

# Monitoring The Trial Concerning The Murder of Munir

## Session XI The Central Jakarta District Court Jakarta, 18 October 2005

Material: Examining witness Tri Wiryasmadi, Yeti Susmiarti, and  
Pantun Matondang

Time: 10.45 -14. 00 Western Indonesian Time (WIT)

Place: The Central Jakarta District Court, Central Jakarta, Third floor,  
Courtroom 1

## The situation in the courtroom

### I. Before the trial.

As always, the court is never on time. Today, the court also does not start at 9.00 WIB as on the schedule. The courtroom is full with crowd. There are around 20 journalists, among approximately 80 people in the courtroom. This is due to the agenda of the court that will examine witness Yeti Susmiarti, expected to be the key witness as well as one of the defendant in the case.

### II. The trial

At 10.40 WIB, the Chief Judges opens the court. The defendant, Pollycarpus Budihari Priyanto (PBP) entered the court room escorted by three police officers from Central Jakarta Police Station.

The prosecutors told the court that four witnesses would be present, namely:

1. Tri Wiryasadi
2. Pantun Manthondang
3. Yeti Susmiarti
4. Madjib Nasution

According to public prosecutor, Domu P Sihite, witness Madjib Nasution is not able to come since he is on leave of his job. The prosecutor shows a letter with regard to this witness to panel of judges.

**The panel of judges are:**

1. Cicut Setiarso (Chief of the panel)
2. Sugito (Member)
3. Ridwan Mansur (Member)
4. Agus Subroto (Member)
5. Liliek Mulyadi (Member)

**The public prosecutors are:**

1. Muhammad Rum
2. Domu P Sihite
3. Jefri
4. Narendra Jatna
5. Supardi
6. Saptani
7. Giyanto

The legal advisers of the defendant Pollycarpus Budihari Priyanto are:

1. Muhammad Assegaf
2. Dedy K. Amudy
3. Imran Halimy
4. Dzulkifli
5. Erman Usman
6. Heru Santoso
7. Uki
8. Adnan Wirawan.

### III. Witness' Examination

#### A. The eleventh witness, Tri Wiryasmadi

##### Personal identity

Name : Tri Wiryasmadi  
Place/Date of birth : Klaten 26 Juli 1958  
Religion : Catholic  
Occupation : Flight attendant in Garuda  
Sex : Male  
Address : Jl. Perhubungan V/29 Pulo Gading Jakarta Timur

##### a. Opening material from the panel of judges

*The chief of the panel, Cicut Sertiarso:*

Tri Wiryasmadi told the court that he recognized PBP. He takes the oath as a Christian and the chief of the judges tells the witness to tell the truth and nothing but the truth. The witness says that he was aboard a Garuda flight (GA 974) from Jakarta to Singapore on September 6, 2004. He says that he was on duty that time as a flight attendant.

On his duty as cabin crew with GA 974, Tri said that he was on the flight after noon. The flight is an route to Singapore from Jakarta to Amsterdam as the last destination. He says that he was aboard only until Singapore.

On his visual observation on the defendant, PBP, he confirmed that he saw the defendant when he was on duty during the flight.

On his status as a witness, he said that he was ever examined as a witness on this case.

On his duties during the flight with GA 974, Tri told the court that he should serve seat number 10 up to 17 in the premium class, under lower deck.

On the possibility of walking around during the flight, Tri explained that it was normal for passenger to walk around during the flight.

#### b. The prosecutor's questions material

*Domu P Sihite, asked questions as follows:*

On his observation during GA 974 flight on the defendant PBP, Tri admitted that he saw PBP on seat 11b. He also saw PBP shortly before take off when he tried to check passenger's seat belt. He noticed that PBP was on the seat before take off and then he saw PBP three times after take off.

On his observation after the take off on PBP existence, Tri told the court he was his colleague Eva when serving the meal. He admitted that he did not see PBP on the seat and therefore the meal for PBP remained in the trolley. After serving the meal, he admitted that he asked Brahmanie whether landing card for passenger had been distributed or not. Then he had to make messages to the purser since the new cabin crew would replace him for Singapore-Jakarta flight. He had to write message for the purser for the next flight. After distributing landing card, he left Eva alone doing her job. He admitted that he performed controlling activity around his responsible area. It was that time he saw PBP for three times.

On his observation on PBP during welcome drink, Tri told the court that he did not see PBP. He admitted that he welcomed passenger in door 12 as well as received flying documents. He entered the plane when he started serving the meal with Eva. He did not see PBP when he served the meal.

On PBP's statement that he was standing near the lavatory, Tri told the court that he saw PBP standing near the bar premium twice and near the lavatory close to door 21 once. The distance of the toilet from business or premium class is similar. He said that he was busy and therefore he did not pay attention on what PBP was doing.

On his conversation with PBP during the flight, Tri said that he did not talk a lot. He only asked PBP on PBP's destination. PBP answered by telling Tri that he was an extra crew for the flight and he would go to Singapore.

On his observation on PBP during landing, Tri told the court that he was serving the passenger in door 12 when the plane already landed. PBP did not go out from door 12 and therefore he did not see PBP.

On his other duties, Tri explained that he also had to help his friends during check-in in the hotel. Tri mentioned that he saw PBP during check-in process but he did not see PBP joining other active crews when checked in. Tri said that he only registered for active crew for the flight from Jakarta to Singapore. He met PBP in the same hotel but they did not register together. Tri told the court that he did not talk with PBP during check-in process.

On his observation on Munir inside the plane, Tri told the court that he did not see Munir and he knew that Munir already died after three days later in Jakarta after he departed Singapore.

On the briefing in Singapore, Tri admitted that there was a briefing in Singapore. The briefing mentioned about one dead passenger but Tri admitted that he was not very sure that it was Munir. Tri said that he could not remember if the briefing mentioned Munir's name. Tri told the court that he knew Munir already died from television and newspaper.

On whether PBP or his wife ever contacted him, Tri told the court that it never happened.

*Muhammad Rum, asked the following;*

On how long he met PBP before take off, Tri said that he met PBP but he did not talk a lot.

On his meeting with PBP when the witness checked the seat belt, Tri told the court that he met PBP before he checked the seat belt. Tri also mentioned that it took around 10 minutes between checking seat belt and then take off.

On whether he saw PBP when he was standing near door 12, Tri said that he never saw PBP.

On other extra crew activities, Tri told the court that there was one team of cabin crew on the flight. They would perform their tasks during the flight from Singapore to Amsterdam. They all slept during the flight.

On whose responsibilities during check in process, Tri mentioned that he was responsible for active crew for check in process. However, he also mentioned that every body could check in by themselves.

*Jefri asked the following:*

On the base for doing check in, if it is based on gendec, Tri confirmed that doing check in is based on gendec.

On whether PBP was on the list in Gendec and the reason for the witness not doing check-in for PBP, Tri mentioned that PBP was on the list in Gendec and he did not help PBP since PBP had already done check-in alone.

On whether the witness asked PBP about check-in process, Tri said that he did not ask PBP.

On the payment for check-in, Tri explained that the company would handle the payment. Tri said that he only prepared check-in document, gave it to lobby and then he got the keys.

On his observation on PBP about three times during the flight, once near the lavatory and twice standing close to premium bar, Jefri asked if PBP walked around or remained standing, Tri told the court that he saw Pollycarpus standing and asked him, "How are you? Where are you going?". PBP replied by saying that he would go to Singapore.

On PBP's activities when PBP was in the premium bar, Tri said that PBP did not do anything.

On PBP activities while standing in the premium bar, Jefri asked if PBP were doing his duties. The Chief Judges Cicut Setiarso interrupted and said that the three questions were actually asking one thing: What PBP was doing while in the premium bar? Standing or doing something else?. Tri told the court that PBP was standing when he saw him.

On the procedure when serving the passenger, Tri said that Eva served the welcome drink and he served the meal with Eva from preparing until giving them to passenger. They put the meal in the trolley and then gave it to passenger.

On preparing the welcome drink, The Chief Judges said that the question was too long and the time was very limited. The Chief Judges asked if welcome drink should be offered or the flight attendant should ask the passenger first. Tri explained that the flight attendant prepared the welcome drink and then offered to passenger. They also offered another drink for accompanying the meal.

On the briefing from the director, Tri said there was no briefing.

The Chief Judges, Cicut Setiarso asked;

On the witness' observation on PBP sitting on seat 11 b, Tri told the court that he saw PBP on the seat. (The Judges said that the witness saw PBP shortly before take off and during the flight PBP was not on his seat)

**c. The questioning material from the legal advisers:**

*Heru Santoso asked the following:*

On the distance of PBP' seat to Premium and Business class, Tri explained that the distance around 3 or 4 steps. The distance from Munir's seat (3k) to PBP's seats was around 5 or 6 steps.

On the activities of the witness starting from checking the seat belt until boarding, Tri explained that after performing checking seat belt, he had a briefing with Mrs. Anie on service's strategy.

On the witness' activities since take off until landing, **Tri explained** that he spend most of his time with Eva to serve the passenger. He went to Premium Class when.....(the voice was not clear-ed) because he had to see Brahmanie to ask if the landing card already distributed. He also asked Brahmanie if message to purser already made. **Brahmanie told** that he was preparing it.

On the witness' area responsibility, **Tri said** that he focused on his own area since the flight only took one and half-hour.

On whether the witness was certain that PBP was not on his seat since the witness was very busy, **Tri said** (The public prosecutor Jatna expressed his objection on the question but the Chief Judges said the question was already on judge's evaluation).

On the sleeping of other extra crew and the how long the flight from Singapore to Jakarta, **Tri said** that it took 10 hours.

*Muhammad Assegaf asked the following:*

On Oedi Irianto's activities during the flight, **Tri said** that he did not know.

On Yeti's activities during the flight, **Tri said** that he did not know

*Adnan Wirawan asked the following:*

On whether the witness saw Yeti with PBP, **Tri said** that he did not see that.

On the witness' responsibility for doing check-in, Tri said that he always responsible for doing check-in every time he was on duty.

On whether the witness ever saw the crew doing check-in alone, Tri said that it ever happened before.

*Erman Usman, asked the following;*

On the witness' observation when PBP standing near the lavatory, Tri explained that there were two lavatories, one in Business class and the other in Premium class. Tri said that he did not know whether PBP wanted to go in or out the lavatory. PBP was only standing when he saw him.

On PBP's claim that he was in the bar and the function of the bar whether it served drink and provided newspaper, Tri told the court that the bar did not provide drinks or newspaper since it was a short flight. PBP was only standing in the bar.

On whether the witness knew that PBP went to cockpit, Tri said that he did not know that.

#### d. The questioning material from the Panel of the Judges

*The Chief Judges, Cicut Setiarso, asked the following;*

On PBP' duties to Singapore, Tri said that he did not know. He only knew that PBP was an extra crew.

On Yeti and Oedi activities, Tri said that both only performed their jobs.

On whether there was another person also standing beside PBP around the lavatory, premium bar, Tri said that there was no other person.

*The Judges, Ridwan Mansur, asked the following:*

On when the witness saw PBP, according to the dossier, the witness stated that he saw PBP three times, twice in front of lavatory in business class, once near the door number 21 (Premium Bar) and the witness also said that he did not see PBP on his seat about 30 minutes before landing. Tri confirmed his statement in the dossier.

On whether the witness saw another extra crew standing in the bar, in front of the lavatory, during the one and half-hour flight, Tri said that there was no other extra crew.

#### e. The defendant's response

PBP told the court that the distance from business class to seat, 3k, was around 10 meter, not 3 or 4 foot steps. The distance of his seat (11b) to the bar was around one footstep.

PBP told the court that there was a wall separating premium bar and the toilet.

PBP explained that the one and half-hour flight from Jakarta to Singapore was based on "of block to on block" calculation. He explained that if the calculation referred to engine since it started before take off until shut down after landing, the flight took around 40-50 minutes.

PBP told the court that he was in the cockpit for 30 minutes until the plane was about to take off then he moved to premium bar.

The legal adviser showed a small example of the plane including the position of the places inside. The witness pointed lower deck, bar, seat 3k, pantry, lavatory (Tri said that he saw PBP twice around the toilet and once in the bar), door 21 and 11 (The questions was unheard since it took place in front of the table of the judges)

#### f. Additional questioning material from the Chief Judges, Cicut Setiarso

On whether PBP was nervous when the witness saw him, Tri told the court he did not notice (The judges commented, if Yeti was asked the same question, she answered that she did not know. If the witness was asked, he knew).

#### g. Pointer of Witness

Before take off, when seat belt was checked, PBP was on seat 11b

When the meal was served (welcome drink and meal service), PBP was not on his seat.

PBP was seen standing twice opposite the lavatory in business class near door 21.

The name of the defendant, PBP was on the gendec Jakarta-Singapore. Check in for the crew listed in Gendec was in Novotel, Singapore and it done by Tri for all crew except for PBP since PBP did the check in alone without

communication or coordination with Tri as person in charge for check-in process in Novotel Hotel.

One extra crew slept during then flight while PBB did not remain on his seat but walked to Premium bar and to Lavatory. He was not on his seat also for 30 minutes before landing.

The distance from PBP's seat in Premium class to Business class where Munir sat around 3-4 footsteps while the distance from Munir's seat (3k) to PBP' s seat (11b) around 5-6 footsteps.

The Premium bar where PBP was seen standing did not provide drink or newspaper since the flight was short.

PBP was the only person seen standing near the elavatory and Premium bar.

## **B. The twelveth witness Yeti Susmiarti**

### **Personal identity of the witness**

Name : Yeti Susmiarti  
Date/Place of birth : 18 December 1969  
Religion : Islam  
Occupation : Flight attendant for Garuda  
Address : Perumahan Taman Elok Blok 0/06  
RT/RW 03/10 Desa Priuk, Kec Periuk Tangerang

Yeti admitted that she was ever examined and she would stick to her statement in the dossier.

### **a. The questioning material from public prosecutor**

#### ***Domu P Sihite asked the fllowing:***

On his duty as cabin crew with GA 974, Yeti told the court that she was on the flight as flight attendant and her position was near door 11 in business class

On her observation on PBP when PBP entered the plane, **Yeti said** that she did not see PBP entered the plane.

On the situation when she met PBP inside the plane, **Yeti said** that PBP greeted her when she was between lavatory and premium bar before landing.

On what PBP say when met her, Yeti said that PBP asked if she was on duty and Yeti confirmed that she was on duty. Yeti admitted that she was in uniform. Furthermore, PBP told her that he wanted to change the seat. Yeti responded by asking the number of PBP's seat. PBP replied that he was on 3k. Yeti admitted that she did not ask PBP' seat number.

On whether PBP sat on seat 3k, Yeti told the court that PBP did not sit on 3k. It was already boarding pass condition and PBP was alone.

On whether she saw Munir before take off, Yeti said that she saw Munir sitting on seat 3k.

On whether PBP mentioned Munir's name when PBP greeted her, Yeti said that PBP did not mention Munir's name. He only mentioned "a friend of mine". There was nobody sitting on 3k that time.

On how many minutes Munir took the seat afterwards, Yeti said that she forgot.

On whether she knew where PBP was before take off, Yeti said that she did not know.

On the person preparing and serving welcome drink, Yeti said that she served the welcome drink and Oedi prepared it.

On preparing welcome drink, what kind of drink available, Yeti explained that she prepared orange juice, apple juice and champagne. Yeti said that she provided sauna towel for passenger prior to welcome drink. Oedi prepared the sauna towel and she distributed to passenger. She also collected the dirty towel and gave them to Oedi. She came back to pantry, took the welcome drink and distributed to passenger. Munir took orange juice. According to Yeti, orange juice was no longer available. Yeti knew that Munir took orange juice when she collected the glass. Yeti also said another meal was served when take off.

On her observation during take off about PBP, Yeti explained that PBP was sitting in Premium class after take off and she saw PBP standing in the mini bar. PBP stood twice when he was in the position between his seat and mini bar. Yeti said that PBP was writing something when she saw him. Yeti said that she did not know on the writing. Yeti said that she did not know the type of the paper. Yeti admitted that she saw PBP writing but did not notice about the paper and she did not know what PBP wrote because she just passed him by. After that, Yeti said there was no other communication with PBP.

On serving the meal, Yeti explained that she served the meal and the menu was fried noodle and pasta. Munir had fried noodle and orange juice and he finished the meal completely.

On whether she saw PBP left the plane, Yeti said that she did not see.

On whether she saw Munir left the plane, Yeti said that she saw Munir left the plane and he looked fine that time.

On her recognition that Munir already died, Yeti told the court that she knew Munir already died on September 8 when she returned to Jakarta. She was in Changi Airport and Captain Sabur gave a briefing in the waiting room. The captain announced that one passenger namely Munir already died.

On whether PBP had ever contacted her, Yeti mentioned that PBP once contacted her after the investigation process started. It was the initiative of PBP to contact her. Yeti said that PBP contacted her more than once. Yeti said that she forgot how many times PBP contacted her.

On the content of her communication with PBP when PBP called her for the first time, Yeti explained that PBP told her that he did not feel good since he was under pressure by the media and because so many journalists tried to come to his house.

On the content of her communication with PBP when PBP called her for the second time, Yeti said it was similar to the first time and it was also similar until the third call.

On whether PBP ever contacted her before the death of Munir, Yeti said that it never happened.

On another person that might call her beside PBP, Yeti said that PBP's wife once called her and introduced herself to her by saying, "This is Hera, Pollycarpus' wife. Pollycarpus wants to talk to you". Yeti said that PBP told her by saying, "Hello, It is me again". Yeti replied, "What is it now? Please, do not contact me again". Yeti said that PBP told her the same thing as the first call.

*Muhammad Rum asked the following;*

On how long the boarding process, Yeti said that it was around 10 minutes for business class.

On when she saw PBP for the first time, Yeti said that it was during boarding process.

On whether PBP was present during the briefing from Captain Sabur, Yeti said that PBP did not come.

On whether the captain mentioned in the briefing that Munir asked to visit cockpit, Yeti said that she forgot.

On whether she ever gave her mobile phone number to PBP, Yeti said no

#### b. Questioning material from the legal advisers

*Heru Santoso, asked the following:*

On serving the welcome drink, where did she start? Was it from the back or from the front? Yeti told the court that she started from the front as the rule.

On the number of the glass, since it started with 16 glasses, how many glass left until Munir's seat? Yeti said that there were still 8-10 glasses.

On serving the welcome drink. Did she offer the passenger or the passengers take the glass? Yeti explained that she offered the drink by mentioning what kind of drink available and the passenger made their decision. Munir directly took the glass.

On whether she said to Munir, "Please, take this one" Yeti said that she did not do that.

On the meal available, Yeti explained that there were two kinds of meal: fried noodle and pasta. Munir took fried noodle.

On the condition of the meal whether it was still covered by the seal when Munir took it, Yeti said that the meal still covered.

On serving the meal, did she force Munir? Yeti said that she did not force Munir. She only told Munir that two kinds of meal were available: fried noodle and pasta. Munir pointed the meal directly.

On whether she asked to serve on the flight on September 4 so she could serve business class, Yeti said that she did not do that.

On when the schedule was published, Yeti said that schedule was published two weeks before. Therefore, for 6 September, the schedule was published on 31 August.

On whether she asked to fly on September 6, Yeti said that she flied based on the schedule.

On the fact that she would fly with Oedi, Yeti explained that she knew she would fly with Oedi when she registered in GSO about one hour and half before flying.

On the fact that she saw PBP was writing something, if PBP did another thing such as preparing something, Yeti said no.

On the table and place to put magazines in premium bar, Yeti said that there was a table and places for magazines and the hole for putting bottles.

On whether she saw PBP position besides standing, Yeti said that she did not know.

On whether she saw if PBP's seat was empty or not, Yeti said that she did not see.

On the theory in serving welcoming drink, what did the theory say; Yeti explained that there were two kinds of juice, apple and orange. For business class in international flight, there was also champagne.

On whether wine also listed as welcoming drink, Yeti said no since the rule did not allow that.

On the situation during the flight from Jakarta to Singapore then returned to Jakarta again, whether something unusual happened, Yeti said the flight was normal as usual.

*Dedy K Amudy, asked the following:*

In the dossier, the person sitting next to Munir had Dutch nationality. Dedy asked how the witness knew that, Yeti told the court that Brahmanie informed her and she knew that after the flight and not during the flight.

On whether she could be sure that the person sitting next to Munir would take champagne, Brahmanie said no

On the drink served during meal service, Yeti told the court that they had tea, coffee, juice, mineral water and wine.

On the request of the person sitting next to Munir, Yeti said that he/she asked for wine.

On whether she put something into Munir's glass, Yeti said no.

*Muhammad Assegaf, asked the following:*

On her position when Oedi prepared the drink, Yeti said that she was distributing towel. Yeti mentioned that she could not see what was Oedi doing that time.

On the rest of the drink, Yeti said that it would be disposed and Oedi would do that.

On Munir's activities in business class that she knew, Yeti mentioned that Munir sat, slept and read.

On the persons sitting on the left, right and back of Munir's seat, Yeti said that the person next to Munir was a Chinese with Dutch nationality, at the back there were two extra crews and in front, there were two passengers. Yeti said that she did not see them talking each other.

On the profession of the person next to Munir (a Chinese with Dutch nationality), Yeti said that she did know.

On when she knew that she would fly with Munir, Yeti mentioned that she knew that when she already inside the plane.

On whether she asked to fly with Munir and Oedi, Yeti said that she did not ask to fly together with them.

*Erman Usman, asked the following:*

On whether it was possible to see Munir's seat in business class from the place where PBP was seen standing and writing, Yeti said that it was not possible since there was a place to store coat in between.

On whether she saw PBP's position when she served the meal, Yeti said that she did not see. Yeti said that PBP did not pass the pantry when she served the drink. Yeti also mentioned that PBP was inside the plane when she served the drink.

**c. The questioning material from the panel of judges**

*Cicut Setiarso, asked the following;*

On how many times she was examined by the police and whether she was being charged as suspect, **Yeti mentioned** that she was examined as witness for two times and as suspect for three times.

On the progress of her case as suspect, Yeti said that she did not know. **Yeti admitted** that she ever asked once and there was no examination again until now. **The chief judges told the witness** to keep on monitoring her status as suspect as well as the progress report.

**On the composition and the number of the drinks before served to Munir, there was 8 drinks consisted of several Champagne and several orange juice. Yeti said that she forgot but it still complete.**

On her method when served the drink, for instance there was still only one champagne, one orange juice and then the passenger asked apple juice, how?, **Yeti said** that she would offer the passenger and let the passenger decided what they wanted to drink.

On the person to open the seal, **Yeti said** that she opened the seal and for meal service, the seal was opened in front of the passenger.

On the person in charge for taking from trolley and collecting the garbage, **Yeti said** that she did the job.

On whether Munir finished his food completely, **Yeti said** that Munir did finish the food and the drink.

On her activities after serving, **Yeti said** that she only looked around if there was dirty plates, spoons, forks etc since it was a short flight.

On her seat as well as Oedi's seat, **Yeti said** that she was in door 11 and Oedi was in door 21.

On the distance between her place (door 11) to seat number 11 b (PBP's seat), **Yeti said** it was around one and half meter.

On whether she could sit on her seat, **Yeti said** that she could only sit during take off with her position facing the passenger. She saw PBP when the plane was about to take off.

*Judges Agus Subroto, asked the following;*

On the reason of changing the seat of PBP, Yeti told the court that she was not informed the reason.

On whether she saw PBP with Oedi when she walked to pantry to take the drink, Yeti said that she did not see.

On serving method, was it from right side first or left side, Yeti said it was left side first.

He judges said, "You offered the choice and Munir said he preferred orange juice" Yeti said that she told Munir, "Sir, we have champagne, apple, orange. Please, sir" and Munir took orange juice.

On which glass did Munir take from the 8-10 glasses available, Yeti said that she forgot.

On PBP's position when she served the drink, Yeti said that she did not know.

*The judge, Agus Subroto, was not in neutral position:*

The judge said "PBP never gave advices for the witness to provide special drink" Yeti said no.

*The judge, Agus Subroto, tried to manipulate the witness:*

On serving the drink with meal service, when Munir took the orange, the witness took from the box, Agus asked if Munir or other passenger saw her preparing the drink, Yeti said yes. (The judges then told the court, "This is the different between welcome drink and meal service. Oedi prepared welcome drink and Yeti prepared our own meal.

#### **d.Additional questioning material**

*The legal adviser, Assegaf asked the following:*

On when served the drink to Munir, did Munir drink or put the glass first, Yeti said that she did not know.

The Chief judges asked the witness to come and showed the picture taken during reconstruction process for serving the meal.

*The Chief Judges, Cicut Setiarso, asked the following:*

On whether the witness asked PBP why he walked around, Yeti said that she did not ask.

On whether there was message from PBP when PBP called her and she told PBP not to call her again, Yeti said, "That is all, sir". (The judges said that the witness should try to remember if she would be asked again later).

*The public prosecutor, Jefri, asked the following:*

Jefri showed the pictures from reconstruction and Yeti confirmed the pictures.

The Chief judges said, "Maybe the truth is not like this but it is told to be like this". Yeti said, "No, it was really my job", Hakim said, "It is true then that you are the one offering and pouring the drink", Yeti said yes.

#### e. The defendant's response

PBP said that everything Yeti said was correct.

PBP also said that it was true that he called Yeti to tell about his feeling since the journalists asking many questions disturbed him.

The judges told Yeti that she was still a witness and under the sworn and she could be asked to come again someday.

#### d. Pointer of Witness

*The existence of Yeti in GA 974:*

Yeti joined the flight as flight attendant who served the passenger by distributing sauna towel, serving welcome drink and meal service to passengers in business class including Munir. Yeti got the seat in door 11 of business class.

*Serving the passenger in business class including Munir in chronological order:*

Yeti distributes *Sauna Towel*



Oedi prepares 16 Welcome Drink such as juice apple, orange juice and champagne in the pantry



Yeti gives the dirty towel to Oedi then takes the welcome drink already prepared and starts to give them to passenger. She begins from the front row



passengers to Munir's seat (3k). There are still 8-10 glasses left with complete menu.



Yeti tells Munir that there are three kinds of drink: orange juice, apple juice and champagne. Munir then chooses orange juice.



After take off, there is meal service with the menu fried noodle and pasta, tea, coffee, juice, mineral water and wine. The meal is still covered by the seal. Yeti tells Munir, "Sir, we have two kinds of meal, fried noodle and pasta". Munir takes fried noodle by pointing. He finishes the meal and the drink completely.

***The meeting between Yeti and PBP during the flight;***

1. First, during boarding process that takes around 10 minutes.
2. Second, in the corridor between lavatory and bar premium. The plane is still on the ground. Pollycarpus greets her and says, "Are you working here" and Yeti says, "Yes, I am". PBP then tells Yeti that he wants to change the seat with person in 3K.

***PBP's activities that Yeti saw during the flight;***

1. After take off, PBP sits in premium class.
2. PBP is standing twice in the mini bar and he is writing something there. Yeti does not know what PBP is writing and what kind of paper he uses because she does not look carefully.

***Communication between PBP and Yeti after Munir's death;***

1. PBP calls Yeti more than once but Yeti does not remember exactly how many times PBP calls her.
2. PBP expresses his feeling since he does not feel well due to the news about him and because many journalists come to his house.
3. PBP calls her three times with similar talkings (The judges asks Yeti to remember the conversation but Yeti says that it is only about PBP's complain until Yeti asks PBP not to call her again ).

***Oedi's activities during the flight:***

When Yeti is distributing sauna towel, Oedi is preparing the drink but Yeti does not know what Oedi is doing since she is busy with the sauna towel

**f. Examination process**

1. The public prosecutor does not ask much about service method in business class performed by the flight attendant (including to Munir). The legal advisers focus on the mechanism in serving the food and beverages.

2. The judges, the prosecutors and the legal advisers do not ask in details in chronological order the activities and the service provided by Yeti dan Munir's condition.
3. The Chief Judges asks Yeti seriously to remember her conversation with PBP since Yeti sticks to her statement that the content of the conversations are similar. It is only about PBP's complaining.
4. There is no wine in welcome drink menu. There are only apple juice, orange juice and champagne (the prosecutor mentions about wine in his charge)

### The thirteenth witness, Pantun Matondang

#### Witness' identity

Name : Pantun Matondang  
Place/Date of birth : Tarutung, 27 Februari 1953  
Religion : Christian  
Occupation : Captain Pilot Garuda

#### a. Opening material from the Chief Judges, Cicut Setiarso

Pantun said that, he was two times examined as a witness and signed the dossier. He takes the oath as a Christian.

Pantun said that he knew PBP

Pantun said that, he was in charge to fly with GA 974 on September 7 and there was a passenger namely Munir on the flight.

Pantun said that, he did not see Munir inside the plane. Pantun told the court that he walked out the cockpit only when he wanted to go to the toilet and he did not walk around.

#### Judges' intervention

Cicut asked the prosecutor and the legal advisers to focus on questions number 39 in the dossier since there is a story that is relevant to the case.

**b.Questioning materials from the prosecutor**

*Domu P Sihite, asked the following:*

Domu asked the witness to tell what the witness knew in chronological order. **Pantun said** that on September 6, as an extra crew, he met PBP inside the plane before take off and never met PBP again during the flight.

On whether he saw PBP when landing, **Pantun said** that he did not see.

On the date of the flight from Jakarta to Amsterdam, **Pantun said** that the flight from Singapore to Amsterdam on September 7.

On when he knew that Munir already died, **Pantun explained** that, three hours after take off from Singapore, purser Majhib told him that one passenger got sick and he asked Majhib to try to find a doctor to help. Majhib said that a doctor already helped Munir in business class. **Pantun continued** by telling Majhib to monitor the situation and report to him if nothing changed. Majhib confirmed that he would follow the order. After four hours, Majhib appeared in the cockpit and told him that Munir was already calm and there was a doctor that helped. Pantun said that he switched position with Captain Widyo after five hours and tried to sleep. After he got up from sleep, Majhib informed him that Munir already died. **Pantun asked** to call the doctor that helped Munir and the doctor told him that Munir already died.

On the signing a letter of Munir's death, **Pantun admitted** that he signed a certificate on Munir's death and he gave it to the representative of Garuda in Amsterdam.

On his effort to inform the main office of Garuda on Munir's death, **Pantun told** the court that he contacted the main office by sending a fax to the director and there was no reply from the director. However, the director sent an SMS to him to write a chronological report before he sent a fax.

On whether there was a briefing by the director after returning from Amsterdam, Pantun said that there was a briefing from Operational Director. The briefing asked about the accident in chronological order.

On whether there was someone from Garuda that visited the body of Munir brought to Jakarta, **Pantun said** that he did not know.

*Narendra Jatna asked the following:*

On PBP's position inside the plane, **Pantun said** that he did not know.

On his activities during the flight from Jakarta to Singapore, Pantun said that he was sleeping.

*Supardi asked the following:*

On his meeting with PBP inside the plane, whether there was a dialog or not and what did PBP wear, Pantun said that there was no dialog. PBP wore a white-blue clothes. PBP did not say anything since he was too far. Pantun admitted that he did not meet PBP face to face.

On the location when he met PBP, Pantun said that he met PBP after entering the plane and PBP was still standing.

On the seat of the witness and the seat 3 K in business class where Munir sat, Pantun said that he was on seat 4b and he did not see seat 3k and he did not know the person sat there.

*Muhammad Rum, asked the following:*

On PBP's position and activities inside the plane, Pantun said that PBP was in the back (business class) and he did not know anything about PBP's activities during the flight.

On whether there was a report saying a passenger got sick before flying to Amsterdam, Pantun said there was no report.

On the information given by the doctor to him, Pantun told the court that the doctor confirmed Munir already died and he asked what time precisely Munir died and the doctor said it was five minutes ago (Muhammad Rum did not ask on the information given by the doctor on Munir's disease)

On the date of the briefing after return to Jakarta, Pantun said it was on September 10.

On the content of the briefing besides the chronological order of Munir's death, Pantun said that the management advised the crew to tell the situation based on what really happened.

### c. Questioning material of the panel of judges

*The judges, Ridwan Mansur, asked the following:*

On how long the flight form Jakarta to Singapore, Pantun said, it took one hour and twenty minutes.

On whether there was a time to turnoff the light during the flight, Pantun said that they turned off the light normally when take off and turned it on again afterwards. The light was turned off because the passenger normally slept and for long flight, it passed the sleeping time.

*The Chief Judges, Cicut Setiarso, asked the following:*

On his response when informed that Munir already died, did he walk out from the cockpit, Pantun said no

On his woke up from the sleep, did someone wake him up, Pantun said that no one woke him up. Captain Widyo Kromo replaced him when he was sleeping since there were two pilots and co-pilots.

On the condition of the corpse and the doctor who handled it, Pantun told the court that the face of the body was already covered and the doctor who handled it was doctor Tarmizi.

On whether there was officers went inside before the body moved out from the plane, Pantun said that the police officer in the airport went inside. Pantun said that he did not know who took out the body since they left the matter to the officer in the airport.

On how long did he spend in Amsterdam, and whether someone asked information from him, Pantun said that nobody asked information. He had only some callings by telephone and someone asked him the death in chronological order when landing.

On the case of the death of passenger during his career, Pantun said that it happened twice with him. One was in flight from Jeddah to Jakarta. According to Pantun, the capatain might walk out the cockpit if someone died.

On whether there was a rule or instruction if one passenger died, for instance emergency landing or if there was request from the family, Pantun said there were no such rules. The captain was fully responsible to make decision.

#### d.Questioning material of the legal advisers

*Heru Santoso, asked the folowing:*

On the report from Mahjib and the exact time, when Munir died. Pantun said that Majib told him Munir had a problem on his stomach. Pantun mentioned that the exact time of Munir's death was on the report.

On the necessity that the pilot made a chronological report on position, time of the dead passenger, Pantun said that it was part of pilot's responsibility.

On whether the witness reported or said hello to Captain Sabur, Pantun said no.

*The Chief Judges, Cicut Setiarso, asked the following:*

On the standard form to make a report, Pantun said there was standard form for the report.

On whether he gave the report to the police, Pantun said yes

#### e. The defendant's response

PBP did not respond

Before closing the court, the Chief Judges said that the court would be two times a week every Tuesday and Friday since there are still many witnesses for the court and the defendant's time in the jail would expire soon.

#### f. Pointer of the Witness

The flight from Jakarta to Singapore takes one hour and twenty minutes.

Three hours after take off, Mahjib, a purser, tells Pantun Matondang as Captain Pilot, that Munir gets ill and there is a doctor handling the situation in business class. Four hours after take off, Mahjib informs that Munir is getting better. Five hours later, Captain Widyo Kirono replaces Pantun since he wants to take arrest and sleep. After he wakes up, Majib tells him that Munir already died. Pantun asks the doctor handling Munir to see him and the doctor confirms that Munir already died.

Doctor Tarmizi Hakim takes care of Munir when Munir gets sick.

Pantun Matondang receives an SMS from the director in GARUDA asking chronological report on Munir's death. Pantun then sends a fax to the director but no reply since then.

After return from Amsterdam, Operational Director Garuda conducts a briefing for the crew in GA 974. According to Pantun, the management wants the crew to tell the truth

**g. Examining process of the witness**

The Chief Judges asks the prosecutor and the legal advisers to focus on the questions number 39 in the dossier since it has a relevant story.

Pantun's seat is 4b in business class and he does not see seat 3k (Munir's seat). The prosecutor, the judges and the legal advisers does not ask on the distance between seat 4b and seat 3k.

Before take off, they switched off the light and then switched on again. They switched off the light since many passengers usually sleep during long hour flight. The judges, the prosecutor and the legal advisers do not ask when they switched off the light during the flight from Jakarta to Singapore and from Singapore to Amsterdam.