

Monitoring the Trial Concerning the Murder of Munir

Session XV The Central Jakarta District Court Jakarta, 10 November 2005

Material: Examining the legal expert witness Ridla Bakti and Budi Sampurna

Time: 13.20 - 15.00 Western Indonesian Time

Tempat: The Central Jakarta District Court, third floor, courtroom V

I. Before the trial

The courtroom is full of crowd with nearly 80 people who will see the case of Said Agil Husain Munawar (former Minister of Religious Affairs) on corruption case which also handled by the same chief judges of Munir's case, Cicut Setiarso. Around 30 people from the victims and families of Tanjung Priok, Mei, 1965 and Semanggi case are ready in the courtroom with KontraS' activists to follow the trial of Munir's case.

Pollycarpus, when entering the courtroom, shake hands with Said Agil Husain Munawar who is sitting in the front row with his smile and greetings.

II. The trial

At 13.20 Western Indonesian Time, the judges open the court with the agenda examining two expert witnesses.

The panel of judges are:

1. Cicut Setiarso (The chief judges)
2. Sugito (Member: not present)
3. Ridwan Mansur (Member)
4. Agus Subroto (Member)
5. Liliek Mulyadi (Member)

The public prosecutors are:

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

The legal advisers are:

1. Assegaf
2. Wirawan Adnan
3. Heru Santoso
4. Dedy K Amudy
5. Uki
6. Dzulkifli

According to public prosecutors, the court would listen to five witnesses but only two already present.

III. Examining the witness, Ridla Bakri

Personal identity

Name : dr. Ridla Bakri, Mphil
Place/Date of birth : Jakarta, 24 September 1955
Religion : Islam
Occupation : Staff in Department of Chemistry, Faculty of Science,
University of Indonesia
Address : Kalibata Baru Blok B No 2

The witness admitted that he did not know the defendant, the police ever examined him and he takes the oath as a Moslem.

Concerning the death of Munir, **the witness admitted** that the government of Indonesia has sent him to the Netherlands along with six other persons namely Mr. Anton (Indonesian Police Headquarters), dr. Agung (Indonesian Police Headquarters), Adi Quraisman (Toxicologist at University of Indonesia), dr. Budi Sampurna (Forensic Centre, University of Indonesia), Omar Singh, and Bestari (Ministry of Foreign Affairs).

The witness explained the activities of the team in the Netherlands. First, they reported to the Ministry of Foreign Affairs, and the Ministry contacted the Ministry of Justice. Finally, the team met the Netherlands Forensic Institute in Amsterdam. **The witness said** that he was in the Netherlands for six days.

Questioning material from the public prosecutors

Domu P Sihite asked the following:

On his activities in the Netherlands for six days, Ridla admitted that he met the expert team from the Netherlands namely Mr. Van from Ministry of Justice, dr. Luthop and Mr. Visser from NFI. They discussed the arsen with these two people from NFI.

On the content of the discussion, **Ridla admitted** that they discussed about the high dose of arsen found in Munir's kidney, urine and blood.

On the reliability of the finding of NFI's team **Ridla told the court** that the finding was reliable since they used international standard and high technology. Therefore, the findings are easy to understand and it is a good report.

On the form of the arsen, **Ridla said** that Arsen had several forms, in solid matter or in gas matter. What they found in Munir's body could not be identified since it already dissolved.

On the form of the arsen before go into the body of Munir, **Ridla said** that it was difficult to determine it, obviously in white powder or AsO_2O_3 .

On the solubility of the arsen, **Ridla said** it was quite high, approximately 21 gr/litre. It could be put into drinks or foods.

On whether it could be determined from the findings, how the arsen go into the body. Is it from drinks or foods? **Ridla said** it was not possible to determine that since the sample was in liquid form and they needed to filter it. It could be from food or drinks.

On the reaction of the arsen since it entered the body, **Ridla said** that based on the discussion with professor.....(is not very clear-ed) from Leiden, he said that around 30 minutes to one hour, the symptoms were there. It might be dry throat, headache, cramp and diarrhea.

On the possibility to examine the vomit thrown out from Munir's body, **Ridla said** that the report did not say about vomit since they examine the liquid from the kidney.

On the aroma from the mouth if arsen already inside the body, **Ridla said** that aroma was not there in the beginning. However, if he/she went to the toilet, it would smell like garlic.

On the colour of the arsen inside the body, **Ridla said** that the colour was more or less green since the reaction already happened. However, if the arsen put into orange juice or food, it would not change the colour of the meal.

On the conclusion drawn after the discussion, **Ridla said** that the discussion concluded that Munir's death was due to high dose of Arsen went into the body.

Narendra Jatna asked the following:

On where and when the arsen went into the body, **Ridla said** the Dutch team mentioned that it probably was not in Jakarta. It was in the plane, in Singapore or in Changi Airport.

On the colour of the liquid found in Munir's body, **Ridla said** it was more or less green.

On the rest of arsen left inside Munir's body, **Ridla said** that it was nearly 83 mg and it was very lethal.

On another part of Munir's body where they found arsen, **Ridla explained** that beside in the kidney with 83 mg, the team also found the arsen in the blood with 3.1. It was lethal since it should be less than 0.1 mg/litre and in Munir's body already 3.1 mg/litre.

On whether the Dutch team found the arsen in urine, **Ridla said** that in urine, it was 4.8 mg/litre, higher than it should be, 0.3 mg.

The prosecutor, Sapardi, asked the following:

On whether the NFI team showed the equipments used to Indonesian team as well as the standard procedure, **Ridla said** that they used international standard and the latest technologies.

On the total amount of arsen inside Munir's body, **Ridla said** they did not know that since they only got what left inside the kidney, not to mention the arsen already dissolved. In the blood, the arsen should disappear in 1-2 hours but it was still high in Munir's blood.

Did they show Munir's body besides the sample? **Ridla said** they did not show since the body already buried. They only showed the material that they had for the investigation process.

On whether they gave the material for the investigation process to the Indonesian team, **Ridla said** they did and eventually the team gave to the Indonesian Police Headquarters. **Ridla admitted** that he did know if there was another investigation research.

Did the NFI show the report of the visum? **Ridla said** that they saw the visum and analyzed it again.

Questioning material of the legal advisers

Assega f asked the following:

On the lethal reaction of the arsenic poison, it takes about 30 minutes to one hour. Does it depend on the dose of the arsenic poison? **Ridla said** the dose would determine how long the reaction would be. For lethal dose, it was around 30 minutes to one hour.

On how the arsenic poison went into Munir's body, **Ridla explained** that they had analyzed that the flight from Jakarta to Singapore was about one hour, transit in Changi around 40 minutes and departed again to Amsterdam. Based on the discussion, they knew that Munir already suffered pain in his stomach at Changi airport. Moreover, Munir asked for medicine when boarding time inside the plane to Amsterdam. It showed that the symptoms already there.

On his explanation that the arsenic poison was lethal and probably got into Munir's body inside the plane, Cicut Setiarso reminded him to answer within his knowledge and expertise and he did not have to answer all questions if he had to take reference form other witness to do that. Based on the explanation, the legal advisers made their objection.

On the aroma of the arsen, **Ridla said** that the aroma would smell like garlic once it thrown away from the body since it already mixed with protein inside the body.

Wirawan Adnan asked the following:

On the type of arsenic in Munir's body, was it AsO_2O_3 ? **Ridla said** yes

On the smell of the arsenic that is similar to garlic, **Ridla explained** that the garlic smell would appear if the arsenic mixed with protein.

On the smell if the arsenic mixed with protein outside the body, **Ridla said** that it would probably smell like garlic too.

If we put the arsenic into food or drinks (orange juice), would it create garlic smell too? **Ridla said** no since the aroma would not appear outside the body.

On the death of Munir, was it chronic or acute death? **Ridla said** it was acute.

On the justification of the poisonous problem, it was said that it could not be before the boarding in Jakarta. What did the witness say that? **Ridla explained** that the statement came for two reasons. First, the dose was very high and second, the symptoms took 30-60 minutes.

Wirawan continued to ask that it could be happen Munir had the symptoms during the flight from Jakarta to Singapore since the witness said the symptoms took 30-60 minutes, **Ridla said** that it was possible.

Wirawan confronted with previous statement of the witness saying "It could not happen outside the plane before boarding" Ridla said "It is impossible in Jakarta because I hear from...**Wirawan interrupted and asked**, "How could you say impossible?" **Ridla answered** that it was possible if the symptoms appeared during Jakarta-Singapore flight. If the symptoms appeared in 30 minutes, then the poison got into the body before take off. It could be at the airport or inside the plane.

On whether it was possible to know what kind of food or drinks inside Munir's stomach, **Ridla said** that it was very difficult to know that. Moreover, there was no information on the content of Munir's stomach.

On whether it was possible to know what kind of meal consumed by looking the stomach, **Ridla said** that it was possible only in 5-10 minutes since the stomach

did not dissolve all the foods. Some of them were still available inside the stomach.

On whether it was possible the cold water dissolve the arsen, **Ridla said** that would be possible but it would take long. How long would it take depends on the dose of the arsen. With high lethal dose (200 mg), it would dissolve quickly.

On the possibility of the 200 mg arsen to dissolve in cold water without stirring **Ridla said** it was possible but it took about 5-10 minutes.

On whether they had scientific analysis with the NFI team, **Ridla said** there was an analysis. **Wirawan asked** "What is the meaning of metabolism reaction of the food-arsen mixture?" **Ridla explained** that arsen would create ASO_4 and the metal AS will take O_4 . The body has ATP and ADP as the source of energy in the form of Co_4 . The arsen would replace the Co_4 and it did not have the function to be ADP ...(it is not very clear-ed). **Wirawan asked** "How long it would be?", **Ridla said** that it would not take long since it would disappear in blood for one or two hours. The arsen then would go to the system and replace ADP.

On whether the team conducted metabolism process, **Ridla said** they did not do that.

On the sample taken to Indonesia by the team, **Ridla said** that the team took some stem cell including the content of the stomach around 1-2 ml. The team then submitted them to the police.

On whether there was reanalyzing process of the sample taken from the Netherlands, was the sample (1-2 mg) good enough to see the chemistry reaction inside the body and could the team see the arsen inside the sample? **Ridla said** yes to all the questions.

Heru Santoso asked the following :

On how many times the witness becoming a legal witness, **Ridla said** it is the first time for him.

On how effective the 6 days discussion with the NFI team, **Ridla said** the Indonesian team planned to spent six days for a discussion and take the sample.

However, the Dutch law did not let them to do so. The discussion took 3-4 hours in one day. The team returned to the Netherlands in May.

On the sample taken from the poisonous body, **Ridla said** that almost part of the body were taken such as the content of the stomach, the liquid of the stomach, liver, lung, heart, hairs and nails.

On whether they still kept the nails and hairs, **Ridla said** that the hairs were still available but they did not see the nails.

On whether there was a sign in the nails if someone got poisoned slowly, **Ridla said** there was a sign. **Heru asked**, "Why did not take the nails?" **Ridla said** that he knew from the beginning that the sample already taken.

On the reason not to take the hairs and nails and the size of the nails that could be taken, **Ridla explained** that it was around 1-2 gram since 10 gram would be difficult to analyzed. The team also tried to take the hairs but the NFI did not give since they still needed the hairs for one more analysis.

How long it takes to see the sign on the nails from someone was poisoned, **Ridla said** that it takes 7 weeks until 7 years to know that,

Questioning material the panel of judges

The chief judges Cicut Setiarso asked the following:

Cicut Setiarso showed the result of the visum to the witness in front of his table.

On the form of arsen before turn to liquid **Ridla said** it was solid, soft and not too hard.

On the taste of arsen in form of powder, **Ridla said** that it was tasteless.

On whether they discussed how the arsenic poison got into Munir's body, **Ridla said** that they only discussed the arsen came from the mouth and it could be food and drinks.

On whether the witness follows the discussion and if there was something usual in the discussion, **Ridla said** that there was no doubt on the report since they already showed their method and equipments.

The member of panel judges, Ridwan Mansur asked the following:

On whether people in general are familiar with arsen, **Ridla said** that many Javanese used it to clean up their daggers and they knew that it was a poison.

On whether he had ever investigated a murder using the arsen **Ridla said** that he had never received such case.

The defendant's response

The defendant Polycarpus did not say any response.

IV. Examining dr. Budi Sampurna

Personal identity

Name	: Budi Sampurna
Tempat/Date of birth	: Bandung, 23 Juli 1954
Religion	: Islam
Occupation	: Doctor in Forensic, University of Indonesia
Address	: Kampus UI, Jl Salemba Raya No.6 Jakarta Pusat

The witness admitted that he did not know the defendant and he had ever been investigated.

The witness said that he knew dr. Ridla Bakri and the witness took his oath as a moslem. The judges reminded to answer based on his expertise. There was sanction for telling fake information. The judges also told the witness not to answer all question if he did not know the answer. **The witness admitted** that he had been sent to the Netherlands once.

Questioning material of public prosecutor

Domu P Sihite asked the following:

On the task of the team to the Netherlands and the first discussion in the Netherlands, **Budi said** there were two times visit. First, to make sure that the examination process of the Dutch team meet the standard. Second, to make sure that the result is in accordance with several pages photo copy received by the Indonesian team. The team received the original documents of the examination process.

On the result of the discussion and the findings of the expert team, **Budi mentioned** that the Indonesian team did not do any examination process. The team were just following the procedure and the method of the NFI so they were sure about the result.

On the method used by the NFI, was it in accordance with international standard? **Budi said** yes

On the reliability of the findings of NFI, **Budi explained** that the Indonesian team believed the NFI has done the best and technically speaking, the Indonesian team already asked questions until they were sure on the findings.

On the discussion with the NFI, **Budi explained** that they discussed about the examination process and the time when the Dutch had suspicious feeling about the case. In the beginning, they did not feel anything but after the body of Munir examined by medical expert, something unusual was found. The NFI then started to do autopsy of the body and they found something unusual. They knew that Munir was poisoned and they found the medicine used by Munir. It showed that they have followed normal procedure and they confirmed the findings in their laboatory and in another laboratory.

On the poison found in Munir's body, **Budi said** that it was arsen.

On the form of the arsen, **Budi answered** that inside someone's body, we could only find the element of the arsen and not the essence.

On the arsen found in Munir's body, **Budi said** that they found arsen in the blood, urine and in the stomach of Munir.

On the content of the visum and if the witness understand the visum, **Budi said** that the visum was in Dutch and **Budi admitted** that he understand the Dutch since he studied in the Netehrlands and German few years ago so he could read the visum.

On whether the Indonesian team confirmed and agreed about the findings of NFI, **Budi said** that they already read and discussed therefore they understand what the NFI found.

Cicut Setiarso asked the language used in the discussion with NFI, **Budi said** that it was in English.

On the conclusion that Munir died because the arsen **Budi explained** that the conclusion was not one hundred percent but we could say that it was because the arsen based on the symptoms found as the witnesses explained. The symptoms were acute poisonous feeling and the high dose of arsen found in the blood and urine. There were not many research on arsen but in some cases, the figures were lower than in Munir's body. If it was already 200 mg/litre, then we had high poisonous case and people would die if the figure above 3. The figure for Munir was 3.1.

On the conclusion that Munir died because high dose of arsen, **Budi confirmed** that since the findings did not say something else and the NFI already checked every part of the body and they did not find other cause.

On the time of the quickest and the slowest reaction **Budi said** that the theory mentioned about 10 minutes (the fastest) with pain in the stomach and dry throat. Normally, it takes one hour although in some cases, it could be more than one hour since the arsen came in food and it takes time to dissolve the food. In this case, it takes 10 up to 90 minutes.

On the possibility that Indonesian team will have similar conclusion if they conducted their own research **Budi explained** that the knowledge was similar therefore it was acceptable.

The prosecutor, Narendra Jatna, asked the following:

IN the dossier, the maxium intake is 90 minutes before the first symptoms or during the flight from Jakarta to Singapore. Is it true? **Budi said** yes by explaining that it started when Munir was in the waiting room at Changi Airport

and obviously when he entered the plane to the Netherlands since he asked for medicine for his stomach. That was the starting point the symptoms already there and then we draw the conclusion the fastest 10 minutes and the longest 90 minutes.

The visum said that it could not determine the time or the arsen entered the body. What is the relation between the visum and the witness' explanation? **Budi explained** that he did not make the visum and therefore could not explain the visum. However, based on the discussion with the people behind the visum (NFI), they also developed the analysis by reading theory so the NFI had similar conclusions with the Indonesian team in the end. They might not be sure in the beginning since they also did not know when the first symptoms appeared.

On whether the findings of NFI is acceptable, **Budi confirmed** that it was acceptable.

Cicut asked "Is it legally acceptable the method used by NFI?" **Budi said** that technically speaking it was acceptable but he could not say from legal point of view.

The prosecutor Supardi asked the following:

On the factors influenced the period of the arsen to dissolve Budi explained that the form of the food is the significant factor. If the food is solid or liquid, each will have different absorption rate. Second, the essence also influence the absorption. If the arsen has valency rate 3 or 5, it would have different result. The 3 is the most dangerous. In Munir's case, it was not very clear the essence since the essence would change as it entered the body. It changed from valency 3 to 5 and the form would change from ASO_2 or ASO_3 since there is acid liquid in the stomach. This is the reason why is difficult to predict the essence in the beginning since too many factors influencing the process including the victims.

Questioning material of the public prosecutors

Assegaf asked the following:

On the time of the reaction of the arsen and the first symptoms if someone got arsen, **Budi explained** that there were not so many symptoms in the beginning

but some of them were very clear such as dry throat, pain in the stomach, vomiting and diarrhea. The reaction depends on the dose and the form of the essence.

On the relationship between the dose and the reaction process, **Budi explained** that it was correct in theory but there were no research to prove. We had only some reports on it. **Assegaf gave an example** "If I drink arsen a bit and I drink 5-10 gram arsen, will it be different?" **Budi said** that it would be totally different.

If in then minutes, the symptoms are pain in the stomach and dry throat, is the next symptoms vomitting? **Budi explained** that the first symptoms not only because the dose but also the essence and the form whether is in liquid, gas or solid form. **Assegaf asked** what if it was liquid, **Budi said** that the reaction would be quicker if the form is liquid in large amount but every people has its own strength.

If in 30, 60, 90 minutes, we have the symptoms, is it possible for someone with high arsen dose to be like normal person? **Budi said** that they did not have the report but it said that the fastest time would be 10 minutes and the longest time 90 minutes. However, it was not clear if the person would fall or could not move.

Wirawan Adnan asked the following:

The figure are: 4.8 in the urine, 3.1, How much inside Munir's stomach, **Budi said** it was 0.46 mg/ml inside 180 ml.

Is it possible from what they found in urine, blood, stomach to predict the intake time, **Budi said**, "For your information...", **Wirawan interrupted and asked** "How much the lethal intake?", **Budi said**, "It depends on the essence", **Wirawan continued by asking** "What if the essence is ASO_2O_3 ?", **Budi said** that the theory mentioned 120-200 mg is the lethal dose. Wirawan continued "In that case, what is the total intake?", **Budi said** that it would take long discussion for that and they would never reach final conclusion but they tried to calculate the content of the stomach. The stomach with 0.46 mg/ml from 180 ml then the figure would be 110 mg ASO_2O_3 , although some of them already thrown out by vomitting. However, the problem is the total amount inside the body already absorbed and therefore such figure is not valid. Inside the blood, the figure is 3.1. There is a research in Leiden on the absorption of the body and how many would be relatively distributed. The research was conducted to rat. If we assume

the distribution of human would be the same with rat and we calculate based on the previous figure, then we would get 930 mg arsen and it equals with 1.236 gram AsO_2O_3 . This is merely calculation. If this was true, the form would be little since 1 gram equals to 1/5 sugar for coffee. The difficulties is the form is uneasy to dissolve.

On the impact of arsen to the temperature of water, **Budi said** that as the water getting hotter, it would be easier to dissolve. It also depends on the degree of acidness (PH).

What is the nature of the disolvibility of the arsen in a cold orange juice, what is the degree of the temperature for cold drink that safely consumed, **Budi said** that it was 10-15 degree. There is no research on the dissolving process on that degree. However, in the next discussion, NFI did the research on that. They tried to dissolve 500 mg in 100 ML, stirred it strongly for 5 minutes. The result, they did not find solid material in the bottom but they did find after leave it for a while. They did not find the temperature but it was in normal temperature.

Cicut Setiarso asked the following:

Did the witness has similar expertise as dr. Ridla, **Budi said** that Ridla was a Toxiologist while he was forensic expert.

The witness was reminded to answer based on what he knew and he did not have to answer all questions

Did the witness follow the research or only based on information? **Budi said** that he did not see the research but he read the letter from the NFI.

Budi continued by explaining that arsen in form of AsO_2 and AsO_3 would not be easily dissolved. In that case, we could make a suspension like if we shake a cough medicine, we will get suspension. In a liquid form it would be difficult but it is possible in suspension.

On possibility of the dissolved arsen create an aroma, **Budi said** that the research said no aroma would appear.

On the reason behind Munir's death since it was not 100 percent certain, **Budi explained** that if they agreed 100 percent, they would say that the death due to "bla..bla..bla..". If they were not certain 100 percent, only less than 100 percent, they would use different language such as "beyond reasonable". We do not have

100 percent certainty in law as well. It already mentioned that in Munir's case there was no other cause except the arsen.

On the process of Munir's death, chronic or acute, **Budi said** it was acute since it would be distributed to other parts of the body as it entered the body. The arsen would be in the blood for 2-3 hours and it would go into the stem. In Munir's case, it was still in the blood. Therefore, it shows that it was new and still in the stomach.

On whether he saw the body of Munir, **Budi said** that he did not see the body but only the picture.

Imron Halimy asked the following:

Imron said, "In the discussion, the visum is already available and the NFI team discuss the visum?" **Budi said** that it was for the first discussion. For the second discussion, the Indonesian team asked more on about the time, the essence of the arsen, and the amount. **Imron asked** on the number of the discussion. **Budi said** there were two discussions. One discussion in every visit.

On whether there are some changes in the analysis of the visum when the Indonesian team asked many things on the visum, **Budi said** that there were no changes but the analysis getting sharper. For instance, they could not mention the intake time in the first discussion. In the second discussion, the intake time was 90 minutes maximum. When the Indonesian team asked the possibility of more than 90 minutes, they did not dare to say "impossible" but "very unlikely".

On whether the Indonesian team made an analysis as "second opinion" **Budi said** that they had an analysis but it was not a "second opinion". They analyzed what NFI did and decided if it was necessary to take another step or further investigation.

On whether the Indonesian team submitted the analysis to the police, **Budi told** the court they did. First, it was a report with the analysis and then in the form of dossier. **Imron asked** if the analysis only to sharpen the analysis, explain or to mention some differences. **Budi answered** that there were no differences whatsoever since the Indonesian team did not do examination process.

On whether there was an opinion saying that the Indonesian team should do an autopsy, **Budi said** there was a discussion on the advantages and disadvantages of the autopsy. First, autopsy has been done and the body was already given formalin and buried. Two months have already elapsed since the funeral. Therefore, they could not take the blood for an autopsy since it was not there anymore. The content of the stomach was no longer there too. Moreover, the families did not approve. Then the team concluded autopsy would lead to disadvantages than advantages.

On the opinion for an autopsy, is it only for internal discussion or a suggestion to the police?, **Budi said** that it was reported in the report.

On the nature of chronic poison, **Budi said** that the chronic would take some time. It would lead to a line in the nails and some lines with different colours.

On whether arsenen would give impact to someone having a disease, **Budi said** that it depends on the disease. **Imron asked** , "What about a disease in liver?", **Budi answered** that it was not possible.

On whether they found disease in Munir that could accelerate the reaction process, **Budi said** there was no disease.

Heru Santoso asked the following:

On whether the visum mentioned about intake time, **Budi said** that the visum said it was not possible to determine the intake time.

On whether the visum mentioned the source of the arsenen, is it from drink or food? **Budi answered** that it was not possible to determine the source whether from food or drink. However, it was obviously from the absorbing process.

On his explanation about suspensi. If one glass of orange juice with 75 cc and the rest of the arsenen 82.9 and he said 1/3 tea spoon, it equals to how many mili gram? **Budi said** that 1 gram arsenen As_2O_3 equals with 1/5 normal sugar size usually used. **Heru said** "If the arsenen left is 82 mg, how many spoon the crystal?", **Budi said** that it could be calculated since in one spoon there was 5 gram and we could calculate the rest. **Heru said** "If one spoon with 5 gram, the rest is 82 mg, therefore we have half of the spoon", **Budi said** it was more than, 1/5 spoon.

On whether arsen would dissolve in orange juice in steady position (without stirring or shaking, **Budi explained** that there were two suspension. In a liquid form, not many will dissolve. In suspensi, 1 gram will be dissolved.

On the arsen in the blood. It should disappear in 2-3 hours but the visum says it is still in high dose, **Budi said**, "It means, it keep entering the body, it enters the body, then distributed. If it is only once adoption, the distribution only once and disappear. If it is continous, there will be no adoption".

Questioning material of the panel judges

The chief judges Cicut Setiarso asked the following:

On the justification (death because arsen), since it is not 100 percent, how many percent then measured by percentage, **Budi said** that it was more than 95 percent.

On whether the witness has an experience curing someone poisoned by arsen, **Budi said** that he did not have that experience. The case involving arsen is rare. In Indonesia, poisoning someone with arsen is almost never happened.

The judge Ridwan Mansur asked the following:

On the liquid found during autopsy, **Budi answered** that the most notably liquid was the one with grey colour such as the colour of water after washing rice. We usually found that kind of liquid in case of severe diarrhea or cholera. In the stomach, the team found the liquid. When they put the liquid under X-ray (rontgen process), they found radio *opa* in white. It means there is a metal and they believed there is a high metal inside Munir's body. Then they started the investigation process.

On whether there is any other cause of Munir's death, **Budi said** that there was no any other cause from pathology point of view.

On the process of the arsen entering the stem of the body and the stem destroyed, **Budi said** that as arsen entered the body, it would spread throughout the body and it was difficult to say which one that caused the death. Normally, it would destroyed the absorbtion system therefore the victims would vomit and

throw away everything out of his body. He would go to the toilet frequently as well. Finally, he would get dehydration.

On whether the witness saw the visum and the autopsy (The chief judges also showed the visum to the witness), **Budi Sampurna said** yes

The defendant's response

The defendant Polycarpus did not respond.