Belgium's intelligence community: new challenges and opportunities

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Abstract
Recently Belgium's intelligence function has been heavily criticized, predominantly regarding its effectiveness and professionalism. Some voices have even gone as far as to propose abolishment of part of the intelligence community. This paper identifies why efficient intelligence gathering is more than ever a requirement for both the Belgian and European leadership. It reviews Belgium's intelligence history and studies the roots of its criticisms. Instead of proposing intelligence 'reform', it identifies important parameters of how contemporary intelligence should be conducted, and how the intelligence services can adapt within the constraints that apply to them.

Keywords*: Intelligence; Belgium; Europe; Intelligence Reform*

The history and constitution of Belgian Intelligence
Belgium's 176 year old intelligence function was finally recognized by law on November 30th 1998. Described in this law on the arrangement of the intelligence- and security-services, are the civilian *Veiligheid Van de Staat* (Dutch) or *Sûreté de l'état* (French), which will hereafter be referred to as the VS; and the military *Algemene Dienst Inlichtingen en Veiligheid* (Dutch) or *Service Général du Renseignement et de la Sécurité* (French), hereafter referred to as the ADIV (FOD Justitie, 1998a).

Summarized, the responsibilities of the VS are described as acquiring, analyzing and processing intelligence on activities that could jeopardize internal and external security of the state and the scientific and economic potential of the nation. It also deals with investigations pertaining to security clearances and dignitary protection. It resorts mainly under the Ministry of Justice, though the Ministry of Interior Affairs does have some use of its services. Its Military counterpart, the ADIV, acquires, analyzes and processes intelligence on activities that could violate national territory or the security of Belgian subjects abroad. It also protects military secrets, personnel and installations.

This law does not differentiate between the gathering of data - as raw source material - and the production of intelligence – it specifies the *gathering of intelligence*. Identified by a government committee, this issue was not considered significant (Kamer, 1997). Police law also assigns certain intelligence functions to the police departments as long as they directly apply to policing tasks. They are however not considered intelligence services.

A third group, the *Coordination Service for Threat Analysis* or OCAD was instated in July 2006 with as goal to perform evaluation of emerging threats. By law, the intelligence and police services, as well as the Federal Public Services of Finance, Transportation, Interior Affairs and Foreign Affairs are obliged to provide it with all information they acquire related to terrorism or extremism (FOD Justitie, 2006). The OCAD replaces the Anti-terrorism Group AGG which had more limited sources of information.

A fourth institution related to intelligence is the supervisory *Permanent Committee for the Control of the Intelligence Services* or *Comité I*. This organization was signed into law on July 18th, 1991 and can either out of its own initiative or by request of the Chamber of People's Representatives, Senate or a number of defined Ministries, initiate investigations and review the operations of the intelligence services (Senate, 2006).

While this technical view represents the services as they are today, it would be invalid to reflect on their current place in society without having a brief look at their extensive history. The civilian intelligence function was founded in 1830 as the department of Public Security. While its duties were defined as to maintain internal security, it mainly concentrated on investigating foreigners on Belgian soil. Through signing of the Belgian constitution in 1831, the department as a separate entity was shut down and merged into the Interior Affairs department. Subsequently, in 1832, it was moved to the Justice department. (FOD Justitie, 1998b)

In 1840, shortly after Pierre-Joseph Proudhon's novel *What is property* and the subsequent rise of anarchist ideology (Woodcock, 1962), both anarchism and socialism became important challenges for the young intelligence service. The reality of this threat became clear with an attempted invasion by Belgian workers from Paris (Van Opstal, 2006), the so-called Risquons-Tout incident.

The First World War led directly to the establishment of a military intelligence service. This is where a complex organizational mix of the intelligence services starts - during the Second World War the Public Security department was also merged into the Defense department structure. During the occupation of Belgium its intelligence services operated from London and focused on maintaining contact between resistance groups and the government-in-exile.
As of the end of the Second World War, two separate intelligence functions had emerged – one military, resorting under the department of Defence, and one civilian, resorting under the department of Justice. Simultaneously, intelligence services worldwide became more focused on the threat emanating from the Communist front and the Eastern Block countries.

In the 1980s and 1990s terrorism took the place of the Cold War as the priority issue. In Belgium, the *Cellules Communistes Combattantes* executed fourteen bombings in 1984 and 1985. At the end of the 1990s, the GIA or *Groupement Islamique Armée* was the country's first confrontation with militant Islam.

Simultaneously, Belgium's intelligence services received bad press due to their involvement in Operation Gladio – the existence of CIA and NATO stay-behind armies charged with countering communism in Europe. These were publicly linked to acts of terrorism in Italy, significantly impacting public perception of the services. This scandal led to the 1991 founding of an oversight organization, the Comité I. (Comité I, 2006b, 2006c). This organization then identified the need for the 1998 framework legislation that defines the intelligence services today.

Voices of criticism
Criticism of the Belgian intelligence machinery can usually be attributed to one of two causes: either the intelligence target selection or an operation gone awry. Target selection is defined per the legal framework of 1998. A disputed regulation put forward in this law is the requirement on Belgian intelligence to analyse activities that could jeopardize internal

security of the state. While this sounds like a perfectly reasonable requirement, it has a negative connotation quite specific to Belgium.

Belgium, a federal state, consists of the separate regions Brussels-Capital, Flanders and Wallonia. In addition, three communities are divided on language boundaries: French, Dutch and German. Particularly in Flanders, there is significant interest in splitting off from the rest of Belgium to form an independent European state. A number of mainstream political parties support this message, such as the *Nieuw-Vlaamse Alliantie* and the *Vlaams Belang*. While a democratic process, these parties could be identified as a potential target for intelligence gathering. Regardless of whether they have or have not been targeted, this argument has been used in public to label the intelligence services as undemocratic.

This situation was exacerbated in 2003, when a press article revealed that the VS had identified Soetkin Collier, the singer of a band selected for the Eurovision Song Contest, as being of extreme right ideology. The investigation also claimed she had a strong belief in Flemish independence (Seront, 2003). This incident led to the singer being banned from participating.

During a review investigation by the Comité I, the information gathered on the artist was found to be at least partially factual, though the type of communication done by the VS was not considered in line with the threat posed. In addition, the press leak did not originate with the VS (Comité I, 2004). It did open the service up to additional negative press coverage

A second type of criticism deals with those operations that did not go as planned. Two very recent examples are the escape of Turkish citizen Fehriye Erdal, suspected and later convicted of involvement with a terrorist organization, and the supposed smuggling of an isostatic press to Iran. Both incidents were brought to press in 2006, leading to the resignation of the then head of the VS.

As in most cases, truth behind these events was much more complex, and in both cases responsibility was to be shared between the VS and other parties. The Comité I published reports that indicated limited responsibility of the Veiligheid van de Staat in both affairs (Comité I, 2006b, 2006c). Nevertheless, the issue had in the meanwhile contributed to the deteriorating view of the intelligence service.

As is so often the case where a federal service needs to operate within the constituency of feuding political complexes, official criticism was not far away. Johan Vande Lanotte, head of the SP.A party (previously known as *Socialistische Partij – Anders*, which means Socialist Party – Different) proposed full-scale abolishment of the VS and its merger into the police services (VRT, 2006a); Ludwig Vandenhove, an SP.A colleague, proposed placing the VS under the jurisdiction of Interior Affairs instead of the Justice department (VRT, 2006b).

Operating the intelligence machinery
Defining intelligence is not an easy undertaking. After careful consideration, Michael Warner defined it as "secret, state activity to understand or influence foreign entities" (Warner, 2002, p. 7). Much can be said of this, and many may feel that there is no need for *secrecy* or the achievement of active *influence*, or perhaps even doubt whether state actors need to be involved.

A definition that may not be intended as such, but seems more appropriate to today's environment is put forward by Robert M. Clark. He defines it as being "about reducing

uncertainty in conflict" (Clark, 2004, p. 26). This phrase implies that everyone can make decisions – intelligence merely enables a leader to reduce uncertainty regarding their outcome. Where information is sourced from, being secret, public or grey sources is less important. It allows for intelligence in business decision making or a social context.

Whilst intelligence is used continuously, those organizations most successful at exploiting it have processes that define its gathering and exploitation. One of such processes is the five phase intelligence cycle (Joint Chiefs of Staff, 2000):

This complete cycle can take place within one organization, or can take place by linkage to other organizations. In large intelligence machinery such as the UK for example, the Joint Intelligence Committee can direct the Government Communications Headquarters (GCHQ) to gather signals intelligence and the Secret Intelligence Service (SIS) to collect human intelligence from abroad. It then processes, analyses and disseminates this information to decision makers. Until recently, this complexity was missing from the Belgian system. The establishment of OCAD now allows for such assessments. The VS and ADIV can thus operate as single source intelligence collection agencies, while OCAD functions as an all-source analysis institution.

Limitations imposed on Belgian Intelligence

Budgetary constraints
National planned expenditures for the VS in 2007 are 21.6 million euros, compared to 15.3 million euros in 2004 (Kamer, 2005). Press reports indicate the service has some 500 employees in manpower (Herremans, 2006). Expenditure for ADIV is considered a whole part of the defence budget and not published. The VS budget is dwarfed by that of the *Algemene Inlichtingen- en Veiligheidsdienst* or AIVD, its equivalent in the Netherlands: in 2004 they expended 87.5 million euros (AIVD, 2004).

This budgetary discrepancy cannot be explained on the grounds of country sizing. While it would be perfectly normal if Belgium's social security expenditure is small compared to that of the Netherlands – Belgium has 10 million inhabitants, while the Netherlands has 16 million – this does not apply to intelligence, mainly due to changes in how threats need to be assessed.

Assessing threat levels
The old methodologies of intelligence analysis, being the use of trends & patterns and frequency analysis have been shown to be less applicable to the contemporary threat environment (Segell, 2005). Military invasion can often be identified by the gathering of troops on the border, but significant troop movements do not apply to attacks executed by non-state actors such as Al-Qaeda. The amount of tools available to forecast this type of attack is limited.

As such, Segell notes that the use of a third methodology is becoming preferred: probability analysis. This consists of "determination of the probability of a terrorist event based upon the risk analysis of latent threat and target vulnerability" (Segell, 2005, p. 229). The activity significantly differs from the other methodologies: not only in its approach, but also regarding how it should be resourced. In essence, infiltrating a terrorist group to acquire information requires good sources, not necessarily large teams. With probability analysis, assessments

need to be made of potential terrorist targets. This requires detailed risk assessment, an expensive proposition.

If Belgium and the Netherlands are compared from this perspective, the amount of inhabitants becomes much less important. The Netherlands is a strategically important nation – hosting amongst others the International Criminal Court in The Hague; but this applies perhaps even more to Belgium which hosts the headquarters of both NATO and the European Union. In addition, Belgium is a significant transfer point of goods – with transport company DHL's European distribution centre in Brussels - and finances – being the home to international clearing houses SWIFT and Euroclear.

It is interesting to take note of the fact that some foreign intelligence services are adjusting to these new requirements. The Dutch AIVD reported that it had conducted security scans of the computer networks of ministries and regional security authorities. In addition, they had identified *vital products and sectors* within the Netherlands and had assisted them in performing risk assessments (AIVD, 2005).

From the yearly review report of the Comité I, it becomes clear that Belgium has not yet gone through such paradigm shift. The 1998 law provides for protection of the scientific or economic potential of the nation, and should enable the organization to perform such probability analysis. However, a great deal of political discussion is still preventing its actual implementation (Comité I, 2006a).

An alternative view on sizing
Friedman argues that excessive size of intelligence machinery has its toll on its efficiency (Friedman, 2006). The value of information, and subsequently of the intelligence product, is often very dependent on time. An organization in which intelligence needs to pass through many layers before reaching the consumer may prove obsolete.

In addition, while information systems can assist in identifying anomalies and patterns, identification of them as a threat or benign event is a human endeavour. Threats hidden in highly fragmented and individual components analysed by individual analysts without a view from the top are unlikely to be identified. This becomes more important with the recent change from symmetric to asymmetric threats: intelligence components were organized to work with limited numbers of large data blocks, such as troop movements. Distribution of these within an organization was relatively easy. With asymmetric threats, in which the adversary's approach is of a different, usually smaller, scale, analysis and synthesis of smaller data blocks becomes the norm.

Legal framework
There is still plenty of discussion regarding the VS' investigative powers. The current law specifies that information needs to be obtained either from other government departments, by inquiring with commercial organizations or through human sources.

Wiretaps, for example, long one of the basic instruments in the toolkit of intelligence services, are still out of their reach. Such actions need to be executed by police services, who are allowed to perform telephone taps under existing penalty code, provided that it concerns serious crime, and all other investigate methods have proven insufficient (FOD Justitie, 1995).

In 2004, Minister of Justice Onkelinx announced she would be issuing a proposal to allow the VS to perform wiretaps as well. Recent discussions in the Chamber of People's Representatives show it has not yet been approved and is being merged into new laws regarding data retention (Kamer, 2004). Due to this added complexity it is unlikely to qualify for prompt approval.

Constraints of movement
The civilian intelligence service VS is not authorized to conduct operations abroad. While this limitation does not apply to the military service ADIV, these activities are usually restricted to the military context and could be expected to be in direct support of planning and execution of operations by either the Belgian armed forces or its partners.

Obviously the lack of a foreign intelligence service such as the British Secret Intelligence Service, Australian Secret Intelligence Service and French *Direction Générale de la Sécurité Extérieure* (DGSE) places Belgium at a disadvantage compared to its neighbours. The perception of foreign spying does however not resonate with the view that Belgium extols of being a neutral country. The limited and mostly negative perception of the services by Belgian citizens combined with funding constraints make it highly unlikely these types of operations would be added to the intelligence portfolio.

The limitation on wiretaps mentioned earlier logically restricts the amount of information gathering that can be performed. It makes it unlikely that attention is currently being paid to Communications Intelligence (COMINT) and Signals Intelligence (SIGINT). The ADIV, however, often operates under foreign law. Belgium does have a law that allows foreign officials to conduct wiretaps on its soil (FOD Justitie, 2004). Presuming that the ADIV operates in countries with similar laws, this is an indication that COMINT development may have arisen organically within the service.

Public perception
Criticism by the political leadership has already been reviewed in more detail. Those same issues naturally also impact public perception. An initial step to improve this situation was a public exposition on the VS' 175 year service, organized in 2005. Further action would be useful to move the service away from the fringes and into society.

It can be questioned whether the amount of secrecy employed is in line with the organization's goal. While the organization releases relatively less information through its website than its British counterpart MI5, names of new intelligence analysts - by definition in the process of acquiring security clearances - are published in the official daily *Staatsblad* or Bulletin of Acts (FOD Justitie, 2003). This poses unnecessary risk to these employees as well as to the information they are cleared to access.

Creatively adjusting focus
It would be outside the scope of this paper to advocate intelligence reform. This term is too often used to describe cosmetic changes to process instead of creating an open culture of improvement that can dynamically adjust itself to changing requirements. After reform, an intelligence system usually settles into its new situation – only to be shaken on its foundations by an unpredictable event some years later. Instead, intelligence organizations should concentrate on continuous identification of new requirements. The organization should actively advocate its new profile instead of passively being subjected to it.

Rather, creatively adjusting the intelligence services' focus will be our main starting point. Such adjustments would take into account current requirements, limitations and constraints of the services and how these can be overcome

Actively tapping into open source intelligence
To some in the business this may read as merely effectively leveraging the power of the internet. Steele (2006, p. 522) however puts it this way: "Most of the relevant useful information is not secret. Unfortunately, it is also not online, and, regarding the rest of the world, not in English".

This is an extremely accurate statement. With the expansion of technology and especially the internet, the value of secrets is quickly eroding. At the famous Nevada military test site Area 51, mountains surrounding the facilities were gradually closed off over the years to prevent people from viewing the base. The availability of high resolution commercial satellite imagery of Area 51 in 2000 however, changed the picture drastically (Terraserver, 2006). As the images were made using a Russian satellite, there was also little awareness with the US military of this potential disclosure.

Looking further into Steele's statement, it is also important to note that indeed, not all open source intelligence is "online" or "on the internet" (Steele, 2006, p.522). This has its repercussions for intelligence gathering. It may be good to use current media advertising techniques as a starting point to ponder further on reality and clarify this statement.
With the rise of new media, there has been a shift from the use of demographic profiles in advertising, that segment the population by parameters such as age, to psychographic profiles that take into account interests of a certain group. While in the past, people advertised on BBC One because it attracted a large young audience, it is now possible to advertise on the Sci-Fi channel. The audience may be smaller, but if our goal is to sell a Star Trek DVD it is more likely to induce a purchase.

Communities built around such psychographic profiles, often termed interest groups, have always existed in the physical realm and are the obvious targets for human intelligence. These communities underlie society and can often provide significant intelligence. Examples are groupings of innovative small businesses, or religious groups concentrated around a church or mosque. In general, intelligence services acquire information from these groups not so much by infiltration, but by engaging sources already active within that community.

As such, an important source of information that appears to be underexploited is the use of cooperation as an information channel. The Dutch AIVD mentions in its yearly report that they provide security information to companies and reach out to business sectors that could be the target of foreign intelligence services (AIVD, 2006). Through these informal contacts, incident information can also flow back into the intelligence machinery.

Effectively leveraging the power of commercial organizations
Improving the protection of vital sectors of society is an important part of protecting Belgium's economic potential. Mentioned earlier was the Dutch approach of performing security scans of the internet infrastructure of public parts of the critical infrastructure. Within the current budget, the VS may not have the opportunity to provide similar services. The idea should be considered of allowing commercial organizations to become certified by the VS to provide these services. They could then be allowed to perform these functions instead.

More of a good thing for Europe

European intelligence integration

In the future, intelligence operations within Europe will likely become more integrated. For some time, cooperation has been seen as a way of alleviating financial constraints. Generally considered the most evolved SIGINT system in the world is the UKUSA agreement, in which the USA, United Kingdom, as well as Australia, New Zealand and Canada each perform signals intelligence within their respective region and exchange valuable information. The launch of a satellite is prohibitively expensive for many smaller nations, leading to natural cooperation. In 1995 France launched the Helios 1A military imagery intelligence satellite with financial assistance from Italy and Spain (Nomikos, 2005 & Schmitt, 2005). All three countries are entitled to shared use of the infrastructure.

Current European Union plans to integrate intelligence are fragmented. The European Commission recently allocated 7 million euros to launch a pilot counterterrorism project. A shared facility for information and crisis management will be established, followed by a critical infrastructure protection program (European Commission, 2005). This in addition to four major intelligence centralization activities that are already ongoing (Müller-Wille, 2004):

- INTDIV, the coordinating intelligence body of the European Military Staff;
- The SATCEN, or European Union Satellite Centre was established on July 20th, 2001 and is based in Torrejon, Spain. It performs imagery analysis based on material commercially acquired or provided by member states;
- The SITCEN, or Joint Situation Centre which is composed of seven seconded analysts and issues situation and threat assessments. Its information is acquired predominantly through a number of national agencies, combined with information from European military cooperation;
- Europol, the European central police organization.

With such centralization underway, is there still a need to invest effort into Belgian intelligence? While the number of initiatives is impressive, the efforts in getting to true integration are not. There are a number of reasons for this, but mutual distrust is most likely one of the more important ones. This actually makes sense: interests of different countries within the EU may in some cases be different. An example: in 2005, France was benefactor to 27.9% of Algeria's US$ 22.53 billion imports, while Germany contributed by 6.2% (CIA, 2006). Obviously both countries would have a distinct foreign policy approach to Algeria and intelligence collection requirements would differ.

There is also a different philosophy underlying many of the intelligence services. In 1991, Pierre Marion, the head of France's GDSE announced on television that under his direction, GDSE had embarked on a program of commercial espionage (Lacayo, 1991). Other countries may limit their activities to more defensive strategies.

The recent terror attacks in the US, UK and Spain have however led to an increase in intelligence cooperation across the board. This has for example resulted in a diversity of information sharing laws in the field of aviation (European Commission, 2006).

In comparison to the past, where financial reasons were at the root of cooperation, currently skills are a dominant reason for cooperation. Belgian's VS, for one, has little to no foreign intelligence except where acquired through partner organizations. Due to its legislative framework, it is limited to gathering intelligence within the country. While this may be useful

in countering some forms of terrorism, such as typical right-wing Belgian groups, it does not always apply to the types of terrorism recently experienced.

As border customs control is rare, it is now possible to enter the country from France, Germany or the UK with little to no effort and without inspection. Actual planning and organization of an attack can easily take place by foreign groups that have entered the country solely for observation purposes. Prior to conducting an attack, members may even never have entered the country. This adds to the complexity of the phenomenon and especially to how an intelligence service contained within its borders can prepare for it. Cooperation no longer is a mere luxury, it is vital to the mission of the VS.

Centralization, or at least effective distribution of intelligence material would lead to a significant increase in the quality of intelligence available to European decision makers. Each country could contribute its own specialty analysis. Belgium has a number of such unique selling propositions for its intelligence material:

Acquired versus native languages
Most intelligence services employ linguists, either to analyse information acquired from foreign sources or ethnic groups within their constituency. Review of the recruitment websites of Britain's MI5 security service and the Dutch AIVD shows a particular interest for Arabic as well as certain Indo-European languages such as Urdu and Pashto. These can be classified as *acquired languages:* not native to the service, agents fluent in them are recruited to analyse intelligence items in that specific language. Presumably, these agents are brought into specific investigations when required.

As part of its 2003 recruitment campaign, the VS encouraged those with a degree in Arabic Studies to apply (SELOR, 2003), indicating a similar school of thought. In addition, the Belgian VS has two languages which will hereafter be referred to as *native languages*, being Dutch and French. Belgium has three official languages, with Dutch (60%) and French (40%) being the most common tongues. While a wide range of Belgians are fluently bi- or even tri-lingual, upon recruitment into the VS, analysts are trained in the second language.

This is more important than it looks at first instance. Prime in intelligence are those people conducting it. While systems, procedures and technologies can support the intelligence process, in the end people are its discriminating factor. Preventing the millennium bombing at LAX was not so much a *terrorism list* of suspicious people, but the bright perception of a customs officer on the Canadian border (Burton, 2006). The question may be why some people have this insight, and some do not.

It would be outside the scope of this paper to review thinking and analysis theory, but techniques such as lateral thinking (De Bono, 1968) and inventive problem solving could help explain. A useful contribution is that "the source of a good idea is usually a combination of knowledge of the literature and practices in a subfield, specific theories and principles, common sense and the researcher's own phenomenology." (Sjöberg, 2003, p. 5). One requirement for a good idea, as such, is the exposure to many different others. There is no reason to believe this would not apply to intelligence as well.

Officers within the VS have the ability to natively assimilate and consider information – and ideas - emerging from two different language groups. One language group is predominantly European and covers data from two highly economically active countries; the other is spoken

throughout Africa, the Middle East and South-Western Europe. Exploited to its maximal potential, this allows analysts to operate more effectively than in single-language services.

Access to ethnic groups
Belgium's colonial history led to the establishment of Sabena, its national airline. It was one of the first airlines to build a large African network. While the company folded in 2001, its successor SN Brussels Airlines maintained the busiest African routes.

With this appeared a large immigration route to the European Community. Despite the country being surrounded by other Western European countries, and as such having limited overland immigration, it quickly became host to a variety of cultures. A 2000 investigation by the federal public service in charge of employment indicated large scale naturalization of previous citizens of Morocco, Yugoslavia, Algeria, Democratic Republic of Congo, Tunisia and Poland (FOD Werkgelegenheid & Arbeidsmarkt, 2003).

Conclusion
Belgium's intelligence services have a rich history that unfortunately in some respects tainted their image. The validity of their independent existence has recently been questioned. Due to the secrecy of the services it is often difficult to respond to such concerns. Some of the criticism may have roots in historical political feuds instead of being truly constructive. Belgian intelligence machinery was recently expanded with an all-source agency that provides improved coordination in the analysis of current threats. However, the single-source collection agencies, especially the civilian service VS suffer from significant constraints, such as the prohibition of wiretaps, that limit their effectiveness.

Financially, Belgium's resources do not match those of neighbouring countries. Nevertheless, the threat is similar to or even exceeds that of its partners. As such, Belgium would benefit significantly from increased cooperation across European intelligence services. While progress is being made, differing interests are likely to prevent complete integration in the near future. In the meanwhile, the Belgian VS should not be subjected to cosmetic 'intelligence reform' but should focus on changes that allow it to do more with less: efficient exploitation of open sources by improving bidirectional communication with society, improving openness and incubating a 'will to cooperate' amongst its constituency.

With political assistance it could also jumpstart its mission to protect the scientific and economic potential and collaborate with commercial organizations to this respect. Finally, it should cultivate its unique selling propositions to prepare for full-fledged European integration in the future and to increase its value as an intelligence partner.

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