



Human Rights Now

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Statement on Brunei's New Discriminatory Laws

Human Rights Now is deeply concerned about serious human rights violations against LGBT persons, women, and others, as well as cruel and inhuman punishments that may be caused by Brunei's new laws, which allow for death by stoning for adultery and homosexuality.¹

The government of Brunei has now confirmed the full entry into force of the 2013 Syariah Penal Code. According to the Penal Code, both Muslims and non-Muslims are punishable by whipping, imprisonment, or death by stoning for homosexual acts, adultery, sodomy, and rape. Additionally, minors are may be subject to whipping and can be detained in rehabilitation centers.

HRN strongly protests these provisions of the Syariah Penal Code for being inherently discriminatory on the basis of sexual orientation and for targeting religious minorities and non-religious individuals. The punishments violate prohibitions under international human rights law to which Brunei is obligated against all forms of torture and other cruel, inhuman or degrading treatment or punishment as well as against multiple forms of discrimination.²

HRN urges the government of Brunei to repeal those sections of its Penal Code which inflict inhuman punishments and which infringe on LGBT and other minorities' equal rights and to take all necessary measures to eliminate all forms of discrimination against women, children, and sexual and religious minorities.

HRN also calls on the international community and international bodies to take effective measures to encourage and facilitate revisions of Brunei's Penal Code and to prevent irreparable harms to victims punished under its infringing provisions.

¹ UN News, "Brunei's new penal code would enshrine 'cruel and inhuman punishments' UN rights chief warns", 1 Apr. 2019, <https://news.un.org/en/story/2019/04/1035831>

²CRC, 'Concluding observations on the combined second and third periodic reports of Brunei Darussalam', 24 Feb. 2016, CRC/C/BRN/CO/2-3; CEDAW, 'Concluding observations on the combined initial and second periodic reports of Brunei Darussalam', 23 Aug. 2017, CEDAW/C/BRN/CO/1-2/Add.1.