

Turkey's Deep State

Ergenekon and the Threat to Democratisation in the Republic

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Turkey's political history is littered with alarmingly numerous murders, 'disappearances' and unexplained deaths of investigative journalists, academics, officials, businessmen, and human rights and other activists of various kinds. A notable recent example was the murder of the Armenian journalist Hrant Dink in January 2007. Death threats to prominent public figures such as the writer Orhan Pamuk, suspiciously-staged terrorist incidents, and unsolved violent attacks on the Alevi and other minorities can be added to this litany.¹ Incidents such as these have convinced many Turks of the existence of a so-called 'deep state', assumed to be composed of an ultra-nationalistic, arch-Kemalist and

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authoritarian network of bureaucrats, lawyers, soldiers, policemen, criminals and the like. They are often drawn from, but acting in parallel to the state, immune to prosecution, acting against those judged to be in opposition to the official secularist, nationalist and authoritarian ideology of the Turkish Republic. The activities of the 'deep state' are often believed to spill over into criminal activity of various kinds.

The so-called 'Susurluk' affair of 1996 was widely regarded as 'evidence' of the existence of the 'deep state'.² It involved a road accident involving a car driven by a high-ranking police officer whose

career had included heading a special anti-terrorist unit. The driver died, as did two of his passengers, a beauty queen and Abdullah Catli, an internationally sought after underworld boss and former leader of Turkey's far-right Grey Wolves movement. The only passenger to survive was Sedat Bucak, a Kurdish tribal leader and head of a 'village guard' unit, armed by the state to combat the PKK in southeastern Turkey, and parliamentary representative for the True Path Party. The report on the incident released by the Turkish National Assembly's investigative committee in April 1997 offered considerable evidence of close ties between state authorities and criminal gangs, including the use of the Grey Wolves to carry out illegal activities. However, no serious arrests were made and the connections between the vehicle's passengers remains shrouded in mystery.

One of those who were investigated but escaped arrest was the Istanbul police chief. Another was the then Interior Minister and True Path party chairman Mehmet Agar, who had signed off Catli's numerous false documents, including his gun permit. Yet another was retired Brigadier General Veli Kucuk, who was detained but then released during the investigation and was known to have associated with Catli. Members of the Assembly's investigative committee repeatedly alleged that their enquiries were obstructed by political and state officials, including the military, and one such member has recently specifically reiterated that Agar had been protected from the investigative team both from within the military hierarchy and by the then Welfare Party leader Necmettin Erbakan and True Path party



Protestors rallying against the AKP in Istanbul, 6 July 2008, after the arrest of two former senior generals by the government. *Photo courtesy of Reuters/Osman Orsal.*

leader Tansu Ciller, who at that time were partners in Turkey's coalition government.³ In a recent revisit of the affair, one commentator has observed that “‘Susurluk’ was more of a culture of immunity than a single network controlled by a specific power centre’.⁴ It is an interesting thought and one that could have wider application in Turkey.

The currently ongoing and explosive drama of the so-called ‘Ergenekon’ scandal, named after the mythical birth-place of the Turkish race, appears to suggest that at long last the ‘clean’ elements of the state’s machinery are ready, willing and able to tackle the pernicious influence of this ‘deep state’. Following the uncovering of an arms dump in an Istanbul house in June 2007, documents found there prompted an investigation which led to successive and still ongoing waves of arrests, beginning with the detention of over thirty suspects in January 2008. Thirteen months after the initial arms find, indictments were made on 14 July 2008. Additional incriminating material is still being uncovered and revelations reported, which has in turn led to intense

speculation regarding the membership, nature and culpability for various crimes of the network. Unsolved criminal cases are being reopened, and more indictments are expected.⁵ If the investigation has itself become a sprawling, unwieldy affair, so has the wider consideration in Turkey of the issues it raises, such that the ‘Ergenekon’ affair is prompting a deeper exploration of the nature of the Turkish state and its political evolution. In due course, this could lead to a re-evaluation of the Turkish state in the West too.

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Included in the list of eighty-six academics, politicians, journalists, ultra-nationalist lawyers, businessmen and high-rank retired military officials named in the indictment were Veli Kucuk and a number of other individuals that had come under suspicion during the

Susurluk investigation. It appears too that Kucuk had once headed the Gendarmerie Intelligence Group Command (JITEM), the existence of which has been denied by the Turkish General Staff (TGS) although widely accepted in Turkey as fact. JITEM, usually held responsible for much of the ‘dirty war’ aspects of the campaign against the PKK, was formed by another retired soldier detained as part of the Ergenekon investigations, Colonel Arif Dogan.⁶ Also on the list was retired General Sener Eruygur, a former commander of the Gendarmerie. Eruygur currently heads the Ataturk Thought Association (ADD), which during 2007 organised mass rallies against the ruling Justice and Development Party’s (AKP) attempt to secure the presidency. Another retired officer to be indicted is General Hursit Tolon, a former commander of the First Army, who with Eruygur had already been implicated in suspected coup plots during 2003 and 2004 (see below). The arrest of these two former generals was carried out with the co-operation and participation of the military authorities, as it involved searches of their military

lodgings. This in turn was reported to have fed disquiet within the Turkish military at the compliance and passivity of the leadership of TGS chief General Yasar Buyukanit.⁷

Among the charges levelled by the 2,500-page indictment are:

- 'membership in an armed terrorist group'
- 'aiding and abetting an armed terrorist organisation'
- 'attempting to destroy the government of the Republic of Turkey or to block it from performing its duties'
- 'inciting people to rebel against the Republic of Turkey'
- 'being in possession of explosives, using them, and inciting others to commit these crimes'
- 'acquiring secret documents on national security'
- 'recording personal data'
- 'encouraging soldiers to disobey superiors'
- and 'openly provoking hatred and hostility'.

The indictments contain evidence linking the Ergenekon 'gang' to many of the hitherto unresolved crimes and incidents that had been widely attributed to the 'deep state', including the murder of Hrant Dink and of three Christian missionaries in Malatya in April 2007, and outbreaks of intercommunal strife such as that between Sunnis and adherents of Alevism in the Gazi district of Istanbul in 1995. More specific allegations include 'inciting others to stage the 2006 Council of State shooting and a hand grenade attack at the *Cumhuriyet* newspaper's Istanbul office'. The interest in these two allegations lies in the fact that the Council of State attack, in which a senior judge was killed, came in the wake of an anti-headscarf decision made by the Council, and that *Cumhuriyet* is a ferociously secular newspaper whose owner and regular columnist Ilhan Selcuk is among those charged with Ergenekon membership and said to be Ergenekon's civilian leader.⁸ A supposed Islamist, Alpaslan Arslan was found guilty of these attacks and is currently in jail. It is now alleged

that he had links with members of the Ergenekon 'gang'.

More disturbingly still perhaps, the evidence gathered strongly suggests co-operation between members of the security forces on the one hand and the PKK and other Turkish terrorist organisations on the other, with regards to drug smuggling, gun running, and even terrorist activities.⁹ The very possibility that the 'deep state' staged attacks on its own sympathisers and on figures otherwise regarded as Republican loyalists, and then sought to provoke crises by shifting the blame onto leftists, Kurds and Islamists, suggest that it will now be suspected of each of Turkey's endless litany of hitherto unresolved disappearances, bombings, assassinations, disturbances and acts of intimidation. Indeed, some sections of the Turkish media are already raking over the past for crimes that might plausibly be linked to Ergenekon, although more pro-state media outlets are doing their best to minimise both their coverage of and the significance of the case.

Where does the Military Fit in?

The Istanbul prosecutor in charge of the investigation, Aykut Cengiz Engin, specifically pointed out that there were no references in the indictment to the publication by the weekly journal *Nokta* in early 2007 of excerpts allegedly from the diaries of a former commander of the Turkish navy that coups against the AKP government had been planned in 2003 and 2004 during General Hilmi Ozkok's term as Chief of the General Staff. The diaries reported that Ozkok had disappointed some of his subordinates by opposing the plans. A few weeks after the publication of the diaries *Nokta's* offices were subjected to a three-day raid by fifty officers leading to a decision by the proprietors to close the journal down. Retired generals Sener Eruygur and Hursit Tolon, both arrested as part of the Ergenekon investigation, were also both implicated in the diaries.¹⁰ Not only was no action taken by the high command at the time of the alleged conspiracies, but in early September 2008 and within weeks of General Ilker Basbug taking over command of the TGS, the two suspects were paid an official

visit by a military delegation. Basbug's predecessor, General Yasar Buyukanit, had failed to sanction any such gesture.¹¹ It seems too that a National Intelligence Organisation (MIT) report that was submitted to the TGS three years ago and that claimed that up to twenty serving military officers were involved in coup-plotting was discovered during one of the Ergenekon investigation's raids, and that the TGS is only now considering the document.¹² It is possible that the MIT report will be incorporated into the Ergenekon investigation's documentary evidence.

In this context the Semdinli affair also merits consideration. On 9 November 2005, in the town of Semdinli in Turkey's predominantly Kurdish southeast, a bomb was thrown from a car at a bookshop, resulting in one death and a number of injuries. The shop owner and his associates managed to apprehend the bomber and his two accomplices, who were carrying documents identifying them as gendarmerie intelligence officers. Later, one man was killed and others injured as shots were fired from a passing car. A gendarmerie special sergeant was detained in relation to this incident. The sentences handed down to the three men involved in the bombing in June 2006 were overturned a year later on the grounds that they should have been tried by a military court. They remain free. However, the bookshop owner was arrested for alleged links with the PKK. The Van prosecutor indicted the then Land Forces Commander Yasar Buyukanit, who had formerly commanded one of the accused officers and described him as a 'good soldier', partly on the grounds that he thereby attempted to influence the judicial process. The indictment was dismissed, and for his pains the prosecutor was disbarred from practice by the Supreme Board of Prosecutors and Judges on the grounds that his indictment was faulty.

That the Turkish military is deeply involved in the Turkish domestic political scene is not news. The TGS's so-called 'e-memorandum' of April 2007, opposing the election of an AKP candidate as president, is just one recent example of a track record that has included coups,

threats, public warnings, and on and off the record briefings designed to intimidate, influence or arouse elected politicians, opinion-formers, and public opinion.¹³ In June 2008 the anti-military newspaper *Taraf* published a leaked document purportedly originating in the TGS office and known as the 'Information Support Activity Action Plan'. Widely covered in the more mainstream Turkish media, the document outlined the goal of 'bringing public opinion into line with the TGS on issues the TGS is sensitive about, preventing the development of incorrect opinions about the TGS, and ensuring the unity and solidarity of opinions and actions within the TGS'. This would involve bringing 'universities, presidents, of the higher judiciary, press members and artists into line with the TGS because they have the power to foment public opinion, and to ensure that these individuals act in the same way as the TGS'. Such individuals would be offered covert and indirect support by the military. Although the TGS denied responsibility for the document, its reported contents surprised few.¹⁴ But how involved have serving military officers been in some of Turkey's less savoury incidents? And how far up the chain might such involvement go? Combined with evidence reportedly obtained by the Ergenekon investigation, the involvement of senior retired officers, the TGS's track record, and its gestures of support for recalcitrant officers, it seems implausible that the MIT's suspicion of the involvement of active officers in Ergenekon-type activity will prove groundless.¹⁵ As significant is the fact that more and more Turks are willing to entertain such a possibility, and to do so openly. This questioning spirit has even led to a debate about the merits of putting the 1980 military coup leaders on trial.¹⁶

It is also evident that the TGS is divided on the way in which the military's involvement in Turkey's domestic politics is expressed. The readiness of members of the armed forces to leak documents to the media that the Ergenekon investigation has released is itself a striking development. As we have noted, there was apparently

frustration with Ozkok's 'soft' approach to the AKP and his refusal to sanction coup activity, so much so that that it has also been claimed that the CIA helped thwart an assassination attempt against him.¹⁷ Interestingly, it has been alleged that a former Chief of the General Staff, general Huseyin Kivrikoglu, had secured Eruygun's appointment as head of the Gendarmerie so as to ensure that his unwanted successor as armed forces chief, Hilmi Ozkok, who was deemed too liberal, should be constrained in his ability to push the armed forces in any undesirable directions.¹⁸ Ozkok's successor General Buyukanit was also the focus of discontent owing to his acquiescence in the arrests of retired officers and his refusal to publicly comment on the Ergenekon investigation. Both the divisions within the military, and the Ergenekon revelations concerning the actual or possible involvement of serving officers in illegal activities, could well give rise to a much more questioning and sceptical popular approach to this hitherto highly esteemed institution.¹⁹

The 'Deep State', the State, and Kemalism

Regardless of the eventual outcome of the Ergenekon investigation, it could be argued that the affair offers insight into the extent to which democracy in Turkey remains unconsolidated. The Turkish Republic was established in 1923 not so much by popular demand as by soldiers and bureaucrats in what was in effect a top-down revolution, guided by its leader Kemal Ataturk, which set itself the task of dragging a socially and economically backward Turkey towards what it believed to be a European-style modernity.²⁰ Over time, this ideological foundation of the Turkish state hardened into a particular interpretation of the Kemalist legacy – that secularism equates to state control over and regulation of religious practice and symbolism, and that national unity prohibits accommodation to Kurdish distinctiveness. It is nationalistic, defensive, and suspicious of outsiders – described by one observer as 'a virtual siege mentality'.²¹ This is the Turkey that has been unable to address the plight of

the Armenians as the Ottoman Empire crumbled. Adherence to these ideological rigidities is deeply-rooted in Turkish civil society as well as in its military hierarchy, and the state's attachment to them in the face of the popular will inhibits and curtails the growth of a more spontaneous bottom-up democracy – 'for the people, despite the people', as the 1920s Republican People's Party (CHP) slogan expressed it. Samil Tayyar, journalist for the *Star* newspaper and author of a number of works on Turkey's 'deep state', traces Ergenekon back to the Committee of Union and Progress in the 1890s which preceded the establishment of the Kemalist state and in many respects gave birth to it.²² According to this perspective, Ergenekon reflects an ideological position that is tightly bound up with the foundation, evolution, and nature of the Kemalist state itself.²³

'The system, the media, the state bureaucracy and the political culture of the country all fuel a schizophrenic and paranoid mindset'

This line of thought raises the question of where the 'state' ends and the 'deep state' begins, but also draws attention to more widely distributed characteristics of Turkish society and values. It is indeed tempting to locate the 'deep state' in this much more widely dispersed Kemalist belief system as well as in the related factors of Turkey's imperfect democracy and institutional arrangements. The personnel, the practices, and the broader political assumptions too readily overlap and coalesce. As one US-based Turkish observer, Omer Taspiner, has expressed it, 'the system, the media, the state bureaucracy and the political culture of the country all fuel a schizophrenic and paranoid mindset. It is that mindset that has created Ergenekon'. He draws attention to the widely-published photograph of two police officers posing proudly with Hrant Dink's murderer,

Ogun Samast, against the background of the ubiquitous Turkish flag, and the football crowds that chant 'we are all Ogun Samast'. He refers to the defenders of the catch-all Article 301 of the Turkish Penal Code, which makes 'insulting Turkishness' a crime and which has provided the basis for over forty prosecutions against writers and journalists brought by the ultra-nationalist and Kemalist lawyer Kemal Kerincsiz and who was detained in January 2008 as part of the Ergenekon investigation.

Taspiner notes too the editorialists who have so often lent their support to military coups and interventions against elected politicians, and the sloganeering of the mass rallies in opposition to the AKP and that were inspired by the TGS's 'e-memorandum'.²⁴ Indeed, the rallies were marked by their 'strongly nationalist, pro-military and anti-EU' nature.²⁵ This upsurge of atavistic passion appears to feed on pre-existing and widely-held prejudices in Turkey and has deep roots in its statist, authoritarian, nationalistic and indeed Kemalist political culture, but has been additionally stoked up by the falling-out with the US over Iraq, over developments in Iraq's Kurdish north, the upsurge in PKK violence within Turkey, and with EU pressure on Turkey with respect to Cyprus and on the form and pace of internal reform, including of the country's civil-military relationships.²⁶

From this perspective, it is not surprising that many political figures, including the arch Kemalist opposition CHP leadership, cast doubt on the nature and purpose of the investigation. CHP leader Deniz Baykal, himself suspected of Ergenekon links,²⁷ and party chairman Onur Oymen have between them dubbed the indictments 'nonsense' and a 'mouse born out of a mountain', and Baykal declared himself as the 'advocate' for the Ergenekon suspects.²⁸ Baykal has also repeatedly alleged that the AKP is creating its own 'deep state' by securing state appointments for its own supporters. Baykal, along with much of the secular Kemalist media, also

repeatedly suggested that the Ergenekon case was inspired by the governing AKP as part of its own ongoing struggle against the so-called 'judicial coup' that had been mounted against it. This referred to an indictment prepared by Turkey's chief prosecutor proposing that seventy-one leading AKP officials, including Prime Minister Erdogan and President Gul, be banned from politics for five years for violating Turkey's constitutional secularism. In effect this was tantamount to a call for the AKP's closure. The indictment was submitted to the Constitutional Court in March 2008, which in April decided to hear the case. The opposition CHP was generally supportive of the indictment and the move to ban the AKP. In contrast, EU leaders repeatedly and forcefully expressed their unhappiness with the attempt to close the AKP, as in time (in a more muted fashion) did Washington.²⁹ In the event, on 31 July the Court narrowly decided not to close the party, but to warn and fine it.

Ergenekon: Here Today, Gone Tomorrow?

All of this is indicative of the atmosphere in which Turkish politics is habitually conducted, and in which the Ergenekon investigation is being conducted. The first cases relating to the investigation will not be heard before the Turkish courts until 20 October, but with so many suspects, so many crimes, so much still-burgeoning evidence, and with Turkey's track record of official immunity, the investigation could take years before it yields significant fruit. It might meet with something substantially less than total success, and

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could even fizzle out. It is possible that the more the investigation moves from the 'deep state' into the state itself, including the active military high command and perhaps the CHP

leadership (both of which are anticipated in some quarters), the more likely it is to at least partially run aground. There could in any case be a major legal obstacle to bringing serving military officers to court. They are not normally subject to the jurisdiction of civilian courts, and Turkish military law does not recognise coup-plotting as a crime. The prosecutors too will be required to hold their nerve. Allegations by Turkey's

Turkey has never before moved anything like this far against the 'deep state'

Kemalist press and political parties of their political bias are flowing thick and fast, complaints against them are now being legally pursued, and they and their families are subjected to frequent and credible death threats. On the other hand, Turkey has never before moved anything like this far against the 'deep state' and the culture of immunity which is perhaps its defining feature, and there is also a chance that the country might embark on the removal of those deeply and ideologically entrenched obstacles to its true democratisation. Even if the country steps back from the break with the past that Ergenekon represents, the daily revelations and their alarming nature will surely put popular trust in much of the country's political, military and bureaucratic leadership to the most profound of tests. It is hard to believe that the cracks that have been revealed in Turkey's way of doing business can ever be papered over. The more this realisation penetrates the thinking of those in the West who have too unquestioningly regarded Turkey's traditional Kemalist establishment as the domestic guarantors of Turkey's democratisation and Western orientation, the more likely it is both that Republican Turkey's past will be profoundly reinterpreted, and that its democratic future will be assured. ■

NOTES

- 1 For a list of some of the unresolved crimes attributed to the 'deep state', see 'Ergenekon investigation to shed light on Turkey's dark history', *Today's Zaman*, 20 July 2008.
- 2 For a recent reconsideration of the affair, see Gareth Jenkins, 'Susurluk and the legacy of Turkey's dirty war', *Terrorism Monitor* (Vol. 6, No. 9, 1 May 2008), <www.jamestown.org/terrorism/news/article.php?articleid=2374142>, accessed 18 July 2008.
- 3 "'Ergenekon" conspiracy is rooted in "Susurluk" says former minister', <www.bianet.org/english/kategori/english/104529>, accessed 18 July 2008.
- 4 Jenkins, *op.cit.*
- 5 *Today's Zaman*, which has devoted considerable attention to the story, publishes daily a continuously updated 'Ergenekon file'. It contains news items and commentaries on the details of the investigation, and the events, debates, charges and rumours that have accompanied it, and this article makes extensive use of it. The file represents an invaluable resource for those interested in the Ergenekon affair, and reveals just how widespread and alarming are Turkey's 'dark deeds'.
- 6 'Col. Dogan's testimony proves existence of JITEM', *Today's Zaman*, 22 August 2008.
- 7 'TGS members displeased over latest detentions', *Today's Zaman*, 5 July 2008.
- 8 'Ergenekon civilian wing leader is Ilhan Selcuk', *Today's Zaman*, 28 July 2008.
- 9 'Gangs links with PKK, DHKP/C, Hizbullah exposed', *Today's Zaman*, 28 July 2008.
- 10 'Magazine that revealed "coups" ends publication', *Today's Zaman*, 21 April 2007.
- 11 'Army pays visit to Ergenekon suspects', *Today's Zaman*, 4 September 2008.
- 12 'Paper reasserts claim of link between military probe and Ergenekon', *Today's Zaman*, 21 July 2008.
- 13 For an assessment of the role of the Turkish military, and its place in Turkish society, see Gareth Jenkins, *Context and Circumstance: The Turkish Military and Politics*, Adelphi Papers 337 (London: International Institute for Strategic Studies, 2001).
- 14 For comment on this, see 'Paper soldiers', *The Economist*, 26 June 2008.
- 15 'Investigation hints at ties to current military members', *Today's Zaman*, 28 July 2008.
- 16 'Debating justice for coup generals', *Turkish Daily News*, 12 September 2008.
- 17 'Report reveals foiled plot to assassinate army chief', *Today's Zaman*, 12 July 2008.
- 18 Mehmet Ali Birand, 'Ergenekon investigation turns into score settling between commanders', *Turkish Daily News*, 15 July 2008; Ismet Berkan, 'A brief history of the "grand" Ergenekon', *Turkish Daily News*, 3 July 2008.
- 19 Lale Sariibrahimoglu, 'TGS acts run contrary to people's wishes', *Today's Zaman*, 9 September 2008.
- 20 See Dietrich Jung with Wolfgang Piccoli, *Turkey at the Crossroads: Ottoman Legacies and the Greater Middle East* (London and New York: Zed Books, 2001), pp. 11-108, for an exploration of these links between the Republic's foundation, ideas of modernity, and Kemalism. For a recent and fascinating insight into Kemalism's origins, see Perry Anderson, 'Kemalism', *London Review of Books*, 11 September 2008; see also the thoughts of respected columnist Cengiz Candar, 'From Talat Pasa to his contemporary wannabees', *Turkish Daily News*, 28 July 2008.
- 21 Jenkins, *op.cit.*, p.16.
- 22 'Ergenekon indictment yet to reveal top name', *Today's Zaman*, 22 July 2008.
- 23 'Ergenekon investigation to shed light on Turkey's dark history', *Today's Zaman*, 20 July 2008.
- 24 Ömer Taspiner, 'Ergenekon and "the banality of evil"', *Today's Zaman*, 14 July 2008.
- 25 Canan Balkir, 'The July 2007 elections in Turkey: a test for democracy', *Mediterranean Politics* (Vol. 12, No. 3, November 2000), p.416.
- 26 For an analysis of this phenomenon, see Emrullah Uslu, 'Ulusalçilik: the neo-nationalist resurgence in Turkey', *Turkish Studies* (Vol. 9, No. 1, March 2008).
- 27 'Opposition leader part of Ergenekon chart, MIT says', *Today's Zaman*, 31 July 2008.
- 28 For an analysis of the CHP's approach to the Ergenekon investigation, see Mustafa Akyol, 'Turkey meets "Kemalist terror"', *Turkish Daily News*, 17 July 2008.
- 29 For just one account of the affair, widely reported in the Turkish press, see Kirsty Hughes, 'Turkey's judicial-political crisis', *Open Democracy*, 17 June 2008, <www.opendemocracy.net/article/turkeys-judicial-political-crisis>, accessed 9 July 2008.



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