



ESTIMATES

# Canadian Human Rights Commission

2000-2001  
Estimates

Part III – Report on Plans and Priorities

Canada

## The Estimates Documents

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament. The Estimates, which are tabled in the House of Commons by the President of the Treasury Board, consist of three parts:

**Part I – The Government Expenditure Plan** provides an overview of federal spending and summarizes both the relationship of the key elements of the Main Estimates to the Expenditure Plan (as set out in the Budget).

**Part II – The Main Estimates** directly support the *Appropriation Act*. The Main Estimates identify the spending authorities (votes) and amounts to be included in subsequent appropriation bills. Parliament will be asked to approve these votes to enable the government to proceed with its spending plans. Parts I and II of the Estimates are tabled concurrently on or before 1 March.

**Part III – Departmental Expenditure Plans** which is divided into two components:

- (1) **Reports on Plans and Priorities (RPPs)** are individual expenditure plans for each department and agency (excluding Crown corporations). These reports provide increased levels of detail on a business line basis and contain information on objectives, initiatives and planned results, including links to related resource requirements over a three-year period. The RPPs also provide details on human resource requirements, major capital projects, grants and contributions, and net program costs. They are tabled in Parliament by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*. These documents are to be tabled on or before 31 March and referred to committees, which then report back to the House of Commons pursuant to Standing Order 81(4).
- (2) **Departmental Performance Reports (DPRs)** are individual department and agency accounts of accomplishments achieved against planned performance expectations as set out in respective RPPs. These Performance Reports, which cover the most recently completed fiscal year, are tabled in Parliament in the fall by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of public funds.

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CANADIAN  
HUMAN RIGHTS  
COMMISSION

COMMISSION  
CANADIENNE DES  
DROITS DE LA PERSONNE

# Canadian Human Rights Commission

2000-2001  
Estimates

A Report on Plans and Priorities

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The Honourable Anne McLellan, P.C., M.P.  
Minister of Justice and Attorney General of Canada



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## Section I Message

### *The Chief Commissioner's Message*

I am pleased to present the Canadian Human Rights Commission's Report on Plans and Priorities for the period 2000/2001 to 2002/2003.

Looking back over the past decade it is clear that Canadians have accomplished a great deal in meeting some of the high expectations we have set ourselves as a community in the area of human rights and equal opportunity.

Canadians can take heart from the progress we have made in seeking to eliminate discriminatory practices in areas such as employment or service provision; in addressing longstanding public service pay equity problems; in securing equal rights under the law for groups such as same-sex couples; for confronting racial discrimination and for committing ourselves to an inclusive society that celebrates diversity and respects difference.

As I look forward, however, I have no doubt that much has yet to be done and that the Commission will continue to play a vital role in both the protection and promotion of human rights. To meet that challenge the Commission has committed itself to a process of renewal to ensure we are not only doing things right - but also doing the right thing. The Commission remains more than ever committed to pursuing its vision and mission.

Our vision statement reads

*We envision the Canadian Human Rights Commission as a dynamic and progressive leader, contributing to a society where people respect human rights and diversity and treat each other with dignity.*

And our mission statement declares

*We protect and advance human rights by providing a forceful, independent and credible voice for promoting equality in Canada.*

*We work to discourage discrimination and disadvantage and ensure compliance with the Canadian Human Rights Act and the Employment Equity Act.*

*We share our experience and cooperate with human rights institutions in Canada and in other countries.*

This report sets out how the Commission intends to pursue its vision and mission over the next three years.

---

Michelle Falardeau-Ramsay, Q.C.

Chief Commissioner





## Section II Overview

### A. Mandate, Roles and Responsibilities

The Canadian Human Rights Commission was established in 1978 to administer the *Canadian Human Rights Act*. The purpose of the *Canadian Human Rights Act* is to promote equality of opportunity and to protect individuals from discrimination based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or conviction for an offence for which a pardon has been granted.

The Commission also has a mandate under the *Employment Equity Act*, which seeks to correct disadvantageous conditions of employment experienced by women, Aboriginal people, persons with disabilities and members of visible minorities.

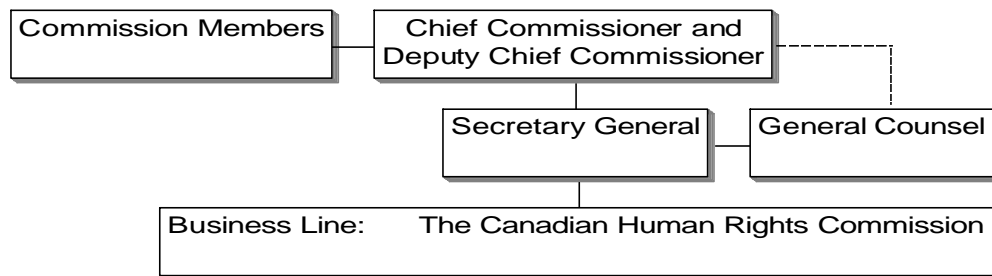
Both the *Canadian Human Rights Act* and the *Employment Equity Act* apply to federal departments and agencies, Crown Corporations and federally regulated private sector companies.

The Canadian Human Rights Commission aims to discourage and reduce discrimination practices by investigating complaints of discrimination under the grounds prohibited by the *Canadian Human Rights Act*; conducting audits to ensure compliance with the *Employment Equity Act*; conducting research and information programs; and working closely with other levels of government, employers, service providers, and community organizations to promote human rights principles.

The Commission consists of a Chief Commissioner, a Deputy Chief Commissioner and a maximum of six part-time members appointed by the Governor-in-Council. The Chief Commissioner and the Deputy Chief Commissioner are full-time members appointed for a term not exceeding seven years; other members are appointed for a term not exceeding three years.

The Commission delivers its program through the offices of the Chief Commissioner and the Secretary General, and the following headquarter branches: Anti-Discrimination Programs, Employment Equity, Human Rights Promotion, Policy and Planning, Legal Services, the Executive Secretariat, and Corporate and Personnel Services. The Commission also operates six Regional Offices in Vancouver, Edmonton, Winnipeg, Toronto, Montreal, and Halifax.

## Organizational Structure



### B. Objective

To foster the principles that every individual should have equal opportunity to participate in all spheres of Canadian life consistent with his or her duties and obligations as a member of society.

### C. External Factors Influencing the Commission

There are a number of environmental factors which affect the Commission's program:

- ▶ The Commission is finding that an increasing number of issues it deals with reflect systemic practices rather than isolated incidents of discrimination.
- ▶ Both complainants and respondents are increasingly prepared to litigate in order to protect their interests.
- ▶ Significant legal decisions have pushed the boundaries of the general understanding of equality, and there is discussion of a range of related questions, such as what constitutes a family and what is the connection between poverty and human rights.
- ▶ The statutory framework within which the Commission operates has evolved significantly and other changes are expected. The entry into force in 1996 of major amendments to the *Employment Equity Act*, and the enactment of changes to the *Canadian Human Rights Act* in 1996 and 1998 are important advances. The fundamental review of the *Canadian Human Rights Act* which the Minister of Justice initiated in April 1999 could lead to more far-reaching legislative changes. In addition, the *Employment Equity Act* requires that a review of the *Act* be undertaken in 2001, five years after its coming into force.
- ▶ The pay equity provisions of the *Canadian Human Rights Act* have not been updated since the *Act* was passed in 1977 and the government has signalled its interest in exploring ways of adjusting the pay equity provisions of the *Act*.

- ▶ The results from the first round of compliance audits under the *Employment Equity Act* indicate many employers have a limited understanding of their obligations under the law and are not in compliance with the *Act*.

## **D. The Commission's Planned Spending**

### **2.1 Commission planned spending**

(\$ thousands)	Forecast Spending 1999-2000*	Planned Spending 2000-2001	Planned Spending 2001-2002	Planned Spending 2002-2003
Budgetary Main Estimates (gross)	15,197.0	<b>16,373.0</b>	15,243.0	15,242.0
Non-Budgetary Main Estimates (gross)	-	-	-	-
Less: Respendable revenue	-	-	-	-
<b>Total Main Estimates</b>	15,197.0	<b>16,373.0</b>	15,243.0	15,242.0
Adjustments **	3,224.3	-	-	-
<b>Net Planned Spending</b>	18,421.3	<b>16,373.0</b>	15,243.0	15,242.0
Less: Non-respendable revenue	-	-	-	-
Plus: Cost of services received without charges	1,835.4	<b>1,898.6</b>	1,868.6	1,868.6
<b>Net Cost of Program</b>	<b>20,256.7</b>	<b>18,271.6</b>	17,111.6	17,110.6
<b>Full Time Equivalents</b>	190	<b>189</b>	180	180

\* Reflects best forecast of total planned spending to the end of the fiscal year.

\*\* Adjustments are to accommodate approvals obtained since the Annual Reference Level Update (ARLU) exercise and to include Budget initiatives.



## Section III Plans, Results and Resources

### *Business Line: "The Canadian Human Rights Commission"*

#### *A. Planned Spending and Full Time Equivalents (FTE)*

##### 3.1 Net Planned Spending (\$thousands) and Full Time Equivalents (FTE)

	Forecast Spending 1999-2000*	Planned Spending 2000-2001	Planned Spending 2001-2002	Planned Spending 2002-2003
<b>Net Planned Spending</b>	\$ 18,421.3	<b>\$16,373.0</b>	\$15,243.0	\$15,242.0
<b>Total Planned Full Time Equivalents</b>	190	<b>189</b>	180	180

\* Reflects the best forecast of total net planned spending to the end of the fiscal year.

#### *B. Business Line Objective*

To foster the principles that every individual should have equal opportunity to participate in all spheres of Canadian life consistent with his or her duties and obligations as a member of society.

#### *C. Business Line Description*

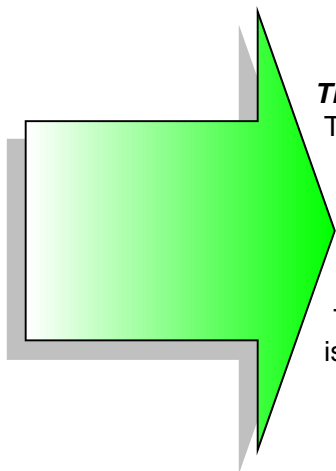
The Commission aims to discourage and reduce discriminatory practices by dealing with complaints of discrimination on the prohibited grounds in the *Canadian Human Rights Act*, conducting audits of the federal departments and agencies, and federally regulated private companies to ensure compliance with the *Employment Equity Act*, conducting research and information programs; and working closely with other levels of government, employers, service providers, and community organizations to promote human rights principles.

The Canadian Human Rights Commission provides the following services to Canadians: **Complaints**; the investigation, mediation and conciliation of complaints supported by legal advice and policy research, in order to provide appropriate remedies to victims of discrimination and to eliminate discriminatory practices and policies. **Employment equity audits**; the auditing of federal government departments and federally regulated private companies to ensure they take the steps necessary to alleviate obstacles to the employment and career advancement of women, Aboriginal peoples, persons with disabilities, and members of visible minority groups. **Human rights promotion**; the promotion of human rights principles through research, the development of policies as guidelines for employers and service providers, public education, the dissemination of information; and liaison with government, other human rights organizations and advocacy groups.

## D. Key Results Commitments, Planned Results, Related Activities and Resources



The *Canadian Human Rights Act* empowers the Commission to investigate complaints of discrimination in employment and in the provision of goods and services customarily available to the general public, based on the eleven grounds enumerated in the *Act*. It also has the authority to investigate complaints of wage inequities between men and women in areas under federal jurisdiction.



### **The Key Result Commitment**

To provide recourse to those in Canada who believe that their rights, as set out in the *Canadian Human Rights Act*, have been violated.

### **Expected Results**

The Commission expects to deal with complaints and pay equity issues in a manner that is transparent, timely and fair.

### **Related Activities**

In order to achieve the expected results, the Commission will continue the implementation of its renewal process. The Commission launched, in late 1998, a process of renewal aimed at improving its complaints management system. During the first phase of the process of renewal, measures have been taken to refine many of its complaints procedures. During the period of the plan, the Commission will:

- ⇒ resolve no later than December 2000 all the 595 complaints older than nine months as of October 1998;
- ⇒ continue its efforts to ensure that 75% of new cases are investigated and submitted to the Commissioners for a decision within the nine-month turn around time frame. However, in 2000-2001, the Commission will review its standard, so that a balance between the expectations of complainants and respondents and the level of service that the Commission is able to provide with its current level of resources is achieved;
- ⇒ by July 2000, complete the introduction of mediation; and complete, by November 2000, the evaluation of Alternate Dispute Resolution mechanisms; and
- ⇒ conduct, in 2000-2001, an examination of the complaints management system.

While improving the management of its complaints process, the Commission will continue to provide its services through the investigation, mediation and conciliation of complaints. During the period of the plan, the Commission will:

- ↳ respond to approximately 50,000 inquiries from organizations, persons or groups seeking information and wishing to bring a situation to the Commission's attention and direct people to the appropriate agency;
- ↳ complete work annually on approximately 1,600 complaints files: some will be referred to alternate redress mechanisms; others will be discontinued; some will be resolved prior to investigation, and the rest will result in a signed complaint;
- ↳ complete work, annually, on approximately 620 signed complaints, either through mediation, investigation and/or conciliation, with the matter presented to the Commission for decision; and
- ↳ continue to encourage the settlement of pay equity complaints, provide advice to organizations involved in pay equity-related initiatives, and, where necessary, pursue litigation in major pay equity cases involving public and private sector employees.

In 1999, the Commission referred close to 240 cases to conciliation, more than twice the average number of such decisions for the previous four years. This has resulted in a workload that exceeds existing resources. The Commission will:

- ↳ take specific measures in order to complete conciliation of these cases by the end of March 2001; and
- ↳ process pursuant to Commission standards the new cases that will be referred to conciliation each year.

***Resources (\$ thousands)***

The "Complaints" services provided by the Commission will account for \$8,716,000 or 53% of the 2000-2001 resources.



## Employment Equity Audits

The *Employment Equity Act* gives the Commission the authority to audit federally-regulated private sector employers, Crown corporations and federal government departments and agencies to assess their compliance with the *Act* and to ensure cases of non-compliance are corrected. The requirements of the *Act* are designed to ensure that employers take the necessary steps to identify, eliminate and correct the effects of employment discrimination, intentional or otherwise.



### Key Result Commitment

To contribute to achieving greater equality in the workplace for the four designated groups under the *Employment Equity Act*: women, Aboriginal people, persons with disabilities and members of visible minorities.

### Expected Results

The Commission expects that employers will have employment systems in place that allow them to become more representative. It expects that progress will be made in reaching higher representation of designated groups at all levels of the employers' workforce where under-representation has been identified. This will be accomplished by ensuring the employers remove any employment barriers, implement plans and take appropriate special measures to ensure that the representation of designated groups is consistent with their availability in the Canadian labour force.

### Related Activities

In order to achieve the expected results, the Commission must initiate audits with every employer covered by the *Employment Equity Act*. As of March 31, 1999, 86 employers out of 412 had been audited or were under audit. Of the 86, 2 were in full compliance with the *Act*, and 84 employers required undertakings in order to reach full compliance. Experience to date has shown that more than 95 per cent of employers require follow-up audits.

The Commission hoped to begin audits of all employers during the first five years of its mandate. It is increasingly evident that this may not be possible. The Commission's objectives for the coming years will be:

- ▷ to initiate audits of 177 employers in 2000-2001 and complete<sup>1</sup> or close<sup>2</sup> 104 audits;
- ▷ to focus new audits on employers with large workforces in order to gain the most impacts from audits. To this end, four additional large government departments will be audited, bringing the number of employees covered by an audit in the public service to 82%;

---

<sup>1</sup> "Complete" refers to audits which have been concluded with signed undertakings (commitments made by employers to carry out further action in order to comply with the *Employment Equity Act*) or where the Commission has issued a direction requiring compliance with the *Act*. These employers are subject to follow-up audits.

<sup>2</sup> "Close" refers to audits which find the employer in compliance with the *Act*.



- ↳ to place priority when necessary on enforcement action and issuance of directions to employers who fail to fulfill the commitments made in their signed undertakings.

As the success in meeting its five-year audit cycle goal is also contingent on the level of readiness of employers to meet the requirement of the law, the Commission will intensify its information and collaboration efforts to ensure employers are aware of their responsibilities by:

- ↳ urging its partners to provide technical advice through consulting services to public and private sector employers; and
- ↳ explaining the audit process and outlining the standards the Commission expects employers to meet; and, informing employers, advocacy groups and unions about the Commission's role, processes and progress made.

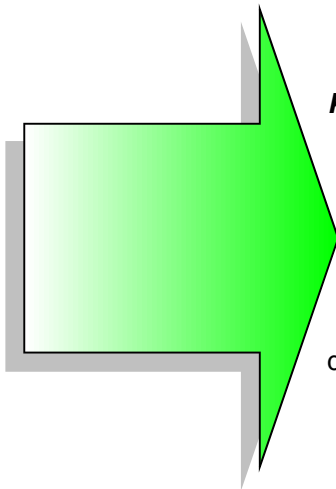
The Commission will also start monitoring, by the end of 2001, the degree of improvement in the representation of approximately 85 employers. The expectations are that at least 80% of those initially found to have under-representation will show improvement.

***Resources (\$ thousands)***

The "employment equity audits" will account for \$1,931,000 or 12% of the 2000-2001 resources.



The Act requires the Commission to "develop and conduct information programs to foster public understanding of this Act, and of the role and activities of the Commission." And it calls on the Commission to increase public recognition and support for the human rights principles that underpin the Act.



**Key Result Commitment**

To disseminate educational material, providing information programs and promoting human rights principles.

**Expected Results**

An increased level of understanding and acceptance of the concept of discrimination and equity contributing to a reduction in discriminatory practices.

**Related Activities**

For 2000-2001, the Canadian Human Rights Commission will give priority to laying the foundation for a promotional program that will be delivered over a three-year period. The promotional activities will focus on some of the key audiences which can help strengthen the human rights culture in Canada. In order to achieve the expected results, the following activities are planned for the first phase of the program:

- ▷ production and dissemination of information kits on how to integrate human rights into the workplace and service policies of private and public sector decision-makers operating within federal jurisdiction;
- ▷ organization of opportunities for the Chief Commissioner and Commission senior management to exchange views on human rights issues with elected officials and senior business and government decision-makers;
- ▷ organization of public activities for the Chief Commissioner and Commissioners to increase awareness among Canadians - particularly those living in urban centres where the population is diversified - of the need to respect human rights and diversity to ensure greater social stability;
- ▷ participation in human rights calendar events at both the national and regional levels to work with advocacy groups in mainstreaming human rights.

Because of Canada's reputation as a human rights leader, many countries look to it as an example when they explore how to establish and strengthen their own human rights mechanisms. The Commission will continue to:

- ↳ be involved in multilateral meetings, receive foreign delegations and interns and maintain bilateral relationship with other bodies abroad involved in the protection of human rights.

***Resources (\$ thousands)***

The "human rights promotion" will account for \$3,275,000 or 20% of the 2000-2001 resources.



Most of the Commission's employees deliver the program services, They are supported by the employees of the Corporate and Personnel Services whose main activities are the provision of financial, administrative, informatics, human resources and advisory services.

#### **Key Result Commitment**

To manage efficiently the Commission's financial and human resources, and to support it in program delivery to enable the organization to fulfill its mandate and meet its responsibilities.

#### **Expected Results**

The Commission expects that it will have: human resources with the skills and capabilities required to function effectively; and information technology infrastructure to reach clients with the information they need and to allow the Commission to work efficiently; an integrated planning and finance system to support decision-making and performance measurement.

#### **Related Activities**

For the period covered by this plan, the Commission will:

- ▷ develop a Commission-wide plan for recruiting, retaining and developing employees bearing in mind the implementation of the Universal Classification Standard, the results of the Federal Employee Survey, and the requirements of the *Employment Equity Act*, the *Official Languages Act* and the obligation to accommodate employees with special needs;
- ▷ implement the Treasury Board's Financial Information Strategy (FIS), a government-wide strategy to provide better financial information for decision-making and reporting; and
- ▷ pursue its efforts in implementing results-based management.

#### **Resources (\$ thousands)**

Corporate services will account for \$2,451,000 or 15% of the 2000-2001 resources.

## Section IV Financial Information

### 4.1 Net Cost of Program for 2000-2001

(thousands of dollars)	Total
<b>Net Planned spending</b>	<b>16,373.0</b>
<i>Plus: Services received without charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	<b>1,311.6</b>
Contributions covering employees' share of employees' insurance premium and expenditures paid by TBS	<b>581.0</b>
Workman's compensation coverage provided by Human Resources Development Canada	<b>6.0</b>
	<b>1,898.6</b>
<b>2000-2001 Net Cost of Program</b>	<b>18,271.6</b>



## **Section V Other Information**

### **A. Statutes administered by the Canadian Human Rights Commission**

*Canadian Human Rights Act* ..... R.S., 1985, H-6 as amended

*Employment Equity Act* .....1995, C.44

### **B. Statutory Annual Report**

The Commission's Annual Report to Parliament is tabled on or before March 31 of each year. The report is available as a printed book, on the Internet at <http://www.chrc-ccdp.ca>, and as a sound recording, in large print, in braille and on computer diskette to ensure it is accessible to people who are visually impaired.

### **C. Publications**

Annual Report 1998	Universal Declaration of Human Rights
Barrier-Free-Employers Information sheet	Employment Equity: Fair Play at Work
Canadian Human Rights Act: A Guide	Framework for Compliance Audits Under the Employment Equity Act 1998
Canadian Human Rights Act	Pay Equity Casebook
Employment Equity Act	Implementing Pay Equity in the Federal Jurisdiction
Canadian Human Rights Commission Booklet	Guide to Pay Equity and Job Evaluation
Human Rights Protection in Canada	Filing a Pay Equity Complaint
Landmarks in Canadian Human Rights	
The Work of Human Rights Commissions in Canada	

Equal Pay for Work of Equal Value : An Employee's Right

Equal Pay for Work of Equal Value : An Employer's Responsibility

Filing a Complaint with the Canadian Human Rights Commission

A Guide to Screening and Selection in Employment

Harassment: What it is and what to do about it

Harassment and the Canadian Human Rights Act

HIV-AIDS Discrimination : It's Against the Law

Equality - The Newsletter of the Canadian Human Rights Commission

Know Your Rights

Prohibited Grounds of Discrimination Chart

Multilingual Information sheets

### **Posters**

All Human Beings are Born Free and Equal

Equal Dollars Make Good Sense

Equality...We all have a hand in it.

Real People Posters (Understanding Disabilities - Understanding Ourselves - Blind)

Real People Posters (Understanding Disabilities - Understanding Ourselves - Deaf)

Real People Posters (Understanding Disabilities - Understanding Ourselves - Manic depression)

Real People Posters (Understanding Disabilities - Understanding Ourselves - Dyslexia)

Triumph of Ability

Women's Rights are Human Rights

Stop the Hatred

### **Bookmarks**

December 10 - Human Rights Day

March 21 - International Day for the Elimination of Racial Discrimination

March 8 - International Women's Day

20 Years, Canadian Human Rights Commission

Celebrating Our Progress, Facing Our Future.

### **Policies**

The Duty to Accommodate

Acquired Immunodeficiency Syndrome (AIDS)

Alternate Format Policy

Bona Fide Justification Policy

Bona Fide Occupational Requirement Policy

Drug Testing Policy

Policy Statement: Aboriginal Preferences

Pregnancy/Childbirth Policy

Anti-Harassment Policies for the Workplace : Employer's Guide



## Reports

Complaints of the Inuit People  
relocated from Inukjuak and Pond  
Inlet, to Grise Fiord and Resolute  
Bay in 1953 and 1955

Complaints of the Innu of Labrador

The Mikmaq of Newfoundland

Visible Minorities and the Public  
Service of Canada

## Surveys

Unequal Access : An Accessibility  
Survey of Selected Federal  
Offices, December 1990 (Report #  
1)

Unequal Access : An Accessibility  
Survey of Selected Federal  
Offices, December 1990 -  
Executive Summary (Report #  
1)

Unequal Access : Availability of  
Federal Government Publications  
in Alternate Formats, 1991  
(Report # 2)

Unequal Access : Availability of TDD  
Services by Federal Departments,  
1991 (Report # 3)

Unequal Access : An Accessibility  
Survey of Selected Banks, 1992  
(Report # 4)

Unequal Access : An Accessibility  
Survey of Selected Banks, 1992 -  
Executive Summary (Report # 4)

Unequal Access : An Accessibility  
Survey of Selected Postal Outlets,  
1992 (Report # 5)

Unequal Access : An Accessibility  
Survey of Selected Postal Outlets,  
1992 - Executive Summary (Report  
# 5)

Unequal Access : Availability of TTY  
Services from Federal  
Departments and Private Sector  
Organizations, December 1994  
(Report # 6)

Unequal Access : An Accessibility  
Survey of Automated Banking  
Machines, 1995 (Report # 7)

Unequal Access : An Accessibility  
Survey of Automated Banking  
Machines, 1995 Summary (Report  
# 7)

Unequal Access : Availability of  
Federal Government Publications  
in Alternate Formats, 1995  
(Report # 8)

Unequal Access : Accommodation of  
Employees with Disabilities in the  
Federal Public Service: A Case  
Study Approach, 1996 (Report # 9)

Unequal Access : An Accessibility  
Survey of the Federal Government  
Workplace, 1997 Summary (Report  
# 10)

## Videos (available on loan)

Equality...We all have a hand in it.

All Things Being Equal



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