

Legal and Regulatory Framework of Health Security

Cherifa Khaldi^{1,*}

¹ Echahid Cheikh Larbi Tebessi University, Tebessa (Algeria)

cherifa.khalddi@univ-tebessa.dz

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Abstract:

Health security is a key pillar of national strategies aimed at protecting populations from growing public health threats. It focuses on proactive planning, improving healthcare system efficiency, and strengthening the skills of medical personnel. It also includes enhancing early warning and crisis-response systems, ensuring the availability of medicines, supporting scientific research, and promoting coordination across sectors. In the face of global challenges such as pandemics, climate change, and population growth, health security plays a vital role in maintaining societal stability and sustainable development.

The legal framework is grounded in international instruments, notably the International Health Regulations (2005), which define states' responsibilities in preventing, detecting, and responding to cross-border health risks. At the national level, domestic laws support this framework by enabling preventive actions and institutional coordination. In Algeria, health vigilance relies on measures such as epidemiological surveillance, quarantine, and disease control under Act No.18-11, reinforced by institutions like the National Health Security Agency to improve governance and preparedness.

Keywords: health security, Algerian legislation, national agency for health security, health system, health vigilance, ...

المخلص:

يعد الأمن الصحي ركيزة أساسية ضمن الاستراتيجيات الوطنية، إذ يقوم على التخطيط المسبق وتعزيز كفاءة المنظومة الصحية من خلال تطوير مهارات الكوادر الطبية وتحديث أنظمة الرصد المبكر والاستجابة للآزمات، كما يشمل ضمان توفر الأدوية والمستلزمات الطبية ودعم البحث العلمي، وتعزيز التنسيق بين مختلف القطاعات المعنية ومع تزايد التحديات الصحية العالمية كالأمراض والتغيرات المناخية والضغط السكاني يبرز هذا الأخير كخيار استراتيجي لا غنى عنه لضمان استقرار المجتمعات واستدامة التنمية.

أما في الجزائر فيرتكز الأمن الصحي على منظومة قانونية وتنظيمية تؤطره وتحدد آليات تفعيله، حيث يعد القانون رقم 11-18 المتعلق بالصحة المرجع الأساسي لتنظيم قطاع الصحة إلى جانب القانون 08-13 المتعلق بحماية الصحة وترقيتها وبعض النصوص التنظيمية المكملّة المرتبطة بالوقاية من المخاطر الصحية وتسيير الآزمات، وفي هذا الإطار تبرز الوكالة الوطنية للأمن الصحي كهيئة مركزية تضطلع بدور في مواجهة التحديات الصحية.

الكلمات المفتاحية: الأمن الصحي، التشريع، الوكالة الوطنية للأمن الصحي، المنظومة الصحية، اليقظة الصحية،

* Khaldi Cherifa

I. Introduction:

Health security has emerged as a crucial issue in today's world, taking center stage among government priorities because it directly impacts the safety of individuals and the stability of society.

Health security encompasses coordinated efforts to prevent, detect, and respond to health threats across borders, making it a central pillar of modern global governance and public health policy (Rodier et al., 2007, p.1447).

Nowadays, the idea of security goes beyond just military and economic aspects; it now encompasses health as a vital component for achieving sustainable development and improving our ability to tackle crises.

This approach represents a holistic national strategy focused on preventing health risks, preparing for epidemics and emergencies, and ensuring that health services continue to operate efficiently.

In this context, the Algerian legislator has really put in the effort to weave health security into a solid legal framework. They've done this by rolling out a series of legislative and regulatory texts, along with executive decrees that have established and organized the Health Security Agency.

This clearly lays out its missions, structure, and operations. This approach shows a genuine commitment to boosting health vigilance mechanisms and reinforcing the institutional framework to effectively address health risks.

Accordingly, this article sets out to explore the idea of health security and its various aspects, while also examining Algeria's national approach to this issue. It will delve into the legal and institutional framework that supports health security by addressing the following research question:

How effectively has Algeria's legal and regulatory framework for health security—especially through the legislative texts and decrees that govern the National Agency for Health Security—helped create a robust legal system aimed at preventing health risks and responding to them?

1. The Concept of Health Security

The idea of health security is all about the strategies we put in place to protect communities from health threats and lessen their effects on public health, economies, and social stability. It involves how well countries can prevent, spot, and respond to infectious diseases, environmental risks, and other health crises. Health security brings together public health systems, legal structures, and international collaboration, especially through frameworks like the International Health Regulations (2005).

It also highlights the importance of being prepared, keeping an eye on potential threats, and building resilience to maintain essential health services during tough times. As the world becomes more interconnected, boosting health security has turned into a vital goal for ensuring people's well-being and fostering sustainable development (World Health Organization, 2007; Aldis, W., 2008).

Health security is a crucial aspect of both security and legal studies, primarily because it relates to the fundamental goal of protecting life and upholding the human right to live. This connection has sparked a growing interest in health security, especially in recent years as we've seen a rise in emerging diseases and cross-border epidemics.

As a result, there have been heightened international efforts to bolster health security, particularly through the International Health Regulations. Consequently, the ideas surrounding health security have expanded significantly.

The concept of health security refers to the set of proactive and reactive measures aimed at protecting populations from public health threats, particularly those that transcend national borders. It emphasizes the capacity of health systems to prevent,

detect, and respond to risks that may endanger collective health and global stability (Khan et al., 2022, pp.1-2; Wolicki et al., 2016, p.1447).

1.1 Health Security within the General Concept of Security

Health security is becoming more intertwined with the overall idea of security, especially since public health threats like pandemics can shake up economies, societies, and even national stability. Because of this, it's seen as a vital part of both human and national security. We need to have coordinated systems in place to shield populations from risks that cross borders and to tackle global crises effectively (WHO, 2007, p.1).

Security is essential for peace of mind, and legal experts often describe it as "*tranquility and peace of heart*". It involves protection from all sorts of afflictions, dangers, and harms that could impact individuals, communities, or the environment—whether we're talking about a system, a state, or an institution, and whether the impact is physical or moral.

It's also been described as "the absence of expected harm in the future that poses a threat to individuals and society from unknown fears". This isn't just about one specific area of life; it covers everything related to their safety and stability, whether that's social, economic, or otherwise.

Generally, health security refers to a combination of proactive and reactive measures designed to reduce the risks and effects of public health events that can threaten communities, regardless of where they are in the world (Rodier, 2007, pp.1447–1452).

These definitions really emphasize how crucial human health is in meeting various security needs, making it the very foundation of security itself. After all, without good health, individuals struggle to fulfill any religious or worldly purpose. This highlights how health security is vital for ensuring the safety and stability of individuals (Krouch, 2021, p.413).

1.2 Health Security in Islam

Islam places a strong emphasis on health security through a series of guidelines aimed at safeguarding human physical, mental, and emotional well-being.

For instance, it prohibits the consumption of carrion because of its potential dangers to physical health, and it bans intoxicants, drugs, and smoking due to their detrimental effects on the mind and spirit. These substances can also lead to various crimes, including murder, theft, rape, and kidnapping (Ben Rami, 2022, p.1082).

From this viewpoint, it highlights the importance for every nation around the globe to be free from diseases, dangers, and epidemics that pose a threat to public health.

Health security in Islam is deeply connected to the goals of Islamic law (*Makassid Sharia*), especially when it comes to preserving life and promoting well-being (Djafer, 2025, p.590). This is achieved through both preventive and curative measures that protect individuals and the community as a whole. It highlights the importance of hygiene, disease prevention, and a shared sense of responsibility as vital ways to maintain public health and foster social stability (Khalil et al., 2023, pp.1-15).

Considering this understanding, we can say that health security in Islam encompasses "a range of health measures and precautions implemented by the state to ensure the well-being of all its citizens—both Muslims and non-Muslims. This starts with ensuring the safety of food, water, and the environment, and extends to providing necessary medical care and resources for maintaining health" (Boukredid, 2021, pp.355 ff).

1.3 The Jurisprudential Definition of Health Security

The legal concept of health security is all about the principles and rulings that come from Islamic law, focusing on the importance of preserving human life and preventing harm (Fuad, 2024, pp.258-260). It aims to create conditions that protect both

physical and mental well-being while shielding society from diseases and health threats. This idea is deeply rooted in the goals of Sharia, especially when it comes to safeguarding life and promoting the public good through both preventive and curative measures (Alghamdi, 2026, pp.1-2; AL-Abdul-Rahman, (2023, pp.18-19).

Health security, often called physical security, carries two main meanings. The first is quite specific: it refers to “the human experience of health and the safety of bodies from any diseases that might affect him”. The second meaning is broader, encompassing the idea of “having access to a doctor who can provide effective treatment, aided by the grace of Almighty God”.

Additionally, it can be defined as the protections offered by Islamic teachings to safeguard a Muslim’s body from potential health threats, aiming to lessen vulnerability to illness and ensure safety in medical care.

According to the Kuwaiti Encyclopedia, security for early Muslims was about “providing reassurance concerning their faith, personal well-being, property, and dignity. This sense of security allowed them to concentrate on uplifting their society and advancing their nation” (Krouch, p.413).

The idea of health security really gained traction when it was highlighted in the “**Human Development Report**” released by the United Nations Development Programme back in 1994. This report marked a significant shift, presenting health security as one of the key components of the modern human security framework. It emphasized the need to broaden and deepen our understanding of “**security**”, moving away from the traditional, state-focused view to a more inclusive, “**people-centered perspective**”.

The report from that time emphasized that when we talk about “**human security**”, the focus should be on “**people**” instead of “**the state**”, especially given the serious challenges to individual safety. The 1994 report suggested that the concept of “human security” should be broadened to cover threats and risks in seven key areas, one of which has come to be recognized as “health security” (Tayleb, 2020, p.64).

Serious efforts to define what health security really means began with the Human Security Commission, which was set up in 2001 to weave human security into various United Nations initiatives.

This commission took a broader view of health, seeing it not just as the absence of illness, but as a holistic state of complete physical, mental, and social well-being for individuals. In its 2003 report, the commission pinpointed four health issues that are closely tied to the idea of human security within the health framework:

- The scale of the disease burden we face today and what lies ahead;
- The pressing need for health officials to take immediate action against these threats;
- The profound effects of health security on the challenges society encounters;
- The external factors that can either trigger or influence specific diseases, as well as the health of individuals and communities (Ben Djedid & Ben Guita, 2016, p.48).

From what we’ve discussed, we can come up with the following definition:

Health security refers to a range of measures and actions designed to safeguard human health, protect it, and mitigate the risks that could jeopardize it. When we talk about human health, we can look at it from two perspectives:

First, **the individual perspective**, which encompasses physical, psychological, mental, and spiritual well-being;

Second, **the public health perspective**, which reflects how an individual's health fits into the larger community, the overall health of society, and the enhancement of collective immunity (Belkhir, 2022, p.156).

2. Health Security: Between Field Multiplicity and the Effectiveness of the ANSS

Health security sits at the crossroads of various fields—like public health, international relations, environmental studies, and security policy. This blend is what makes its scope and definitions so diverse, often leading to some confusion and different interpretations among institutions and countries (Aldis, 2008, pp.370–371; WHO, 2007, pp.2-14).

The real effectiveness of health security, though, hinges on how well we can integrate preventive, responsive, and coordinated global actions. These efforts are crucial for minimizing the impact of health threats and ensuring that we can quickly detect and respond to crises that cross borders (WHO, n.d).

Health security has become a crucial concept in our modern world, especially as we face a growing array of health risks that directly impact our lives and the stability of our communities.

Health security focuses on preventing diseases, being prepared for epidemics, and ensuring that health services remain available, all of which are grounded in several key areas. In this light, the National Agency for Health Security plays a vital role in enhancing health awareness and coordinating efforts to tackle various risks.

2.1 Domains of Health Security

Understanding the domains of health security is crucial for tackling the various challenges that threaten human health and for crafting effective prevention and response strategies.

Health security isn't just about controlling diseases; it covers a wide array of interconnected issues, including food safety, environmental protection, emergency preparedness, epidemic management, and even non-traditional threats.

It also involves ensuring that health systems are ready and able to respond to crises. By clearly identifying these domains, governments and communities can boost their ability to safeguard public health, reduce risks, and work towards stability and sustainable development.

Health security is a multifaceted concept that includes various interconnected areas like prevention, detection, risk assessment, preparedness, and response to health threats (European Commission, 2022, pp.1-4).

It also takes into account broader factors such as environmental, biological, and socio-economic influences on health risks. This comprehensive approach highlights that effective health security relies on coordinated efforts at local, national, and global levels to tackle the diverse and ever-changing challenges in public health (Cheng et al., 2026, p.2-4; WHO, 2023, pp.5-8).

a) Emerging and Infectious Diseases

Emerging and infectious diseases pose a significant threat to global health security, primarily because they can spread quickly, change rapidly, and have far-reaching social and economic effects. These illnesses, which include both newly discovered infections and re-emerging threats like influenza, Ebola, and COVID-19, are often fueled by factors such as globalization, environmental changes, urban growth, and increased interactions between humans and animals (Jones et al., 2008).

Effectively managing these diseases calls for strong surveillance systems, early detection strategies, and coordinated international efforts, all guided by frameworks like the International Health Regulations (2005). To reduce the risks associated with these diseases and improve our preparedness and resilience, it's crucial to bolster public health infrastructure, invest in research, and foster global collaboration (World Health Organization, 2014; Centers for Disease Control and Prevention, 2019).

Emerging diseases, characterized by high infectivity, ease and speed of transmission, and what increases their danger and threat to health security, have become the greatest challenge for states and international organizations concerned with combating and confronting them—such as the coronavirus causing severe acute respiratory syndrome (SARS), Ebola, and avian influenza.

In addition, some diseases that appeared previously continue to pose a major threat to health security, such as plague, cholera, polio, Rift Valley fever, and AIDS. These diseases do not discriminate between borders or regions due to their astonishing speed of spread worldwide, threatening the stability of entire local communities, especially the poorest ones (Ben Djedid & Ben Guita, p.49).

b) Malnutrition and Food Insecurity

Malnutrition and food insecurity are deeply intertwined global issues that have a profound impact on public health, especially in low- and middle-income countries. Malnutrition includes not just undernutrition, but also deficiencies in essential micronutrients and even overnutrition, all of which can hinder physical growth, cognitive development, and immune function (Webb & Block, 2012, p.12309).

Food insecurity, which refers to the limited or uncertain access to enough nutritious food, is often fueled by factors like poverty, conflict, economic instability, and climate change. These challenges feed off one another, creating a vicious cycle of vulnerability and health disparities. Tackling these issues calls for comprehensive strategies that blend sustainable food systems, social protection policies, and focused nutritional interventions to secure long-term food availability and enhance overall population health (Food and Agriculture Organization et al., 2021; World Health Organization, 2020).

There's a strong link between malnutrition, food insecurity, and health security. Food is really the bedrock of our health and the stability of society. When people don't have enough safe food, it leads to malnutrition, which can weaken the immune system and make chronic diseases more prevalent.

These challenges feed off one another, creating a vicious cycle of vulnerability and health disparities. Tackling these issues calls for comprehensive strategies that blend sustainable food systems, social protection policies, and focused nutritional interventions to secure long-term food availability and enhance overall population health (Food and Agriculture Organization et al., 2021; World Health Organization, 2020).

On top of that, malnutrition puts extra strain on our health systems, making it harder for them to deal with epidemics and emergencies—this is a serious threat to our health security. We can't achieve health security without first ensuring food security and enhancing the nutritional well-being of communities through comprehensive policies that bring together health, agriculture, and social protection (El Belli, 2021, p.393).

c) international crises, humanitarian emergencies, and climate change

International crises, humanitarian emergencies, and climate change are all deeply intertwined with health security. When armed conflicts and humanitarian disasters strike, they often wreak havoc on health infrastructure and disrupt medical services. This not only accelerates the spread of diseases and epidemics but also hampers governments' ability to safeguard the health of their populations.

Displacement and refugee situations really worsen health conditions because of overcrowding and the lack of clean water, food, and healthcare. On top of that, climate change takes a toll on our health by bringing more heatwaves, floods, and droughts, along with the rise of infectious diseases, malnutrition, and shortages of essential resources.

To tackle these issues, we need to strengthen health security by preparing for crises in advance, enhancing our health systems, and treating climate change as a

serious global health challenge that impacts human safety and societal stability. International crises, humanitarian emergencies, and climate change only widen the health inequalities between countries and within communities, hitting the most vulnerable groups—like children, the elderly, women, and the poor—hardest. They face deteriorating health services, medicine shortages, and a lack of vaccinations (Belkhir, p.158).

d) Chemical and Radiological Hazards and Biological Terrorism Risks

Chemical and radiological hazards, along with the risks posed by biological terrorism, represent serious threats to public health and global security. These dangers have the potential to inflict widespread harm and cause lasting damage to our environment.

Biological terrorism involves the intentional release of pathogens or toxins to spread disease and incite fear among communities. Tackling these risks demands a comprehensive approach that includes preparedness strategies like surveillance systems, emergency response planning, and international collaboration, all guided by frameworks such as the International Health Regulations (2005). These regulations aim to enhance countries' abilities to detect and respond to such threats effectively (World Health Organization, 2005; Centers for Disease Control and Prevention, 2018).

Chemical hazards come from exposure to toxic substances, while radiological hazards stem from radioactive materials that can lead to severe health issues, including cancer. Biological terrorism involves the intentional release of pathogens or toxins to spread disease and incite fear among communities.

Tackling these risks demands a comprehensive approach that includes preparedness strategies like surveillance systems, emergency response planning, and international collaboration, all guided by frameworks such as the International Health Regulations (2005). These regulations aim to enhance countries' abilities to detect and respond to such threats effectively (World Health Organization, 2005; Centers for Disease Control and Prevention, 2018).

Health security is directly linked to chemical and radiological hazards and the risk of biological terrorism, due to the serious threats these pose to community health and stability. Exposure to toxic chemicals or nuclear radiation can lead to the spread of acute and chronic diseases, increased mortality rates, and disruption of health systems due to the need for rapid and specialized responses.

Biological terrorism represents one of the most dangerous challenges to health security, as it relies on disseminating pathogenic agents that can cause widespread epidemics difficult to control. Therefore, strengthening health security requires early warning systems, high medical readiness (Tighilt Ferhat, 2025, p.432), and effective coordination between health and security sectors, alongside international cooperation for prevention and rapid response to such hazards (Hamaïdi, 2012, p.216).

2.2 National Agency for Health Security (ANSS)

The National Agency for Health Security (ANSS) in Algeria is key to bolstering the nation's health security framework. It ensures that various sectors work together and aids public authorities in tackling health risks. By gathering and analyzing health data, the ANSS plays a vital role in monitoring, prevention, and response strategies, which helps in making informed decisions. Additionally, it boosts readiness for health emergencies and fosters integrated governance to effectively tackle emerging public health issues (Ministry of Health, 2020; World Health Organization, 2021).

The National Agency for Health Security operates as an independent advisory body under the President of the Republic, having been established by Presidential Decree N°.20-158 (Decree, 2000). Its main goal is to keep a close watch on health issues, offer guidance, and provide early warnings during health crises (Brahmi, 2024, p.54).

The National Agency for Health Security (ANSS) in Algeria plays a central role in strengthening the country's health security system by ensuring coordination among relevant sectors and supporting public authorities in managing health risks. It contributes to monitoring, prevention, and response strategies through the collection and analysis of health data, thereby enabling evidence-based decision-making. The ANSS also enhances preparedness for health emergencies and promotes integrated governance mechanisms to address emerging public health challenges effectively (Ministry of Health, 2020; World Health Organization, 2021).

Additionally, this Agency is recognized as a public institution with a unique status, which grants it legal personality and financial independence, and it is based in Algiers, the capital city (Decree N°.20-158, article 02).

As for the tasks entrusted to, they can be summarized as follows:

- keeping an eye on health security through monitoring, consultation, strategic vigilance, guidance, and early warning systems.
- Working closely with the right organizations to craft a national health security strategy and making sure it gets put into action.
- Involves coordinating national programs aimed at preventing and tackling health threats and risks.
- Plus, we serve as the scientific advisor to the President of the Republic in this important area (Decree N°.20-158, article 03).

As for its powers, they can be summarized as providing strategic recommendations, coordinating prevention programs, and managing health crises.

The Agency is overseen by an advisor to the Presidency of the Republic, who is appointed through a presidential decree. This advisor is supported by a deputy and a special advisor, both of whom are also appointed in the same way.

The Agency also has advisory bodies that provide scientific guidance and strategic oversight. These bodies are made up of respected scientists, experts, and specialists known for their expertise in their respective fields, along with administrative and management teams (Decree N°.20-158, article 05).

At the helm is a Steering Council, which is chaired by the Director of the President's Office or their representative, along with permanent members as required by law (Presidential Decree N°.20-435, article 5).

Additionally, the Agency includes a Medical Ethics and Deontology Committee, as well as a General Secretariat (Hinas, 2022, p.741).

This Agency is all about creating a direct link between national security, stability, and public health. *Professor Sanahadji*, who recently took the helm, emphasized that this institution is stepping in at a pivotal moment. It's set to be a vital and one-of-a-kind asset for Algeria's national health system (Agency Council meeting, 2026) especially considering all the reforms that have been rolled out in the health sector (Ben Rami, 2022, p.1087).

IV. Conclusion:

To wrap things up, health security in Algeria has evolved beyond just reacting to crises; it's now a key strategic choice embedded within a comprehensive legal and institutional framework. This framework is built on a series of legislative and regulatory texts, with Law N°.18-11 and Law N°.13-08 taking center stage, along with decrees that organize the National Agency for Health Security.

Thanks to this framework, there's been a shift towards a more proactive approach, which includes bolstering health vigilance mechanisms and enhancing our ability to prevent and respond to various health risks.

The study points out that the success of health security is closely tied to how well the legal and institutional aspects mesh with the health policies in place. This

integration is crucial for ensuring that health services remain continuous and equitable, while also boosting the resilience of the health system against both current and future challenges.

In this light, the approval of the National Health Security Strategy for 2025-2030 on April 6th, 2026, marks a significant step forward in modernizing health governance. This is especially true with the establishment of the wilaya delegate structure, which reflects the state's shift from centralized management to a more comprehensive approach that covers all wilayas. This change aims to bring health services closer to citizens and improve the effectiveness of health interventions.

Ultimately, achieving health security hinges on the collaborative efforts of all stakeholders, increased investment in the health sector, the development of human resources, and strengthened cooperation at both national and international levels. By focusing on these areas, we can affirm that health security is a vital foundation for sustainable development, paving the way for a safer and more stable future within a health system that can adapt to changes and tackle crises efficiently and effectively.

Recommendations:

In light of the foregoing and highlighting the importance of health security as a legally and institutionally framed strategic choice in Algeria, a set of practical and legal recommendations can be presented to enhance the effectiveness of this system and support its capacity to confront various health risks, as follows:

Strategic and Institutional Level: An integrated and comprehensive approach to health security should be adopted, based on coordination among various sectors—particularly health, food, environment, and security—to address health risks multidimensionally. This necessitates activating the role of the National Agency for Health Security and strengthening coordination with other bodies, especially with the establishment of the wilaya delegate structure, which entrenches the actual transition from centralized management to comprehensive field coverage across wilayas.

Legal and Regulatory Level: Continued development of the legal framework for health security is recommended through updating legislative and regulatory texts to align with emerging health challenges, ensuring harmony with relevant laws—particularly Law N°.18-11 and Law N°.13-08, as well as decrees organizing health security. Legal oversight of health policy implementation should be bolstered, clarifying responsibilities among stakeholders to ensure effectiveness and transparency.

Health System Readiness Level: Achieving health security requires supporting and modernizing health infrastructure, investing in training and qualifying medical and paramedical human resources to enhance crisis response capabilities. Early warning and epidemiological surveillance systems should be developed, along with analytical and predictive capacities to confront epidemics and health risks before escalation.

Prevention and Risk Management Level: Prevention is the cornerstone of health security; thus, focus is recommended on nutrition, environmental safety, and monitoring water and air quality, alongside preparedness for epidemics and chemical/radiological hazards through clear, proactive national plans.

National and International Cooperation Level: Cooperation among all actors—public institutions, private sector, and civil society—should be strengthened, along with support for collaboration to counter cross-border health threats via exchanging expertise, information, and successful experiences.

Community and Awareness Level: Citizen awareness is a key factor in the success of health security policies; intensive health awareness programs are recommended to entrench a culture of prevention and healthy behavior, involving the community in crisis response efforts.

In light of Algerian legislation, enhancing the mandatory nature of certain preventive measures during health emergencies is proposed, entrenching the principle of

health equity and service distribution—especially between regions—alongside supporting health decentralization by empowering local structures, such as the wilaya delegate, with broader intervention and decision-making powers.

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