

Monitoring the Trial Concerning the Murder of Munir

Session XIV

The Central Jakarta District Court Jakarta, Friday 28 October 2005

Material: Examining Expert Witness Adi Quraisman

Time: 10.40 -12.00 Western Indonesian Time

Place: The Central Jakarta District Court, third floor, courtroom five

I. Before the trial.

At 9.30 Wib, the public prosecutors and the legal advisers are ready in the court room. Polycarpus is brought to the court by using a car from the attorney office with 10 police officers from the Indonesian Police Headquarters.

Nearly 80 people are already in the courtroom. They are among others KontraS' activists, victims of Tanjung Priok's case, victims of 1965, May 1998 and Semanggi's case. Around 10 journalists are also ready inside the courtroom to cover the trial. Polycarpus is coming wearing blue trousers with red t-shirt.

II. The trial

At 10.40 Wib, the judges open the court. The agenda is to examine and hear information from the expert witness in Toxicology, Mr. Adi Quraismun from Centre of Forensic Laboratory, the Indonesian Police.

The panel of judges are:

1. Cicut Setiarso (Chief of the panel)
2. Aman Barus (Member, He is replacing Sugito)
3. Ridwan Mansur (Member)
4. Agus Subroto (Member)
5. Liliek Mulyadi (Member)

The public prosecutors are:

1. Domu P Sihite
2. Narendra Jatna
3. Supardi
4. Saptani

The legal advisers of the defendant Polycarpus Budihari Priyanto are:

1. Suhardi Sumomuljono
2. Wirawan Adnan
3. Heru Santoso
4. Uki

Witness Adi Quraisman

Personal identity

Name : Adi Quraisman ST (Bachelor's degree in Chemistry)
Place/Date of birth : 16 May 1955
Religion : Islam
Occupation : Medical expert for the police at Centre of Forensic Laboratory, the Indonesian Police Headquarters (Expert in Toxiologi)

The witness told the court that he did not recognize the defendant and he had been through investigation process once.

The chief judges told the witness that he would be only asked questions within his expertise as Toxiologist.

Opening questions from the panel of judges

The Chief Judges Cicut Setiarso, asked the followings:

On whether he had ever been shown the *visum* of Munir (*visum* = official report of an autopsy). **Adi admitted** that he saw the *visum* of Munir when he was in Indonesian Embassy, the Hague, the Netherlands and when he was in Bareskrim (Body of Criminal Investigaton), The Indonesian Police Headquarters).

On his activities in the Netherlands, **Adi explained** that he was in Netherlands to get the *visum* of Munir. He was in the Netherlands from November 25 until December 4, 2004.

On the persons sent to the Netherlands accompanying the witness, **Adi told** the court that he went to Netherlands with Superintendent Drs. Anton Charlian, Professor Amar Singh form Northern Sumatra University, dr. Budi Sampurna, dr. Ridla Bakrie and Akhmad Besatari from the Ministry of Foreign Affairs of Indonesia.

On the activities of the team in the Netherlands, **Adi explained** that the team departed on November 25 from Jakarta. The team had an internal discussion the day after and then contacted the related Dutch institution to obtain the *visum*, met the Dutch experts from Netherlands Forensic Institute (NFI) for a discussion. The *visum* was submitted to the Indonesian Embassy who eventually gave it to the team.

The judges then showed the dossier of the *visum*, **Adi confirmed** the *visum*.

On his discussion with the Dutch experts from NFI, **Adi explained** that they talked about the high dose of arsenic in Munir's body. The NFI told him that the dose was higher than other things. The result had been confirmed by several tests with similar result.

On the type of discussion, **Adi said** that the discussion was semi-formal. The Indonesian team asked about the method and equipments used by NFI. The discussion took about one and half hour. The NFI team consisted of five persons who examined the body of Munir. The language used in the discussion is English.

The judges asked about the content of the visum. The public prosecutors, the defendant, the witness and the legal advisers gathered in front of judges' table to discuss the content of the visum. The people in the courtroom could not hear the discussion.

On the content of the visum, **Adi explained** that the arsenic in Munir's body reached 180 ML meant 82.8 MG. The figure is too high and might cause death to someone. The figure is near to 900 and it shows what left inside the stomach. The rest has been out of the body by vomiting.

On how the arsen go into the body. Was it by injection? **Adi said** that the arsen was most likely go into the body through the mouth by food or drinking, not by injection.

On the difficulties in obtaining arsen in Indonesia, **Adi told** the court that it was easy to find arsen because there were many shoppers for arsen in Indonesia.

Questioning material from the public prosecutors

Domu P Sihite asked the following:

On whether the witness understand the content of the visum **Adi said** that he understood the visum only within his expertise as Toxiologist.

On the form of the arsen, **Adi told** the court that in Munir's case, the form of the arsen was unidentified. The NFI also told him the same thing that they could not identify the form of the arsen inside Munir's body.

Moreover, **Adi also said** that he could not say whether the arsen is liquid or solid since they analyzed the liquid from Munir's stomach and the blood of Munir.

Cicut asked the witness what was the form of arsen in general, **Adi explained** that the form was very similar to sugar powder with white colour. It could be in jelly form as well.

On whether the colour of orange juice would change if the arsen put into the juice, **Adi explained** that the colour of orange juice would remain the same since arsen easily dissolved in acid liquid.

On whether the dose of the arsen inside Munir's body was dangerous or not, **Adi said** that the dose of the arsen would certainly led to the death. If Munir is not in good condition, he would die sooner.

On the time of the arsen go into Munir's body, **Adi told** the court that in the discussion, they could not say the exact time. Based on the theory, the arsen would give the impact in one and half hour. That is the fastest period after the arsen go into the body. If the body is in good condition, it will take 3 or 4 hours.

On whether the visum mentioned how long Munir fly, **Adi said** that it was not mentioned in the visum. The prosecutor added by saying that if someone departs from Jakarta at 20.40 Wib, he will arrive in Singapore after one and half hour. The Chief judges interrupted and asked whether the shock, the cold weather or sleeping would influence the arsen, **Adi said** that arsen would take effect faster if there are activities.

On the agreement between the Indonesian and Dutch team about the visum, **Adi explained** that the visum was reliable based on the methodology used and the examination process inside their laboratory. The visum was also reliable from scientific point of view.

Narendra Jatna asked the following:

On the symptoms after having the arsen, **Adi said** that someone would feel pain in the stomach, vomiting, uneasy to move, diarrhea, dehydration, decreasing memory ability and could lead to death.

On the liquid inside the stomach, **Adi said** that the colour is grey as the colour of water after washing the rice.

Questioning material from the judges

Member of the panel judges asked the following:

On whether the visum predicted the time of the arsen go into Munir's body **Adi said** that there was no prediction since the NFI only examined urine, stomach, blood and they did not say anything about the time.

On whether it is possible to predict the time, **Adi said** it was possible but it would take long and large sample. **Judges Lilik made his question very clear** on the possibility to determine the time of the arsen go into Munir's body. **Adi told** the court that it was possible. One and half hours is the fastest, three hours the longest.

Judge Agus Subroto asked the following:

Could the witness determine that the arsen go into Munir's body at the Sukarno-Hatta airport, inside the plane or at Changi airport, **Adi said** yes no

The chief judges asked the following:

“The visum could not predict the time of the arsen go into Munir’s body?” **Adi said** that they had a discussion on that. The NFI could not predict since they had limited sample for the analysis. They needed to identify the essence of the arsen before it went into the body and they did not have this.

Judge Ridwan Mansur asked the following:

On the form of the arsen available in many shoppers **Adi said** that it was like a crystal and more familiar under the local term “warangan” and it was used to wash keris (Javanese traditional dagger-ed). People could buy the arsen in grams.

On whether there were any other cases using the arsen to murder someone, Adi said that Napoloen was murdered also by arsen and several murder cases in Indonesia also used arsen.

On the society’s recognition that arsen is a lethal essence, **Adi told the court** that it depends on the education of the person. We could use arsen to clean up the grass, preserve the wood or murder someone.

On the symptoms of someone having too much arsen, **Adi said** that he would feel pain the stomach and then vomited.

Questioning material from the legal advisers

Suhardi Sumomuljono asked the following :

On whether the team asked to take part of Munir’s body, **Adi explained** that the team asked in the discussion followed by an official letter. The team asked for the stomach, liver, blood, hair, the liquid inside the stomach. The NFI did not give them in the beginning. Later, they gave the liquid around 5 cc.

On whether there was second team for the investigation, **Adi said** that there was no second team since the police did not ask for it.

On whether the team wanted to do their own research as a moral obligation, **Adi said** that the research was unnecessary since everyone in the team agreed with the visum because the report did not say anything unusual.

On whether the Indonesian team could ask the liquid in one bottle, **Adi said** that it was part of police’s job, not him.

On the possibility to take additional part of Munir’s body which already buried, **The Chief judges interrupted and said** that it was the right of the police to do that.

Wirawan Adnan asked the following:

On the hairs and nails of Munir, **Adi told** the court that since they found arsen in Munir's hairs and nails, it showed that Munir had high poison.

On the incomplete sample, **Adi said** that Munir's death was unusual and after the analysis, they found arsen. Therefore the sample was not merely about the arsen. If they knew from the beginning that it was arsen, they could get more sample.

On the food of Munir's stomach, **Adi said** that it was not mentioned in the visum.

On the possibility of arsen to dissolve in liquid essence, **Adi said** that it was possible.

On the aroma of the arsenic liquid, **Adi said** that the dose of the arsen would determine the aroma. Normally, it smell like garlic. The lethal dose would have a particular aroma.

On the colour of the liquid (5 cc) obtained by the team from the NFI, **Adi said** that the colour was not very grey. The report form the NFI said that the colour was grey and it smell like a garlic.

On how many times the NFI conducted the visum, **Adi said** that he did not know.

The defendant's response

The defendant Pollycarpus did not give any response.

Pointer of the witness

- The visum said that the liquid inside Munir's body contained arsen around 180 MI or 82.2 Mg. The other liquid had been thrown away by vomiting. The arsenic dose in Munir's body was lethal and dangerous.
- The visum could not predict the time of the arsen go into Munir's body because the sample was very limited and it could not say the essence of the arsen before go into the body.
- The fastest effect of the arsen is one and half hour and the longest is three or four hours but it depends on the activities of the victims and his/her health condition.
- Scientifically, the visum of the NFI is reliable based on the method and equipment used for the investigation.

