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INDONESIA FISHERMEN ON TRIAL AFTER PROTESTING ENCROACHMENT

Ilham Mahmudi and Taufik, two fishermen from North Sumatra, are on trial for their efforts to save their coastal village. They face up to five and a half years in prison for alleged group violence and property damage. Local NGOs and advocates see these charges as unjust criminalization due to their environmental activism. Mahmudi, Taufik, and their community work to protect the mangrove forest from encroachment. They fear that without these efforts, flooding will cause their village to sink. The Indonesian authorities must ensure a fair and impartial prosecution and respect their right to a fair trial.

Write to the Head of Langkat Regency Prosecutor's Office urging them to:

- Guarantee Ilham and Taufik's fair trial rights according to international standards. Avoid excessively harsh charges, considering the limited damage. Base prosecution on evidence showing reasonable suspicion of their involvement in damaging the makeshift hut.
- Comply with the presumption of innocence by releasing Ilham during the trial unless there is a real risk of flight, harm, or interference with evidence or investigation.
- Ensure Ilham has regular, unrestricted access to a lawyer of his choice, is not subjected to torture or ill-treatment, and receives necessary healthcare.
- Allow all human rights defenders and their families, including the Kwala Langkat community, to protest peacefully without fear of harassment, intimidation, arbitrary detention, or imprisonment.

Write to:

Yuliarni Appy, S.H.,M.H.

Head of Langkat Regency Prosecutor's Office

Jl. Proklamasi No.51, Kwala Bingai, Stabat,

Langkat Regency, North Sumatra Province,

Indonesia (20811)

Email: Kaurlangkat@gmail.com and kejari.langkat@kejaksaan.go.id

Salutation: *Dear Prosecutor,*

And copy:

His Excellency Daniel Tumpal Sumurung SIMANJUNTAK

Ambassador

Embassy of the Republic of Indonesia

55 Parkdale Avenue

Ottawa, ON K1Y 1E5

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ADDITIONAL INFORMATION

In 2014, residents of Kwala Langkat Village in North Sumatra started rehabilitating mangrove trees. The mangrove ecosystem is crucial for their livelihoods, as most villagers are fishermen. However, palm oil operations began encroaching on the mangroves, limiting conservation efforts. This damage forced fishermen to sail further to catch fish and caused tidal flooding in their village. Concern grew as neighboring Tapak Kuda Village had already been submerged due to rising sea levels.

In January 2024, further encroachment for palm oil operations led villagers to protest and report the issue to the North Sumatra Regional Police. The police confiscated an excavator on February 6, 2024, but did not investigate further. Frustrated by the police's inaction, some residents demolished a hut used by the excavator operators.

On March 22, 2024, Ilham Mahmudi was reported for his alleged involvement in demolishing the hut. Police arrested him without a warrant on April 18, 2024, and he was not allowed legal counsel initially. Lawyers from the Medan Legal Aid Institute (LBH Medan) later took over his case. Shortly after Ilham's arrest, villagers reportedly damaged the house of a man linked to the encroachment.

Taufik and another fisherman, Safii, were arrested on May 11, 2024, while fishing. They were accused of involvement in the house damage incident. The police arrested them without warrants and threatened them. They also did not have legal counsel during their first interrogation. LBH Medan lawyers later signed their power of attorney. CCTV evidence showed Taufik was merely present near the house while Safii tried to prevent the damage.

While in custody, Taufik was also investigated for the hut demolition and later named a suspect. On July 4, 2024, the charges against Taufik and Safii for the house damage were dropped after a settlement with the house owner, leading to Safii's release. However, Ilham and Taufik's trial, set to start on the same day, was postponed due to their lawyer's illness. Taufik was released from pre-trial detention, but Ilham remained detained. On July 15, 2024, prosecutors indicted Ilham and Taufik for group violence and property damage.

Local NGOs believe these charges aim to stifle the community's efforts to conserve mangrove forests and protect their environment. Despite Indonesia's commitment to environmental sustainability and net-zero emissions by 2060, environmental activists face harassment and criminalization. Between January 2019 and June 2024, Amnesty International recorded at least 18 cases of arrests, attacks, and intimidation against environmental activists, affecting 24 individuals.

Please take action as soon as possible until October 17, 2024! The UA will be duly updated should there be the need for further action.