

# URGENT ACTION

## FARMERS DETAINED AMID CONSERVATION WORK

Samsul Bahri and Samsir, father and son from a farmer community in North Sumatra province, have been detained since 10 February 2021 in what is feared to be spurious charges. Advocates have labelled their arrest as a form of criminalization that specifically aims to stifle the farmers' work in rehabilitating a mangrove forest in the area and their work to claim their rights to land. Environmental human rights defenders in Indonesia are among the most persecuted activists in the country. Many continue to face intimidation, threats, and accusations that appear to be used to undermine their activities.

### TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

**Adj. Sr. Comr. Edi Suranta Sinulingga**  
Langkat Regency Police Chief  
Jl. Proklamasi No 53, Stabat,  
Langkat Regency, North Sumatra,  
Indonesia (20814)  
Email: [langkatpolres@gmail.com](mailto:langkatpolres@gmail.com)

Dear Langkat Regency Police Chief,

I am writing to express my concern about the detention of **Samsul Bahri** and **Samsir**, a father and son, from the Nipah Farmer community. I fear that this case has in fact added to the long list of acts of harassment and criminalization against environmental human rights defenders in Indonesia, who have been among the most persecuted activists in the country. Many continue to face intimidation, threats, and accusations that appeared to be used to undermine their activities.

Samsul Bahri and Samsir were summoned by the police on 8 February 2021, as assault suspects following an accusation of violence by a man who witnesses state had fabricated the incident. On 10 February, despite not being questioned as witnesses or asked to comment on the report filed, they were then detained. I find this situation troubling, especially within the context of their work as human rights defenders claiming their rights to land. Information obtained by Amnesty International said Samsul Bahri is now unwell in detention due to diabetes and cholesterol and requires regular medication.

Samsul Bahri and Samsir are environmental human rights defenders who peacefully strive to protect and promote human rights by rehabilitating a swath of mangrove forest to conserve the ecosystem in the area. Their criminalization is not only a violation of their rights, but also threatens the work and the rights of all human rights defenders in the country. It also has negative impacts on the entire community, including on their right to a healthy environment. Instead of being persecuted for their efforts, they should be protected as in accordance with Article 66 of Law No. 32/2009 on the Environment, which stipulates that "every person who defends the right to a good and healthy environment shall not be prosecuted by criminal or civil offence."

Therefore, I urge you to:

- Release Samsul Bahri and Samsir and drop the charges against them unless there is sufficient credible and admissible evidence that they have committed an internationally recognized offence and are granted a fair trial in line with international standards;
- Ensure that Samsul Bahri and Samsir have regular, unrestricted access to a lawyer of their choice and are not subjected to torture or other ill-treatment, and are provided access to healthcare and medical treatment if they require it;
- Take effective measures to ensure that all human rights defenders and their families, including the Nipah Farmer community, can carry out their peaceful activities without fear of harassment, intimidation, arbitrary detention or imprisonment, in line with Article 66 of Law No. 32/2009.

Yours sincerely,

## ADDITIONAL INFORMATION

In late 2017, the government granted the Nipah Farmer community the right to manage a 242-hectare land in Kwala Serapuh Village, North Sumatra province, for sustainable use under a social forestry permit. The community has since then been working to rehabilitate mangrove forests in this area. The community is protesting the operation of a palm oil company that owns a plantation on land the community claims the right to manage.

The accusation filed against Samsul Bahri and Samsir dates to a case in December 2020 while members of the Nipah Farmer community were working on an environmental rehabilitation project on the land they manage under the social forestry scheme. According to witness testimonies collected by local NGOs, including WALHI North Sumatra, LBH Medan, and Srikandi Lestari, two people arrived at the site on 18 December and took pictures of their activities.

Samsul Bahri, the community's chairman, questioned the two individuals on their intention of visiting the area. Afterwards, one of the individuals walked away and called his friend saying that he was "being beaten up" in a loud voice so that others could hear, before jumping into the river. The Nipah Farmer community quickly rescued him with a boat and took him to safety before asking him to clarify the statement he had previously made in the call. The individual then said that he was not being beaten up by any of the community members and his statement was recorded in a video by a member of the community. The man's friend came to pick him up not long after.

Almost two months later, on 8 February 2021, Samsul Bahri and Samsir received a letter of summons by the Tanjung Pura Police to appear for questioning on 10 February as suspects regarding allegations brought by one of the men who had filed a report to the police stating that Samsul and other farmers assaulted him on 18 December 2020. The two were charged under Article 170 of the Criminal Code on group violence. The dubious charges against the pair have raised questions since Samsul and Samsir had never been questioned as witnesses or asked to comment on the report before. The pair have been detained since 10 February.

Local NGOs who advocate for the case believe the arrest to be based on false accusations against Samsul Bahri and Samsir and to be a form of criminalization aimed to stifle the community's work in conserving the mangrove forests and claiming their rights to land. In a statement to the coalition of NGOs, Langkat Regency Police Chief Adj. Sr. Comr. Edi Suranta Sinulingga denied concerns over criminalization and claimed the police have collected evidence over the assault.

Environmental human rights defenders in Indonesia who work to protect and promote environmental rights and those linked to access to land are increasingly harassed and criminalized when state and economic actors perceive their activities as a hindrance to the implementation of development policies. One of the most notable cases of criminalization occurred in 2017 with the sentencing of environmental activist Heri Budiawan, also known as Budi Pego, to four years in prison for spreading communism in relation to his work to protest gold mining activities in Tumpang Pitu, Banyuwangi, East Java province. In 2020, Amnesty International recorded the arrest, attack, and intimidation of at least 202 human rights defenders in Indonesia, including environmental activists who defended their rights to land and a healthy environment.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** [Bahasa Indonesia, English]

You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** 22 April 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PREFERRED PRONOUN:** [Samsul Bahri and Samsir] (he/him/them)

## ADDITIONAL TARGETS

Ir. H. Joko Widodo  
President Republic of Indonesia  
State Secretariat, Jl. Veteran No. 17-18, Kota Jakarta Pusat, DKI Jakarta, Indonesia (10110)  
Email: [persuratan@setneg.go.id](mailto:persuratan@setneg.go.id)  
Twitter: @jokowi

Include calls:

- Establish legal framework to protect human rights defenders from the risk of being criminalized for exercising their rights to protect and promote human rights;
- Issue supporting regulation to implement the 2009 Law on Environment, particularly Article 66 which stipulates that "every person who defends the rights to a good and healthy environment shall not be prosecuted by criminal or civil offence."

Gen. Listyo Sigit Purnomo  
Indonesia National Police Chief,  
National Police HQ. Jl. Trunojoyo No. 3, South Jakarta, Jakarta, 12110, Phone: +62 21 7218-141  
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Twitter: @DivHumas\_Polri  
Instagram: @divisihumaspolri

Include call:

Human rights defenders are not arrested for the peaceful exercise of their rights to protect and promote human rights relating to the environment.

Insp. Gen. Martuani Sormin  
North Sumatra Province Police Chief  
North Sumatra Province Police HQ, Jl. Sisingamangaraja Km.10.5 No. 60, Medan, North Sumatra, 20148  
Phone: +62-61-7879-363  
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### **And copies to:**

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