

**Monitoring the Trial Concerning
The Murder of Munir**

**Trial VIII
The Central Jakarta District Court
Jakarta, 28 September 2005**

**Material: Examination of Witnesses Eddy Santoso
and Akhirina**

Time: 10.20 – 12.30 West Indonesia Time

**Place: Central Jakarta District Court, 3rd floor,
Room 1**

I. Condition before the Trial

At 9.30 am, around 30 people consisted of KontraS activists, families of May 1998 victims, families of Semanggi victims, families of Tanjung Priok victims and victims of 1965 demonstrated in front of the Central Jakarta District Court. They supported a banner saying “*Why was he silenced?*”, posters with Munir’s picture and large banners. This demonstration was guarded by police personnel from Central Jakarta Metro Police (although it was not very obtrusive).

At 10.10 am, Pollycarpus arrived in a green Kijang prison car, guarded by one police patrol car and one unit of police motorcycle. Approximately ten personnel from Denma Regional Police and three personnel from the prosecutor’s office also accompanied Pollycarpus as he entered the courtroom.

II. The Trial

The judge opened the session at 10.18 am. According to the agenda of a follow up session, “... case no. 1361 criminal code 2005 at Central Jakarta District Court on behalf of Pollycarpus...” This session will examine witnesses:

1. Eddy Santoso (Crew Manager of PT Garuda).
2. Akhira Rina (Business Support of PT Garuda)

Before the examination, the Prosecutors asked the courtroom officers to bring the accused Pollycarpus into the courtroom. The prosecutor said that according to the court’s decision, three witnesses were supposed to be examined on 28 September 2005 but one of the witnesses, Hermawan, was unable to be present because he was still on duty. Therefore, the prosecutor asked through Garuda legal bureau so that a letter can be given as a form of accountability.

The judge ordered the witness Eddy Santoso to be brought up to the court.

III. Eddy Santoso’s Testimony

Witness Identity

Name : Eddy Santoso
Place/Date of Birth : Semarang, 10 February 1957.
Occupation : Crew Schedule Manager of PT Garuda Indonesia.
Address : Komplek Sawah Permai, C 73, No 6 RT 03/Rw 08. Matraman
Religion : Moslem

The judge asked whether the witness knew the defendant Pollycarpus. **The witness claimed that he knew Pollycarpus, that he knew the accused’s schedule, and that he knew the accused’s address and position.**

The witness was then sworn in Islamic procedure, and was enlightened by the chief judge about giving truthful information and punishment for false testimony.

Eddy Santoso did not know the accused, Pollycarpus. He had only known about Polly since the examination and he had never talked to Pollycarpus directly. According to Eddy Santoso, he never made any contact with Polly either in the form of direct conversation or via telephone.

The Chief Judge asked about the accused's position, to which the witness answered that the accused was a Co-Pilot. The Chief Judge asked whether the witness knew about the case of Munir's death. The witness said that he had learned about it in print and electronic media.

The Chief Judge asked the witness whether after Munir's death on board Garuda flight the management leaders of Garuda ever assembled all Garuda crew. The witness said that it never happened.

The Chief Judge also asked whether the witness knew about Gen-Dec (General Declaration). The witness said that he knew the format but he did not know the process. The Chief Judge asked whether the witness had seen the Gen-Dec for flight 974. The witness said that he only learned about Gen-Dec during the examination.

The Chief Judge gave the opportunity to the Prosecutors to question witness Eddy Santoso.

Questions from Prosecutors

The prosecutor asked the witness to name his duty related to the duty of a Crew Manager. The witness said that his duty was to employ all existing human resources and to optimize the duty of flight crew and cabin crew.

The prosecutor asked who determined who the Crew Manager was and whether it was the board of directors' decision. The witness said yes

The prosecutor asked whether the witness had ever made a crew schedule for Pollycarpus. The witness said he never did because it was made by the manager staff. The witness also said that he never made any schedule or any assignment letters for Pollycarpus.

The prosecutor asked how far before 6 September that crew duty was made. The witness said that the planning was made one month in advanced.

Regarding the making of flight schedule, it was made by the secretary and copied to hard disk, but there was no signature from the Manager. A schedule change could be done via SMS.

Regarding Polly's duty, the witness never made a schedule for Polly. Eddy Santoso said that he received a letter from Rohainil Aini on 30 August 2004 about Pollycarpus' flight change but the letter was not signed by the Crew Manager.

Eddy Santoso said that on 30 August 2004, there was a schedule change. Eddy said that Polly's schedule on 5-6 September was erased so that Pollycarpus had no activities on 5-6 September according to schedule. Eddy never received report about Polly's activity in Singapore on 5-6. There was a meeting on 7.

The legal advisors objected to the prosecutors' questions about Gen-Dec. The Chief Judge Cicut Setiarso said that the question was allowed and the Chief Judge took over by asking about Gendec and crew schedule.

In the General Declaration (Gendec), there was Pollycarpus' name but it was crossed out. However, the witness did not know who crossed out Pollycarpus' name. Such case of crossing out names had never happened before; this was the first time the witness saw such thing.

Regarding the names listed in Gendec or crew schedule, Pollycarpus' name was not listed for 6 September.

The Chief Judge reminded the Prosecutor not to ask questions that had already been asked. Even if they were asked, the answers would still be unknown because they had been crossed.

There used to be a kind of unit responsible for scheduling called CGKKI. *The right or the authority in changing a schedule belonged to the Chief Pilot*, Eddy Santoso only had the authority for crew schedule. Eddy said that a schedule done would be made by Manager Crew superior.

A schedule change could be made six hours before the flight. The schedule change could be done with an agreement between *the crew and the Chief Pilot*.

The Chief Judge reminded the Prosecutor not to ask questions about the schedule change.

The change in airbus 330 schedule was supposed to be made by Yon Mangunsi and the change for 974 flight was also made by Yon Mangunsi.

Regarding the Questions from the Legal Advisors

Eddy said that schedule change was the authority of the Chief Pilot and Crew Manager. Eddy received a letter from Rohainil to change Polly's assignment letter.

The Legal Advisors asked whether Eddy knew Hermawan. The witness said that he knew Hermawan, whose duty was in Crew Tracking. The witness said that the schedule change in Polly's flight had only been found out from Hermawan when Eddy was examined and Eddy said that the letter was from Rohainil to Hermawan and submitted to Eddy Santoso.

The Chief Judge asked regarding the schedule change:

- The crew change was noticed in Gendec so that the change was made by Crew Tracking. Therefore, if there was a change in Gendec, all would be changed because the computers were connected in LAN.

The Legal Advisors asked, related to the change of schedule, about the two crew: Erianto and Uti Susileswati, who had asked for a schedule change. Eddy Susanto said that he did not remember because the schedule change used VID system, with the purpose of arranging the one-day, two-day and three-day flights.

Question about two of the crew from the 17 cabin crew and 2 pilots who specifically asked for flight 974 to Singapore. Eddy Santoso said that he did not know.

One of the judges asked about Eddy's activities on 6 September 2004. Eddy said that he did not remember his whereabouts on 6 September 2004.

Regarding the investigation conducted by the police in Munir's case and Eddy Santoso's conversation with Pollycarpus after Munir's death. Eddy said that there was an investigation by the police but Polly never called Eddy.

Regarding the making of extra crew schedule previously, whether they were the same. Eddy said that in terms of planning they were all the same.

Regarding the schedule change that Aini handled. Eddy said that he had not known about it. Eddy learned about it during his examination. Regarding the document of change for the schedule Amsterdam–Singapore. Eddy said that he did not know.

Regarding the summoning of Eddy's superior related to the death of Munir. Eddy said that they submitted the data after being asked by their superior and before Eddy was examined.

The panel of Judges asked about the connection between Crew Manager and Crew Tracking. Eddy said that this unit did the same thing in making a schedule one month before the departure and the schedule was then submitted to the Crew Tracking.

Regarding a sudden notice in the change of schedule. Eddy said that the change could be informed orally.

Regarding the duty and authority of Operational Manager/Operational Planning. Eddy said it would be under the Operational Planning.

Regarding whether a flight had to have Extra Crew. Eddy said that it did not.

Regarding Pollycarpus' status as an extra crew from Jakarta–Singapore and Singapore–Jakarta on 6-7 September 2004. Eddy said that it was as an extra crew.

Pollycarpus' Response about Extra Crew.

Pollycarpus said that a schedule could be changed in 30 minutes.

Commission for Disappearances and Victims of Violence

(KontraS)

October, 2005

IV. Witness Akhirina

Name : Akhirina
Place/Date of Birth : Bandung, 17 December 1956
Occupation : Business Support at PT Garuda Indonesia
Religion : Islam
Address : Jl. Purwongkus No 7 Central Jakarta.

The Chief Judge asked whether Akhirina knew the accused Pollycarpus. The witness said that she did not know Pollycarpus.

The Prosecutors

- Regarding assignment letters for flight Crew, Pilot and Co Pilot. Akhirina said that every assignment must be supported with an assignment letter and ground officer must have SPPD (a letter that gives the order to make a trip on duty). If the flight duty is according to schedule, then the schedule itself is the assignment letter. Therefore, if there were other flight assignments, there should be other assignment letters.
- Regarding who had the authority to issue an assignment letter. Akhirina said that an assignment letters were issued by the unit that gave the assignment and this was the procedure in PT Garuda activities.
- Regarding the assignment letter issued by the President Director related to Pollycarpus' activity. Akhirina said that she did not know about that assignment letter.
- Regarding Pollycarpus' assignment from Jakarta-Singapore on 6 September 2004. Akhirina said that she did not know anything about Pollycarpus' flight on that date because she had just been promoted to Business Support in April 2005.
- Regarding Munir's death on 6 September 2004. The witness only learned about the incident when she saw the news in print and electronic media.
- Regarding a special assignment letter for a trip of duty. Akhirina said that any assignments have to be supported by an assignment letter.

The Legal Advisors objected to the Prosecutors related to a special assignment letter because the question was more of asking for an opinion.

The session was taken over by the Chief Judge.

- Regarding whether Pollycarpus' schedule was according to SPPD. Akhirina said that if an assignment letter was issued then the ticket for it would be paid. Therefore, if an employee did not have SPPD then the trip was not a duty trip.

- Regarding the witness' responsibilities before she worked in Business Support. Akhirina said that before she worked in Business Support she had worked in the finance directorate in the provision unit.
- Regarding the content of SPPD. Akhirina said that SPPD would contain a name, position, destination of duty and flight schedule. SPPD was signed by the Director.

The Chief Judge.

- Regarding the name of a person in SPPD as a general Co Pilot. Akhirina said there was.
- Regarding Extra Crew's assignment in SPPD. Akhirina said that there was an SPPD but special assignments were not in SPPD.

The accused Polycarpus' Response.

Normative yes, but there were a lot of negation. Polly said that he had been assigned to Singapore without SPPD, and then returned again. The assignment letter to Singapore was given orally by Ramelgia and strengthened by an assignment letter from the President Director.