

# Indonesia: Senior intelligence official charged with murder

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The former deputy chief of Indonesia's State Intelligence Agency (BIN), Major-General Muchdi Purwoprandjono, was charged last month with the premeditated murder of prominent human rights activist Munir Said Thalib. If convicted, Muchdi, who has pleaded not guilty, will face the death penalty.

The decision to charge Muchdi and the conduct of the trial, which began on August 21, have been presented in the media as demonstrations of Indonesia's commitment to justice and the rule of law. In fact, there are a number of signs that all that is underway is a more elaborate cover-up after the previous efforts to bury the case wore thin.

Munir was the founder of two of Indonesia's best known human rights groups—Indonesian Human Rights Monitor (Imparsial) and the Commission for Missing Persons and Victims of Violence (Kontras). He died on September 7, 2004 onboard an Air Garuda flight from Indonesia to Holland via Singapore. After a series of unexplained delays, the autopsy results released in November 2004 revealed that Munir had died of arsenic poisoning.

Muchdi is accused of orchestrating the murder in revenge for Munir's role in exposing the general's responsibility for the abduction of 13 student activists in 1998. The campaign led by Munir resulted in Muchdi's removal from his post as commander of the army's powerful Kopassus special forces.

Pollycarpus Budihari Priyato, an off-duty Garuda pilot and suspected BIN agent, was convicted of Munir's murder in June 2005. In the course of his trial, it was demonstrated that Pollycarpus was responsible for shifting Munir from economy to business class where arsenic was placed in his orange juice. The conviction against Pollycarpus was annulled by the Supreme Court in October 2006 and he was freed in

late December. However, the Supreme Court reopened the case for judicial review and he was sentenced in January this year to 20 years imprisonment.

The evidence linking Muchdi to Pollycarpus is extensive. Phone records document more than 41 phone calls between the two, including four on the morning of Munir's death. In addition, BIN agent Budi Santoso named Muchdi several times in his written testimony during the Pollycarpus trial. According to Budi's testimony, Muchdi paid Pollycarpus 10 million rupees (\$US1,085) on June 14, 2004, and another 3 or 4 million rupees while Pollycarpus was under investigation in connection to Munir's murder.

Budi claimed that Pollycarpus called him on the day of Munir's murder to say, "I got [the] big fish in Singapore"—a veiled reference to Munir's murder. Budi then asked if he had "reported that to Mr. Muchdi". Pollycarpus allegedly replied that he had. Budi also claimed that Pollycarpus told him: "I got assignment from Mr. Muchdi to terminate Munir."

Other evidence links BIN to the killing of Munir. Former Garuda president Indra Setiawan was released from prison earlier this year after serving a year in jail for complicity in Munir's murder. He claimed during his trial that the letter he issued to authorise Pollycarpus to travel on Munir's flight as a "security officer" was drawn up at the request of another high-ranking BIN official, Mohammad As'ad.

The case linking Muchdi to Pollycarpus appears to be strong. What is implausible, however, is that Muchdi organised the murder simply as an act of individual revenge. Soeripto, the deputy chairperson of the House of Representatives Commission III on law and human rights, has claimed that the decision to kill Munir was made at a BIN leadership meeting several weeks before Munir's death. According to Soeripto, the meeting was

chaired by the then BIN head A.M. Hendropriyono, who is also a retired Kopassus general.

“That was the result of the joint meeting. The one that took the decision was of course BIN chief Hendropriyono. Muchdi was just the executor, because his post was deputy chief for agent mobilisation,” Soeripto told the *Detik.com* web site.

As a TNI (army) general, Hendropriyono had a long and bloody record under the former Suharto dictatorship. He was implicated in the murder of more than 100 men, women and children in a village in Lampung in Sumatra in February 1989. Following Suharto’s fall, he worked in the administrations of presidents B.J. Habibie, Abdurrahman Wahid and Megawati Sukarnoputri. He served as the head of BIN from 2001 to 2004.

Despite evidence to the contrary, the prosecution in the Muchdi case has rejected the possibility of anyone senior to Muchdi having been involved. Cirus Sinaga, the lead prosecutor, was quoted in the *Financial Times* as saying that Muchdi hatched the plot “to satisfy his feelings of hatred, anger and revenge towards the victim”.

Usman Hamid, the head of Kontras and a member of the state-appointed fact-finding team into Munir’s murder, has rejected attempts by the prosecution to block further investigation into Munir’s murder. He told the *Financial Times*: “I’m not satisfied with the prosecutors’ indictment. Our team concluded the crime was a high-level political conspiracy, not a personal vendetta. The authorities cannot stop with Muchdi.”

In an *Inter Press Service* article, Usman called for the prosecution of Hendropriyono, saying: “Since the beginning we have demanded that law enforcement agents bring [to trial] all the people who were involved in the case and I think that one of the most important people who needs to be brought to trial is former chief of the intelligence agency, Hendropriyono.”

Munir’s widow Suciwati is also concerned that what is taking place is just another whitewash. She told *Detik.com*: “There are still people there that ordered this. There are definitely superiors involved.”

The original cover-up sought to make Pollycarpus the scapegoat for the crime, even though his links with BIN and Muchdi were known at least as far back as June 2005, when a government fact-finding commission authored a report on the murder. The reluctance to

prosecute Muchdi and the determination to prevent any further investigations indicate that his superiors at the time have a great deal to lose.

Just how high does this crime go? If Hendropriyono was involved, it raises questions about the government of the day. Munir’s murder took place in the lead up to the second round of presidential elections in 2004, in which the current president, Susilo Bambang Yudhoyono, defeated the incumbent Megawati Sukarnoputri. Yudhoyono, a former Suharto-era general, was Megawati’s top security minister up until March 2004 and thus politically responsible for BIN operations.

With presidential elections due next year, the two top contenders—Yudhoyono and Megawati—appear to share a common interest in ensuring that the investigation does not delve too deeply into Munir’s murder.



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