



Commonwealth Human Rights Initiative

working for the *practical* realisation of human rights in the countries of the Commonwealth

Item 6

27th session of the UN Human Rights Council – 19 September 2013

Oral Statement on the adoption of the Outcome Report on the UPR of Brunei Darussalam

Speaker: Aabha Chandran

Mr. President,

The Commonwealth Human Rights Initiative thanks the delegation from Brunei Darussalam for their engagement with the UPR process. However, we are concerned that implementation of many of the recommendations will not be possible without an extensive review of the human rights implications of the revised penal code and a renewed commitment to the UN human rights mechanisms, by complying with all reporting obligations, issuing a standing invitation to Special Procedures and ratifying all core international human rights treaties.

Moreover, CHRI is concerned that current restrictions on expression are not compatible with international human rights standards or the country's commitments under the Commonwealth Charter. CHRI therefore urges the Government to review, with a view to repeal, the Local Newspapers Order, The Sedition Act and the Undesirable Publication Act which all serve to restrict journalistic endeavours and the free and frank expression of ideas. Furthermore, CHRI is concerned by restrictions on the right to associate. CHRI stresses the importance of the repeal of the Societies Order and ensuring an environment conducive to civil society. Brunei Darussalam confirmed that it recognised the vital role of civil society in advancing human rights and development by becoming a party to the Commonwealth Charter. CHRI is therefore distressed to learn of the absence of an active human rights focused civil society and the barriers that have prevented groups from working on these issues. CHRI therefore recommends the acceptance of all recommendations related to the establishment of a National Human Rights Institution in order to begin to instigate a culture of human rights within the society.

Finally, CHRI is concerned about the situation of sexual minorities within the country. CHRI recommends the acceptance of all recommendations based on sexual orientation and gender identity including the decriminalisation of consensual adult same sex sexual conduct.

CHRI concludes by reminding the delegation that their long standing use of emergency powers is not compatible with international human rights law.

Thank you.