

**A Crisis within a Crisis
Human Trafficking and Illegal Immigration: An Emerging Threat to
Pakistan**

By

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Abstract

Human trafficking is the offence in contrast to individual since the violation of victim's freedoms of movement concluded coercion or since for their profitable exploitation Interpretation to Article (3) of the UN, Conventions, trafficking in individuals aim to sold, transportation, handover, concealing and delivery of individuals, resources of threat and practice of power and additional methods of extortion, like kidnapping, deception, and bogus, exploitation of authority and position of susceptibility, assistances to accomplish the approval of an individual must regulator above one more individual, for the sake of manipulation is prohibited crime. This paper expressively focused on reasons of human trafficking, reflecting the similarities or changes among studies, trafficking is the mean of progression, somewhat that an individual rights have been violated. This paper highlights that human trafficking has been appreciated as one of the major encounters faced by nations in this present-day. Trafficking of human beings unlawfully into a country or internationally has increased in recent years which is progressively related with severe human rights defilements and deaths, in specific when it transpires by sea. The paper also focused on that how this crime damage of immigrant's lives by the hands of smugglers particularly in the Mediterranean Sea. Although trafficking or smuggling are the same process for illegal immigration and become curse for the society, the point that migrant Transition linkages are closely related to other practices of serious and systematized crimes including violence, human transferring, and money legalizing specifies that there is a dreadful need to regulator this unlawful action to avoid any disastrous condition that may occur in the forthcoming. Unfortunately, Pakistan become a victim of irregular immigrants and become the world's foremost nation state from where irregular immigrants move overseas through diverse linkages and with irregular methods.

Key Words

Irregular Immigrants, Human Trafficking, Pakistan, Dark Trade, United Nations, Smuggling, Mediterranean Sea, Systematized Crime, Transition Linkages, Unlawful, Violence.

1 INTRODUCTION

This paper highlights the significant of human trafficking, reflecting the similarities or changes among studies, trafficking is the mean of progression, somewhat that an individual rights have been violated. Although trafficking or smuggling are the same process for illegal immigration or these process have dissimilarities with some explicit modifications. Human trafficking and smuggling are the same curse for the society, in human smuggling the trafficked person is unaware about the situations but in human trafficking person will and consent are included.

Human trafficking has been appreciated as one of the major encounters faced by nations in this present-day. Trafficking of human beings unlawfully into a country or internationally has increased in recent years which is progressively related with severe human rights defilements and deaths, in specific when it transpires by sea. The damage of immigrant's lives by the hands of smugglers particularly in the Mediterranean Sea is a severe cue of the prerequisite to confrontation migratory Transition by using all the lawful, operative, and governmental powers obtainable.¹

The point that migrant Transition linkages are closely related to other practices of serious and systematized crimes including violence, human transferring, and money legalizing specifies that there is a dreadful need to regulator this unlawful crusade to shun any disastrous condition that may occur in the forthcoming. Unfortunately Pakistan become a victim of irregular immigrants and become the world's foremost nation state from where irregular immigrants move overseas through diverse linkages and with irregular methods. Economic insufficiency and political condition played critical role as assertive influence in intensifying those industrial reproductions for irregular Immigration.²

Human trafficking or transition is the offence in contrast to individual since the violation of victim's freedoms of movement concluded coercion or since for their profitable exploitation Interpretation to Article (3) of the UN, Conventions, trafficking in individuals aim to sold, transportation, handover, concealing and delivery of individuals, resources of threat and practice of power and additional methods of extortion, like kidnapping, deception, and bogus, exploitation of authority and position of susceptibility, assistances to accomplish the approval of an individual must regulator above one more individual, for the sake of manipulation is prohibited crime. A survey report of the UNODC and International Centre for Immigration Policy Development's in between nine lakh to sixteen lakh Pakistanis travel overseas by using irregular resources. Immigration

¹ UNODC), recent trends of Human Trafficking and Migrant Smuggling to and from Pakistan Report, July 2013.

² Louise Shelley, Human Trafficking, A Global Perspective; Cambridge University Press, www.cambridge.or, 2010.

from Pakistan to European countries, particularly to Greece, Italy, Germany, Spain, France, Ukraine, United Kingdom, Denmark, and Norway.³

The use of undercover modes to travel overseas is bulging in the uppermost levels from the region. Approximately, Nine million irregular immigrants were living in European countries and the ratio of Pakistanis is considerably high. In the instance of Pakistan, handlers play an essential role in transferring the people out of the country through illegal means as they have resilient networks with transnational group to achieve their unlawful objectives. This practice of referring people overseas particularly through crooked mean is labeled as trade model of traffickers. As majority of them take it as resourceful business with an amplified income while provocative people to move overseas.⁴

In this paper I have shown the fact that in some provinces of Pakistan, Traffickers have been imprisoned. Sexual violence, prostitution, and pornography are prominent, but remain hidden under covers due to social restrictions. As a result, it remains public and private in Pakistan owing to an absence of adequate interest in designed electronic media. Furthermore, nearby misinterpretations and some claims that illegal immigration and human trafficking inside Pakistan to European countries was assisted by some powerful influential people and some greedy agents.⁵ Islam's focus on human trafficking, a central Islamic belief is that any form of mistreatment with the mankind is prohibited. Muslims are strictly warned that they cannot force anyone one for any wrong doings. Islam forbids any kind of illegal sexual relation expect marriage. Furthermore, Islam forbid that prostitution is an illegal and forgiven act.⁶

Pakistan has become the unconditional victim of this illegal crime because of its demographical & geographical importance. Pakistan was facing different kinds of social problems and issues but now Pakistan become the victim of human trafficking & irregular migrant's problem and fake employment, in which a primary responsibility projected as worker, and employment is demoralized eventually lying to his family occasionally. Throughout past decades, human trafficking become the prime dread in the Worldwide.⁷ The purpose of this paper is that Pakistan appears as utmost unprotected constituency for human trafficking due to substantial populace pyramid increasing expansion or scarceness. The Pakistan administration are trying to abundantly encounter at least principles for the suppression of human trafficking. The government has approved the country's

³ UNODC), recent trends of Human Trafficking and Migrant Smuggling to and from Pakistan Report, July 2013.

⁴ (UNODC), An Introduction to Human Trafficking, Vulnerability, Impact and Action, Vienna. P. (80-81). 2008.

⁵ Chanchal Kumar, Human Trafficking in the South Asian Region: SAARC's Response and Initiatives; Journal of Social Sciences and Humanities Vol. 1, No. 1, pp. 14-31 <http://www.publicscienceframework.org/journal/jssh> ISSN: 2381-7763 (Print); ISSN: 2381-7771 (Online). (18). 2015.

⁶ DPKO, Policy Paper, Human Trafficking and United Nations Peacekeeping; (March 2004), (7).

⁷ Beate. Andrees, ILO, Forced Labour and trafficking in Europe. (2008). P.34.

Anti-Trafficking strategy program and there are many reports of an upsurge in number of fatalities granted asylum in 2020 compared to 2022.⁸

2 CONCEPT OF HUMAN TRAFFICKING WORLD WIDE

The concept of human trafficking was operating, a long time ago in 19th Era. The cause in conflict of international slavery or transition throughout the period providing agenda to eliminate white slavery trafficking, which characteristically signified the concept of woman sexual abuse in the outcome of trafficking or transition in white women aimed for sexual purposes. Nonetheless after few times some laws were made for the prevention of human slavery, later it replaced in another resolution called Trafficking in Women And Children (TWC), in 1922. Far ahead the International Resolution for the revolution of movement of adult women was implemented in 1934 by the League of Nations (LON) absorbed on dissimilarity among mature women. Trafficking or transition is become a continue trend in the worldwide arena, however transferring necessity not be present. The professional or income regulated support of entire country of the flea market of human trafficking and immigrants Transition give notice to be located lay emphasis on sufficient. Organized criminal groups determination, deliberating the expiration aim of income expansion, they resolve, and occupy in somewhat category of movement through their discernments on income intensification, determination handpicked their procedure zone rendering to whatever are maximum lucrative, co-operate through respectively further objective as extended by way of its lucrative manner.⁹

2.1 Statement of Problem

This paper research problem primarily focused on research questions. Why Pakistan become unconditional victim of this Dark Trade? This research paper will highlight about who are the mastermind behind this cruel trade, whether Pakistan laws are quiet sufficient to prevent this nasty crime or whether Pakistan have to modify or introduce strict laws regarding this crime. South Asia become the hub of illegal Immigration due to its significant geographical location many illegal immigrants are moving from different South Asian countries to other European States like Italy, Germany, Iran, Greek, and Central/Western Europe.¹⁰ The contemporary research expected the pointedly contribute the sympathetic, linkages of peacekeeper organization which are intertwined with the societal outcome individual. This paper will also focus on the Pakistani agencies like of Federal

⁸ Stephen Clift and Simon Carter, *Tourism and Sex: Culture, Commerce and Coercion* (Pinter, 2000). ISBN 1-85567

⁹ Kathryn Cullen-DuPont; Foreword by Jessica Neuwirth and Taina Bien-Aimé President and Executive Director, Equality Now; Library of Congress Cataloging-in-Publication Data, United States of America, (2009); (6).

¹⁰ Michael Levitt, Chai; a Global Fight: Supporting Efforts to Address Sex Trafficking in South Asia Report of the Standing Committee on Foreign Affairs and International Development the Honorable Robert D. Nault, Chair, 42nd Parliament, 1st Session (17-19). Feb, 2018.

Investigation Agency, (FIA), are the victims and witnesses of human trafficking and migrant smuggling.¹¹

2.2 Research Queries

1. What facts need to be explored while interlinked the human trafficking and human smuggling in Pakistan?
2. What are the motives behind the Immeasurable human trafficking in Pakistan?
3. Are Pakistani laws quiet sufficient to combat with such kind of crime of human trafficking and illegal immigration from Pakistan?
4. Why Pakistan become the unconditional victim of dark trade like human trafficking?
5. What role does agent's play in the illegal immigration & human trafficking, and what payment methods they adopted for this severe crime?

2.3 Objectives of Study

1. To classify and identify tendencies of human trafficking and irregular immigrants in Pakistan.
2. To highlight about the real motives behind the human trafficking and illegal migration in Pakistan.
3. To portray the real picture of Pakistan, being as a victim of human trafficking and illegal immigration.
4. To highlight about the Islamic sayings on the prohibition of human trafficking in Pakistan.
5. To highlight about the role of law enforcement agencies for combating human trafficking.

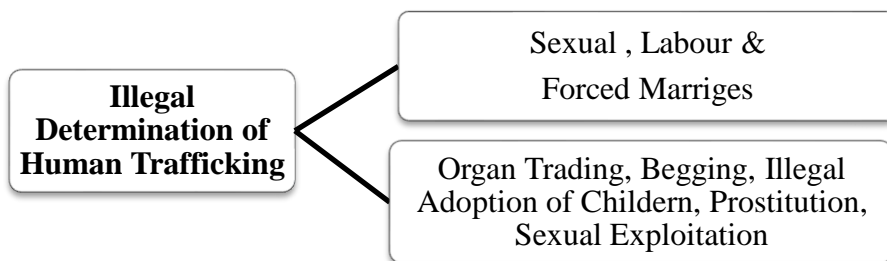
3 RESEARCH METHODOLOGY

In this research paper, I have used mixed research methodology that includes both qualitative and quantitative. Qualitative research design is used in this study because it provides an insider or emirate perspective instead of an external format. Representational structure of this theoretical framework in this research helps to follow the process of illegal immigration. In qualitative research methodology, Secondary data was used from several literary and research sources that comprises

¹¹ Sahih Muslim, Volume 6, Virtues, Book 30, Number 5756.
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but not incomplete to periodicals, websites, peer reviewed articles, scholarly writings, books, reports and case studies.¹²

Some Illegal Determination of Human Trafficking



Source:¹³

3.1 Reasons of Human Trafficking and Illegal Migration in Pakistan

Pakistan is facing issues like poor economy, poverty, ethnic issues, religious boundaries, culture barriers, gender disparity, discernment against teen-agers, the social order classification, human rights issues, administration disloyalty or private sector association, corruption, unemployment, inflation, joint family system, poor health facilities, poor education policies, political instability, weak policies for prevention of human trafficking, NGO's didn't play a vital role, lack of interest of community regarding human trafficking awareness, complex process of legal immigration, loop holes in the legislative policies regarding human trafficking, negligence law enforcement agencies, involvement of government stake holders, lack of resources, injustice in society, influence of external powers and feudal system these factors led to human trafficking and illegal immigration in Pakistan.¹⁴

4 HUMAN TRAFFICKING IN THE CONCEPT OF ISLAM

4.1 Prohibiting of Exploitation in Islam

Islam provides sufficient importance to humanity or accept as truth human presences as the ultimate living being of Allah. Islam deliberates the life style of individuals as unique or inseparable, it deliberates the life style of a specific for example an devoted share of life style of the social order whose entities necessitate or complement respectively additional in Islamic system of societal directive men

¹² W. Lawrence Neumann, *Social Research Methods: Qualitative and Quantitative Approaches*, Pearson Education Limited. P. (47-49). (2014).

¹³ Personal Assessment of the Researcher.

¹⁴ SDIR, Evidence, 1345 (Drake). (12) 4 May 2017.

obligates to exist singular or cooperative form on the equal age. Mistreatment of men and women in prohibited in Islam.¹⁵

4.2 Prohibiting of Labor Exploitation

Islam has given the guarantee of safeguards of the human rights. Exploitation of labors as is like exploitation of human freedoms or pride. Islam has define the severe punish for them who exploit the human rights. Islam has also define the laws which is used for the prevention of human liberty as well. In work place, there is continuously an association of owner and worker.¹⁶

*Our beloved Prophet said that, "Allah Almighty lone allocates a soul rather that it can deal with."*¹⁷

4.3 Prevention of Physical Exploitation in Islam

Trafficking is a crime for sexual abuse and it is the greatest foremost practice of human trafficking over the world. Woman or teenagers remain the specific victim of this abuse who remain indebted to experience these circumstances. Islamic act prohibits the performances of sexually abuse or being prostituted.¹⁸ Islamic ethnicities positively propose the act of force to be legalized simply. For instance the physical Trafficking is devoted for the determination of sexually abuse of individuals, henceforth, such repetition is obviously against the Islamic sanctions. Islam restrictions positively prohibit the sale or purchase of an individual or comprehension entirely human lives to remain possessed solely by Allah Almighty.¹⁹ Islamic society hates against prostituted in the direction of magnitude that a prostitute might be rejected or terrified out of your minds out by her family.²⁰

4.4 Law Enforcement Agencies Legal Framework for Human Trafficking

Pakistan signed, United Nations Resolution in contradiction of International organized Crime in 2001. Palermo conventions was too sanctioned by Pakistan in 2011. Pakistan is consequently assured to constitute below the United Nations resolution or the Palermo conventions. Till 2017, the expectation and mechanism of human transition or trafficking laws 2001 was the permissible tool to restrict human trafficking, Anticipation of trafficking in individuals Action 2018 or Anticipation of Transition of Immigrants Action 2018. Pakistan took sixteen years

¹⁵ Sahih Bukhari, Volume 8, Good manners and Form (Al-adab), Book 73, Number 26.

¹⁶ Sahih Bukhari, Dar ul Fikr, Bairut, Volume 4, Number 464.

¹⁷ Al-Quran 02:286.

¹⁸ Al-Quran 24:33.

¹⁹ Sahih Bukhari, Volume 3, Sales and Trade, Book 34, Number 439; Sahih Muslim, Book 18, Number 163.

²⁰ Mohammed Muniruzzaman, International Islamic University, Islamabad, Pakistan. <https://www.ummah.com/forum/forum/library/learn-arabic-and-other-languages/qur-an-and-Islamic/348821-what-is-corruption-and-fasad> (accessed on 10-04-2019).

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to enact or replace the law on human trafficking. The dissimilarity among human transition or human trafficking has remained familiar officially in the two modern acts mentioned previously.

These are central acts of the operational organization like F.I.A. Departure from Pakistan Regulatory Order, (RO), 1981, Migration Order, (MO), 1979, Pakistan Residency Act, (PRA), 1951, and Immigrant's Act, (IA), 1946. There ought to be present a diverge of law in current years assuring permissible securities to youngsters or enlarging the supremacies of government to rebuke criminals, as well as Teenager Security Laws, (TSL), 2018 or Illegal Act, (IA), 2017, which revised several segments of Pakistan Penal Code to establish for the illegalization of experience to seduces a child, Section 292. A child porn films Act, Section 292, B, the crime of brutality with a teenager, Section 328, B or crime of sexual exploitation with teenager, Section 377, A, according to the Penal Code of Pakistan Legislation. Zainab Alert Act, (ZAA), 2020 is the utmost existing declaration which is initiated, thus the victim of Kasur tragedy. Ironically, the act originated to influence on the day when crime has been occurred.²¹ The act anticipates to generate an official reaction structure that resolve the organization of warnings in circumstance of youngster kidnapping. Homosexuality is banned under section 377 of P.P.C. Procurement or Transition in individual is likewise an illegitimate crime under sections 371, A or B.

While sale or purchase is forbidden under this act, but currently there is no legitimate appreciation of the position of victims present. Though, it ensures and developed a regional issue afterward the eighteen Constitutional Modification. Section 173 of the C.C.P, 1898, else bring up to as Challaned, or officially submission by the Federal Investigation Agency to the law court going on trial. Meanwhile labor Act 1992 was on the contemporary list, Punjab implemented the central act under, and Punjab bonded labor, or Abolition law in 1993. Further provinces remain up till now to counter on this topic.²²

Pakistan Penal Code Laws For Human Trafficking, (1860)

Section	Explanation
340	Criminal imprisonment.
342	Sentence for illegal crime.
364	Kidnapping of somebody who is under 14.
366 (A)	Kidnapping of teenager.
366 (B)	Smuggling of a teenager from overseas.

²¹ Kashif. Noon, NIOC, Human smuggling and trafficking in Pakistan, National Initiative against Organized Crime Pakistan, Policy Brief, (2017). (9-10).

²² Data and Research on Human Trafficking: A Global Survey, Special Issue of International Migration Vol. 43 (1/2), International Organization for Migration (IOM), Geneva: 2005. (10).

367	Kidnapping an individual for a purpose of slavery or bondage.
370	Procurement of any person as a bondman.
371	Typical trade in slaves or bondman.
371 (A)	Export an individual for determinations of sexual exploitation.
371 (B)	Procurement individual for determinations of sexual exploitation.
372	Export teenager for sexual exploitation.
373	Procurement teenager for sexual exploitation.
374	Illegal enforced toil or labour.
399	Preparing an individual for dacoits or crime.
400	Sentence for becoming a part to gang of dacoit.

5 SIGNIFICANCES OF HUMAN TRAFFICKING IN PAKISTAN

The significance of human trafficking are Violations of human freedoms & rights, Right to live in a safe atmosphere, Right to get health aids, Lawful acts to avoid human loss, Collective responsibilities as a citizen, Societal responsibilities for the betterment of the state.²³ Several women remained victim of fraud through the deceiving hope of employ or matrimonial deprived of dowry or eventually several of them remain encompass in sexual employment. Several women or teenagers remain obligated for enforced wedding, enforced pleading, and camel riding in debts of compulsion. Woman or teen-agers remain issue of unintentional employment besides act of slavery. Several times trafficked victims being murdered for organ transplant. These significance showed the horrifying picture of human trafficking in Pakistan ²⁴

6 DISCUSSION & RESULTS

Trafficking or transition is become a continue trend in the worldwide arena, however transferring necessity not be present. The professional or income regulated support of entire country of the flea market of human trafficking and immigrants Transition give notice to be located lay emphasis on sufficient. Organized criminal groups determination, deliberating the expiration aim of income expansion, they resolve, and occupy in somewhat category of movement through their discernments on income intensification, determination handpicked

²³ UNICEF, South Asia in Action: Preventing and Responding to Child Trafficking, Summary Report, Advance Version, Florence: August, (2008). (5).

²⁴ Ann D Jordan, Human rights or wrong? The struggle for a rights-based response to trafficking in human beings, Gender and Development, Volume 10, No. 1, (2002). (14).

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their procedure zone rendering to whatever are maximum lucrative, co-operate through respectively further objective as extended by way of its lucrative manner. Trafficking in women or minors meant for the sake of brothel was foremost fear in fact which unequal by the pride or virtue of human lives or violation of essential human privileges. Human immigration was similarly become a significant aspect for human trafficking intended for which agreements on immigrants or their societies security continued also determined.

This paper moreover inspected an uncommon of the maximum resolute procedure of human trafficking or transition. The official prevention of human trafficking from Transition must totally reformed the reliability of reasonable governments. Conversely, the original acts on human trafficking or Transition remain current to expansion money outer the Federal Investigation Agency. Though there are quiet complications in the teen-ager security acts, the ridiculous legitimate disowning of prostitution similarly postures a momentous experiment. This paper also drew the worldwide legitimate agenda for the exclusion of illegal immigration in individuals that the international lawful tools remained executed to the assistance of Transition in fatalities or to contest this international extensive.

This paper highlights the foremost doctrines of Islamic acts, it is currently conceivable to transfer to extra precise conversation in what way Islamic act discourses trafficking or transition in individuals. expressively, Islamic acts are actual vibrant on the prohibiting of the organization of slavery, or it is significant to offer about attention to this circumstance, for example this prohibition in himself generates the substance in Islam aimed at restraint of transition in individuals. The biosphere together protested against oppression, then this determination necessitate a cooperative struggle formerly yet again to eliminate the repetition of human trafficking or transition.

This paper examines that, many financial issues become the cause of illegal immigration due to family pressure. Head of the family claims the severe control over the incomes of the family and all the necessities are full filled by him. This paper also highlights about that in illegal immigration family contributes a lot, which are rarely examined. Pakistan's majority of populace over 62 %, are living in the villages and a substantial majority of Pakistan chooses combined family system.²⁵

Besides, the risks for immigrants exploiting to control current governments are the dangers of falsification, illegal exploitation and common freedoms violation during the trip. Both the immigrants meet for this review, just as accounts of smugglers gave in the action aid description, the dark side of immigration noticed that deceitful proposals for work enrollment are normal. In such occasions the agents would offer administrations to various objections and require the full installment or a store before flight. In the wake of getting the cash, the agents would then vanish. Simultaneously, in any event, when utilizing legitimate means

²⁵ G. Vasileios, Irregular or Illegal Migration in Greece. International Centre for Migration Policy Development, Pakistan. (2018). P. 32.

to emigrate abroad, regularly this actually includes a specific measure of distortion or humiliation.

This discussion have to bring into line in front of high government officials so that they can do some favor in prevention of human trafficking and amend or add some new laws. Trafficking is frequently associated through sexual means. In contrary one more group, substantial radical or male working group recognizes sexual purposes as sexual characteristics or later they maintain the migratory sex personnel ought not to be descent addicted to that classification of transferred individuals, and in extra arguments they entitlement, all femininity exertion are not unavoidably the consequence of Trafficking. These situations promote questions about civil rights exploitation of traded individuals at destination states. The concept of state-owned refuge prepares not to assistance or understand this critical topic.²⁶ Though, the conclusion is that there are no precise results, temporary preparations, or magical methods to resolve these multidimensional encounters. The main fact is that, a huge impact of migrants in the societal or financial increase in their states of derivation. Nonetheless, the greater part of such surveys are directed with regards to post-appearance Immigrants, who are some way or another occupied with the recompense devising activities.²⁷

7 CONCLUSIONS

Human trafficking or transition determination become an important crime of 21st era. Nonetheless, Transition develop a foremost societal, political, Regional and International concern. Transition in woman or teen-agers is an abuse of many civil rights like, right to lifespan, the right to freedom or human self-respect, sanctuary of individual, right to self-determination from agony and brutality, merciless and humiliating behavior, right to have family or household, right to schooling for suitable job, right to healthiness maintenance or entirety which varieties aimed at good lifespan with self-esteem. This section moreover inspected an uncommon of the maximum resolute procedure of human trafficking or transition. The official prevention of human trafficking from Transition must totally reformed the reliability of reasonable governments. Conversely, the original acts on human trafficking or Transition remain current to expansion money outer the Federal Investigation Agency. Though there are quiet complications in the teen-ager security acts, the ridiculous legitimate disowning of prostitution similarly postures a momentous experiment. This section also drew the worldwide legitimate agenda for the exclusion of Transition in individuals that the international lawful tools remained executed to the assistance of Transition in fatalities or to contest this international extensive. This section sketched the foremost doctrines of Islamic acts, it is currently conceivable to transfer to extra precise conversation in what way Islamic act discourses trafficking or transition in individuals. expressively, Islamic acts are actual vibrant on the prohibiting of the organization of slavery, or

²⁶ M. Bashir Uddin, Human Trafficking in South Asia: Issues of Corruption and Human Security, International Journal of Social Work and Human Services Practice Horizon Research Publishing Vol.2. No.1 Feb, 2014, pp. 18-27. (19).

²⁷ Kathryn Cullen-DuPont; Foreword by Jessica Neuwirth and Taina Bien-Aimé President and Executive Director, Equality Now; Library of Congress Cataloging-in-Publication Data, United States of America, (2009); (6).

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