

**Witnesses' and Defendants' Information Given During the Court
But Not Considered by the Judge
(Taken From the Journal of Defense Attorney)**

| No | Name of Witnesses | Testimonies at Palu State Court | Notes |
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| 1 | Reko Indro Sasongko | <ul style="list-style-type: none"> - Witness met Fabianus Tibo for the first time in the Catholic Church - Witness was not at the location when the event took place - Witness was then aware that there were victims: three people and a policeman, but witness did not watch the event - Witness had a dialogue with Fabianus Tibo - Witness was inquired by Fabianus Tibo on the matter of security assurance - Witness explained that there was burning by mass when Fabianus Tibo left the Church - Witness did not see Defendants: Dominggus Da Silva and Marinus at the Catholic Church | <ul style="list-style-type: none"> - The information given by the witness was not considered at all by the Judge in the decision-making process |
| 2 | Anton Muhammad | <ul style="list-style-type: none"> - Witness did not see Fabianus Tibo at the killing location. - Witness followed a group of people wearing black from Kayamanya, but Witness did not see Fabianus Tibo with them - Witness saw Fabianus Tibo when Witness arrived at Saint Teresia Catholic Church Complex in New Moengko Village. - Witness had a dialogue with Fabianus Tibo - Witness was inquired about the security condition by Fabianus Tibo - Witness did not see Defendants Domingus Da Silva and Marinus at Saint Teresia Catholic Church | <ul style="list-style-type: none"> - The information given by the witness was not considered by the Judge in the decision-making process |
| 3 | Mahfud Rosid Kusni | <ul style="list-style-type: none"> - Witness was kidnapped by the Red Group in Tagolu Village on May 26, 2000 - Witness, during abduction, never experienced torture and was given freedom - Besides Witness, Ananta Wibowo was also kidnapped yet remained | <p>The information given by the witness was not considered by the Judge in the decision-making process</p> |

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| | | <ul style="list-style-type: none"> unhurt (untouched) - Witness and Ananta Wibowo were put in different rooms - Witness was assigned to work in kitchen and never went out during abduction - Witness never saw direct killings - Witness was aware of but never personally watched house burnings | |
| 4 | Sutarmin | <ul style="list-style-type: none"> - Witness explained that those who led the attack in Walisongo on May 28, 2000, were Lempalulu, and not the three Defendants - Witness was one of the victims of the Walisongo attack, yet Witness pretended to be dead so Witness was overlooked - Witness explained that one who gashed at the Poso river side was from the Red Group, not Marinus - Witness withdrew his testimony in Police Investigation Report No. 6 on August 20, 2000, with the subject of Marinus was one who gashed at the Poso river side | The information given by the witness was not considered at all by the Judge in the decision-making process |
| 5 | Witness Untung Djurnadi | <ul style="list-style-type: none"> - Witness watched thirty people who were slaughtered by the Red Group at the Poso river side, and the bodies were thrown into the Poso river - Those who slaughtered were Roy Yara, Agus and Papa Yus, Tambaro villagers and about fifty other people, but not these three Defendants - Witness was wounded at his thigh and got cut at his back, but those were not carried out by these three Defendants - Witness did not hear any command from Fabianus Tibo to attack - In relation to the answer of Question 11 in Police Investigation Report in which Witness explained that one who gashed him was a man named Marinus, was incorrect and Witness withdrew, because Witness was forced to blame Marinus | The information given by the witness was not considered at all by the Judge in the decision-making process |
| 6 | Witness Ilham, SH | <ul style="list-style-type: none"> - Witness joined the attack to Walisongo against thirty Christians who were using dum-dums, short machetes, launching apparatuses and assembled weapons as their weapons - The Defendant did not join the attack during Walisongo complex attack | The information given by the witness was not considered at all by the Judge in the decision-making process |

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| | | <ul style="list-style-type: none"> - Witness only recognized the faces of Defendants from pictures in Mercusuar | |
| 7 | Irwanto Hasan | <ul style="list-style-type: none"> - Witness was seized at Tongko, Poso Village on June 5, 2000, around 9:00AM (WITA) - At Tentena, Witness was brought to Sawidago, where there was a dispute among them; some wished to kill the Witness and others disagreed. - Mr. Tibo was in the group who disagreed about killing the Witness - When brought to Tagolu Station, Witness did not see Defendants Dominggus and Marinus; however, Mr. Tibo was there and he interrogated Witness by asking his identity, and then Witness was brought to Sawidago Tentena - During confinement, Witness was never tortured - While confined in Peura, Witness was always visited by Mr. Tibo and Dominggus; they brought some cigarettes and inquired after Witness's health, food condition, etc. - Witness knew that the leader of the Red Group was Ir. Lateka | The information given by the witness was not considered at all by the Judge in the decision-making process |
| 8 | Witness Moh. Achmad Najib | <ul style="list-style-type: none"> - Witness worked in Toli-Toli as a policeman who was placed under local command at Poso District Level Police during the third part of conflict as Dan Ton - When Witness tried to secure Walisongo, there was a white Hartop car passing back-and-forth at Walisongo; Witness stopped the car, but did not see Mr. Tibo inside - Witness had met Dominggus before, during that time Dominggus requested the refugees to be transported by the Pioneer car; Witness gave the Pioneer car to the driver - The third question of Berita Acara Pemeriksaan Kepolisian, which stated that Witness got acquainted with Tibo, Dominggus and Rinus, was totally incorrect - The correct version was that Witness was never acquainted with Mr. Tibo and Marinus, and Witness got to know Dominggus when Dominggus borrowed Pioneer car to transport the refugees to Tentena | The information given by the witness was not considered at all by the Judge in the decision-making process |

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| 9 | Rinaldy Damanik, STh. M.Sc | <ul style="list-style-type: none"> - Witness knew Ir. Lateka as a church member and Ir. Lateka visited Witness' office on June 30, 2000 - Ir. Lateka said that he was responsible as a commander and leader; he also wrote a letter to National Committee of Human Rights to be read in front of apparatus. | The information given by the witness was not considered at all by the Judge in the decision-making process |
| 10 | Witness Yosephin | <ul style="list-style-type: none"> - Before May Riot in 2000, Witness was a honorary teacher at Saint Theresia Catholic Middle School, Moengko Baru Village, Poso - On May 22, 2003, coming back from work, Witness saw Defendants Tibo, Dominggus and Marinus at the orphanage dormitory - Witness was told by a kitchen worker that Mr. Tibo and his group came to guard the Church and to secure the orphanage occupants if anything happened, because there was a growing issue of Catholic Church burning - Around 3.30AM (WITA), Witness overheard that Mr. Tibo castigated his friends who were sleeping, asked them to wake up and be alert and not defeat their purpose to be there - Around 5.30AM (WITA), Witness saw Mr. Tibo was talking to two policemen at the basketball court, and was surrounded by around fifty people who came from outside the dormitory. - Around 5.30AM (WITA), Witness accompanied by Dominggus and Marinus and orphanage occupants fled through the hills behind the Church to the mountains; while fleeing, Mr. Tibo was still at the basketball court with the policemen and the mass from outside the dormitory | The information given by the witness was not considered at all by the Judge in the decision-making process |
| 11 | Defendant Fabianus Tibo | <ul style="list-style-type: none"> - Defendant and parents (thirteen people) went to Poso (Orphanage) to secure the Orphanage children after Yanis Simangungsong heard the news that the Catholic Church would be burned down - Defendant caught up with the Orphanage children who went ahead to hide, and Defendant met with them at the mountains of Tambaro Village - Defendant was not the leader of the Red Group; the leaders of the | <ul style="list-style-type: none"> - The information given by the Defendant was not considered at all by the Judge in the decision-making process - The Judge responded to the Defendant that the Court could not grant Defendant's wish to arrest the sixteen names to be reported and investigated, because that was law upholder's |

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| | | <p>Red Group were Ir. Lateka and Lampelulu</p> <ul style="list-style-type: none"> - While helping the Red Group, the Defendant never killed anyone, but tried his best to help without Red Group's awareness - While helping the Red Group, Defendant was never the leader of the Red Group mass, be it to Sayo Village or Silanca Village; the leaders were Mateus Mokogadi and Irdianus Binti - During the Court, Defendant also mentioned sixteen names who knew Poso conflict and Defendant requested to investigate them | task, and not Court's task |
| 12 | Defendant Dominggus Da Silva | <ul style="list-style-type: none"> - On May 25, 2000, Defendant was taken by the Red Group to Tagolu and was assigned to transport the refugees to Tentena, Kompi and other places that were considered unsafe - Defendant saved Tayeb Lamello (Papa Aco) while he was tortured by the Red Group in Sangira Village and Defendant brought him to Tagolu - During four days in Tagolu, Tayeb was never tortured but was asked to help in kitchen, and finally was returned to his family in Sangira Village - The Red Group leaders were Ir. Lateka and Lempalulu - Defendant was not aware of the killing in Walisongo because he was transporting the refugees to Beteleme Village | The information given by the Defendant was not considered at all by the Judge in the decision-making process |
| 13 | Defendant Marinus Riwu | <ul style="list-style-type: none"> - In Tentena, after securing the orphanage children at the Catholic Church complex Moengko Baru Village, Defendant was forced to join the Red Group by Albert, Paulin, Berna; the Defendant was brought to Keley Village, and met Ir. Lateka; they threatened to kill him if he did not join to Poso - The next morning, Defendant was brought to Tagolu; it was the first time Defendant joined the Red Group to Sepe Village - At the end of the village, Defendant experienced knee stiffness and so he was sent back to Talogu by a Kede man riding a motorcycle; from Tagolu, Defendant went home to Molores, and had no idea what was going on next | The information given by the Defendant was not considered at all by the Judge in the decision-making process |