

ADVANCE QUESTIONS TO BRUNEI DARUSSALAM (FIRST BATCH)

PORTUGAL on behalf of the Group of Friends on NMIRF's

- Could the State-under-review describe its national mechanism or process responsible for coordinating the implementation of accepted UPR recommendations and the monitoring of progress and impact?
- Has the State-under-review established a dedicated 'national mechanism for implementation, reporting and follow-up' (NMIRF) covering UPR recommendations, but also recommendations/observations generated by the UN human rights Treaty Bodies, the Special Procedures and relevant regional mechanisms, which, *inter alia*, clusters all the above, manages them in national databases, coordinates implementation actions across government, monitors progress and impact, and then streamline reporting procedures back to the UN? If so, could the State-under-review briefly share its experience on creating such mechanism, including challenges faced and lessons learnt, as well as any plans or needs to strengthen the NMIRF in the future?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- In light of the Government of Brunei Darussalam's decision to operate a Sharia Penal Code in parallel with the existing Common Law Penal Code, what assurances can the Government give that any punishments will be conducted in compliance with Brunei's international human rights commitments and obligations?
- What steps will the Government of Brunei Darussalam take to tackle forced labour, modern slavery and human trafficking in fulfilment of Sustainable Development Goal 8.7?
- What steps will the Government of Brunei Darussalam take to ratify the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and what assurances can the Government give that this will limit punishments under the Sharia Penal Code?
- Can the Government of Brunei Darussalam explain when they will lift the State of Emergency which has persisted in the country since 1962, to enable Bruneians to freely exercise their rights to freedom of expression, association and peaceful assembly, and their right to take part in the government of their country?
- What plans does the Government of Brunei Darussalam have to formalise a moratorium on use of the death penalty, with the view to ultimately abolish its use?

SLOVENIA

- Following the recommendations by Slovenia from the 2nd UPR cycle, we noted that Brunei withdrew some reservations to CRC. We would be interested to learn if there have been any considerations to withdraw the remaining reservations to the CRC and CEDAW.
- What kind of implications would the recently adopted revised Penal Code Order have on children? Would the punishments from the Penal Code Order also apply for children?

UNITED STATES OF AMERICA

- We are very concerned about the full implementation of the Sharia Penal Code. Punishments in the law are inconsistent with international human rights commitments and obligations, would severely limit fundamental freedoms including of religion or belief, and would have a detrimental impact on a number of vulnerable groups in Brunei, including women at risk of violence, religious and ethnic minorities, and LGBTI persons. What steps is the Government taking to alter these provisions so that they are in full accordance with Brunei's international human rights obligations and commitments?
- What steps is the government taking to ensure that the above vulnerable groups do not experience violence or serious forms of discrimination?
- The Government of Brunei's has committed to becoming party to the Convention against Torture. What steps has the Government undertaken towards this end?
- What is the Government doing to support freedom of expression and a free and independent media?
- Bruneian law prohibits unions from affiliating with international labor organizations without the consent of the Minister of Home Affairs and the ministry's Department of Labor. What steps is the government taking to protect workers' freedom of association?
- We note that passport retention by employers continues to be a significant problem, despite prohibitions against the practice. What steps is the government taking to ensure workers maintain access to and control over their passports at all times?
- We are concerned that authorities have leveled criminal charges against some foreign victims and deported or fined others for unlawful acts committed as a direct result of having been subjected to trafficking. What steps is the government taking to cease the arrest, deportation, and punishment of trafficking victims for crimes committed as a direct result of their being subjected to trafficking?

GERMANY

- How does Brunei Darussalam intend to safeguard the human rights of LGBTI persons?
- How will Brunei Darussalam assure that the application of the Syariah Penal Code Order (SPCO) does not lead to human rights violations, such as torture or discrimination?
- How will Brunei Darussalam guarantee the freedom of opinion, also with regard to the SPCO?
- What steps are taken by Brunei Darussalam to prohibit all corporal punishment of children, including as a sentence for a crime and under the SPCO?
- How does Brunei Darussalam aim to achieve gender equality, in particular regarding the conferral of nationality onto children and spouses?