VOICE OR CHATTER?

CASE STUDIES

Urna de Cristal, Colombia

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1. Executive Summary

Urna De Cristal (UDC) is an e-participation platform launched by the presidency of Colombia in 2010 (Presidencia, 2010). The platform allows citizens to raise queries/concerns to any government department/agency, put in requests for grievance redress with a guarantee of an official response. It also has an e-consultation space where government departments can solicit public opinion for aiding policy development. UDC has Web TV and Internet radio channels, and linkages to social networking and social media sites such as Facebook, Twitter, Google plus, Youtube and Instagram.

This case study on UDC attempts to address the following questions:
1. What visions of citizen engagement inform UDC?
2. What norms of citizen engagement are legitimated through UDC?
3. Has UDC contributed to a cooperative and democratic dialog between state agencies and citizens?

Using Bardin's technique of content analysis, we analyzed twelve interviews with key stakeholders from the government, academia and civil society organizations working on human rights and development, and health on the above mentioned questions. The interviews were analyzed in the historical context of Colombian democracy, that has been marked by a continued co-existence of electoral politics with violent in-fighting between groups, representing the traditional elites in power, popular movements excluded from the political arena, and criminal organizations funded by narco-trafficking.

The analysis reveals that in a context of underhanded dirty war, ICT-mediated citizen engagement can seek to include vast sections of the population residing in areas where the rule of the law is weak, but it also runs the risk of producing democratic divides, manipulation or simply effect change at a cosmetic level if the focus remains in the technology and not in producing awareness in the citizens and the government officers.

The study of UDC reveals that the project is marred by deep mistrust and suspicion that citizens bring to any formal interactions with authorities, the lack of government's investment in ensuring safety and inclusiveness of the platform, and the limited digital capabilities of citizens. As a result, this initiative for amplifying citizen voice runs the risk of ending up as mere chatter.

2. Rationale

A critical assessment of ICT-mediation in state-citizen interactions is only possible when the historical trajectories that have shaped a democracy are taken into account. Therefore, our exploration of *Urna de Cristal* starts with the following question: How is it that in a country that is recognized in global UN rankings as a leader in e-Government and e-Participation, citizens are still struggling to assert their rights for freedom of expression and political participation?

What this research brings to the table is the importance of the historical and contextualized interpretation of the contradictions within the appropriation of ICTs by citizens and governments. History and context produce idiosyncratic perspectives that reflect culture and tradition, the applications of technologies and the resulting social routines. In societies where violence and corruption coexist with superficial forms of democracy, the same ethos that guides conflict tend to be applied to the new technologies introduced. Technology, if left by itself, will remain a passive instrument that will support the existing *status quo*, and all its weaknesses. We need to apply

contingent measures like legislative adjustments, political education, the development of data and information literacy, the enforcement of the rule of law and a permanent work for civic awareness in citizens and public officers.

Colombia has been very active in designing and implementing e-government policies and e-participation initiatives. There seems to be a social consensus about the value of ICTs. But even though many applications have been launched by the government, their impact has been limited, given the strong mistrust felt by citizens towards public authorities. The impact of ICT-mediated governance is a matter of trust, as has been established in other studies, particularly by research undertaken in the Arab World (Al-Quraan & Abu-Shanab, 2015; Alrashedi, Persaud, & Kindra, 2015). Free flows of information between citizens and the state demand a social contract of no retaliation, veracity of facts, and moderation in language to avoid polarization. Besides this, a minimum level of economic means and infrastructure needs to be in place, so that citizens and governments can have access to technological platforms. Finally, both sides require informational and data competences and political spaces for building a healthy and constructive debate. The citizen should have sufficient reliable information, adequate technical means to process it, and a reasonable level of judgment to produce and act on the basis of informed, discussed and shared decisions (Capurro, 2011).

The Colombian national government has made significant progress on the supply of bureaucratic e-Services and now it redirects ICT initiatives to produce online exercises for citizens' democratic engagement. But at the same time, these advances are hindered by the failure to gain citizens' trust, access limitations, and a poorly educated citizenry. These are the themes that we look to highlight in this case study.

2.1 Colombian Democracy: A Brief Overview

Colombia is one of the oldest democratic regimes in America, although the quality of its democracy has often been criticized. This is a democracy that has not resolved its internal contestations in a democratic way (Posada-Carbó, 1996). From 1940 to 1950, a series of civil wars happened alongside popular elections, in a period of paradoxes called "*La Violencia.*" Political violence in these times resulted in over 300,000 deaths and forced the massive displacement of rural populations to the cities. Organized bands of peasants named as "*Bandoleros*", emerged and sowed the seeds of future Marxist-Leninist and Maoist guerrillas (Figueroa, 1998; González, 1998; Perea, 2009). Most of these groups continue to exist even today.

In 1958, the Liberal and the Conservative parties, which were the two dominant political forces of the country, ended a civil war of almost 20 years with a pact for a rotational presidency that was called *Frente Nacional* (Lijphart, 1969; Dix, 1980). This pact excluded popular and leftist movements, which remained clandestine in rural and urban areas and transformed into guerrillas, drawing upon the support from the erstwhile USSR, Cuba and China. In the decade of 1970s, drug cartels became a new actor in the conflict. Extortion, kidnapping and drug smuggling fueled the war between the state elites, defended by the army, the communist guerrillas, and paramilitary groups supported by drug lords and squirearchy. Some of these groups were defeated or weakened; other like the *Unión Patriotica,* the political party created by the FARC-EP guerrillas, negotiated with the government and tried to integrate to civil life in 1989. However, this party was systematically eliminated with the assassination of all its cadre, leaving in its wake 5000 casualties which included senators and presidential candidates. During the last 30 years of the 20th century at least four attempts of negotiation between the government and the guerrillas have failed due to the breach of the treaties by both parties. Political violence escalated during the 1990s, with the participation of narco-traffic cartels, private armies from major land owners, and paramilitary forces created by right-wing groups.

Between 2002 and 2010, a permanent military offensive launched by President Alvaro Uribe´s government weakened the guerrillas, but at the same time it compromised human rights, increased government corruption, and affected public trust (Perea, 2009). Narcotraffic cartels and paramilitary groups also lost power after the turn of the century. In 2006, almost a third of the members of the parliament were found to be linked with paramilitary groups. These criminal networks included 410 politicians and local authorities, who controlled the voting behavior of citizens through violence (López & Sevillano, 2008)). A culture of impunity has prevailed, and most of those who were prosecuted for electoral violence, even those found guilty of offenses that carried severe penalties, ended up being released (CNMH, 2013).

In 2011 the political scenario was further polluted with cases of electronic espionage and the misuse of public information. The former Colombian intelligence agency, DAS (Department for Security Administration) was closed due to continuous illegal interceptions of communications of leaders of the opposition (JPC, 2016; Semana, 2014). In 2016, after several failed rounds of negotiations, the FARC guerrilla accepted a new peace treaty that was to be validated by a plebiscite in October of the same year. Both the campaigns for the "YES" and "NO" engaged in massive propaganda and misinformation through social networks, exploiting the lack of trust in the government and the guerrilla, and polarizing followers on each side by exacerbating emotional reactions of retaliation and intolerance.

As it can be seen, the Colombian political history is a collection of unresolved violent conflicts and institutionalized criminal behaviors (Rettberg, 2010). All parties in the conflict – the government, the guerrillas and the paramilitaries find themselves implicated in a dirty war for power that have devastated the civil population and instilled a culture of corruption. This has undermined citizens' trust; people are dissatisfied with democracy and do not trust state authorities or political parties. Although, in spite it all, Colombians still think that democracy is the best system of government (DANE, 2008, 2015).

3. Policies for ICT-mediated Citizen engagement

Against this backdrop, it is unsurprising that citizen engagement[1] policies were rather recent in Colombia. This is why digital bureaucratic services and citizen political participation efforts are permanently in flux and unsure of the role they can play (Prieto-Martín & Ramírez-Alujas, 2014) . Since 2000, the government of Colombia started to emphasize the urgency of catching up with the new technology developments in information and communication, attempting to mend the country's limitations in telecommunication infrastructure and access to the Internet (CRT & Silva, 2004; Silva, 2003). As a result of this, in the past fifteen years there have been a sustained number of policies and developments in the area, trying to shift governance to a digitalized paradigm. This process can be divided into four stages (Massal & Sandoval, 2010);

1. The introduction of "Online Government" in 2000 under the presidential directive *Agenda de Conectividad*, and its inclusion into the national economical and social development policy controlled by the National Council for Economic and Social Planning (CONPES). With this plan, Colombia made its first appearance on the global stage of e-Government (Ministerio de Comunicaciones, 2009; WEF & INSEAD, 2009).
2. The period between 2002 and 2008 constitute a stage when *Agenda de Conectividad* was transformed from a presidential initiative into a general program placed under the wing of the Ministry of Communications, that changed its name to Ministry of Technology and

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[1] "Engagement" is defined as co-governance, where citizens are active, meaningful, transformative and empowered partners rather than passive recipients of services (Vivier, Seabe, Wentzel, & Sanchez, 2015)

Communications (MinTIC).The main focus was interoperability, so all public offices and divisions could work with each other in an efficient way (Massal & Sandoval, 2010) .

3. From 2008 to 2012 there has been an update of the judicial framework applicable to public information with the enactment of Law 1712/2014 for Transparency and the Right to Access Public Information (Colombia, 2014). Colombia joined the Alliance for Open Government promoted by the UN, that seeks to work towards the following objectives: transparency, eradication of corruption, and increasing citizen participation in public affairs through ICT (CLAD, 2011).

4. The fourth stage commenced in 2012, with the development of Colombia's first Open Government plan (Comité de Seguimiento AGA Colombia, 2015) that strived to create "mechanisms for citizen participation and control". It was this plan that fostered investment in e-consultation and co-governance, and produced the first consultation exercise in *Urna de Cristal* in 2013 as a mechanism for citizen democratic engagement (AGA, 2013; Comité de Seguimiento AGA Colombia, 2011; Urna de Cristal, 2017).

In 1991, the replacement of the Colombian Constitution from 1886 with a brand new Constitution introduced radical changes that would affect access to information and the development of e-Government. The "*Derecho de Tutela*" or Guardianship Action Right (Art. 86 from 1991 Colombian Constitution) was one of these changes. The Colombian Guardianship action is a mechanism for protecting citizens' fundamental rights with maximum efficiency. This legal action does not require attorneys to be placed, but a written note from any citizen to a judge from the republic, explaining and proving that a fundamental right has been breached. If accepted, the judge will demand a solution in 48 hours, otherwise, those responsible for the action would go to jail and remain there until the situation is corrected. In the same Constitution, the right to information was established under the idea that every citizen has the right to ask for an explanation about the Government's actions, and officers are bounded by duty to respond in an efficient and clear way. This is the Petition Right (Art. 20 from Colombian Constitution). As the Petition Right became a fundamental right; not answering to one of these requests within 72 hours would be considered a breach of a fundamental right, and activate the possibility of a Guardianship Right. The pressure for efficiency and clarity exerted by these citizenry tools favored changes in governance like, i.e. looking for ICT-mediation mechanisms that would improve bureaucratic services. But on the other hand, the resistance opposed by bureaucratic inefficiency and corruption, made of these two legal actions, a routine for Colombian citizens (Carrera Silva, 2011). A curious detail about the Petition Right and the Guardianship Action is that, although they have strengthened the position of the citizen in regard to transparency and accountability, they have not been subject to digitalization within the e-Government efforts of the Colombian state.

Law 2150 for Paperwork Reduction emerged in 1995 as the basic framework for digitalization in Colombian public administration. The process of transforming paper-based bureaucratic processes into digital protocols was formalized by the CONPES into the "*Agenda de Conectividad*" (Cardona Madariaga, Cortés Sánchez, & Ujueta, 2015). Law 134 of 1994 and Law 1757 of 2015 (Colombia, 1994, 2015) served as regulatory frameworks for citizen engagement in political decision-making, but did not consider ICT mediation aspects. Only very recently have regulations included ICT-mediation in their texts, i.e. in regulations in reference to access to transparent and open data, or in the legislation dealing with information and data security (Colombia, 2014; Ronderos, 2014).

As it can be seen, the legal infrastructure and the judiciary in Colombia are behind in respect to the advance of ICT-mediation in governance, and the digitalization of bureaucratic processes. A law to enforce the position of the citizen in front of the state was produced with the new Constitution of 1991, but the introduction of ICT-mediation into the regulation of citizen engagement for democratic dialog is still to be developed. On the side of the executive, although the government has been working on digitalization since year 2000, it was not until 2011 that Colombia put in place a policy to promote ICT-mediated democratic citizen engagement, which has been promoted by the

Alliance for Open Government (Comité de Seguimiento AGA Colombia, 2011, 2015) through *Urna de Cristal*.

3.1 *Urna de Cristal* (UDC) – A Brief Overview

Urna de Cristal (UDC) was launched in 2010 as part of the Online Government strategy (MinTIC Colombia, 2016), which was included in the *Agenda de Conectividad*. This policy was approved by CONPES in year 2000, updated and approved again in 2010 (CONPES, 2010). UDC is a web platform for citizen-government communication through which the government intends to achieve transparency, citizen participation and accountability. Citizens may raise specific issues/questions to various departments and agencies, with the assurance that they will receive a response in a reasonable time, as the platform is connected directly to all main government agencies. UDC is also a channel for the government to develop programs to educate citizens about particular matters related to public administration, and carry out e-consultation exercises that offer the citizens a chance to shape public policies.

UDC has a presence on social networks and social media platforms such as Twitter, Facebook, YouTube, Google+ and Instagram, and features web radio and TV channels. The platform is accessible through both personal computers and mobile phones. At the beginning of the project, some journalists expressed their doubts about its goals and the way in which the initiative was administrated. They felt that the real problem was that part of the government staff were not willing to collaborate with citizens, an attitude that jeopardized transparency initiatives (Newman Pont, 2010). One of the first directors from UDC was accused by the media of improper behavior and irregularities in her contract (Montero, 2011). In 2011, a journalist suggested that the IT contractor that created UDC took improper advantage of being the former IT adviser to president Santos' campaign (Lewin, 2011). Another scandal that rocked the platform were some threatening messages delivered to a citizen who raised some criticisms about the government, using the Twitter account from UDC (LaFM, 2015). Regardless of these scandals, the UDC project has continued.

Previous research about UDC include;

a) A government-commissioned research study on the perceptions, awareness and patterns of use of citizens regarding the UDC platform, which led to the 'Infometrika' study of 2013 (Infométrika, 2013) and the Datexco Report from 2012 (Datexco, 2012) These studies used in-depth interviews and focus groups with representatives from NGOs, academics, media, public officials and officials from UDC, towards its analysis and insights. In Colombia, though there are over 42 million cellular phone subscribers, Colombians use mobile phones mainly for voice call and texting, but not for surfing the Internet. This is because of the limited availability and affordability of connectivity infrastructure. Moreover, there is a general reluctance amongst citizens to use the Internet in their interactions with the state, as they feel that government agencies do not close the loop in virtual transactions. This has led to limited uptake of UDC. Also, given a political culture characterized by indifference and deep mistrust, citizens have ended up associating the UDC with bureaucratic processes and social control, and not with co-governance. Another key concern that thwarts use of the UDC is the fear of political retaliation for views/opinions expressed on the portal. Finally, the lack of investment by government agencies in building digital capabilities in the citizens has proven to be yet another stumbling block.

b) A masters thesis on the impact of UDC on e-participation capabilities of citizens, carried out in the University of Uppsala in 2015 (Parra Beltran, 2015). Results showed that UDC did not produce e-empowerment on account of low political awareness among citizens and public officials, a significant digital divide, and the government's lack of credibility. Citizens' willingness to participate

on the portal was affected by corruption scandals, poor political education, low income, a culture that banalizes politics, high inequality, threats to privacy and to personal security.

4. Methodology

The three key questions that the case study ought to address are:

1. What visions of citizen engagement inform UDC?
2. What norms of citizen engagement are legitimated through UDC?
3. Has UDC contributed to power shifts between state agencies and citizens?

Towards this, the following two-step process was adopted.

First, 12 in-depth interviews were conducted, with the following stakeholders: UDC officials (3), Army officials (1), Other government officials (2), and NGOs (5).

Second, based on the Giddensian framework of ICT-mediated citizen engagement through the prism of signification, legitimation and domination (developed by the Voice or Chatter research project), a content analysis of the interview transcripts was carried out. The specific method adopted for this was Bardin's content analysis (Bardin, 2002) carried out with Atlas.TI 7.5.16.

5. Analysis

The UDC portal seems to herald the rise of a new vision of state-citizen engagement, one in which the government is moving beyond technical interpretations of informational transparency. As one respondent expressed it;

> We are in (an information) disclosure phase as such, and it is their merit (referring to the government) to be doing something about it and not just the purely operational part. This (the portal) is for me something very valuable that MinTIC is doing...

However, at the same time, there is a deep anxiety that this vision may fail to translate into concrete norms that underpin state-citizen interactions. One key fear is about the lack of privacy safeguards on the portal and the risk of political retaliation if anonymity is compromised. Respondents explain these fears as extensions of their earlier experiences of state surveillance and witch-hunting of dissenters

> It existed… in the old DAS[2]. Data was collected from all of the NGOs that were considered as political arms of subversion, sociology professors, political science teachers. Due to this data we had directors from DAS condemned; this information passed on to the paramilitaries and the paramilitaries then killed professor Andres (Alfredo Rafael Correa de Andréis, sociologist and university professor)… I think he was going to take the bus (when he was killed); that was in Barranquilla, he was a professor at *Universidad del Norte*. He and his escort were killed. And in general there was a list of all those who were annoying to the government, because the DAS considered these people as political opponents and the ones that had to be followed-up.

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[2] Former Colombian Intelligence Agency, dismantled due to corruption in year 2011

This mistrust operates both ways. Just as citizens are wary, government officials too are extremely concerned about citizens framing them in false cases, or initiating a vendetta against them through the portal or through legal means.

Another different concern about UDC is that it may end up being reduced to a superficial exercise of manufacturing consent and public opinion management. The portal can end up promoting superficial clicktivist cultures of social media, social networking for political opportunism, and a sophisticated branding for authoritarianism.

> In general terms we do not rely on UDC at all; we think it is a very light way of doing citizen participation. The most serious document about citizen participation is the one from the OSD where different forms of participation are classified. None of those coincide with those from of UDC. UDC is simply "sending whatever" about quite serious government policies, with approaches that are silly (let's call them like that). I do not want to say that the vision of the common citizen is not important in regard to public policies, but when designing a public policy, experts are usually those who must participate. But the participative exercises from UDC ask: "Do you think peace is important?", "Do you want to live in peace?" These are extremely basic questions, so when we have tried to work with citizen participation processes UDC has never been an interesting alternative.

The absence of a culture that nurtures political competence based on clear ideological concepts and open minded dialog was also identified. These flaws go from lack of knowledge about the government and its bureaucratic processes to the misapplication of ICT tools; absence of data about digital democratic participation to lack of competencies for critical informational action among citizens. Uninformed attitudes and uncritical consumption of information. As one respondent said;

> I think that the Colombian political animal has no foundation; it is led by tendencies of opinion; I think we are very superficial in the political. For example my mother: my mother is an 80 year old conservative. She is a social worker with two master degrees but I tell her: you have to read more and analyze more, because when you think, despite not being informed, you are dragged by passion. She is an informed person but does not analyze.

The enormity of accessibility and affordablity barriers faced by the majority of the population also seems to render the design of initiatives such as UDC, quite distant from the realities of marginalized groups residing in remote and rural communities or in the poor areas of the big cities:

> One would expect a journalist to be a person with a higher use of technological tools in comparison to other citizens, due to the nature of his profession......if a journalist in a distant county does not have an e-mail, I cannot imagine what it can be for the other citizens in the same municipality, i.e. the cobbler, the store owner, not to mention people working in agriculture in rural areas, far from the suburbs of the municipalities.

Such lack of access to basic technology architecture, coupled with the paucity of investment in building digital capabilities for citizenship which has significantly impeded the uptake and impact of the UDC portal.

Finally, it is important to remember that the response and articulation of the government of Colombia to UDC portal is not a monolithic one. Different agencies within the government have responded differently and face different conditions with regard to infrastructure and data/information competences. The most critical contrast observed was between civil and military agencies. While the idea of citizen involvement and participation is very clear in specialized civil agencies such as UDC, in the military, ICT platforms are regarded as a logistic tool for one way

communication (dissemination of information). Due to the everlasting conflict in Colombia, the army is the government's sole representative in most of the territory, therefore this perspective about ICT mediated e-participation is what gets institutionalized as the default norm about participation. There are also generational and geographic differences within the state. Old bureaucrats and those from less central regions, tend to exhibit more resistance to digitalization.

6. Conclusion

E-participation is a world-wide trend, an inescapable part of digitalized governance. The potential of e-participation initiatives to increase transparency and accountability, the rule of law and responsiveness of governments to citizens, is very much dependent on the historical trajectories of their evolution, and the socio-cultural particularities of the context they operate in.

A culture of e-participation must be backed by institutional frameworks that highlight the place of effective inclusion as a signifier of democratic politics. Without this vision, opportunistic political elites may gain space to produce public policies that are negotiated in private, out of the citizen's reach.

Similarly, unless new normative frameworks can challenge cultures of secrecy and authoritarian/paternalistic modes of citizen engagement, such initiatives will end up being shallowed by propaganda. In such superficial interactions, mistrust in the state-citizen relationship is often accentuated, citizens are deemed incompetent, and excluded from decision-taking procedures. E-participation channels then do not touch the core of the structure of domination. On the side of the citizenry, poor political education and low information-data competencies reinforce the paternalistic scheme of participation, and make the audience indifferent, superficial or motivated on the basis of misinformation.

In Colombia, ICT-mediation is affected by problems of legitimation coming from distrust between the state and citizens. This means the citizen and government have negative perceptions of each other and act defensively. This is reflected in a fragmentation of vision in the government, whose agencies and officials conceive of ICT-mediation in widely different ways. Differences in terms of access to infrastructure, access to digital goods, and educational levels between rural and urban areas block any meaningful and collective action using ICTs.

While positive changes have transformed the government's information systems and the delivery of bureaucratic services, power has not shifted at the same pace. Therefore, ICT-mediation is stuck in the extra-technical complexities that affect democracy, and e-participation is unable to play a determining role in improving the political system.

Nevertheless, there is an emerging consensus that ICTs may be an agent of positive change in the political culture, as a new generation of citizens seem to be more prepared for digitally mediated collective action. However, the spread of ICTs also raises concerns around consumerism, hedonism and banalization. Promising steps towards this goal have been taken in follow-up of the recent negotiations with the FARC and ELN guerrillas, which offer a window of opportunity to start repairing the image of the political actors in the country, both the government and the opposition. Corruption and impunity is however, a major problem even now.

Colombians should reconsider what they understand by democracy; while cherishing the democratic ideal, citizens seem to believe that democracy is restricted to the vote, and the load of duties must be borne by politicians. The long term goals included changing the unequal economic distribution in the country, controlling corruption and moving towards a participatory democratic culture. Immediate actions that can be taken to propel such changes have to do with enhancing

information and data competencies, and building critical political perspectives in the population through quality education, as well as policies to promote affordable broadband Internet and low cost devices (PCs, smart phones or tablets).

Access to the Internet and to ICT devices contributes to the familiarization of the citizenry with the tools needed for routinization of e-Politics use. An example are the taxi drivers in Bogotá, who gained access to low cost 3G/4G connection and then became regular users of smart phones and tablets, including apps to enhance their work performance. Taxi cooperatives would educate their members on the personal and collective use of these apps creating data/information competencies in the drivers. The growing number of connected taxis led to reinforce their collective action in reporting crimes or the organization of protests. Taxi drivers in Bogotá are an example of an empowered e-Community. In contrast to this example, tablets distributed to indigenous communities in the Brazilian Amazon basin, have failed to trigger any form of e-Participation due to lack of efficient connectivity networks. Policies must always promote simultaneously access to devices/connectivity, along with the appropriation of the knowledge and awareness about how to pursue active citizenship with ICTs. Such a complementarity can develop information/data literacy with political awareness. Participatory Action-Research (PAR) can be used to create this kind of dynamic that articulates political action with ICT enhanced technological capacities (Berrío-Zapata & Sant'Ana, 2013).

ICTs have the capacity to changing Colombian society, inspiring community leaders through access to affordable devices and connectivity, and supporting the construction of critical informational perspectives that will produce political awareness in the wider public about how information technologies can improve democracy and participation, as a tool for sustained monitoring, dialogue and action. But this will happen only if we pay the same attention and invest in the development of both sides of the coin: technology and people.

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