

Monitoring The Trial Concerning The Murder of Munir

Session XX The Central Jakarta District Court Jakarta, 18 November 2005

Material: Examining the accused Pollycarpus Budihari Priyanto

Time: 9.25-17.00 Western Indonesia Time Zone

Place: The Central Jakarta District Court, Central Jakarta, Second Floor, Courtroom I

The situation in the courtroom

I. Before the trial

One car from Central Jakarta Police Station is parked in front of the building of the Central Jakarta District Court. Four police officers are standing in front of the court room. The visitors in the court room are estimated around 100 people. They are among others the families of the victims in Tanjung Priok, May riots, and Semanggi incident as well as KontraS’ activists. Herawati, the wife of the accused, is also present. The journalists in the courtroom are around 20 people from local newspapers as well as television. The courtroom is full due to the agenda of the trial which is examining the accused Pollycarpus Budihari Priyanto (hereafter is abbreviated as PBP).

II. Court session

The judges open the court session at 9.25 (local time). Three police officers are standing inside the courtroom while the other one is standing next to the judges. The accused Pollycarpus Budihari Priyanto (PBP) enter the courtroom carrying one bag in black and one big suitcase.

The panel of judges are:

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

The public prosecutors are:

1. Jefri
2. Domu P Sihite
3. Saptani
4. Suroto
5. Supardi

The legal advisers of the accused:

1. Assegaf
2. Imron Halimy
3. Heru Santoso
4. Uki
5. Dzul kifli
6. Suhardi Sumomuljono

Examining the accused of Pollycarpus Budihari Priyanto

Identity of the accused

Name : Pollycarpus Budihari Priyanto
Place/Date of birth : Solo 26 January 1961
Religion : Catholic
Address : Pamulang Permai Blok B No 1
Occupation : Pilot at Garuda Indonesian Airways

The accused is married with with three children.

The Opening Material Session of the Chief Judges

The Chief Judges states, the agenda for the trial is examining the accused as a process in obtaining evidences in the form of the accused’s information. The Chief tells the accused, Pollycarpus Budihary Priyanto (PBP), to tell the truth and nothing but the truth.

The Chief Judges also mentions, the accused does not take the oath for this time. However, the Chief Judges reminds that the accused himself will determine his fate. If the accused is lying, then he commits a sin and he will face severe punishment if the court proves it. But, if he is telling the truth, it shows his goodwill before the court and he will not get severe punishment.

The Chief Judges also says, the accused should reveal the truth and tell everything that already happened to keep him be honest before the court. The Chief Judges also asks the accused if he still remember the charge read by the prosecutors. The accused is asked to determine if the charge is correct or incorrect.

The accused PBP admits, he has not read again the charge but as far as his memory is concerned, the charge is incorrect.

The accused has been through investigation process for 9 times. The Chief Judges asks the accused if he will keep his statement in the investigation process or he wants to change it. The accused replies by saying that he was asked some telephone numbers that he did not know. All of the telephone numbers in his house are already taken by the police. The Chief Judges responds, the accused could add that in the consecutive information.

a. The prosecutor’s questions material

Domu P Sihite asks questions as follows:

Is the accused's status as a co-pilot could be categorized as flight attendant? The accused PBP responds by saying that pilot and co-pilot are flight attendant.

Who is the accused's chief as a co-pilot? The accused PBP responds by saying that Captain Karmel Sembiring is his chief.

Is Captain Karmel Sembiring is a Chief Pilot? The accused PBP says yes

Who is the director supervising the accused? The accused PBP says that Operational Flight Director, Captain Rudi Hardono, is his supervisor. Captain Rudi Hardono is already replaced by Captain Ali Sapari.

What do the accused knows on his duties during the flight? The accused PBP says that he is in-charge in flying the plane with safety regulation control

What are the accused's responsibilities as a co-pilot? The accused PBP answers, he should follow company's flight regulation and do everything that have been ordered to him by the company.

Are the orders written or not? The accused says that the orders could be written or not or even directly told to him

As the accused main duties is flying the plane, if there is another duty, which one should be done first? The accused responds by saying that there is priority in doing something. Basically, he will follow the order which one should he do first. If it is flying, he will fly. If it is another thing, he will do it also.

Is flying duty already regulated in the schedule? The accused PBP says that it could be regulated in a schedule, it could be sudden request or in a revision duty.

How is the schedule regulated? The accused PBP responds that schedule is already regulated.

When did the accused receive the schedule for September? The accused PBP says that he received the schedule either on 30 or 15. It could be sooner or later.

Is the flight on August 30 is for the schedule in September? The accused PBP says yes

Since all the activities are well regulated, who is the person in charge for the activities? The accused PBP mentions that there is a special body for that. It includes scheduling crew and monitoring crew

Do the accused bind to the schedule since it is written? The accused PBP says yes

What kind of duty given to the accused in a letter signed by the Director Indra Setiawan on August 11, 2004? The accused PBP says that it is a supporting duty.

Could the accused identify the difference between main duties and supporting duties? The accused PBP says he could.

If those two duties exist, which one should the accused do? The accused PBP responds by saying that if he is not in flight, he should carry on with the supporting duties since it is from the director, the first person in the company.

Based on the above matter, according to the schedule, where should the accused fly between 5-9 September? The accused PBP says, as far as he remember, he should fly to Beijing.

Since it is already being scheduled and it is also the main duties, why the accused did not fly to Beijing? The accused PBP says that all pilots could face changing schedules. If there are other things that need to be done, the chief pilot could change the schedule. It also applies to the chief pilot.

Is the changing order from the chief pilot written or not? If there is changing but the accused bind to the schedule, why did not fly to Beijing?

The accused PBP says that he should attend a meeting with all the pilots. He must attend since he was already invited. He says that the meeting is very important since it will discuss the future of the company due to so many pilots are going to leave the company. The pilots are asset for the company and we should solve the problem since almost 130 pilots(the prosecutor interrupts by saying the answer is not relevant)

Is there any written order to attend the meeting? The accused PBP says at that time the association and the representative of...(the prosecutor interrupts because the answer is not relevant)

Is there any written order from the chief of the accused, in this case Captain Karmal Sembiring? The accused PBP says he gets written order from Ms. Rohainil Aini.

Is there any official written order for the accused to attend the meeting on September 7? The accused PBP mentions that as far as he remembers, the association usually gives.... (the prosecutor interrupts because the answer is irrelevant)

An invitation is completely different with the order. Since the schedule is already set up, is there any official order from the chief pilot telling the accused to attend the meeting? The accused PBP says he does not remember. It could be asked to the chief pilot since he changes it. **The Chief Judges interrupts and warns the accused:** “If the accused does not remember and could not answer, it has no relation with other person. It is the accused’s own responsibilities”.

Does the accused receive official order from the chief pilot to attend the meeting on September 7? The accused says that he does not remember there was an official order but his schedule has been changed.

With regard to the schedule, since the accused should fly to Beijing between 5 and 8 September, which one is more important? Attending the meeting or flying to Beijing? The accused says that both are important.

Which one should be the first priority? The accused says the duty on the schedule is the first priority. (The Prosecutor interrupts and says that the accused does not do the task on the schedule). Mr. Assegaf, as legal adviser to the accused, says his objection on the interruption. According to the prosecutor, it is not interruption since the accused will carry on with his explanation.

The Chief Judges takes his stand on the debate: “The questions and answers are still acceptable. I should remind everyone that according to the Penal Code (KUHP) there are rules on forming the questions. It says that questions should not be tricky therefore the accused could respond freely. The questions should not be intimidating as well.

What is the reason behind the changing on the schedule? The accused says that in the end of August there is the schedule for flying as well as the plan for the meeting. Many issues will be discussed in the meeting such as salary improvement, the future of the company etc. There is also list on who should attend the meeting. It was already decided two weeks before and has been reported to the chief pilot. However, on August 31, there is flying duty to Beijing in the schedule. Therefore, attending the meeting comes before flying schedule. The first schedule is in form of plan (Pilot Sarasehan), the second is (to Peking) has already got fix schedule. The accused says, it is right but it is an mistake (Prosecutor says: according to accused, it is an mistake)

Does the accused attend the meeting from the beginning until the end? The accused says that he attends the meeting from the beginning until the end. He comes earlier than everyone. He comes at 10.00 (local time) and the meeting does not even start. Then he leaves the meeting. According to the time table, the meeting should commence at 6.00 o'clock and that is the reason for leaving soon.

Does the accused ever tell anyone on attending the meeting? That the accused is late and when he comes back, the meeting is already over. The accused says never. He comes when the meeting is about to begin and he comes earlier.

What time does the accused arrive at Jakarta? The accused says that he arrives around 8.30 in the morning and returns home first for changing clothes then goes to Ambhara Hotel when the meeting is in preparation.

What time does the accused arrive at the airport? The accused says it is around 8.30 in the morning. He arrives around 10.00 and then moves to Ambhara Hotel. He arrives at the hotel after noon when the hotel is preparing the lunch for the meeting.

Does the accused depart at 10.00 or arrives at 10.00? The accused says yes

Where is the accused's house? How long does it take from the house to the hotel? The accused says it will take one hour normally but with congestion, it will take two hours.

Based on the invitation, what time does the meeting begin? The accused says the meeting should start at 6.00 o'clock in the morning. It looks that it does not make sense. However, in reality, the meeting starts at 16.00.

Based on the invitation, the meeting starts at 6.00 o'clock in the morning. What time does it end? The accused says it will over until it is over. There is no specific time. In reality, it is really over around 12.00 midnight. He is still in the meeting one hour later.

Does the accused follow the meeting completely? The accused says he does. (The prosecutor says the accused, based on flying schedule, should respond clearly and he should hear the questions fully before he responds). Wirawan Adnan, one of the legal advisers, says his objection. He says the prosecutor is forcing the accused. The

prosecutor says he does not force the accused. He says that the accused should respond based on the invitation since he has the invitation. The Chief Judges takes over by asking: According to the invitation, the meeting starts at 6.00 until what time? The accused says it is until 2.30. The time table says until it is over or no specific time. However, it starts at 16.00 and he follows from the beginning. The Chief Judges asks what time the accused arrives. The accused PBP says that he arrives at mid day. Since there are only preparation activities then he asks what time the meeting begins. He returns at 16.00 in the evening. The Chief Judges asks when does the accused know the meeting starts at 16.00 The accused says it is that time. The Chief Judges continues by asking why the accused comes at 12.00 in the noon since he knows the meeting will start at 6.00. The accused responds by saying that he was informed by the secretary in the association namely Laura. Laura says that the schedule is incorrect. Since he is not very sure, he decides to come earlier. The Chief Judges asks when the accused asks the time to his friend. The accused PBP says that it is between 5 or 6 September. He is not sure. However, he says that he does ask his friend. The Chief Judges says that the accused does know the meeting will start at 12.00 and it is not at 6.00. The accused PBP says that he is trying to confirm the time by asking: “Is it really at 6.00”. The Chief Judges asks where the accused is at 6.00. The accused says that he is still in Singapore. The Chief Judges asks if the accused is trying to attend the meeting and decides to go home since it will start at 12.00. The accused says that he is not sure it will start at 6.00 and it is really incorrect. The Chief Judges asks if the accused really does not know the meeting will start at 16.00. The accused PBP says yes. The Chief Judges says that the accused clearly comes at 12.00 and the returns somewhere. Where does the accused go? The accused PBP says that he is only around the hotel and then he returns at 16.00

Who changes the schedule for the accused? The accused PBP says from the person in-charge.

Who is the person in charge? The accused says that he could be anyone from schedule changing division. He does not remember the name. Normally he will be informed by telephone or cellular.

Is the first schedule, ordering flying to Beijing, signed? The accused PBP says no

Is the schedule valid? The accused PBP says it is valid

What is the difference between revision and changing? The accused PBP says the difference could be by telephone. For instance, he has flight schedule to Melbourne and then he receives a call at 17.00 saying that he should be stand by since Jakarta-Melbourne route is being checked. Consequently, he should be staying at home. Another example, he is in his house when suddenly another pilot is ill. He will be picked up to replace the pilot. It is not based on official signed letter.

The accused does not fly to Beijing following the first schedule but suddenly fly at 6 September. What is the reason behind the schedule at 6 September? The accused PBP says that 6 September is not the day for flying. He is in stand-by status that day as already ordered by Mr. Karmel. He could go anywhere as long as he is ready when needed.

The changing from Mr. Karmel, when the accused receive it? The accused PBP says it is around August 30.

Is there any letter from Mr. Karmel on the changing schedule? The accused PBP says that the changing is mentioned in the schedule. However, in the office there is revision.

Between August 30 and September 6, does the accused have communication device? The accused PBP says that he has pager.

The Chief Judges asks what is the reason behind the fact that the accuses does not fly between 5-8 September? The accused PBP says that he believes the person in the office. In the office there is always changing in the schedule provided by the secretary. The Chief Judges asks what is the reason that time for the changing? The accused PBP says that it is the letter from the office. It is not from the pager and the letter is in the office.

Where does the letter come from? The accused PBP says that it is from Mr. Karmel then goes to Ms. Rohainil. The prosecutor is confronting the answer with Mr. Karmel’s explanation: During the investigation process, Mr. Karmel says that the accused did not report to him and he never gave official order literally or in written. Does the accused

deny that? The accused PBP says that he thought it was the letter for the meeting. He goes to Singapore for supporting activities and gets briefing from Operation Manager, Operation Director on supporting task for accelerating the company.

Flying to Singapore is supporting task and the first task is flying the plane. Does the accused receive explanation from Mr. Karmel that he did not give order and also the accused did not report on his duty to Singapore? The accused PBP says that in practice, chief pilot is not always present. He could not ask permission since the chief pilot is flying for one week. The prosecutor asks if the explanation from Mr. Karmel is correct. The accused PBP says that it is correct.

Based on what kind of letter the accused goes to Singapore? The accused PBP says it is based on a letter from the Director and since it is his first time the company probably is still trying to educate him since he is still in training period.

Is the letter truly saying that the director orders the accused to fly at 6 September? The accused PBP says that is very flexible. It could happen any time.

It means that the accused could fly anytime without official letter from the supervisor. How is the real regulation? The accused says that if he is in stand-by position, he is already blocked to carry on another task for the company.

Does the accused contact Rohainil Ani at 6 September and if it does, how? The accused PBP says that he calls Ms. Rohainil Ani by phone.

Is it by telephone or mobile phone? The accused PBP says that he does not remember.

When the accused called Rohaini Aini, where is his position? The accused PBP says that he is on the way after visiting a friend. In the morning he visits his friend, Mr. Sitorus, in Modern Land region together with Mr. Rujito. Is the accused at Mr. Sitorus's house that time. The accused PBP says yes.

Did the accused use Mr. Sitorus' phone? The accused PBP says he does not remember. The prosecutor asks if the accused brought his mobile phone? The accused PBP says that he brought his mobile phone.

Did the accused use telephone or mobile phone of Mr. Sitorus? The accused says that there is telephone as well as internet cafe. Public phone is very close to Mr. Sitorus' house. The prosecutor responds by saying if the accused use public phone with coin? The accused PBP says that he does not remember. However, the most important thing is he calls Rohainil.

What did the accused tell to Rohainil? The accused PBP says that he asked Mr. Karmel's condition and tells something like: Good afternoon Ms. Rohainil, I am Polly. He does not remember exact words. The point is, he is trying to ask Mr. Karmel's permission but Mr. Karmel was not around. He says that he has received duty from Mr. Ramelgia and Mr. Ramelgia as vice president will ask permission to Mr. Karmel. He also will ask permission to fly to Singapore earlier since the flight is many.

What time did the accused contact Rohainil? The accused PBP says that he does not remember the time. However, it is before the noon. (The prosecutors says that during investigation process the accused told that it was 10.00)

Why the accused did not ask permission from Mr. Karmel Sembiring.? The accused PBP says that Mr. Karmel was in flight that time.

Does the accused have Mr. Karmel Sembiring mobile phone number? The accused answers that he forgets. He usually calls to the office.

Is there any communication system in Garuda that makes direct contact to chief pilot is possible? The accused PBP says that normally through someone in the office such as secretary.

The Chief Judges asks Ramelgia wants to ask permission to Karmel or wants to call Karmel? The accused PBP says that Mr. Karmel promises to contact the pilot and he believes him. The Chief Judges asks what is the answer of Rohainil Aini? The accused PBP answers that according to his assumption, Mr. Ramelgia will contact Mr. Karmel.

The Chief Judges asks Does the accused try to contact chief pilot until his departure? The accused PBP says no since the chief pilot is flying for one week. His deputy is also not around.

The Judges remind the prosecutors to continue with other questions since the question above is already in the dossier. The judges want progress in the questions. The prosecutors says with regard with the changing, first there is meeting in the hotel and there is sudden activities between 6 and 7 of September that is flying to Singapore.

After contacting Rohainil, is there any recommendation letter for the accused saying that he must go to Singapore? The accused PBP says there is a letter from Garuda’s office arranging his departure in the after noon. He could return in the evening by taking the last flight from Singapore. If he leaves in the evening, he could return home sooner. He then decides to go home soon in case there is sudden calling to fly. He does not know which flight he would join. He is only stand by in the house. If Garuda picks him, he will be ready.

Does the accused ever mention the departure to Beijing is cancelled since the company does not pick him? The accused PBP says he does mention but it is a mistake. The prosecutors says what kind of mistake? The accused PBP says “I thought it was...”, I was waiting. My mobile phone has not been activated since April due to technical problem. The prosecutors remind the accused to be honest and consistent by saying: “I have to remind you because your statements contradict each other. You should tell the truth. We suggest you do.”

When the accused went to Singapore, what time did he arrive at the airport? The accused says that he arrived quite late and he forgets the exact time. Maybe it is there in the dossier. The prosecutors asks what time did the plane take off. The accused says it was around 10.02 because planning and reality sometimes does not match. The prosecutors remind him that as a co-pilot, punctuality is part of the job.

Before 6 September, at 2 September, did the accused ever try to contact Munir by mobile phone? The accused PBP says never. The prosecutors say that according to Suciwati’s explanation, she mentions very clear, based on the accused’s voice, that the accused calls Munir. The accused PBP says that is not true since he does not recognize Munir. Mr. Assegaf, the legal adviser, says that is not true. Someone is pretending as Mr. Pollycarpus but he is not the real Mr. Pollycarpus.

The Chief Judges says the questions should move forward. It could not going backward and then moving forward. The progress must be there. The court is adjourned until 13.00 since it is Friday and the people need to pray.

Session II. The court continues at 13.10 Western Indonesian Time Zone

The Chief Judges says: *“We are looking the facts. We are not looking who is the liar and who is the truth sayer. In the end, we are going to see both”*. The judges let the prosecutors to move forward but the judges also remind them not to repeat questions.

Questions by the public prosecutors (continued)

Domu P Sihite asks the followings:

At September 6, 2004, on his flight GA 974 to Singapore, what was the accused’s status? Active crew or extra crew? If he was extra crew, what is the procedure to be an active or extra crew? The accused PBP says that he was an extra crew when he was picked up and it based on the regulations.

How are the regulations of active crew and extra crew and how is the fixed procedure for that? The accused PBP says that in his company, crew are the person in charge in cabin as well as cabin crew who becomes regular passenger. The latter could fly again, return home or doing another tasks such as in the simulator or studying as he was. He used to be extra crew when he studied in Paris and flew with Garuda. He returned as extra crew again.

If the accused’s status as an extra crew, when departs to Singapore as well returns home, what was the accused’s activities? The accused PBP says he follows the official rule of the office. He was ordered to go as an extra crew as he went to the Cengkareng airport. The prosecutors say did the accused take the flight in the afternoon after staying in Singapore for one night since there were no activities? The accused PBP says that he had some activities there.

What did the accused do in Singapore? The accused PBP says that he was picked up by Garuda staff in the airport. He told the staff that he had task from the Aviation Security division in the main office to identify what happened on 28 August that makes Garuda loss such as gasoline disbursement. We know that such activity aims to reduce weight. Moreover, the flight took 400 passengers and since it had problems, it returned to Jakarta with no passengers. It cost the company a lot since the operating cost is high. Then the plane returned to Singapore again with passengers. When it returned to Jakarta again, the wheel operated normally. That was the order I got to be in Singapore.

Does the letter for the task in Singapore tell those things in details? The accused PBP says that a letter form the director could...The prosecutors interrupt and asks whether the letter mentions the tasks in details? The accused PBP says no. The Chief Judges says if those things that the accused mentioned are listed in the letter. The accused says that the letter does not specify. It says only “Please, look at the problem that we had yesterday”. The Chief Judges asks does the accused develop by himself the order? The accused PBP says yes

Having completed the tasks, did the accused make any report on his activities? The accused PBP tries not to answer clearly It is only in general. I only report Mr. Karmel general things because I am afraid for details activities. I did not want to mention someone. I gave him previous report as well therefore I put them in one package and made attachments to the Director and Operational Manager.

The Chief Judges asks how many times did he make the report. The accused PBP says it is only once since it is new for him. (The judges remind him since the question not asking the reason). The judges show the report made by the accused on 8 September. The accused says yes. The Chief Judges asks if the accused only write one report, not two reports. The accused says no. The Chief Judges also asks if the accused tell someone else apart from the official report. The accused PBP says that he told Operational Manager, Operational Director and finally Ramelgia Anwar.

The Chief Judges asks if the accused give a report to Mr. Karmel Sembiring. The accused PBP says that he has no chance to meet Mr. Karmel. The Chief Judges emphasizes again that the accused did not give the report to the chief pilot. The accused PBP says yes.

The accused writes only one report. According to the system, who the accused should report to? The accused PBP says he should report to Aviation Security Division, to Mr. Ramelgia Anwar. Also according to the briefing, he should make a report for training unit. Should there any problems he found, he told Captain Ronggo Karyawan as Operational manager that time. The prosecutor asks if he should report through Karmel Sembiring. The accused PBP says no. Karmel Sembiring will be informed by Operational Manager and Ramelgia Anwar.

With regard the accused's activities in Singapore, how long does it takes? The accused PBP says that he actually needs more time but he found the data are enough.

Did he report to Garuda’s representative in Singapore? The accused PBP says it is not necessary.

Does the Garuda representative know about the accused doing something in Singapore? The accused PBP says that he does know whether the representative knows he is in Singapore or not.

Does the accused confirm his present in Singapore to someone? The accused PBP says that he told one technical officer working that day.

Based on the planning, is the officer the right one? The accused PBP says it could be anyone working there as long as he could provide reliable information. The accused is so sure on that and that is the reality. The Prosecutors ask that it is only based on the accused’s certainty. The accused PBP says yes

What is the name of the officer? The accused PBP says that he does not remember. Where did the accused meet the officer? The accused PBP says that he meet the officer inside the plane. The prosecutors ask which plane. The accused PBP says it is inside Boeing 737. The accused PBP asks if it is the plane that will take the accused to Jakarta. The accused PBP says yes. The prosecutors ask if the person could be anyone. The accused PBP says yes.

Does the officer know everything that needs to be confirmed by the accused? The accused PBP says the officer does not know.

Is there any report on the activities dated August 28 from Garuda’s representative in Singapore to Jakarta? The accused PBP says he does not know. The truth is Mr. Ramel told him to go to Singapore for checking he problem. The report might be late but he is not sure.

b. Questions Material by the Panel of Judges

Chief Judges Cicut Setiarso asks the followings;

Does the accused know or even ever talk to Munir? The accused PBP says he knows Munir and talk with Munir when they both are entering the plane.

Does the accused ever meet Munir? The accused PBP says he met Munir around Welcome Statue near Hotel Indonesia. There were many people that time giving flowers. One of them was Munir.

Did the accused receive flower and was it from Munir? The accused PBP says he received flower but it was not from Munir.

Did the accused ever meet Munir or talk to Munir since then? The accused PBP says never.

When did the accused meet Munir when the accused about to enter the plane? The accused PBP says in the waiting room. The judges says “We have seen the picture taken from the reconstruction”

Has it ever been any reconstruction? The accused PBP says it has. The Chief Judges says “You met Munir when Munir going to the Netherlands on September 6, 2004. What time did you meet Munir?”. The accused PBP says it was around 22.40 in the night.

How did the accused talk with Munir when entering the door of the plane and whose initiative changing the seat is?” The accused PBP says The changing for the seat is not serious. I am just offering but Munir directly takes the seat. (The judges have warned the accused to tell the truth).

Where was your seat and where was Munir’s seat? The accused PBP says “ I am in seat 3K “ (The judges says that that seat was offered to Munir and Munir said yes)

Did the accused tell or report to the active crew on the changing? The accused PBP says he reported to Brahmani.

Did the accused tell Brahmani first then change the seat? The accused PBP says “I was in front of the door. The stewardess welcomed the passengers. Then Munir asked me because I was in uniform on his seat. I told him his seat was in the back. Munir told me the plane was big and he could not remember his seat. I looked at his boarding pass and he should be in economy class but he was in business class. I did not tell him how he could be in business class. Then I told him that my seat was here. If he wanted to be here, he should ask the stewardess. If there was a seat, he would be permitted.

Did the accused ask first or Munir took the seat right away? The accused PBP says “I enter first to put my bags and then ask Brahmanie on Munir’s situation. I did not show Munir the seat (3k). I did not see Mr. Munir when I put my bags. Then I saw Brahmanie who looked very happy. When we tried to find Munir, he was already sitting in 3d or 3k . The Chief Judges wants to clarify this to by telling Brahmanie’s explanation. Brahmanie said the accused asked about seat 40G. The accused PBP says it was after Munir already sat in 3k. The Chief Judges continues by saying that the accused changed the seat with the accused’s friend and the accused did not deny that. The accused PBP says I might forget. The judges warn the accused: “This is very crucial. We will evaluate you whether you are telling the truth or not. You have to be consistent”. The judges again continue by saying that according to Brahmanie, the accused reported the changing seat. Which one is the truth? The accused PBP says I do not know for sure. It is more or less like that. Then I saw Brahmanie shook hands with Munir. The judges ask where the accused’s seat was finally. The accused PBP says I was offered to take the Premium class since it was empty.

Is it possible to see 3k seat from Premium class? The accused PBP says no

Did the accused take his seat in Premium class? The accused PBP says he was in Premium 11b. He paid a visit to cockpit for a while when the plane did not move yet.

Where was the accused's position when welcome drink service? The accused PBP says he was in upperdeck.

When the accused visited cockpit, did the accused already take 11B seat in Premium class? The accused PBP says he sat for a minute then went to cockpit.

Did the accused take his clothes and where did the accused put them? The accused PBP says in the bag case for seat 4a and 4b. There were two bags (The accused shows one of his bags that he brings to the courtroom).

How long is the welcome drink for business class? The accused PBP says I could not explain since I have no experience in serving welcome drink. (The judges says: "You may or may not answer. However, we will evaluate you on that"). The judges continues by asking if the welcome drink lasts for 5-10 minutes. The accused PBP says as far as his experience as passenger, it takes around 10 minutes while waiting other services.

How many times did you go to cockpit? The accused PBP says one time

How long does it take the travel from Jakarta to Singapore? The accused PBP says it is around one hour and thirty eight minutes.

What did you do for during the travel? Did you spend the time mostly in your seat or not? The accused PBP says "I read a lot inflight magazine in Dutch. The magazines are available in the bar of Premium class". The judges say that is the reason. The question is "Did the accused spend the time on his seat or not?" The accused PBP says I could not say how long I stay on my seat. However, I stay on my seat ten minutes before landing and during take off as well as after going to the toilet. I do not count how long in total.

Did the accused stand up a lot? The accused PBP says I do stand up but not walking without intention as the question says. The judges says that the question does not say about unintention walking and warns the accused not to

say something based on his own interpretation. The judges emphasizes the fact that the accused leaves his seat quite a lot. The accused PBP does not say anything .

How many times did the accused go upstairs ? The accused PBP says it is around 15 minutes.

Did the accused notice the extra crew ? The accused PBP says I saw them there with a quick look.

Did the accused see them walking? The accused PBP says I do not know.

Which one is walking a lot? Is it the accused or the extra crew? The accused PBP says I walk a lot since I have nothing to do. The extra crew stays on the seat to save the energy because they have jobs in the night. The judges says that the accused also had a job The accused PBP says he does not have to join the next flight as the extra crew will.

Did the accused know that according to the schedule, he needs to return to Jakarta at 7.00? The accused PBP says yes. However, if the data is not enough, he could join the next flight at 8.00

Did the accused buy the ticket as an extra crew? The accused PBP says no since the office has arranged everything.

Did the schedule not say about the time the accused should return to Jakarta? The accused PBP says it did not since the staff will arrange when I ask them if I could take a flight or not.

When the accused went to Singapore, did the accused know what time he should return the day after? The accused PBP says no. He could only expect the time. The sooner, the better.

Did the accused meet Oedi and Yeti? The accused PBP says yes.

What did the accused say to Oedi? (The judges warn the accused to tell the truth). The accused PBP says “I am about to go to the toilet when I meet Oedi. He probably wants to check something. He says “Hello” and I replies. That is all. Oedi did not ask where I wanted to go.

How about the accused’s meeting with Yeti? The accused PBP says “I met her in the corridor close to the toilet. I can not remember our conversation but I did met her”. The judges says that according to Yeti, the accused asked her to talk but she refused because she was busy. The accused PBP says that Yeti might say so but he could not remember. The judges warn the accused again to tell the truth.

What were the accused’s activities when stood up or sat in the bar? The accused PBP says “I only read magazines. I am trying to find something I can read and I find Dutch magazines and there was also a Dutch passenger in the front row, and I find the magazines on...(unclear) The judges ask if the accused read Dutch magazine. The accused PBP says it is not dutch magazine. It is about aviation.

What did the accused do beside reading magazine? The accused PBP says nothing. That is all he did.

Why did not the accused read the magazine on his seat? The accused PBP says “I am tired on the seat because every time I fly, I always have a seat. I have a problem because of that and therefore I could not have a seat a lot.

When the accused fly, did he also stand up? The accused PBP says it happens all the time. He has agreement with chief pilot. If one stands up, the other will replace.

Is there any other magazine in the bar besides the Dutch magazine? The accused PBP says we also have inflight magazine form Garuda. There are many but he does not remember. However, there is no newspaper.

Did the accused feel disturbing the active crew since he was not on his seat? The accused PBP says no since premium class is not fully occupied. On his row there are only three persons, the accused, the one in seat 19 and an old lady.

Before the take off, the accused paid a visit the cockpit to see Captain Sabur. Where did the accused go after that? The accused PBP says he went to the cockpit shortly before take off to greet the captain.

When did the accused go to the toilet? The accused PBP says after the seat belt off. He went to the toilet two times.

Did he ever communicate with Munir during the flight? The accused PBP says he met Munir only once when entering the plane when Munir asked his seat.

Did the accused know when Munir get off the plane? The accused PBP says no.

How does the accused know that Munir passed away? The accused PBP says he knows by listening to Elshinta radio (local radio). He does not remember the date. He was shopping that time.

Does the accused know the place where Munir was buried? The accused PBP says he knows form the report by the media that Munir was buried in Malang.

How does the accused think about Munir? The accused PBP says he could not say much since he just know Munir. It looks to him Munir is a very happy person.

Did the accused ever make a statement saying ‘ I change the seat for Munir to be in front since he is a famous person’ The accused PBP says he did once. He says the crew should serve Munir because he is very famous. It will attract other passenger. Moreover, we should serve the passenger well since the salary comes from them.

How many times did the accused change the seat in a flight? The accused PBP says very often. Sometimes it is foreigner. His name is Brian.

Did he ever change the seat before? The accused PBP says it happens once. He changed the seat with Mr. Amien Rais when Mr. Amien wants to go to Denpasar from Jakarta. He does not remember the date but he has the picture. He is in economy class while the accused in business class. It also happens once when he changes the seat for a lady from New Zealand who gets ill.

Did the accused know Munir well? The accused PBP says no. He just respects him.

Did the accused know the date when Munir buried? The accused PBP says he did not know. He forgets the date.

Munir was buried on 9 September. Where were the accused that time? The accused PBP said that he was in Jakarta.

What did the accused think when Munir died on 7 September? The accused PBP said that it was unbelievable.

Munir dies in the plane and he is on the changing seat. Where were the accused when he heard the news of Munir’s death? The accused PBP said that he was in his house. He was with his wife doing shopping

Did the accused receive the news form Garuda? The accused PBP says no.

Did the management of Garuda sent someone to attend Munir’s funeral? The accused PBP said that he did not know. He did not remember.

Did he ever hear that there was social gathering when Suciwati, Munir’s wife, paid a visit to Garuda. Did he join the gathering? The accused PBP says “ I attend the gathering once and yes, Suciwati was there.”

The Chief Judges asks about the picture taken when the accused changed his seat with Mr. Amien Rais during the flight from Jakarta to Denpasar. Mr. Assegaf, legal adviser, shows the picture.

Did the accused see Yati when she served Munir for welcome drink? The accused PBP said that he did not see Yati.

Who served the welcome drink in business class? The accused PBP said Yati did.

Did the accused see Oedi’s activities and what was Oedi’s duty? The accused PBP said that he met Oedi between the toilet and the door of the plane. Oedi is the person in charge for Pantry and he should be in business class.

Judges Ridwan Mansur asks the following:

When the accused was told to go to Singapore, what was in the accused’s mind? The accused PBP said that it could be aviation security and efficiency problem.

For investigation and facts finding task, did the accused find the plane? The accused PBP says “No. I tried to find information and I tried to check if there is any misconduct behaviour in purpose. The wheel usually....(not very clear-ed)...if we forget to pull it out...(again not very clear-ed). That is based on my experience”.

What were the accused’s activities in Singapore? The accused PBP said that he wanted to see the mechanic officer the day after in the morning before he returned home because he need to go downstairs if he wanted to go to the office.

How long does the accused stay in Singapore? The accused PBP said that it was around 5 and half until six hours.

What is the name of the mechanic officer? The accused PBP says “ I forget his name because I have no time to ask. I recognize that he is a mechanic since he is carrying lock box. I ask him on the situation with the plane the day before and he confirms it.

Did the accused see the machine? The accused PBP said that he only needed the data because if he asked the name (the judges interrupts because the answer is irrelevant)

When was the accused while the welcome drink being served? The accused PBP said that he was in the cockpit.

Did the accused go to the toilet two times during the flight? The accused PBP says yes

What time did the plane take off and land? The accused PBP says “It is around 10.22 or 00.40 (Singapore time). The judges says “The other extra crew stay on their seat nicely during that short period”

Based on the statement from Polygraf Division of Forensic Laboratory Centre, the accused have been identified not telling the truth. Did the accused sign the statement? The accused PBP said that he did sign it.

Cicut Setirso asks the followings:

The accused is examined by psychology, do you know the result of it and...(not clear)

The accused talked to the mechanic inside the plane. How did the accused know that the person is a mechanic? The accused PBP says “A mechanic normally brings a lock box. The man who holds ...(not very clear-ed) checks the previous problem if already signed or not. He also checks the complain. For flying, we have two reports: literally and written. Then he signs it and when he takes...(not very clear) with me, I tell him “I can” and I know that he is a mechanic because I have seen him several times during my transit in Singapore. The judges ask “You have seen him many times and you do not know his name?” The accused PBP said that because the names are many.

Was interview method the best way to carry out the task or there was other way? The accused PBP said that interview method was good because we could find the data directly in the ground. If we come to office, we have bureaucratic problem. The judges ask “What is it mean by on the spot since the interview was in the plane?” The accused PBP says “On the spot means not in the office”

How about dumping fuel task? The accused PBP said that he only needed information since it will be verified.

About the mechanic, is he Indonesian or Singaporean? The accused PBP says “The mechanic speaks with malay dialect but his face is Indonesian because there are so many mechanics from Indoensia. I have a lot of friends there. Sometimes they are in Denpasar, in Jakarta, then in Singapore again”.

Judges Agus Subroto asks:

The accused have been working as a pilot for 12 years. How is the task activities being arranged? Is it monthly or weekly and the time for off duty? The accused PBP says once in two weeks, sometimes 3 or 4 days.

What does the accused do when off-duty? The accused PBP says “ I like old cars”

Does the accused pay attention on social culture aspects when doing his job? The accused PBP said that he did not care.

In what way does the accused know Munir? The accused PBP says “ I read newspaper and as far as I remember, he is an activist for human rights issue” .

Did the accused ever meet Munir? The accused PBP says “I met him once near Welcoming Statue, near Hotel Indonesia” .

Did the accused ever say “hello” to Munir? The accused PBP said that it never happened.

What was the accused’s motivation by offering a seat to Munir? The accused PBP says “ Iam trying to serve anyone, not only Munir” .

Suciwati said, the accused once called Munir and she picked up the phone. The accused PBP said that he never made a call

Did the accused ever ask the schedule for Munir for studying to the Netherlands? The accused PBP says “Never. It is not my business” .

So, the accused never interested in social politic issue? The accused PBP says “No” .

When the welcome drink is being served, what did the accused do at the upper deck? The accused PBP says “ I just want to say hello. It is a matter of politeness” .

Why it takes so long for saying “hello”? The accused PBP says “Sometimes even until landing. My friends love to see the instrument inside the cockpit. The pilot loves the cockpit. That is the reason why I left my seat to go to the cockpit”.

Did the accused enjoy meal service? Who served it? The accused PBP says “ I did not enjoy it. It was Eva who served it”.

What was the role of Yeti and Oedi when serving welcome drink and meal service? The accused PBP says “ I have no idea”

What is the distance between the accused and the kitchen and the business class? The accused PBP says “It is around 5 meter”.

Did the accused see Oedi and Yeti preparing welcome drink since the curtail is still open? The accused PBP says “It is not possible since there is a wall and the distance is quite far”.

What kind of meal being served for business class? The accused PBP said that he did not know.

How did Yeti serve the meal? Did she offer or serve a particular meal? The accused PBP said that he did not know.

Judges Liliek Mulyadi asks the followings:

Explain the changing of the schedule in brief The accused PBP says “In August, we have meeting plan and it has been arranged how many people should come, what kind of plane, etc. Normally, we have set the date when the pilot could not fly. Maybe there is a mistake since I still have flight schedule although I have been arranged to attend the meeting. Then my status is changed to stand-bye.”

How about the changing schedule on September 6? The accused PBP says “Having official order for flight on 8 September, I have not made any report so I am morally responsible for that. Then we have new duties after a briefing by the leader. The duties are in Denpasar, Surabaya. For those two cities, we already have Ramelgia. For Singapore, they said to me, “ You go”

The changing schedule, was it by request or it was from the company? The accused PBP says “ Schedule like this one should be arranged this way: two weeks flying, two weeks in the office. For schedule on 6 September, I inform the office that I have duties. I would be very thankful if I can fly with the first flight. Otherwise, I have problem.

Who signed the changing schedule? The accused PBP says “It was the secretary, Mrs. Rohainil Aini”.

How was the changing schedule being informed? Literally, written or any other way? The accused PBP says “We have an SMS (short message service). There are also changing in the schedule board in the office and there are some notes on it”.

Is there any standard procedure for changing the schedule or it is made in advance? The accused PBP says “ We have the original schedule and if there are some changes, the office will do it. For instance, change the plane from Airbus to Boeing 737 since the capacity of passenger is not many, so the plane is ready to fly have to be changed. The judges repeat the question if the changing is standardized or made in advance The accused PBP said that it was standardized.

Who told the accused to fly with GA 974? The accused PBP says “The office is offering the first flight because the sooner, the better”.

Chief Judges Cicut Setiarto asks the followings:

When the accused talked to the mechanic, how long was it and how did the accused write it? The accused PBP says "It is around 20 minutes and I take small paper" The judges ask, "How ? Do you tell him that you want to talk?" (The mechanic knows his name-ed) The accused PBP says " I tell him if I can ask something. If I say "interview" it looks like an interrogation."

Why do the accused say that the interview in the plane is on the spot? Is not there any mechanic in the airport? The accused PBP says "We have many kinds of mechanics. If I have to move to lower level, I have to follow the rules in Singapore and it very bureaucratic. I need an identification and its code".

Will it be hard to go to lower level or it will take time? The accused PBP says "Of course. However, if I can not see the mechanic, I will go to the office". The Chief Judges Cicut Setiarso says, "The problem is the procedure, not the difficulties."

What is not complete so the accused feel difficult? The accused PBP does not answer straight away and just says, "eeuuu". The Chief Judges says "You know why we ask that. You can aswer freely. However, if we feel something wrong, we will ask again". The accused PBP says " If I was in Indoensia, I can do it only with my ID Card. However, in Singapore or Austarlia, you have to wear yellow jacket".

Do you till have the notes on the interview with the mechanic? The accused PBP says " I have it in my house. I thought it was nothing. Then the police come and check everything. It is a mess. The police then take everything, our books, telephone books, everything".

Did the police also take the notes? The accused PBP says " I do not know. I make some notes, I type it and there are so many piles in one desk and another".

What did the accused do in the hotel in Singapore during the night? The accused PBP says "I open the Aviation Security planning for the meeting"

Why did the accused do that since he did not even perform his duty in Singapore? The accused PBP says " I have two agendas for the day after on the persons I have to meet"

How did the accused get the report on the duties to Singapore? The judges read the report dated August 8 "The report was made based on factual situation in the ground" The judges ask " In the ground means inside the plane?" The accused PBP says yes

Besides the interview with the unknown mechanic, is there any other place for obtaining the data? The accused PBP says " I have discussions with my friends in Cengkareng Airport. We have lost so much since we have disbursed fuel while we have not earned profit. The data confirms this and I write a resume.

There are two different reports with the same date and the accused reported only once. One report is for Operational Manager while the other for Vice President of Corporate Security. Why there are two different reports? The accused PBP says "When I was in briefing with Operational Manager, he says:" *Pol, this is the material for the simulation on what is happening in the ground, passenger in drinking condition...(not very clear-ed)*. It is only for review. We have to remind each other despite the standard operating procedure that we have. We can not put our belongings very long and keep on eye each other". The judges says "You have no other people being asked, besides the mechanic, since your discussion with your friends at the airport is not in the report. It is just regular conversation".

Is this report, dated 8 September, based on the interview with the mechanic? The report also mentions alcohol. The accused PBP says "The alcohol is for different day and time but I put it in the same report". The judges ask "How did you find the data?" The accused PBP says "It is based on my experience when I fly. One of them is about drinking passenger, there is also report by my friend who flies to Jeddah". The judges interrupt and ask "Is this report based

on the duties in Singapore?”. The accused PBP says “No. It is a compilation report from Singapore, Sydney, New Zealand. I combine them based on my own experience”

c. Questions Material by the Legal Advisers

Assegaf asks the following:

Did the accused know that he would fly with Yety and Oedi? The accused PBP says “I did not know. I only know when we are already inside the plane for boarding”.

Suciwati told that the accused called Munir. Does the accused know Munir’s mobile phone number? The accused PBP says “I do not know his number”.

Based on Suciwati’s statement, the accused made a call to make sure the schedule of Munir’s departure. Since the accused is a pilot from Garuda, does it necessary to call to find out pasenger’s schedule? The accused PBP says “I never call Munir and to find out something, a passenger can ask the main office in booking ticket division”.

Does the accused have access to find out the identity of all passengers that day? The accused PBP says “I have the access but what for? It is not my business”.

When the accused asked to fly as an extra crew, the accused ask to fly for the first flight”. What does it mean? The accused PBP says “I mean the sooner, the better. Flight at 3.00 or 4.00 is better because the flights are numerous. They said it is no problem then I go home in hurry. Assegaf continues asking “How many flights that time?” The accused PBP says “There are many. It is more than five”.

Did the accused ask to depart on 6 September at specific time? The accused PBP says “No”

During the flight, did the accused get the chance to meet Yety, Oedi and Munir? The accused PBP says “Yes but it is coincidence” .

Did the accused ask to fly with Yety, Oedi and Munir? The accused PBP says “I never ask”

The charge says that the accused play the role in putting Arsenic powder into the drink. Did the accused know anything about Arsenic? The accused PBP says “I do not know anything about Arsenic”

Did the accused ever bring Arsenic? The accused PBP says “I do not even know what Arsenic is, let alone bring it” .

Did the accused tell Yety and Oedy to give Munir a particular glass or tell Oedi to put Arsenic into orange juice and put the glass in the front row?” The accused PBP says “No”

Did the accused know whether Munir usually drinks *orange Juice* or *Wine* The accused sats I did not know

When the accused depart from Cengkareng, he was picked and in Singapore, Garuda staff also picked him. It means his departure is official and already known? The accused PBP says “yes”

Suhardi Sumomuljono asks the following:

The accused’s departure to Singapore based on an official letter from the Director and from Internal Affairs of Garuda. The latter says that the accused covers there regions for Aviation Security task: Jakarta-Singapore, Jakarta-Australia, and Jakarta-Denpasar. Who decides those three regions? The accused PBP says “Based on the latest situation and condition, I also cover Middle East and Australia. However, since the distance is too far, I focus on the very urgent because that time a firecracker goes into the plane”. Since the answer is not relevant, Suhardi repeats “Just answer who decides it?” The accused PBP says “It is Ramelgia”

There was briefing before the flight to Singapore. How many briefings and what was the topic? The accused PBP says “There are so many topics so I can not afford it. I only focus on what I can such as illegal passenger, asylum seeker which the company will pay the cost.

Inside the plane with Munir, did the accuse already perform his duties for aviation and internal security? The accused PBP says “No”

What is so urgent to fly to Singapore? Is it possible if the management in Garuda just call its branch in Singapore and doing check and re-check by phone? The accused PBP says “ I do not know since I just follow the order. If it is all by the phone, we do not need mechanic there and we can have a meeting by phone” .

Does Garuda have standardized form for report on who needs to be interviewed, the topic, how many times, etc? The accused PBP says “I do not know since I am new. I am just doing as efficient as I can. The most important thing, I get the material and in reality there are problems” .

Did the management receive the accused’s report? The accused PBP says “They receive it. My report is more details. The form from Mr. Ramelgia only covers general things. I put it in details and they draw conclusions from my report.

Besides the formal report, did the accused meet the Director? The accused PBP says “Since we have this problem, I meet the director. Normally, I only meet Mr. Ramel and Mr. Ronggo”. Suhardi continues asking “What did the Director say?” The accused PBP says “ Ok, you need to follow up. However, he has so many things to do, not only me. He is in-charge for Garuda all over the world, not small things”

Did the accused feel his duties to Singapore useful? The accused PBP says “It is useful since they will thank me” Suhardi asks “What is the benefit for Garuda?” The accused PBP says “The company will find the reality so they will know that the loss is big”. Suhardi asks “Who thank the accused?” The accused PBP says “Mr. Ramel, Operational Manager, and Operational Director. Suhardi asks again, “They do not give money, only thank you?” The accused PBP

says “Maybe later but my motivation is not the money. It is because my loyalty to the company” Suhardi asks again “Do they promise something?” The accused PBP says “If everything goes well, they will send me to Singapore for studying aviation security since our senior officers are no longer in the company. Mr. Ramelgia promised me and the Personnel Director is the witness since he is above Mr. Ramel.

Imron Halmy asks the following:

Practically, is it easy to change the flight schedule? The accused PBP says “If the pre-determined planning goes well, then we stick to it. However, it is not possible in Garuda since there are many changes. For instance, if the crew is already picked but he has problem because his car is broken, then we need to find someone else directly. It is easy for changing”

Practically, is the official order is written or it will be later on? The accused PBP says “As far as my experience is concerned, I have so many sudden changes including about General Declaration (Gendec). When I took evidence on Gendec to Hong Kong, my name was not even in the list. I could not wait in the immigration so I decide to fly and they send a telex to Singapore and even the number is wrong. They made some correction because in Hong Kong, the checking is strict. This is one example. When I arrived at 10.00 from Hong Kong, I returned home at 12.00. I should have four days vacation. However, in the morning, I was picked to fly to New Zealand because seven pilots refused to fly. If I should wait the sign from the chief pilot, what would happen to the passenger in Denpasar?”

Has the flight to Singapore been long planned? The accused PBP says “It has been long planned but since Mr. Ramelgia is very busy with meeting in Inaka, etc.

Did the accused already know Yety for long? The accused PBP says “We travel together once but we never seen each other so often since the stewardesses are numerous. Imron Halimy asks “How long the accused known Yety?” The accused PBP says “It is long but I do not remember the year”.

How about Oedi? The accused PBP says “We also travel together once but it was long time ago and I seldom meet him”

Is there any hierarchical relationship between the accused and Yety and Oedy? The accused PBP says “If we travel together and I am the pilot, I am above them”.

Does the accused have the authority to tell the management so Yety and Oedi will travel together with the accused? The accused PBP says “Absolutely not and it is not permitted”.

Does the accused actively join social institution apart from the job as a pilot? The accused PBP says “No”.

The accused know Munir as human rights activist from the media. How does the accused know that Munir often criticize the government? The accused PBP says “ I never pay attention and I am not interested”.

Does the accused feel he has the reason to stop Munir’s activities as human rights activist? The accused PBP says “It is not my business”.

d. Another questions from the prosecutor

Domu P Sihite asks the following:

The accused met the mechanic for 20 minutes inside the plane. If the accused did not meet him, should the accused cancel the duty and go to the office? The accused PBP says “Yes, I have to either join the next flight or go to the

office". Domu says, " It is possible to cancel but need to contact and there must be the destination?" The accused PBP says "yes, mechanic officer or other necessary person in the ground".

If the accused did not meet the mechanic that day, would the accused stay in Singapore for one more night? The accused PBP says "yes". Domu asks, "What about the meeting on 7 September?". The accused PBP says, "That is my consequences". Domu asks again "If we compare, the main schedule to Beijing is changed to attend the meeting (not to go to Singapore-ed)

The report made based on the activities in Singapore. However, why the report is not concrete?" The accused PBP says " My report says the main points, the loss and when they follow up, they find it correct. According to Mr. Ramel's report to the Director, "It is true that Mr. Oka, one of the director, has identified the problem". The follow up is quick. I also have the data but normally the follow up is not so quick. All the data are already taken by the police.

Is this duty on aviation security only for the accused? The accused PBP says " I do not know. As far as I know, in the past there were many persons like me". The prosecutor says, " In Cengkareng, you ask your friends. You have to be consistent".

Who has the authority to investigate for dumping fuel case? The accused PBP says "It could be someone else but that time I was asked to investigate". The prosecutor Domu asks " Who is the most responsible person for such case?" The accused PBP says " I do not know " .

Did the accused ever hear about quality insurance? What is quality insurance? The accused PBP says " I know a little bit. It is not my duties. I am suppose to. Since the answer is irrelevant, the judges interrupt and ask "Do you know or not?" The accused PBP says "I do not know in details"

Is it enough to get accurate data by 20 minutes interview or how it should be? The accused PBP says "The event already took place long ago. Mr. Ramel probably has not received the report. Therefore I have to go there quickly.

The event took place on 28 August and the accused departed on 6 September. Is that quick? The accused PBP says “I am just following the order and there is no report to Aviation Security since the report usually takes long time.

After Munir died, did the accused ever contact Brahmanie? The accused PBP says “ I contacted him but I do not remember how many times I called him. I called him because I am upset by the news. I tried to contact him to his mobilephone and to his house when he is in Bandung”. The prosecutor Domu asks “What is Brahmanie’s response?” The accused PBP says “ He said that we need to pray. At that time, I am the centre of the news. In the beginning, I do not take it seriously. Later on, it is getting serious”.

Did the accused contact Yety? The accused PBP says “I called Yety but I forget how many times I called her. I only talked regular things such as if she is disturbed by the news etc”.

How did the accused contact Oedi? The accused PBP says “ I contact Oedi 1 or 2 times”. The prosecutor asks “Did the accused ever tell his wife to contact Oedi?”. The accused PBP says “Yes, I did once. I was driving a car and I could not call”.

Did the accused know that Yety, Oedy and Brahmanie serve the business class? The accused PBP says “ I know Brahmanie as a purser, I also know Yety and Oedi serve business class”. The prosecutor Domu says, “You are in the premium class and yet you know Oedi and Yety serve business class. You can not even remember who serve you. Later, you say it is Eva”.

What did the accused receive from Eva as welcome drink being served? The accused PBP says “I actually did not get welcome drink but according to Eva, she put it on the table”. The prosecutor Domu is confronting the answer with Eva’s statement. According to Eva, she serves the welcome drink and the accused take one. The accused PBP says “That is not true”.

The prosecutor Domu asks “Were you on the seat when welcome drink being served?” The accused PBP says “I am on my seat when take off and the sign of fasten the set belt also off. Then I go to the toilet and return to my seat again. I am probably in the bar when welcome drink is served. I do not eat a lot since I have high cholesterol. I am taking diet. The prosecutor Domu asks, “You do not eat anything for the whole day?” The accused PBP says “Yes, because I do not like food in the flight”.

Why did the accused call Yety, Oedi and Brahmanie after Munir died? The accused PBP says “I am disturbed by the news in the media since it focuses on me. I call them to ask if they feel the same like I do. They told me not to worry. The prosecutor Domu asks, “Is that your question to them?” The accused PBP says “More or less, yes”.

Why did the accused only call those three persons? The accused PBP says “I really want to share with them. Who else should I call? However, I asked my friends, “How can it be just like this?”

Did the accused meet Munir and change the seat when the plane is still on the ground? The accused PBP says “yes”. Based on the rules, changing the seat while the plane is still in the ground, who is going to responsible for that? Is it the captain or the manager in the ground? The accused PBP says “it is ground staff’s responsibilities and they should allow it first”. The prosecutor asks “In your case, what happen then?” The accused PBP says “It is my spontaneous response. Normally, the stewardess will tell the chief and it is not my business. I do not force nor offer. I just say “If you want, you can ask permission first if there is seat. If its not, then I am sorry”.

Is changing the seat going to affect the flight? The accused PBP says “No”

How was Munir’s condition when entering the plane? The accused PBP says “It looks to me he is happy and healthy”.

Did the accused see Munir during the flight? The accused PBP says “No. I only see him in the corridor”.

The prosecutor Jefri asks the following:

The accused receive the order from Ramelgia Anwar. Was it in general or the accused asked to depart on September 6? The accused PBP did not respond very well. “The order is in general but I confirm him by saying that this is my first experience and the chief pilot should be informed and I would not go if there were no chief pilot. Mr. Ramelgia told me to stay calm since he would contact the chief pilot.”

Did the order from Mr. Ramelgia tell the accused to depart with first flight or on 6 September? The accused PBP says “With first flight”.

Was it Rohainil or the accused that asked the flight on 6 September? The accused PBP says “It was me. I called them if there was a first flight and that was 6 September. However, if the flight at 16.00 or 17.00, it is up to them”. The prosecutor Jefri says “Who decides then?” The accused PBP says “It was not Mr. Ramelgia but the office”

The accused met Rohainil Ani to set up the date for departure. Who decided the date on 6 September? The accused PBP says “It was not me. I do not know if she tried to contact other division to make sure that the passenger would not be disturbed. The prosecutor emphasizes the fact that the answer is different from Ms. Rohainil’s statement. Ms. Rohainil did not deny. The prosecutor says that the court will decide.”

The accused met Brahmanie and said hello then put his bags. As the accused wanted to tell Brahmanie, Munir already took the seat 3K. The prosecutor is confronting with Brahmanie’s statement. According to Brahmanie, Munir took the seat based on the accused’s suggestion. The prosecutor is asking the accused to tell the truth. “Who gives the seat to Munir? Did the accused give the seat after asking permission to Brahmanie or Munir took the seat directly? The accused PBP says “Munir takes the seat directly”. The prosecutor says, “We will evaluate your answer”.

Is there any specific order telling the accused to go to Singapore? The accused PBP does not respond very well. “Please, you go and check to Singapore because Mr. Ramel is already in eastern region. Check in Singapore on the incident on 6 September? The prosecutor asks, “Who ask the accused to Singapore?” The accused PBP says “Mr. Ramel”

Why the accused asked to go to Singapore? The accused PBP says “A plane whose landing gear...” The prosecutor interrupts and says, “It is on technical problem”.

Did the order tell the accused to go to Singapore on 6 September? The accused PBP says “No”.

Who confirmed the accused’s flight on 6 September? Did Mr. Ramelgia call the accused or the other way around? The accused PBP says “I call Mr. Ramelgia to ask some advices. It was 6 September. I asked him how about Singapore and is there any advices?”.

Did the accused not tell the changing schedule so the accused could not fly on 6 September? The accused PBP says “No since the changing schedule up to 8 September has been blocked and he is in stand by position. It implies he can go anywhere”.

Did not the accused tell that the accused should come to a meeting and therefore could not leave? The accused PBP says “The meeting is on 7 September. Prior to that, I can go to the office if it is required”

Did the accused ever receive invitation for the meeting? The accused PBP says “There are some schedule for meeting”. The prosecutor asks, “Do you know when the meeting held?” The accused PBP says “The plan says that meeting starts at 6.00”. The prosecutor ask, “Do you not tell your objection since on 7 September you already have something to do and the flight to Beijing already cancelled?” The accused PBP says “ I do not ask Mr. Ramel but I ask the secretary in the association since I am not sure that the meeting will start at 6.00 in the morning. In fact, the meeting starts at 16,00 and I come earlier”.

The accused met Oedi at pantry. Was it in he back or front? The accused PBP says "I come from the back". The prosecutor asks "Do not you see Oedi's body?" The accused PBP says " I did not see his body completely". The prosecutor asks "Is there any door in the back that connects the accused's view on Oedi?" The accused PBP says "There are doors, corridors, toilet that goes to the kitchen". The prosecutor asks, "Is there any door that goes directly to Oedi?" . The accused PBP says "There is door through corridor".

There are staffs in Singapore who pick the accused. Picking the accused as extra crew or special case since the accused has special jobs? The accused PBP says "Picking is a standard procedure. The staff is always there to pick up".

How is the meeting with the mechanic in chronological order? The accused PBP says " As I enter the plane together with active crew to go back to Jakarta, the captain was Captain Rudiono. Before going in, I see through a mirror there are so many mechanic officers. I decide to enter and when I notice, the mechanic is still busy". The judges ask, "What kind of questions for the mechanic officer?" "Once he saw the mechanic carried lock box then he called him a mechanic officer". The prosecutor asks "Where is his seat?" The accused PBP says "On seat 1 and 2 in business class. The prosecutor says, "The point is, when the accused decides to meet the mechanic officer, he already wants to go back to Jakarta".

Before meet the mechanic, is there any other activities with regard to the accused's duties in Singapore? The accused PBP says "There are no other activities". The accused PBP says "Is the meeting with the mechanic inside the plane?" The accused PBP says "Yes, it is".

What is the accused's motivation offering Munir a seat since the accused does not know him?" The accused PBP says " He is a public figure. He is in wrong class and I could not tell him, " *You are economy class passenger. What are you doing here?*" He will upset. I am just trying to be polite by saying, "Sir, if you want to be here, please ask the stewardess if there is seat for you. Other wise, I am sorry."

The Chief Judges ask “Which one is going to ask first to the stewardess? Is it the accused or Munir?” The accused PBP says “ I do mean that Munir asks the stewardess”. The Chief Judges then asks again, “Why do you ask to Brahmanie finally?”. The accused PBP says “ Because Munir is already on his seat. I want to inform Brahmanie to welcome Munir. The Chief Judges warns the accused, “ You change the answer again”. The accused PBP says “That is the truth”. The Chief Judges is confronting with Brahmanie’s statement: “I changed the seat with my friend”. The accused PBP says “After putting my bags, I want to tell her that Munir is here”. The Chief Judges again warn the accused and ask for consistency. “Why did Munir take the seat in business class without asking permission? It means you could offer him the seat. Before, you told us that it was you who will ask the stewardess since Munir was public figure. Who is going to ask? You or Munir?. The statement is different now”. The accused PBP does respond very well “That is what I mean, sir. It means the stewardess love to interact”. The Chief Judges asks again’, “Who says “*I want to change the seat*”? The accused PBP says “That is based on Brahmanie’s explanation. However, as far as I remember, what I have told is the truth”.

The Chief Judges asks “Is it true that Munir once said that he had flight phobia?”. The accused PBP says “That is true. He once speaks to me and to the passenger next to him since there many passengers. Munir said, “ My last flight was to Ujung Pandang and it can not be steady”.

The Chief Judges asks, “ Do you say something like: *I respect you as a public figure?*”. The accused PBP says “I did not say that. I keep saying that only in my heart”. The Chief Judges asks, “ If you respect him, why do you say: Please, check first if you want to stay here?. Logically, it is you that suppose to ask. The accused PBP says “That is what I do”. The Chief Judges ask, “Did you ask the question or you ask Munir to raise the question? The accused PBP says “That is what I mean. However, Munir already takes his seat” (Pollycarpus look nervous and confused)

Did the accused tell the Vice President of Corporate Secretary and Operational manager literally or in writing on the source of the report? The accused PBP says “When I give the report, Mr. Ronngo is not there since he has a meeting”. Because the answer is not relevant, the prosecutor warns the accused “It is not the question mean. The question is, you tell the source of the report or not?”. The accused PBP says “I forget”.

According to the rules in Garuda, what kind of report that can be accepted? The accused PBP says “After being checked, it is true there are some damages and loss. The prosecutor asks if the information obtained from unknown person The accused PBP says “I might get fired”. The prosecutor asks again “The report with unidentified resource person could be accepted?” The accused PBP says “I believe”.

The prosecutor shows the report, “Which part refers to your duties?” The accused PBP says “The fifth point to Vice President Corporate Security” The prosecutor read the fifth point “It should be reminded as standard operating procedure. As far as it can for....(see the report of the accused) The accused PBP responds the reading “Maybe it is the other way around. The fifth point is for Mr. Ronngo” The prosecutor reads “Based on the observation, Garuda suffer big loss such as dumping fuel 100 tons, passenger accommodation, etc”

The prosecutor asks “Is that the mechanic responsibilities to count the loss?” The accused PBP says “It is the impact”

Supardi asks the following:

What is the chronological order of the letter dated 4 September and 15 September 2004? The accused PBP says “After return from Singapore, if there is no problem, it is ok. However, since we have Munir’s case, I was called. Mr. Karmel has also just returned.”

Did the accused not receive any call before the death of Munir? The accused PBP says “ Yes, I thought Mr. Ramel already contact Mr. Karmel. Mr. Karmel admits that he forgets and he already tells the chief pilot. The chief pilot orders to see Vice President Ramegia Anwar. He says, “Poll, you go to Singapore. The cost is not from me. It will be from them since the duty is from Mr. Ramel. Then I go to the main office. A letter was made for me dated 15 September then I take it to Mr. Karmel. He says, “Why 15 September? Make it 4 September”. Then I return to the main office, then to chief pilot. It is the chief pilot who orders the changing of 15 September to 4 September.”

Who called the accused? The accused PBP says "The chief pilot". The prosecutor asks, "Did they call you because Munir's case? The accused PBP says "Probably".

Why did they call the accused for cost expense matter, not about Munir's case? The accused PBP says "It is not about Munir's case but about the trip to Singapore. Maybe they thought I went to Singapore without order. I ask the chief pilot, *"You did not called by Mr. Karmel?. He promised to call you."* Because he is high-ranking officer, I believe him. They finally call Mr. Karmel and he says, "Oh, I forget. Yes, that is my order".

Did they ask the accused on Munir's case when the accused meet Karmel Sembiring? The accused PBP says "No, I get only one task from Mr. Karmel to update".

The two similar letters with the different date are for which person? The accused PBP says "One for the chief pilot, the other one I forget. I deliver one by myself." The prosecutor asks, "Which one that the accused deliver?". The accused PBP says "I forget".

Why they made the interoffice letter? The accused PBP says "It is for cost disbursement so they know where should they take the money". The prosecutor asks, "Which division will pay the cost?" The accused PBP says "I do not know. That is the management's job".

How many telephone number and mobile phone the accused has in 2004? The accused PBP says "For my resident, the telephone number is 7407459 on behalf of Otong bin Saman since I just bought the house. For mobile phone, the number is 08159690617.

Did the accused ever own number 08159202267? The accused PBP says "No, 08158202485 is mobile phone of the office. The prosecutor asks, "Did you ever own the number last 2267?" The accused PBP says "No".

e. Questions from the Legal Advisers (Continued)

Wirawan Adnan asks the following:

The accused is picked up. Who arrange it? The accused PBP says “It si crew transport division of Garuda”

Did you ever ask to be picked up on 6 September? The accused PBP says “No”.

Did you ever ask to fly on 6 September with GA 974? The accused PBP says “I just tell them that I prefer first flight”.

Who decide the accused fly on 6 September with GA 974? The accused PBP says “I do not know since the car is ready to pick me up with a letter ordering me to fly with GA 974”.

Does the accused know that Munir is inside the plane? The accused PBP says “ I do not know”.

Does Ms. Rohainil have the authority? The accused PBP says “ I was trying to contact the chief pilot but Mrs. Rohainil Aini receive my call. She says that the chief pilot is on duty”.

Does Ms. Rohainil have the authority to sign in the name of chief pilot? The accused PBP says “Based on past experience, since chief pilot is not around, his deputy also, she could sign (the changing schedule).

What did you bring for the flight on 6 September? The accused PBP says “Two pairs of clothes and (not very clear-ed) this suitcase I always take every time I fly. You have....(not very clear-ed) inside and books on flight.

Did you pass the security door and being checked as regular passenger? The accused PBP says “yes”.

Did someone give you something? The accused PBP says “No”.

Did the accused bring something else besides the clothes? The accused PBP says “No”.

Did the National Intelligence Agency ask the accused to perform something? The accused PBP says “No”.

Did the accused know people in National Intelligence Agency? The accused PBP says “No”.

Did the accused ask help to Yety and Oedi to give medicine to Munir? The accused PBP says “No”.

The accused does not know the name of the mechanic that he interviews. Is there any mechanic that the accused know the name? The accused PBP says “ I know one man. His nick name is Erick”. Adnan Wirwan asks, “Does the accused often see the legal advisers and recognize them one by one? The accused PBP says “ I see them in every trial but I do not recognize them”. The judges are testing the accused on the name of the legal advisers. The accused mentions the name of the legal advisers. “I do know Mr. Assegaf, Mr. Heru, Mr. Uki, I forget this one”. The judges say, “You can ask his name”.

Heru Santoso asks the following:

What is the difference between changing seat and upgrade? The accused PBP says “It is not the same”. Heru continues by asking, “Asking permission to ground staff is categorized as upgrade or changing seat?” The accused PBP says “Just change the seat since there are two passengers”. Heru asks, “Is it necessary to report to Station manager for changing seat?” The accused PBP says “No”

What is the distance between the accused and Oedi when the accused said “hello”? The accused PBP says “It is around 3 meter”.

How about resume from witness Hian Tian a.k.a Eni. Does the accused know her? The accused PBP says “I met him once in a mess in Papua”.

Did the accused ever ask Eni to National Intelligence Agency office? The accused PBP says “ Never. I met him once during the investigation process because the police take her to see me. I forget the date. They take me out to say a lady and the lady says, “I am from the intelligence of Indonesian Police”

Is Ms. Hian Tian inside the prisoner? Would you like to tell your meeting with her? The accused PBP says “ I was inside the jail. I was called around 3.00 o clock and they put me in a room. There is a police officer namely Arif and my wife since she has just visited me. Ms. Hian Tian was already there. She brought documents and told me, “I am from the intelligence of Indonesian Police”. I was confused on what she meant. She told me to go back to Papua. I did not understand. I asked, “What is going on here?”. She said, “I just want to let you know”. After I got the documents, the lady has been put in dossier. Papua’s mess is located in Tannah Abang.

Did the accused admit her as the new mother? The accused PBP says “That is what I want to know. How come she is my new mother? That is the reason why I want to see her. If I call someone older than me with mom, dad, uncle, etc, it does not mean they are my parents.

Is chief pilot, first and second deputy categorized as pilot? The accused PBP says “yes”

Are they also performing flying task? The accused PBP says “Yes, sometimes finding the hotels is deputy’s responsibilities”.

f. Material questions from Panel Judges

Chief Judges Cicut Setiraso asks the following:

Is there any other way to check the departure of someone besides make a call? The accused PBP says “I never ask someone who is departing. If I want to know, I will ask to reservation desk”.

Is it possible to know whether someone is departing or not in the reservation desk? The accused PBP says “It is possible based on my wife and her friend experience”.

Does it ever happened when it has been confirmed but did not depart? The accused PBP says “It ever happened”

Is it also possible after make a call and confirm to reservation, it does not depart? The accused PBP says “It is possible. I once do double check”.

Which one is more accurate? Calling the person or the reservation desk? The accused PBP says “Calling the reservation desk is more accurate”.

Why? The accused PBP says “There is “OK” code usually”

Even if the code is already “OK”, is it still possible to cancel the departure? The accused PBP says “yes”

Did the accused ever hear on “warangan tikus”? The accused PBP says “I have just heard that here. I used to live in Papua. I heard on “Warangan Baru” lately. I grew up in Solo and join the elementary school there for short period before moving to Papua and join the high school.”

Does the accused reject the statement for expert witness saying someone who swallow arsenic will die later? The accused PBP says “I do not know”.

The letter that the accused mentioned is urgent. Is the letter made later or not? The accused PBP says “Usually, we have telex or after reporting, we prepare the report”.

Based on the accused’s experience, did the accused spend more time for special task or not? The accused PBP says “For operational task, there are more sudden task with changes”. The Chief Judges asks, “Do you know the real procedure?” The accused PBP says “Actually, according to the planning, we have schedule and it has been set until the accommodation. Our name is even already in the hotel”. The Chief Judges concludes, “The special letter for the accused to go to Singapore is made later and it is just coincidence we have murder’s case”. The accused PBP says “yes”. The Chief Judges says, “In conclusion, the accused know that the order should be there and the accused did not bring it since the status is emergency”.

Who checked-in at the hotel in Singapore? The accused PBP says “It was me then Brahmanie came with the Gendec and normally all the anmes are there and then we sit together”.

Were the accused with the other extra crew? The accused PBP says “We sit together then Brahmanie check-in alone. I wait until they all get the key. Finally, they call me and I get my key”. The judges are confronting the answer with Tri Wiryasmadi’s statement saying that Pollycarpus check-in alone. The accused PBP says “ We sit together but it does not mean we gather together. I am the only active person but we do sit together and I am the last one who gets the key”.

The judges show communication flow printed by National Telecommunication Company. It shows the number belongs to Pollycarpus, Muchdi and Munir. (The discussion is unheard since it takes place in front of judges’ desk).

Did the accused call someone else besides Yety, Oedi and Brahmanie? The accused PBP says “ I want to call all but finally only Yety, Oedi and Brahmanie”.

The Chief Judges shows the picture of reconstruction process. The accused was asked something related to the picture. (It is unheard since it is in front of the judges’ office).

The judges show the evidence, Munir’s clothes. The accused PBP says “Yes, it looks like his clothes that time”. The Chief Judges shows the ID card and the notebook, the accused’s property. The accused PBP confirms.

The judges show the conclusion from visum report saying Arsenic was found around Munir’s clothes The accused PBP says “I do not know”.

The prosecutors give visum report to the legal advisers so they can easily examine and study it since it will take long if the report is read and ineffective to be understood.

The Chief Judges ask, “What is the accused’s comment on Munir’s death because the arsenic? The accused PBP says “I am confused and can not believe it. If it was true because the poison, It can not happen inside the plane since the cabin crew is responsible to save life of the passenger. I can not believe that.”

Remarks and The Accused’s Defending Statement

The Chief Judges ask if the accused wants to add more on his defending’s statement.
After a consultation with his legal advisers, he said that:

- The accused has suffered because the media’s coverage about the case since the beginning.
- All the charge is incorrect. The accused did not have intention to kill. It is totally unacceptable for him.
- From the beginning, he was visited by Anton Karlian, a police officer. He proposed the accused’s family to stay in a hotel. When he ask, “What is going on?”, The officer says, “We will pay everything. Transportation cost, tuition fee, etc. My son’s school is close and we have no problem.
- Then another police officer comes. He forces me to pretend sick to deceive the journalists. I can not make clarification. “Just follow me since we do not know which general will be contacted. We are ready to take him”, says the police.

- They take me as a sick person when I am not. They take me on 10 March. The doctor ask me “Are you sick?” I told him that I was fine. Then they take me to the police headquarters then to hotel then to headquarters again.
- His wife was forced to sign a letter saying he will be killed. I ask her, “who is going to kill me?”. She says, “This is from the intelligence. You will be killed by someone”. His wife was forced to sign and she signed it since she did not know anything.
- The charge on him is without justification. He is confused with the charge

The accused admits, he has never been punished, married with one wife as house wife and has three children.

The accused says “ I do not know how to recover the situation around his family especially his child. The lesson in the schools has published the death of Munir extensively and according to the accused, that has negatively affect his child.

The accused says he could study based on his personal effort. There are no recommendations from anyone as has been reported.

Pollycarpus’ Statement is different with other witnesses

Witnesses	Pollycarpus	Time
<p><i>Suciwati</i> On Tuesday, 2 September, one man namely Polly from Garuda called Munir through his mobile phone. Polly said that he would fly together with Munir and wanted to confirm if Munir will depart on Monday. Suciwati told him that Munir will fly on Monday using Garuda.</p> <p>Munir told that Pollycarpus ask his help to post a letter in Swiss. According to Munir, Polly is weird and tried to look very friendly because he is an international pilot and has many fiends.</p>	<p>He never call Munir since he did not know Munir</p> <p>He never gives a letter to Munir to be posted in Swiss</p>	<p>The fifth trial, 06 September 2005</p>

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<p>Suciwati ask if Polly know her hushband. Polly answers, “your hushband is very popular”. When Suciwati asks if her hushband knows Polly, Polly says that Munir has good memories since he still remember Polly based on only one meting around Hotel Indonesia. Munir was giving flowers to commemorate Women’s Day.</p> <p><i>Indra Setiawan (Garuda Director)</i> He never assigns and orders Polycarpus to go to Singapore. Any assignment outside Indonesia need official order letter. For Polycarpus, it is from Ramelgia (Ramelgia says the letter from him is made on 15 September)</p> <p>Id card for Polycarpus as assistant staff in Corporate Security dated May 16-June 2004. The order letter released on 8 September. It is said administrative’s mistake.</p> <p>Garuda has standard report form with computer but Polycarpus made the report by manual typing machine.</p>	<p>He never says on the meeting around Hotel Indonesia. There was traffic jam and he only got the flowers and no discussions.</p> <p>He goes to Singapore based on a letter from the director dated 8 September and letter from Ramelgia Anwar (based on trial on 18 November)</p> <p>The form is good to be learned but the most important thing is not the form, it is the content of the report.</p>	
<p><i>Ramelgia Anwar (VP corporate Securty)</i> He never met Indra Setiawan to discuss the need on assistant staff in Corporate Security Unit as Indra Setiawan explained before the court. (Both have been confronted but they stick to their position).</p> <p>As Vice President of Corporate Security, He never told Polycarpus to go</p>		<p>The sixth trial :13 september 2005</p>

Monitoring Pengadilan “Pembunuhan Munir” KontraS 2005

<p>to Singapore to check duffing fuel. The letter from the director dated 8 September and inter office letter dated 4 August is not for duty in Singapore.</p> <p>Who can give order directly to pollycarpus is captain Ronggo (Vice President chief Pilot) and captain Karmel (chief Pilot). The duty letter from Director is rather strange, since it should be referred to direct top level of Pollycapus. And Rohainil does not have mandate to change <i>scebdulle</i> without agreement from chief Pilot</p> <p>Pollycarpus’ qualification for Aviation Security job is unclear since the director himself assigns him. The report also does not meet the standard criteria by the Corporate Security. All pilots learn about aviation security but Pollycarpus is not expert.</p>	<p>He goes to Singapore based on Ramelgia’s order to check duffing fuel</p> <p>He has qualification for aviation security since he has been working as pilot for 15 years and he gets the certificate of Avsec every year</p>	
<p><i>Sabur Muhammad Taufiq (captain Pilot Jakarta-Singapura)</i> He met Pollycarpus in <i>crew center</i>, about the meeting in cockpit, Sabur does not remember (<i>Before, Sabur said that Pollycapus never go to the cockpit</i>)</p> <p>Official travel requires Letter of Travel. Pollycarpus does not have Letter of Travel.</p>	<p>He met Captain Sabur in the cockpit</p>	<p>The ninth trial: 4 oktober 2005</p>

Monitoring Pengadilan “Pembunuhan Munir” KontraS 2005

<p><i>Brahmanie Hastawati (purser penerbangan Jakarta-Singapura)</i></p> <p>During the flight Jakarta-Singapore, there is no passenger acting like Pollycarpus (walking around, spend the time in Premium Bar). The other extra crew is sleeping and sitting nicely</p> <p>Speaking in Japanese, Pollycarpus’s statement is asking information on seat 40G since he has exchanged the seat with his friend.</p> <p>Pollycarpus contact Yety, Oedy and Brahmanie to make similar perception.</p>	<p>Walking around without intention since he has experienced being beaten by drinking passenger.</p> <p>When Brahmanie told the situation, Pollycarpus did not deny (8 September). However, he rejects the statement by Brahmanie on 18 September. Pollycarpus is not consistent and rejects Brahmanie’s statement that He asked Munir to ask permission to the stewardess if Munir wanted to stay in business class. Pollycarpus said that he did not give his seat. He just tried to be nice. However, Munir took his palce directly.</p> <p>Contacting them for sharing (the trial on 18 November)</p>	<p>The tenth trial, 11 oktober 2004</p>
<p><i>Tri Wiryasmadi : purser Jakarta-Singapura flight</i></p> <p>Pollycarpus’ name is listed in Gendec (general declaration) Jakarta-Singapura, and <i>Chek in crew</i> in Novotel Singapura, base on the names in Gendec, and Tri checked in for all crew, however PBP did chek in alone without any communication and coordination with Tri as person in charge for <i>chek in</i> di Novotel Hotel</p>	<p>First, Pollycarpus did not deny Tri’s statement. However, he later says that he check in with all the other crews.</p>	<p>The eleventh trial: 19 oktober 2005</p>
<p><i>Rohainil Aini (Flight Operation Support Officer)</i></p> <p>Pollycarpus is asking to fly with GA 974 to Singapure</p>	<p>He only asks for first flight</p>	<p>The seventh trial, 20 september 2005</p>

Monitoring Pengadilan “Pembunuhan Munir” KontraS 2005

<p><i>Eva Yuliyanti Abbas (stewardess)</i> Pollycarpus takes the welcome drink and drink it</p>	<p>He did not take welcome drink because :</p> <ul style="list-style-type: none"> - He did not want to eat and drink (The trial on 10 September) - He is trying not to eat colesterol (The trial on 18 November) 	<p>The nineteenth trial, 17 November 2005</p>
<p>Hian Tian a.k.a Eni (Reading the dossier)</p> <ul style="list-style-type: none"> - Pollycarpus ask her to go to National Intelligence Agency - She is the new mother for Pollycarpus 	<p>He does not know Hian Tian</p>	<p>The nineteenth trial, 17 November 2005</p>

Pollycarpus is not consistent and does not answer straight to the point
Examining the accused (the twentieth trial, 18 November)

On changing the schedule and when the schedule is changed, Pollycarpus said:

- a. Mr. Karmel has changed the schedule since August 30 and there is also changing on the schedule by revising the schedule on announcement board in the office.
- b. **When his answer is confronted with Mr. Karmel's statement which says he never knows that Pollycarpus depart to Singapore, Polly says** "I am sorry. I thought the changing letter for attending the meeting. I go to Singapore as supporting officer and I have been through several briefing by Operational Manager or the Director on supporting task for accelerating the development of the company."

Is there any official order in written telling Pollycarpus to attend the meeting of the Association of the Pilot, Pollycarpus said:

- a. That time, from the association, from the representative type...(The prosecutor interrupts since the answer is not relevant).
- b. It is given by Mrs. Rohainil Aini
- c. He can not remember but it can be asked to the chief pilot who changed it.

Where did Pollycarpus contact Rohainil to inform the changing schedule to Singapore?. Pollycarpus said:

- a. He did not remember since he was on the way.
- b. He was in Sitorus' house but he did not remember if he used Sitorus' telephone or not.
- d. He got his mobile phone but there was telephone cafe, public phone at Sitorus' house, next to the field, there was garbage can, (He did not answer straight to the point and the answer was not clear).
- e. He can not tell where did he call Rohainil but he said he really called Rohainil.

Statement by Eva, a witness: Polycarpus took the welcome drink that she served. According to Polycarpus, he did not take the drink because two reasons:

- a. Examining Brahmanie (the trial on 10 November): Polycarpus said he was fasting that day.
- b. He was on a diet because he has high cholesterol.

The reasons on why Polycarpus did not stay on his seat (seat 11b) during the flight, he has different answers:

- a. He could not sit too much since he has disease on his buttock (examining the accused, the trial on 18 November)
- b. He has experience beaten by drinking passenger (Examining Brahmanie, the trial on 11 October)

The story on offering seat to Munir (seat 3K) by Polycarpus contradicts with Brahmanie's statement which says, "Polly tells me on changing the seat with Munir" and Polly did not deny that time. However, he said something different on the trial examining him (the trial on 18 November):

- a. He just wanted to be nice to Munir.
- b. He told Munir to ask permission to the stewardess if he wanted to sit in business class.
- c. Munir took the seat without his and the officer's consent.
- d. He did not ask Munir to have a seat on his own seat (40G, economy class) since the economy class is in the back. He did not want to irritate Munir.

On his duties in Singapore, Polycarpus said he met a mechanic officer on his way back to Jakarta. He did an interview for twenty minutes on the plane which had dumping fuel problem. He did not know the name of the mechanic officer (for the report on his duties in Singapore). He met the mechanic officer by chance inside Boeing 737 plane to Jakarta. He said that was the best way to perform his task in Singapore. His statement contradicts with the following statement:

- a. He once said he met the officer quite often but he did not know the name.

- b. He could do an interview at the airport (not inside the plane) but he had problem with bureaucratic matter and he should wear identity card and green jacket and it would take long.

Pollycarpus' behaviour inside the court room:

1. He often answers the question not straight to the point and sometimes his answer is not relevant. He often only says reason not an answer. Moreover, his answer often contradicts with statement from the witnesses. It is the reason why the judges and prosecutors interrupts and warns him frequently.
2. Pollycarpus is full of confidence during the trial:
 - He is smiling when the witness explains something
 - He gives comments to the media
 - He shakes hands with the victims from KontraS which appear in the court room.
 - Approaching offstream camera man and offering him to go to Wamena.
3. He often emphasizes his loyalty to Garuda when he is explaining something.
4. He explores his answer not in line with the questions being asked.
5. He examines the witness carefully during the trial.
 - a. He looks very nervous for many times and cleans up the sweat on his face. However, he stays strong and stable.
 - b. Pollycarpus always dresses neatly with long hand shirt and brown shoes every time he is in the court room.
 - c. He looks getting fat during the trial.

Monitoring Pengadilan “Pembunuhan Munir

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