



Plenary sitting

B8-0243/2019

16.4.2019

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on the situation in Brunei
(2019/2692(RSP))

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on behalf of the ECR Group

B8-0243/2019

**European Parliament resolution on on the situation in Brunei
(2019/2692(RSP))**

The European Parliament,

- having regard to the statement by the spokesperson on the Implementation of the Penal Code Order in Brunei-Darussalam of 3 April 2019,

- having regard to the statement by UN High Commissioner for Human Rights Michelle Bachelet of 1 April 2019,

- having regard to the 2nd ASEAN-EU Policy Dialogue on Human Rights of 30 November 2017,

- having regard to the 1990 Convention on the Rights of the Child,

- having regard to the 1984 UN Convention against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment;

- having regard to the 1981 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW);

- having regard to the 1966 International Covenant on Civil and Political Rights;

- having regard to the 1948 Universal Declaration of Human Rights;

- having regard to Rule 123 of its Rules of Procedure;

A. whereas the Sultan of Brunei, Hassanal Bolkiah, approved the Syariah Penal Code Order 2013, which has been implemented in various phases starting in May 2014;

B. whereas the Syariah Penal Code Order 2013 includes a series of new illegal actions and disproportionately harsh punishments;

C. whereas the harshest punishments have been adopted on 3 April 2019, which include death by stoning for offences that include homosexuality, adultery, robbery, rape, and cases of blasphemy or heresy against Islam; whereas stealing may be punished by the amputation of a limb and abortion or lesbian relations may be punished by public flogging; whereas Muslim women are also banned from leaving the custody of their parents or husbands, making it difficult and dangerous for them to escape abusive relationships; whereas no one, Muslim or non-Muslim, may be caught eating, drinking or smoking before sundown during the month of Ramadan;

D. whereas according to the new laws, children who have reached puberty may receive the same punishments as adults who commit the same crime;

E. whereas Brunei Foreign Affairs Minister, Erywan Yusof, has called for “respect” from the

international community and stated that human rights need to be “considered in the national context”; whereas he has claimed that the Sharia laws focus “more on prevention than punishment” and aim to “educate, deter, rehabilitate and nurture” while noting that in certain occasions the new laws would be difficult to enforce as the punishments require an “extremely high evidentiary threshold” of two to four men of high moral standing witnessing the acts; whereas he further noted that the new laws specifically target the maintenance of Muslim values and therefore will not apply to people of other faiths, unless they involve a Muslim in an offence;

F. whereas the recent adoption of the new laws has sparked international outrage and calls for a boycott of hotels owned by Brunei’s investment agency;

1. Condemns and expresses deep opposition to the introduction of the cruel, inhumane and degrading punishments under Syariah Penal Code Order 2013 and urges the Sultanate of Brunei to reconsider the adoption of the new laws; understands that countries are responsible for their own rules;
2. Notes that some of the punishments foreseen under the criminal code are prohibited by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment which was signed by Brunei-Darussalam in 2015 and go against the 2012 ASEAN Human Rights Declaration; the new laws may also breach Brunei’s obligations as a party to the Convention on the Rights of the Child and on the Elimination of All Forms of Discrimination against Women;
3. Stresses the universality of human rights and strongly urges the Sultanate of Brunei to uphold them;
4. Instructs its President to forward this resolution to the Council, the Commission, the EEAS, the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, His Majesty Sultan Hassanal Bolkiah, the Legislative Council of Brunei, the Secretary General of the Association of Southeast Asian Nations, the Secretary General of the United Nations and the United Nations High Commissioner for Human Rights.