

Ministry of Internal Affairs



ANNUAL REPORT

ON

THE TREND OF TRAFFICKING IN PERSONS IN UGANDA: 2013

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The Coordination Office to Combat Trafficking in Persons
(COCTIP)**

1.0 INTRODUCTORY REMARKS

This report has been prepared by the Coordination Office to Combat Trafficking in Persons (COCTIP) in fulfillment of the mandate of the office as a monitor, coordinator and overseer of the implementation of the Prevention of Trafficking in Persons (PTIP) Act 2009.

The statistics and information given in this report is therefore a collection of analyzed reports from the various Agencies, including the Ministry of Internal Affairs; Ministry of Foreign Affairs (MoFA); Ministry of Gender, Labor & Social Development(MoGLSD); The Criminal Investigations & Intelligence Directorate(CIID) Headquarters – Kibuli; the Special Investigations Unit(SIU)-Kireka; Other Police Stations in the Country; Interpol-Kampala; some Ugandan Embassies abroad; the International Organization for Migration(IOM)-Uganda and the Uganda Coalition of Civil Society Organizations against Trafficking in Persons (UCATIP). This report also includes information provided by relatives of victims, media reports, as well as some victims still abroad and those who returned or were rescued.

It should be noted that according to the interpretation in the PTIP Act 2009, “*Victim of trafficking*” includes a person who is being or has been trafficked.

2.0 TRAFFICKING IN PERSONS TREND ANALYSIS

During 2013, Uganda continued to serve mainly as a source and destination point for victims of trafficking in persons, at the internal and transnational levels. It was also a transit point for a few registered transnational victims.

According to the information compiled, a total of 837 victims of trafficking (including suspected victims) were registered for the year 2013, out of which 429 were victims of transnational trafficking while 408 were trafficked internally, (see table 1 below). Uganda was a destination for a total of 20 registered victims from 6 foreign countries of Madagascar, Somalia, Rwanda, Burundi, South Sudan and Tanzania. It was also a transit country for 8 suspected transnational victims from Ethiopia on the way to South Africa.

Table 1: 2013 Registered Victims of Internal & Transnational Trafficking

| Internal Trafficking in Persons | | | | | Transnational Trafficking in Persons | | | | |
|---------------------------------|---------------|---------------|-----------------|------------|--------------------------------------|---------------|---------------|-----------------|------------|
| Male adults | Female adults | Male children | Female Children | Total | Male adults | Female adults | Male children | Female Children | Total |
| 4 | 5 | 192 | 207 | 408 | 163 | 186 | 44 | 36 | 429 |

a) Modus Operandi

According to information revealed by the victims of both internal and transnational human trafficking, the most common means of recruitment was through deception with promises of employment, care and education. There were a few incidents where force was used and these were related to human sacrifice.

The most common control mechanisms used by the transnational exploiters were threats for refund of expenses incurred on air tickets and processing residence Permits/Passes, in case a victim attempted to terminate the job contract or demand to be let free from forced prostitution, which can be considered as indirect debt bondage); confinements and withdraws of Passports. Traffickers control child victims of internal trafficking by through provision of small financial benefits to their parents/guardians to achieve their consent and in some cases and in some instances by appealing to religious convictions.

Most of the transnational victims of trafficking were recruited by individuals and unlicensed companies in Kampala Metropolitan Area. The majority of the victims are made to leave the country in disguised ways, usually by road, through the neighboring countries of Kenya, Rwanda, South Sudan and Tanzania, from where they proceeded to the various destination countries outside the region.

b) Forms of Exploitation

The forms of exploitation registered include:- Sexual exploitation; Labor exploitation; use of persons, including children, in illegal activities; human sacrifice; child marriage; removal of body organs for sale; harmful child labor and practices similar to slavery.

The illegal activities in which victims of human trafficking are used include:- rebel/terrorist activities, drug trafficking, street begging, pornography, prostitution and petty thefts.

Table 2: Registered Forms of Exploitation and Number of Victims per Each

| Internal Trafficking in Persons | | | | | | Transnational Trafficking in Persons | | | | | |
|---------------------------------|--------|-----------------|---------------------------|--|--------|--------------------------------------|--------|-----------------------|---------------------------|--|--------|
| Labor | Sexual | Human Sacrifice | Use in Illegal Activities | Child Marriage & other child sexual Exploitation | Others | Labor | Sexual | Removal of Body parts | Use in Illegal Activities | Child Marriage & other child sexual Exploitation | Others |
| 03 | 02 | 12 | 297 | 37 | 34 | 220 | 63 | 02 | 74 | 25 | 45 |

c) Source and Destination Districts for Victims of Internal Trafficking in Persons

Among the districts in Uganda which were either the source, transit or destination areas for internal trafficking were:- Kampala, Napak, Moroto, Mbale, Wakiso, Kayunga, Butaleja, Tororo, Rakai, Mayuge, Adjumani, Yumbe, Moyo, Busia, Kitgum, Mbarara, Masaka, Luwero, Kamuli, Kalangala, Kiruhura, Mayuge, Kabale, Buikwe, Ntungamo, Kanungu, Rwengo and Jinja

d) Source and Transit Districts for Registered Victims of Transnational Trafficking in Persons

The districts where some of the registered transnational victims were taken from included:- Kampala, Wakiso, Mukono, Luwero, Adjumani, Mbale, Kapchorwa, Masaka and Kaliro

e) Destination Countries for Registered Victims of Transnational Trafficking in Persons

Among the countries that were either the actual or intended destination of transnational victims of trafficking from Uganda and the corresponding number of registered victims were as follows:- Kuwait(98), Syria(83), DRC(72), Malaysia(43), India(35), UAE(15), Turkey(13), Kenya(11), Qatar(10), South Sudan(10), Thailand(08), Saudi Arabia(04), Oman(03), Iraq(03), China(02), South Africa(02), German(02), USA(02), Rwanda(02), Czech Republic(01), Lebanon(01), UK(01), the Netherlands(02), Switzerland(01),

The highest number of complaints registered for transnational trafficking in persons was incidents related to Labor exploitation, mostly in the form of domestic work and sexual exploitation through forced prostitution. These complaints came from victims in Middle East and South East Countries.

f) Uganda as a Destination Country for Victims of Transnational Trafficking in Persons

Uganda was a destination country for 20 transnational victims of labor exploitation(13) and sexual exploitation(07). One of the sexual exploitation victims was from Burundi and she is a registered refugee in Uganda. All the victims were repatriated back to their countries, apart from the Burundian refugee. The criminal cases related to the incidents are still in the Courts.

Table 3: Registered Transnational Victims Rescued in Uganda

| Total Registered Victims | Countries of Origin | | | | | |
|---------------------------------|----------------------------|---------|--------|---------|-------------|----------|
| | Madagascar | Somalia | Rwanda | Burundi | South Sudan | Tanzania |
| 20 | 5 | 6 | 5 | 1 | 1 | 1 |

g) Uganda as a Transit Country for Possible Transnational Victims

One case possible victims of transnational trafficking was registered involving 08 Ethiopian male victims who were intercepted at Entebbe Airport on their way to South Africa for unclear jobs. The victims were repatriated back to Ethiopia, with the assistance of the Ethiopian Embassy in Uganda.

h) Uganda as Source and Destination for Suspected Human Sacrifice Victims

A total of 12 suspected human sacrifices were registered during 2013, ten of which involved children as victims. The breakdown of suspected human sacrifice cases was as follows:- 5 female children, 4 male children, 2 female adults and 1 male adult. The incidents took place in the districts of Buikwe, Luwero, Ntungamo, Mbarara, Kayunga, Matuga, Moyo, Kanungu, Butaleja, Rakai, Rwengo and Jinja. A total of 10 suspects were arrested and 07 of them were taken to court. By the end of the year, one suspect was convicted of murder for ritual purposes and convicted to 10 years imprisonment, in Luwero District.

3.0 NATIONAL INTERVENTIONS TO COMBAT TRAFFICKING IN PERSONS IN UGANDA

Trafficking in persons in Uganda was handled through several multi-sectoral inter-related actions covering the aspects of **Partnership** among stakeholders, **Prevention** of the crime, **Prosecution** of offenders and **Protection** of victims (4Ps).

I. Partnership

A lot of efforts were put on consolidation of the functions and operations of the Coordination Office to Counter Trafficking in Persons (COCTIP) at the Ministry of Internal Affairs Headquarters. Indeed, during the course of the year under review, COCTIP was a focal coordinating and monitoring center for Counter TIP activities. The office also supported a number of strategic and operational activities as well, including the following:-

a. Development of Coordinated National Response Systems and Structures on Issues of trafficking in persons

Standard Operating Procedures (SOPs) for the Counter Human Trafficking National Task Force were developed as a reference guide for coordination on TIP issues among the stakeholders.

During the year under review, the National Task Force met on a monthly basis. Members of the Task Force also engaged amongst each other to respond to emerging TIP challenges. The National Task Force made a number of strategic and operational recommendations, including the following:-

i. Recommendation for Review of the Labor Recruitment Regulations

After realizing that externalization of labor by unlicensed individuals and companies was a fertile ground for promoting trafficking in persons, the Task Force recommended for review of the regulations, by the MoGLSD, to provide for tough penalties against such unlicensed individuals and companies involved in the promoting trafficking in persons.

ii. Recommendation for Development of Specific Bilateral Agreements and Memorandum of Understanding (MoUs)

During the course of the year under review, it was noticed that there are difficulties and unnecessary delays with the communication and exchange of information about reported cases of trafficking in persons from abroad. The Task Force recommended that the relevant Ministries of Foreign Affairs (MoFA); Gender, Labor & Social Development (MoGLSD),

Internal Affairs (MoIA) and that of Justice & Constitutional Affairs (MoJCA), initiate the process of establishing specific bilateral agreements and (MoUs) with the various destination countries for Ugandan victims.

iii. Recommendation for Operationalization of Working Groups on TIP in the Stakeholder Ministries, Departments and Agencies (MDAs)

The Task Force recommended for formation and support of Working Groups on TIP within all the stakeholder MDAs, to ensure that the respective MDAs are more active on the subject matter at the strategic and operational levels.

By the end of the year, a number of Working Groups had been formed but they still lacked sufficient institutional support.

b. Development of a National Action Plan to Combat TIP

The National Task Force, in partnership with the IOM, developed a five years' National Action Plan (NAP) to combat trafficking in persons. The NAP is pending final stages of validation. The major objectives of the NAP are;- to reduce vulnerabilities that lead to trafficking in persons; increase the number of successful prosecutions; improve access to protection and assistance mechanisms for victims and develop effective coordinated approach against the vice.

c. Development of National Data on TIP

A national data base on TIP was established at the Ministry of Internal Affairs Headquarters. By the end of the year, arrangements were being worked out, with technical support of the IOM, to establish a fully integrated TIP data management system.

d. Promotion of International Collaboration on TIP Issues

The Ministry of Foreign Affairs and the Directorate of Interpol & International Relations have been facilitating communication and exchange of information on TIP, with the concerned foreign transit and destination countries. However, the benefits of this extensive communication and exchange of information have been limited due to lack specific Bilateral Agreements and MoUs on TIP issues.

It was noted that victim rescue has often delayed because of some national laws and procedures which are in contradiction with international laws and best practices. For example, in some countries, the discretion to hand over a confiscated travel document lies in the powers of the employers.

e. Promotion of Regional Operations and Engagements on TIP

During the course of the year under review, Uganda participated in two regional joint operations / engagements related to combating trafficking in persons:- In July 2013, through the coordination of Interpol – Kampala, Uganda participated in a regional operation against human & drug trafficking as well as motor vehicle thefts, code named ‘Usalama Operation’ and in December 2013, Uganda hosted a ‘Benchmark Visit of CIID Officers’ for the East African States to discuss progress and challenges with regards to combating drug trafficking and trafficking in persons in the region.

f. Activities related to Capacity Building for Enforcement Agencies

During the year under review, a total of 08 Capacity building Workshops were held with a total of 350 stakeholder members trained, including officers from the Police CIID, Police Child & Family Protection Department(CFPD), Immigration, Internal Security Organization(ISO), External Security Organization(ESO), Directorate of Public Prosecutions(DPP); MoIA; MoFA; MoGLSD; MoJCA; Ministry Local Government(MoLG); Ministry of Education & Sports(MoES); Office of Prime Minister(OPM) – Refugee Affairs; Uganda Human Rights Commission.

The various trainings were aimed at building the capacity of Stakeholder members with regards to practical Investigation techniques; victim Identification and handling, and development of general and specific national strategies to counter TIP, in accordance with International standards.

The workshops were facilitated by several agencies including:- the United Nations Office on Drugs & Crime(UNODC); IOM; INTERPOL and the Ministry of Internal Affairs.

An additional 98 Immigration Officers were also sensitized on victim identification and the strategic role of the Directorate in the prevention of TI, during refresher training at Butyaba, Bulisa district.

II. Prevention

a. Development of a National Awareness Strategy to Prevent TIP

A National Awareness Strategy was developed to further guide the awareness rising campaign on TIP. The strategy is aimed at raising awareness about the existence of TIP, the available safe options for foreign jobs and scholarships, and how to cooperate with Enforcement Agencies for easy rescue and investigations, in case one finds him/herself in as a victim of TIP.

b. Development of Sensitization Materials

By the end of the year under review, some information documents on Basic Tips against trafficking in persons had been developed, for public sensitization and were already in use. Also one animated TV advert is in place, pending sponsorship for it to be aired. It depicts a brief scene of a young Ugandan who was trafficked to another country for purpose of labor exploitation.

c. National Awareness Rising Campaign

National awareness rising on TIP has been over emphasized. It is intended to create general consciousness about the existence and dangers of TIP among residents in Uganda, with a view to reducing the number of potential victims and increasing public cooperation with enforcement agencies. Among the various ways of creating awareness on TIP which were applied, included the following:-

i. Media Briefings & Talk Shows

During the course of the year under review, over 50 media briefings and talk shows were made. Most of the interviews and briefings were geared towards the general public, while some were targeted towards specific groups. Several media houses have been mobilized to keep cautioning the public about the dangers of uninformed and unsafe migration, both internationally and internally.

ii. Meetings and Public addresses

Over 10 targeted groups were sensitized by officials of the National Task Force, on the worrying trends of TIP, the existing Government interventions, and ways Uganda can prevent the crime more effectively. Among the attendance to the various meetings, included University students communities, Chief Administrative Officers (CAOs), a group of Senior Officials from Ministry of Local Government, a group of Christians during one of the end of year retreat , a group of lawyers, a group of Civil Society Organizations during and several impromptu talks to some groups of people.

iii. Sensitization Through a Movie Entitled the *Route*

With the support from IOM and the American Embassy, the above mentioned movie was shown to four targeted audiences in Kampala(twice), Jinja and Mbale, respectively as a way of encouraging Ugandans to engage in safe migration. The movie depicts a case of a young Ugandan lady who becomes a victim of TIP for purpose of sexual exploitation.

iv. Sensitization During Issuance of Certificates of Good Conduct at Interpol

Over 480 applicants of Certificates of Good Conduct were sensitized about the existence and dangers of TIP at the Interpol – Kampala offices as a way of preventing them from taking risks.

v. Development of a TIP Website

During the course of the year under review, the IOM launched a website www.crt.uganda.com to facilitate awareness and dissemination of information about TIP in Uganda.

d. Control of Outflow of Potential Victims of Transnational Trafficking

One of the strategies undertaken was to control the outflow of potential victims of trafficking out of the Country. This was done through delaying exit of suspected travelers and subjecting them to through counseling, by the officials of the Directorate of Citizenship & Immigration Control (DCIC) in collaboration with sister security agencies at all national exit points. During the year under review, a total of 423 such Ugandan travelers were affected. The majority of them intended to exit through Malaba and Busia Border posts. Some of those stopped from exiting have confessed to have been potential victims of human trafficking or smuggling.

However, this action presented another challenge whereby victims are coached to lie to Immigration Officers at the point of exit about their final destinations.

e. Enforcement of Regulations for Externalization of Labor

As one of the ways of regulating and monitoring the out flow of potential victims of trafficking to foreign countries, the MoGLSD is enforcing the existing regulations and guidelines for externalization of labor by monitoring the activities of the licensed labour Recruitment Companies and encouraging others to get licensed. By the end of the year, 12 more Companies had been licensed by the Ministry, bringing the total number of licensed companies to 31. Several Licensed Companies have very often assisted their clients to come back whenever reports of mistreatment and abuse are received.

However, it has been noted that there was a lot of abuse of the system of labor externalization by some unlicensed individuals and companies, due to the inadequacies in the Labor Recruitment regulations. This led to promotion of TIP. By the end of the year, the MoGLSD had started the process of reviewing the Regulations to include some punitive measures against the Companies that promote TIP through externalization of labor without a licence. At the same time, a number of culprits were arrested and taken to court on TIP related charges. The Ministry has issued a public notice of the list of the 31 Licensed Recruitment Companies to guide the public accordingly.

III. Prosecution

The Crime Investigations & Intelligence Directorate (CIID) is the lead agency in the management of Criminal reports related to TIP, backed up by other relevant Agencies including the National Security Agencies and the office of the DPP. The activities carried out to support the prosecution function included Intelligence gathering, rescue of victims, Investigations and prosecution of offenders.

i. Criminal Case Files Registered

A total of 159 Criminal Case Files related to TIP were opened up by the Police all over the Country. By the end of the year, a total number of 43 TIP related Cases were taken to court, 77 were pending further action by the DPP, for legal advice and CIID, for further investigations; while 44 were put away, due to loss of interest by the victims. A few other Cases lacked serious clues. A total of 126 Criminal Case Files were related to transnational trafficking in persons, while 33 were for internal trafficking incidents.

There were other acts that led to promotion of human trafficking included use of forged documents, fraudulent adoptions & management of children's homes / orphanages for farm labor or wealth creation; and some incidents of child disappearances. Such incidents were also handled as TIP related Cases.

Table 4: Classification of Registered Criminal Case File for 2013

| Internal Trafficking in Persons | | | | | Transnational Trafficking in Persons | | | | |
|--|----------------|-------------|------------------------|----------|---|----------------|-------------|------------------------|----------|
| Total Registered | Taken to Court | Convictions | Pending further action | Put away | Total Registered | Taken to Court | Convictions | Pending further action | Put away |
| 28 | 10 | 1 | 14 | 4 | 126 | 23 | 1 | 74 | 28 |

ii. Suspects

A total of over 250 suspects were implicated according to records in the 159 Criminal Case Files registered and other general information where victims opted not to pursue the criminal justice system.

A total number of 56 suspects were taken to court and at least 02 of them were convicted of promoting trafficking in persons. Two (02) other suspects who had been taken to court in 2012 were also convicted of aggravated trafficking in persons during the year under review. The majority of the 56 who were taken to court were recruiters in Uganda. None of the criminals involved in the transportation, transfer, harboring, receiving and exploitation of victims of transnational trafficking were apprehended or prosecuted due to limitations with the capacity of the Uganda Police Officers to carry out effective investigations. The Police officers have also been limited in their capacity to travel abroad for good collaborative evidence.

IV. Protection

a) Rescued Victims

It is not easy to determine the exact number of rescued transnational victims because some of them prefer not to report to the authorities when they return. Otherwise, by the end of the year, an estimated number of 250 victims of transnational human trafficking had been assisted to return and get re-integrated, through respective efforts of various government agencies, IOM and relatives or friends of the victims. On the other hand, an estimated number of over 170 of those registered were pending rescue.

b) Assistance to Victims

At the moment, there is no proper government system for TIP victim assistance. Victims of trafficking have been assisted through either a single agency or collaborative efforts between agencies. The system of victim assistance is quite fragmented. It has not been possible to break down the numbers of victims assisted by each of the agencies due to lack of proper records system.

The Police provide temporary shelters and welfare for some victims and then seek support of other service providers. At times, the Police request the MoGLSD for assistance of temporary shelters for some victims. The IOM has provided return air tickets for some victims and also provided temporary shelter, psycho-social counseling and re-integration packages to some victims.

On the other hand some NGOs have provided assistance of temporary shelter, welfare, psycho-social counseling, vocational training and re-integration packages.

Among the local Civil Society Organizations which offered various assistance to some victims were:- The Uganda Youth Development Link (UYDEL), Sanyu Babies Home, Masulita UWESO Children's Home, Muslim Center for Justice – Kampala.

4.0 GENERAL OBSERVATIONS AND CHALLENGES

a. Inadequate and Ineffective Legal Systems

There has been a challenge with enforcement of counter human trafficking activities. Given the fact that trafficking in persons is a new phenomenon in Uganda, most of the existing legal systems do not fully address the specific concerns of the crime. For example,

- The Prevention of Trafficking in Persons Act has no regulations, which presents difficulties in its interpretation and implementation
- The existing Regulations for Labor Export do not provide for offences and penalties related to trafficking in persons.
- There are no specific Bilateral Agreements or MoUs between Uganda and other countries to facilitate easy rescue of victims and follow up investigations outside Uganda.
- The adoption law of *Legal Guardianship Order* lacks enough safeguards and it is highly suspected that it is being used to promote trafficking of Ugandan children out of the Country.

b. Inadequate Operational Capacity of the Task Force and the Key Enforcement Agencies

The Coordination Office / National Task Force and the key enforcement agencies, including the Special Investigations Unit (SIU), Ministry of Foreign Affairs(MoFA), Internal Security Organizations, Immigration and the MDAs Working Groups, have not been provided with adequate logistical support, human and non human resources, to be able to execute their mandated TIP related duties as effectively as it may be desired.

c. Existence of Critical Push and Pull Factors, and Lack of Safe Migration Options

The various push and pull factors, including:- unemployment, unbalanced economic development, and demand for cheap labor and commercial sex have increased the desperation of Ugandans to venture into the regional and International labour markets.

Ugandans who are eager to engage in Labour migration abroad are vulnerable to falling prey to traffickers, given the lack of safe migration options and protection mechanisms in countries of destination.

d. Lack of Sufficient Capacity to Assist Victims Effectively

The Government Agencies, including the Coordination Office / National Task Force, the Police and Ministry of Foreign Affairs have not built the required capacity to provide assistance to the victims as expected.

There are no formal provisions, yet for assistance of return air tickets for transnational victims, neither are there provisions for temporary welfare and re-integration packages. This has affected the level of cooperation of the victims with the Police for successful investigations.

The IOM, which has supported some transnational victims, does not always have the necessary financial resources to assist as per the many requests put to them.

By the end of the year, many reported victims of trafficking were languishing in a number of foreign countries yearning for assistance.

e. Positive Signs of Increased Public Awareness of Existence of TIP

As the year came to the end, there were clear signs of increased awareness about the existence and dangers of human trafficking. Many Ugandans were able to make the necessary consultations before venturing to go abroad for jobs and many of those who went abroad were able to detect acts of exploitations on them early enough, and registered complaints as advised. This state of affairs has contributed to the apparent high number of the reports registered during the year under review.

The biggest challenge, however, is that victims still in foreign countries expect quick assistance with return air tickets by the Government, which has not been possible due budget constraints.

5.0 WAY FORWARD

- a) Through the keen guidance of the top Officials of the Ministry of Internal Affairs, the operational capacity of the Coordination Office / National Task Force is to be re-enforced in terms of manpower and logistics to boost the existing effort of the other enforcement agencies, towards establishment of a fully fledged National Counter Human Trafficking Agency.
- b) The target of the Task Force for the new year is to implement the short term objectives of the National Action Plan to combat TIP, which shall include the following:-

- Enhancement of the operational capacity of the relevant enforcement agencies and stakeholder members to be able to respond to the existing and emerging challenges of the crime more effectively.
- Strengthen, develop and review the existing legal and administrative systems, including mutual Agreements and MoUs on monitoring of Ugandan migrant workers abroad, rescue of reported victims and effective joint investigations.
- Fast tracking the implementation of the National Action Plan and the National Awareness Strategy on prevention of trafficking in persons
- Lobby for establishment of a viable national victim assistance program for the benefit of the victims of human trafficking.

6.0 CONCLUSION

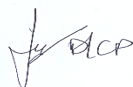
Trafficking in persons is becoming a big threat to the Ugandan community and we need to fight it from all fronts.

In order to be able to defeat it, there is need for enhanced effort by all the concerned parties, including the Uganda Government Agencies, International Development Partners, the local Civil Society Organizations and the general public to play the required complementary roles against the vice.

The year under review was mostly for developing foundations, structures and systems. The New Year shall be dedicated to operational action.

With the anticipated increased operational vigor of the Ministry of Internal Affairs over the matter and the expected positive corroborative response of the stakeholder members, it is hoped that the prevalence of the crime shall systematically come under control.

Attached to this report are the following appendices:- Highlights of the Year; A list of the Licensed Labor Recruitment Companies; A list of service providers for TIP Victims.



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