

Indonesian Activist Freed in Hate Speech Case After Flagging Illegal Shrimp Farms

By [Basten Gokkon](#)

Asia-Pacific Research, May 29, 2024

[Mongabay](#) 22 May 2024

Region: [South-East Asia](#)
Theme: [Environment](#), [Justice](#)

All Global Research articles can be read in 51 languages by activating the Translate Website button below the author's name (only available in desktop version).

To receive Global Research's Daily Newsletter (selected articles), [click here](#).

Click the share button above to email/forward this article to your friends and colleagues. Follow us on [Instagram](#) and [Twitter](#) and subscribe to our [Telegram Channel](#). Feel free to repost and share widely Global Research articles.

[Global Research Wants to Hear From You!](#)

Indonesian environmental activist Daniel Frits Maurits Tangkilisan has had his sentence overturned on appeal, in a case that saw him charged over a Facebook post highlighting illegal shrimp farms operating in a marine protected area.

The appeals court held that while the post constituted hate speech, as a lower court had ruled, it was made in defense of the constitutional right to a healthy environment.

Three fellow activists face prosecution under the same charges for posting a video of their opposition to the polluting shrimp farms in Karimunjawa National Park, an ostensibly protected area.

The case is one of hundreds prosecuted under the widely panned online speech law that activists and rights experts say has been exploited by the state and business interests to silence critics.

*

An Indonesian court has overturned the sentence of environmental activist **Daniel Frits Maurits Tangkilisan** on widely criticized hate speech charges for highlighting the damaged caused by illegal shrimp farms in a protected marine park.

The May 21 ruling by the Semarang High Court in Central Java province quashes the April 4 sentence handed down by the Jepara District Court that found Daniel's Facebook post about the environmental degradation of Karimunjawa National Park constituted hate speech and

caused public unrest. Daniel was [one of the four activists from the environmental movement #SaveKarimunjawa](#) charged under the controversial 2008 law on online speech.

The appeal court judges [stated](#) that while Daniel evidently made the statement, he was also proven to be defending the right to a healthy environment, which is enshrined in Indonesia's Constitution.

Experts had strongly criticized the legal proceedings against the four environmental activists, labeling them as a systematic attempt by the authorities to suppress, scare and stifle dissent using what are known as SLAPP tactics, short for strategic lawsuits against public participation.

"Daniel's exoneration should be a whip for the Indonesian police and attorney general's office to be careful in applying the law so as not to criminalize activists," Sekar Banjaran Aji, a coordinator at the NGO Public Interest Lawyer Network (Pil-Net) Indonesia, told Mongabay on May 22.



Daniel Frits Maurits Tangkilisan has been exonerated in a hate speech case over a Facebook post criticizing illegal shrimp farms operating in Karimunjawa National Park. Image courtesy of Lentera Jawa Tengah.

Sekar added that Daniel's exoneration should serve as a legal precedent for the three other activists whose cases are still underway. Daniel's case was the most advanced as he was charged in June 2023 for his criticism posted on Facebook the previous year. Police arrested him on Dec. 7, 2023, but granted him conditional release the following day. His case eventually came before the Jepara District Court, and on March 19 prosecutors sought a conviction with a jail sentence of 10 months and a fine of 5 million rupiah (\$310). The court issued its verdict on April 4, finding Daniel guilty and sentencing him to seven months in jail with 5 million rupiah in fines.

The three other activists in the #SaveKarimunjawa campaign — Hasanuddin, Datang Abdul Rohim and Sumarto Rofi'un — were reported in November 2023 to the local police for posting a video in 2019 of their opposition to the illegal shrimp farms.

The case against the four men revolves around their campaign to highlight the proliferation of illegal shrimp farms in Karimunjawa, a marine protected area off the north coast of Java. A change in regional regulations in 2023 made Karimunjawa off-limits to shrimp farming, superseding the previous regulation that had allowed only traditional shrimp farming. Since 2016, however, illegal industrial shrimp farms have flourished on many of the islets that make up the Karimunjawa archipelago. Greenpeace Indonesia [says](#) these farms have expanded without permits, and blames them for waste discharges that have damaged the marine and coastal ecosystem and created a freshwater crisis.

Karimunjawa was declared a national park in 2001, and today spans 1,100 square kilometers (425 square miles). A patchwork of zoning policies allows artisanal fishing in certain areas, as well as tourism and research activities. The island chain is one of seven marine national parks in Indonesia, and is renowned for its coral reefs. Nearly [500 species of reef fish](#) thrive in the waters around Karimunjawa, and the park is a popular tourist attraction for divers and snorkelers.



Indonesian environment ministry officials inspect an illegal shrimp farm in Karimunjawa National Park. Image courtesy of the Indonesian Ministry of Environment and Forestry.



Many environmental activists in Indonesia's Central Java province have blamed waste discharge from illegal shrimp farms for ecosystem degradation in Karimunjawa National Park. Image courtesy of Greenpeace Indonesia.



The #SaveKarimunjawa movement seeks to protect the national park from further environmental damage caused by illegal shrimp farms. Image courtesy of Greenpeace Indonesia.

Human rights advocates say the prosecution of the four activists is yet more proof that environmental defenders in Indonesia have little recourse to protection, and that law enforcers are actively restricting the space for environmental advocacy. They also note that the legal action against the activists goes against international human rights standards, including the International Covenant on Civil and Political Rights (ICCPR), which Indonesia ratified in 2005.

The 2008 law under which the men have been charged has long been criticized for stifling opposition to the government and business interests. In December 2023, the national parliament [passed a revision to the law](#) that included tighter requirements for the law's defamation article, requiring a stronger burden of proof in prosecutions. Human rights advocates have long called for a review of the 2008 law that governs defamation and online hate, contending that certain clauses are ambiguous and can be easily abused, jeopardizing freedom of expression in the world's third-largest democracy.

From January 2019 to May 2022, Amnesty International [documented](#) 328 incidents of both physical and digital assaults on human rights advocates in Indonesia, affecting 834 individuals. Among these were environmental activists advocating for a pollution-free and healthy environment. Additionally, Amnesty International Indonesia highlighted that within that same period, there were at least 37 reported incidents targeting defenders of environmental and land rights, with at least 172 victims. The peak year for such attacks was 2020, with 79 individuals affected.

From 2014 to 2023, the environmental group Auriga Nusantara [recorded](#) 133 instances of persecution of environmental defenders in Indonesia. Of the total cases, the most common form of persecution was SLAPP, with 82 cases, followed by physical violence (20), intimidation (15), killing (12), and the rest eviction and destruction of property.

"Environmental activists should be protected from all forms of criminalization. Those who destroy the environment in Karimunjawa should be prosecuted," Sekar said.



Environmental and human rights defenders stage a protest against the prosecution of four activists from the #SaveKarimunjawa movement. Image courtesy of Lingkar Juang Karimunjawa.

