Children's Human Rights

What they are and why they matter

Find out more ... with over 40 major rights inside!



Children's Rights Alliance for England This booklet is all about the human rights of young people - those aged 17 and under.

Human rights are rules agreed by governments. They set out how people in a country can expect to be treated.

Human rights cover all areas of life and all people. Their purpose is to make sure everyone can lead a fulfilled life with respect, dignity and freedom. The United Nations is the main body that governs human rights. It was set up after the Second World War, in 1945, to encourage peace and respect for human life and dignity across the world.

In 1989, after 10 years of discussion, the United Nations agreed the Convention on the Rights of the Child. This human rights treaty sets out what governments must do to ensure children and young people everywhere have a good life. It describes all the things that children and young people need to get the most from life - the right to be heard and to participate in decisions; the right to protection from all forms of violence; the right to health care, education and leisure; the right to family life and to an adequate standard of living; and lots more.



Nearly every country in the world has accepted the Convention on the Rights of the Child.

In 1991, our Government agreed to always follow the Convention when making decisions that affect children and young people.

Human rights are not just for governments or courts to uphold. They can guide you in how you treat others.

Human rights - yours to understand and yours to use.

We hope you find this booklet useful.

Children's Rights Alliance for England



Section One:

Starting point

The UN Committee on the Rights of the Child is a group of 18 children's rights experts (all adults) from across the world. It meets three times a year in Geneva, Switzerland, to consider the children's human rights record of different countries.

The Committee last examined the UK in 2002; it will look again at the UK in 2008 or 2009.

The different sections of the Convention on the Rights of the Child are called articles.

The Committee on the Rights of the Child says there are four articles in the Convention that are especially important: articles 2, 3, 6 and 12.

Article 2

All the rights in this Convention apply to all children and young people without any discrimination (see page 44).

Article 3

The best interests of children and young people should always be a top priority (see page 11).

Article 6

Every child and young person has the right to survival and maximum development (see page 15).

Article 12

Every child and young person has the right to have his or her views taken seriously (see page 23).



IMPORTANT:

The Convention on the Rights of the Child is not as yet part of UK law. However, courts can use the Convention to help them make decisions. The UK also has a Human Rights Act that includes the most basic human rights and freedoms.

In 1951, the UK Parliament agreed that UK citizens* should have all the rights and freedoms in the European Convention on Human Rights.

Want to know more about the Human Rights Act? Visit www.crae.org.uk

In 1998, the UK Parliament passed the Human Rights Act which brings into UK law all the rights and freedoms in the European Convention on Human Rights. This means UK citizens* can now bring human rights cases to UK courts, as well as take a case to the European Court of Human Rights in Strasbourg. Any law that is passed by Parliament must be in line with the rights in the European Convention on Human Rights.

1950

1960

1970

1980

1990

2000

•

In 1966, the UK Government agreed that UK citizens* could now take a human rights complaint to the European Court of Human Rights in Strasbourg, France.

When you see this symbol **HRA**, it means the rights in the Convention on the Rights of the Child are also in the Human Rights Act.

Section Two: Be the best you can be

Page 10

In this section, you will find out about your rights: to be treated as a priority; to an identity; to a

family life; to as good a life as possible; and to stav healthv.

TREATED AS A PRIORITY

Article 3

- Adults should always try to do what is best for children and young people.
- Governments must do everything to make sure children and young people are safe and well looked after.

IDENTITY

Article (8)

 Governments should do. everything possible to protect the right of every child and young person to a name and nationality and to family life (see page 13).



Real Life

Your identity is precious. Even if you don't live with your family, you have the right to keep your own name and to keep in touch with your family. Page (T)

A FAMILY LIFE

All the rights in the Convention on the Rights of the Child apply to you in your family. This includes the right to be heard and the right to be protected from all forms of violence (including "smacking").

In addition, the Convention on the Rights of the Child has this to say about the family:



 Parents can give children and young people advice and help about children's rights.
 The more a young person knows and understands, the less advice and help a parent needs to give.

Article 7

- Children and young people have the right to a name and a nationality.*
 - Children and young people have the right to be cared for by both parents.

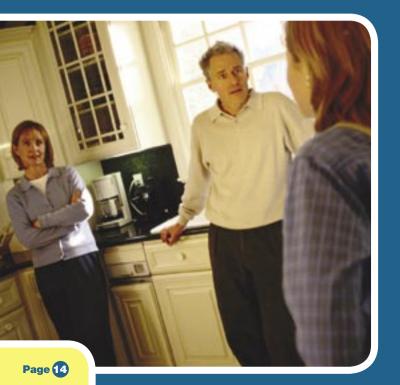
Article 9 HRA

- If a court is thinking about who a child or young person should live with, everyone affected by the decision should get the chance to be heard
 including the child.
- Every child and young person has the right to keep in regular contact with both parents, so long as this is the best thing for the young person.

Real Life

In May 2005, three teenage brothers took a case to the Court of Appeal because they had been denied their own solicitor to represent their views in court about who they should live with following their parents' separation. They boys were successful. The judge said their right to freedom of expression and participation had to be respected.

- If a child or a parent wants to live in another country, the decision about this should be made quickly and fairly.
- A child or young person whose parents live in another country has the right to keep in touch with them.



Article 18 HRA

- Governments must do all they can to help parents look after children well.
- Parents are the most important people in children's and young people's lives. Parents must always do what is best for children and young people.

A GOOD LIFE

Article 6

- Every child and young person has the right to life. HRA
- Governments must do all they can to make sure every child and young person has the best possible life.

Article 26

 Governments must support every child's and young person's right to have enough money.



- Children and young people have the right to a standard of living that helps them develop fully.
- Parents have the main responsibility for making sure children and young people get this right.
- Governments must support parents. The amount of help the Government gives depends on how rich the country is.*



*The UK is the fifth richest country in the world.

Real Life

You need many things to have the best possible life - a warm and safe home, plenty of nutritious food and clean water, decent clothing and footwear, the chance to take part in activities, and lots more. Parents and the Government should make sure this happens.



STAY HEALTHY

Article 24

 Every child and young person has the right to the best possible health and health services.



- Every young person has the right to be protected from harmful work and economic exploitation.
- Governments must do everything to protect this right.
- Governments must set a minimum age at which young people can work, and they must introduce rules to protect young people in work.*



*Young people in the UK can work part-time from the age of 13 so long as they are doing light work. They can work full-time from the age of 16 years.

Article 33

 Governments must do everything to protect children and young people from illegal drugs.

Page 20



Article 34

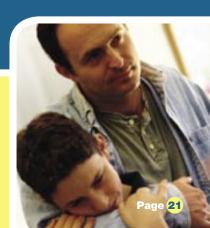
 Governments must do everything to protect children and young people from sexual exploitation (including prostitution) and sexual abuse.

Article 35

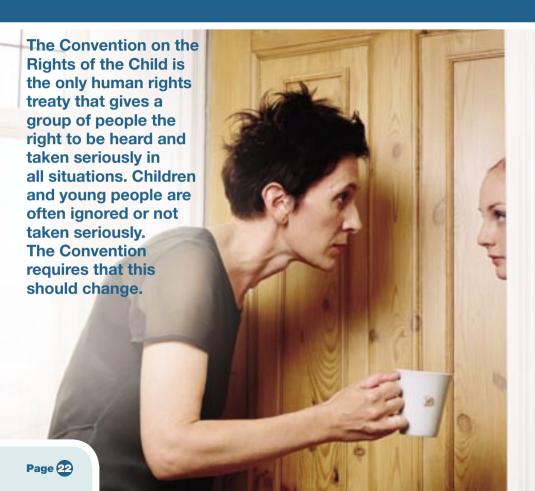
 Governments must do everything to protect children and young people from being taken away, sold or trafficked.

Article 36

 Governments must protect children and young people from all other exploitation.



Section Four: Respect



Article 12

- Every child and young person has the right to express his or her views freely - about everything that affects him or her.
- The child's or young person's views must be given 'due weight' depending on his or her age and maturity.
- The child or young person has the right to be heard in all decision-making processes, including in court hearings. The child or young person can speak for him or herself, or someone else can speak for him or her.

Real Life

If your parents are separating, you should be able to freely express your views, if you want to.

At school, you should have a say about your own education and how your school is run. If you are in care, you should be involved whenever a decision is being made about your life. In hospital, the doctors and nurses should give you information, listen to you and take you seriously.

You should be heard and taken seriously in your local community and by national government. In fact, the Convention says your views count always in all matters affecting you.



 Every disabled child and young person has the right to a full life and to active participation in the community.





Section Five:

Freedom



Article 13 HRA

 Every child and young person has the right to freedom of expression, including the right to all kinds of information and ideas

(unless there are legal restrictions

- see page 31).



You should be able to choose what you wear and how you look, so long as it doesn't interfere with the rights of others or break the law.



Article 14 HRA

- Every child and young person has the right to freedom of thought, conscience and religion (unless there are legal restrictions - see page 31).
- Governments must respect the right of parents and guardians to give advice to the child or young person about this right. The more a child or young person knows and understands, the less advice parents need to give.

Real Life

In 2005, a 16 year-old Muslim girl won the right to wear a jilbab at her Luton school. Shabina Begum argued that her school's ban on the jilbab affected her right to freedom of thought, conscience and religion. As this right is also protected under the European Convention on Human Rights, she was able to take her case to court. Unfortunately, the House of Lords overruled the decision in March 2006. Shabina Begum may now try to protect her rights through taking her case to the European Court of Human Rights in Strasbourg (see pages 8-9).



Real Life

In 2005, a boy from **Richmond in London** challenged the Government for passing a law that allows the police to take home any person under the age of 16 who is outside after 9pm. The case went to the Court of Appeal. The judge said the police could apply the new law only to young people who are involved - or just about to be involved - in anti-social behaviour.

Article 15 HRA

 Every child and young person has the right to meet people and to gather in public (unless there are legal restrictions - see page 31).

Article 16 HRA

 The law must protect every child's and young person's right to privacy.

PLEASE RESPECT MY PRIVACY



That means:

No reading my letters, emails or text messages;
No going through my cupboards and drawers;
And no listening to my private conversations.

Article 30 HRA

 Children and young people from minority communities must not be stopped from enjoying their own culture, religion and language.

Article 31

- Every child and young person has the right to rest, play and leisure.
- Governments must promote children's and young people's involvement in the arts.

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*Legal restrictions

Some human rights are absolute – they must never be broken. For example, the right to life and to protection from torture or other inhuman or degrading treatment or punishment.

Other human rights can be interfered with, but only if absolutely necessary and fair. A child or young person can go to court if he or she thinks his or her human rights are being interfered with unfairly - if these rights are in the European Convention on Human Rights. The Convention on the Rights of the Child can be used to support a case, but it cannot be used on its own to start one (this may change - visit www.crae.org.uk for up-to-date information on children's rights).



Section Six:

Knowledge



Article 17

- Governments must make sure children and young people have access to lots of different information.
- Governments must encourage the media to give information to children and young people and protect them from harmful information and material.



Article 28 HRA

- Every child and young person has the right to free primary education.
- Governments must encourage secondary education, making it available and accessible to every child and young person.
- Access to higher education must be based on the ability to benefit from it.
- Governments must make sure children and young people get information about education.
- Governments must encourage regular school attendance.
- Governments must make sure that school discipline protects the dignity of children and young people, and is in line with their rights in this Convention - so no hitting or humiliation.

Real Life

The kind of education you get should not be dependent on how much money you or your family has. The purpose of education is to help you reach your fullest potential as a human

being. You should be heard and respected at school - always.

Article 29

- Governments agree that the aim of education is to help the fullest possible growth of the child or young person's personality, talents and mental and physical abilities.
- Education must help children and young people:
 - respect human rights
 - respect their parents
 - respect their and others' culture, language and values
 - have self-respect
 - respect the environment.

Article 42

 Governments must make sure everyone gets information about this Convention - that includes you and all the people you know!



Section Seven: Extra protection



Article 1

 Governments must work together to stop children and young people being taken illegally to another country.

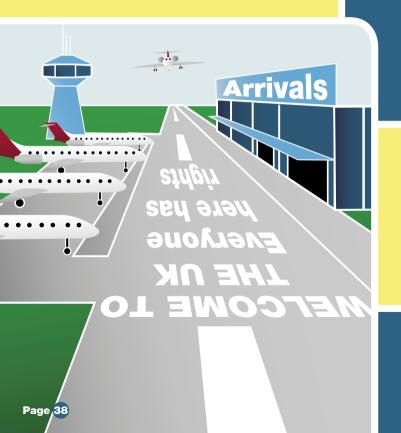
Article 20

 Children and young people who are separated from their parents have the right to special protection and help.

Article 21

- The child's best interests must be the top priority in adoption.
- Governments can support adoption between countries.
- Children and young people who are adopted by people in another country must have the same protections as children adopted by people in their own country.

 Governments must give protection and humanitarian help to children and young people who are refugees, or who are trying to be accepted as refugees.



Article 25

 Children and young people who are in care or live away from home for health reasons have the right to have their care reviewed regularly.



Article 37 HRA

 Governments must do everything to protect children and young people from torture or other cruel, inhuman or degrading treatment or punishment. This is an absolute right, with no excuses for any breach of it.

Real Life

Your dignity and self-respect is important. It can be taken away by cruel treatment or punishment. Get help if you need it.



Article 37 (continued)

- Children and young people must not be given a death sentence or life imprisonment without the possibility of release.
- Children and young people who are locked up should be able to challenge this quickly in court.
- Children and young people must only be arrested or locked up as a last resort and for the shortest possible time.
- Every child or young person who is locked up must be treated with respect.
- Every child or young person who is locked up must be separated from adults, unless it is better for him or her to be with adults.
- Every child or young person who is locked up has the right to keep in contact with his or her family, through letters and visits.



Article 38

- Governments agree to abide by international human rights law in relation to wars.
- Governments must do everything to stop children under 15 from being involved directly in a war.
- Governments must do everything to protect and care for children and young people who are affected by war.

In May 2000, the United Nations introduced stronger protections for under 18 year-olds. This means no child or young person should ever be forced to join the armed forces, and no child or young person should ever be involved directly in a war.

Article 39

- Governments must give good support to children and young people who have been hurt, abused or exploited.
- This support must promote children's and young people's health, self-respect and dignity.







- Every child or young person accused of, or convicted of, committing a crime must be treated with respect.
- Every child or young person accused of, or convicted of, committing a crime must be treated in a way that helps them to respect the human rights of others.
- Every child or young person must be treated as innocent until found guilty.
- Every child or young person should be told as soon as possible why they have been arrested and charged with a crime.
- Every child or young person accused of a crime must be given immediate access to a lawyer.

- No child or young person can be forced to give evidence in a court.
- Every child and young person has the right to an interpreter if they do not understand the country's main language.
- The child's and young person's right to privacy must be fully respected at all times.
- Governments must set up a separate criminal justice system for children and young people.
- Governments should promote a minimum age of criminal responsibility.
- Wherever possible, children and young people in trouble should not have to go to court.
- Courts should always try to avoid sending children to institutions.
- There must be many ways to help children and young people in trouble with the law, including care, guidance and counselling.



And finally...

Article 1

• A child is a person under 18 years.

Article 2

All the rights in this Convention apply to all children and young people without any discrimination.

Article 4

- Governments must do everything possible to put into practice all the rights in this Convention.
- The richer the country, the more it must do to protect children's and young people's economic, social and cultural rights.

Articles 41 to 54 say how adults and governments must work together to promote and protect all the rights in this Convention.



54 articles - 40 major rights - for the world's 2.2 billion children and young people.

Section Eight: Make it happen



Eight things you can do right now:

1. Spread the word about children's human rights and the Convention on the Rights of the Child - inform your friends, your brothers and sisters, the people you live and work with, and all the adults you know. If you want to read the full version of the Convention on the Rights of the Child, visit www.ohchr.org/english/law/crc.htm or contact us.

- 2. Keep this booklet close to hand; you never know when you might need it.
- 3. Take a stand for the things that matter to you - whether it's something in your private life, something going on at school or college or in your neighbourhood, or something you care about in wider society. Don't just think about it - do it!
- 4. Get help if you need it see from page 49.
- 5. Stay informed about developments in children's human rights - check out our website www.crae.org.uk
- 6. Find adults around you who can give you information and support about your rights.
- 7. Show in your actions and attitudes that you respect the human rights of other children and young people. Treat every human being as an equal.
- 8. Become a member of the Children's Rights Alliance for England. It's easy... Email info@crae.org.uk or send a 'join CRAE' text message at no extra charge to 07950 687 851. Page 47

Section Nine: Rights action



Advisory Centre for Education ● ▲

Free telephone advice on many subjects like exclusion from school, bullving, special educational needs and school admission appeals.

Advisory Centre for Education (ACE), 1c Aberdeen Studios, 22 Highbury Grove, London N5 2DQ

General advice line (Mon-Fri 2-5pm): 0808 800 5793 Exclusion information line (24hr answer phone): 020 7704 9822

Web: www.ace-ed.org.uk

A National Voice ■

A young person led organisation existing to make positive changes to the care system in England. Provides a platform for the voices of voung people in and leaving care.

A National Voice, Central Hall, Oldham Street, Manchester M1 1JQ

Tel: 0161 237 5577 Email: info@anationalvoice.org Web: www.anationalvoice.org

This means you can get involved in the organisation's work for children's rights.

This means the organisation can put you in touch with someone who can help you sort out a children's rights problem.

This means the organisation can, in some cases, help you sort out a children's rights problem.

Children's Legal Centre ■ ● ▲

Lawvers can give advice on all issues relating to children.

The Children's Legal Centre. University of Essex, Wivenhoe Park, Colchester, Essex CO4 3SQ

Tel: 01206 873 873 Fmail: clc@essex.ac.uk Web:

www.childrenslegalcentre.com

If you have an education problem. the Children's Legal Centre's education legal advice line operates between 9.30am and 5.00pm weekdays. Tel: 0845 456 6811 Email: nel@essex.ac.uk

Children's Rights Alliance for England ■ • ▲

Working for the Convention on the Rights of the Child to be put into practice across England.

CRAE, 94 White Lion Street. London N1 9PF

Tel: 020 7278 8222 Email: info@crae.org.uk Web: www.crae.org.uk

Children's Rights Officers and Advocates

Children's rights officers and advocates for children and young people in contact with social services.

CROA, Suite 5J, North Mill. Bridgefoot, Belper. Derbyshire DE56 1YD

Tel: 01773 820 100 Email: info@croa.org.uk Web: www.croa.org.uk



Connexions Direct

Instant, confidential telephone or online advice on anything that affects teenagers. Between 8am and 2am every day:

Tel: 080 800 13 2 19 Text: 07766 4 13 2 19

Web: www.connexions-direct.com

English Secondary Students' Association

ESSA is an organisation that represents secondary students in England. It aims to support students in expressing their views about education in their schools. At a regional and national level, it provides training and a network of support with other secondary school students.

ESSA, 3rd Floor, Downstream Building, 1 London Bridge, London SF1 9BG

Tel: 0207 022 1911 or 0207 022 1910

Email: info@studentvoice.co.uk Web: www.studentvoice.co.uk

Howard League for Penal Reform

Campaigns for an end to the use of prison for children and improved treatment of children in the penal system.

Legal advice line for children and young people in custody - call free 0808 801 0308

The Howard League for Penal Reform, 1 Ardleigh Road, London N₁ 4HS

Tel: 020 7249 7373

Email: info@howardleague.org Web: www.howardleague.org

Liberty ■ ● ▲

Gives information and advice on all matters of human rights law.

If you have an urgent query, call the LIBERTY ADVICE LINE on 0845 123 2307 during the following hours: Monday and Thursday: 6.30pm to 8.30pm and Wednesday: 12.30pm to 2.30pm.

LIBERTY, 21 Tabard Street, London SF1 4I A

Tel: 020 7403 3888

Web:

www.libertv-human-rights.org.uk www.yourrights.org.uk

NSPCC (National Society for the Prevention of Cruelty to Children)

The UK's leading charity specialising in child protection and the prevention of cruelty to children. The NSPCC's core values are based on the LIN Convention on the Rights of the Child. ChildLine has joined with the NSPCC to help more children and young people.

General contact details: NSPCC. Weston House, 42 Curtain Road, London, EC2A 3NH

Tel: 020 7825 2500

Web: www.nspcc.org.uk/kidszone

If you need help, you can contact the NSPCC Child Protection Helpline on 0808 800 5000, or contact the free textphone service for people who are deaf or whose hearing is impaired on 0800 056 0566. You can also email help@nspcc.org.uk or look on the website at

www.nspcc.org.uk/helpline. You can also contact ChildLine on 0800 1111. Both helplines are free and open 24-hours a day. Whichever helpline you choose you will get expert advice from a trained adviser.

National Youth Advocacy Service

Offers advice, information and support to children and young people on their rights about any matter that affect them.

Offers legal advice for children and young people on family, care, education and immigration.

Young people can call free 0800 616 101 or send a text message to 0777 333 4555 or send an email to help@nyas.net

National Youth Advocacy Service, 99-105 Argyle Street, Birkenhead, Wirral CH41 6AD

Tel: 0151 649 8700 Email: info@nyas.net Web: www.nyas.net

Office of the Children's Commissioner ■ ●

The independent voice for all children and young people in England.

Office of the Children's Commissioner, 1 London Bridge, Tooley Street, London, SE1 2PF

Tel: 0844 800 9113

Email:

support@childrenscommissioner.org

Web:

www.childrenscommissioner.org

Refugee Council ● ▲

Offers support and advice to unaccompanied refugee children.

The Refugee Council Panel of Advisers for Unaccompanied Refugee Children, 240-250 Ferndale Road, London SW9 8BB

Advice line: **020 7346 1134** (open from 9.30am to 5.30pm

weekdays)

Web: www.refugeecouncil.org.uk

Save the Children ■ • ▲

Children's rights development agency primarily focused on education, poverty, refugee and asylum issues.

Save the Children UK, England programme office,
1 Eastgate, Leeds LS2 7LY

Tel: 0113 242 4844
Email: supportercare@
savethechildren.org.uk
Web:

www.savethechildren.org.uk

UK Youth Parliament ■

Aims to give young people (aged 11 to 18) a voice in national and local issues.

UK Youth Parliament, 8 Wakley Street, London EC1V 7QE

Tel: 020 7843 6310

Email:

mail@ukyouthparliament.org.uk Web:

www.ukyouthparliament.org.uk

UNICEF Youth Voice ■

Young people taking action for children's rights in this country and across the world.

Youth team, UNICEF UK, Freepost,

Africa House,

64 - 78 Kingsway London WC2B 6BR

Tel: **0870 606 3377**

Email: youthvoice@unicef.org.uk

Web:

www.unicef.org.uk/youthvoice

Voice ■ • ▲

Offers advice and support to children and young people in care and in custody and to young asylum-seekers.

Head office, London & South East, Unit 4, Pride Court, 80 - 82 White Lion Street, London N1 9PF

Tel: 020 7833 5792 Email: info@voiceyp.org Web: www.vcc-uk.org The **Children's Rights Alliance for England** is a group of over 380 organisations in England that work together to get the Convention on the Rights of the Child put into practice everywhere.

We are a registered charity and a company limited by guarantee. We were set up in 1991 - the year the UK Government agreed to follow the Convention on the Rights of the Child in all matters affecting children.

We check Government action on children's human rights. Every year we publish a 'State of children's rights in England' report. We send reports to the United Nations, the Council of Europe and other important bodies concerned with human rights.

We work with Government and Parliamentarians to try to encourage them to make laws and policies that are in line with children's human rights. We try to stop laws and policies that go against children's human rights.

We circulate information and speak out for children's human rights in the media. We run children's human rights events for children and young people, including in schools.

We are always looking for people who care about children's human rights to join in our work and campaigns. If you are under 18 years, or part of a group run by children and young people, it is free to join the Children's Rights Alliance for England. We're waiting to hear from you!

94 White Lion Street, London N1 9PF.

Tel 0207 278 8222 info@crae.org.uk; www.crae.org.uk

In Summary:

Article 1 - A child is a person aged 17 or under.

Article 2 - All the rights in this Convention belong to all children.

Article 3 - Children must always be a top priority.

Article 4 - Governments must do all they can to protect children's rights.

Article 5 - Parents can give children advice and help about their rights.

Article 6 - Every child has the right to be alive and to be the best person they can be.

Article 7 - Every child has the right to a name and nationality and to be cared for by both parents.

Article 8 - Governments must protect the child's right to a name, nationality and family life.

Article 9 - Every child has the right to keep in regular contact with both parents so long as this is the best thing for the child.

Article 10 - Decisions about a child living in a different country should be made quickly and fairly.

Article 11 - Governments must work together to stop children being taken illegally to another country.

Article 12 - Every child has the right to express his or her views and these views must be taken seriously.

Article 13 - Every child has the right to express themselves and to receive all kinds of information and ideas.

Article 14 - Every child has the right to have his or her own beliefs and religion.

Article 15 - Every child has the right to meet people and to be outside in a group.

Article 16 - The law must protect every child's right to privacy.

Article 17 - Governments must make sure children get lots of different information. They should protect children from harmful information.

Article 18 - Governments must support parents.

Parents must always try to do what is best for children.

Article 19 - Every child must be protected from all forms of violence, abuse, neglect and mistreatment.

Article 20 - Children who do not live with their parents have the right to extra protection.

Article 21 - The child must be the top priority in adoption.

Article 22 - Children who are refugees, or trying to be refugees, have the right to extra protection.

Article 23 - Disabled children have the right to be part of everything.

Article 24 - Every child has the right to the best possible health.

Article 25 - Children who are in care or who live away from home for health reasons should have their care checked regularly.

Article 26 - Governments must support every child's right to have enough money.

Article 27 - Children have the right to get everything they need to develop fully.

Article 28 - Every child has the right to education.

Article 29 - Education is about children developing fully as people.

Article 30 - Children must never be stopped from enjoying their own culture, religion or language.

Article 31 - Every child has the right to rest, play and to do things they enjoy.

Article 32 - Children must be protected from harmful work.

Article 33 - Governments must do everything to protect children from illegal drugs.

Article 34 - Governments must protect children from being hurt sexually.

Article 35 - Governments must do everything to protect children from being taken away or sold.

Article 36 - Governments must protect children from all other harm.

Article 37 - Every child has the right to protection from torture and very bad treatment.

Article 38 - Children must be protected from wars and from joining the armed forces.

Article 39 - Governments must give good support to children who have been abused or harmed.

Article 40 - Children who are in trouble with the law have many additional rights, including the right to privacy, the right to a lawyer and, wherever possible, the right not to go to court or be sent to prison.

Article 42 - Governments must inform everybody about all the rights in this Convention.

Article 41 and 43 to 54 - say how childrens rights should be monitored and enforced.

(In this summary child = children and young people)





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