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Disaster risk governance in the midst of the COVID-19 pandemic in Central America: the case of Guatemala

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1. These threats according to the international frameworks

The international frameworks that we will take as a reference are the Sendai Framework for Disaster Risk Reduction 2015–30 (UNDRR, 2015b) and the approved glossary for its implementation, called “Report of the Open-ended Intergovernmental Expert Working Group on Indicators and Terminology Related to Disaster Risk Reduction 2016”. Both are approved by the General Assembly of the United Nations, which recognize five types of threats (processes and phenomena) that cause disasters, which are: (1) biological, (2) environmental, (3) geological, (4) hydrometeorological, and (5) technological. The COVID-19 pandemic, therefore, is one of the biological threats, which should be the responsibility of national emergency management or disaster risk management systems. However, national disaster risk management systems are offices focused primarily on emergency response, i.e., reactive in nature and have focused on geological, environmental, and hydrometeorological threats, with a predominant physicalist approach, and disaster naturalist.

2. Approaches to disasters

The physicalist approach explains disasters as the result of physical processes or phenomena and therefore requires a physical or structural approach. Thus, if the river overflows, we...
must build dams, canals, bordas, etc. On the other hand, the naturalistic approach explains disasters as a result and responsibility for natural phenomena, leaving the human being and his relationship with the territory out of responsibility (García, 2020). These approaches neglect to address the responsibility of the human being in the use of the territory and its resources, that is, his/her responsibility in the construction of disaster risk. The management of biological threats and their effects have traditionally been attributed as a responsibility to the health sector; however, when a biological threat transcends the field of health and its effects are systemic (economic, social, and environmental), they are the responsibility of the State as a whole. According to the Sendai Framework, biological threats are part of the processes that must be managed from disaster risk management systems.

The absence of this vision in the current national disaster risk management systems does not allow the development of capacities for the management of biological threats, so that, when the pandemic began, the national disaster risk management systems did not have the necessary capacities to manage the biological emergency and its systemic impacts; therefore, it does not assume the leadership for its management. This deficiency of administration and institutional competence depends on many aspects; however, in this chapter we will focus on issues related to disaster risk governance and how this affects the management of the COVID-19 Pandemic and its impacts. We will analyze this duality of leadership and leadership that has occurred in many countries and that has called into question both national emergency management systems, ministries of health, and in general the functioning of the State, as the final repository of responsibility, of the common good.

3. Systemic threats

The 2019 Global Assessment Report (GAR) devotes a section to the analysis of the complexity of the links between disaster risk and other types of risk and especially its interrelationship with sustainable development processes, highlighting that the Sustainable Development Goals and the five major global agendas approved by the United Nations system, such as the Climate Change agendas (Paris agreement), Disaster Risk Reduction (Sendai Framework), Humanitarian assistance (Istanbul Declaration), urban risk and territorial development (Habitat III, Quito), and financing for development (Addis Ababa), should be promoted synergistically. This complexity of the risk nexus and its multiple dimensions consolidates a systemic and multithreat approach. It indicates that we need national disaster risk management systems with these capabilities (UNDRR, 2015a).

COVID-19 is classified as a systemic threat, due to its ability to affect not only people’s health, but also cascade economic, social, and environmental systems. From my perspective it is also a synchronous threat because its cause and effects are at the same time. As a consequence, the quarantine established to reduce the likelihood of contagion affects economic and social activities and also has environmental effects. The economic impacts as a result of the reduction or closure of economic and financial activity are mainly a reduction in productivity, the fall in exports, the contraction in the consumption of goods, affectation of tourism activities, unemployment, and, finally, a contraction of the economy in general (CEPAL, 2020).
The social impacts are related to the interruption of community and family relations and the consequent impact on mental health, in addition to the suspension of mass activities such as sports, culture, religious activities, shows, and mass gatherings that affect people’s incomes and social fabric. These aspects include the reduction of educational and health activities that are essential for maintaining personal and social development.

The main environmental effects can be positive, such as the reduction of greenhouse gas emissions and pollution in general, and negative, such as pollution by poorly managed medical waste. We can say that, due to its effects, as a biological threat, COVID-19 shows the deficiencies in the development of a country, its disaster management systems, its health systems, its economic systems, its social systems, and the environmental system, which severely affects disaster risk governance.

4. Disaster risk governance and the Sendai Framework

Disaster risk governance is the set of legal instruments that allow the proper management of risk and requires a series of instruments among which I propose: (1) the National Development Policy and Plan that should consider the variable disaster risk as a priority issue, (2) the National Policy and Plan for Disaster Risk Management, (3) the existence of an institution responsible for disaster risk management to which the administration is delegated and clear responsibilities are given to assume leadership of the problem, (4) the allocation of the budget necessary for the fulfillment of its functions, (5) laws and regulations, and (6) the existence of fines and sanctions for noncompliance with the law and its regulations, implemented by a judicial body independent of the executive body.

In January 2005, the second world disaster summit was held in the city of Kobe, capital of Hyogo Prefecture, Japan, which adopted the Hyogo Framework for Action 2005–15, which promoted five priorities: (1) Ensuring that disaster risk reduction is a national and local priority with a strong institutional basis for implementation; (2) identify, assess, and monitor disaster risks and improve early warning; (3) use knowledge, innovations, and education to create a culture of safety and resilience at all levels; (4) reduce underlying risk factors; and (5) strengthen disaster preparedness to ensure an effective response at all levels (UNDRR, 2015b).

During the decade of the Hyogo Framework for Action, the priority was to strengthen institutions, but the updating of governance systems was postponed. In 2015, when the evaluation of the progress of the Hyogo Framework for Action was carried out, it was evident that the priorities that made the least progress were 3 and 4, showing that knowledge of disaster risk, the culture of resilience, and risk governance did not advance and that they still present weaknesses, for this reason in 2015, on the occasion of the third world summit, held in the city of Sendai, capital of Miyagi Prefecture, Japan; a new document called Sendai Framework for Disaster Risk Reduction 2015–30 was formulated, and four priorities were formulated:

- Priority 1: Understand disaster risk.
- Priority 2: Strengthen disaster risk governance to manage disaster risk.
- Priority 3: Invest in disaster risk reduction for resilience.
- Priority 4: Increase disaster preparedness for an effective response and “rebuild better” in the areas of recovery, rehabilitation and reconstruction (UNDRR, 2015b).
This international framework once again puts disaster risk governance at the center of the agenda. In addition, it approves seven global targets, within which objective (e) proposes “Significantly increase the number of countries with disaster risk reduction strategies at the national and local levels by 2020” (UNDRR, 2015b), and establishes two indicators to measure and monitor their compliance:

- “E-1. Number of countries adopting and implementing disaster risk reduction strategies at the local level in line with the Sendai Framework for Disaster Risk Reduction 2015–30.
- E-2. Percentage of local governments adopting and implementing disaster risk reduction strategies at the local level in line with national strategies. Information should be provided on levels of government below the national level that have the responsibility for disaster risk reduction” (UNDRR, 2015b).

It is important to note that this target must be achieved by 2020. The Sendai Framework proposes to monitor its progress and the fulfillment of its commitments through the “Sendai Monitor.” Each year, countries will submit a progress report, which will make it possible to show the delays and implement corrective measures. The Sendai Framework, in setting out these global priorities and objectives, is promoting an analysis of legal frameworks and governance processes for disaster risk, which had to be reformed and updated in the period from March 2015 to December 2019. This objective establishes a preparatory period for governance frameworks for countries from 2020 to 2030 to develop mechanisms and instruments for disaster risk governance and to effectively reduce disaster risk and strengthen resilience (UNDRR, 2015b).

5. The case of risk governance and COVID-19 in Guatemala

The governments of the Central American region have a Regional Secretariat within the Central American Integration System (SICA) called the Coordination Center for the Prevention of Natural Disasters in Central America (CEPREDENAC) which has a Central American Policy for Comprehensive Risk Management (PCGIR) approved in 2005 and updated based on the Sendai Framework in 2018. This policy is the regional benchmark for countries to begin their updating processes; however, the Central American countries have not made significant progress in updating the legal frameworks.

In the case of Guatemala, the disaster risk governance framework is included in Legislative Decree 109–96 and is called the “Law on the National Coordinator for Disaster Reduction” (CONRED, 1996). Enacted in 1996, it was a milestone that placed Guatemala as one of the countries with a visionary law adjusted to the times. This law had two important antecedents: first, the abovementioned celebration of the International Decade and the Yokohama Strategy and Framework for Action; second, the signing of the Peace Accords in December 1996. Guatemala’s 34-year civil war had a notable impact on its institutional decline, its democratic credibility, and the structure of its totally polarized social fabric. During this period there were constant coups d’état and electoral fraud, until, in 1985, when a new constitution was adopted, the rule of law resurfaced.

I. Overview and national governance response
Guatemala is a rich and diverse country; in its territory there are 23 Mayan peoples, the Garifuna people, the Xinca people, and the Ladinos product of miscegenation. It has 108 thousand square kilometers of surface and 17.6 million inhabitants, that is, a small country with a considerable population, predominantly young and economically active. The main threats are hydrometeorological, geological, and environmental. It is a developing country, so the technological threats that are present do not yet constitute a disaster risk problem of national importance. The biological threats, in the last 40 years, were Cholera and H1N1 influenza, so its emergency response system does not contemplate it, since traditionally the Ministry of Health is responsible.

With regard to disaster risk governance, in 2016, academia and civil society began a process of formulating a new law. In addition, in 2018, with the support of the United Nations Regional Office for Disaster Risk Reduction, the process of formulating a National Plan for Disaster Risk Reduction began. Understanding this process is critical to conducting an analysis of the management of the COVID-19 Pandemic.

The University of San Carlos de Guatemala (USAC), as a member of the Citizen Convergence for Risk Management, began in March 2016 a process to formulate a new disaster risk management law. This process begins within this academic institution based on three aspects: first, the University of San Carlos in Guatemala is one of the few institutions in the country that has a law initiative; second, it has a lot of credibility within Guatemalan society, as it is generally one of the three institutions best evaluated by Guatemalan society; and third, it has a Center for The Study of Safe Development and Disasters, which is the one that took the lead in the construction of the law. These characteristics give the University of San Carlos of Guatemala a leading role in the processes of national development, since it is also the only public university in the country and rector of higher education in the State of Guatemala.

In coordination with the institution that is responsible for the matter, the National Coordinator for Disaster Reduction (CONRED), 3 scientific events, 17 discussion tables, and 2 workshops on the integration of the bill were held, and in 2017, 2017 were submitted to CONRED for analysis. In the course of this discussion process, the central government made a change of CONRED authorities, which unfortunately totally changed the institutional vision, from an Executive Secretary with a process vision to one with a focus on emergencies. The process of intersectoral dialogue was interrupted, and with the support of the World Bank mainly, the draft law was reformulated and given an emergency approach and sent to the National Congress in 2018. This draft law was analyzed by the corresponding Commission to carry out the opinion on the basis of the discussion, which has not been issued. This leaves the country in breach of its commitments as a signatory to the Sendai Framework and therefore as one of those that has not met target e, related to the upgrade of disaster risk governance frameworks to 2020.

In the case of the process of formulating the National Plan, initiated in 2018 and supported by the United Nations Regional Office for DRR (UNISDR), it was successfully concluded in 2019. Its main strength is that it is fully harmonized with the Sendai Framework and its main weaknesses, the lack of a law to facilitate it and the lack of budget for its implementation. This Plan was built through a participatory process, and the instruments developed by the United Nations system were used, making it a major step forward. Within the countries of the Central American Integration System, only the Dominican Republic and Guatemala have a harmonized plan based on the Sendai Framework. Costa Rica updated its Plan in 2016, but it has a different format and a very typical vision of disaster risk management.

I. Overview and national governance response
With regard to the analysis of governance, below, we will delve into the aspects that are considered most important to establish the frame of reference of the legal framework that governs the processes of disaster risk governance in Guatemala:

1. The current law, adopted in 1996, derives from two processes, one international and one national: at the international level, the Yokohama Framework and Strategy, and at the national level, the signing of the Peace Accords.

   In the case of the international precedent, Guatemala is a signatory to the international frameworks adopted by the United Nations and, therefore, undertakes with the international community to promote it; for this reason the new law was approved on the basis of the commitments made to the international community. However, this did not happen when the commitment to implement the Hyogo Framework for Action was signed in 2005, as there was no attempt to improve the legal framework and adapt it to ensure that resilient countries and communities were enacted in this international framework. In the case of the Sendai Framework in 2015, the central government has shown no real interest in improving risk governance, as the military would obviously lose control of the issue, which is crucial for this sector. This is because every time a state of calamity is declared, resources are approved that are invested without bidding and that are used to equip or repair aircraft, on the pretext of using them for humanitarian aid.

   In the case of the national antecedent, the Peace Accords constitute a great national social agreement that made it possible to move from a society organized for war, to a society in democratic coexistence, within the framework of the rule of law, after a long internal conflict of the armed force that lasted 34 years. The new law, however, needed to change other laws, which was not done and persisted the approach of national security and civil defense promoted mainly by the army, to the detriment of a legal approach; therefore, in the law of public order within which are the states of prevention and calamity among others, a strong approach to guidance based on national security, not disaster risk management, persists. The System is therefore under the supervision of the Ministry of National Defence, which presides over it.

2. Its focus is the one predominant in 1996 on natural disaster reduction rather than disaster risk. Currently, Disaster Risk Management comprises 3 management activities or approaches: prospective, corrective, and compensatory; however, the current law is based on the Disaster Cycle, focused on disaster and not on risk, much less on what today we call the resilience of the territory.

3. The National Coordinator for Disaster Reduction is headed by an Executive Council, chaired by the Ministry of Defence, and composed of institutions primarily related to the response. Planning institutions are not included. This allows for a lack of agreement between those who plan development, i.e., better perform forward-looking/corrective/recovery management, and those who perform reactive management. Therefore, there are large gaps in governance or administration that cause national planning without disaster risk considerations (CONRED, 1996).

4. There are four levels of territorial management: national, regional, departmental, and municipal/local. However, as a country where the national security approach predominates, the activities of the executive are highly centralized and concentrated at the national level. This implies that emergency management capabilities are more developed
at the central or national level. While, the provincial, departmental, and municipal/local levels are very limited. The Municipal Code states that mayors are responsible for territorial administration, but do not have the capacities to exercise this function, including emergency management.

5. CONRED has a scientific institution, in charge of the study and monitoring of threats, which with its name shows that it is based on the study of natural threats since it is called the National Institute of Seismology, Volcanology, Meteorology and Hydrology (INSIVUMEH). This scientific body belongs to the Ministry of Communications, Infrastructure and Housing, which needs it mainly for situations related to civil aeronautics; therefore, it does not have a hierarchical and institutional dependence with CONRED.

INSIVUMEH has a Scientific Council that focuses mainly on making risk statements, neglecting its function of constructing prospective scenarios for territorial development. Social information is provided by the National Institute of Statistics and epidemiological information is the responsibility of the Epidemiology Centre of the Ministry of Health. This fragmentation of the generation of information for decision-making is a fundamental element for the inadequate management of disaster risk, since, in addition, they do not generate information at appropriate and specific territorial scales related to hazards.

6. Within Guatemala’s institutional framework, a national coordinator does not execute projects; therefore, CONRED only coordinates processes and has a great weakness in the promulgation of its normative agreements, since the Executive Council for Disaster Reduction issues agreements of a third level in the hierarchy of laws and therefore its applicability is very weak.

7. The budget allocated to CONRED has two fundamental purposes: the payment of the staff working in it and the possibility of applying for an emergency fund that generally does not have funds, regardless of the dismissal. This background is activated when there is a calamity. Lacking funds, when disaster strikes, the country must go into debt and that compromises its financial resilience.

8. The law provides for sanctions and fines, but there is no judicial body responsible for executing them; therefore, they do not have adequate applicability. Recently, the Public Prosecutor’s Office and the Office of the Comptroller General of accounts of the Nation are incorporating into their function’s situations related to emergencies and professional and criminal responsibility, but they are protected by general laws.

9. The administrative career does not exist, practically 100% of the staff has no administrative career; therefore, every time there is a change of authorities, there is a change of workers at all levels, so experienced technicians are lost. This situation has led to this institution constituting a spoils for the payment of political debts and this has a negative impact on institutional capacities. Although the regulations establish requirements to be hired, this is ignored by the responsible authorities.

As we can see, institutional weaknesses are the key to preventing this institution from playing an important role in managing the pandemic.

The other actor in the management of the pandemic is the Ministry of Health, an institution totally weakened after the signing of the Peace Accords in 1996, since the government in power, with a neoliberal mentality, dismantled the institution, first through an early
retirement process offered to workers in permanent budget lines and then, implementing the Comprehensive Health Care System (SIAS) that put primary health care in the hands of private providers, especially the first level of care in rural communities. Nongovernmental organizations were contracted to cover specific territories in exchange for annual payment and compliance with preestablished health indicators. This led to the suspension of public investment in infrastructure, in favor of the growth of private providers. At the end of that government in 2000, the new government changed the scheme again, gradually weakening the provision of private service providers, but without strengthening the public system.

On the other hand, the Guatemalan Social Security Institute (IGSS) serves the sector of workers who contribute to that organization, which covers 17% of the population according to its data. The institute is maintained through workers’ contributions and government contributions. The contribution of workers amounts to 4.83% of their salary and by employers to 10.67% of salary. However, the State of Guatemala owes the IGSS an estimated 7000 million dollars (Portal electrónico). The health budget in Guatemala constitutes between 2% and 2.5% of the gross domestic product; however, the World Health Organization recommends a percentage of no less than 4% of GDP, that is, investment in health is very low. COVID-19 has become a process that accelerates the crisis of the Ministry of Health, as an institution that provides health services. If we take into account that the percentage of beds and doctors is less than 1 per 1000 inhabitants and that COVID-19 demands intensive care beds with mechanical ventilation capacity, the expected scenario before the pandemic was of a collapse of the health system, which really happened in the first three months of the emergency, that is, in the months of June and July of 2020. The first case of COVID-19 was reported on March 13, 2020, and, as the pandemic progressed, a quarantine was established from April 4. To address this problem, the Guatemalan government acquired a debt of approximately $1300 million to: (1) increase the capacity of intensive care beds, (2) provide financial assistance to people who were unemployed, (3) provide food boxes to vulnerable families, and (4) rescue companies.

The Government’s first step was to try to maintain strict control of information on cases, so it has been very difficult to establish with certainty the number of actual cases, this in part because only the Ministry of Health was authorized to perform the diagnostic test. The reports of the social observatories seriously questioned the reliability of the data and especially of the cases of mortality, detecting a discrepancy in the data between the Ministry and the register of deaths, which led to serious questioning of the role of the Minister of Health, who was finally dismissed on June 19. The overflow of the health system and disaster management led the president to recognize the weaknesses in the management of the pandemic and as of May 20, appointed a presidential commissioner for the management of COVID-19, which was not perceived only as the recognition of the incapacity of the responsible institutions, but also to question the duplication of functions and budget. Health workers have consistently reported nonpayment of their salaries and protective equipment.

Guatemalan society, due to the government’s lack of credibility and suspicion of corruption in the handling of funds, initiated a series of protests that were on the rise, along with the detection of cases of corruption in other ministries of state. Cases of political patronage were detected in the allocation and distribution of humanitarian aid for the unemployed and vulnerable. This situation was overwhelmed when the impacts of Hurricanes Eta and Iota in November highlighted the government’s inability to manage a systemic and multithreat crisis, caused by the combination of the effects of COVID-19 on economic and social systems.

I. Overview and national governance response
The situation was overwhelmed when the Congress of the Republic irregularly approved a budget for the year 2021 with cuts in the budget of the Ministry of Public Health, a decrease in the budget allocated to the attention of food insecurity and malnutrition processes that affect more than 50% of the population under 5 years of age, the notorious reduction in the budget of justice and human rights organizations, the lack of allocation of funds for COVID-19 care, and to address the recovery process of those affected by hurricanes Eta and Iota. On the contrary, budget increases were made to the army and the Congress of the Republic for the construction of a new building. The process of social disagreement and rejection of these measures was generalized to all social sectors and, since November 21, has led to many mass marches calling for the resignation of the president, the purge of the National Congress and the justice system, especially the Prosecutor’s Office of the Public Prosecutor’s Office. In reaction to social outcry and disagreement, the government backtracked on the approval of the budget, dismissed the presidential Commissioner for COVID-19, and disintegrated the Government Center. The latter, an institution created with the same functions as the vice presidency of the republic and much questioned as a center of corruption.

In an attempt to reduce social pressure, the president of the Republic created in the last week of November a multisectoral commission to discuss the new budget; this commission composed of thought elites and churches. This commission disintegrated after the sectors felt coerced and denounced the government’s lack of clarity to establish a transparent and reliable process to discuss it. The mass demonstrations, the traditional Day of the Dead celebrations and the concentration of the population affected by the hurricanes in shelters is causing an increase in cases and deaths from COVID-19, being accepted by the authorities that in December a second wave of cases is being generated, which could lead the country to the need for a new quarantine. As of December 12, 2020, the Ministry of Health recognized 127,786 confirmed positive cases, with a cumulative incidence of 758 cases per 100,000 inhabitants and 4345 deaths, with a case fatality rate of 3.4% (Portal Electronico del MSPAS).

This complex and unstable political, economic, social, and epidemiological landscape is increasing social protest and small outbreaks of violence, which can generate a very dangerous state of ungovernability. In the short term, no clear solution is seen and the country is entering a climate of confrontation between the government and social groups that could lead to its collapse. The outlook for next year is not encouraging, amid the lack of consensus for the adoption of the budget.

As for the possible epidemiological control of the epidemic, the country has negotiated its entry and managed to enter the mechanism of the Pan American Health Organization, which establishes that Guatemala will have a supply of 3 million doses of vaccine for the first quarter of 2021, which will apply to health, safety, and vulnerable personnel, especially older adults and people with diseases that are associated with higher mortality from COVID-19. This vaccination process will also confront the reticence and mistrust of Guatemala’s Mayan population, which traditionally associates vaccines with sterilization processes and the consequent extermination of their people.

This experience on the management of the pandemic in Guatemala is an interesting case study that can be characterized and used to identify the lags of national emergency management systems and that underdevelopment is an element that determines the capacity of states, not only to manage disasters, but will probably determine the management of their
recovery. This pandemic has deepened existing development gaps and projects a deep economic downturn in the short term. The Economic Commission for Latin America (ECLAC) in its fifth special report on the pandemic, published on June 15, estimates that world GDP will decrease by 5.2%, and the volume of world trade in goods will decrease by between 13% and 32%. In the case of Central America and the Caribbean, it estimates that one of the greatest impacts will be seen in the tourism sector, which will decrease by 35% and in its exports, which will fall by 23% (CEPAL, 2020).

6. Conclusion

In conclusion, we can say that:

1. Disaster risk governance in Guatemala is threatened by the inability of the state and its government to make the necessary changes to the disaster risk management system.
2. The national disaster response system was totally displaced from the management of the pandemic because it did not have the institutional capacities to deal with the problem and leadership was assumed by the Ministry of Health and the Presidential Commissioner for the management of COVID-19.
3. The lack of interest in strengthening health institutions and their capacity to deal with COVID-19 cases does not facilitate the proper management of the pandemic.
4. The constant weakening of the justice system in favor of widespread corruption seeks to legalize an illegitimate system of state looting, as an accepted practice.
5. Society’s level of trust in government constitutes a serious threat to democracy and puts governance in the country at risk.

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