Arab Reform Initiative

Bawader / Commentary, 14 April 2022

The impact of the quota system on women parliamentary representation in Morocco: A series of reforms or a regressive path?

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Moroccan parliament building, Rabat - October 2014 © Audrey Bendus and Arthur Chapman/Flickr

Introduction

After decades of patriarchal dominance in representative institutions, Morocco began to implement transitional measures for affirmative action in favour of women in the political sphere since the beginning of the new millennium. This was achieved through a series of reforms that have facilitated women's access to Parliament by implementing the women's quota, which has helped alleviate the prejudices that have long perpetuated male dominance in the field of political representation. The gradual improvement of the quota system increased women's participation across institutions, especially the House of Representatives, and to a lesser extent, the House of Councilors – with a greater focus on gender balance in the make-up of the executive branch.

However, the statistical analysis of parliamentary representation indications may give a false image of the reality of women's political empowerment. Previous experiences have proven that the quota system has been used as an electoral patronage tool by a political class that exploited affirmative action measures to seize more representative seats through kinship and personal connections. This was done at the expense of giving priority to women who have been fighting and progressing across parties and civil and human rights networks. In light of the above, this paper will look into the contexts surrounding the implementation of the women's quota in the Moroccan electoral system, its advantages and disadvantages, as well as the possibility of redirecting the quota system to achieve true political empowerment for women.

To analyse these issues, the first section will discuss the paths and outcomes of women's parliamentary representation in Morocco before and after the adoption of the quota system. The second one will list the quota system's advantages and reveal the true repercussions that the numbers may conceal before exploring opportunities to improve affirmative action measures in a way that strengthens women's political role and enhances their contribution to public policy-making.

1- Transformation of women's political

representation in Morocco: Contexts and indicators

Women's political participation in Morocco has been limited and inconsistent due to multiple constraints. The quota mechanism provided an essential entry point to enhance women's access to Parliament as a transitional mechanism to promote social acceptance of women's "political presence." However, although this mechanism has resulted in several gains, primarily the gradual increase in the number of women in Parliament, its indicators have been inconsistent due to the lack of legislative and political guarantees.

Development of women's parliamentary representation in Morocco

Morocco has recognized gender equality in political rights since the early years of independence by virtue of several legislations, culminating in the 1962 Constitution. In light of this, Moroccan women have been able to exercise their right to vote and run as candidates since the first elections in independent Morocco in 1963. However, electoral practice has proven that this equality remained limited to the right to vote[1] until 1977, when eight women run for legislative elections, although none of them won. Despite the high number of candidacies in the 1984 elections, Parliament remained a "male institution" inaccessible to women. This was largely due to socio-cultural reasons that established a male-biased political culture under an electoral system dominated by individual suffrage, which reduced women's chances of success in the elections.

The year 1993 marked a turning point, when two out of 36 female candidates made it to the House of Representatives following the legislative elections.[2] This was due to changes in the electoral structure, after the electoral list-voting system was partially adopted.[3] It was also due to the political dynamism generated by the joint electoral lists between the two poles of the opposition (the Socialist Union of Popular Forces and the Independence Party). This alliance nominated female leaders in several constituencies, which resulted in the victory of a female

candidate from each party in the cities of Fez and Casablanca. This was also the case in the 1997 elections, which marked a definitive break with the patriarchal monopoly on Parliament since the beginning of legislative elections in Morocco.[4] However, these victories were meagre when compared to the 90 female candidates that ran for the elections. They were also inadequate when seen in light of the heightened political demands in the context of the democratic transition following the launch of the consensual rotation and the advent of more open politics in Morocco.[5]

With the beginning of the millennium, the political scene became more diversified, human rights guarantees in Morocco were reinforced,[6] and the dynamics of legal empowerment of women's rights intensified with the publication of the Convention on the Elimination of All Forms of Discrimination against Women in the Official Gazette on 18 January 2001.[7] This also came amid the amendment and issuance of several legislative texts aimed at improving the status of women.[8] Within this reform process, the year 2002 marked a turning point in parliamentary representation by allocating thirty seats to women in the House of Representatives.[9] Consequently, the 2002 legislative elections resulted in women winning 35 seats: 30 as part of the quota system, and five as parts of local lists thanks to the application of the electoral list-voting system in the major constituencies. This contributed to the increase in the percentage of women's parliamentary representation, which went from 0.6% to about 11%. This put Morocco in the lead of Arab countries[10] and marked its rapid advance at the international level, as it occupied the 71st place in the ranking of parliaments according to women's participation.[11]

The September 2007 elections were held under the legislative framework, as political parties continued to commit to allocating 10% of parliamentary seats to women.[12] However, the elections resulted in a slight decrease in women's representation in the House of Representatives (10.47%), as the number of female parliamentarians who won through local lists dropped from 5 to 4. This is due to the decline in the rate of women's nomination on open lists, which did not exceed 3% given the reluctance of most political parties to nominate women as heads of local lists.[13]

Amid the political repercussions of the Arab Spring, the legal empowerment of

women in Morocco was proposed as part of a package of constitutional reforms aimed at providing all citizens with basic rights and freedoms.[14] The 2011 Constitution affirmed the state's endeavour to achieve equality between men and women under Article 19, with provisions to facilitate women's equal access to elected positions under Article 30. In light of this, the number of quota seats was increased to 90, with 60 seats allocated to women and the rest to the youth.[15] As a result, the number of women parliamentarians doubled to 67, with women securing more seats through local lists. However, the improvement in the percentage of female representation (16.96%) remained below the expectations of the women's movement.[16] It also did not reflect the increasing number of women interested in joining the political space. By restricting the percentage to the number of women that won through local lists, the representation rate in the House of Representatives appears not to exceed 9%. This was due to several factors, perhaps the most prominent of which is the dominance of male figures in candidate lists. Only 5.24% of the lists were led by women.

In preparation for the second legislative elections under the 2011 Constitution, the same requirements for stimulating women's participation were enforced, with a small, yet significant amendment: the House of Representatives' Organic Law No. 20.16 integrated a gender approach in the youth quota rules by alternating female and male candidates on the lists. This was reflected in the results of the 2016 elections, where women's representation in the first chamber reached a new record of 21% for the first time, with women obtaining 81 seats. Sixty of the seats were won through the national list, 11 through the youth list, and 10 by female candidates who won through open competition in local constituencies.[17]

Indicators of women's political representation in Morocco in light of the 2021 elections

The 2021 elections took place following a review of the legislative framework of the electoral process. The developments related to women's participation include the expansion of the quota to 90 seats after abandoning the youth list. The regional dimension has also been integrated, transitioning from the national

constituency to regional constituencies distributed according to the demographic weight of each region.[18] Although this measure is technical, it also has a political dimension as it aims to overcome the centralization that characterized previous experiences, where the majority of the quota seats were occupied by candidates in the Rabat-Casablanca axis.[19] This was due to the structural impact of excessive centralization in nominations, in a way that largely ignored local dynamics driven by women in peripheral areas.[20] This prevented the emergence of the minimum conditions for the formation of regional women's elites, undermined their access to representative institutions, and limited their ability to benefit from the electoral experiences they accumulated to join the legislative authority.

The September 2021 elections significantly improved women's representation in the House of Representatives, as they obtained 96 seats, 90 of which were quota seats and the rest were obtained independently. While the percentage of women's representation in the first chamber saw a quantum leap (24.30%), the percentage of successful women parliamentarians through local lists witnessed an obvious decline compared to the increase in women's nominations, which exceeded 34.2%.[21] This was despite the adoption of new measures that were meant to enhance women's electoral chances, such as holding the legislative elections at the same time as regional and communal elections, abolishing the electoral threshold, and calculating the electoral quotient based on the number of registered persons instead of the previous formula that was based on the number of voters, which should facilitate access to Parliament with the fewest number of votes possible.

In this same context, the number of female councillors increased following the 5 October 2021 elections. Female councillors won 14 out of the 270 seats in the second chamber, thus occupying a record 12% of the seats. This made it possible to optimize the gains resulting from the adoption of gender rotation as a legislative mechanism to promote women's representation in the House of Councilors in 2015, as women's representation rose from 2.2% in 2009 to 11.66% in 2015.[22] However, although this development represented a break from the previous stage, it was not consistent with the percentage of women in the House of Representatives, due to the failure of parties and unions to meet the requirements of Organic Law No. 28.11, which stipulates that candidate lists must

not include the names of two consecutive candidate of the same gender.

Meanwhile, the increase in the number of women in the House of Councilors was not reflected in their representation in its various units, especially the House's office – which included only one female councillor as the secretary of the office compared to 10 male councillors controlling the decision-making body of the second chamber. The same applies to the chairs of the House's permanent committees, which were almost entirely assigned to men, except for the assignment of a female representative appointed as chair of the Foreign Affairs Committee in the General Confederation of Enterprises of Morocco. By contrast, the improvement in women's representation in the House of Representatives was reflected in women securing positions within the House's structures, unlike past experiences. The restructuring within the House of Representatives resulted in the election of three female vice-presidents and two women chairing the Foreign Affairs and Control of Public Finances committees.

The evolution of women's representation in Parliament constituted the main lever to support the efforts of increasing women's participation in the executive branch. The percentage of female ministers in the cabinet rose from 5.12% in 2000 in the "alternance government" to 12.5% with the formation of the first cabinet under the 2011 Constitution. This percentage also rose to 16.7% in 2019 and reached 28% with the formation of the cabinet following the 8 September 2021 general election,[23] which included seven female ministers out of a total of 25. In addition to this increase in percentage, there is another, more significant indicator – which is the granting of ministerial portfolios of important political weight to women, such as the Ministry of Economy and Finance, the Ministry of Digital Transformation, and the Ministry of Tourism, compared to previous cabinets where women ministers were given stereotypical portfolios such as the Ministry of Solidarity, Family, and Social Development. This also meant granting women higher positions within the executive branch by appointing them as ministers instead of state secretaries exercising their duties under the authorization of the concerned minister, as was the case in the past.

Indicators of women's political participation should not be discussed separately from the current developments at the international level; on the contrary, they are supposed to reflect the development and extent of Morocco's compliance with its

international commitments. However, data proves that Morocco has not reached the 30% rate set by the Inter-Parliamentary Union, as Morocco's ranking with regard to women's parliamentary representation continued to fluctuate due to the low percentage of women's representation in the second chamber and the noticeable slowdown in the political integration of women compared to international advancements, as the following table shows:

Rank	International Level	Regional Level	National Level	Year
71	15.7	6.8	10.76	**2002**
102	17.7	9.6	10.5	**2007**
77	21.8	10.7	16.96	**2011**
89	23.3	18	20.5	**2016**
99	25.9	17.8	24.30	**2021**

Note: The development of women's parliamentary representation in Morocco in light of international indicators: Compiled by the author from international and regional reports

This table indicates that the rise in the parliamentary representation of women in Morocco has not kept pace with the dynamic witnessed in other parliaments around the world. Morocco is still in the sixth category of the classification of the Inter-Parliamentary Union. This is also true at the regional level. While Morocco is ahead of the Arab average in women's representation in parliament, it still occupies the 9th position in the Arab world and the 25th in Africa.[24] This is due to the sudden surge in women's representation in some Arab and African countries in recent years, such as Senegal, which occupies the 18th rank, and Rwanda, which tops the international ranking in terms of the number of women in parliament.[25]

In addition to these quantitative indicators, other data of qualitative nature questions the reality of women's political empowerment, how well it embodies the significance of legislative elections, and the extent to which political actors are serious about ensuring equality in line with the Constitution, instead of subverting the political dimension of the quota system, which is almost turning into a way to consolidate electoral patronage and to halt the adoption of women's political rights and the advancement of their role in representative institutions.

2- Repercussions of the quota system

and ways to strengthen women's political representation in Morocco

Despite the increase in the number of women in representative institutions, the road towards equality is still long, as it requires a review of all measures aimed at advancing women's political participation within an integrated vision of women's rights. This can be achieved by making women's political empowerment a pathway towards enhancing their economic and social roles, as well as addressing the various forms of gender inequality.

Repercussions of the quota system on the effectiveness of women's political participation in Morocco

A superficial reading of the election results produces reassuring conclusions about women's representation in Parliament in Morocco. However, by looking beyond the numbers and questioning their implications, a different picture is drawn on the effectiveness of this process, as well as the extent to which it is in line with democratic methodology. This can be seen particularly in the criteria used for the selection and arrangement of women in quota lists, which are often dominated by kinship and clientelism. The preliminary data on the 2021 elections indicate that about one-fifth of female parliamentarians have siblingship, filiation, or marital relations with the leaders of their parties.[26] On the other hand, activist women who gradually progressed in positions of organizational and representative responsibility rarely find sufficient opportunities to enter Parliament due to the prevalent "patronage" practices in most parties. This situation will keep on worsening as long as no internal democratic processes are implemented within political parties.

The spread of the patronage logic has dire repercussions on the effectiveness of women's role in representative institutions. The most prominent advocates in favour of women were female parliamentarians who firmly believe in gender culture. On the contrary, those who entered Parliament through traditional

channels had no significant contribution to the development of public policies that are more responsive to gender-related issues. Moreover, many of those parliamentarians are not sufficiently familiar with the mechanisms of parliamentary work. Several field studies indicate that 69% of female parliamentarians are not aware of the relationship between Parliament and the executive, 40% do not know the exact nature of Parliament's financial powers, and only 17% are proficient in the technique of oral questions.[27]

Additionally, the positive effects of the women's quota did not prevent the emergence of negative aspects that greatly limited its role in embodying the gender approach in the political field and in ensuring the "natural" election of women within a pluralistic, competitive field that allows women candidates to win in local constituencies through favourable institutional and political dynamics. On the contrary, the quota system has contributed to slowing down the process of women's entry into the representative field, as political parties often adopt special lists designated for women to exclude them from participating in the open lists. By tracking the election results after the adoption of the quota system in 2002, it appears that there is a stark contrast between the rise in quota seats and the decline in local seats, as the following table shows:

General	Local Lists		National List		House of Representatives Composition		Year
Percentage	Percentage	Number	Percentage	Number	Number of Female Parliamentarians	Total Number of Seats[28]	
0.90	0.90	2	-	-	0	222	**1993**
0.61	0.61	2			0	325	**1997**
10.76	1.53	5	9.23	30	35	325	**2002**
10.46	1.23	4	9.23	30	34	325	**2007**
16.96	1.77	7	15.18	60	67	395	**2011**
30.50	2.53	10	17.97[29]	71	81	395	**2016**
24.30	1.51	6	22.78	90	96	395	**2021**

The development of the ratio of female parliamentarians in Morocco between the national and local lists, personal synthesis

The table above indicates that the general increase in women's presence in the House of Representatives was achieved by increasing the number of quota seats. However, this limited the chances of women being nominated in "safe constituencies," as it appeared that there has been an inverse relationship between increasing the quota and the number of female parliamentarians who

have entered parliament through local constituencies since the adoption of the quota system. The number of female parliamentarians from local lists rose from 5 in 2002 to 7 in 2011, then to 10 in 2016, before almost returning to the starting point with only six women entering the House of Representatives in the 2021 legislative elections. Although these elections took place under a stimulating electoral system and a political climate dominated by "liberal parties," they did not increase women's chances of winning parliamentary seats outside the quota system. This was due to the pragmatic logic that pushes parties to nominate women at the bottom of the lists, in addition to objective factors related to the electoral setting due to the dominance of rural constituencies and individual suffrage, which often favours men.

Another important indicator is the impact effect of the electoral quota system in addressing the gaps in representative justice. In fact, the quota system did not help female parliamentarians to be re-elected to Parliament or to benefit from their experience in assuming representative positions in communal and regional councils.[30] Women were expected to benefit from their representative tasks in building networks of relationships and resources that would enable them to join the electoral competition and qualify them to return to parliament through the local list, but this only took place in a small number of cases.[31] The reasons for this include poor coordination between former female parliamentarians and the decline in the advocacy and supporting roles of women's organizations affiliated with political parties, as well as other sociopolitical factors – given that competition in local constituencies needs to be rooted in the electoral base and to possess sufficient means to compete with male candidates who have enormous influence.

These results clearly show the limitations of legal guarantees. The legal framework of the legislative elections undermined the constitutional principle of equality, instead of enriching the electoral system with techniques that would grant women equal opportunities to run on local and national lists.[32] In addition, although the Organic Law of the House of Councilors may seem to fulfil the requirements of the Constitution by imposing rotation, its impact on the election results was very limited. This was due to the indirect nature of elections and the competing political and professional elites, as lists are often headed by men, which weakens

the chances of women who are always placed second – especially in some constituencies where it is very difficult for two candidates running on the same list to win.

Rather than seek to overcome patriarchal electoral legislation, political parties have strengthened discrimination in access to elected positions. Moreover, the relative increase in women's representation in political party structures did not prevent the dominance of men in decision-making. As a result, women remained largely excluded from key leadership roles that would have enabled them to forge alliances and nominate candidates. This shows the true extent of the work still to be undertaken in order to enhance women's status within party structures,[33] which means that achieving gender equality in parliamentary representation and participation in public decision-making, in general, requires the adoption of a comprehensive approach that combines legislative, political, and cultural dimensions.

How the electoral quota system can promote women's political empowerment in Morocco

Women's participation in political life and their access to decision-making institutions, particularly Parliament, have become primary indicators for measuring the exercise of their political rights. Parliamentary representation is not limited to quantitative indicators. Regardless of how many female parliamentarians are elected, their influence will remain limited unless they are given access to leadership positions, such as parliament speaker, committee chairperson, or parliamentary bloc leader.[34] The number of women in Parliament should no longer be viewed as an indicator of political participation, as women can contribute to the development of public policies in all civil service positions, not just in representative institutions.

In light of the above, it is high time to develop a comprehensive approach to women's political empowerment, based on international experiences, rather than solely rely on the quota system. Data offered by the Inter-Parliamentary Union

indicates that countries with higher percentages of women in parliament do not adopt any quota system for legislative elections. By contrast, the representation of women in political spaces is volatile in countries that do adopt a quota system. Whenever the quota is restricted or abandoned, the number of female parliamentarians drops, which makes it necessary to reinstate the quota system. This was the case in Rwanda, where the percentage of women's representation dropped as soon as the quota system was abolished. Similarly, when the Constitutional Court in Egypt decided that Law No. 188/1979 was unconstitutional, the number of female MPs in the House of Representatives dropped from 30 in 1979 to 9 in 1995.[35]

The quota system, in its current form, has served its purpose as a provisional mechanism to be phased out when women become an integral part of political life.[36] However, after decades of practice, the quota system has become an instrument serving to limit women's political participation and a discriminatory mechanism producing countereffects. To compensate for this, efforts should be made on several fronts, one of which is the electoral and quota system.[37] The foundations of the quota system should be reconsidered in order to ensure its relevance and democratic aspect. This includes representing women from different regions and socio-professional backgrounds and making the quota system more responsive to the country's demographic characteristics. Given that women constitute 52% of the population, and that 76% of women are below the age of 44, young women should be given more opportunities. Quotas across representative institutions, including the House of Councilors, should also be unified, and more effective affirmative action approaches should be considered to even the odds in the elections so that women have higher chances of being elected to Parliament.[38] These include alternation between men and women on candidate lists and adopting affirmative measures to ensure that elected women have access to positions of responsibility.[39]

A quota system is a form of affirmative action that should be implemented for specific periods, within the framework of a clear agenda whose purpose is to change patriarchal mentalities and promote widespread acceptance of women's political role. Therefore, efforts should be made to ensure sustainable political empowerment at different levels by increasing women's representation in

Parliament, the most prominent of which is perhaps the cultural level. The current disparities are due to influential actors in society who promote conservative attitudes towards women's participation in politics. Therefore, legislative change should be based on a sociological transformation through an intellectual and educational effort to eliminate discriminatory practices[40] and factors that impede women's access to the public sphere, particularly representative institutions as a necessary pathway to giving them more influence over public policies and making the latter more equitable and more responsive to the needs of women.

Civil society can play an effective role in eliminating the patriarchal mentality that still restricts women's presence in the private and domestic spheres.[41] This can be done by mobilizing civil actors to enshrine the principles of equality and fairness in the public sphere. In this context, it is important to redirect public funding to support women's representation[42] by reviewing the structure of funding for programs aimed at strengthening women's representational capacities. In parallel, the funded projects should be continuously evaluated to ensure that they are enhancing women's nominations and bettering their chances at accessing representative institutions.

Integrating the gender approach in politics also requires stricter measures to enhance women's status in the decision-making bodies of parties and trade unions,[43] most of which still view women's representation from a pragmatic lens. To achieve this, candidates must be selected based on interest and loyalty, and women's civil and political potential must be exploited.[44] Women's campaigns should also be allowed to flourish in a favourable internal environment where they are funded and supported, particularly in rural and semi-urban constituencies that require significant resources.

In terms of public opinion, patriarchal tendencies in the representation of political parties on social media platforms and media outlets should be eliminated, and female parliamentarians should be given more media coverage and presented as role models.[45] Their roles in amending regulations and legislations and their influence on public policy-making should also be highlighted to showcase women's political aptitude. This would also help raise awareness of the importance of women's political empowerment among the public and voters.

Despite the many transformations of the regulatory framework governing the electoral process, the administration entrusted with managing the elections did not make much effort to involve women in the process.[46] Therefore, to ensure that elections are managed independently and transparently, the gender perspective must be integrated into all the stages of electoral management,[47] from legislation to supervision. This requires the representation of women in all structures and committees tasked with receiving nominations and overseeing voting and counting processes.

Measures aimed at ensuring women's political empowerment will only achieve their intended outcomes if they are integrated into a unified affirmative action approach. This requires the expedient issuance of the law on equal representation and the formation of the Commission for Equal Representation and Combating all Forms of Discrimination. The Commission shall have the necessary mandate to enforce respect for the rights and freedoms enshrined in the Constitution, particularly equal political representation at all levels.[48] Women's rights must be viewed as an integral whole by enhancing women's legislative empowerment at the political, economic, and social levels, rather than restricting it to the electoral dimension. By doing so, all gender disparities would be addressed[49] through a comprehensive plan to mitigate poverty, unemployment, and illiteracy among women and promote their participation in the economy as a primary step to strengthen their influence on public policies.

Conclusion

By monitoring and analyzing the indicators of women's political participation, Morocco seems to have made significant strides in promoting women's presence in representative institutions. This is evidenced by the steady increase in the percentage of women's representation in Parliament, particularly in the House of Representatives, thanks to the gradual expansion of the quota system. This is also due to the positive impact of including women in the decision-making structures of the executive and legislative branches. However, quantitative data can often be misleading and does not allow us to draw conclusions regarding the structural

impacts of the quota system in reducing male bias. On the contrary, a deeper analysis of this data may reveal regressive trends due to the undemocratic processes for selecting female candidates, which threatens to transform the quota system from a provisional mechanism to a pretext to justify political patronage. Moreover, the quota system is selective by nature, leaving certain institutions as enclaves of male dominance, including the House of Councilors and public decision-making and governance bodies.

The immediate gains of the quota system must not overshadow the long-term impacts on the future of women's political participation and the reality of their representation in elected institutions. When more closed list seats are allocated, women's access to representative institutions through open lists is reduced, as political parties seek to restrict women to "electoral ghettos" that exclude them from competing in local constituencies. Furthermore, women's participation in the executive bodies of representative institutions remains weak, and they face substantial restrictions that prevent them from playing an effective role in developing public policies and programs more responsive to gender requirements and gender equality.

The inconsistency and instability in the indicators of women's representation suggest that the electoral quota system is no longer an effective tool to ensure women's rights, at least in its current form. This system is no longer relevant as a transitional process to achieve democracy and women's political empowerment. Therefore, the strategies and tools of the quota system should be reconsidered, and clear programs and procedures should be developed to gradually improve women's political participation, rather than solely relying on the quota system. Even if this system is maintained due to political pressures and considerations, it should nonetheless be modified to become part of a wider set of comprehensive procedures that strikes a balance between the legislative, political, and media dimensions. The ultimate purpose of such a process would be to abolish the biases that slow down women's participation in political life, while taking into consideration the possible intersectionality between the economic, social, and political dimensions of women's rights.

Endnotes

Endnotes

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Hoceima region, 7 in each of Sharq, Beni Mellal and Souss-Massa, 6 in the Draa-Tafilalet region, 5 in the Guelmim-Oued Noun and Laayoune-Sakia El Hamra regions, and 3 in the Dakhla-Oued Eddahab region.

18. Pursuant to Organic Law No. 11-27, issued by virtue of Dahir No. 1-11-165 on Dhu al-Qa'dah 16, 1432 (October 14, 2011) on the Election of Representatives in the Chamber of Regional Councilors, seats are distributed according to the

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