

# Monitoring The Trial Concerning The Murder of Munir

## Trial X Central Jakarta City Court Jakarta, 11 October 2005

**Material:** Examination on Witnesses Brahmanie Hastawati and Oedi Irianto  
**Time:** 10.25 -14.00 WIB (West Indonesia Time)  
**Place:** Central Jakarta City Court, 3rd floor, Courtroom 1

## **Situation**

### **1. Before the Trial.**

Until approximately 9.50 WIB, the trial had not started yet, meaning that the schedule of having the trial at 9 am sharp was once again ignored. Meanwhile, the Prosecutors, Legal Advisors and Garuda (employees) were ready inside the courtroom. Around 7 police officers and four patrol cars were guarding outside Central Jakarta City Court. Pollycarpus Budihari Priyanto (PBP) came in a prisoner car, guarded by about 5 policemen.

The court visitors seemed to have doubled in number compared to the trial sessions in the past two days. There were many Garuda employees present, as well as around 20 print and electronic media. It was very likely that the number of crowd present and the many media covering today’s session was due to today’s trial agenda, which is to examine witnesses at the crime scene and witnesses who are also named suspects (Oedi Irianto and Yety Susmiarti).

## **II. During Trial**

At 10.25, the Panel of Judges opened the session and PBP, wearing cream-colored long-sleeved shirt and brown trousers entered the courtroom accompanied by two people from the attorney general office and two fully armed policemen.

**The judges present;** this time it was a full formation, no substitute judge:

1. Cicut Setiarso (Chief Judge)
2. Sugito (member)
3. Ridwan Mansur (member)
4. Agus Subroto (member)
5. Liliek Mulyadi (member)

**Prosecutors present:**

1. Domu P Sihite
2. Narendra Jatna
3. Sapardi
4. Muhammad Rum
5. Sartani
6. F. Eleyert
7. Jefri
8. Giyanto

**Legal Advisors present:**

1. Muhammad Assegaf
2. Adnan Wirawan
3. Imron Halimy
4. Heru Santoso
5. Erman Umar
6. Dedy K Amudy
7. Suhardi Sumomuljono
8. Dzul kifli

**The prosecutor mentioned that they would bring four witnesses today:**

1. Brahmanie Hastawati
2. Oedi Irianto
3. Tri Wiryasmadi
4. Yety Susmiarti

Before the examination started, the Chief Judge asked the Prosecutors and the Legal Advisors to limit the number of spokesperson from each party, maximum four people, by reason that if every Prosecutor and Legal advisor asked questions it would waste a lot of time. According to the Chief Judge, the questions should be coordinated and given to the spokesperson. The Chief Judge also said that this limitation is not part of the regulations but the panel of judges is considering the defendant’s period of detention.

**III. Witness Examination**

**A. Witness X Brahmanie Hastawati**

**Witness Identity**

Name : Brahmanie Hastawati  
Place/Date of Birth : Magelang, 6 June 1956  
Religion : Christian  
Occupation : Garuda employee (purser)  
Address : Bintaro

**Brahmanie admitted of** knowing PBP and not possessing any family relationships with PBP. Brahmanie was sworn in, guided by judge Agus Subroto. The chief Judge asked Brahmanie to give an honest testimony.

**a. Opening material asked by the Chief Judge**

- Regarding how long the witness had known PBP. **Brahmanie said** that she had known PBP for ten years.
- Regarding how long she had been a purser. **Brahmanie said** that she had been a purser since 1990.
- Regarding the examination conducted by the investigators. **Brahmanie said** that she had been examined before and that she still remembered the content of her testimony and that she would maintain her testimony.
- Regarding flight GA 974. **Brahmanie said** that she was in that flight as a purser.
- Regarding the crew in that flight. **Brahmanie said** that in flight GA 974 there were active crew and extra crew. PBP was there as an extra crew.
- Regarding the definition of extra crew. **Brahmanie said** that extra crew is any crew who fly as a passenger to perform another duty, and not duty in the airplane.
- Regarding extra crew in flight GA 974. **Brahmanie said** that in GA 974 there was 1 sheet extra crew, plus PBP. One sheet extra crew would fly Singapore-Amsterdam. For PBP **Brahmanie claimed** that she did not know what he was assigned to do. **Brahmanie said** that she was only on duty until Singapore, and PBP was also traveled until Singapore only.
- Regarding Munir’s death aboard the plane. **Brahmanie said** that she had known Munir from the media, before she saw him in the plane. When Munir boarded the plane, **Brahmanie claimed** that she wished Munir a safe trip when she went down.
- Regarding Munir’s seat and boarding pass; Munir was seated in seat 3k. **Brahmanie claimed** to have no knowledge whether that was what Munir’s boarding pass said (seat 3K)

**b. Questions from the Prosecutors**

*Domu P Sihite asked the following:*

- Regarding purser’s duty to deal with General Declaration (Gendec) and its contents. **Brahmanie said** that this was correct. Gendec contained general information about the plane’s route, names and data of the flight crew, plane registration and list of crew. Passengers’ names are separated in plane manifests.
- Regarding whether the witness saw PBP going into the plane. **Brahmanie said** that she did not see it when PBP entered the plane.
- Regarding the general regulations about who should go in first between purser, crew, extra crew and passengers. **Brahmanie said** that crew should enter the plane before passengers.
- Regarding why Brahmanie as the purser did not see PBP entering the plane and the number of doors in the plane. **Brahmanie said** that she did not see PBP enter the plane; there were two doors opened in flight GA 974: left door up front and the second left door. **Brahmanie said** that she was in door one.
- Regarding the seating arrangement for extra crew. **Brahmanie said** that extra crew’s seating arrangement is based on ranking. PBP sat in business class. Passengers in business class should enter from door one.
- Regarding the fact that PBP should have entered door one and Brahmanie’s position was in door one but she did not see him. **Brahmanie said** that she was not in the door the whole time; she left her position for a while. She could not remember the length of time she spent in door one but she remembered leaving door one several times to go to the kitchen and the work station; she could have left door one for more than 5 minutes.
- Regarding PBP who had to sit in business class. **Brahmanie said** that PBP did not sit in business class; he was in premium class because he swapped seats with his friend. When PBP told her, he

did not mention the name of his friend. **Brahmanie said** that she only found out later that the friend was Munir.

*The Chief Judge took over the questioning and asked the witness to stick to the chronological order of the story.*

- The Prosecutor asked the witness to tell the story starting from her meeting with PBP until the change of seats. **Brahmanie said** that after she received the catering document, she met PBP in front of the toilet and PBP was talking in Javanese, which more or less meant: “Where is seat 40G, I swap seats with my friends”. **Brahmanie said** that she asked PBP “Who is your friend?”; she then looked and saw a very familiar face. **Brahmanie said** that she approached Munir, who was already seated in business class, and shook hands with him while saying welcome before she returned to the door.
- Regarding the notification that Munir was in business class. **Brahmanie said** that she was told by PBP after Munir was already in seat 3K and that it was PBP’s initiative. **Brahmanie claimed** that she was simply informed by PBP.
- Regarding PBP’s activities after the witness greeted Munir. **Brahmanie said** that PBP was still standing in front of door one but she could not remember how long PBP was standing there and she did not see PBP’s position there.
- Regarding PBP’s seat. **Brahmanie said** that PBP was sitting in seat 11b Premium, not in Munir’s seat 40 G. Brahmanie welcomed PBP to sit in premium class because there were many empty seats in premium class.
- Regarding the witness’ observation on PBP’s boarding pass. **Brahmanie said** that she only saw PBP carrying a green boarding pass but she did not read it.
- Regarding PBP’s activities before take off, after he sat in premium class. **Brahmanie said** that she only saw PBP sitting in premium class; PBP was already sitting in his seat and wearing his seat belt

before take off. At that time, PBP was wearing a uniform without any sign of rank.

- Regarding who served the welcome drink. **Brahmanie said** it was Eva in premium class and Yety in business class. **Brahmanie claimed** that she did not observe Eva, Yety and Oedi’s performance continuously the whole time. She only ensured that welcome drink was served.
- Regarding the service of welcome drink to Munir. **Brahmanie said** that she did not see it when Munir was served welcome drink nor did she see it when PBP got his welcome drink.
- Regarding whether the witness saw PBP talking to the stewards and stewardess while he was sitting in his premium seat. **Brahmanie said** that she did not see it.
- Regarding PBP’s status in Gendec. Brahmanie said that PBP’s status was as extra crew destination Singapore. **Brahmanie said** that she read the flight’s Gendec.
- Regarding the meal service for flight Jakarta-Singapore. **Brahmanie claimed** that the meal in business class was served by Yety and prepared by Oedi; the one in premium class was handled by Eva. The person who served meal is the same as the one who served welcome drink.
- Regarding the witness’ observation during the meal service in business class. **Brahmanie said** that she was not watching because she was controlling the economy class.
- Regarding the meal being cleared. **Brahmanie said** that she did not see it because at that time she was distributing landing card to the passengers. In business class, the landing cards were given to Yety to be distributed.
- Regarding PBP’s activities during the flight. **Brahmanie said** that she saw PBP walking around near the premium bar. The distance of the premium bar from PBP seat (11b) was about one and a half

meters. **Brahmanie said** that at that time, PBP was standing; she did not pay attention whether PBP was looking to his left, right or front. Brahmanie said that she did not know how many times PBP stood up, sat down and stood up again.

- Regarding PBP’s climbing the cockpit stairs. **Brahmanie said** that she saw PBP climbing upper deck stairs, not cockpit stairs. She saw PBP standing at the bar before take off and after take off. She saw PBP climbing up before take off when the curtain was still opened. After take off, Brahmanie said that she was no longer able to see him.
- Regarding the witness’ observation when Eva served PBP in premium class, **Brahmanie said** that she did not see it.
- Regarding the witness’ observation on PBP’s communication with others during the flight. **Brahmanie said** that she did not see it.
- Regarding whether or not there were other crew or extra crew who showed behavior similar to PBP’s. **Brahmanie said** no because others were sleeping.
- Regarding what PBP was holding when he was standing at the bar and climbing the stairs.

*The question was interrupted by the judge, who replaced it with the following question:*

“do you see if PBP was holding something, not meant to be “held“, whether there was something strange that attracted your attention? **Brahmanie said** that she happened to be looking.

“How many seats are there in business class ?” **Brahmanie said** there were 18 seats and 15 passengers including PBP.

**The Chief Judge said** “Just tell the witness what she has to do, do not treat her as if she were a defendant.”

**The Chief Judge asked** whether the witness saw where PBP was going after he went up and the curtain was closed. Brahmanie said no, she could not see it.

The Judge as led the Prosecutor to focus his questions and prioritize other questions.

- Regarding the witness’ knowledge of Munir’s death. **Brahmanie claimed** to learn about the death in the morning of 8 September from CNBC, asking the captain, reading on the Internet and the briefing that Captain Taufiq gave.
- Regarding the content of briefing. **Brahmanie said** that before work, Captain Sabur gave a general briefing that a passenger named Munir had died. **Brahmanie said** that nobody was allowed to give any statements; only the company could do so. **Brahmanie said** the Captain had said that PBP told him about Munir wanting to see the cockpit, but Taufiq did not give his permission. PBP had said, “There’s a man named Munir downstairs, can he be allowed to see the cockpit?” but Captain Taufiq did not approve.
- Regarding telephone call/contact between PBP and the witness after Munir’s death. **Brahmanie said** that during her day off when she was in Puncak, PBP called her about the report that she was preparing for the management, in which it mentioned about a passenger named Munir, who had died on board.

**The Judge asked the witness to tell the exact words in the telephone conversation. Brahmanie said that she could not remember the exact words but PBP did ask. The Judge said, “Just as much as you can remember”. Brahmanie was silent for a while then said that she could not remember the exact words, but they were a mix between Indonesian and Javanese words. The Judge asked how she could remember the language but not the content. Brahmanie said that at that time she was in service and she had said, “Pak Polly, I’m sorry. Call me back later”.**

- Regarding who mentioned Munir’s name in the phone conversation. **Brahmanie said** it was PBP who mentioned Munir’s name first.
- Regarding how many times the witness was contacted by PBP. **Brahmanie said that she could not remember** because there were

so many times. Some were about Munir, others were about how he (PBP) was doing.

- Regarding the content of conversation when PBP called the next time (because the first telephone conversation was forgotten). **Brahmanie was silent for a while.**

*The Judge’s one-sidedness:*

The Chief Judge took over: “She already explained that PBP was asking about the development of the report. In the report, there was PBP’s name (*Brahmanie looked nervous but remained calm*). The Judge asked, “Did PBP ask in more details about the flight report?” **Brahmanie said** that afterwards there were calls to her home and it was tiring for her because PBP asked her to meet him but she had a lot of work to do. PBP had said, “*Because somebody had died, anyone could be a suspect. Therefore we have to meet, me (Brahmanie), PBP, Yety and Oedi in order to have the same perception*”. **Brahmanie said** that she could not do it because she had a lot of work to do.

The Judge again showed his one-sidedness and concluded the witness’ testimony by saying, “*One team, could be questioned, that’s common for a group*”.

**Brahmanie said** that she did not meet Polly in the end and told PBP, “*Give it up Pak Polly, just relax if didn’t do anything.*”

- Regarding any other parties who contacted the witness besides PBP. **Brahmanie said** that Yety also called her, others did not. PBP’s wife never contacted her.
- Regarding a purser’s accountability report. **Brahmanie said** that the report was submitted to Suprapno, who asked for the report when in Tokyo.
- Regarding the procedure of flight report. **Brahmanie said** that such report should be made if there were any inconsistencies, discrepancies in the service, etc. Because she felt that there were

no such things, she made the report after she was asked to do so when in Tokyo.

*F Eleyert L asked the following questions:*

- Regarding what PBP meant by having the same perception. **Brahmanie said** that she did not ask PBP any further about it.
- Regarding the time of take off. **Brahmanie said** that the plane took off a bit late, around 10.23 pm.

The Judge asked about the duration of flight Jakarta-Singapore. **Brahmanie said** it was one and a half hour.

- Regarding the time of serving welcome drink. **Brahmanie said** at that time, the plane was still on the ground. The next serving was about 40-50 minutes afterwards and the meal was only served once.
- Regarding PBP’s request to the witness for permission to swap seats with Munir. **Brahmanie said** PBP was simply asking about the location of seat 40 G and informing her about the swap, “*I swapped seat with my friend*”.
- Regarding the condition from premium to business (whether it was see through) **According to Brahmanie** when on the ground everything was opened until take off and then closed after take off.
- Regarding who helped Yety and the number of passengers. **Brahmanie said** that Yety was assisted by Oedi; there were 15 people in business class: 9 passengers including Munir and 6 extra crews.

*The Judge’s one-sidedness*

**Because Brahmanie took a while when counting the number of passengers, the Judge said: *it’s alright to be wrong a little, (it can be) corrected later.***

- Regarding who was serving in premium class besides Eva. **Brahmanie said** there was another one, Tri.
- Regarding the drink menu that was served during welcome drink and meal service. **Brahmanie said** that welcome drink consisted of champagne and orange juice. During meal service there were more choices of drink: orange juice, tomato juice and apple juice.

*The Judge’s one-sidedness*

*The Judge cut in by saying “et cetera” (for the question about the types of drink).*

- Regarding the normative rules for swapping business class and economy class. **Brahmanie said** that swapping from business to economy is not allowed, but swapping from economy class to business class is allowed.
- Regarding why the witness did not direct PBP to seat 40 G when he asked about the location of 40G. **Brahmanie said** it was because 40 G was a bit far so it was impossible for her to take PBP there, plus there were many empty seats in premium class and PBP was a plane crew.
- Regarding the witness’ observation of the time when PBP got off the plane. **Brahmanie said** that she did not see PBP when he was getting off, but she did see him in the bus on the way to Hotel Novotel Apollo. They then proceeded to check in separately. **Brahmanie said** that she did not communicate with PBP in the bus.

*Muhammad Rum asked the following questions:*

- Regarding the definition of Gendec. **Brahmanie said** that Gendec is a document that must be carried during an international flight, containing plane’s data and flight crew. Gendec is obtained from the ground officers in unit KI.

*The Judge’s Intervention*

*The Chief Judge intervened by saying, “just look at the Gendec, no need to ask about the definition”.*

- Regarding Gendec submission. **Brahmanie said** in Singapore Gendec was given to the ground officers. **Brahmanie also said** that she did not know about PBP’s activities to Amsterdam; PBP was not listed in Gendec to Amsterdam.
- Regarding the regulations for boarding pass. **Brahmanie said** that green boarding pass is for economy class.
- Regarding Munir’s phobia of flying. **Brahmanie said** she heard about Munir’s fear of flying from PBP.
- Regarding the clothes worn by extra crew. **Brahmanie said** that extra crew wears complete uniform without any signs of rank.

#### *The Judge’s intervention*

*The Chief Judge, Cicut Setiarso interrupted the witness’ answer when the Prosecutor asked, “Did extra crew for Amsterdam also wear uniform without signs of rank?” The Chief Judge took over the questioning by saying, “Different question but the same answer.”*

Regarding the time and place of briefing. **Brahmanie said** that briefing with the Captain was on 8 September in the boarding room of Changi airport with the whole crew, returned to Jakarta in GA 975 with the same plane.

#### *Jefri asked the following:*

- Regarding the witness’ observation on Munir’s activities in the plane. **Brahmanie said** that Munir read a newspaper but Brahmanie did not see Munir carrying drink.
- Regarding the time when PBP called the witness and call to Yety. **Brahmanie said** that when PBP called she had not been examined by the police. **Brahmanie said** that she never called Yety; it was Yety who called her and Yety said, “Polly kept calling me.”
- Regarding the people that PBP invited to meet. **Brahmanie said** that besides Yety, Oedi and Brahmanie there were no other people that PBP invited to meet.

- Prosecutor Jefri showed pictures of the plane and asked whether the type of the plane was the same as the one used for flight GA 974. **Brahmanie said** yes.
- Regarding the content and the shape of the plane and the of location business class. **Brahmanie said** that she remembered clearly the shape of the plane and business class was the furthest up front.

*The Prosecutor showed a note that was confiscated from the defendant (the content of the note was unknown).*

### **The Judge’s intervention**

*The Chief Judge said, “Anything can be questioned but if it was too far off it would be a waste of time (without explaining what or which part was considered too far off).*

- Regarding the position of seat 3K in business class. **Brahmanie said** that seat 3K business class is in the right side, up front.

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(lunch-recess until 12.30 WIB).

- Regarding the serving procedure for the meals on the menu. **Brahmanie said** that the meal is prepared in the kitchen, brought on a trolley, then the tray is lifted in front of the passengers and then passengers can choose from the menu.
- Regarding the procedure for welcome drink. **Brahmanie said** that the glasses were arranged on a tray, where some were filled with orange juice and some with champagne; there was paper in front of it. The tray was then carried into the cabin starting from the furthest one, front side, from left to right.
- Regarding who prepared the drink and the stewardess who served it. **Brahmanie said** the steward poured the drink in the kitchen, the stewardess carried it to the passengers; after the

drink had been poured, it was placed on the kitchen table, which was the same as the pantry.

- Regarding the witness’ observation of whether PBP was walking around or entered the pantry. **Brahmanie said** she did not see PBP going into the pantry, only at the premium bar.
- Regarding the witness’ last meeting with PBP and the content of the conversation. **Brahmanie said** that she last saw Polly at the Police Headquarters when she was met up with him. She could not remember the last time she had met PBP before she was examined.

### **c. Questions from the Legal Advisors**

*Suhardi Sumomuljono asked the following questions:*

- Regarding a passenger’ seating upgrade related to the witness’ authority. **Brahmanie said** that upgrade was supposed to be done when still on the ground and the authority did not lie with the purser but with KI.
- Regarding the witness’ authority and rules that regulate to return Munir and PBP’s seats to their original seats. **Brahmanie said** she did not know any specific rules about it but there was a difference between upgrade and relocation of seat.
- Regarding the reason why the witness did not tell Munir that he was not supposed to be there (in business class). **Brahmanie said** because the swap had been done and both of them did not mind.
- Regarding the reasons why both of them did not mind and did Munir say thank you. **Brahmanie said** Munir did not say thank you.

*Adnan Wirawan asked the following questions:*

- Regarding the witness authority to reject and approve the change of seats. **Brahmanie said** if the plane was still on the ground then it had to be approved by the head of the station. **Brahmanie said** that she did not inform the head of the station.

- Regarding whether there was a habit of allowing people to sit in premium class if there were many empty seats there. **Brahmanie said** that it was not a habit.
- Regarding the length of transit in Singapore. **Brahmanie said** that the length of transit was planned to be one hour. Brahmanie claimed not to know because she had already returned to the hotel and Munir got off the plane during transit.

*Heru Santoso asked the following questions:*

- Regarding the difference between premium bar and pantry. **Brahmanie said** that the premium bar was an area where newspaper is provided in short distance trip and drink if it were a long distance trip. Between the premium bar and the pantry there was a wall, back-to-back.
- Regarding whether or not there was a newspaper or a magazine at the bar. **Brahmanie said** ..... (the microphone did not work).
- Whether or not it was common for a passenger to stand up and read a newspaper at the premium bar; whether the witness often see other people standing and reading newspapers in other flights. **Brahmanie said** yes.
- Regarding whether or not it was possible to see the business class from the premium bar during the flight. **Brahmanie said** that during the flight there was a curtain closed between the premium and the business class.
- Regarding the time when the witness first joined Garuda and the education that the witness had received. **Brahmanie said** that she joined Garuda since 1975 and she had received four trainings.
- Regarding the education that teaches about food and drink. **Brahmanie said** such material always existed.

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- Regarding the serving of welcome drink. **Brahmanie said** that the drink that was served during welcome drink was orange juice and champagne.
- Regarding whether it was allowed or whether there were any stewardess serving wine and orange juice for welcome drink. **Brahmanie said** there had been wine in welcome drink but it was on request after the passengers got the main drinks. No wine for welcome drink unless on request.
- Regarding the serving of welcome drink, which drink would be requested more if there were 15 passengers. **Brahmanie said** that it usually depends on the passengers’ nationality.
- Regarding the cabin practical, for the serving procedure in business class (whether from the front side first). **Brahmanie said** it started up front.
- Regarding who determined Oedi’s position in the pantry and Yety in the cabin. **Brahmanie said** that it was with a special arrangement by “.....” So a person whose name was at a certain number in the list would do a certain activity.
- Regarding whether there was any previous request on Yety and Oedi’s positions in the flight. **Brahmanie said** no.
- Regarding the habits among stewardess or co pilot or pilot. **Brahmanie said** that there is an etiquette saying that if flying together, a fellow crew must know each other, even if they know each other already they would have to introduce each other again. Extra crew must report; cabin crew only report to the captain because there were many of them. If a pilot becomes an extra crew then he has to report to the Captain.

### *Assegaf asked the following questions:*

- Regarding PBP’s activities when climbing the upper deck stairs. Brahmanie said that PBP was on the stairs towards the upper premium in front of the cockpit. She did not know where PBP was going at that time. PBP said that he was going to the cockpit.

**d. Questions from the Panel of Judges**

*The Chief Judge Cicut Setiarso asked the following questions:*

- Regarding the number of purser in GA 974. **Brahmanie said** that there were 2 active purser: me (Brahmanie) and Tri, and 2 purser extra crew.
- Regarding the activities that passengers did in the plane. **Brahmanie said** that the extra crew who were in one shift was sleeping because they were at the back.

*Judge Ridwan Mansur asked the following questions:*

- In the police investigation report (BAP) it was mentioned that such change of seats between Munir and PBP was the first to happen. Why placing PBP in premium class, not in business class, while there were 18 seats and only 15 passengers in business class. **Brahmanie said** such arrangement would be costly because the budget was only for 15 passengers.
- Regarding PBP’s seating arrangement in premium class. **Brahmanie said** it was because there were 24 seats and only 11 passengers so there were many empty seats although it was not clear at that time which seats would be empty.
- Regarding the distance between seat 11 and the bar. **Brahmanie said** it was very close, only one and a half meter.

*Judge Agus Subroto asked the following questions:*

- Regarding the time when Munir and PBP made their entrance into the plane. **Brahmanie said** that she did not see them when they got on the plane.
- Regarding the time when welcome drink was served. **Brahmanie said** it was during boarding process.

- Regarding the facilities given during boarding process besides welcome drink (whether it was preceded by a warm towel). **Brahmanie said** yes.
- Regarding the time when the steward poured drinks into the glasses. **Brahmanie said** it was during boarding process.
- Regarding the time when Oedi prepared the drinks, whether PBP was around pantry (kitchen) area. **Brahmanie said** no.
- Regarding the witness’ observation whether PBP had given certain instructions to steward Oedi. **Brahmanie said** no.
- Regarding PBP’s position during boarding process. **Brahmanie said** that during boarding Oedi prepared the drinks and PBP was near the premium bar.
- Regarding PBP’s position near the bar (whether PBP was able to see how the steward prepared drink for Munir). **Brahmanie said** he could because the curtain was still opened.
- Regarding whether or not PBP observed the stewardess serving drinks to Munir. **Brahmanie said** that she did not know.
- Regarding the etiquette for extra crew. **Brahmanie said** that extra crew is supposed to sit nicely.
- Regarding PBP’s position while Oedi was preparing drinks. **Brahmanie said** that she did not know.

**e. Additional Questions from the Legal Advisors and the Chief Judge**

*Assegaf asked the following questions:*

- Regarding welcome drink, food and drink. **Brahmanie said** they all came from the catering.

*The Chief Judge Cicut Setiarso asked the following questions:*

- Regarding the position from 11b, whether it was see through and easy to see 3K from there. **Brahmanie said** it was not see through because there was a permanent partition (cabinet).
- Regarding PBP’s words to the witness during the telephone conversation and the witness said, “give it up just relax.” **Brahmanie said** that he had spoken in Javanese “Mbak.....(in Javanese language; invitation to meet, anyone can be a suspect, match perception).
- Regarding PBP’s psychological condition during the phone call (confused, in a rush or what). **Brahmanie said** that PBP did talk about lawyers and he said, “If the company does not give us a lawyer”, afterwards I said, “No need if I did not do anything ...”
- Regarding the time when PBP often called. **Brahmanie said** that PBP often called after he had gotten a lawyer.

#### **f. The Defendant’s Response**

- PBP admitted that he went to the cockpit before take off.
- PBP said that he did not have a chance to sit for a long time in the seat that the witness provided.
- PBP had no other business besides going to the cockpit to pay respect to his seniors and to inform or ask for permission as an extra crew.
- PBP said that he called Brahmanie after becoming a witness from the head office.
- PBP admitted that he was looking for a lawyer, and was lost while looking for Suhardi’s house; at that time he was very upset because the newspaper always cornered him in their articles.
- PBP said that he did ask Brahmanie about the report as soon as possible because the sooner the better. Whatever happened, the plane must be reported.
- PBP said that he was walking around because he felt traumatized due to his experienced of being beaten up by a drunken passenger.

#### **g. Additional questions from the Chief Judge Cicut Setiarso**

- Regarding the time when Brahmanie was contacted by PBP (whether PBP and the witness had been examined as witnesses). **Brahmanie said**, “I have not been examined at that time but I don’t know about PBP”.

#### **h. Witness Examination Process**

- The Judge limited the number of spokesperson from the Defense Counselors and the Prosecutors to be maximum 4 people only.
- Judges Sugito and Liliek Mulyadi did not ask any questions.
- **The Prosecutor did not further question** Brahmanie’s testimony about Munir (Munir’s condition) when Brahmanie greeted Munir before transit in Singapore.
- **Brahmanie took a long time to answer the question about PBP calling her** by reason that she forgot because it was carried out in a mix of Javanese and Bahasa. **After being pursued by the Chief Judge** by saying, “*how can you remember the language but not the content?*” Brahmanie finally said, “*I am in service, Pak Polly sorry, call me back later.*”
- **The Judge’s one-sidedness**: PBP called Brahmanie after Munir’s death and the content of the conversation was PBP asking about the flight report that Brahmanie made to the management, in which there was a report about Munir’s death. When the prosecutor asked about the content of the next telephone conversation with PBP (because the first one was forgotten), **Brahmanie was silent for a long time. The Judge then answered the question as if substituting the witness** by saying, “*She already explained that PBP was asking about the development of the report.*” (*Brahmanie looked nervous but remained calm*). The Judge asked, “Did PBP ask in more details about the flight report?” **Brahmanie said** that afterwards there were calls to her home and it was tiring for her because PBP asked her to meet him but she had a lot of work to do. PBP had said, “*Because somebody had died, anyone could be a suspect. Therefore we have to meet, me (Brahmanie), PBP, Yety and Oedi in order to have the same perception*”. **Brahmanie said** that she could not do it because she had a lot of work to do.

- **The Judge again showed one-sidedness and concluded** when Brahmanie explained that the meeting was to match their perception by saying, *“One team, could be questioned, that’s common for a group.”*
- **The judge’s one-sidedness was also shown when** Brahmanie took a long time in counting the number of passengers. **The Judge had said**, *“it’s alright to be wrong a little, (it can be) corrected later.”*
- **Again the judge showed his one-sidedness** when he cut in and said “et cetera” (for the question about the types of drinks).

#### **i. Points of the Testimony**

- When Brahmanie greeted Munir, BPB was standing at door one (what’s the distance between door one and seat 3k business class).
- When inside the plane PBP was walking around near premium bar, PBP was at the bar before and after take off in a standing position. The distance between the premium bar from PBP’s seat (11b) was one and a half meter.
- During the flight there was no other extra crew who behaved like PBP (walking around and be at the premium bar, climbing upper deck stairs); all other extra crew was sleeping.
- Brahmanie felt *tired* because PBP kept calling to invite her to meet; PBP called and invited to meet by reason that somebody had died and anyone can be a suspect; PBP invited Brahmanie, Yety and Oedi to meet to match their perception.
- Before take off the condition of every room was still opened (not yet closed) so that it was possible to see business class from the premium class.
- PBP only asked about the location of seat 40G to Brahmanie and informed her that he swapped seats with his friend (not requesting permission to swap seats).

- The content of the briefing that Captain Sabur gave was about Munir’s death and about prohibition for the crew to give any statements.
- Captain Sabur M Taufiq informed Brahmanie that PBP did ask for permission to him, saying that Munir wanted to see the cockpit, but he did not give PBP permission.
- In business class, Yety was assisted by Oedi; there were 15 people in business class: 9 passengers including Munir and 6 extra crews.

## B. Witness XI Oedi Irianto

### Witness Identity

Name : Oedi Irianto  
Place/date of Birth : Salatiga, 28 March 1962  
Religion : Islam  
Occupation : Garuda Steward  
Address : Jl. Cirata II Blok DA/2 Rt 001/012 Kel. Jaka Sampurna,  
Bekasi

### a. Opening questions from the Chief Judge

**Oedi claimed** to have known PBP for 4 years. Oedi was sworn in Islamic procedures. **Oedi said** that he was in flight GA 974 on 6 September as a steward. **Oedi admitted** to have been examined by the investigators and was written a police investigation report.

- Regarding the witness’ duty as a steward in flight GA 974. **Oedi said** that he was working as a steward in cabin and pantry area.
- Regarding the witness’ observation on seat number 11b. **Oedi said** that he did not observe seat 11b.
- Regarding the witness’ knowledge of PBP going in flight GA 974. **Oedi said** he knew.
- Regarding the location of seat 11 b. **Oedi said** that 11b is in premium class.

- Regarding PBP’s seat. **Oedi said** that he did not know where PBP sat.
- Regarding the witness’ knowledge about the defendant being in GA 974. **Oedi said** that he knew about PBP being in GA 974 when he met **PBP in front of the lavatory once.**
- Regarding Munir being in GA 974. **Oedi said** that he saw Munir in the cabin and Munir was often portrayed in media. **Oedi said** that he did not know where Munir sat, he only know for certain that it was near the window.

**b. Questions from the Prosecutors**

*Domu P Sihite asked the following questions:*

- Regarding the witness’ observation of when PBP entered the plane and the witness’ position at that time. **Oedi said** that he did not see PBP entering the plane. **Oedi claimed** to be in the pantry at that time.
- Regarding the witness’ observation of PBP when the witness was preparing welcome drink. **Oedi said** that he did not see PBP.
- Regarding the witness’ observation of PBP’s presence when PBP was standing on place and what PBP was doing. **Oedi said** that he met PBP in front of the lavatory. **Oedi said** that he did not know how long PBP was standing. At that time, PBP was not talking to anyone. **Oedi said** that he did not pay attention to whether PBP was carrying something but he knew that PBP was wearing a white shirt and blue trousers. **Oedi said** that it was seen clearly at that time.
- Regarding the witness’ cooperation in preparing welcome drink and the process of preparing welcome drink. **Oedi said** that he handled welcome drink in cooperation with Yety. **Oedi said** that he made welcome drink by taking soft drink from the trolley and then pouring it into the glasses on the tray. Oedi admitted that it was him who poured the drink and that there was champagne and orange juice on the tray. He prepared 16 drinks for business class.

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- Regarding why serving 16 glasses (whether it was according to the number of passengers). **Oedi said** no it was not because of the number of passengers but because of choices. More people choose orange juice.
- Regarding the number and the composition of drink. **Oedi said** there were 10 orange juices, 3 champagne and 3 apple juices.
- Regarding the reason why the witness prepared 3 champagne (for whom). **Oedi said** nobody because based on experience passengers prefer orange juice.
- Regarding the witness’ observation of where Munir was sitting before welcome drink was served. **Oedi said** no. **Oedi claimed** to see Munir after welcome drink had been served, when he was checking for seat belt. At that time, Munir had already had his seat belt on and the witness clearly saw Munir there. At that time, there was no glass in front of Munir.
- Regarding the witness’ knowledge that Munir was supposed to be in economy class. **Oedi said** that he did not know.
- Regarding the authority or procedure for changing seats. **Oedi said** that it was the purser’s authority.
- The Prosecutor read out police investigation note number 11: “extra crew was to sit in the back seats 4A-b, 4D-E, 4J-K and was allowed to be in other positions if there was something important. **Oedi said** it was correct. An example of important event was a VIP group. **Oedi said** he did not know if Munir was considered VIP. **Oedi said** that he did not hear from PBP that there would be an important event later on.
- Regarding who served welcome drink after the witness prepared them. **PBP said** that it was Yety. Oedi claimed not to see the delivery to each passenger because he had been in the pantry.

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- Regarding the witness’ observation of PBP walking around. **Oedi said** he did not see.
- Regarding the people who cleared the meals. **Oedi said** they were collected by Yety.
- Regarding the witness’ knowledge of Munir’s death. **Oedi said** that he learned about Munir’s death after returning from Singapore and he learned from Captain Sabur M Taufiq on 8 September.
- Regarding who were included in one crew shift. **Oedi said** that they were Brahmanie and Tri; PBP was not included.
- Regarding the witness’ knowledge about PBP’s status as an extra crew. **Oedi said** he did not know that PBP was an extra crew or where PBP’s destination was.
- Regarding whether Captain Sabur gave any explanation, during briefing, about PBP wanting to take Munir to the cockpit. **Oedi said** not explained.
- Regarding PBP’s calls to the witness. **Oedi said** that PBP called him for 4 times. PBP talked about his discomfort and **Oedi said** that at that time he had told PBP to be patient. The telephone conversation was about: 1) about the examination, 2) about the discomfort, 3) about his reputation ruined in the newspaper, 4) PBP’s wife called. PBP’s wife called to his hand phone. **Oedi claimed** that he did not know PBP’s wife. She had said, “*Hopefully Mas Polly is the only victim.*”

### *F Eleyert asked the following questions:*

- Regarding whether welcome drink was the same as meal service. **Oedi said** they were not the same but the types of drink were the same.

- Regarding the time interval between welcome drink and meal service. **Oedi said** that at the time of take off it was replaced with meal service but the time was difficult to determine.
- Regarding whether or not the witness left the pantry. **Oedi said** that during welcome drink he never left the pantry. After welcome drink had been served he did leave the pantry to help Yety pushed the trolley to the cabin, then pulled it to door one. After a while, Yety asked for coffee. (According to the prosecutor in police investigation note it was around five minutes). **Oedi said** yes.

*Jefri asked the following questions:*

- Regarding whether all the 10 orange juice, 3 champagnes and 3 apple juice were taken. **Oedi said** there was no addition and there was extra left.

*Supardi asked the following questions:*

- Regarding the drink that Munir took during welcome drink and meal service. **Oedi said** he did not know what drink Munir had.
- Regarding whether or not there were any drinks left after the witness left the pantry. **Oedi said** no.

### **c. Questions from the Legal Advisors**

- Regarding the time when the witness left the pantry. **Oedi said** that he was standing near door one looking at the pantry for five minutes. **Oedi said** that at that time he was able to see the pantry.
- Regarding the time of boarding when the witness opened the drinks whether they were sealed or opened. **Oedi said** they were sealed (the Legal advisors showed the shape of the seal to the witness and the witness confirmed).
- Regarding how to open the seal and the number of seal in the trolley. **Oedi said** by using pliers. There were two alcoholic drinks and one soft drink in the trolley; welcome drink included soft drink and there was only one.

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- Regarding the time when he opened the seal until he got off the plane, was there anyone else entering the pantry. **Oedi said** no one.
- Regarding whether it was possible for the witness to see PBP’s position from the kitchen. **Oedi said** no, it was blocked by a wall.
- Regarding the procedure if PBP wanted to enter the pantry. **Oedi said** that PBP would have to pass where the witness was sitting and if anyone wanted to go in, Oedi would be able to see them.
- Regarding the training of preparing welcome drink. **Oedi said** that he was taught about welcome drink. According to Oedi, based on “Service Manual”, domestic flight served juice and international flight served juice and champagne.
- Regarding whether or not wine and orange juice is used for welcome drink. **Oedi said** never because it was not allowed.

### *Imron Halimy asked the following questions:*

- Regarding the time to prepare welcome drink until it was ready to be served.
- Regarding whether or not the witness left the pantry while preparing welcome drink. **Oedi said** no.
- Regarding other people who prepared welcome drink besides the witness. **Oedi said** that there was only him in pantry one and Eva in pantry two.
- Regarding whether or not there were other people who gave instruction to the witness related to the preparation of welcome drink. **Oedi said** nobody.
- Regarding whether or not there is influence from the defendant when the witness was preparing welcome drink. **Oedi said** no.

### *Muhammad Assegaf asked the following questions:*

- Regarding whether the witness had asked to fly with PBP and Yety. **Oedi said** no and that he learned that he was going to fly with Yety and other crew only one and a half hour before, during check-in in Cengkareng and that he knew Munir was aboard the plane when he checked seat belt.
- Regarding the left over drink after cleared from the passengers. **Oedi said** that left over is usually thrown away
- Regarding the reason why PBP called to complain to the witness. **Oedi said** he did not know why.
- Regarding the witness’ observation of when Yety served the passengers. **Oedi said** he did not see.

*Suhardi Sumomuljono asked the following questions:*

- Regarding the number of welcome drinks. **Oedi said** that there were 16 glasses containing three different drinks: orange juice, champagne and apple juice.

*Dedy K Amudy asked the following questions:*

- Regarding PBP’s position when the witness was preparing welcome drink. **Oedi said** that he had not paid attention.
- Regarding whether the witness had been asked by PBP to put something into the drink. **Oedi said** no.

#### **d. Questions from the Panel of Judges**

*The Chief Judge Cicut Setiarso:*

- Regarding Yety’s position when the witness was opening the seal. **Oedi said** that he did not know.

*Judge Agus Subroto asked the following:*

\* regarding the serving of welcome drink by Yety. **Oedi said** that Yety took the drinks from the pantry and served them to the passengers. **Oedi said** he did not know how Yety served the drink.

- Regarding meal service, there were 15 meals on the menu, two types of food, one... and the other one was a kind of pasta. The passengers were free to choose and the meals were sealed. **Oedi said** that he did not know what Munir chose.
- Regarding whether or not there were any differences in serving welcome drink and meal service (the judge asked, “Did the stewardess ask what the passengers wanted and poured the drinks then). **Oedi said** yes.

*Ridwan Mansur asked the following:*

- Regarding the time of PBP’s calls. **Oedi said** that PBP called him after he was examined by the investigators. **Oedi claimed** that he never called PBP.

#### **e. The Defendant’s Responses**

- PBP said it was true that he called Oedi and complained a lot about being cornered by the mass media; he also called to ask about Oedi’s health because Oedi was in *fan*.
- PBP said that he did not see the serving of welcome drink because he was in the cockpit at that time and he did not order any food because he was fasting.

**The Chief Judge Cicut Setiarso said:**

- For witnesses Yety and Tri: after they were both called to the courtroom, the Judge said that both of them would be examined on Tuesday, 18/10/05.
- If it was one hour for one witness then there could be more witnesses for tomorrow.

#### **f. Hearing Process**

- Judges Liliek Mulyadi and Sugito did not ask any questions.

## Monitoring on the Trial of “Munir’s Assassination

- The number of spokesperson from the Prosecutors’ side and the Panel of Judges was limited to maximum 4 people due to limited time.
- The examination was carried out faster than the ones for the previous witnesses (only one hour).
- Neither the Prosecutor nor the Judges further questioned the hourly chronology of Oedi and Yety’s positions.
- The one who asked about how welcome drink and meal service were served was the defense counselors and not the prosecutors.
- There was no further question about the difference between the service in welcome drink and meal service.
- The Prosecutor and the Panel of Judges did not question the reason why there were 16 welcome drinks when there were only 15 passengers in business class at that time.
- Judge Agus Subroto was leading the witness in asking questions regarding whether or not there were any differences in serving drinks during welcome drink and meal service (the judge asked, “Did the stewardess ask the passengers what they wanted and then poured the drinks?”). **Oedi answered** yes.
- **The Prosecutor and the Panel of Judges did not further question:** that according to Oedi he was standing at door one (for five minutes), he could see the pantry (no further questions about the distance between the pantry and door one)

### **g. Points of the testimony**

- Regarding the witness’ knowledge about the defendant’s presence in GA 974. **Oedi said** that he knew about PBP being in

GA 974 was when he met PBP inside the plane, in front of the lavatory once.

\* Munir’s position was near the window. Oedi met PBP in front of the lavatory once.

- There were 16 drinks served: 10 orange juice, 3 champagne, 3 apple juice (there were only 15 passengers according to Brahmanie). It was thought that more orange juice would be needed considering the nationalities of the passengers.
- PBP called Oedi for 4 times. PBP talked about his discomfort. The contents of the conversation: 1) about the examination, 2) about the discomfort, 3) about his reputation ruined in the newspaper, 4) PBP’s wife called. PBP’s wife called to his hand phone and said, *“Hopefully Mas Polly is the only victim.”*
- The time interval between welcome drink and meal service depends on the time of take off, after take off then it would be replaced with meal service.
- Oedi served welcome drink by taking soft drink from the trolley and then pouring it above the tray and there were also champagne and orange juice there. He prepared about 16 drinks for business class. Yety then took them to be served to the passengers. The drinks were originally sealed and the seal was opened with a pliers. (Oedi was alone when he opened the seal and he did not know where Yety’s position was at that time.)
- During welcome drink Oedi never left the pantry for 5 minutes. After welcome drink was served Oedi did leave the pantry to help Yety pushed the trolley into the cabin and to be pulled to door one.
- there was no wine during the serving of welcome drink, only apple juice, orange juice and champagne (the Prosecutor’s indictment mentioned wine and orange juice)