

Energy Security in Alegria: Legal Dynamics and Strategic Transitions

أمن الطاقة في الجزائر: الديناميات القانونية والتحويلات الاستراتيجية

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Abstract:

This research paper endeavors to dissect and elucidate the Algerian energy architecture within the matrix of an increasingly precarious global economic climate. Energy security, as an emergent and polysemic construct in contemporary securitization paradigms, has attained an epistemic stature on par with classical security imperatives. Algeria, recognizing the strategic and hypersensitive nature of its energy sector within the macroeconomic fabric, has instituted a pivotal energy governance framework. Through the promulgation of a compendium of legislative and regulatory instruments, the state has sought to juridify its energy doctrine in a manner congruent with both endogenous dynamics and exogenous transformations.

Keywords: Energetics, fiscal outlays, petro-reserves, pecuniary yields, macroeconomic sovereignty, non-conventional energy modalities.

الملخص:

تسعى هذه الدراسة إلى تفكيك البنية الهيكلية للمنظومة الطاقوية الجزائرية ضمن سياق اقتصادي كوني يتسم بالاهتزاز والتذبذب البنوي المتصاعد. ويُعدّ "أمن الطاقة" مفهوماً ناشئاً ومتعدد الدلالات ضمن أنساق التمثيلات الأمنية المعاصرة، وقد ارتقى إلى مصاف المفاهيم السيادية التي لا تقل وزناً عن ركائز الأمن التقليدي. وإدراكاً منها للطبيعة الاستراتيجية والفرط-حساسية لهذا القطاع ضمن النسيج الكلي للمنظومة الاقتصادية الوطنية، قامت الدولة الجزائرية بإرساء منظومة حكم طاقي محورية. وتم ذلك من خلال سنّ منظومة معيارية متكاملة من النصوص التشريعية والإجراءات التنظيمية، لتقنين الرؤية الطاقوية ضمن إطار قانوني متماسك يواكب التحويلات الدينامية الداخلية والمستجدات الجيوسياسية الخارجية.

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الكلمات المفتاحية: طاقة، الاتفاق، الاحتياطات النفطية، العوائد المالية، الاقتصاد الوطني، الطاقات المتجددة.

Introduction:

Algeria is widely recognized as a hydrocarbon-intensive sovereign entity, endowed with considerable energy endowments that have historically undergirded the trajectory of its economic functionality. This entailed the instrumental deployment of petroleum and natural gas not merely as vectors of energy provision, but as foundational feedstock across multifarious economic sectors—ranging from industrial manufacturing and transportation logistics to agroeconomic frameworks. The resultant hydrocarbon rents have, in turn, furnished the fiscal substratum for extensive public expenditure across both economic and social matrices. This structural dependency has rendered the Algerian state a central orchestrator in the governance, calibration, and prognostication of its energy assets through multidimensional legal, regulatory, and strategic architectures.

Given Algeria's categorization as a quintessential rentier state—whose politico-economic stabilization is inextricably tethered to the volatility of hydrocarbon markets—it has become axiomatic for the state to prioritize energy security as an existential imperative. The exigency is further compounded by the incessant escalation in domestic energy demand, situated within a global economic environment marked by systemic disequilibrium and oil price oscillations.

The salience of this research lies in its dissection of energy security as a matter of paramount strategic importance for Algeria. The assurance of stable, sufficient, and secure energy flows has transitioned from a policy desideratum to a core national security imperative. In this light, the energy transition—once perceived as a policy elective—has become an incontrovertible necessity. This is largely driven by endogenous stressors, including the incremental depletion of fossil reserves and the amplification of domestic demand for alternative energy vectors.

The central problematic underpinning this inquiry may be encapsulated as follows: **What is the juridico-institutional framework regulating Algeria's energy policy?**

In unpacking this overarching query, the study further interrogates ancillary questions, including:

- How is energy security defined, and what are its primary determinants?
- Upon what legal and infrastructural substrates does Algeria's energy configuration rest?

- What are the cardinal strategies animating Algeria's energy transition paradigm?

Methodologically, the study operationalizes a descriptive-analytical framework, bolstered by a case-study modality, whereby the Algerian energy policy is scrutinized through both legislative exegesis and strategic deconstruction.

I. The Conceptualization of Energy Security

Subsection I: Definitional Taxonomy of Energy Security

In the aftermath of the Cold War epoch, energy security has emerged as a salient neologism within the expanding lexicon of security discourses, progressively acquiring epistemological gravitas and operational resonance in both theoretical and praxis-oriented frameworks¹.

Etymologically, energy is conventionally construed as the animating force capable of mobilizing mechanistic functions and sustaining quotidian human activities—ranging from thermal regulation and illumination to refrigeration and mechanical propulsion. From a scientific vantage, it is the capacity to perform work, manifesting across a spectrum of modalities such as kinetic, potential, thermal, mechanical, electrical, and electrochemical energy.

The twenty-first century has borne witness to paradigmatic upheavals in the global energy regime, instigated by acute price volatilities and the protracted environmental externalities engendered by unbridled energy exploitation. These perturbations have galvanized scholars, technocrats, and institutional actors to reconceptualize energy governance and seek resilient, adaptive solutions to mitigate systemic crises.

The evolving architecture of energy security has incentivized the formation of transnational consortia and intergovernmental alignments aimed at synchronizing politico-economic initiatives, intelligence sharing, and market surveillance to attenuate the cascading repercussions of energy-linked geopolitical disruptions.

Although the terminological usage of "energy security" is relatively recent in formal security narratives, the existential imperative of ensuring uninterrupted access to energy has historically underpinned both inter-state conflict and cooperation. Control over hydrocarbon reserves has been a pivotal vector of hegemonic aspirations and strategic convergence, dating

¹ Amr Abd Al-Aty, *Energy Security in U.S. Foreign Policy*, 1st ed., Arab Center for Research and Policy Studies, Qatar, 2014, p. 23.

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back to World War I, wherein the phrase itself entered into explicit geostrategic rhetoric.

Consequently, definitions of energy security remain inherently fluid and contingent upon the strategic orientations of states and supranational entities. International organizations and industrialized economies have articulated divergent definitional matrices, often oscillating in emphasis depending on temporal exigencies and institutional agendas.

In its classical iteration, energy security is understood as the provision of stable, affordable, and sufficient energy flows necessary to sustain macroeconomic performance and developmental momentum. Conversely, a deficiency in energy security connotes prolonged disruptions in supply chains coupled with inflationary pressures on energy pricing.

The post-Cold War reconfiguration of international relations has engendered a more holistic and dynamic reconceptualization of energy security. The contemporary paradigm prioritizes systemic resilience—an adaptive architecture capable of withstanding multifaceted threats through both hard and soft security mechanisms. This includes physical safeguarding of critical energy infrastructure and the strategic diversification of energy sources to mitigate dependency syndromes¹.

Among notable definitional contributions, the United Nations (1999) postulated that energy security entails the omnipresent availability of energy supplies in multifarious forms, adequate quantities, and economically viable terms. The International Energy Agency, by contrast, foregrounded price stability and ecological sustainability as central axes of energy security².

The 2007 report by the UN Economic Commission for Europe delineated energy security across four interlocking dimensions, emphasizing the sufficiency of energy flows to end-users in a manner that facilitates self-sufficiency and catalyzes socio-economic development³. The World Bank, in its dual-focused framing, underscored state obligations to ensure energy accessibility at tolerable costs, with a dual mandate of fostering economic expansion and elevating living standards via modern energy services⁴.

¹ Soumia Hakkout – Mohamed Belkacem, *The Concept of Energy Security: The Problematic of Energy Security in International Economic Relations Between Hydrocarbon Energy and Alternative Energies*, Arab Democratic Center for Strategic, Political, and Economic Studies, Berlin, Germany, 2022, p. 28.

² Al-Waleed Abu Khalifa, *Energy Security and the Importance of Its Realization in Foreign Policy: A Study of the Concept and Dimensions*, Arab Democratic Center, Germany, 2017, p. 13.

³ Fatima Mohammedi, “Energy Security: An Epistemological Approach,” *Algerian Journal for Development*, University of Constantine, vol. 8, no. 14, January 2019, p. 58.

⁴ Amr Abd Al-Aty, *Energy Security in U.S. Foreign Policy*, 1st ed., Arab Center for Research and Policy Studies, Qatar, 2014, p. 54.

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The European Commission articulates four cardinal pillars underpinning the EU's energy security doctrine:

1. **Diversification of Energy Inputs** – to obviate structural overreliance on specific exporters or geopolitical blocs.
2. **Demand-Side Optimization** – via paradigms of energy efficiency aimed at curtailing superfluous consumption.
3. **Exogenous Supply Governance** – through strategic partnerships with key energy-producing states to secure procurement trajectories.
4. **Crisis Aversion Mechanisms** – predicated on the axiom that market stabilization necessitates regulatory cohesion and insulated supply systems.

From the aforementioned theoretical cartography, energy security may be apprehended through a tripartite heuristic:

- **Consumer-Centric Perspective:** Emphasizes uninterrupted energy availability, price affordability, and long-term supply assurances.
- **Producer-Oriented Perspective:** Frames energy security as the reliable monetization of hydrocarbon assets and sustained capital inflows to underwrite national development schemes.
- **International-Community Lens:** Interrelates energy security with broader matrices of economic, social, and environmental security, alongside geopolitical stability and financial market equilibrium.

Subsection II: Determinants of Energy Security

The conceptual salience of energy security has undergone significant amplification as a result of intensifying geoeconomic competition over hydrocarbon reserves and the evolving strategic calculus of energy-producing states. In response to recurrent disruptions in energy supply chains, consumer nations have progressively embedded energy security imperatives into their national strategic matrices—primarily as a corollary to ensuring supply-side resilience and hedging against systemic vulnerabilities.

Among the most salient determinants of energy security are the following:

1. Natural Cataclysms and Geophysical Volatility:

Energy reserves are disproportionately concentrated in geospatial zones that are inherently susceptible to geophysical perturbations—such as cyclonic activity, seismic upheavals, and volcanic eruptions. Furthermore, many transnational energy transmission corridors traverse politically or

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environmentally fragile regions, rendering logistical continuity precarious and exacerbating infrastructural exposure to existential shocks.

2. Structural Constraints on Energy Supply:

In his seminal reconceptualization of security, Richard Ullman delineated two archetypal modalities of energy supply constraints:

- First, the intrinsic depletion of non-renewable energy resources due to natural exhaustion, thus rendering certain energy vectors finite and irretrievable in the long term.
- Second, the imposition of exogenous constraints—such as embargoes, state-imposed export bans, or producer-driven moratoria—representing coercive mechanisms that curtail energy flow for strategic, economic, or geopolitical reasons.

3. Strategic Vulnerabilities of Multinational Oil Corporations:

Global petroleum conglomerates are increasingly encumbered by a tripartite constellation of impediments that compromise their operational latitude within host states:

- **Reputational Antagonism:** A pervasive narrative within energy-producing nations depicts these entities as neo-imperial actors, thereby engendering sociopolitical resistance to their presence.
- **Security Externalities:** Corporate personnel, assets, and installations are recurrently targeted by insurgent factions or criminal syndicates, particularly in high-risk jurisdictions.
- **Contractual and Political Precarity:** Abrupt regime change or sovereign policy reversals may culminate in the unilateral abrogation of investment agreements or the expropriation of strategic concessions—destabilizing long-term investment frameworks.

4. Non-State Threat Vectors and Maritime Piracy:

Energy infrastructure and supply chains are increasingly targeted by asymmetric threats, including terrorist factions seeking to destabilize national economies via sabotage of critical nodes. Additionally, the prevalence of maritime piracy—especially along chokepoints that facilitate the bulk of global energy trade—amplifies the exigency for fortified maritime security regimes as an indispensable adjunct to energy security.

5. Disequilibrium in Global Supply-Demand Dynamics:

From a macroeconomic standpoint, the inexorable escalation in global energy demand—propelled by exponential industrialization in emergent economies such as China and India—has consistently outstripped the incremental growth of hydrocarbon production. This persistent disequilibrium exacerbates price volatilities and intensifies inter-state competition over finite energy resources. U.S. Energy Information Administration (EIA) projections (2013) estimate a sustained increase in global energy consumption through 2040, noting a 1.8% surge in 2012 alone¹.

II. Algeria's Energy Policy Architecture

Subsection I: The Legal-Institutional Framework of Algeria's Energy Strategy

Energy policy is analytically subsumed within the broader contours of national public policy. It constitutes the state's doctrinal and regulatory approach to orchestrating energy production, distribution, and consumption—elements that are interlaced with ecological policy regimes and environmental stewardship mandates. This strategic orientation operationalizes a multi-tiered matrix involving exploration, infrastructure development, and sustainable consumption protocols.

Since national independence, Algeria's energy policymaking trajectory has been predominantly anchored in the hydrocarbons sector, reflecting the country's substantial fossil resource endowments. These structural advantages have necessitated a rigorous regulatory regime undergirded by a succession of governmental strategies, all geared toward optimizing sectoral governance and fulfilling macroeconomic objectives.

1. Defining Algerian Energy Security

Energy reserves represent the sine qua non of national energy security architectures. In Algeria, such reserves constitute a strategic economic bulwark—functioning as the fiscal cornerstone of national development agendas and macroeconomic planning frameworks.

Historically, Algeria's conceptualization of energy security was initially confined to the stable provision of exportable energy at globally competitive prices. However, this narrow definition was subsequently expanded to encapsulate the sovereign control over hydrocarbon resources—manifested

¹ Nabil Ben Hamza, "Algerian Energy Security – A Theoretical Etymological Foundation," *Algerian Journal for Security and Development*, vol. 10, no. 3, July 2021, p. 86.

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in the founding of Sonatrach in 1964 and the landmark hydrocarbon nationalization initiative of 1971. These milestones institutionalized energy sovereignty as an intrinsic pillar of national security.

Algerian energy security is thus defined as the capacity to fulfill domestic energy demand over an extended temporal horizon, while concurrently ensuring reliability and credibility as a global energy supplier—particularly in the domains of petroleum, natural gas, and related vectors¹.

More expansively, Algerian energy security is conceptualized as a multidimensional doctrine encompassing sustained and competitive access to energy resources, cost-recovery mechanisms for capital-intensive investments, and environmentally sustainable extraction models. It reconciles long-term supply assurance with ecological integrity².

2. The Legislative Cartography of Algeria's Energy Sector

Algeria's energy governance regime has evolved through a corpus of statutory instruments and legal codifications, collectively constituting the legislative substratum of its national energy strategy. These enactments reflect alignment with both internal developmental imperatives and the exigencies of the international energy order.

Key legislative enactments include:

- **Law No. 99-09³ on Energy Efficiency (1999):** This statute delineates the procedural and institutional parameters for national energy efficiency policy. It encompasses a spectrum of operational mechanisms aimed at demand-side management and rationalized energy consumption, such as:

- Integration of energy performance criteria into new infrastructure projects.
- Mandatory and periodic energy audits within a national oversight framework.
- Implementation of a National Energy Efficiency Program.
- Promotion of R&D initiatives in energy innovation.

¹ Minister of Energy and Mines Receives a Delegation from the Parliamentary Assembly of NATO, Ministry of Energy, Mines, and Renewable Energies, 14/11/2024, accessed on 27/12/2024, available at: <https://www.energy.gov.dz/?article=-513>.

² Mahfoud Rasoul, *The Ukrainian Crisis and the Stakes of Eurasian Energy Security: With Reference to Algerian Energy Security*, Academic Book Center, Amman, 2018, p. 201.

³ Law No. 09-99 of 28 July 1999 on Energy Conservation.

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- Allocation of dedicated financial instruments for energy rationalization.
- Inter-agency coordination in energy conservation.
- Deployment of incentive mechanisms to stimulate efficiency practices.
- Public awareness and capacity-building campaigns for energy users.
- **Law No. 04-09¹** on the Promotion of Renewable Energies (2004): This foundational law articulates Algeria's strategic orientation toward sustainable development via the institutionalization of a "National Program" for renewable energy expansion. It mandates an **Annual Renewable Energy Inventory**, stipulates fiscal and investment incentives, and establishes the **National Observatory for Renewable Energy Promotion** as the primary technocratic entity for overseeing implementation.
- **Law No. 05-07²** on Hydrocarbons (2005): A pivotal legislative instrument, this law codifies the legal regime governing upstream and downstream hydrocarbon activities—including exploration, production, transformation, distribution, storage, and marketing. It foregrounds the rational utilization of finite energy resources and delineates institutional competencies.
- **Law No. 13-01** amending Law 05-07 (2013): This revisionary statute expands the scope of Law 05-07 by integrating unconventional energy resources, particularly shale gas, into the national energy portfolio. It reflects a strategic pivot towards energy diversification and legal modernization.

Complementary Regulatory Instruments:

The legislative framework is further operationalized through a suite of executive and presidential decrees, including:

- **Executive Decree No. 11-13 (2011):**

Establishes the Algerian Institute for Renewable Energies, tasked with spearheading research, development, and deployment of alternative energy technologies.

¹ Law No. 04-09 of 14 August 2004 on the Promotion of Renewable Energies within the Framework of Sustainable Development.

² Law No. 05-07 of 28 April 2005 on Hydrocarbons.

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- **Executive Decree No. 13-435 (2013):**

Regulates the modalities for annual hydrocarbon reserve reporting by contractors to the National Agency for the Valorization of Hydrocarbon Resources.

- **Presidential Decree No. 18-172 (2018):**

Ratifies the bilateral cooperation agreement between Algeria and Mali in the domains of natural gas and petroleum, signed in Bamako—signaling Algeria’s commitment to regional energy diplomacy¹.

Subsection II: Algeria’s Strategic Orientation Toward Renewable

Energies as a Vector of Energy Security

The evolution of global technological paradigms has catalyzed a parallel metamorphosis in energy utilization frameworks—transitioning from reliance on exhaustible conventional sources toward the valorization of inexhaustible renewable vectors. Algeria has strategically aligned itself with this energy metamorphosis by progressively institutionalizing a transition toward clean and sustainable alternatives.

1. Determinants Underpinning Algeria’s Energy Transition

Algeria’s commitment to renewable energy is predicated on two foundational imperatives: the strategic centrality of renewable resources as future-proof energy reservoirs, and the inexorability of fossil fuel depletion. Within the matrix of energy sovereignty and sustainability, renewables constitute an indispensable pillar for achieving Algeria’s medium- and long-term energy security objectives.

Renewable energies—defined by their regenerative and environmentally benign characteristics—include solar, aeolic (wind), and hydrological sources. These vectors, inherently non-exhaustive, offer energy generation trajectories devoid of deleterious ecological externalities. In this regard, renewables are classified as ecologically neutral vectors of energy generation.

Key Advantages of Renewable Energies:

- **Mitigation of Greenhouse Gas Emissions:** Their deployment in power generation markedly reduces anthropogenic climate stressors typically associated with fossil combustion.

¹Hassiba Belatache, “Energy Policy in Algeria and Its Impact on Sustainable Development,” *Algerian Journal for Security and Development*, no. 1, 2021, pp. 17–18.

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- **Technological Sophistication Requirements:** The deployment of renewable infrastructures necessitates high-capital and high-complexity technological systems, often constituting a barrier to widespread diffusion due to elevated initial costs.

Recognizing these dynamics, Algeria has articulated a renewables-centered transition policy to safeguard energy security through four strategic vectors:

- **Economic Abundance and Job Creation:** Renewable energy deployment is poised to catalyze labor market dynamism, enhance quality-of-life indicators, and bridge energy access disparities across remote or underserved geographies.
- **Environmental Integrity:** Environmental considerations are deeply enmeshed within Algeria's national energy programming, with explicit mandates to phase out high-emission sources, remediate ecologically degraded zones, and promote low-carbon alternatives—most notably, expanded natural gas utilization.
- **Intergenerational Equity and Legal Safeguards:** Algeria's sustainable energy framework incorporates legal codifications safeguarding the rights of future generations vis-à-vis equitable energy access and ecological preservation.
- **Quantified Commitments:** Algeria aspires to integrate 22 megawatts of renewable energy capacity by 2030, thus cementing its trajectory toward global competitiveness in the renewable energy sector while diminishing structural dependency on depletable hydrocarbons.

2. Strategic Vision for a Gradual Energy Transition in Algeria

Numerous empirical studies project a significant deceleration in global conventional energy production—particularly petroleum—as a function of reservoir exhaustion and diminishing discovery rates. This prognosis has galvanized nations to seek strategic substitutes to avert macroeconomic destabilization and preserve long-term energy resilience.

Algeria is uniquely positioned to operationalize a partial substitution of its fossil-derived energy mix with inexhaustible and environmentally consonant alternatives. This strategic pivot is not merely a reaction to resource scarcity, but a proactive recalibration to reinforce national energy sovereignty.

For a calibrated and efficacious transition, Algeria's strategic blueprint entails the following trajectories:

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- **Optimal Energy Utilization¹:**
 - Thermal Efficiency in Buildings: Through architectural insulation enhancements and advanced heating systems.
 - Sustainable Transportation Modalities: Adoption of hybrid and electric vehicle fleets, reduction of fossil-based mobility infrastructure, and system-level multimodal transport integration.
 - Universal Electrification: Ensuring electrification of industrial processes, domestic utilities, and information technology ecosystems.
- Energy Transition as a Developmental Catalyst: The renewable energy sector is reimagined not merely as an environmental imperative but as an engine for economic modernization, industrial competitiveness, and employment diversification.
- Strategic Energy Planning: The transition blueprint necessitates comprehensive stakeholder integration—across public, private, and regulatory spheres—anchored in long-range planning that harmonizes ecological preservation with socio-economic inclusivity.

Core Enablers of a Just and Effective Transition²:

- Clear executive-level political commitment toward phased divestment from finite energy sources.
- Robust financial mobilization mechanisms and legislative stimuli to attract foreign direct investment in renewables.
- Market liberalization to create scalable, competitive platforms for renewable energy exchange, thereby reinforcing environmental sustainability and energy accessibility.

Conclusion:

This study has undertaken a comprehensive interrogation of Algeria's national energy policy, with particular emphasis on the conceptualization of energy security and the legislative corpus underpinning the country's strategic orientation in the energy domain. The findings suggest that energy security constitutes a cardinal axis within the architecture of Algeria's

¹ Zahra Abbas – Najwa Ben Aouida, "Benefiting from the German Energy Transition Experience to Advance the Renewable Energy Sector in Algeria," *Economic Studies Journal*, no. 38, 2019, p. 374

² Zahra Abbas – Najwa Ben Aouida, *Ibid.*, p. 375.

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macroeconomic resilience, especially in view of the escalating constellation of endogenous and exogenous threats—both regional and global.

The principal conclusions distilled from the study are as follows:

- **Energy security** is best conceptualized as the safeguarding of diverse energy sources, the integrity of production infrastructures, and the uninterrupted accessibility of energy outputs to end-users.
- The semantics and operationalization of energy security diverge significantly across energy-exporting and energy-importing blocs, reflecting asymmetrical interests and strategic imperatives.
- Energy security remains intricately entwined with national sovereignty and the sustainable availability of natural resource endowments.
- Algeria possesses a vast and heterogeneous energy portfolio, positioning it as a consequential actor in the global energy market.
- Successive legislative and policy frameworks have been crafted to adapt to shifting economic landscapes and to instigate structural reforms within the energy sector.
- Algeria's potential for renewable and alternative energy development offers a transformative pathway toward reconfiguring its energy sovereignty and reinforcing long-term national security.

In light of the above, the study articulates the following policy recommendations:

- Optimize the exploitation of finite energy resources through enhanced energy efficiency protocols and systemic upgrades.
- Institutionalize the rationalization of fossil fuel utilization, calibrated against the geological and economic sustainability of existing reserves.
- Formulate long-term strategic roadmaps to mitigate dependency on exhaustible energy vectors and to accelerate the deployment of renewable alternatives within a legally robust and economically viable framework.

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