

Brunei 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Brunei Darussalam during the year.

Significant human rights issues included credible reports of: degrading treatment or punishment; serious restrictions on freedom of expression and media freedom, including censorship; and trafficking in persons.

The government took credible steps to identify and punish officials who committed human rights abuses.

Section 1. Life

a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2. Liberty

a. Freedom of the Press

Under the law and emergency powers, the government restricted freedom of expression, including for media.

There was no provision for freedom of speech in the constitution or law.

Members of the Legislative Council could “speak their opinions freely” on behalf of citizens but were prohibited from using language or exhibiting behavior deemed “irresponsible, derogatory, scandalous, or injurious.”

Under the law, it was an offense to challenge the royal family’s authority.

The law also made it an offense to challenge “the standing or prominence of the national philosophy, the Malay Islamic Monarchy concept.” This philosophy identified the Shafi’i school of Sunni Islam as the state religion and monarchical rule as the sole form of government to uphold the rights and privileges of the Brunei Malay ethnic community. The law also criminalized any act, matter, or word intended to promote “feelings of ill will or hostility” between classes of persons or to “wound religious feelings.”

The Sharia Penal Code (SPC) included provisions barring contempt for or insult of the sultan, the administration of sharia, or any law related to Islam. SPC sections provided, in certain circumstances, for death sentences for apostasy from Islam, deriding Islamic scriptures, and declaring oneself as God, among other offenses. There were no known cases of persons charged

under these sections, but criticism of the law was largely self-censored, and online newspapers did not permit comments or stories on these subjects.

The government interpreted the SPC as prohibiting public celebration of religions other than Islam, including publicly displaying Christmas decorations. Some establishments, however, openly sold Christmas decorations or advertised Christmas-themed events.

The SPC prohibited the publication or import of publications giving instruction about Islam contrary to sharia. It also barred the distribution to Muslims, or to persons with no religion, of publications related to religions other than Islam. The SPC barred the publication, broadcast, or public expression of a list of words generally associated with Islam (such as Quran) in a non-Islamic context. The SPC also prohibited religious teaching without written approval. There were no reports of charges under these regulations.

The government restricted cultural events; Chinese New Year lion dance performances, for example, were restricted to Chinese temples or other community facilities or residences. All public musical or theatrical performances required prior approval by a censorship board; public entertainment was generally barred on and around specified Islamic holidays. Although the censorship board rarely required changes to performances, delays associated with the censorship process posed logistical hurdles for performing arts organizations. Some movies were censored or not permitted to be shown in cinemas.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

The law allowed the government to close a newspaper without prior notice or showing cause. The law required local newspapers to obtain operating licenses and prior government approval for hiring foreign editorial staff, journalists, and printers. The law also gave the government the right to bar distribution of foreign publications and required distributors of foreign publications to obtain a government permit.

Some television and radio programs were subject to censorship based on theme or content, including religious content, but such censorship was not consistently applied.

The law provided for the prosecution of newspaper publishers, proprietors, or editors who published anything the government deemed as having seditious intent. Punishments included suspension of publication for a maximum of one year; a prohibition on publishers, printers, or editors from publishing, writing for, or editing any other newspaper; and the seizure of printing equipment. Government-owned media outlets were unable to interview anyone (including witnesses to a traffic accident) without prior clearance. Moreover, media were censored from reporting on a variety of foreign and domestic topics, such as aggression by the People's Republic of China in the South China Sea or crime, until the relevant government agency

had issued a press release.

Reportedly, local media were not permitted to report directly on foreign or domestic subjects deemed sensitive and instead had to rely on wire stories from international media. Violators of media laws or regulations faced a significant fine and a maximum prison term of three years. Journalists deemed to have published or written “false and malicious” reports could be subject to fines or prison sentences.

Journalists commonly reported practicing self-censorship because of social pressure, reports of government interference and pressure, and legal and professional concerns. Official monitoring of the media reportedly increased during the year, leading journalists to practice greater self-censorship.

b. Worker Rights

Freedom of Association and Collective Bargaining

Although the law provided for the right of workers to form and join unions, there were no unions or worker organizations in the country. The law did not provide for collective bargaining and prohibited strikes. The law prohibited employers from discriminating against workers for union activities, but did not provide for reinstatement for dismissal related to union activity.

Given the absence of unions or worker organizations, there were no reports of government enforcement of laws respecting their establishment or operation. Some nongovernmental organizations (NGOs) were involved in labor issues, such as wages, contracts, and working conditions. These NGOs largely operated openly in cooperation with relevant government agencies, but they avoided confrontation with the government and engaged in self-censorship.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

There was no national legal minimum wage. In July 2023, the government implemented a new minimum wage for workers in the banking, finance, and information and communications and technology sectors. As of October, the scheduled implementation of a minimum wage in the remaining sectors, slated for July, had not occurred. Wages in all sectors were above the poverty level. The law required overtime after 40 hours per week. The law also stipulated that weekly maximum hours of work should not exceed 56 hours. Work hours and overtime violations were more prevalent among domestic staff and shop workers.

Occupational Safety and Health

The government established occupational safety and health (OSH) standards that were appropriate for the main sectors in the country. Responsibility for identifying unsafe conditions lay with OSH experts and employers, not workers. OSH experts proactively identified unsafe conditions, in addition to responding to workers' OSH complaints. Individuals were encouraged to report violations of health and safety standards, but the law did not explicitly protect the right to remove oneself from a hazardous workplace without jeopardy to their employment.

Wage, Hour, and OSH Enforcement

The government did not effectively enforce wage, overtime, or OSH laws. The commissioner of the Department of Labor was responsible for enforcing labor laws. The Department of Labor inspected working conditions on a routine basis and in response to complaints. Inspectors had the authority to make unannounced inspections and initiate sanctions. The number of labor inspectors was adequate to conduct mandated inspections. The Department of Labor reportedly inspected migrant workers' housing; when it found the housing unsuitable, it instructed employers to rehouse workers adequately. The department could terminate the licenses of abusive employers and revoke their foreign labor quotas; it did so rarely.

Employers who violated laws regarding conditions of service – including

payment of wages, working hours, leave, and holidays – could initially be fined and, for further offenses, be fined, imprisoned, or both. Penalties for violations of wage, hour, and health and safety standards were less than those for similar crimes, such as fraud or negligence, and were rarely applied against violators.

Foreign laborers (predominantly Filipinos, Indonesians, and Bangladeshis) dominated most low-wage professions, such as domestic service, construction, maintenance, retail, and food service, in which violations of wage, overtime, and OSH regulations most frequently occurred.

Government enforcement in sectors employing low-skilled labor in small-scale construction or maintenance projects was inadequate. This was especially true for foreign laborers at construction sites, where complaints of wage arrears, inadequate safety, and poor, unsafe living conditions were reported.

The government strictly enforced work visa requirements for all foreign workers entering the country.

The informal sector included mostly local citizens who worked in retail, selling traditional food from their homes or at temporary stalls around town, especially during holidays. Others procured items regionally and resold at a marked-up value via online platforms. There was no data available on whether the government enforced labor laws in the informal sector.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of government authorities.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for the right of persons arrested to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements but could supersede them by invoking emergency powers.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or

Punishment

The law did not prohibit torture. Caning could be ordered for certain offenses under both secular law and sharia, and it was mandatory for some offenses. The SPC included offenses punishable by corporal and capital punishments, including stoning to death, amputation of hands or feet, and caning. Neither stoning nor amputation sentences were imposed or carried out during the year.

The SPC prohibited caning persons younger than 15. Secular law prohibited caning for women, girls, boys younger than eight, men older than 50, and those a doctor ruled unfit for caning. Boys older than eight could be caned with a “light rattan” stick. Canings were conducted in the presence of a doctor, who could interrupt the punishment for medical reasons. The government generally applied laws carrying a sentence of caning impartially, and sometimes deported foreigners in lieu of caning. The sharia court did not hand down any sentences imposing other corporal or capital punishments.

There were no reports of impunity involving the security forces.

No law criminalized female genital mutilation/cutting (FGM/C) for women and girls of any age. There were no statistics on the prevalence of FGM/C, but international media and others reported that in general Type 4 FGM/C was done within 40 days of birth based on religious belief and custom, and

that the practice was widespread. Observers also reported the procedure was sometimes performed outside of a medical setting.

b. Protection of Children

Child Labor

There were no confirmed reports of the worst forms of child labor. The law did not prohibit all the worst forms of child labor. Law prohibited the employment of children younger than 16. For those between ages 16 and 18 to work, parental consent and approval by the Labor Commission were required. Girls younger than 18 could not work at night or on offshore oil platforms. There was no list of hazardous occupations prohibited for children, or types of light work activities legal for children ages 14 to 16.

The Department of Labor, part of the Ministry of Home Affairs, effectively enforced child labor laws. Penalties for child labor violations included a fine, imprisonment, or both, and were commensurate with those for analogous crimes.

Child Marriage

The legal minimum age for marriage was 14 years and seven months with parental and participant consent, unless otherwise stipulated by religion or custom under the law, which generally set a higher minimum age. The Islamic Family Act set the minimum age for marriage at 16 for Muslim girls

and 18 for Muslim men and made it an offense to use force, threat, or deception to compel persons to marry against their will. Ethnic Chinese had to be 15 or older to marry, according to the Chinese Marriage Act, which also stipulated sexual intercourse with an ethnic Chinese girl younger than 15 was considered rape even if with her spouse. Observers reported that, although permitted by the law, marriages involving children were rare and generally prohibited by social custom.

c. Protection to Refugees

The government did not cooperate with the Office of the UN High Commissioner for Refugees or other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, or other persons of concern.

Provision of First Asylum

The law did not provide for granting asylum or refugee status, and the government had no system for providing protection to refugees. During the year, no individuals sought refuge or asylum.

d. Acts of Antisemitism and Antisemitic Incitement

There was no known Jewish community in the country. Comments disparaging the state of Israel and Jewish persons increased on social media following the start of the Israel-Hamas conflict in October 2023.