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Talks

Four times now since August 2003, the government of China has been host to what have become known as the "Six-Sided Talks." The key protagonists, the United States and North Korea, are as asymmetrical as any two countries could be, on one side the greatest military and industrial power in history and on the other one of the world's poorest and most isolated small states.

For the United States, elimination of any North Korean nuclear weapons and related programs is the overriding goal, but the US also seems to want to deny North Korea any right to a civilian nuclear energy program. It also wishes to deal with its missile program and human rights record. Beyond this, there are also within the Bush administration those who are absolutely committed to regime change. For North Korea, the nuclear weapons issue is probably secondary. It is the means to try to achieve resolution of the problems that have plagued it for so long: isolation, intimidation and sanctions. What it wants above all is to convert the ceasefire of 1953 into a permanent peace treaty and to "normalize" relations of all kinds – security, political, diplomatic, economic - with the United States and Japan. The memory of a previous attempt at a comprehensive deal, a trade-off of nuclear programs for security, is fresh: in 1994 North Korea suspended its reactors and froze its plutonium wastes under international inspection, in return for a promise of two light-water reactors, heavy oil, and diplomatic and economic normalization. All it got in almost ten years was the supply of heavy oil, so it wants to be sure of a better outcome this time.

From what we know of previous sessions of the Six-Sided Talks, the US has issued many demands, but refused to negotiate. Former Deputy Secretary of State Richard Armitage recently criticized the chief US representative at talks between 2002 and 2004, James Kelly for behaving at the Beijing conferences like an envoy of the former Soviet Union, as if he were constantly under surveillance and had no leeway to say anything but what was in his brief. [1] After the August 2003 session, asked what the biggest obstacle in the negotiations had been, the Chinese chair, Wang Yi, replied in like vein, "The American policy towards DPRK – this is the main problem we are facing." [2] The demand for "CVID" (complete, verifiable, irreversible, dismantling) was repeated like a mantra. North Korea was told that it would have to satisfy the US on missiles, conventional force reduction, counterfeiting, drug smuggling, terrorism, human rights and abduction, while Pyongyang's demand for a guarantee it would not be attacked, let alone its demand for comprehensive normalization, was seen as unnecessary, irrelevant, or premature. It is no surprise that talks on such a basis were fruitless.

As the Fourth Round of Six-Sided Talks in Beijing entered their three-week recess period in early August, after thirteen days of discussion, the position seemed to be as follows. The US had softened its rhetoric and ceased its abuse, showing a new readiness to actually talk with the North Koreans. Delegates of the two countries even went off to dinner together at a Korean restaurant on the evening of 30 July. North Korea, for its part, declared its readiness for "strategic decisions" to resolve the problems. However, on matters of substance the US seems not to have softened its line. It continued to call for complete, verifiable, irreversible dismantling of North Korea's nuclear programs and installations (CVID) as something to which North Korea would have to yield unconditionally in advance of negotiations; only then could other matters be addressed. North Korea would have to declare and abandon both plutonium and uranium-based weapons programs, return to the International Atomic Energy Agency (IAEA) and the inspections mandated under it, abandon its program of nuclear energy generation (thus forfeiting a right described in Article 4 of the NPT as "inalienable," one that the US was not disputing on the part of Iran), abandon its long-range missile program, and, although it is not at all clear precisely how this is addressed in the draft agreement, address human rights concerns. North Korea, for its part, sought security guarantees, normalization of political and economic relations (with the US and Japan), and cooperation in its economic reconstruction programs.

When, early in August 2005, reports from Beijing referred to the five parties to the Talks with North Korea all signing off on a draft agreement, that was surprising, for several reasons. Despite regular statements from Washington about the unity of the five countries that sit with North Korea around the table, and the insistence that responsibility for the crisis rests exclusively with North Korea, disunity has in fact been characteristic and blame is shared. All parties undoubtedly agree on the desirability of a nuclear weapon-free peninsula, but unity stops there.

For nearly ten years from the "Agreed Framework" of 1994, North Korea did freeze its graphite reactors and accept international inspection of its plutonium wastes, while the US dragged its feet on its commitment to supply alternative, light water reactors and ignored its commitment to move towards political and economic normalization. The Framework broke down over the US insistence that Pyongyang had been pursuing a two-track nuclear weapons program: the one that was subject of the 1994 Agreement, using the wastes from the Yongbyon reactors to process plutonium for "Nagasaki-type" nuclear devices, and the other, a covert program using uranium enrichment to produce "Hiroshima-type" devices. Under-Secretary of State James Kelly in October 2002 insisted that officials in Pyongyang had confessed such a program to him. It was this that led the US in November 2002 to suspend its commitments under the Framework, which in turn prompted North Korea in the following January to withdraw from the Non-Proliferation Treaty and resume its weapons program. It has repeatedly expressed willingness to abandon that program provided the US and other parties are prepared to return to something like the 1994 Agreement.

As to the "covert" program, Pyongyang has consistently denied it, saying instead that Kelly misunderstood its statement of the right to such a program as a statement of its possession. In the two years to late 2004, Washington signally failed to convince its partners of this crucial claim. Late in 2004, the Second Bush administration launched a renewed diplomatic effort. By this time, the US manipulation of intelligence on Iraq to justify war was well known, and suspicion naturally attached too to the intelligence on North Korea. After Michael Green had been dispatched around Asian capitals with "conclusive" evidence, and the Asahi (28 February) reported that China had at last been persuaded, the Chinese Foreign Minister Li Zhaoxing himself intervened to deny it. [3] The Director of South Korea's National Intelligence Service likewise intervened to throw water on the US claim. [4] The Washington Post wrote on 20 March: "US misled allies about nuclear export." As of early 2005, the highly placed and experienced Selig Harrison pronounced the evidence still inconclusive, based on a deliberate favoring of "worst case scenarios." [5] Since then, details of North Korean purchases of aluminum from Russia (and of failed attempts to import from Germany) have been published. The case for North Korea having attempted to procure the materials for an enrichment program is strong, but its denial of actually having an active and ongoing one is plausible.

In addition, US head of delegation Christopher Hill insisted that North Korea had to abandon not only its weapons programs but all its civilian, energy-related nuclear programs. [6] Yet South Korea, Russia and China were all reported to take the view that North Korea should enjoy its right to a civil, energy program

once it returned to the Treaty. [7] As Russia's deputy head of delegation, Valery Yermolov, put it, "Denuclearization does not imply the renunciation of peaceful nuclear programs. We would want this basic notion to be included in the final document." [8]

North Korea's claim to the right to develop peaceful nuclear energy is not only one found in the explicit terms of the NPT but is in line with a growing regional commitment to nuclear power generation. Both Japan and South Korea currently produce around 40 per cent of their electricity from nuclear power stations. In China the current proportion is still low, around 2.3 per cent, but massive expansion is planned. [9] The wisdom, economics, and safety of nuclear power may be open to serious question, and the provisions of Article 4 of the NPT may deserve revision, but it is scarcely credible for the US (and Japan) to demand that North Korea alone should be deprived of a right that is generally recognized and is even entrenched in the very treaty that it is being told it must return to.

Furthermore, although Japan and the United States were reported to have urged the other participants to include human rights and missile development issues in the document," [10] the reluctance to include any reference to "human rights" on the part of those countries is well-known. China in particular views American "human rights" campaigns as a cloak for attempts to achieve regime change and extend US influence, and South Korea has long insisted that "Sunshine" and non-interference is the best way to achieve improvement in human rights matters in North Korea. Missile development may be the most complicated, since it is one of North Korea's few, profitable industrial export items, but Kim Jong Il specifically declared a readiness to scrap his long-range missile programs when meeting with South Korea's Unification Minister in mid-June 2005.

The provisional conclusion can only be that the statement of principles that was carried away from Beijing by the delegates of the six parties was designed to be ambiguous, allowing each to interpret it to suit their own position. Not only did serious differences remain on the part of the "Five," but the matters most urgent for North Korea – security, especially from nuclear threats, and steps towards diplomatic and economic normalization – remained, so far as is known, unresolved. Perhaps the most positive outcome was that the talks were believed likely to resume again in late August or September, and that the US, China, North and South Korea, had agreed to launch talks separately towards the conversion of the 1953 Armistice agreement to a peace treaty.

Nuclear Hypocrisy

For 60 years the world has faced no greater threat than nuclear weapons. Yet nuclear politics, in principle the most urgent for human survival, has been in practice the most ridden with hypocrisy.

The superpowers insist on nuclear weapons as the sine qua non of their security, despite the evidence, especially since 9/11, that they are nothing of the sort, and the nuclear club powers (US, Britain, Russia, France, China) ignore the obligation they entered almost 30 years ago under Article 6 of the Non-Proliferation Treaty, and reaffirmed in 2000 as an "unequivocal undertaking" for "the elimination of their nuclear arsenals." They also, or rather the dominant Western powers among them, turn a blind eye to the secret accumulation of a huge nuclear arsenal on the part of a favored state (Israel) that refuses to join the NPT and thumbs its nose at the idea of non-proliferation. The United States has also just lifted a thirty-year ban on sales of civilian nuclear technology to India. Even though civil nuclear energy cooperation with a non-signatory contravenes the very essence of the NPT, seven years after India's (and Pakistan's) nuclear weapons tests the US describes India as "a responsible state with advanced nuclear technology." The United States maintains an arsenal of around 10,000 warheads, deploys shells tipped with depleted uranium that spread deadly pollution that will not clear for centuries, two years ago launched a war on Iraq because of a groundless charge that that country was engaged in nuclear weapons production, continues to threaten the preemptive use of nuclear weapons, including against non-nuclear states, promises to extend its nuclear hegemony over the earth to space, and strives to develop a new generation of low-yield, mini nukes capable of deep penetration. Robert McNamara, who used to run the American system, now describes it as "illegal and immoral." [11]

While refusing its own obligations under the NPT, supporting states such as Israel and India (and Pakistan) that ignore it, and embracing Pakistan as an ally despite the huge holes blown in the non-proliferation regime by the AQ Khan network, the US nevertheless insists that North Korea return to the treaty, strictly observe its obligations, but deny itself the right (under Article 4) to a civil, nuclear energy program. While North Korea is required to submit to obligations and is denied rights accorded it under the treaty, the US ignores its own obligations to engage in "good faith" negotiations towards nuclear disarmament. The Bush administration also has withdrawn from the ABM treaty, declared its intent not to ratify the Comprehensive Nuclear Test Ban Treaty (CTBT), and makes great efforts to develop a new generation of mini-nukes. Its acts are highly problematic, whether in terms of morality or respect for the law.

When the NPT Review Conference collapsed in May 2005, it was a disaster, but scarcely a surprise. Responsibility was shared by the established nuclear powers whose hypocrisy discredited the system and some outside the club who seek to apply to themselves the super-power principle: without nuclear weapons there is no security. Jimmy Carter summed up the central point: "The United States is the major culprit in the erosion of the NPT. While claiming to be protecting the world from proliferation threats in Iraq, Libya, Iran and North Korea ... they also have abandoned past pledges and now threaten first use of nuclear weapons against nonnuclear states." [12]

Hypocrisy does not end there. Nuclear victim country Japan is well known for its "Three Non-Nuclear Principles" (non-production, non-possession, and non-introduction into Japan) and its peace constitution. Yet the core of Japan's defense policy is nuclear weapons. [13] True, the weapons in questions are not Japanese but American. Even before the Chinese nuclear test of 1964, some influential figures in Tokyo were keen to pursue an independent Japanese nuclear weapon path. After it, the US was only able to contain such thinking by a combination of heavy pressure and the promise of "nuclear umbrella" protection. In other words, Japan was given the assurance that any enemy attacking or threatening it with nuclear weapons would be devastated by American nuclear counter-attack, and it has clung to that promise as a core component of its defense policy ever since. Japan's non-nuclear "principles" therefore amount to no more than the tatemae, while the "policy" honne is Japanese reliance on (American) nuclear weapons. So supportive has Japan been of American nuclear militarism that in 1969 it entered secret clauses into its agreement with the United States so that the "principles" could be bypassed and a Japanese "blind eye" turned towards American vessels carrying nuclear weapons docking in or transiting Japan. [14] The arrangement lasted until 1992. Also, by the mid-1980s, Japan was "host to the most extensive U.S. nuclear infrastructure in the Pacific with over two dozen sites housing nuclear-related facilities." [15] Those facilities played an integral role in regular simulated nuclear war exercises. It is also plausibly argued that when the US was considering offering North Korea security guarantees before the first 6-Sided Beijing Conference in 2003, Japan requested it not do so, preferring that the US not abandon the option of nuclear retaliation and keep its hands free for a possible nuclear strike. [16]

Mohammed ElBaradei, Director-general of the IAEA, has called "unworkable" the way of thinking that it is "morally reprehensible for some counties [i.e. North Korea] to pursue weapons of mass destruction yet morally acceptable for others [i.e. the US, and indeed, Japan] to rely on them for security and indeed to continue to refine their capacities and postulate plans for their use." [17] While plainly hypocritical, it is the position of both the United States and Japan.

The Japan of non-nuclear principle is also in process of becoming a nuclear superpower. It is the sole "non-nuclear" state that is committed to possessing both enrichment and reprocessing facilities, as well as to developing the fast-breeder reactor. Japan's stocks of plutonium amount to over 40 tons, the equivalent of 5,000 Nagasaki-type weapons, about 5.5 tons of which is actually on Japanese soil at any one time. Its determined pursuit of a nuclear cycle, giving it the wherewithal to be able to go nuclear quickly should that Rubicon ever be reached, is also in defiance of the appeal from the Director-General of the IAEA for a five-year freeze on all enrichment and reprocessing works. [18] Japan's forty-odd tons of plutonium may be compared with the 10 to 15 kilograms of fissile material that North Korea was accused of illicit diversion in the 1994 crisis, or the 0.7 grams that South Korea produced in the early 1980s and for which it was severely rebuked. [19] When the Rokkasho facility – probably the world's most expensive facility in modern history - expected to cost around 19 trillion yen over the term of its use - commences operation in July 2007, it will be capable of reprocessing eight hundred tons of spent fuel per annum, yielding each year about eight more tons (or 1,000 warheads-worth) of plutonium. The best estimates are that a one-percentage loss of materials in such a vast system would be impossible to detect. Japan also regularly ships highly toxic wastes across vast stretches of rough and dangerous ocean, each shipment equivalent to about 17 atomic bombs-worth, in defiance of countries en route and despite risks of piracy or terrorist hijacking.

In the United Nations, Japan declines to associate itself with the "New Agenda Coalition" (NAC) that came into existence following the nuclear tests by India and Pakistan in 1998 to try to exert more urgent pressure for disarmament and non-proliferation. For Japan, the NAC was too "confrontational," in other words, too directly challenging the nuclear privilege of the US and the other nuclear privileged powers. For Japan to join NAC, against US wishes might also

have been to weaken the US-provided "umbrella." While Japan therefore stresses non-proliferation, insisting on North Korean obligation, it is passive on disarmament, i.e., specifically downplaying the obligations of the US and other superpowers. Its defense policy rests on the attachment to, perhaps even the implicit longing for, nuclear weapons. Japan is also, therefore, passive and cool to the idea of a Northeast Asian Nuclear Weapons Free Zone. [20]

North Korea, for its part, after experiencing explicit nuclear intimidation for decades, and deprived after the collapse of the Soviet Union of its "umbrella," seems to have decided that its security, like that of the super-powers, could only be accomplished by either turning itself into a nuclear power, and achieving the impregnability that is assumed to go with that status, or by using a supposed or real nuclear weapons program as a negotiating ploy to achieve the security for which it longs. However regrettable, such an approach is nevertheless a rational deduction from the manifest principles of the world nuclear order. Whether or not it actually possesses any such weapons, the lesson it (and indeed any other country feeling insecure) would reasonably draw from the invasion of Iraq would be the need to persuade its enemies that it did. In the twisted logic of nuclear politics, that which renders all humanity insecure becomes that without which no country can consider itself secure.

The umbrella image in Japan's (and South Korea's) defense policy is comforting and comfortable. Who, when rain threatens or falls, does not reach for an umbrella? A policy that guarantees one protection against nuclear attack must also, surely, be desirable. The comfort in the image is, however, belied by occasional glimpses of the way the nuclear planners envisage the umbrella working in practice. In the late 1970s, eager to reassure South Koreans that it would stop at nothing in their defense, the Carter administration drew up plans to respond to any move by North Korean forces into South Korea. The umbrella on that occasion would call for the dropping of nuclear bombs to within 9 miles of Seoul's main Post Office. [21] South Koreans were expected to take heart at the thought of seeing the mushroom cloud rising over Seoul's suburbs, a reassuring sign that they would be defended at all costs. The umbrella would be their salvation. [22] The government in Seoul also recently released details of its study into the likely consequences in the event of the umbrella being opened. The use of US nuclear weapons in a "surgical" strike on North Korea's nuclear facilities would, in a worst case scenario, make the whole of Korea uninhabitable for a decade, and if things worked out somewhat better, kill 80 per cent of those living within a ten to fifteen kilometer radius in the first two months and spread radiation over an area stretching as far as 1,400 kilometers, including Seoul. [23] The Pentagon's "Doctrine for Joint Nuclear Operations," posted on the web in March 2005, makes clear that under the present administration nuclear weapons are fully integrated with "conventional" war fighting capacity. [24]

Prospects

North Korean withdrawal from the Non-Proliferation Treaty and the unfreezing of its plutonium stocks and restarting of its graphite reactors in 2003 was destabilizing, and it is important that Pyongyang be persuaded to return to the treaty and its accompanying obligations. However, the breakdown of the 1994 Agreement was due to serious breaches on both sides (if, that is, the US allegation of a secret uranium-enrichment program is in due course proven). The North Korean problem can never be understood so long as it is defined solely in terms of a North Korean real or putative nuclear weapons program. North Korea was a nuclear target country long before it began to move towards acquiring its own nuclear weapons. Its reference to a nuclear "deterrent" has to be taken seriously. [25] If it has such weapons (as it proclaimed in March 2005), technical legality aside, that would certainly be in defiance of the international will as expressed in the Non Proliferation Treaty (NPT) of 1968 and the Korean South-North "Denuclearization of the Korean Peninsula" Agreement of January 1992. However, if any country has the right to develop nuclear weapons as a deterrent it would have to be North Korea, because it has faced explicit nuclear threat longer than any country on earth; and even the International Court of Justice refuses to rule that the attempted construction of defenses by a state under threat of nuclear attack is illegal. [26]

Reports of the Beijing Talks of July-August 2005 almost without exception painted the problem as one caused by North Korea's stubborn, unreasonable and potentially violent character, and of the need to have the "international community" bring it to see reason. However awful North Korea may be, its grievances are also serious. Its demand for relief from nuclear intimidation should have been heeded long ago, and its plea for "normalization" (an end to sanctions, diplomatic and economic relations with the US and Japan, and security guarantees) as the price of abandonment of its nuclear program, often referred to as "blackmail," is also not unreasonable. The Korean nuclear problem is not one decade old but five and a half decades old. It dates from the US threat and plan to use nuclear weapons against North Korea in the winter of 1950. It was the US that then, in breach of the Armistice, introduced nuclear weapons into Korea and kept them there for three and a half decades to intimidate a then non-nuclear North Korea. That threat was briefly lifted under Clinton, but then was explicitly renewed under George W. Bush. Japan has always been comfortable with U.S. nuclear threats against Korea. For around forty years, the world was indifferent to the nuclear threat that North Korea faced, and only when North Korea began to develop what in Great Power parlance is described as a "deterrent" was world attention aroused. Today it uses the only negotiating instrument it possesses to press a basically just case for removal of intimidation, including nuclear intimidation, the lifting of sanctions, and economic and political normalization.

It was Prime Minister Koizumi's abortive attempt to achieve normalization of relations with North Korea in 2002 that initiated the present phase of the North Korea "crisis." Japan has vacillated between the quest for an autonomous, Asia-centered diplomacy, as suggested by the two Koizumi visits to Pyongyang, and the deeply embedded convention of simply following the US. Following his May 2004 venture to Pyongyang, Koizumi seems to have turned away from the quest for an autonomous, Asia-oriented foreign policy, reverting instead to the latter. Ever faithful to Washington, and in Beijing apparently acting as the sole defender of its "illegal and immoral" nuclear policies, he nevertheless cultivates his nationalist image and pursues a neo-liberal domestic "reform" agenda. Insisting on North Korea's giving up a right enshrined in the NPT, Japan itself defies the international community's attempts to freeze all enrichment and reprocessing works, insists on its own nuclear privilege as a plutonium and uranium superpower, and is unenthusiastic about initiatives towards a Northeast Asian Nuclear-Free Zone. North Korean and nuclear diplomacy become two linked areas in which Japan's association with its super-power ally serves to deepen and widen the gap between it and its neighbors. Were Japan to commit itself to strive, even now, for cooperative relations with its regional neighbors, there is no doubt that it could play a large role in the building of a peaceful, non-nuclear, cooperative future for the region. Such a route also offers probably the best prospect for a way out of the mood of oppression and closure that currently stifles Japan itself.

Notes

[1] Hamish McDonald, "US backs away from another regime change," Sydney Morning Herald, 27 July 2005.
[2] "South Korea, Russia wants diplomatic push, China blames US Policy," Agence France-Presse, 1 September 2003.
[3] See Selig Harrison, "Crafting intelligence," March 2005, Japan Focus.
[4] Ibid.
[5] Selig Harrison, "Did North Korea cheat?" Foreign Affairs, January-February 2005, and at Japan Focus.
[6] "N.K has right to peaceful nuclear use: Chung," The Korea Herald, 12 August 2005.
[7] Yu Yoshitake, Asahi shimbun, 26 July 2005, quoting a "senior State Department official".
[8]Yu Yoshitake, "6-way talks split on final wording," Asahi shimbun. 1 August 2005. South Korea's Unification Minister and head of its National Security Council, Chung Dong-young, also made clear Seoul's position that North Korea was entitled to use nuclear energy for peaceful purposes. "N.K has right to peaceful nuclear use: Chung," Korea Herald, 12 August 2005.
[9] China currently has six nuclear power plants, with nine operating sets in operation and two under construction. Its plans to construct30 new reactors between 2005 and 2020, and to raise the nuclear component of the national grid from its current 2.3 per cent to 4 per cent (from 8,700 MW to 36,000 MW). ""China accelerates nuclear energy development," People's Daily Online, 27 September 2004, and "Nuclear power industry faces development opportunity," China Economic News, 11 May 2005.
[10] Yomiuri Daily Online, 1 August.
[11] "McNamara derides illegal nuke policies," AP, 10 March 2005.
[12] Jimmy Carter, "Saving nonproliferation," The Washington Post, 28 March 2005.
[13] "The GOJ (Government of Japan) ... cannot help but rely upon security policies which include nuclear deterrence." See discussion between Japanese NGO organizations and the arms control and disarmament specialists of the Ministry of Foreign Affairs, "The Real Thinking of Japan's Ministry of Foreign Affairs"
[14] Morton Halperin, "The nuclear dimension of the U.S.-Japan alliance," Nautilus Institute 1999?

[15] Hans M. Kristensen, "Japan under the nuclear umbrella: US nuclear weapons and nuclear war planning in Japan during the Cold War," Nautilus Institute, July 1999.
[16] Umebayashi Hiromichi, "Nihon dokuji no hokatsuteki na kaku gunshuku teian o," Ronza, June 2005, pp. 188-193, p. 193.
[17] "Saving ourselves from self-destruction," New York Times, 12 February 2004.
[18] Mohammed Elbaradei, "Seven steps to raise world security," The Financial Times, 2 February 2005.
[19] Text
[20] On the Northeast Asia Nuclear Weapon Free Zone, and its antecedents, Hiromichi Umebayashi, "A Northeast Asia Nuclear Weapon-Free Zone," 11 August 2005, Nautilus Institute
[21] Hans M. Kristensen, "Japan under the nuclear umbrella: US nuclear weapons and nuclear war planning in Japan during the Cold War," Nautilus Institute, July 1999,
[22] "Vulnerability of North Korean Forces," Defense Nuclear Agency, Washington, April 1977-March 1978, published under FOI by Nautilus Institute, 31 March 2004.
[23] Chosun ilbo, 6 June 2005.
[24] William Arkin, "Not just a last resort? A global strike plan, with a nuclear option," Washington Post, 15 May 2005.
[25] For a convenient summary of the evidence on this: Bruce Cumings, "Why Did Truman Really Fire MacArthur? The Obscure History of Nuclear Weapons and the Korean War Provides the Answer," Le Monde Diplomatique, December 2004, reproduced in "History News Network," 11 March 2005.
[26] International Court of Justice, Advisory opinion on the legality of the threat or use of nuclear weapons, 9 July 1996, paragraph 97.

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