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**NATIONAL REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 15 (A)
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

Brunei Darussalam *

* The present document was not edited before being sent to the United Nations translation services.

I. METHODOLOGY

1. The national report of Brunei Darussalam for the Universal Periodic Review (UPR) was prepared in accordance with the general guidelines on the preparation of information for the UPR A/HRC/6/L.24. The report was compiled after extensive consultations with relevant government agencies and also non-governmental organisations with the following actions:

- ***Establishment of an Inter-Agency Expert Group¹ (IAEG)*** – set up in April 2008 and facilitated by the Ministry of Foreign Affairs and Trade. The main task is to prepare the National Report for the Human Rights Council – Universal Periodic Review. Members of the Expert Group include Prime Minister’s Office, Attorney General’s Chambers, Ministry of Foreign Affairs and Trade, Ministry of Education, Ministry of Religious Affairs, Ministry of Home Affairs, Ministry of Health, Ministry of Development and Ministry of Culture, Youth and Sports.
- ***Information Gathering*** – Drafting of the national report began in May 2008 through regular meetings among members of the Inter-Agency Expert Group as well as relevant agencies. Briefings and consultations were conducted with relevant non-governmental organisations and civil societies that are active in promoting welfare and rights of the people.
- ***Information Sharing*** – Basic details on HRC-UPR was shared through the Ministry of Foreign Affairs and Trade’s website www.mfa.gov.bn and any enquiries could be sent to the email address brunei-upr@mfa.gov.bn.

II. COUNTRY PROFILE

2. Brunei Darussalam achieved its full independence on 1 January 1984. It is situated on the north-west coast of the island of Borneo with a total area of 5,765-sq. km. and a coastline of about 161-km along the South China Sea. Brunei Darussalam is divided into four districts namely Brunei-Muara, Tutong, Belait and Temburong. Bandar Seri Begawan is the capital city that covers an area of about 16 sq. km.

3. As of 2008, the country has a total population of 398,000, including 127,410 expatriates, with an average growth of 2.1 per cent per annum (Annex I). Brunei Darussalam is a multi-ethnic society with 67 per cent Malays², 22 per cent other Indigenous groups³ and 11 per cent Chinese. Islam is the official religion of Brunei Darussalam while other religions are also practised. Although Malay is the official language, English is widely spoken. Other languages, which are also spoken by the respective communities, include Mandarin (as well as various Chinese dialects such as Hokkein, Hakka and Cantonese), Dusun, Iban, Hindi and Tamil.

4. In 2008, Brunei Darussalam has identified its long-term development framework over the next 30 years under “*Wawasan Brunei 2035*” (Brunei Vision 2035). Among others, it aims to be among the top 10 countries in the world with a dynamic economy, sustainable per capita income, educated and well skilled people. To fulfil the targets of the Vision, eight (8) strategies have been identified that include sectors in education, economy, security, institutions development, local business development, infrastructure development, environment and social guarantees.

5. On education, the country's youth will be educated and taught skills to face modern world challenges. With regard to economy, there will be jobs for people and wider business opportunities also for small and medium enterprises (SME). The field of security will ensure Brunei Darussalam's political stability and uphold its sovereignty. The government will maintain top governance levels in the public and private sectors and development institutions. Structure Development will ensure the government and private investments in world class infrastructure development particularly in the field of education, health and industry. Under social guarantees, people will get proper care while the environment will be protected.

III. INSTITUTIONAL AND LEGAL PROVISIONS

A. The Constitution

6. Brunei Darussalam's first written Constitution came into force on 29 September 1959, enabling it to achieve self-government. It also formed the initial step towards the country achieving full independence in 1984. Since then, the Constitution has been subject to several amendments, particularly, in 1984 and 2004. On 15 July 2003, a Committee was established to review the Constitution and the laws of the country to keep abreast of the changing environment. The amendments, among others, were aimed at improving the effectiveness of the relationship between the Government and the people as well as ensuring good governance.

7. The amendments made to the Constitution in 2004 also led to the revival of the Legislative Council on 15 July 2004. The Constitution provides that the Legislative Council shall consist of not more than forty-five (45) Members and shall meet at least once a year. On 6 September 2004, twenty-one (21) Legislative Council members were appointed. On 2 September 2005, the membership was expanded to twenty-nine (29) members including His Majesty the Sultan and Yang Di-Pertuan as the Prime Minister, Ministers (13), titled persons (3), people of distinction (7) as well as district representatives (5).

8. His Majesty is assisted and advised by six (6) Councils, namely, the Privy Council, the Religious Council, the Council of Ministers, the *Adat Istiadat* Council, the Legislative Council and the Council of Succession. The Council of Ministers is appointed and presided over by His Majesty and handles executive matters; the Privy Council advises His Majesty on the appointment of persons to customary ranks, titles, honours and dignitaries; the Religious Council advises on religious matters; the *Adat Istiadat* Council advises His Majesty on matters relating to State custom; the Legislative Council handles legislative matters and the Council of Succession determines the succession to the throne if the need arises.

9. At the local level, the people are represented by their respective "*Penghulus*⁴" (who head "*mukims*⁵"), "*Ketua Kampung*" (Heads of Villages) and the heads of longhouses. The village leaders and heads of longhouses are elected by the residents themselves in their respective areas, and these leaders have responsibility for and over their respective communities' welfare and wellbeing. Any concerns which cannot be resolved are brought to the attention of either the respective District Officers of the local village, the Consultative Council⁶, or of the Legislative Council by the appointed District Representatives.

B. Authorities

1. Executive Authority

10. The executive authority shall be exercised by His Majesty. In the discharge of such executive authority, His Majesty may appoint any number of Ministers or Deputy Ministers, who shall be responsible solely to His Majesty for the exercise of executive authority and who shall assist and advise His Majesty in the discharge of His Majesty's executive authority. His Majesty is the Prime Minister, the Minister of Defence and Minister of Finance.

2. Legislative Council

11. The Legislative Council represents the country's formal consultative structure which allows its people to communicate and consult with the Government on various areas on the development of Brunei Darussalam. This Council is one of the platforms in which the interests of the people and the country are safeguarded and preserved. Under Article 29 of the Constitution, and subject to Article 30 of the Constitution, any person (other than a Regent) who is a citizen of Brunei Darussalam and who has attained the age of 21 years shall be qualified to be a Member of the Legislative Council.

12. The Legislative Council is also a member of the ASEAN Inter-Parliamentary Assembly (AIPA). It was admitted on 4 August 2009 during the 30th AIPA General Assembly in Pattaya, Thailand. The admission of the Legislative Council in AIPA will promote greater understanding, cooperation and close relations among the Legislative Council, the Parliaments of other ASEAN Member States as well as other parliamentary organisations.

3. Judicial Authority

13. Brunei Darussalam's legal system is based on the English Common Law. Bruneians enjoy the benefit of an independent, fair and efficient judiciary. The laws of Brunei Darussalam comprise of written judgments and legislation enacted by His Majesty and the Legislative Council. Judicial power is vested in Her Britannic Majesty's Privy Council, the Supreme Court, the Intermediate Courts, the Subordinate Courts and the Syariah Courts. The Supreme Court comprises the Court of Appeal and the High Court. The Subordinate Courts comprise the Courts of Magistrates.

4. The Supreme Court

14. The Supreme Court has competence over all criminal and civil matters, commercial matters such as bankruptcy and companies' winding up, as well as over matters of personal status of non-Muslims.

5. The Syariah Courts

15. The Syariah Courts consist of Syariah Appeal Court, the Syariah High Court and the Syariah Subordinate Court. These courts have such jurisdiction, powers, duties and authority as are conferred by the Syariah Courts Act (Cap 184) as well as any other written law. The Syariah Courts have both criminal and civil jurisdiction. In its criminal jurisdiction, the Syariah High Court has the power to try any offence punishable under any written law creating Syariah

criminal offences, relating to Islamic family law or conferring on the Syariah High Court jurisdiction to try any offence. In its civil jurisdiction, it hears and determines all actions and proceedings relating to Islamic matrimonial and family matters, including maintenance of dependents, guardianships, wills and any other matters in respect of which jurisdiction is conferred under any written law.

6. Government Agencies

16. The Government of Brunei Darussalam recognises the importance of promoting and protecting human rights. The main agencies dealing with such responsibilities are the Prime Minister's Office; Attorney General's Chambers; Ministry of Foreign Affairs and Trade; Ministry of Home Affairs; Ministry of Religious Affairs; Ministry of Health; Ministry of Development; Ministry of Education and Ministry of Culture, Youth and Sports.

17. In addition, a Ministerial level National Council on Social Issues⁷ was established in April 2008. The main functions of the Council are to identify social issues, promulgate new legislation or amend existing legislation pertaining to these social issues, and to co-ordinate with the relevant agencies in ensuring their implementation. The Council is chaired by the Minister of Culture, Youth and Sports. Members of the Council include the Ministers of Education, Religious Affairs, Finance and Home Affairs, the Chairman of the Sultan Haji Hassanal Bolkhiah Foundation as well as the Deputy Minister from the Prime Minister's Office. Special Committees were also set up under the Council namely, Special Committee on Poverty; Special Committee on Women and Family Institution; Special Committee on Persons with Disabilities and the Aged.

C. Domestic Legislation and Policy

18. There are also various legislations which are enforced in Brunei Darussalam to ensure the promotion and protection of human rights, including safeguarding the welfare of all, especially women and children in the country. These include:

- **Children Order 2000** stipulates provisions for the care and protection of children. This Order, among others, specifically establishes Action Team on Child Abuse. It enumerates situations where a child is in need of protection, such as, if the child is in a substantial risk that he/she will be physically injured or emotionally injured or sexually abused by his/her guardian. In addition, it provides provisions on offences in relation to the health and welfare of children which include ill-treatment, neglect, exposure and abandonment of children. The Order also criminalises begging or any illegal activities; acts of leaving a child without reasonable supervision; and trafficking in children.
- **Children and Young Persons Order 2006** has been gazetted and will replace the Children Order 2000 once it comes into force. This Order provides for the protection and rehabilitation of children and the establishment of the Juvenile Courts and Action Teams on Child Protection. The latter has been enumerated for the purposes of co-ordinating locally-based services to families, children and young persons in cases where children or young persons are or are suspected of being in need of protection. To ensure that children are protected whilst under police custody, this

Order prohibits them from being associated with adult offenders. It also ensures protection of their identity in any court proceedings.

- **Childcare Centres Order 2006** regulates the registration, supervision and inspection of Childcare Centres, to ensure that the well-being, health and safety of every child under the childcare centres are given the utmost priority. The Department of Community Development is the licensing authority for Childcare Centres and coordinates the registration process with all relevant government agencies.
- **Dana Pengiran Muda Mahkota Al-Muhtadee Billah for Orphans (Cap 185)** provides for the establishment of a fund or *Dana* to render assistance to orphans in order to enable them to obtain proper upbringing, guidance and education, and ensure that they continue to be a part of the community. The benefit or assistance may be granted to any orphan who is in resident in Brunei Darussalam regardless of citizenship, race or religion.
- **The Old Age and Disability Pensions Act (Cap 18)** provides for pecuniary payments by way of old age pensions, pensions for blind persons, allowances for dependants of persons who are suffering from Hansen's disease and lunatics, disability pensions and such other pensions and allowances as may be prescribed.
- **Trafficking and Smuggling of Persons Order 2004** is an Order to criminalise the activities of human trafficking, human smuggling and exploitation of the trafficked persons. It also criminalises children trafficking in that any person who recruits, transports, transfers, harbour or receives a child by any means for the purposes of exploitation shall be guilty of an offence. The Women and Girls Protection Act (Cap 120) also criminalises the trafficking of women and girls.
- **Women and Girls Protection Act (Cap 120)** gives protection for women and girls by stipulating provisions that criminalises any acts that may harm and endanger them, including the following acts:
 - Selling or hiring women and girls for the purpose of prostitution;
 - Harbours women and girls by false pretences or fraudulent means;
 - Setting up of brothels;
 - Detaining women and girls in a brothel or in any place for prostitution;
 - Trafficking in women and girls; and
 - Living in or trading in prostitution.
- **Penal Code (Cap 22)** provides for various offences which may be used for the protection of basic human rights such as offences affecting the human body, offences relating to religion, offences against property, defamation, etc. It also contains provisions to protect children involved in criminal cases. The Penal Code protects

the child under the age of 12 years by not considering any act done by him as an offence, and thus that child is exempted from any criminal liability due to his insufficient maturity and lack of understanding of the nature and consequences of the act. The Penal Code also penalises criminal acts against children, including:

- Infanticide, exposure and abandonment of children;
- Procreation of minor girl and importation of girl from foreign country for the purpose of forceful illicit intercourse;
- Kidnapping or abducting children;
- Selling and buying children for prostitution purposes; and
- Rape and incest of children.

In abuse cases, the Penal Code (Cap 22) also provides protection for women generally, by criminalising acts that cause hurt and grievous hurt to any person, rape, incest, insult the modesty of women and voluntarily cause a woman with a child to miscarry.

- **Prevention of Corruption Act (Cap 131)** provides for the offence of corruption and its punishment. It also establishes the Anti Corruption Bureau. The Act mainly sets out the powers of investigation in cases of corruption, such as powers of arrest, powers of search and seizure, as well as evidentiary requirements and other matters related to prevention of corruption.
- **Married Women Act (Cap 190)** provides for the rights of married women and to provide for matters incidental thereto such as rights to maintenance, respect of property, remedy, civil actions and legal representation and protection of a spouse physically injured. This Act shall not apply in any matter if any of the parties professes the Islamic religion.
- **Islamic Family Law Order 1999** governs the relations within a Muslim family. The Order provides protection for children and women by preserving and safeguarding their interests and rights in order to guarantee and promote their welfare, such as:
 - Ill treatment of husband or wife;
 - Maintenance of dependants;
 - Guardianship of children;
 - Custody and maintenance of an illegitimate child;
 - Maintenance and accommodation of married women; and
 - Division of and partaken in matrimonial property for women after divorce.

- The laws of adoption for Muslims are governed by the **Islamic Adoption of Children Order 2001** which imposes conditions and restrictions prior to the grant of an adoption order. In making any condition or order, the Court shall give due regards to the welfare and interests of the child as the primary consideration, taking into account the wishes of the child and his/her parents (if any). Similarly, the **Adoption of Children Order 2001** and **Guardianship of Infants Act (Cap 191)** for non-Muslims are also enforced.
- **Legitimacy Order 2001**, which applies to non-Muslims, provides for the legitimisation of children born out of wedlock. Generally, it upholds the status of an illegitimate child, by recognising that they shall have the same rights of a legitimate child.
- **Labour Act (Cap 93)** provides for laws relating to employment of workers, including immigrant workers. It also includes laws for the proper accommodation, places of employment, medical care and treatment, payment of wages and rules on repatriation of immigrant workers. Special provisions relating to the employment of women, young persons and children are also provided under this Act. No child shall be employed in any industrial undertaking except those otherwise specified.
- **Section 108 of the Labour Act** stipulates that the wages of a worker payable monthly shall be paid by the employer not later than 10 days after the expiration of the period in respect of which they are due. If the employer is found guilty of such offence, **Section 120** of the Act provides a penalty of a fine of B\$1,500 or imprisonment for six (6) months.
- **Workmen's Compensation Act (Cap 74)** provides for laws relating to payment of compensation to workmen for injuries suffered in the course of their employment.
- **Trade Unions Act (Cap 128)** regulates trade unions in the country. Any seven or more members of a trade union may, by subscribing their names to the rules of the union and otherwise complying with the provisions of the Act with respect to registration, register such trade union under this Act.
- **Tabung Amanah Pekerja (Cap 167)** established the *Tabung Amanah Pekerja (TAP)* (Employee Trust Fund) into which shall be paid all contributions authorised under the Act. Every employer of an employee shall pay to the Fund monthly in respect of each employee contributions at the appropriate rates. The Funds may only be withdrawn where the member has attained the age of 55; or member has died; or is physically or mentally incapacitated from engaging in any further employment; is found to be of unsound mind or otherwise incapable or performing his duties at any time before he attains the age of 55 years; or the member is about to leave Brunei Darussalam with no intention of returning or residing in Brunei Darussalam.
- The newly introduced pension scheme, **Supplemental Contributory Pension (SCP)** will take effect on 1 January 2010. It is in addition to the Employees Trust Fund (TAP) with the objective to ensure that all TAP employees, who fulfil the set conditions, received a monthly minimum income payment (annuity) on top of the

Old Age Pension (OAP) payment of B\$250 per month. The SCP scheme will also provide 'survivorship' payment gains to guarantee security if an employee passes away before the mandatory retirement age of 60 years old. Like the TAP scheme, it is mandatory for all citizens and permanent residents in Brunei Darussalam who work either in the public or private sector to follow the SCP scheme.

- In case of the protection of women prisoners, the **Prison's Rules (under section 62 of the Prisons Act Cap 51)** sets out provisions for their welfare and interests in respect of their accommodation, employment, education and health.
- **Criminal Procedure Code (Cap 7)** establishes the code for criminal procedure, such as arrest, proceedings in courts, police powers to investigate and special proceedings. Any cases with sufficient evidence will be committed to trial. It also provides for special proceedings for person with unsound mind. In addition, under the Criminal Procedure Code, there are the **Youthful Offenders (Places of Detention) Rules** which provides for separate rules on accommodation, food, health and cleanliness in relation to youthful offenders.
- **Societies Order 2005** relates to the registration of societies and matters connected therewith or incidental thereto. Society includes any club, company, partnership or association of 10 or more persons whatever its nature or object, whether temporary or permanent.
- **Public Order Act (Cap 148)** provides for laws relating to the preservation of public order, including control of uniforms and flags, quasi-military organisation and illegal drilling, meeting, processions and assemblies. It also provides powers for the maintenance of public orders, such as control and closure of roads etc, curfews and exclusion orders in special areas, power to control firearms and ammunition, powers of security forces in special areas. The Act also criminalise unlawful oaths, carrying firearms and ammunition, carrying offensive weapons and causing disturbance in public places, subversive acts or words, making false reports and public mischief.

D. Non-Governmental Organisations

19. The presence of non-governmental organisations (**Annex II**) in the country complements efforts undertaken by the government to ensure the country's prosperity, social and economic progress of the people. These organisations have placed much importance in promoting the welfare of the people and ensuring social equality. They have also contributed to the community by providing forums as well as support in addressing various concerns of the people. They have been actively involved in areas such as promoting awareness of persons with disabilities; social and economic advancement of women; youth empowerment; encourage sports towards excellence; awareness on HIV/AIDS and drugs; and encourage human development of the people by enhancing personal skills.

20. Women's issues in Brunei Darussalam are strongly supported by the Women's Council of Brunei Darussalam, an NGO, representing (fourteen) 14 women's associations affiliated under it. The main objective of the Women's Council is to improve the status of women in all areas especially in education, economy, welfare, culture and society.

21. The role of the non-government organisations in complementing government's programmes for persons with disabilities and in promoting public awareness about the needs and rights of such persons are also recognised and protected.

Voluntary Pledges

- The government will continue to work with these non-governmental organisations so as to develop a constructive dialogue with them in advancing the country's socio-economic development.

IV. COMMITMENTS AND PLEDGES

A. International Obligations

22. Brunei Darussalam abides to the principles and purposes of the United Nations Charter since it joined as a full-fledged member of the organisation on 21 September 1984. It supports the work of the organisation in addressing global threats and challenges to ensure international peace and security, sustainable social and economic development and in the promotion and protection of human rights and fundamental freedoms.

23. It is also a member to the various international organisations and formally joined other member states in the work of the International Labour Organisation (ILO) on 17 January 2007. Brunei Darussalam upholds the values of the 1948 United Nations Universal Declaration of Human Rights and the UN major decisions related to promoting and protecting human rights. It has signed/acceded to the following human rights related treaties:

- (i) Convention on the Rights of the Child (27 December 1995);
- (ii) Convention on the Elimination of All Forms of Discrimination against Women (24 May 2006);
- (iii) Optional Protocol to the Convention on the Rights of the Child on the sale of Children, Child Prostitution and Child Pornography (21 November 2006);
- (iv) Convention on the Rights of Persons with Disabilities (as a signatory on 18 December 2007);
- (v) United Nations Convention against Transnational Organised Crime (25 March 2008);
- (vi) C182 ILO Worst Forms of Child Labour Convention, 1999 (9 June 2008); and
- (vii) UN Convention against Corruption (2 December 2008).

24. Brunei Darussalam is also mindful of the various provisions of other fundamental UN treaties which are upheld and implemented in the country. The Government has invested substantially on the primary needs in education, health care, reliable public service and good practical infrastructure to all its communities. In response to the global changes, Brunei Darussalam has acknowledged the speed of modern social change, the impact of new technology in the society and the growing interdependence of global partnership. Thus, the country has

continued to broadly diversify its economy and specifically to provide the people with the essential skills.

25. As a signatory to the UN Millennium Declaration, Brunei Darussalam advances its efforts in ensuring the appropriate implementation of this major outcome. The Government also places importance in reaching the targets of the Millennium Development Goals (MDGs). Brunei Darussalam has already achieved almost all of these MDGs targets. It has eradicated extreme poverty and improving the lives of its people. This is evidenced in the 2007/2008 UNDP's Human Development Index which ranked Brunei Darussalam 30th place out of 177 nations.

26. Brunei Darussalam is reviewing the international human rights treaties to which it is yet to become a state party to, such as:

- (i) International Convention on the Elimination of All Forms of Racial Discrimination;
- (ii) Convention on the Rights of Persons with Disabilities;
- (iii) Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery;
- (iv) International Convention against Apartheid in Sports; and
- (v) Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

B. Regional Commitments

27. As a member of the Association of Southeast Asian Nations (ASEAN) since 7 January 1984, Brunei Darussalam has signed/adopted regional agreements. It has signed the ASEAN Charter on 31 January 2008 and ratified it on 15 February 2008. The ASEAN Charter, which entered into force on 15 December 2008, among others outlined the promotion and protection of human rights and fundamental freedoms as one of its purposes. Specifically, Article 14 has called for the establishment of an ASEAN human rights body, in which Brunei Darussalam has participated actively in drafting the Terms of Reference for such body.

28. Brunei Darussalam has also signed a number of ASEAN human rights related documents namely:

- (i) Declaration on the Advancement of Women in the ASEAN Region (5 July 1988);
- (ii) Declaration on the Commitments for Children in ASEAN (2 August 2001);
- (iii) Declaration on the Elimination of Violence against Women in the ASEAN Region (30 June 2004);
- (iv) ASEAN Declaration against Trafficking in Persons particularly Women and Children (29 November 2004);
- (v) Cebu Declaration Towards One Caring and Sharing Community (13 January 2007);

- (vi) ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (13 January 2007); and
- (vii) Joint Declaration on the Attainment of the Millennium Development Goals (MDGs) in ASEAN (1 March 2009).

The ASEAN Secretariat, on behalf of the member states, has also signed cooperation agreements with UN specialised agencies:

- (i) Framework for Cooperation between ASEAN and the United Nations Development Fund for Women (UNIFEM) (8 June 2006); and
- (ii) Cooperation Agreement between ASEAN Secretariat and the International Labour Office (20 March 2007).

V. PROMOTION AND PROTECTION OF HUMAN RIGHTS

A. Children

29. The 2008 National Statistics indicated that children comprised 35.3 per cent of the population of the country. Brunei Darussalam is a caring society and gives freedom and dignity to young people in which they can develop their potential and look forward to a full and satisfying adult life. It has progressed significantly on matters relating to children and upholds the principles as stipulated in the Convention on the Rights of the Child (CRC). All children are given fair and equal opportunities with respect to their involvement in educational, health, leisure, recreational and cultural activities in-line with the CRC and MDGs. In general, children in Brunei Darussalam enjoy free health and educational facilities. The Community Development Department under the Ministry of Culture, Youth and Sports is the leading agency in Brunei Darussalam which ensures the welfare and development of children are protected.

30. The Government also plays a critical role in promoting the understanding on the basic rights of children through awareness campaigns such as roadshows to schools, dissemination of leaflets, celebration of Children's Day and educating parents and families.

31. To date, there is no evidence of child labour, commercial sexual exploitation and trafficking of children in this country. Children who are victims of violence are given special attention by the legal system and all other relevant agencies. Medical, legal services and shelter through welfare homes are provided for protection and rehabilitation of children. The Children and Young Persons Order 2006 provides protection and rehabilitation to children below 18 years as well as the establishment of Juvenile Courts. The Department of Community Development also operates a toll free helpline for children.

32. Brunei Darussalam places emphasis on the institution of the family as the basic unit of the society. Family values remain an important factor in their development as well as in securing a safe and loving environment. Traditions and cultures also play an important role in the upbringing of children. A range of welfare measures for marginalised groups, provided by the Government and NGOs serve as a social safety net.

B. Advancement of Women

33. Currently, women comprise 47 per cent of the total population and Brunei Darussalam has recognised that gender equality and women's empowerment are crucial for the advancement of women towards national development.

34. The national machinery responsible for all matters pertaining to women is the Department of Community Development, Ministry of Culture, Youth and Sports. Brunei Darussalam has benefited from various programmes organised by regional and international bodies such as ASEAN Committee on Women (ACW), Non-Aligned Movement (NAM) Centre for the Advancement of Women, Commonwealth and the United Nations Development Fund for Women (UNIFEM).

35. The literacy rate for girls has improved since 2001, from 91.5 per cent to 98.2 per cent as estimated in 2007-2008. Girls significantly outnumber boys in tertiary education with the number of female graduates at 73 per cent of total graduate population in 2007.

36. Brunei Darussalam has achieved the fifth goal of the MDGs which is the reduction by three quarters of the maternal mortality ratio. Currently, the maternal mortality ratio is 15.8 per hundred thousand live births. While the infant mortality and child mortality are comparable to that of developed countries and way below the world average. The figures were significantly reduced from over 30 deaths per thousand live births in the 1970s to the current figure of 7.6 per thousand live births (**Annex III**).

37. Education has led to an increase in the participation rate of women in the labour force, working in professional, technical, managerial and administrative jobs, from a figure of only 20 per cent in 1971 to 56.9 per cent in 2008 (**Annex IV**). Women now constitute about 56.9 per cent of the civil service force where they occupy 28 per cent of senior management posts. More women are now employed in male-dominated fields such as in the army, police force as well as fire and rescue.

38. In Brunei Darussalam, there is no restriction for women in gaining ownership right to land and housing. Women are also active participants in business and accounts for 62 per cent of the beneficiaries of micro-credit financing schemes. Small-Medium Enterprises (SMEs) contribute 92 per cent of the employment opportunities in the private sector and more than half of these SMEs are owned by women. The Brunei Women Business Council was established in 2000 specifically to oversee the economic activities and promote the business development of women in the country.

C. Persons with Disabilities

39. In 2008, the number of persons with disabilities registered with the Department of Community Development is 2284 which is 0.57 per cent of the total population.

40. The national focal point for issues relating to persons with special needs is the Department of Community Development, Ministry of Culture, Youth and Sports. Two other agencies, namely, the Ministry of Health and the Ministry of Education are key stakeholders in the provision of services relating to health and education. Tripartite meetings are held regularly

between these parties to ensure effective and integrated approach on the rights and protection of persons with disabilities. Priorities in health care are given to the young population in particular the prevention of disabilities by optimising prenatal, perinatal and postnatal care.

41. The Child Development Centre (CDC) of the Ministry of Health provides services to facilitate the diagnosis, assessment, treatment and support therapy for children with disabilities in order to ensure their optimal health and development. The CDC also provides coordination and professional support and training for non-governmental organisations in the country.

42. The Ministry of Education has an inclusive education policy for persons with special needs. It is coordinated by the Special Education Unit (SEU) of the Ministry. The Unit organises services with the support of the School-Based Team (SBT). This team includes Special Education Needs Assistance (SENA) or Home-Room (HR) Teachers, regular classroom teachers, teacher aides, resource teachers, special educators, psychologists and other relevant specialist personnel.

43. The Government is currently in the process of establishing Centres of Excellence⁸ for special needs students who excel in their studies through Model Inclusive Schools providing Excellent Services for Children. Selected primary and secondary schools have been allocated additional funding and support to ensure they have the necessary school facilities, special learning equipment or resources, specialist support services, and teacher training programmes to provide quality inclusive education for a wide range of students with diverse learning needs.

44. With regard to accessibility, although there is no legislation concerning facilities for persons with disabilities, it is mandatory for the inclusion of such facilities in all future building designs.

45. The increase in public awareness of training and employment capabilities is evidenced by the increasing number of persons with disabilities in the labour force. Training programmes for persons with disabilities are provided by the Department of Community Development in Pusat Bahagia. Currently, there are two centre-based programmes, namely The Basic Orientation Training Programme and the Vocational Training Programme. The Department also provides the Home-Based or Community-Based Rehabilitation (CBR) programme which provides services to those who do not have the opportunity to undergo training at the centre, especially those who live in rural areas. As for the families of the disabled, supportive therapy is also extended which helps to alleviate unwarranted fears and anxieties of parents towards their children.

46. In the effort of further promoting the rights of persons with disabilities, Brunei Darussalam signed the Convention on the Rights of Persons with Disabilities on 18 December 2007. A National Committee/Task Force set up to oversee this Convention is led by the Department of Community Development which also coordinates the possibility of ratifying the Convention in the near future. This would ensure the enactment of appropriate legislation, which among others, addresses issues of Persons with Disabilities on a rights-based approach. At the same time, it would explicitly prohibit discrimination against any person based on disability.

D. The Elderly

47. The elderly category in Brunei Darussalam is made up of 4.9 per cent of the total population. This number is expected to increase to 7.8 per cent in 2021. The life expectancy of an average male is 74.2 years and 77.3 years for female.
48. The welfare of the aged is well cared for as the Bruneian community strongly values caring of the elders. Free medical services are provided and heavily subsidised rates exist for a number of services. The Government of Brunei Darussalam emphasises on maintaining the strong family ties and this is supported by the extended family system which is still widely practiced. Government Housing Projects are geared towards maintaining the extended family system by ensuring that families are resettled as near to one another as possible.
49. The Government policy on the aged is to protect the rights of the elderly, promote their well being by providing them with self respect and dignity. This is to enable them to fully participate in the community and to enjoy active ageing, to perpetuate the traditional care for the elderly through family institution and to promote a caring society with respect, honour and care for them. A monthly old age pension of B\$250, which is not means-tested, is provided to those above the age of 60.
50. In commemoration of their contribution to the community, the International Day of Elderly is also observed and programmes or activities are usually organised by the Department of Community Development, in cooperation with NGOs.

E. Promoting Education for All

51. Providing universal access to education has always been a fundamental objective of Brunei Darussalam's education policy. All levels of education in government schools is provided free of charge for citizens though there is also the option of private schooling (**Annex V**). Continued substantial investments have been made by the Government in improving educational infrastructure and providing quality teaching at all levels. The rural-urban divide has also been taken into consideration with more primary schools built over the last few years to increase and improve access to quality education to the population as a whole.
52. Brunei Darussalam's commitment towards enhancing the quality of life of the people, has formulated a mission to provide holistic education to achieve the fullest potential for all by giving quality education to our children, the future of the country. To meet future challenges in an ever changing world, the Government has developed a vision of 'Quality education towards a developed, peaceful and prosperous nation'. Brunei Darussalam believes this vision will realise the nation's aspirations and produce citizens with the necessary skills and knowledge to participate and contribute towards the continued growth, stability and prosperity of the country.
53. In its endeavour to develop the fullest potential of the child, Brunei Darussalam continuously reviews the education system in order to meet with the demands and future challenges of the nation so as to cater to every child's ability and to meet the country's need for an educated and marketable workforce. While placing strong emphasis on literacy and numeracy, the education system also aims to develop and equip children morally, intellectually, physically, socially and aesthetically with the right values, skills and characters to become

responsible, dynamic and high quality citizens to contribute positively to the nation. School children are also exposed to ICT skills to promote creativity, independent learning and enhance higher order thinking skills.

54. There is increasingly widespread awareness in the country that education and skills are fundamental for contributing to national development and individual prosperity. While making progress in realising the Millennium Development Goal on universal primary education, a new legislation called “**Compulsory Education Order**” was enforced on 24 November 2007. The main objective of the order is to ensure that all children from the age of six to be in school for at least nine years. Failure to do so amounts to a contravention of the Order and renders each parent of such child liable to legal action.

55. Other educational policies to support the effort towards national development and individual prosperity include:

- To provide a 12-year education policy;
- To provide a well balanced curriculum as well as suitable and uniform public examinations administered according to the level of education, including those with special needs, in all schools throughout the nation;
- To provide facilities for mathematics, science, technical and information and communication technology education in order to enable students to obtain knowledge and skills that are relevant and necessary in the constantly changing world of employment;
- To provide self-development and enrichment programmes through co-curricular activities in accordance with the national philosophy;
- To offer a wide range of opportunities and choices in higher education for those with appropriate qualifications and experiences with such opportunities to be offered based on national needs as and when they arise;
- To provide the best possible educational infrastructure in order to fulfil national needs.

56. In addition, to further raise the quality of education received and the learning experiences of children in the country, the Government has also taken steps towards raising the standards of teachers’ professional development needs so that they are given the opportunity to upgrade appropriate skills where needed.

57. To fulfil the aspirations of the National Development Plan and the Brunei Vision 2035, through the Ministry of Education, Brunei Darussalam has implemented a national action plan to comply with the Dakar Framework and Jomtien Declaration on Education for All, including the implementation of the Inclusive Education Policy and the ICT Strategy in education. Brunei Darussalam has also adopted three major themes in its 2007-2011 strategic plan, namely (i) Quality Education; (ii) Teaching and Learning Excellence; and (iii) Professional, Accountable and Efficient Organisation.

58. The current Brunei Darussalam's National Development Plan (2007-2012) and the Vision 2035 place great emphasis on the accomplishment of a well-educated and highly skilled society with a world class education system that promotes lifelong learning as its hallmark. Education is one of the eight (8) major development strategies and 8.7 per cent of the development fund goes to education, including modernising its ICT infrastructure. Annually, 17 per cent of our GDP is spent on education.

59. Recently, the Education For All (EFA) Development Index (EDI) for 2009 classified Brunei Darussalam as being close to achieving the four most quantifiable EFA goals – Universal Primary Education, Adult Literacy, Gender Parity and Quality, as well as Quality Education. Brunei Darussalam ranked 36 from 129 countries with a high EDI which stands at 0.972.

60. In addition to these initiatives, the Government has endeavoured to improve the quality of education system by continuing to provide free education for citizens from primary education until tertiary education. The Government also implements the new education system suited for the 21st Century Skills and Competencies; referred to as the "Sistem Pendidikan Negara Abad Ke-21" (SPN21)⁹ which will be broad based, provide multiple pathways for the students towards attaining further and higher education qualifications as well as equipping students with the relevant skills necessary to survive with the demands of a fast changing world.

61. Under the SPN21, children with diverse learning needs are given due attention in line with Brunei Darussalam's Vision¹⁰ of quality inclusive education which highlights the principles to promote excellence for all and provide equality of opportunity for everyone.

62. The National policy provides the framework for the development of an education system which caters for the needs of all children. Through the implementation of the Inclusive Education System, children with special needs are able to attend mainstream schools where support services and appropriate resources are in place to meet their special needs in terms of academic, social, emotional and independent living skills.

63. To ensure that young people continue to be equipped with the knowledge and skills to succeed in and adapt to the challenges evident the modern and globalised world, the following policy directions will be taken:

- Investing in early education¹¹;
- Adopting international best practices in teaching and learning;
- Having first class secondary and tertiary education including vocational schools that produce experts, professionals and technicians required in commerce and industry;
- Strengthening the competency in info-communications technology (ICT) for students, teachers and educational administrators including the integration of ICT in schools' curriculum;
- Devising programmes that promote life-long learning both in government-funded institutions and public-private and international partnerships;

- Adopting cost-effective methods of educating its people through the use of technology; and
- Improving the management of all educational institutions.

F. Access to Health Services

64. The provision of a comprehensive health care system for the people is a priority for Brunei Darussalam. Basic health services are easily accessible to the population throughout the country, including providing flying medical services to rural areas. Health care is provided free to all its citizens and permanent residents. One of the significant achievements is the decentralisation of outpatient services from hospital-based to community health settings across the country (**Annex VI**). Through this mechanism, primary health care is further strengthened through the provision of more comprehensive services, heeding the World Health Organization's (WHO) call to promote primary health care and make it more accessible to all. In 2007, a total of 393 physicians and 81 dentists were registered to practice. A comprehensive manpower development programme for the community, as well as hospital-based health personnel, is to be extended to strengthen health care services throughout the country, with emphasis on the primary health care approach.

65. The Government is fully committed to continuously improving the health status of the people and considers government funding for health care a major public investment in human development. It is the aspiration of the Government that the Ministry of Health's agenda for the 21st century is health improvement for people-centred development. The Ministry of Health, in June 2000, launched the **National Health Care Plan (2000-2010)** which observes the following four principles:

- Ensuring universal access to better health care;
- Enabling equity of access to comprehensive health services;
- Promoting partnership and public participation in the concept of co-production of efficient and effective health services for all; and
- Ensuring that the health service system is sustainable within the institutional capacity and financial resources of the Ministry of Health.

66. Brunei Darussalam is nearing the end of the National Health Care Plan (2000 – 2010). The Ministry of Health is planning to implement its short term and long term plan in line with the Vision 2035 and National Development Plan (2007-2012). In February 2009, the Government embarked on a project 'Building Strategy Focused Organisation - Balanced Scorecard (BSC) Framework', and aimed to create a culture in the organisation that is focused on short-term and long-term objectives and goals. The new Vision for the Ministry of Health is "Vision 2035 – Together Towards A Healthy Nation". Five strategic themes have been identified as main priority, namely:

- Comprehensive Healthcare System that Emphasises Service Excellence;

- A Nation that Embraces and Practices Healthy Lifestyle;
- Sustainability through Resource Optimisation, Innovation and Excellence;
- Effective Policies and Regulations that Ensure Protection for All; and
- Transparent and Proactive Governance.

These strategic themes have focused efforts in achieving significant, measurable improvements of the people. This is an effort towards strengthening our health systems as prerequisites for ensuring efficient and high-quality health services in Brunei Darussalam.

67. In recognition of the need for the promotion of positive health measures, a multidisciplinary committee has been established. The National Committee on Health Promotion aims to increase public awareness of these problems as well as develop strategies to modify the public's behaviour in favour of a healthier lifestyle through community participation and intersectoral collaboration. The Committee has identified seven priority areas for action: nutrition; food safety; tobacco control; mental health; physical activity; health environments/settings; and women's health. These priorities are further enforced through the activities of the Health Promotion Centre which was launched in November 2008. Other health promotion activities include the 'Healthy Mukims' project involving health education campaigns in villages, the Health-Promoting School project and the Integrated Health Screening and Health Promotion programmed for civil servants.

68. To attain the target of "*Health for All*" emphasis has been given to the development of a health care system that is based on primary health care, aimed at providing a wide range of preventive, promotion, curative, rehabilitative health care and support services to meet the needs of the population. The main policy objectives are: reduction of infant mortality, diseases and disabilities, and premature deaths, thereby increasing life expectancy; improvement of the environment; and control of communicable diseases.

69. Brunei Darussalam has made remarkable progress in meeting the United Nations Millennium Development Goals (MDGs). It has been classified as an early achiever in the MDGs, including most of the health goals with significant reductions in Under-5, perinatal and infant mortality rates as well as for maternal mortality ratio. Improvement in these indicators is a result of rising standards of accessible health services, higher standard of living with improved hygiene and sanitation, improved levels of education and literacy and increasing empowerment of women. The success is also attributed to a comprehensive National Childhood Immunisation Programme that is available free to all children.

70. Brunei Darussalam continues to be on track and vigilant in combating HIV and AIDS of which the incidence continues to be at a low level. Besides the efforts undertaken by the Ministry of Health, the Brunei Darussalam AIDS Council, a non-governmental agency, has also been active in the collaboration of awareness and educational programmes particularly targeting youth and women.

71. For the past 15 years, there have been no increase in Tuberculosis (TB) prevalence rate and TB death rate is very low. The government of Brunei Darussalam is fully committed in ensuring

that the supply of anti-TB drugs and Bacille Calmette-Guérin (BCG) vaccine are uninterrupted and available. In 1987, the World Health Organization declared Brunei Darussalam 'Malaria Free' and 'Polio-free' in 2000.

G. Adequate Housing

72. As early as 1952, the "Department of Resettlement Water Village Residents to Land" existed to handle various National Resettlement Programmes. It was later renamed as "Housing Development Department" in August 1984 under the Ministry of Development. Its functions were revised and expanded. Its mission is to provide safe, quality and affordable housing for the people of Brunei Darussalam with the following objectives:

- To upgrade the living standard of the people of Brunei Darussalam by resettling them in comfortable accommodation and environment;
- Prevent the growth of disorderly construction of houses;
- Provide housing to meet the ever increasing demand in housing;
- Harmonise the development national housing with the surroundings; and
- To create a community structure and develop a sense of identity.

73. The Department processes application for National Housing Programme (NHP) to realise the national policy in providing citizens with house ownership and proper accommodation in a pleasant environment. For the landless, all citizens regardless of gender are eligible for the National Housing Programme such as the National Housing Scheme (RPN), Landless Indigenous Citizen Housing Scheme (STKRJ) and Land Entitlement and Infill Scheme (LEIS). Other agencies such as the Islamic Religious Council and the Sultan Haji Hassanal Bolkiah Foundation also provide homes for the homeless.

74. The NHP Policy aims to construct houses to meet the demand of citizens of Brunei Darussalam who do not possess any land or house. The Housing Development Department under the National Development Plan 2007-2012 has already targeted to deliver more than 12,000 houses to the eligible applicants of the RPN and STKRJ. A total of B\$1.2 billion has been allocated under the National Development Plan (NDP) 2007-2012 for housing development in various sites throughout the country. Brunei Darussalam has also taken into account the challenge of optimising fully the scarce land resources available for housing, as the population is projected to reach half a million by 2025.

75. The Government also provides accommodation to its employees at low monthly rental. The employees are also encouraged to build their own houses or buy ready-built houses through the provision of interest-free housing loans.

76. Brunei's citizens have benefitted tremendously through the housing scheme. The scheme does not only provide the houses but also the basic infrastructure or necessities that further improve the standard of life of the people. This can be seen with the building of more health care

centres, schools and other community buildings within the allocated areas under the scheme to enhance the living standard of residents.

77. In anticipation of future demand, the NHS will be opening up about 1000 hectares of new land areas at six (6) different sites throughout the country for building more houses. The government's future plans stand testimony to the vision of His Majesty that every Brunei citizen will have adequate shelter, in-line with the MDGs.

H. Religious Tolerance

78. Brunei Darussalam is blessed with peace and harmony enabling followers of all faiths to practice their religion and preserve their cultures. This is a major reason for the peace which Brunei Darussalam enjoys. The Constitution provides that persons of all religions shall have the freedom to practice these in peace and harmony. There are no restrictions on wearing religious attire or personal items depicting religious symbols. In addition, major religious celebrations are also observed as public holidays such as Eid Fitri (Hari Raya Aidilfitri), Chinese New Year and Christmas. Further, His Majesty practices "mesra rakyat" either through planned or unplanned visits in order for His Majesty to meet the public directly. Such practice strengthens the special relationship between His Majesty and the people.

I. Treatment and Rehabilitation of Offenders

79. The Prison Department under the Ministry of Home Affairs was established on 1st March 1954. Its mission is to strive for excellence in the safe custody humane treatment and successful rehabilitation of offenders so that they can return to society as useful and law-abiding citizens. To support its mission statement, the Government places importance of treatment and rehabilitation centre strategies in the country where there is an emphasis upon voluntary admission and strong encouragement to change. Another key strategy is to focus on remedial and continuous education. It also supports the importance of vocational training in developing practical skills for prisoners. The Department administers Prisons Act and Rules (Cap 51).

80. Every able-bodied prisoner is required to work. This is to inculcate strong ethic and discipline that will help offenders re-integrate into society. They are given the opportunity to attend vocational courses to acquire marketable skills. They also undergo physical training including foot-drill, exercise and games to keep fit. Religious and social counselling are also provided. The rehabilitation programmes provided are as follows:

- **Psychological Rehabilitation** – Individual counselling; Group counselling and Family counselling;
- **Moral Rehabilitation** – Religious education and religious activities according to Islamic calendar;
- **Civic Rehabilitation** – Talks from Ministries/Departments and private sector;
- **Physical Training** – Self-health activities; physical drill and exercise as well as Sports;

- **Social Rehabilitation** – Carpentry and handicraft; farming; livestock; laundry; car wash and servicing; gardening and landscaping and building maintenance.

81. Since 1 February 2008, the Narcotic Control Bureau under the Prime Minister's Office took charge of "*Pusat Al-Islah*" Drug Rehabilitation Centre (PAI DRC). It functions as an institute which runs treatment programmes and recovery for former drug and inhalant offenders. The rehabilitation centre adopts the Therapeutic Community Concept, conducts vocational programmes as well as religious activities. The Phase System implemented at the PAI DRC is a programme based on the penal "Progressive Phase System" with increasing privileges/rewards attached to the respective phases. Process of admission for drug offenders at the PAI DRC is by three ways, namely by:

- (i) Court Order [Section 29(4)/Section 25 (2)] Misuse of Drugs Act, Chapter 27;
- (ii) Minister's Order [Section 33(2)/Section 18(1)] Misuse of Drugs Act, Chapter 27; and
- (iii) Voluntary [Section 33(4)/Section 18 (2)] Misuse of Drugs Act, Chapter 27.

82. The Board of Visitor (BOV) and an Advisory Committee oversee matters pertaining to the welfare of the residents at PAI DRC as well as the surroundings or the review of their rehabilitative processes. These are independent observers that inspect the facilities and treatment programmes. The members of BOV comprise prominent officials from various government, private agencies and community including NGOs.

J. Economic Opportunities

83. Brunei Darussalam strongly supports an open, rules-based and non-discriminatory, multi-lateral trading system, as prescribed by the World Trade Organisation. As such, the country continues to pursue trade policies aimed at fostering economic growth and creating economic opportunities with the allocation of resources and determination of economic decisions left to market forces.

84. Under "*Wawasan Brunei 2035*", the country is to achieve an educated, highly skilled and accomplished people with a high quality of life as well as the sustainable economic development of Brunei Darussalam, through the expansion of business opportunities and investment, both local and foreign, and the development of local Small Medium Enterprises (SMEs).

85. As such, there are no restrictions or requirements on ownership of business or companies for the nationals. Any national or foreigner may establish a business or company in Brunei Darussalam as partnerships, or private or public companies. Nationals of Brunei Darussalam may further establish either sole proprietorships or cooperative societies.

86. Under the Companies Act (Cap 39), there is a requirement that every registered company should have at least two directors, whereby one of the directors, or where there are more at least half of the directors, shall be nationals of or resident in Brunei Darussalam. This requirement is to ease the conduct of businesses and to ensure the accountability of such businesses in the country, and again is equally applicable to all nationals of Brunei Darussalam.

87. In June 2001, Brunei Darussalam enacted the Investment Incentives Order to replace the former Investment Incentives Act (Cap 97) to encourage the establishment and development of industrial and other economic enterprises for economic expansion. The new law provides guidelines for granting “pioneer” status to industries and tax relief for foreign and local investment, as well as the possibility of extending tax relief periods.

88. Businesses and companies registered under the Company’s Act are eligible for investment incentives under the Investment Incentives Order 2001, and foreign investors, including joint ventures, receive national treatment. This Order simplifies the granting of tax incentives while the Income Tax (Amendment) Order 2001 broadens the areas of tax relief, offered under a range of schemes, including declared “pioneer industry” companies. Certain investment incentives, however, such as SME assistance are limited to nationals of Brunei Darussalam or local companies.

89. In order to achieve economic growth and development, Brunei Darussalam recognises the importance of Human Resource Development to build its capacity and infrastructure and to generate economic opportunities for businesses in the country. As part of the country’s efforts to promote such growth and development, Brunei Darussalam negotiates Free Trade Agreements (FTAs) with various dialogue partners, both individually and as part of ASEAN. In these FTA negotiations, Brunei Darussalam has consistently advocated for the benefits of such agreements to apply to both its nationals and permanent residents. Furthermore, many cooperation activities are made available under these FTAs which are designed to strengthen and develop expertise in different areas such as education or business, and opportunities are provided to all nationals and residents to participate in such cooperation activities.

VI. CHALLENGES, CONSTRAINTS AND NATIONAL PRIORITIES

A. Human Development

90. The country is blessed with economic wealth and social security. Programmes are also developed for the people to upgrade skills as well as be more independent, self reliant, and disciplined society. However, there is still a need to develop greater self-motivation and confidence which include marginalised youth that would ensure them to enter into a highly competitive job market. In order to achieve this vision, Brunei Darussalam need a well structured youth development projects through co-organise programme and technical assistance from international professional bodies.

91. To maintain rapport with grass root leaders of the community, the competency of every level of the local community (heads of wards, villages and Long Houses) is continuously developing thereby giving them equal provision and access to technology through IT training. Computers supplied in the village community centers with internets (E-Mukim and E-Kampung) help to bridge the technological gap of delivering public services on-line. However, challenges remained due to the limited access of some remote villages to network coverage for information and communication technology.

B. Health Care

92. With longer life expectancy, the country needs to engage in promoting active ageing so that older persons have a meaningful role in the society. There is also the challenge of promoting healthy lifestyles to avoid greater risk of degenerative disease through health education strategies and activities. These are daunting tasks to ensure preparedness for health contingencies remain active and effective. These include monitoring indicators to detect any resurgence of communicable diseases; maintaining an early warning system for detecting and preventing the invasion of emerging infections and establishing strategies, processes, and infrastructure to deal with local and national disasters.

C. Children

93. Challenges faced with respect to protecting and promoting the rights of the child, include the following:

- The need to strengthen existing mechanism of data collection and indicators disaggregated by gender, age and urban and rural areas. This covers all children up to the age of 18 years with specific emphasis on those who are particularly vulnerable, including child victims of abuse, neglect, or ill-treatment; children with disabilities and adopted children;
- To further increase awareness of children's rights and role/function in family and social settings;
- The need to strengthen and systematise the dissemination of the principles and provisions of the Convention on the Rights of the Child through social mobilisation;
- To further promote on the proper use of technologies, with urgent attention to the internet, television and mobile communications, based on human values, respect for self and others and child rights;
- Train children to be self-sustainable and in resiliency skills to strengthen them in the face of adversity;
- Require technical assistance in term of strengthening the counselling services and training in life skills.

D. Women

94. Challenges faced with respect to eliminating all forms of discrimination against women, include the following:

- The need to enhance capacity building in gender mainstreaming, such as gender responsive budget, gender responsive policy analysis and advocacy;
- Technical support in engendering statistical system (gender disaggregated data);

- To further educate women on their rights with regard to domestic violence, especially on accessibility to counselling and other forms of assistance and to enhance public awareness and unacceptability of such act.

E. Disabilities

95. Among those challenges faced with respect to protecting the rights of persons with disabilities (on a rights-based approach) to be in line with the Convention, include the following:-

- To further strengthen current mechanism of developing classification of disability based on International Classification of Functioning Disability and Health;
- The need to strengthen existing system of data collection disaggregated by disability in accordance with the International Classification of Functioning Disability and Health;
- To improve relevant education and training for persons with disabilities;
- To increase job opportunities/placements for persons with disabilities;
- To enhance expertise in developing abilities of persons with disabilities;
- To excel in sports for the disabled; and
- To establish Centres of Excellence for special needs students who excel in their studies.

F. The Elderly

96. Brunei Darussalam is to build on its achievements with respect to the elderly, by looking into the following areas:

- To promote active ageing issues by increasing public awareness on the need to appreciate and honour the elderly;
- To enhance family caregiver support programme;
- To enhance volunteer-based home care and day activity centres for elderly;
- To develop an action plan for elderly in-line with Madrid International Plan of Action on Ageing; and
- To further provide subsidies for related services.

G. Capacity Building and Technical Assistance

97. Brunei Darussalam has participated in a number of regional and international events pertaining to human rights. It is also through these avenues that the country has benefited best

practices and experiences on human rights related matters. The government agencies and NGOs in the country have also work with other regional and international bodies such as ACW, UNDP, UNIFEM, UNICEF, Commonwealth Youth Programme (CYP) and International Federation of NGOs for the Prevention of Drug and Substance Abuse (IFNGO). The constraint, however, is due to the lack of human resources that it could only participate in some key events. The lack of expertise also contributes in gaining a better understanding of its obligations in ensuring effective implementation of human rights related treaties that it is a state party and signatory as well as to facilitate in the consideration of its accession to the various international and regional human rights treaties. Thus, Brunei Darussalam looks forward to working with the relevant UN bodies, in this regard.

VII. CONCLUSION

98. It is with utmost determination of the Government of Brunei Darussalam to ensure the fulfilment of the basic needs of its people, such as providing access to health care, education, adequate shelter and economic opportunities. The Government also continues to explore any possibilities that could help to improve human welfare, including the rights to other basic needs and also strengthen its national capacities through regional and international partnerships.

Notes

¹ Although this group was established for the preparation of this report, there is an ad-hoc working group which generally addresses the human rights related issues particularly on women and children.

² According to the Brunei Nationality Act, there are 7 groups of indigenous peoples namely Belait, Bisayah, Brunei, Dusun, Kedayan, Murut and Tutong.

³ Bukitans, Dayaks (sea), Dayaks (land), Kalabits, Kayans, Kenyahs, Kajangs, Lugats, Melanaus, Penans, Sians, Tagals, Tabuns and Ukits.

⁴ "Pengahulu" is defined as a Head of Wards. The post of "Pengahulu Mukim" will only established when there are four or more heads of villages.

⁵ "Mukim" – sub-district. It is made up of several villages. There are 38 mukims in Brunei Darussalam, all subdivisions of the four districts.

⁶ Village Consultative Council was established in 1992 and it acts as another channel of consultation, aimed at strengthening the institutional effectiveness of the heads of wards and villages as grassroot leaders. Its formation is also to help inculcate the spirit of nationalism and upholding the aspiration and leadership of His Majesty. The Council plans and organise socio-economic programmes for the wellbeing of the population in their respective areas, and undertake various community activities.

⁷ Replacing the senior officials level, which was initially established in early 2000.

⁸ Students enrolled at these schools requiring a high level of support will have Individual Educational Plans (IEPs) or Remedial Education Plans (REPs) designed to address their areas of diverse learning needs. Their specific learning needs will be met through adaptation and/or modification of the curriculum. Appropriate facilities and assistive technologies are also being provided. Those with hearing, visual or communication problems will have access to specialized equipment and software that will enable them to carry out reading, writing and other learning tasks that were previously difficult or impossible. With the provision of appropriate school infrastructure: facilities, resources and teaching personnel (SENAs, HRTs, Teacher Aides, 'itinerant/resource teacher' as well as relevant specialists), the level of access to schools and learning for children with special needs will be raised to ensure that all children are in school and learning to their fullest capacity, as well as ensuring equity in the classroom, in learning materials, in teaching and learning processes, in school policies, and in monitoring learning outcomes.

⁹ The SPN21 is regarded by the Ministry of Education as a common platform for realising its strategic plan as well as its vision and mission.

¹⁰ This vision is interpreted in schools as: (1) all children in the community are valuable and have an equal right to education; (2) all children are entitled to an education that addresses their individual learning needs to enable them to realize their potential; and (3) the school is to provide quality inclusive education by creating a learning environment that meets the educational needs of individual children.

¹¹ There has been an initiative to review and improve the early childhood education in Brunei Darussalam in order to synchronize with one of the **Education For All goals** based on UNESCO; that is expanding and improving early childhood care and education, especially for the most vulnerable and disadvantaged children, thus including to improve service provision for young children with special needs and their families by providing educational and therapeutic input, support and advice to the family to maximize the child's progress.

In the light of the National Education System for the 21st century (SPN 21) the curriculum framework will equip the children intellectually, physically, socially, aesthetically and morally with the right values and skills. The curriculum framework is based on the Ministry of Education's mission to provide a holistic education to achieve the fullest potential of all children and includes the principles for effective learning of children aged 0-5 year olds which forms the basis for lifelong learning.
