



General Assembly

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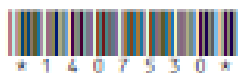
Human Rights Council
Twenty-seventh session
Agenda item 6
Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Brunei Darussalam

* The annex to the present report is circulated as received.

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B. Interactive dialogue and responses by the State under review

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45. Australia commended Brunei Darussalam for its commitment to health care and education. It was concerned about the impact of the Sharia Penal Code on religious freedom, the status of women, treatment of lesbian, gay, bisexual and transgender (LGBT) persons and resumption of the death penalty.

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69. Ireland expressed concern at the amendments to the Penal Code which prescribed the death penalty for a wide range of offences. While welcoming the achievement of high office by women, it stressed the need for improvements in the protection of women's rights.

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85. The Netherlands commended the country for ensuring access to education and health care. It was concerned by legal provisions criminalizing sexual relations between consenting adults and the proposed introduction of the death penalty in the Penal Code.

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99. Belgium expressed concerns regarding child protection and freedom of expression. It was deeply concerned about the enactment of the Sharia Penal Code providing for capital and corporal punishment for a significant number of offences.

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103. Sweden noted the restrictions on fundamental freedoms and exploitation of foreign workers. It also noted that the Sharia Penal Code stipulated the death penalty for a broad range of offences, including adultery and blasphemy, thus contravening international law.

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II. Conclusions and/or recommendations**

113. The following recommendations will be examined by Brunei Darussalam, which will respond in due course, but no later than the twenty-seventh session of the Human Rights Council in September 2014:

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113.18 Abolish the death penalty and sign and ratify both Optional Protocols to the ICCPR (Portugal);

113.19 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay);

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113.58 Postpone the implementation of the Sharia Penal Code Order, 2013, pending a comprehensive review ensuring the Order's compliance with international human rights standards, and put in place a formal moratorium on the use of the death penalty, with a view to its abolition (Ireland);

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113.60 Ensure that the provisions and the application of the Sharia Penal Code Order remain in strict compliance with human rights law, which includes the ban of any inhuman or degrading treatment or punishment (Italy);

113.61 Withdraw the amendments to the Penal Code that introduce the death penalty and maintain the current de facto moratorium (Netherlands);

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113.63 Delay the entry into force of the revised Penal Code and conduct a comprehensive review to ensure its compliance with international human rights standards (Sweden);

113.64 Ensure that implementation of the Sharia Penal Code Order 2013 is compliant with international human rights standards and does not lead to the imposition of the death penalty or torture or other inhuman or degrading punishment (United Kingdom of Great Britain and Northern Ireland);

113.65 Implement the Sharia Penal Code in a manner consistent with international human rights standards (Australia);

113.66 Reconsider the use of corporal and capital punishment under the Sharia Penal Code (Australia);

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113.68 Reinstigate its suspension of implementation of the Sharia Penal Code. Conduct a comprehensive review of the new Penal Code in relation to obligations under international law (Canada);

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113.126 Maintain the moratorium on executions with a view to abolishing the death penalty and provide statistics, including sex and age, on persons sentenced to the death penalty or executed (France);

113.127 Maintain the moratorium and ultimately move to abolish the death penalty in law (Australia);

113.128 Uphold Brunei's long-lasting moratorium on the death penalty (Czech Republic);

113.129 Refrain from any steps to extend the application of the death penalty or otherwise alter the legal system in a manner that would violate human rights (Germany);

113.130 Abolish the death penalty for all crimes (Montenegro);

113.131 If Brunei continues to use the death penalty, it should meet at least the minimum international standards on death penalty (ECOSOC resolution 1984/50) and the relevant provisions of the International Covenant on Civil and Political Rights (articles 6 and 14) and the Convention on the Rights of the Child (article 37) (Belgium);

113.132 Establish a formal moratorium on the death penalty and work towards its abolition (Sweden);