

GLOBAL INJUSTICE: THE UNIVERSAL BASIC INCOME

A INJUSTIÇA GLOBAL: RENDIMENTO BÁSICO UNIVERSAL

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Abstract

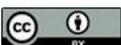
This article analyses the Universal Basic Income (UBI) proposal as a response to global injustice, considering its philosophical, legal and institutional foundations. Based on authors such as Rawls, Pogge and Sen, it discusses the ethical and political legitimacy of redistributing income on a global scale. The legal framework of the UBI in international law is examined, including treaties and soft law norms. The case law of the European Court of Human Rights and the work of the International Labour Organisation (ILO) are also analysed. Finally, it proposes viable paths for its implementation in the face of financial and institutional challenges. The article also discusses the worsening economic inequalities caused by automation and artificial intelligence, concluding that the UBI is a promising instrument for promoting global social justice. In order to finance it, UBI advocates the creation of a technology tax that redistributes the profits of large digital companies, promoting social justice.

Keywords: Global Justice. Universal Basic Income. Human Rights. International Law. Universal Social Protection. Distributive Justice. Technological Tax.

Resumo

O presente artigo analisa a proposta do Rendimento Básico Universal (RBU) como resposta à injustiça global, considerando fundamentos filosóficos, jurídicos e institucionais. A partir de autores como Rawls, Pogge e Sen, discute-se a legitimidade ética e política da redistribuição de rendimentos em escala planetária. Examina-se o enquadramento jurídico do RBU no direito internacional, incluindo tratados e normas de soft law. Analisa-se também a jurisprudência do Tribunal Europeu dos Direitos Humanos e a atuação da Organização Internacional do Trabalho (OIT). Por fim, propõem-se caminhos viáveis para a sua implementação, diante de desafios financeiros e institucionais. O artigo discute, ainda, o agravamento das desigualdades económicas causadas pela automação e pela inteligência artificial, concluindo que o RBU é um instrumento promissor para a promoção da justiça social global. Para o financiar, o RBU defende-se a criação de um imposto tecnológico que redistribua os lucros das grandes empresas digitais, promovendo justiça social.

Palavra-chave: Justiça Global. Rendimento Básico Universal. Direitos Humanos. Direito Internacional. Proteção Social Universal. Justiça Distributiva. Imposto Tecnológico.



1 INTRODUCTION

Globalisation, while often celebrated as a process of economic and cultural integration, has also generated substantial adverse effects, namely the deepening of inequalities between countries and within their own borders. The increase in productivity, global wealth and technological innovations has not been accompanied by an equitable distribution of the benefits arising from these advances. In fact, *"[wealth] inequality is evident all over the world, and Europe is no exception: the richest 10 per-cent of the continent own a staggering 67 per-cent of the wealth, while the bottom half of the adult population owns just 1.2 per-cent of it. The degree of inequality in the distribution of wealth also varies considerably from country to country (...)"* (Euronews, 02/04/2024; Gabinete de Estratégia e Estudos, 19/06/2024). On the contrary, we see the consolidation of economic and political structures that favour a global minority to the detriment of the majority of the world's population. This imposes an ethical and legal imperative to rethink the foundations of social justice on a global scale.

In this context, the concept of global injustice has become central to contemporary philosophical and legal debates (Pogge, 2002; Young, 2011; Rodrigues & Cabete, 2022; Rodrigues & Rodrigues, 2022; Rodrigues, Bhattacharya, Cabete & Soares, 2025; Rodrigues, Bhattacharya & Cabete, 2024; Rodrigues, Bhattacharya & Cabete, 2024a; Rodrigues, Bhattacharya, Sachdev & Cabete, 2024; Rodrigues, 2022). It is a systemic condition that is not reduced to the existence of poverty, but involves the perpetuation of structural inequalities, often maintained by international institutions, trade regimes and unequal financial policies. Global injustice manifests itself not only in the lack of material resources, but also in the denial of opportunities, political participation and recognition. It is against this backdrop that the proposal for a Universal Basic Income (UBI) is inserted, understood as a global redistributive instrument and a concrete expression of the right to a dignified life.

UBI is a public policy that aims to guarantee everyone, regardless of their origin or condition, a basic and unconditional monetary value, sufficient to guarantee the fulfilment of fundamental needs (Van Parijs & Vanderborght, 2017). The idea, although ancient in its philosophical roots, has gained renewed impetus with contemporary challenges such as labour automation, migration crises, climate change and, more recently, the COVID-19 pandemic. (Standing, 2017) These phenomena have revealed the

systemic vulnerability of the poorest populations and the inadequacy of current social safety nets.

This article aims to analyse the UBI in the light of the theory of global justice, international legal instruments and existing institutional experiences. To this end, the main theoretical frameworks underpinning the debate on global justice will be explored, with particular emphasis on the contributions of John Rawls, Thomas Pogge and Amartya Sen. These thinkers offer different approaches to understanding the moral legitimacy of redistribution on an international scale and the responsibility of states in relation to global poverty.

Secondly, the article will examine the legal foundations of the UBI in international law, both at the hard law level, through binding treaties and conventions, and at the soft law level, focusing on recommendations and resolutions which, although non-binding, have strong normative value. Special attention will be paid to the International Covenant on Economic, Social and Cultural Rights and ILO Recommendation 202, which are considered normative pillars for the institutionalisation of a minimum income.

Next, the relevant case law of the European Court of Human Rights will be addressed, which has been expanding the recognition of state obligations with regard to the protection of minimum living conditions. Analysing emblematic cases will allow us to see the extent to which the Court operates a dynamic reading of human rights, coming closer to the logic that underpins the UBI as an emerging right.

The growing economic injustice generated by the concentration of wealth in the hands of large technology companies will also be explored, in a context marked by automation and the replacement of human labor by artificial intelligence and robotics. The feasibility of Universal Basic Income (UBI) as a response to the inequalities exacerbated by this transformation will be discussed, and the creation of a technology tax as a financing mechanism will be proposed. This proposal aims to redistribute part of the wealth generated by innovation, ensuring social justice, economic sustainability, and greater equity in the sharing of the benefits of technological progress.

Finally, this article proposes a critical analysis of the challenges and possibilities of implementing Universal Basic Income (UBI) on a global scale, especially considering the impact of automation and artificial intelligence on widening economic inequalities. The discussion will address issues such as the financing of UBI, the need for global governance and the importance of international cooperation, based on concrete

experiences and viable proposals. Faced with a scenario in which the profits of technology are concentrated in a few, while traditional jobs are eliminated, the UBI is presented as an ethical and political response to global injustice. The technology tax is explored as a relevant alternative for making this measure viable and promoting greater social equity.

Therefore, and *a priori* for a better understanding of this line of research, it is necessary to define what a tax is. A tax is a mandatory, unilateral, and definitive monetary payment required by the State or another public entity, without direct consideration, with the aim of financing public expenditure and achieving economic and social policy objectives, among others, such as the implementation of a basic income. Richard Murphy describes taxes as essential mechanisms for redistributing wealth and financing the welfare state, characterizing them as instruments of economic citizenship rather than mere financial requirements. (Murphy, 2021). For his part, Klaus Tipke defines tax as a compulsory payment without specific consideration, imposed by the state on the basis of law, to cover public needs and implement fiscal justice. (Tipke, 2020) Finally, José Casalta Nabais Xavier defines tax as a unilateral financial contribution imposed coercively by the state for contributory and redistributive purposes, distinguishing it from fees and special contributions by the absence of direct consideration (Xavier, 2022). In other words, as we can see, a tax is a mandatory payment made to the State without any consideration in return, which aims to safeguard the interests of the community.

2 BETWEEN RAWLS, POGGE AND SEM: PHILOSOPHICAL FOUNDATIONS FOR GLOBAL JUSTICE WITH UNIVERSAL BASIC INCOME

The contemporary debate on global justice has its roots in philosophical traditions dating back to antiquity, but has acquired new complexity with the processes of globalisation and economic interdependence between states. John Rawls (1999, p. 36), in ‘The Law of Peoples’, recognises the existence of an international community regulated by principles of justice, although he limits the application of distributive principles to the national sphere. For Rawls, co-operation between peoples should be guided by a duty to help disadvantaged countries, but does not require strict economic equality between nations.

In opposition to this minimalist approach, Thomas Pogge (2008, p. 29) argues that global institutions play an active role in perpetuating extreme poverty, which implies

direct moral and political responsibility on the part of developed countries. His proposal for global justice is normative and structural, demanding concrete reforms in international institutions such as the World Trade Organisation and the International Monetary Fund. Pogge introduces the concept of ‘structural damage’ as an essential category for understanding how the globalised economic system reproduces profound inequalities.

Amartya Sen (2009, p. 231) offers a third way, proposing a theory of comparative justice based on the realisation of human capabilities. Instead of seeking perfect models of justice, Sen advocates practical interventions that correct manifest injustices. In this sense, UBI can be conceived as a tool for extending real freedoms, especially among historically marginalised populations. His theory of capabilities contributes to a more humane and pragmatic understanding of global social justice.

These authors, although divergent in their approaches, converge in criticising global inequalities and recognising the urgency of a coordinated and ethical response. The UBI, in this context, emerges as a theoretically grounded proposal, capable of meeting the principles of international justice discussed.

3 GLOBAL ASYMMETRY AND HUMAN DIGNITY: THE ROLE OF UNIVERSAL BASIC INCOME

Global injustice refers to deep and persistent asymmetries in the distribution of resources, political power and opportunities between different countries and populations. It is a complex, multidimensional reality that goes beyond poverty itself to include inequalities in access to education, health, security and political representation (Pogge, 2008, pp.29-50; Sen, 1999, pp.3-45; Young, 2011, pp.1-30; Beitz, 1979, pp.25-60).

According to Pogge (2008, p. 36), this injustice is structural and stems from the regular functioning of global institutions, which operate with rules set by the richest and most powerful countries. Developing countries are often unable to influence these rules, resulting in trade treaties and financial policies that favour the richest. This contributes to the so-called ‘global democratic deficit’, in which crucial decisions are made without the effective participation of all peoples.

Furthermore, global injustice has an important historical component. The legacy of colonialism and economic imperialism has moulded asymmetrical international relations, the overcoming of which requires not only cooperation but also reparation, as

some authors have argued (Rodney, 1972; Mbembe, 2017). In this sense, the debate on global justice is also a debate on memory, responsibility and redistribution.

Another relevant aspect is the impact of global crises, such as climate change and pandemics, which disproportionately affect the poorest countries. These crises reveal the fragility of vulnerable populations and the interdependence of socio-economic systems, reinforcing the need for solidarity and universal responses (European Environment Agency, 14 October 2024; European Commission, 14 December 2022; Eurostat, July 2024).

In this scenario, the UBI presents itself as a concrete measure to mitigate global injustice. By guaranteeing an existential minimum to all individuals, regardless of their nationality, the UBI can reduce structural inequalities and promote a basic standard of global human dignity.

4 INTERNATIONAL LAW AND UNIVERSAL BASIC INCOME

4.1 *Hard law*: international treaties

The international legal order includes a set of binding norms, known as hard law, which underpin the obligation of states to guarantee basic social and economic rights. The International Covenant on Economic, Social and Cultural Rights (ICESCR) is the main instrument in this regard. Article 11 states that ‘States Parties recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing’ (United Nations Organization, 1966).

This provision, interpreted in conjunction with Articles 2 and 9 of the same treaty, can be read as a normative foundation for public policies that guarantee a basic income. The Committee on Economic, Social and Cultural Rights (CESCR), which is responsible for interpreting the ICESCR, has already recognised, in General Comment No. 19, the importance of social protection systems for the realisation of the rights enshrined in the covenant (General Comment No. 19, 4 February 2008).

Other relevant treaties, notably the 1979 Convention on the Elimination of All Forms of Discrimination against Women and the 1989 Convention on the Rights of the Child, also impose positive obligations on states to protect the most economically

vulnerable groups.^{1/2} In many of these instruments, the language of human rights is increasingly associated with the notion of social justice.

In this context, the UBI is not only compatible with international human rights law, but can be interpreted as a logical requirement for its full realisation. Once the minimum standard of dignity is recognised as a human right, states and the international community assume the duty to guarantee it.

4.2 *Soft law*: resolutions and recommendations

Although they are not binding, *soft law* instruments play an important normative role in the international system. They express political consensus and technical guidelines that shape the behaviour of states and multilateral institutions.

In this context, ILO Recommendation 202 on Social Protection Floors, adopted in 2012, stands out. This document establishes that all countries should guarantee at least basic income security throughout life and access to essential services. The essential component of this social protection directive includes income for children through family support, basic income for working-age adults in the event of unemployment, maternity, disability, basic income for the elderly, among others. This recommendation has been invoked by governments and international organisations as a basis for income transfer policies to support social protection (International Labour Organization, 2012).

Recommendation 202 therefore provides a normative model for the UBI, establishing in point 3, Part 1 (Objectives, Scope and Principles) eighteen fundamental principles for its implementation: universality, entitlement, adequacy, equality, inclusion, dignity, progressiveness, solidarity, diversity, transparency, sustainability, coherence, integration, quality, accessibility, monitoring, freedom of association and participation (International Labour Organization, 2012).

The ILO has established itself as one of the main advocates of universal social protection and income security as central pillars of social justice. In addition, several UN General Assembly resolutions have reiterated the importance of social protection as a human right and an essential component of sustainable development. The 2030 Agenda,

¹ See Articles 11, 12, and 14 of the Convention on the Elimination of All Forms of Discrimination against Women.

² See Articles 26 and 27 of the Convention on the Rights of the Child.

for example, incorporates this principle into the Sustainable Development Goals (SDGs), especially SDG 1 (eradicating poverty) and SDG 10 (reducing inequalities).

Thus, although not mandatory, soft law instruments offer relevant political and normative backing for the promotion of a UBI at the global level.

5 RELEVANT CASE LAW OF THE EUROPEAN COURT OF HUMAN RIGHTS

The European Court of Human Rights (ECtHR), although linked to the European regional context, has played a leading role in the dynamic interpretation of the rights provided for in the European Convention on Human Rights (ECHR), especially with regard to the right to decent living conditions, as can be seen from the preamble "*[decided], as Governments of like-minded European States possessing a common heritage of political ideals and traditions, of respect for liberty and the rule of law, to take the first appropriate steps to ensure the collective guarantee of a number of the rights set forth in the Universal Declaration.*" (Convention for the Protection of Human Rights and Fundamental Freedoms, 1950)

In the paradigmatic case 'Case of M.S.S. v. Belgium and Greece' (ECHR, 2011), the Court held that the treatment to which the asylum seeker was subjected - namely, the lack of shelter and adequate food - constituted a violation of Article 3 of the Convention, which prohibits inhuman and degrading treatment. This precedent is significant because it establishes that the state's failure to provide minimum subsistence conditions can constitute a violation of human rights. (European Court of Human Rights, 21/01/2011)

Another important case is 'Case of Lozovyye v. Russia' (ECHR, 2017), in which the ECHR recognised that the unjustified cutting of social benefits can violate the right to protection of property (Article 1 of Protocol 1). The Court's case law has thus broadened the understanding that social rights are linked to dignity and the protection of fundamental rights (European Court of Human Rights, 24/07/2018).

These decisions create an evolving jurisprudence that recognises that the protection of a minimum standard of living is not just a matter of public policy, but a legal requirement. This line of understanding may in the future provide the basis for a positive obligation to implement a UBI in the member states of the Council of Europe.

6 GLOBAL INJUSTICE, TECHNOLOGICAL TAX: A PATH TO UNIVERSAL BASIC INCOME

In an increasingly digitalised world, automation, artificial intelligence (AI) and robotics are profoundly transforming the labour market, replacing traditional jobs and concentrating wealth in the hands of a few technological conglomerates (Brynjolfsson, & McAfee, 2014; Zuboff, 2019; Ford, 2015). This transformation accentuates the economic disparity between the owners of emerging technologies and the workers affected by them, highlighting the urgent need to rethink income redistribution models (Piketty, 2014; Reworth, 2017; Standing, 2017).

In this scenario, the Universal Basic Income (UBI) emerges as a fair and viable proposal to mitigate growing inequalities, guaranteeing a minimum financial base for all citizens, regardless of their labour situation. The UBI not only combats extreme poverty, but also ensures dignity in periods of economic instability, stimulates entrepreneurship and acts as a social buffer in the face of rapid technological change.

One of the biggest challenges to implementing the UBI is financing it. To this end, it has been proposed to create a technology tax, which would be levied on companies and individuals who benefit significantly from innovations capable of replacing human labour. The logic is simple: if technology reduces the need for human labour and generates large profits for a few companies, part of this wealth should be redistributed to the society that directly or indirectly contributed to its development (Van Parijs, & Vanderborght, 2017; Zuckerberg, 2017; Yang, 2018).

This tax does not penalise innovation, but seeks to balance inequalities by transferring resources from automation to a public fund that finances the UBI. Following the principle of distributive justice, just as companies that exploit natural resources pay royalties, technology companies must contribute to collective well-being, ensuring that technological progress serves human beings and does not turn them into surplus (Van Parijs, & Vanderborght, 2017).

Internationally, the Organisation for Economic Co-operation and Development (OECD) is working to establish a global minimum tax of 15% for large multinationals, including those in the technology sector, in order to combat aggressive tax planning and promote fairer competition (OECD, 2021). In Portugal, for example, Decree-Law 35/2021, of 21 May, establishes a tax on certain digital services, aimed at taxing large

technology companies that generate revenue from digital services, such as platforms that use user data (Decree-Law 35/2021, of 21 May).

Thus, the implementation of a technology tax on technology, robotics and related companies is not only necessary, but urgent in order to finance the UBI, and represents an ethical, rational and sustainable response to the challenges posed by the transformations of the 21st century. This technology tax will enable a more equitable redistribution of the wealth generated by innovation, allowing the fruits of innovation to be shared by everyone and not just by an entrepreneurial elite and, at the same time, promoting a fairer, more inclusive and future-proof society.

7 THE GLOBAL INCOME GAP: THE URGENCY OF AN ETHICAL AND INSTITUTIONAL RESPONSE

The contemporary global economy has proved to be extraordinarily productive, but also deeply unequal (Milanović, 2016; Milanović, 2019; Piketty, 2014; Piketty, 2020; Zucman, 2015). The concentration of wealth has reached alarming levels. Large companies, especially in the technology sector, accumulate annual profits in the trillions of dollars, while hundreds of millions of people still live on less than two dollars a day, highlighting an ethical and structural dissonance in the distribution of the fruits of progress.

As highlighted by tax and wealth experts, "[...] *tax systems and property taxes play a significant role in wealth disparities between rich and poor. (...) Wealth inequality is very evident throughout the world, and Europe is no exception: the richest 10% of the continent hold an impressive 67% of the wealth, while the poorest half of adults own only 1.2% of it*" (Euronews, 2024). Recent Eurostat data corroborate this scenario: around 93.3 million people in the European Union — equivalent to 21% of the population — were at risk of poverty or social exclusion in 2024 (Eurostat, 2024a). Among children, this rate rises to 24.2%, highlighting the persistence of intergenerational inequalities (Eurostat, 2024b).

On a theoretical level, Branko Milanović (2016, 2019) clearly explains how global capitalism favours the transnational elite, leaving the middle and lower classes in developing countries even more vulnerable. Thomas Piketty (2014, 2020) further analyses structural inequality, showing that the rate of return on capital chronically

outstrips economic growth, which leads, in regimes without progressive redistribution, to the inevitable concentration of wealth. Gabriel Zucman (2015), for his part, denounces the role of tax havens and aggressive tax engineering in draining public resources that are essential for funding social policies.

In this context, instead of reducing asymmetries, globalisation has contributed to deepening them. The logic of accumulation without redistribution that guides global markets, combined with automation and digital transformation, has exacerbated labour exclusion, especially among less qualified workers. Productivity is captured by a minority, while precariousness spreads to a large part of the labour force.

It is against this backdrop that the Universal Basic Income (UBI) proposal emerges as a mechanism for redistributive justice. Far from being a utopia, UBI is a practical and rational response to an economic order that fails to guarantee basic human dignity. It is an instrument that recognises the inalienable right of every individual to a dignified existence, regardless of their position in the labour market.

The proposal to finance the UBI through a technology tax on the profits of large digital corporations is particularly pertinent. These companies, direct beneficiaries of fiscal deregulation and digital transformation, must contribute to social cohesion and democratic sustainability. As Piketty (2020) has already proposed, progressive capital taxation and international tax transparency are essential pillars for building a fairer economy.

More than an ethical demand, the UBI is a preventive stability response. In a world plagued by migratory crises, climate change, political polarisation and discredit in institutions, guaranteeing a material minimum for everyone is also an investment in social peace and democratic resilience. The freedom not to go hungry, to access healthcare and to educate one's children is inextricably linked to the existence of an unconditional basic income.

The challenge, however, is not just technical, but essentially political and institutional. It requires the courage of states and international organisations to abandon the paradigm of growth without redistribution and redefine the role of the economy as an instrument at the service of human dignity.

8 CRITICAL ANALYSIS AND PROPOSALS

Although the UBI is a theoretically consistent proposal backed by various legal and regulatory instruments, its implementation faces considerable challenges.

One of the main obstacles to implementing Universal Basic Income (UBI) is its financing. Would tech companies be willing to bear this cost? After all, isn't the machine at the service of man? What about the companies that manage and benefit from these machines for the good of society? Estimates of the cost of a global UBI vary, but they all agree on high figures (World Economic Forum, 2020). Consequently, Pogge (2008, p. 102) proposes the creation of a Global Solidarity Fund, financed by taxes on transnational economic activities, such as international financial transactions, carbon emissions, and the extraction of natural resources. Although we endorse this line of financing advocated by Pogge, we go even further by arguing that the technology tax should apply to all companies that use, produce, or monetize their income through technology, robotics, or similar means. However, we know that this tax faces strong resistance from markets, corporations, and national governments.

Another important challenge is governance. Implementing an UBI requires effective and democratic global institutions capable of managing resources and ensuring equitable distribution. The current global governance architecture—fragmented, dominated by national interests, and lacking accountability mechanisms—does not favor the adoption of universal redistributive measures. There is still a large economic, social, and cultural gap between the global north and the global south.

Still, there are concrete proposals in the works. For example, the Universal Basic Income (UBI) initiative in local and experimental contexts, such as in Kenya and Finland, offers important lessons on feasibility and social impact. (Banerjee, Faye, Krueger, Niehaus, & Suri, 2020; Ylä-Anttila, & Nienhüser, 2018). In many cases, these projects have demonstrated increased food security, improved mental health, and growth in local entrepreneurship.

Therefore, although the adoption of a global UBI still seems a distant prospect, its consolidation as an international norm is advancing steadily and, in our opinion, will be inevitable. After all, technology and machines should always be at the service of human beings—and never the other way around. However, the articulation between theory, law,

and practice can accelerate this process, provided it is accompanied by political will and social mobilization.

9 CONCLUSION

The discussions presented throughout this article show that Universal Basic Income (UBI) emerges as an ethical and practical response to the profound global injustice that characterizes the current unequal distribution of wealth, opportunities, and rights. The growing concentration of income and the inexorable advance of automation and artificial intelligence exacerbate economic disparities, requiring measures that guarantee a universal minimum subsistence level. In this sense, UBI is not only an instrument of distributive justice, but also an imperative for the preservation of human dignity on a planetary scale. By guaranteeing a minimum subsistence level for all individuals, UBI acts as a redistributive instrument and promoter of dignity, aligning itself with the fundamental principles of global justice.

In the legal field, the international framework, consisting of binding treaties (*hard law*) and policy recommendations (*soft law*), provides essential normative support for the institutionalization of the UBI. Instruments such as the International Covenant on Economic, Social and Cultural Rights and Recommendation No. 202 of the International Labor Organization establish minimum standards of social protection that converge to guarantee a universal basic income. The jurisprudence of the European Court of Human Rights also signals progress in recognizing the state's obligation to ensure decent living conditions, broadening the understanding of social rights as fundamental rights.

However, the central challenge of implementing UBI lies in its financial viability and the global governance required to administer such a policy. The proposed technology tax emerges as a concrete and fair alternative to finance UBI by taxing the wealth generated by automation and digital companies that concentrate exponential profits. This proposal not only mitigates the effects of social exclusion and job insecurity, but also ensures that the benefits of technological progress are shared equitably. In short, Universal Basic Income presents itself as an innovative, ethical, and necessary solution to address the structural injustice that permeates the contemporary global system.

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Authors' Contribution

All authors contributed equally to the development of this article.

Data availability

All datasets relevant to this study's findings are fully available within the article.

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