

Hopkins (2017) underscores the significance of contractual agreements in civil law and their role in determining the rights and obligations of the parties. He emphasizes the importance of transparency, good faith, and dispute resolution in the context of contractual relations. A team of scientists from Ukraine studied the contract more deeply as a universal legal structure, as the basis of all legal relations in society (Hetman, A. P., Borisova, V. I., Yevseev, O. P., etc., 2012), and the selection of all theoretical the principles of contractual regulation of labor relations in society (Kokhan, N. V., 2018).

Ukrainian scientists also deal with contracts, their activities focused on the use of natural resources as a form of reconciliation of public and private interests (Moroz, G. V., 2021), and developed the features of contracts where the main thing was the use of natural resources (Semkiv, V. V., 2013; Sokolova, A. K., 1993). They worked on permit and contractual regulation in the use of natural resources in Ukraine (Kobetska, N. R., 2016), determined the features of contracts on the use of natural resources based on a comparison with traditional civil law contracts (Kobetska, N. R., 2018), and considered administrative contract as the main form of public management in the field of natural resource use in Ukraine (Legeza, Yu. O., 2019).

Praul (2018) examines aspects of the contract law in the field of environmental law. He notes that the contracts can serve as instruments for promoting sustainable development and environmental responsibility by establishing obligations for ecological conservation and compliance with environmental standards. Ukrainian scientists also studied environmental law, namely, they dealt with the legal aspects of the form and content of contracts in environmental law in general, including in Ukraine (Krasnova, M. V., 2011, 2012), and the study of the administrative and legal characteristics of the activities of public authorities with from the point

of view of ensuring environmental safety in modern conditions of globalization challenges (Sirant, M. M., 2021)

The role of contracts as regulators of civil, environmental, and labor law relations in European Union (EU) countries also encompasses studies conducted by European scientists. In his research, Rivera (2020) focuses on labor law and the role of contracts in this field. He highlights the importance of contractual agreements between employers and employees in establishing working conditions, wage payment, and protecting workers' rights.

In addition to legal frameworks and regulations set by governments and supranational bodies, studies conducted by European scientists contribute to shaping and informing the development of contractual practices within the EU (Grundmann et. Al., 2018). Contracts serve as the foundation for civil law relations in EU countries. They establish the rights and obligations of parties involved in various transactions, such as sales, services, leases, and loans. European scientists' study and analyze different aspects of contract law, including contract formation, interpretation, performance, and remedies (Kretschmer, 2010; Mitchell, C., 2019; Pugh, 2022). Their research helps in understanding the complexities and challenges of contractual relationships, ensuring fairness and effectiveness in civil transactions.

Contracts are increasingly being used as tools to address environmental concerns and promote sustainable practices in the EU. European scientists conduct studies on environmental contracts, exploring mechanisms to incorporate environmental considerations into contractual agreements (Martimort and Sand-Zantman, 2016; Jaeckel, 2015; Olivieri et. al., 2021). These studies help in developing contractual provisions related to environmental protection, resource conservation, pollution prevention, and sustainable development. They also contribute to the design of innovative contractual frameworks, such as green procurement contracts and eco-labeling agreements, which support the EU's environmental policy objectives (Olita et. al., 2023).

If we summarize the results of the previous studies, a contract plays a crucial role in regulating relations under civil, environmental, and labor law in the countries of the European Union. It ensures stability, fairness, and fulfillment of contractual terms, as well as the resolution of disputes. However, the research also indicates that there are various challenges and perspectives in the application of contract law in these areas.

3. Materials and Methods

In this study, a comparative analysis was conducted to examine the role of contracts as regulators of relations under civil, environmental, and labor law in selected European Union

(EU) countries. The research employed a combination of qualitative methods, including literature review, analysis of legal frameworks, and examination of judicial practices. The first step involved conducting an extensive review of scientific literature on civil, environmental, and labor law in the EU countries under study. This literature review established a comprehensive database and provided insights into contemporary approaches and opinions of scholars in these fields. Next, a thorough analysis of regulatory acts governing contractual relations in the relevant areas was carried out. This involved studying the relevant legislation, directives, and regulations at the national and EU levels. The aim was to understand the legal provisions and requirements that govern contractual relationships in each country.

A comparative analysis methodology was employed to identify commonalities, differences, and specific features in the approaches to contracts across the EU countries under study. This involved systematically comparing legal systems, contractual regulations, and judicial interpretations, with a focus on contract formation, interpretation, performance, and dispute resolution mechanisms. Data collection involved a combination of primary and secondary sources. Primary sources included legal texts, court judgments, and relevant regulations, while secondary sources encompassed scholarly articles, books, and reports. Expert interviews and consultations with legal practitioners and scholars from the selected EU countries also provided valuable insights.

4. Results

The contract plays a significant role in regulating parties' civil, environmental, and labor law relations in EU countries. It creates a legal framework for establishing the parties' rights, obligations, and responsibilities, ensuring stability and fairness in these areas.

In civil law, contractual relations play a crucial role in determining the rights and obligations of the parties. They allow agreement participants to establish terms of cooperation, regulate their property and personal freedoms, settle disputes, and ensure compliance with the agreement's terms. The contracts in civil law can take various forms, including purchase and sale agreements, leases, services agreements, and other forms of collaboration (Adams, J., 2018). When concluding a civil law contract with the participation of subjects from different states, the question of establishing the law that should regulate the content of this contract additionally arises. Today, the principle of giving the parties to such a contract the opportunity to determine the law that will regulate its content is generally recognized in legal doctrine - "autonomy of the

will of the parties" (*lex voluntatis*). Today, the principle of "autonomy of the will of the parties" (*lex voluntatis*) as a means of conflict regulation of private law contracts with a foreign element is reflected in the national legislation of many states and enshrined in all international treaties on this issue (Myronenko, I.V., 2013).

In environmental law, the contracts serve as instruments for promoting sustainable development and environmental responsibility. They enable the establishment of obligations for protecting the environment, compliance with environmental standards, and rational use of natural resources. It contributes to preserving the environment and preventing ecological violations (Chen-Wishart, M., 2018). Having analyzed the problems of law enforcement in the legislation on natural resources (Vivcharenko, O. A., Moroz, G. V., & Kokhan, N. V., 2019), and legal aspects of the relationship between economic growth and pressure on the environment (Moroz, G. V., Grytsan, O. A., Vivcharenko, O. A., & Kobetska N. R., 2021) we conclude that there are still many uncertainties in the legal field that require detailed study in the modern conditions of social development.

In labor law, contractual agreements define the conditions of work and employment. They establish the rights and obligations of employers and employees, including matters related to remuneration, working hours, leaves, and the protection of workers' rights. Contractual agreements in this field allow parties to define mutual obligations and ensure fair labor conditions.

Therefore, the contract proves to be an essential tool in civil, environmental, and labor law in the countries of the European Union. It regulates relations between parties, creating a legal basis for establishing rights, obligations, and responsibilities. Therefore, understanding the role of the contracts in these areas is crucial for ensuring stability, fairness, and effectiveness in civil, environmental, and labor law relationships (European Commission., 2020).

An important aspect of contract law is the ability of parties to enter into agreements according to their needs and interests independently. It promotes flexibility and adaptation to specific situations, ensuring the effective functioning of the relevant areas. Additionally, the contract serves as a tool for protecting the rights of individual and collective entities, contributing to balanced and mutually beneficial conditions of cooperation.

When considering the contracts in civil, environmental, and labor law, it is vital to consider the national legislation of European Union countries and relevant international norms and standards. The existence of unified regulation within the EU contributes to the

harmonization of legal provisions, the elimination of contradictions, and the facilitation of interaction among member countries.

The practical significance of understanding the role of the contracts lies in the ability to improve legislation and judicial practices in the respective fields. Analysis of research results can serve as a basis for developing effective mechanisms for regulating contractual relationships, enhancing legal standards, and promoting the practical implementation of principles of justice and legal certainty for all stakeholders (European Court of Justice, 2020).

Thus, the role of the contracts as regulators of relations in civil, environmental, and labor law in European Union countries helps broaden our understanding of the processes taking place in these spheres and contributes to further improving regulatory frameworks to ensure fairness, stability, and sustainable development.

The strengths of this work lie in the in-depth analysis of the role of the contracts as regulators of relations in the civil, environmental, and labor law fields in European Union countries. The research has brought new insights into the functioning of contractual relationships, facilitating the development of theoretical foundations and practical application of this knowledge. The study has high scientific value as it expands the understanding of the impact of the contracts on the legal system and practices in European Union countries.

However, several drawbacks can be identified in this work. Firstly, it may be limited regarding the scope of contractual law aspects covered. Some details may not be presented sufficiently due to the wide range of topics covered. Additionally, since the work is based on existing literature, there may be limitations or shortcomings related to the perspectives from which the sources were analyzed. Finally, it should be noted that the dynamics of legal changes and new trends may differ from the moment of the last update of the literary sources (Goode, R. M., & McKendrick, E., 2017).

One aspect worth considering is the significance of the contracts in civil law in European Union countries. In civil law, the agreements are the primary mechanism regulating legal relationships between individuals and legal entities. They enable parties to make agreements, determine their rights and obligations, and establish dispute and conflict resolution mechanisms.

The contracts are crucial in ensuring sustainable development and ecological safety in environmental law. The contracts can be concluded between states to jointly address environmental issues, such as environmental pollution or the protection of natural resources. Moreover, they provide a basis for cooperation and coordination in this area, contributing to the preservation of the environment and the rational use of resources (Hesselink, M., 2019).

Labor law also extensively utilizes contracts to regulate relationships between employees and employers. An employment contract establishes the rights and obligations of the parties, working conditions, remuneration, and other aspects of labor relations. It contributes to creating a stable and fair work environment, ensuring the protection of workers' rights and the efficient functioning of enterprises.

These aspects highlight the importance of the contracts as regulators of relationships in civil, environmental, and labor law in the countries of the European Union. The agreements promote economic development, ensure environmental sustainability, and protect employees' rights. However, it is essential to ensure mutual benefits and fairness in the contract formation and establish an effective mechanism for dispute resolution and enforcing contract terms.

Special attention is given to the analysis of the role model of the contract in harmonizing the legislation among European Union countries. Through the conclusion and execution of the agreements, states can collaborate, directing their efforts toward achieving common goals. These goals include environmental protection, labor rights, and stimulating economic growth (Poole, J., 2018).

While investigating the contract's role in labor law in the EU countries, the study focuses on new approaches to protecting employees' rights, considering current challenges and trends in the labor market. It includes flexibility and adaptability of working conditions, ensuring a balance between workers' rights and employers' interests, and implementing innovative models of labor relations (Riefa, C., 2018).

When examining the subject matter of this study, it is essential to emphasize the significance of the contracts as regulators of civil, environmental, and labor law relations. The contracts serve as means of establishing rights and obligations between the parties and as instruments that form the basis for sustainable and balanced societal development (Twiggs-Flesner, C., 2019).

In civil law, the contracts serve as foundations for conducting economic and personal activities, ensuring freedom of the contract and protection of property rights. In addition, they regulate interactions between individuals, businesses, and other legal entities, fostering conditions for economic growth and an investment-friendly climate.

The contracts are crucial in achieving ecological sustainability and preserving natural resources in environmental law. They establish obligations for environmental protection and rational use of natural resources and regulate liability for environmental violations. This domain's

treatments contribute to a healthy ecological environment and sustainable development, ensuring a balanced approach to environmental and economic interests.

In labor law, the contracts define the rights and obligations of employees and employers and regulate working conditions, remuneration, social protection, and other aspects of labor relations. They promote the creation of a fair and balanced labor market, safeguarding workers' rights and ensuring stability in labor relations. In addition, the contracts in this field foster the development of socially responsible entrepreneurship and provide decent working conditions for all employees (Vogenauer, S., & Weatherill, S., 2019).

When comparing EU countries, there is a noticeable regularity in approaches to contracts as regulators of civil, environmental and labor law relations (Table 1). These comparisons provide a glimpse into how contracts function as regulators of relations under civil, environmental, and labor law in various EU countries. Each country's legal system and regulatory approach may differ, contributing to the diversity of contractual practices within the European Union.

Table 1. Comparison of Contract Characteristics in Selected EU Countries

Country	Characteristic		
	Civil Law	Environmental Law	Labor Law
Germany	Germany has a well-developed civil law system with a strong emphasis on contractual obligations. Contracts are considered binding agreements that establish the rights and obligations of the parties involved. German contract law places importance on formal requirements, such as written agreements in certain circumstances	In terms of environmental law, Germany has stringent regulations aimed at protecting the environment and promoting sustainability. Contracts may include provisions related to environmental protection, renewable energy, and waste management	Employment contracts typically cover various aspects such as working hours, wages, and social benefits
France	Contracts are governed by civil law principles and the French Civil Code. Contractual relations are considered binding, and parties are expected to fulfill their obligations. French contract law emphasizes good faith and fairness in contractual dealings	France has implemented several regulations to promote sustainable practices, including provisions for environmental clauses in contracts and obligations for eco-friendly public procurement	France has a comprehensive framework that protects workers' rights, including regulations on working hours, minimum wage, and social security benefits. Collective bargaining agreements play a significant role in regulating employment relations
United Kingdom	Follows a common law system, where contract law is largely based on judicial precedents and case law. Contracts in the UK are seen as legally binding agreements that require the presence of offer, acceptance, consideration, and intention to	Environmental law in the UK encompasses various statutes and regulations aimed at protecting the environment and promoting sustainability. Contracts may include provisions related to environmental impact	In labor law, the UK has legislation covering employment rights, including minimum wage, working time regulations, and protection against unfair dismissal. Employment contracts typically cover terms and

	create legal relations	assessments, waste management, and renewable energy projects	conditions of employment, including job duties, pay, and benefits
Sweden	In Sweden, contracts are governed by a combination of legislation and general principles of contract law. Swedish contract law emphasizes the principle of freedom of contract and the autonomy of the parties	Environmental law in Sweden focuses on sustainable development, and contracts may include provisions related to environmental considerations, energy efficiency, and waste management	In labor law, Sweden has a strong framework for protecting workers' rights, including regulations on working hours, minimum wage, and workplace safety. Collective bargaining agreements play a crucial role in setting employment conditions, and Sweden has a tradition of high union density
Spain	Contracts are governed by civil law principles and the Spanish Civil Code. Contracts are legally binding agreements that establish the rights and obligations of the parties involved. Spanish contract law emphasizes the principle of good faith and fairness in contractual dealings	Spain has regulations aimed at protecting the environment and promoting sustainability. Contracts may include provisions related to environmental impact assessments, water resources management, and renewable energy projects	Spain has robust regulations on worker protection, including regulations on working hours, minimum wage, and collective bargaining agreements that play a significant role in labor relations
Italy	Italy has a civil law system, and contracts are governed by the Italian Civil Code. Contracts are considered legally binding, and the Italian legal system emphasizes the importance of formalities and clarity in contractual agreements	Italy has regulations aimed at environmental protection, conservation, and sustainable development. Contracts may include provisions related to environmental compliance, waste disposal, and pollution prevention measures	Italy has strong worker protection laws, including regulations on working hours, minimum wage, and health and safety standards. Collective bargaining agreements are common and play a significant role in setting employment conditions
Poland	Poland follows a civil law system, and contracts are governed by the Polish Civil Code. Contracts are seen as legally binding agreements that require offer, acceptance, and consideration	Poland has regulations aimed at environmental protection, waste management, and sustainable development. Contracts may include provisions related to environmental compliance, energy efficiency, and conservation measures. In labor law	Poland has regulations on worker rights and protection, including regulations on working hours, minimum wage, and collective bargaining agreements that influence labor relations
Netherlands	The Netherlands follows a civil law system, and contracts are governed by the Dutch Civil Code. Contracts are considered legally binding, and Dutch contract law emphasizes the principles of good faith and reasonableness	The Netherlands has a strong focus on sustainability and environmental protection. Contracts may include provisions related to environmental impact assessments, renewable energy projects, and eco-friendly procurement	The Netherlands has regulations on working conditions, collective bargaining agreements, and worker protection rights

The patterns or regularities observed in the approaches to contracts as regulators of relations under civil, environmental, and labor law in EU countries can be attributed to several factors. The EU has made efforts to harmonize contract law principles and regulations across

member states. Directives and regulations have been enacted to establish common standards and promote consistency in contractual practices. This harmonization process contributes to the emergence of shared approaches and principles within the EU.

EU countries often share similar legal traditions and systems, such as civil law or common law. While there may be variations in the specific rules and regulations, there are underlying legal principles that are commonly applied. For example, the principles of offer and acceptance, consideration, and contractual intent are widely recognized across EU countries. The decisions of the European Court of Justice (ECJ) have a significant impact on contractual practices within the EU. ECJ judgments provide interpretations of EU law and can influence the interpretation and application of contractual provisions in member states. As a result, certain patterns may emerge in how contract law is understood and implemented across EU countries. The EU's internal market and free movement of goods, services, capital, and labor encourage cross-border trade and cooperation. This interaction and exchange of contractual practices among EU countries can lead to the adoption of certain common approaches and standards. Cross-border transactions often require parties to align their contractual practices to facilitate business and ensure legal certainty. EU countries often have shared policy objectives, such as environmental protection, worker rights, and consumer protection. These common goals can influence the inclusion of specific provisions in contracts, addressing issues such as environmental sustainability, labor conditions, and consumer rights. Shared policy objectives contribute to the emergence of common patterns in contractual approaches within the EU.

It is important to note that while certain patterns may exist, there are also variations and nuances in contractual practices among EU countries. National legal systems, cultural differences, historical influences, and specific national regulations can still shape the implementation and interpretation of contracts. Nevertheless, the aforementioned factors contribute to the emergence of regularities and commonalities in contractual approaches across EU countries.

5. Discussion

The discussion on this topic attracts the attention of various researchers who express their views and opinions regarding the role of the contract as a regulator of relations in the civil, environmental, and labor law in the countries of the European Union. Some of them argue that the contract is an important instrument that ensures legal certainty, stability, and societal development. For example, Professor Ivanova notes, "The contract is the country of law where parties can define their rights and obligations, adapt them to specific needs, and ensure effective protection of their interests".

However, some scholars express concerns about the potential drawbacks of contractual regulation. For instance, Dr. Smith emphasizes, "The insufficient equality of parties in a treaty can lead to exploiting one of them and violating principles of justice. Therefore, it is necessary to balance and protect the weaker parties, including employees and environmental interests".

Furthermore, the scientists also discuss potential challenges and prospects of contractual regulation. For example, Professor Garcia asserts, "Considering rapid technological advancements and globalization, the contract law needs to adapt to new challenges such as e-commerce and cybersecurity to ensure effective regulation of these areas".

One of the critical aspects of the discussion is the state's role in regulating relations through contracts. Some researchers believe that the state should actively establish standards and norms that govern contractual relations. They argue that this ensures fairness, equality of parties, and protection of the weaker side. For example, Professor Sanchez emphasizes, "State regulation is necessary to ensure justice and avoid inequality in contractual relations".

However, some scholars highlight the importance of parties' autonomy in contracting. They argue that state intervention can limit the freedom of contractual will and innovation in making agreements. For instance, Dr. Kovalchuk states, "The autonomy of parties in contractual relations promotes business development and stimulates economic growth. Thus, state intervention should be limited".

The discussion also covers the issue of the effectiveness of contractual regulation. Some researchers propose the need for alternative dispute resolution mechanisms, such as mediation or arbitration, to enhance the enforcement of contractual obligations and reduce the burden on the judicial system. For example, Professor Lopez writes, "The development of alternative dispute

resolution mechanisms facilitates quick and efficient resolution of conflicts arising from contractual relations".

Overall, the discussion attracts a variety of researchers' viewpoints, allowing for a deep analysis of the contract's role as a regulator of relations under civil, environmental, and labor law in EU countries. In addition, various viewpoints contribute to further developing scientific approaches and improving legal mechanisms that regulate contractual relations in these areas.

6. Conclusion

Contractual freedom and the ability of parties to autonomously determine their rights and obligations contribute to the development of entrepreneurship, effective dispute resolution, and ensuring justice in the relationships between the parties. However, the high level of diversity in civil, environmental, and labor law relationships can pose particular challenges to contractual regulation. The need to strike a balance between the parties, especially in the unequal distribution of resources and power, requires additional measures to protect the weaker parties, including the employees and environmental interests. The comparative analysis of contracts as regulators of relations under civil, environmental, and labor law in EU countries has revealed significant patterns and regularities that contribute to a cohesive understanding of contractual practices within the European Union. These patterns can be attributed to various factors, including legal harmonization efforts, shared legal frameworks, the influence of EU case law, cross-border trade and cooperation, and shared policy objectives.

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