**United Nations Human Rights Council 42nd Session (9 September-27 September 2019)**

**Item 4 - General Debate**

**Speaker: Humanists UK Representative, Farah Mohammed[[1]](#footnote-0)**

Mr President,

In April 2019, Brunei Darussalam announced it would implement a new phase of its Syariah Penal Code Order. The new legislation mandates death by stoning for blasphemy, and a number of other acts including homosexuality, rape, and extramarital sex.[[2]](#footnote-1) This represents a serious degradation in the right to freedom of thought and expression, and religion or belief. The new penal code will in effect turn prison sentences into capital punishment for blasphemy, which the international commuity not only does not consider to be among the ‘most serious crimes’[[3]](#footnote-2) but should not be criminalised at all.

We welcomed the Sultan of Brunei’s announcement in May that executions will not be carried out under this new penal code, and that Brunei will ratify the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[[4]](#footnote-3) However, we remain concerned that the death penalty and corporal punishments will remain on the statute books, and as such could still be imposed at any time, and will continue to propagate hateful and discriminatory views towards religious, non-religious, and LGBT minorities.

We urge the Council to call for Brunei to implement the recommendations of its UPR, specifically to repeal the provisions of the new penal code providing for corporal punishment and the death penalty, as such provisions are contrary to the international commitments in human rights freely accepted by them.[[5]](#footnote-4) We further urge Brunei Darussalam to ratify the International Covenant on Civil and Political Rights and the Second Optional Protocol, and in doing so abolish the death penalty in law as well as in practice.

Thank you.

1. Humanists UK is the trading name of the British Humanist Association. [↑](#footnote-ref-0)
2. ‘Homosexuality and adultery are now punishable with death by stoning in Brunei. Here's what to know’, <https://time.com/5563264/brunei-new-penal-code-what-to-know/> [↑](#footnote-ref-1)
3. As defined by Human Rights Committee General Comment No. 36 that the death penalty, if used, should be restricted only to crimes involving intentional killing. [↑](#footnote-ref-2)
4. ‘Brunei Darussalam: Sultan’s speech a first step to repealing ‘heinous’ laws’. <https://www.amnesty.org/en/latest/news/2019/05/brunei-darussalam-sultan-speech-first-step-repealing-heinous-laws/> [↑](#footnote-ref-3)
5. Report of the Working Group on the Universal Periodic Review, *Brunei Darussalam. 9-27 September 2019.* <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/183/88/PDF/G1918388.pdf?OpenElement> [↑](#footnote-ref-4)