

UPDATED ON URGENT APPEAL

# Indonesia: High Court rejects appeal in Munir's case

Human rights defenders; impunity; collapse of rule of law

Wednesday 19 April 2006, by [AHRC](#) (Date first published: 19 April 2006).

ASIAN HUMAN RIGHTS COMMISSION - URGENT APPEALS PROGRAMME

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UP-085-2006: INDONESIA: High Court rejects appeal in Munir's case

INDONESIA: Human rights defenders; impunity; collapse of rule of law

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Dear friends,

The Asian Human Rights Commission (AHRC) writes to you with updates regarding the case of the murdered Indonesian human rights activist, Munir Said Thalib.

It has now been learned that the High Court, on 27 March 2006, rejected the appeal of the accused, Pollycarpus Budihari Priyanto, thus upholding his 14 year sentence after it was proved beyond reasonable doubt that he committed premeditated conspiracy to murder (dossier no. 16/Pid/2006/PT.DKI). Accordingly, the dossier has now been delivered to the District Court for the next process in this case which allows for either the defendant (Pollycarpus) or the Attorney General to appeal in the Supreme Court. Though yet to be officially confirmed, Pollycarpus's wife has stated that her husband will now appeal to the Supreme Court. In the meantime, Pollycarpus remains detained and it is believed will continue to be so until the new appeal is heard before the court.

The AHRC remains concerned that despite the court ruling that Pollycarpus "jointly" committed premeditated murder and "jointly" committed in falsifying a letter, little action has been taken by the police or the prosecutor to investigate those ultimately responsible for the death of Munir. Despite the court having called for such an

investigation, nearly four months have now passed since that request and yet Pollycarpus remains the sole defendant in this case.

When Munir's wife, Suciwati and Kasum, an organisation looking into Munir's case met with the Head of the Criminal Division of the Indonesian Police and the Attorney General, the Head of the Criminal Division and the Attorney General assured them that they would meet with them on a weekly basis to map the progress of this case. These meetings, however, cannot be considered an appropriate substitute for a proper and independent investigation into other persons allegedly involved in Munir's death.

### **SUGGESTED ACTION:**

Please write a letter to the relevant authorities listed below urging them to take action to ascertain the truth surrounding Munir's death.

Suggested letter:

Dear \_\_\_\_\_,

INDONESIA: High Court rejects appeal in Munir's death

I have recently learnt of new developments in the case of murdered Indonesian human rights activist, Munir Said Thalib. These include the High Court rejecting the appeal of the accused, Pollycarpus Budhari Priyanto, thus upholding his 14 year sentence and the allegation that he will now appeal to the Supreme Court.

While I welcome the High Court's decision in rejecting Pollycarpus's appeal, I remain concerned by other elements of this case including the failure to further investigate others implicated in Munir's murder. The High Court judgment noted that evidence during the trial proved that Pollycarpus did not act alone. The court therefore urged the police to conduct a further investigation in order to uncover those ultimately responsible for the death of Munir. Yet despite this, nearly four months have now passed since that request and Pollycarpus still remains the sole defendant in this case.

Given that Pollycarpus was ruled to have acted "jointly" in murdering Munir, it is essential that the police and the prosecutor exhaust all means to further investigate this case and question all persons likewise implicated in Munir's murder. Of paramount importance is that the telecommunication records of Muchdi's phone conversations with Pollycarpus be revealed, which is allowed under Law 39/1999.

I am also aware that when Suciwati and Kasum, an organisation looking into Munir's case met with the Head of the Criminal Division of the Indonesian Police and the Attorney General, the Head of the Criminal Division and the Attorney General assured them that they would meet with them on a weekly basis to map the progress of this case. These meetings, however, cannot be considered an appropriate substitute for a proper and independent investigation into other persons allegedly

involved in Munir's death.

Until the authorities treat this case with the seriousness it deserves and until all those responsible for Munir's death are prosecuted and punished accordingly, justice will continue to evade a man who gave his life for the rights of others.

Yours sincerely,

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**PLEASE SEND YOUR LETTERS TO:**

1. Mr. Susilo Bambang Yudoyono

President

Republic of Indonesia

Presidential Palace

Jl. Medan Merdeka Utara

Jakarta Pusat 10010

INDONESIA

Tel: + 62 21 3845627 ext 1003

Fax: + 62 21 231 41 38, 345 2685, 345 7782

2. Mr. Agung Laksono

Chief of the Indonesia House of Representative

Gedung DPR/MPR RI

Jl. Gatot Subroto No. 6

Jakarta

INDONESIA

Tel: + 62 21 5715509; 5715344; 5715621

Fax: + 62 21 5714469, 5734389

3. Gen. Sutanto

Chief of National Police

Jl. Trunojoyo No. 3

Jakarta Selatan

INDONESIA

Tel: +62 21 721 8012

Fax: +62 21 720 7277

4. Mr. Abdul Rahman Saleh

Attorney General

Kejaksaan Agung RI

Jl. Sultan Hasanuddin No. 1

Jakarta Selatan

INDONESIA

Tel: + 62 21 7221337, 7397602

Fax: + 62 21 7250213

Email: [postmaster.kejaksaan.or.id](mailto:postmaster.kejaksaan.or.id)

5. Prof. Dr. Bagir Manan  
Chief Justice  
Supreme Court  
Jalan Merdeka Utara No. 11 - 13  
Jakarta Pusat 10110  
INDONESIA  
Tel: +62 21 3811957 / 345 2223  
Fax: +62 21 381 0357

6. Ms. Hina Jilani  
Special Representative of the Secretary General for human rights defenders  
Attn: Melinda Ching Simon  
Room 1-040, c/o OHCHR-UNOG  
1211 Geneva 10  
SWITZERLAND  
Tel: +41 22 917 93 88  
Fax: +41 22 917 9006 (ATTN: SPECIAL REPRESENTATIVE HUMAN RIGHTS DEFENDERS)  
E-mail: MChingSimon ohchr.org

7. Mr. Philip Alston  
Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions  
Att: Lydie Ventre  
Room 3-016  
c/o OHCHR-UNOG  
1211 Geneva 10  
SWITZERLAND  
Tel: +41 22 917 9155  
Fax: +41 22 917 9006 (general)  
E-mail: lventre ohchr.org

Thank you.

[RE: UA-164-2004: The family receives death threats for demanding an impartial inquiry into the death of Munir; UP-30-2005: Unveiling of suspect in Munir's death may end further inquiries; UP-47-2005: State intelligence officers delay Munir investigation; UP-72-2005: Mandate of fact-finding team into Munir's murder should be extended and made more effective; UP-83-2005: Police fail to follow up on fact-finding report into Munir case; President does not react to requests for monitoring of the investigation; UP-96-2005: Trial of Polycarpus ignores fact-finding team reports; UP-125-2005: President and Parliament must audit the police investigation performance in Munir's case; UP-139-2005: Attack on supporters of Munir outside Jakarta court; UP-159-2005: Need for further investigation in Munir case; UP-165-2005: Polycarpus sentenced to 14-years imprisonment for murder of Munir; UP-042-2006: INDONESIA: President must take firm steps to ensure investigation of Munir's death follows court recommendations]

Urgent Appeal Programme  
Asian Human Rights Commission (ahrchk ahrchk.org)

Asian Human Rights Commission

19/F, Go-Up Commercial Building,  
998 Canton Road, Kowloon, Hongkong S.A.R.  
Tel: +(852) - 2698-6339 Fax: +(852) - 2698-6367