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The smuggler: hero or felon?

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The general public and the media have had fun fantasising about the motives and interests that push migrants to embark on dangerous journeys across the sea. Smuggling is often understood through a simplification of both the clandestine traveller and the smuggler: a process of abstraction that overlooks any ambiguities and nuances. While researchers have abundantly studied the profile of the migrant, they had been less interested in the other key actor of the clandestine migration: the smuggler. Who is the smuggler? How does s/he operate? Why do migrants place their lives in the smuggler's hands? The goal of this paper is to attend to the complexity of the phenomenon by looking at human smuggling across the Adriatic Sea. In light of the need to elaborate an adequate policy response to this phenomenon, a better understanding of smuggling is pivotal in ensuring the security of the receiving state and that of the migrant. With this task in mind, this paper problematizes the figure of the smugglers beyond overly simplistic generalizations and representations. In so doing, this paper argues that a truly effective answer to human smuggling would require the EU and its state members to concentrate on reducing "demand" rather than curbing "supply."





Introduction

Ahmad is an Iraqi Kurd in his late twenties. He arrived in Italy in 2011, and has lived there ever since. He is an asylum seeker who have survived the perilous journey across the Middle East and Southern Europe. He began his journey when he was thirteen years old. Originally from Kurdish Iraq, he left the country along with his family after the disappearance of his father, abducted by the Iraqi secret service for his political militancy in a Kurdish party. Ahmad and his family went to Syria where they applied for refugee status; they never received an answer and, few years after, they came to despair of an answer ever coming. Ahmad spent his entire adolescence in Damascus where he studied and worked. However, fearing persecution for his membership to a youth social group, he fled the country. Upon the payment of 1500 euros, a smuggling network operating across the area helped him to cross Turkey and arrive in Greece. Here, he ran out of money. Determined to reach Italy at any cost, he tried countless times to hide in one of the many commercial trucks that load into a ferry heading to Italy. A couple of times, he even made it to an Italian port, but Italian port authorities sent him back. After a whole year of failures, Ahmad's relatives helped him to get together 2000 euros to pay another group of smugglers for a passage on a fishing boat. The Guardia di Finanza (Italian Customs/Tax and Excise armed force) intercepted the boat in open waters but this time they did not send him back. He applied for political asylum upon

his arrival; one year after its application, Ahmad was finally recognized as a political refugee.

It took Ahmad over a year to arrive in Italy. During his journey, he took cars and boats, hid inside and underneath trucks, and walked. He was also arrested and often lived rough. Yet, Ahmad's story is a story of success: he is one of the few who made it to Italy. He is grateful to his smugglers for that: "if I am in Italy now", he once told me, "it is clearly not thanks to Italian democracy, but it is for them [the smugglers]". Of course, many others have not had the same fortune. The Mediterranean is the deadliest route to Europe. Even though the number of people seeking refuge in Europe is much smaller than the overall number of undocumented migrants arriving in Italy, 1this sea route is extraordinarily dangerous. This has perhaps never been truer than today. The escalation of the Syrian conflict and the political instability in Iraq dramatically lifted the number of clandestine arrivals in the southern coastal areas of Italy during 2014 and early months of 2015. A radical increase in the number of deaths has accompanied the mounting number of clandestine migrants. Since 1988, around 19,000 of these migrants lost their lives in the Mediterranean. The biggest spikes have been in the last two years: indeed, already in the first four months of 2015, about 1800 people died in their attempt to reach Europe. To this figure, we must add the number, presumably very high, of those who died but whose bodies never turned up.²

In fact, the largest influx of migrants in Europe takes place via the continental European Union and happens through the abuse of visa conditions. See Sciortino, G. 2004, "Between phantoms and necessary evils: some critical points in the study of irregular migration", IMIS Beitrage, 24: 17-44.

Fargues, P. Di Bartolomeo, A. 2015, "Drowned Europe", Migration Policy Centre, http://cadmus.eui.eu/bitstream/handle/1814/35557/MPC_2015_05_PB.pdf?sequence=1 [Accessed: 25 May 2015].



Ahmad's defence of the smuggler clearly reflects a part of the whole story. Still, his account summarizes the complexity of these journeys and their main actors. Irregular immigration has produced political heat across the world. Dramatic photos of migrants crammed into wretched boats circulates in the media. These images accompany journalistic accounts that tell stories of poor and desperate individuals who are deceived by organized crime cartels. All this has persuaded political leaders and authorities to conceive clandestine migration as a war, a war where the evil is represented by the smugglers. But who are the smugglers? And how do they operate? What convinces migrants to put their lives in the smugglers' hands? In Italian popular and political discourse, the answer to these questions is straightforward: the smugglers - usually identified as the scafisti (boatmen) - are the immoral and deceitful villains who do not hesitate to toss human beings in the sea or sabotage their own vessels in order to force authorities to carry out rescues. In this view, the integrity of European borders and the safety of migrants would thus be ensured by the militarization of borders and the consequent eradication of smuggling networks. This paper was written to problematize this narrative.

This paper moves under the assumption that smuggling is a complex social and economic phenomenon. Studies and my own fieldwork in Apulia – in south-eastern Italy – and Greece show how the smuggler is a multifaceted figure. The

demonization of this actor is part and parcel of the gradual simplification of both the clandestine traveller and the smuggler: a process of abstraction that overlooks important ambiguities and nuances. This is neither to neglect the plight of the former, nor the cruelty of the latter: the suffering and hardships that many migrants endure cannot be stressed enough. It is precisely for this, however, that we urgently need a more nuanced understanding of smuggling and the actors involved. This aim acquires greater significance within the broader goal of reinforcing EU member states' control over their borders and ensuring migrants' safety. With this task in mind, this paper will first look at the complexity of the phenomenon by looking at the evolution of human smuggling from various points of departures to Apulia. It will then problematize the popular image of the smugglers beyond simplistic and popular representations. In so doing, this paper will conclude by demonstrating that the control of migration and the safety of migrants are not at odds with one another. However, this twofold goal requires a response other than the mere militarization of border.

Human smuggling across the Adriatic Sea

Smugglers channel migrant streams to Europe across three major sea routes. The Western Mediterranean via Morocco and Spain, for sub Saharan irregular migrants and asylum seekers until the late-2000s.



Over the past five years, their number decreased significantly. The second is the central route, which is based out of Libya and travels across to the Italian and Maltese costs. This route has registered a peak of arrival over the last 15 years. The third pathway is the eastern Mediterranean route through Turkey and Greece; it remains a popular route for African and Asian labour migrants and refugees wishing to access Europe via Italy. The Italian Ministry of Interior states that between 1 January 1999 and 31 August 2014 almost half a million migrants were smug-gled to Italian shores.3 In the third quarter of 2014, the EU agency Frontex reported how detections of clandestine migrants in Italy account for more than two thirds of the total number of apprehended migrants - an increase of over 300% compared to 2013.4 Sea crossings take place predominantly on board wooden and fiber-glass boats, rubber dinghies, fishing boats, and big cargo ships.

It is often said that smuggling groups are highly sophisticated and hierarchical criminal cartels; that they run a multibillionaire business; and that this criminal ring runs alongside a number of different illegal trades – most notably drug, human, weapon, and cigarette trafficking. I collected evidence concerning organizations involved in human smuggling from the early 1990s until 2015

in Apulia. My field research has not revealed highly centralized and powerful smuggling organizations.⁵ The Italian administrative region of Apulia faces Albania and Greece, and Montenegro across the sea. From 1991 to 2001, it became one of the most travelled points of entry for migrants - originally Albanians – who fled economic and political distress: between 150,000 and 250,000 people crossed the channel of Otranto on their way to Italy and other European countries.⁶ Crossing the Bay of Valona to the area between Brindisi and Otranto is the shortest way to reach the Apulian coast from Albania: 40 miles wide at its narrowest point. The first groups of smugglers formed in 1991, soon after the Italian government began expelling Albanian emigrants.7 These were predominantly Italian cigarette smugglers who entered into a joint venture with Albanian families from Valona. Italians provided the expertise, capital, and technology. Human smuggling was a way to diversify their business strategies and absorb risks. At this stage, Albanians managed only the recruitment of customers and their transport to the ports where migrants were embarked on boats piloted by Italians. However, the Albanians progressively marginalized their Italian associates and acquired control of the traffic. Already in the second half of the 1990s, Albanian smugglers possessed the organizational resources, the technical competences, and the capital to

Fargues, P. Bonfanti, S. 2014, "When the best option is a leaky boat: why migrants risk their lives crossing the Mediterranean and what Europe is doing about it", Migration Policy Centre, http://cadmus.eui.eu/bitstream/handle/1814/33271/MPC_PB_2014-05.pdf?sequence=1 [Accessed: 25 May 2015].

⁴ FRONTEX, 2014. FRAN Quartlery, Quarter 3.

See also Pastore, F., Sciortino, G. & Monzini, P. 2006, "Schengen's soft underbelly? Irregular migration and human smuggling across land and sea borders to Italy", International Migration, 44(4): 95-119. 6 ICMPD (International Centre for Migration Policy Development), 2000. How to halt illegal migration to, from, and through South East Europe? A report on the activities of the Working Group on South East Europe of the Budapest Group, with proposals on further action in the overall framework of the Stability Pact. Prepared by the Secretariat of the Budapest Group for the Meeting of the Working Group in Skoplje on 27–28 November.

See also Albahari, M. 2006, "Death and the Moral State: Making Borders and Sovereignty at the Southern Edges of Europe", CCIS Working Paper 136, http://ccis.ucsd.edu/wp-content/uploads/WP_136.pdf [Accessed: 25 May 2015]; and Pastore et al., "Schengen's soft underbelly?".



run the business on their own. At the moment of maximum expansion, the network could smuggle an average of 200-250 people every night by means of 10-15 metre long rubber dinghies equipped with three or even four powerful outboard motors that could make up to two journeys a night, each lasting a couple of hours.

The Albanian route decreased steadily over the years and officially died out at the beginning of the 2000s. The shrinking of the migratory flow across Albania and the stricter enforcement of law from local and Italian authorities seem to have a played a major role in the termination of the route. After a drop in the detection of illegal immigrants, the area recently re-gained its popularity as an important point of arrival. In 2014, Frontex reported a resurgence in detections of illegal border-crossings. Most detections are of secondary movements of Syrians, Afghans and other asylum seekers who arrived in Apulia by having already entered Europe via Greece.8 In this route, Italy is usually only another transit step toward migrants' final destinations, such as Sweden, Germany, and France. The crossing is operated by different organizations that can be situated somewhere in the continuum between single-service providers and multi-service networks.9 The former are small groups that run the sea crossing. They often have solid roots in the local community and a deep knowledge of marine

traffic. They do not have ties within the migrants' countries of origin, and the recruitment happens through intermediary groups. The latter are larger and wide-ranging networks that have divisions in migrants' country of origin. These organizations operate either land, air, or sea routes and provide customers with a variety of services that range from border crossing to release from detention centres.

My fieldwork supports those studies that have demonstrated how smuggling groups involve a highly differentiated yet flexible structure whose roles - organizers, passeurs, looks-out, intermediaries, etc - are not integrated into rigid hierarchies and bound by long-term agreements. Smugglers simply cannot work on a long timescale.¹⁰ Conversely, they operate in a market with high competition and fast changing scenarios. The considerable instability of the market explains the heterogeneity of smuggling networks. Indeed, the smuggling network active in the Eastern Mediterranean corridor still consists of a system of flexible and independent - and largely family-based organizations that have entered into partnerships with one another for short periods. Furthermore, even though authorities have at times reported the overlapping of people smuggling with drug, arm, and human trafficking, information collected show how these groups do not run these different "enterprises". There is even less evidence for mafia involvement in smuggling networks.

FRONTEX, 2014. FRAN Quartlery, Quarter 2, http://frontex.europa.eu/assets/Publications/Risk_Analysis/FRAN_Q2_2014.pdf [Accessed: 25 May 2015].

⁹ Pastore et al., "Schengen's soft underbelly?".

See, for example, Pastore et al., "Schengen's soft underbelly?"; Sanchez, G. 2015 (forthcoming), Human Smuggling and Border Crossings, New York, Routledge; and Triandafyllidou, A. and Maroukis, T. 2012, Migrant Smuggling. Irregular Migration from Asia and Africa to Europe, London, Palgrave Macmillan.



The good and the evil: choosing the smuggler

Politicians, border authorities, and journalists usually portray the smuggler as a cruel and reckless criminal driven exclusively by profits. Smugglers, on the other hand, have a different perception of themselves. They represented themselves, in conversations I had with them, as service-providers who satisfy a need that people cannot satisfy through legal channels. They showed clear awareness that they were part of a highly unstable and dangerous market, the reason for which they asked high fees from their clients. They did not perceive their activities as being immoral. They actually claimed to operate a moral economy and privilege ethical choices over mere profit. Smugglers would thus prioritize the transport of their nationals, guarantee a full reimbursement or a free passage to the client if the first journey is unsuccessful, and carry some passengers – generally children, elderly and invalid - who cannot afford paying the full fee. Accounts about the callousness of smugglers are also often dismissed by migrants: those very people who risk their lives crossing the Mediterranean. So is the smuggler a saviour or a murderer? In truth, it is impossible to draw a homogenous profile of 'the smuggler'. Nonetheless, empirical evidence challenges the image of a few criminal masterminds who control a network of hardened crooks devoted to the systematic enslavement of vulnerable migrants. What my findings suggest is that the relationship between smugglers and their costumers is far more complex than media and popular accounts would suggest.

First, smuggled people are not only victims of the smugglers. If the considerable heterogeneity of this category explains the complexity associated with the choice of the smuggler, the decision of relying on him/her is a rational choice taken with a clear degree of awareness. For migrants, indeed, smugglers constitute a valuable resource, the only escape from a situation of misery and extreme danger. In this sense, it is unsurprising that current restrictive immigration and asylum policy measures have not only had little deterrent effect, but also been counterproductive by redirecting immigrant flow through illegal channels.¹¹ Picking the right smuggler may be fortuitous and migrant are certainly at the mercy of the smugglers during the journey to Europe. Yet, smuggling is a business, and like any other business it requires a certain level of trust.¹² Smugglers depend in part on the former to find prospective "clients". Successfully smuggled migrants, who survived the journey, can operate as a pull factor by tempting their kin and friends to embark in a similar journey. The words of Mohammed - a young man in his early mid-twenties from Syria, now an interpreter and social worker in Italy - are indicative of this awareness: "smugglers are neither good nor evil. You pay for a service and you get what you pay for". Mohammed turned to smugglers when his family was refused a family reunification visa. He paid around 8000 euro to have his brother smuggled from Syria to Germany. It was a long and tiring journey and Mohammed's brother crossed several states, via land and via sea. Yet, it was the only available way to Europe.

See, for example, Carling, J., Hernandez-Carretero, M. 2011 "Protecting Europe and Protecting Migrants? Strategies for Managing Unauthorised Migration from Africa", The British Journal of Politics and International Relations, 13, 42-58.

Triandafyllidou, A. 2015 (forthcoming), "Migrant Smuggling across the Mediterranean". In Thiollet, T. Schmoll, C. Wihtol de Wenden, K. (eds), Les Migrations en Mediterrannée, Paris, Editions CNRS.



Furthermore, migrants themselves, at times, get involved in the business. This overlapping of roles introduces a further layer of complexity by blurring the boundary between smugglers and their customers. Asylum seekers and labour migrants may work as either recruiters, passeurs, or intermediaries - positions that are often covered by the same person. They might escort immigrants across the border because of their own first-hand knowledge of the route. They might recruit clients for they share the same ethnic networks. They would provide the various services needed to the migrants (food, accommodation, etc.) because of their longterm relationship with the local communities in the transit countries. They would do all this in order to pay the required fees, have a decent livelihood, or most likely accomplish both goals.¹³ A protracted condition of illegality is often the cause of this blurring of roles. The story of Firat is a case in point. The man - now in his late twenties - left Kurdish Iraq in 2010. In his long journey, he used different smuggling groups. He entered Italy from Greece, travelling hidden inside a truck that was embarked on a ferry. From there, he was transported to his final destination in the UK where he worked as a labourer in the informal economy. A few years after, however, the British authorities sent Firat back to Greece when they found him illegally residing in Britain. Stranded in Athens with no money, he took the decision to work as passeur for the same smugglers - people with whom he shared the same

ethnic background – who had helped him crossing the Mediterranean. Firat is now split between continuing a lucrative, yet dangerous, job and embarking again in a long journey whose outcome is uncertain.

Toward an effective response

In light of the necessity of elaborating an adequate policy response to human smuggling, a better comprehension of the phenomenon is pivotal to ensuring the stability of the receiving state and the security of the migrant. Empirical evidence show that human smuggling across the Eastern Mediterranean sea is the sum of highly heterogeneous organizations operating on a small scale and in a short timeframe; that these groups are characterized by the lack of solid hierarchies and the existence of interchangeable figures; that they provide a service that is in great demand without necessarily exploiting their clients; and that the smuggler and the costumer may, at times, be the same person. An effective eradication of these organizations without addressing the causes of clandestine migration may thus prove difficult for smuggling networks are deeply enmeshed within migratory flows. Nonetheless, EU efforts remain overwhelmingly focused on implementing a security-based policy. The creation of the European border agency Frontex in 2004 has been a clear step in this direction. The agency was set up "to reinforce and streamline

For comparative literature, see Lucht, H. 2012, Darkness before Daybreak: African Migrants Living on the Margins in Southern Italy Today, Berkeley, University of California Press.

Mediterranean Politics, 12(2): 163-184,

cooperation between national border authorities".14 To face the current crisis, the European Council has given more power to Frontex by pledging to triple the budget for its joint-operations Triton and Poseidon. As the European Agenda on Migration states, "this will expand both the capability and the geographical scope of these operations, so that Frontex can fulfil its dual role of coordinating operational border support to Member States under pressure, and helping to save the lives of migrants at sea".15 Despite its important search-and-rescue dimension, however, this new agenda continues to be strongly centred on preventing illegal migration flows by fighting smuggling networks. In line with the mandate of Frontex, the accomplishment of search and rescue operations has been side-lined.¹⁶ Border controls play a crucial role in restraining human smuggling activities. That said, a number of undesired outcomes ultimately outweigh the intended goals of a security-oriented control policy.¹⁸ First, sea border operations are often inefficient. The evolution of smuggling across the Eastern Mediterranean corridor demonstrates this with dramatic clarity. Not only has the large patrolled area hindered the extent of these operations and prompted spiralling financial costs. Effectively blocking smuggling networks only redirected unauthorized migration flows on different routes. In other words, if the stricter application of law enforcement by Italian authorities successfully cracked down the Albanian smuggling network, the Turkey-Greece corridor and the Libyan route became preferred alternatives (Figure 1). Second, the tightening of border control generally exposes migrants to greater dangers. As smugglers are themselves aware of moving on hazardous ground, they seek to limit the chances of apprehension by employing a variety of strategies - such as setting off on longer and therefore more dangerous journeys, choosing unsafe points of embarkation and disembarkation, adopting riskier manoeuvres to escape authorities, and abandoning their cargo on vessels in rough seas. It is not chance then that the risks of dying at sea are on the rise as fluxes are redirected along the more dangerous route via Libya (Figure 2). Even in the case of successfully preventing migrants leaving transit countries (such as Libya, Mauritania, or Morocco), we are left wondering whether this outcome would ultimately benefit them or aggravate their plight. Many accounts have reported how local authorities in these countries have arbitrary arrested, mistreated, and abused refugees and migrants.¹⁸ Third, the militarization of border control may ultimately trigger a vicious dynamic. Researchers have demonstrated that the increase in the effectiveness of control policies has accompanied a growing tendency of these groups to specialise and to increase their capacity of delivering specialized services to would-be migrants in a systematic and standardized manner.19

FRONTEX, 2015, http://frontex.europa.eu/about-frontex/mission-and-tasks/, [Accessed: 1 June 2015].

European Commission, 2015, "Questions and answers on the European Agenda on Migration", EU Press Release Database, http://europa.eu/rapid/press-release_MEMO-15-4957_en.htm [Accessed: 25 May 2015].16 Fabrice Leggeri, Executive Director of Frontex, note that Frontex "cannot have provisions for proactive search-and-rescue action. This is not in Frontex's mandate, and this is in my understanding not in the mandate of the European Union". Http://www.theguardian.com/world/2015/apr/22/eu-borders-chief-says-saving-migrants-lives-cannot-be-priority-for-patrols [Accessed: 25 May 2015].

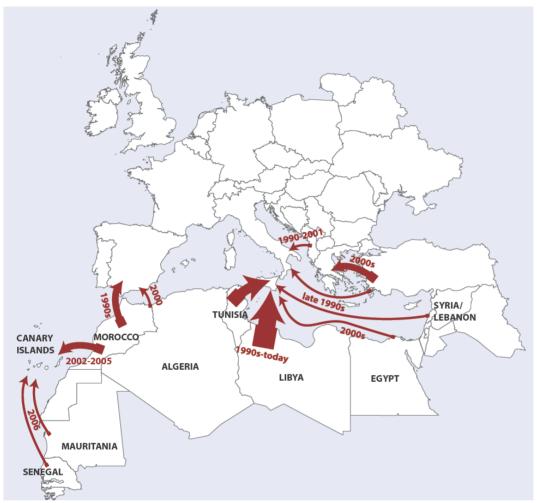
¹⁷ Carling, J., Hernandez-Carretero, M. 2011 "Protecting Europe and Protecting Migrants?".

Fargues, P. Di Bartolomeo, A. 2015, "Drowned Europe".

¹⁹ See, amongst others, Monzini, P. 2007, "Sea-Border Crossings: The Organization of Irregular Migration to Italy"

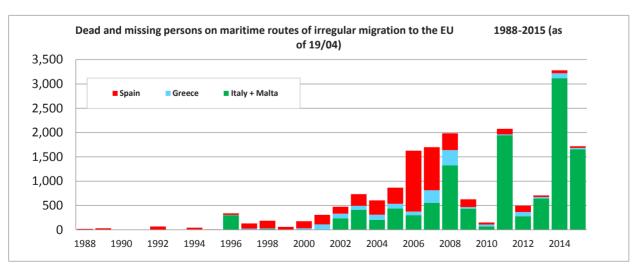


Fig. 1: Sea routes to Europe 1990s-2014



Source: Fargues, P. Bonfanti, S. 2014, "When the best option is a leaky boat".

Fig. 2: Dead and missing persons on maritime routes of irregular migration to the EU 1988-2015 (as of 19/04)



Source:Fargues, P. Di Bartolomeo, A. 2015, "Drowned Europe".



Does this mean that smugglers should be left undisturbed? Certainly not. However, the urgency of the sea crossing calls for a combination of policy measures. If the intended goal is the suppression of smuggling networks, security measures can be effective only if accompanied by other solutions. Moreover, the implementation of control and enforcement measures against smugglers should be carried out cautiously and should take into account the fragile political equilibrium that their enactment may help upset.²⁰ The launch of search and rescue operations to assist migrants in immediate distress will certainly contribute to saving countless lives.

These alone, however, are unlikely to curb smuggling activities: researches have shown, for example, how smugglers have exploited the presence of Italian vessels during the Operation Mare Nostrum by sending overcrowded boats off at sea, counting on the prompt response of the Italian fleet. A truly effective answer to human smuggling would require the EU and its state members to concentrate on reducing "demand" more than curbing "supply." Smugglers often constitute the only available option for those migrants who flee a situation of immediate danger and distress. Accordingly, the first decisive step toward a more durable radical solution for the

Tab. 1: Migrants smuggled at sea in Italy 2012-2015 (as of 20/04) by declared nationality Top ten nationalities

Nationality	2012	2013	2014	2015 (Jan 1- Apr 20)	Total
Syria	580	11,307	41,941	1,596	55,424
Eritrea	1,428	9,834	33,451	3,248	47,961
Somalia	2,179	3,263	5,644	2,566	13,652
Nigeria	358	2,680	8,570	1,991	13,599
Gambia	348	2,619	8,159	1,810	12,936
Mali	218	1,675	9,314	1,279	12,486
Egypt	1,221	2,728	4,091	47	8,087
Senegal	48	1,314	4,652	1,586	7,600
Palestine	37	1,075	6,024	384	7,520
Pakistan	1,238	1,753	3,678	513	7,182
Top ten nationalities	7,655	38,248	125,524	15,020	186,447
Total nationalities	13,267	42,925	170,099	23,943	250,234

Source: Italian Ministry of Interior



current crisis demands the opening of new channels of legal entry and the reinforcement of existing ones for refugees and asylum seekers, presumably the majority of people smuggled by sea (Table 1).²¹ This should translate into: granting humanitarian visas; the creation of humanitarian corridors between transit countries and Europe; the expansion of European countries' resettlement programmes; and the development of alternative legal routes for refugees – such as family reunification, university fellowships and scholarships, training programmes, private sponsorships, and labour mobility. The sealing and fortification of the EU borderland will

not only mean the neglect of asylum seekers, but it will also favour the consolidation of smuggling networks. Those who forecast the weakening of EU borders with the increase in migration-flows base their belief on the erroneous premise that a strong, functioning border can only limit trans-border flows. However, facilitating the entry of asylum seekers and opening our borders does not necessarily mean the demise of EU member states' sovereign right to control population flows. If mobility and passages increase, so may the opportunities for the states to consolidate their sovereignty as incentives for regulation flourish.

In a recent post, for example, Sergo Mananashvili points out how the EU's planned anti-smuggling military operation in Libya called EUNAVFOR MED may seriously jeopardise any prospect of peace between the rival parties in Libya. See Mananashvili, S. 2015, "The Legal and Political Feasibility of the EU's Planned 'War on Smuggling' in Libya", http://www.ejiltalk.org/the-legal-and-political-feasibility-of-the-eus-planned-war-on-smuggling-in-libya/ [Accessed: 16 June 2015].

As Fargues and Di Bartolomeo remark, "The vast majority of people smuggled by sea to Italy come from what we might call 'refugee' countries". "Drowned Europe", p. 5.



Migration Policy Centre

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