

ADVANCE QUESTIONS TO BRUNEI DARUSSALAM (SECOND BATCH)

BELGIUM

- Can the government of Brunei provide more ample details regarding the mechanism it intends to apply to decide whether a crime falls under the Shariah criminal law (the hudud) or under the secular/common criminal law?
- Can the government of Brunei provide more ample details regarding the personal application of the hudud, especially in cases where the perpetrator of the crime is muslim, but the victim is a non-muslim?
- Which measures are implemented to guarantee that the government of Brunei, when it applies the death penalty under the Shariah criminal law or under the common criminal law system, meets the minimum international standards on death penalty (ECOSOC resolution 1984/50) and the relevant provisions of the International Covenant on Civil and Political Rights (articles 6 and 14) and the Convention on the Rights of the Child (article 37) (Belgium)?
- Is Brunei considering to ratify the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance?

CANADA

- Could of Brunei Darussalam advise how the Syariah Penal Code will work in parallel to the Civil Penal Code? How will it be decided which cases go to which courts?
- Could the government further explain how it will uphold its human rights obligations, including those on the rights of women, where there are clear conflicts with the Code?