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**Keeping up with the Joneses:
A Policy for the Government of
Saskatchewan's International Relations**

by Dr. Robert McLaren

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**Keeping Up With The Joneses -
A Policy For The Government Of Saskatchewan's International Relations**

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Introduction

As just one province out of ten, it might be thought that the Saskatchewan government would leave any international concerns and dealings to Canada's federal government in Ottawa. However, Canada's brand of federalism provides Saskatchewan with a far more important international role. Since the benchmark decision of the Judicial Committee of the British Privy Council in 1937, the international relations of Canadian provinces are not left solely in the hands of the Canadian government in Ottawa. When the subject matter falls squarely under provincial jurisdiction, according to Section 92 of the *Constitution Act, 1867*, the judges declared in their summation that these matters must be dealt with "... by cooperation between the Dominion and the Provinces."¹ Saskatchewan was to be responsible for the matters outlined in Section 92, even when these matters had involved international implications.

But the international realm can be very extensive. What priorities should the Government of Saskatchewan pursue? Can it pursue all matters? And how should it organize itself to undertake the implementation of any priorities? Should it leave the matters to each individual government department (the decentralized model) or should it create a super-department to coordinate and oversee all the individual government departments (the centralized model)? Or should it adopt some other structure, perhaps a combination of the two approaches, depending upon the subject matter? It is with such organizational questions as these that this paper is concerned.

¹ "Attorney-General for Canada v. Attorney-General for Ontario and Others," *American Journal of International Law* 31 (April, 1937), p.357.

Background

Twenty-five years ago, a study was made of the Saskatchewan government's international affairs.² It concluded that the decentralized model was in use at that time:

Since 1909, the Canadian Federal Government has adopted the first of these two models and centralized its international activities in a Department of External Affairs.... What it does mean is that the international activities of the Federal Government have been perceived to have reached such a level of importance that it is necessary to develop a cadre of centrally-located specialists to deal with them. The provincial governments of Alberta and Quebec have also reached this conclusion. On the other hand, the Province of Saskatchewan has not yet developed this view. The result is that there is no central machinery in the Government of Saskatchewan where one can locate the coordinated management of the province's international affairs. Thus, the decentralized structure that the Province of Saskatchewan has acquired has not been obtained through an explicit decision by the Cabinet; it exists because departmental interactions have grown until each department has, on its own initiative, made the decision to locate its international activity with some one person. ...

There is no apparent overall policy that governs the international activities of the Saskatchewan public servants. As stated above, the decentralization of international affairs in the Saskatchewan government has been done, not by design, but by default. As each project arises for the two public servants in the Intergovernmental Affairs Unit of the Executive Council (or Cabinet), a department which might be expected to coordinate the activities of all the other departments in this area, they prepare background material in order to orient the minister involved, and the overall objective is only to minimize any adverse effects on the Saskatchewan government. International relations consume only 5% of their time and have far less priority than federal-provincial or interprovincial relations. In the other departments, it is the same – ad hoc, specific purpose, project-by-project. No matter how important it seems that transborder and international relations are becoming to the provinces, at least one provincial government, Saskatchewan, has not yet identified its approach or perspective on the area.³

However, it is reasonable to assume that Saskatchewan's international relations are far more complex in 2005 than they were in 1978. Twenty-seven years later, the Province of Saskatchewan is immersed in a globalized world where interdependency is taken for granted.

² Robert I. McLaren, "Management of foreign affairs reflects provincial priorities: the case of Saskatchewan," *International Perspectives* (Sept-Oct, 1978), pp.28-30.

³ *Ibid.*, pp.28-29.

Provincial actions spill across the southern border and fly outward to other countries and the international actions of these other countries readily affect the province.

Indeed, if Saskatchewan was a sovereign country, its size of 651,900 km² would place it as the 40th biggest country in a world of 200 or so countries.⁴ On the other hand, its population of 995,058 people would rank it as 157th,⁵ and its population density of 1.53 would make it the least crowded country in the world, less crowded even than such desert-ridden countries as Mongolia or Namibia. However, more important than population density is the per capita Gross Domestic Product, and here Saskatchewan, as of 2003, would bounce back in the world rankings to 21st,⁶ virtually tied with Germany.

The purpose of these figures is not to champion a secessionist movement. It is simply to indicate that, while Saskatchewan seems relatively insignificant as only one province out of ten within Canada, if it were to be an independent player on the world's stage, it would certainly be able to hold its own. What, then, should be the organizing policy of the Saskatchewan government to deal most beneficially with the current world? What policies are now required for the people of Saskatchewan to be best served in this modern globalized world?

There are a variety of areas of international relations which have implications for the Government of Saskatchewan. Trade and investment are obvious ones, as are immigration and tourism. However, there are non-economic areas too, such as the promotion of the values which guide the daily lives of Saskatchewan citizens. This is seen in such activities as:

- for Third World countries, the annual development assistance program implemented by Saskatchewan NGOs since the mid-1970s;

⁴ <http://www.geobop.com/world/Facts/Geography/Countries>. The figures for Saskatchewan come from <http://www.gov.sk.ca/aboutsask/> and <http://www.ir.gov.sk.ca/>

⁵ <http://www.census.gov/cgi-bin/ipc/idbrank>

⁶ http://www.gov.sk.ca/bureau.stats/ec_rvw/2004%20Review.pdf; http://www.worldfactsandfigures.com/gdp_country_desc.php

- the international programs fostered by the three post-secondary educational institutions; and,
- the links that the Government of Saskatchewan has established with a variety of individual countries, such as South Africa and the Ukraine, where assistance can be provided to promote good governance in these newly emerging democracies.

These “human rights” values encompass such concepts as the rule of law, federal-provincial working relations, and equitable standards and regulations.

However, in 2005, it would seem that Saskatchewan’s decentralized model is still largely holding sway in its government departments. While some departments have a great number of international concerns and activities, these are still left to the individual departments, and of course the amount of such activity varies considerably from department to department.⁷ The major problem with a decentralized model is that it is usually reactive, not proactive. That is, with a great number and variety of calls on the time of public servants, international concerns will be forgotten until a particular situation arises. The domestic will outweigh the international unless a person in a line department has nothing but international concerns and few if any Saskatchewan public servants are in that position.

The authority for this decentralized perspective derives from the *Government Organization Act* which, among other things, states that:

17(1) Subject to *The Federal-Provincial Agreements Act*, to subsection (2) and to any restriction that may be prescribed in regulations by the Lieutenant Governor in Council, a minister may enter into agreements on behalf of the Government of Saskatchewan for any purpose related to the exercise of any powers or the carrying out of any of the responsibilities or functions assigned or transferred to the minister by or pursuant to this Act or any other Act or law, with:

- (a) the Government of Canada or the government of any other province or territory of Canada or a minister, agent or official of that government;

⁷ Private interview, Saskatchewan public servant, 28 January 2005.

- (b) **the government of any other country or any jurisdiction within that country;** or
(c) any person, agency, organization, association, enterprise, institution or body within or outside Saskatchewan.⁸

Further, in the next section, the Act states that "... failure by a minister to give the notice required ... to the Minister of Intergovernmental Affairs does not invalidate the agreement."⁹ That is, while the Government of Saskatchewan may have a ministry, Intergovernmental Affairs, that could centralize its international relations, the department would have no mandate to do this under the existing legislation and could even be ignored by the other departments with impunity. In fact, as of 1 October 2004, the Government of Saskatchewan does not even have a Department of Intergovernmental Affairs; instead, it has a Department of Government Relations, which might emphasize national-provincial relations, or provincial-municipal ones, and not pay any attention to international relations.

According to its website, "Government Relations is a diverse department offering a variety of programs and services to the people of Saskatchewan."¹⁰ Diverse is certainly the appropriate word to describe the programs and services that are listed:

- French Language Co-ordination
- Government House
- Immigration
- Intergovernmental Affairs
- Lieutenant Governor of Saskatchewan
- Municipal Relations
- Protocol and Honours

⁸ Government of Saskatchewan, *Statutes*, Chap. G-5.1 (emphasis added).

⁹ *Ibid.*, Section 17.1(2).

¹⁰ <http://www.gr.gov.sk.ca/default.htm>

Under the explanation of Intergovernmental Relations, it is stated that:

... the division has an international focus, including immigration, trade policy and international relations. Immigration-related services include the promotion of economic immigration to our province – enhancing business opportunities in Saskatchewan and enabling the province to meet critical labour market needs, and facilitating improvements in settlement and immigration services for immigrants and refugees. Trade-related services include policy development and negotiation of trade policies with other governments, both domestic and international. International relations-related services include management of the province’s interests abroad.¹¹

Even from this brief quote, which does not even mention such an activity as tourism, one can locate the need for integrating a host of different actors and policies. The obvious actors are the departments of: Agriculture, Food, and Rural Revitalization; Community Resources and Employment; Environment; Finance; Highways and Transportation; Industry and Resources; Labour; Learning; and Northern Affairs, as well as a host of other agencies and bodies varying from the Action Committee on the Rural Economy to Tourism Saskatchewan. Indeed, it is not surprising that three separate ministers divide the overall responsibilities: one, a Minister Responsible for Immigration; another as Provincial Secretary and Minister of Culture, Youth and Recreation; and a third for Government Relations itself.¹² What is surprising is that the department describes itself as a central agency¹³ and yet admits to the existence of the decentralized model and divides responsibilities among three ministers. This does not constitute the organization and environment of a central agency.¹⁴ Should there not be a centralized, interdepartmental, policy-making committee that integrates all of these diverse needs into an overall coordinated perspective?

¹¹ http://www.gr.gov.sk.ca/about_us.htm, p.1.

¹² <http://www.gr.gov.sk.ca/ministers.htm>

¹³ http://www.gr.gov.sk.ca/about_us.htm, p.2.

¹⁴ Cf. “Central agency. An agency that has a substantial amount of continuing legitimate authority to intervene in and direct the activity of departments.” Kenneth Kernaghan & David Siegel, *Public Administration in Canada* (4th ed.; Toronto: ITP Nelson, 1999), p.678.

Yet one analysis of horizontal policy-making within the Saskatchewan government concludes that this form of centralized, interdepartmental policy-making is weak at best and non-existent at worst. Joseph Garcea has studied the Saskatchewan Government's recent work in the field of immigration and, among other conclusions, stated: "... there is insufficient linkage between immigration policy goals, population policy goals, labour market training policy goals, social development goals, and economic development policy goals."¹⁵ While immigration is normally perceived as a key remedy for Saskatchewan's perpetual problem of having only approximately 1 million people, it cannot be pursued by itself without recognizing the ramifications that would ensue for other elements of the Saskatchewan economy. One can argue that this is true for all facets of the Saskatchewan economy, be it tourism, agriculture, trade, etc.

It is constructive to compare the Saskatchewan situation with that of its next-door neighbour, the Province of Alberta. Where Saskatchewan's international relations are a relatively hidden part of a Department of Government Relations, Alberta draws attention to its international dimension with a Ministry of International and Intergovernmental Relations (IIR).

The Mission Statement of this Alberta ministry is very direct: "To lead development of government wide strategies and policies for Alberta's relations with international governments and organizations,...."¹⁶ This is not the passive, decentralized model. Under the next heading of "Our Core Business," the ministry asserts that:

To fulfill this leadership role, it is essential to coordinate Alberta's strategies. Development and implementation of strategies requires close cooperation with other Alberta ministries, as well as public and private organizations.¹⁷

¹⁵ Joseph Garcea, "Immigration Initiatives in Saskatchewan: The Importance of Implementation and Interconnections," Public Presentation in the SIPP Armchair Discussion Series, Regina, 23 February 2005, Abstract.

¹⁶ Alberta, Ministry of International and Intergovernmental Relations, *31st Annual Report for the Fiscal Year April 1, 2003 – March 31, 2004* (Edmonton: Government of Alberta, 2004), p.8.

¹⁷ *Ibid.*

That the ministry is the center of the network is brought out front and center, and this is reinforced in its listing of its four “key services.” The second of these is: “Coordinating Alberta’s strategies relating to international and intergovernmental relations.”¹⁸

In contrast to Saskatchewan’s decentralized model, there is solid legal support for the central position of IIR in Alberta. The *Government Organization Act* of Alberta states:

Schedule 6

Intergovernmental and Aboriginal Matters

General Powers and Duties

I The Minister

- (a) is responsible for the co-ordination of all policies, programs and activities of the Government of Alberta and its agencies in relation to ... the governments of foreign countries or states, and all agencies of those governments;
- (b) shall conduct a continuing review of
 - (i) all policies, programs and activities of the Government of Alberta and its agencies in relation to ... the governments of foreign countries or states;
 - (ii) all intergovernmental agreements as defined in section 11 of the Act; and
 - (iii) all relevant legislation pertaining to those policies, programs, activities and agreements;
- (c) must be a party to the negotiation of all proposed intergovernmental agreements as defined in section 11 of the Act;
- (d) shall from time to time take any action the Minister considers necessary to initiate or maintain intergovernmental co-operation between the Government of Alberta and ... any government of a foreign country or state.¹⁹

The importance of section 11 to the IIR in Alberta and the difference with the authority given in Saskatchewan is as follows:

¹⁸ *Ibid.*

¹⁹ Alberta, Statutes and Regulations, *Government Organization Act*, Chap.G-10, Sect.19, Sched.6.

Intergovernmental Agreements

11(1) In this section,

- (a) “intergovernmental agreement” means an agreement or arrangement under which
 - (i) one of the parties is the Government of Alberta or a Minister, agency or official of the Government of Alberta, and
 - (ii) the other party or one of the other parties is the ... government of a foreign country or any state, minister, agency or official of it;
 - (b) “responsible Minister” means the Minister determined under section 16 as the Minister responsible for this section.
- (2) Notwithstanding any other Act, an intergovernmental agreement to which this section applies is not binding on the Government of Alberta or any Minister, agency or official of it unless
- (a) it is signed on behalf of the Government of Alberta by the responsible Minister,²⁰

Finally, Section 16, “Responsibility for Acts,” states that the responsibility for an Act can be transferred by the Alberta Cabinet to another minister.²¹ However, the thrust of all the above laws is that it would normally be expected that the IIR Minister in Alberta would be the responsible Minister for all international agreements. That is, nothing of international note happens in the Alberta government without being coordinated through a central agency, the IIR.

The result of this “central agency” approach is an extensive, coordinated operation in the international sphere. The Government of Alberta has opened an office in Washington, DC, and Premier Ralph Klein led a mission there in 2003. He also led a mission to India and the IIR Minister led a mission to Europe in 2002 with special emphasis on relations with Germany and the United Kingdom. The ministry has been extensively involved in World Trade Organization negotiations and in the Canada-USA Softwood Lumber Dispute.²² The ministry has also established a formal mechanism, the International Governance Office [IGO], in order to:

... coordinate and manage the provincial government’s participation in international governance projects. These initiatives are aimed at developing more democratic and market-oriented governments in emerging economies around the world. Projects have

²⁰ *Ibid.*, Sect.11.

²¹ *Ibid.*, Sect.16.

²² Alberta, *31st Annual Report*, pp.14-15.

focused on fiscal management, regulatory reform, public sector administration and communications.²³

This last listing would suggest that it is still the other line departments of the Alberta Government that have the necessary expertise to undertake the projects and so the IGO, like the ministry, is a policy operation rather than a body that undertakes program delivery. The ministry's Minister, Halvar Jonson, has summarized this:

Unique among provincial ministries, IIR is entirely policy oriented. It does not provide specific programs directly to Albertans. Instead, the ministry supports other ministries to help them achieve their goals.²⁴

Since a totally centralized approach would see the IIR Ministry delivering the programs too, its actual operation can be called a "hybrid" approach, an intermediate position between the decentralized and the centralized.

Options

There exists a spectrum of options for organizing the international relations of the Government of Saskatchewan. The spectrum could be said to run from a laissez-faire approach, where authority for the activity could be given away to another government, to a centralized approach with maximum authority given to a single department in order to handle all matters that have an international aspect. The options can be designated as follows:

- (1) The laissez-faire approach;
- (2) The decentralized approach;
- (3) The hybrid or central agency approach; and,
- (4) The centralized approach.

²³ *Ibid.*, p.31.

²⁴ *Ibid.*, p.4.

The Alternatives

(1) *The laissez-faire approach*

In this approach, the Government of Saskatchewan would encourage the Government of Canada to take responsibility for all of Saskatchewan's international interests, regardless of any court decision to the contrary. That is, although the courts have ruled that provincial governments have the legal responsibility for the international aspects of the duties enumerated in Section 92 of the *Constitution Act*, the Government of Saskatchewan would request that the Department of Foreign Affairs and International Trade (DFAIT) in Ottawa undertake this for Saskatchewan. DFAIT can be expected to have the necessary personnel, and it would be presumed that DFAIT desk officers would consult public servants in the Saskatchewan line departments when the need arose. There would be no need for an international affairs section in the Saskatchewan Department of Government Relations.

This approach could be assumed to be the least costly in terms of outright budgetary expenditures. On the other hand, a criterion that would be most violated by the laissez-faire approach is that of developing an international perspective within Saskatchewanians. While subjective, an important criterion for a globalizing world is the development by a government of an international perspective within the minds and hearts of its citizens. As this world becomes more bound together by ever-increasing technological, economic, and communication links, a provincial government may want to help prepare its citizens for such a world by fostering programs that will help the citizenry be better prepared to take advantage of such links. Of course, an argument can also be made that a citizenry should be left to undertake this on its own if it so desires such a perspective. These two alternatives are summarized as follows:

... the mysterious question of how far does our range of responsibility extend,... That is increasingly one of the dilemmas of living in a global society. Where is the line we draw in setting out the boundaries for being responsible for others? Is it simply family and close friends? Is it tribal or ethnic based? Do we stop at the frontiers of our own country? [our own province?]....

Naysayers to this notion ... will argue that it constitutes meddling in the affairs of others, that it doesn't serve any specific national interest, or that it will require unacceptably high costs²⁵

The laissez-faire approach is that of the naysayers. It would do nothing towards promoting an international outlook among the people of Saskatchewan. On the other hand, since the citizens of Saskatchewan have, through the course of its history, gone far afield to fight wars, to teach, to play sports, or to manage businesses, one could argue that Saskatchewan residents have been achieving this for years on their own.

A final criterion is the demography of the citizenry that exists within the jurisdiction. It might be less important to develop an international outlook among a small, isolated population than among a large population that is in the thick of international linkages. On the other hand, through supporting international linkages in the former situation, the small isolated group may, in time, become larger and accordingly more involved. The international outlook may be used to promote immigration into the jurisdiction.

In summary, although it could be assumed to be the cheapest, by far, of the four alternatives, the laissez-faire approach would seem to be deficient in helping to prepare Saskatchewan citizens for the realities of globalization. In a globalized world where outward-looking citizens will be an asset to the province, the laissez-faire approach is lacking. In such an environment, it can be argued that a government should be doing more to prepare and promote its citizens.

²⁵ Lloyd Axworthy, *Navigating a New World: Canada's Global Future* (Toronto: Alfred A. Knopf Canada, 2003), pp.25-6.

(2) *The decentralized approach*

This is the *status quo* approach. The decentralized approach existed in Saskatchewan twenty-five years ago and still exists today. International Relations is inexpensive, being estimated to cost the citizens of Saskatchewan only \$916,000 in 2005-06, and the cost is simply an accepted part of the annual estimates of the Department of Government Relations.²⁶ Of course, a more accurate financial reckoning would have to include the hours spent by those public servants in the line departments who are called upon from time to time to handle international matters. However, it can be noted that this would not increase the overall cost of the Government of Saskatchewan.

This approach leaves initiatives to individual line departments while the International Relations section provides staff support. An international outlook for Saskatchewan citizens is left to civil society or non-governmental agencies to develop. Although this approach is not expensive, it is not obvious that a great deal is achieved either. In fact, it might well be cheaper to abolish this approach and go with the *laissez-faire* approach, as it could be hard to argue that much more is achieved by this approach than would be achieved by the *laissez-faire* approach.

(3) *The hybrid or central agency approach*

For a model of this approach, the Government of Saskatchewan could do no worse than to look next door to its neighbour, the Government of Alberta. The likely starting point would be to change the Government of Saskatchewan's legislation, the *Government Organization Act*. A central agency would have to be given the same degree of authority as exists in the Government of Alberta. It would probably entail a separate piece of legislation and possibly a new

²⁶ Government of Saskatchewan, Provincial Budget 2005-06, "Estimates," p.72.

department with a new name and a new organizational form. The cost of achieving this would not be great, but the annual follow-up costs, though not extensive, would increase the total.

For example, the new department, a true central agency for the Government of Saskatchewan, would need to add the staff for a body equivalent to Alberta's IGO. This body could be expected to oversee the Saskatchewan Matching Grants program, and it would also promote the activity of Saskatchewanians in developing governance models in developing countries. As in Alberta, it could be expected to operate by obtaining contracts from international aid organizations, such as the Canadian International Development Agency or the various United Nations organizations. In terms of additional costs, it should be noted that the total costs of Alberta's International Relations Section is estimated to be only \$1.692 million for 2003-04,²⁷ less than twice the estimated cost of Saskatchewan's present operations.

The remaining aspects of the organizational structure would quickly fall into place, without great additional costs. The central agency approach still relies on the line departments to have expertise on what is going to occur in the international realm. The central agency has an overall coordinating role, but the implementation still remains with the line departments. Horizontal policy-making committees comprising representatives from the line departments, as Correa outlined, would be appropriate, but these would not constitute a great additional expense.

For the investment in this structure, the people of Saskatchewan would obtain a single department devoted to the promotion and development of an international presence for Saskatchewan citizens. With the requirements of the borderless world so rapidly developing, this would be the minimal acceptable response. Future developments might see offices opened in other countries, such as the Government of Alberta has done and such as the Government of

²⁷ Alberta, *31st Annual Report*, p.67.

Saskatchewan did in past years when it operated Saskatchewan House in London. A re-opening of a Saskatchewan House would provide the Saskatchewan government with a direct window on operations and developments within the European community. No matter how inexpensive the first two alternatives may appear, it can be argued that it is unreasonable to save money in this area. In the minds of citizens, a wide-ranging outlook on the world must be accepted as a public good in the 21st century; it cannot be left to citizens to undertake this on a piecemeal basis according to their individual resources and perspectives.

(4) *The centralized or super-department approach*

It might seem that large departments, such as DFAIT in Ottawa or the Ministère des Relations Internationales (MIR) in Quebec City, would represent the totally centralized approach to conducting a government's international relations. In fact, however, there are no extant examples of such an approach. Though far greater in numbers of employees and in departmental expenditures than Alberta's operations, or what Saskatchewan's might become, these two departments are still simply examples of the central agency approach, albeit writ large.

The expertise of line departments is still necessary for a government, whether the functions are international or domestic. After all, the international realm does not change the fundamental actions and operations. The same things are done in either situation, though the international milieu might add some complications. Tourism is still tourism, no matter the origin of the tourist, agriculture is still agriculture, and mining is still mining; even immigration from overseas is not fundamentally different from immigration domestically from other provinces. The international realm adds new complications and requires people to specialize in acquiring an understanding of that milieu; however, neither DFAIT nor the MIR undertake to locate within their departments all the skills that normally exist already in the various line departments. This

does lead to the necessity of horizontal policy-making committees for these two governments, but that has already been noted as a consequence for Saskatchewan.

Conclusions

The global community has a variety of means for dealing with the various aspects of international life. In the all-important dimension of trade, there is the World Trade Organization on a multilateral level as well as the North American Free Trade Agreement for bilateral/trilateral negotiations. Human rights are important to all Saskatchewan's citizens and there exist several United Nations bodies whose decisions and judgments must be considered by Saskatchewanians. Other international linkages can be listed as well, such as dealings with the United States in potash and pigs or with respect to trans-boundary water issues.

For the betterment of its citizens, the Government of Saskatchewan must develop a cadre of public servants who have the requisite knowledge and experience to deal with the international intricacies of such situations. These public servants could provide a valuable staff service in this to the line departments, and so be a central agency. For this to happen, reforms to the law, organizational structure of government, and budget must be forthcoming.

About the Author

Dr. Robert McLaren is a professor of public and international administration in the Faculty of Business Administration, University of Regina, Regina, Canada. He is the author of *Civil Servants and Public Policy: A Comparative Study of International Secretariats* (1980), *Organizational Dilemmas* (1982), and *The Saskatchewan Practice of Public Administration in Historical Perspective* (1998). As well, he has published articles on various facets of public sector management in both Saskatchewan and the United Nations system. His most recent UN article is: "The United Nations as a Membership Organization," International Public Management Journal 8 (#1, 2005).

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