Brunei

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

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The constitution states, "The religion of Brunei Darussalam shall be the Muslim religion according to the Shafi'i sect of that religion: Provided that all other religions may be practiced in peace and harmony by the person professing them in any part of Brunei Darussalam." The government continued its long standing policies to promote the Shafi'I school of Sunni Islam and discourage other religions. Other laws and policies placed restrictions on religious groups that did not adhere to the Shafi'i school of Sunni Islam.

The government continued its restrictions on the religious freedom of non–Muslims during the reporting period. The government continued to favor the propagation of Shafi'i beliefs and practices, particularly through public events and the education system. In a recent change non-Muslims were prohibited from receiving religious education in a private religious school, even though this had been previously allowed. Non-Muslims also faced social and sometimes official pressure to conform to Islamic guidelines on behavior and were forbidden to proselytize. The government maintained a ban on a number of groups it considered "deviant," and it banned three additional groups during the reporting period. Across denominational lines non-Muslim religious leaders stated that they were subjected to undue influence and duress and some were threatened with fines and/or imprisonment. There were reports of harassment of clergy, opening of mail, and prohibitions on receiving religious text for use in schools or houses of worship. In addition churches were reportedly monitored by Brunei Internal Security during the reporting period. Laws and regulations generally limited access to religious literature, places of worship, and public religious gatherings for non-Muslims. The government continued its public campaign in support of the Malay Islamic Monarchy (MIB) belief system, claiming its superiority over other religious and social belief systems. Muslims remained subject to the government's interpretation of Islamic law (Shari'a).

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice. The country's religious groups coexisted peacefully.

The U.S. government regularly discusses religious freedom with the government and religious leaders as part of its overall policy to promote human rights. In addition the embassy repeatedly expressed concerns, at the highest levels of the public and private sectors, regarding the denial of religious rights that are specifically protected in the country's constitution and expressed the position of the United States government regarding religious freedom. In addition the embassy supported a number of programs and visits related to religious freedom.

Section I. Religious Demography

The country has an area of 2,200 square miles and a population of 428,000. According to official statistics, the population is 82 percent Muslim, 7 percent Buddhist, 3 percent Christian, less than 1 percent a combination of other faiths (including Hindu, Baha'i, Taoist, Sikh, and Nasrani, atheists and others), and 7 percent who did not state their faith. The government categorizes Catholics as distinct from other Christians. There is also an indigenous population that adheres to traditional beliefs, although they often convert either to Islam or Christianity. There are 110 mosques and Muslim prayer halls, three Christian churches, three Chinese Buddhist temples, and one Hindu temple, all officially registered in the country.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution states, "The religion of Brunei Darussalam shall be the Muslim religion according to the Shafi'i sect of that religion: Provided that all other religions may be practiced in peace and harmony by the person professing them in any part of Brunei Darussalam." Other laws and policies placed restrictions on religious groups that do not adhere to the Shafi'i school of Sunni Islam.

The government described the country as a Malay Islamic Monarchy and actively promoted adherence by its Muslim residents to Islamic values and traditions. The Ministry of Religious Affairs was responsible for propagating and reinforcing the Shafi'i beliefs and practices as well as enforcing Shari'a, which existed alongside secular laws and applied only to Muslims. Islamic authorities organized a range of proselytizing activities and incentives to explain and propagate Islam. Among the incentives offered to prospective converts, especially those from the indigenous communities in rural areas, are monthly financial assistance, new homes, electric generators, and water pumps, as well as funds to perform Hajj pilgrimage.

The Societies Order of 2005 requires all organizations, including any non-Shafi'i religious group, to register and provide the names of its members. The application process is overseen by the registrar of societies, who exercised discretion over applications and was authorized to refuse approval for any reason. Unregistered organizations can face charges of unlawful assembly and may be subject to fines. Individuals who participate in or influence others to join unregistered organizations can be fined, arrested, and imprisoned.

The government has banned several religious groups that it considers deviant, including Al-Arqam, Abdul Razak Mohammad, Al-Ma'unah, Saihoni Taispan, Tariqat Mufarridiyyah, Silat Lintau, and Qadiyaniah and the Baha'i faith.

The government continued, as a general rule, to enforce zoning laws that prohibited the use of private homes as places of worship. However, there were reports that some unregistered religious groups conducted religious observances in private residences without interference from the authorities.

The government observes the following religious holidays as national holidays: Chinese New Year, Christmas Day, Eid ul-Fitr, Eid ad-Adha, First Day of Ramadan, First Day of the Islamic Calendar, Isra Me'raj, Prophet Muhammad's Birthday, and Revelation of Al-Quran.

The government periodically warned the population about "outsiders" preaching radical Islamic fundamentalist or unorthodox beliefs and also warned Muslims against Christian evangelists.

A 1964 fatwa issued by the state mufti strongly discourages Muslims from assisting non-Muslim organizations in propagating their faiths. The Ministry of Religious Affairs reportedly used the fatwa to influence other government authorities either to deny non-Shafi'i religious organizations permission for a range of religious and administrative activities

or to not respond to applications from these groups. Nonetheless, Christian churches and their associated schools were allowed, for safety reasons, to repair, expand, and renovate buildings on their sites. However, this approval process was often lengthy and difficult.

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Any public assembly of five or more persons required official approval in advance, regardless of the purpose of the assembly. Chinese religious temples have been granted permission from relevant authorities to celebrate seasonal religious events but must reapply for permission annually.

Under the Emergency (Islamic Family Law) Order 1999, Muslim women have similar rights as Muslim men in matters of divorce and child custody. The government's interpretation of Islamic inheritance law holds that the inheritance of female Muslims will be half that of male heirs.

Restrictions on Religious Freedom

Since the early 1990s, the government has worked to reinforce the legitimacy of the hereditary monarchy and the observance of traditional and Muslim values by promoting a national ideology, known as the Melayu Islam Beraja (MIB), or Malay Islamic Monarchy. MIB principles have been adopted as the basis for civic life. During the reporting period, the government held several public presentations through the University of Brunei Darussalam to reinforce and preserve MIB principles, especially among the youth. All government meetings and ceremonies commenced with a Muslim prayer. When attending citizenship ceremonies, non-Muslims must wear national dress, including Muslim head coverings for men and women.

Despite constitutional provisions providing for religious freedom, the government restricted, to varying degrees, the religious practices of all religious groups other than the Shafi'i school of Sunni Islam. Proselytizing by any group other than the official Shafi'i sect was prohibited. The government placed strict customs controls on the importation of non-Islamic religious texts such as Bibles, and Islamic religious teaching materials or scriptures intended for sale or distribution.

Anyone who teaches or promotes any "deviant" beliefs or practices in public may be charged under the Islamic Religious Council Act and punished with three months incarceration and a fine of $1,400 (BND 2,000). On February 14, 2010, certificates were awarded to 162 members of the Medical and Islamic Welfare Association called "Darusysyifa Warrafaha," for completing a basic course on Islamic medicine. Darusysyifa Warrafaha was established to provide Islamic medicine and medical practitioners, in an effort to ward off "deviant" beliefs among the general public.

The government routinely censored magazine articles on other faiths, blacking out or removing photographs of crucifixes and other Christian religious symbols. Government officials also restricted the distribution and sale of items that feature photographs of religious symbols.

There were credible reports that agents of the government’s internal security department monitored religious services at Christian churches and that senior church members and leaders were under surveillance.

The government required residents to carry identity cards that stated the bearer's ethnicity, which were used in part to determine whether they were Muslim and thus subject to Shari'a. Ethnic Malays were generally assumed to be Muslim. Non-Muslims were not held accountable to Shari'a precepts, and religious authorities checked identity cards for ethnicity when conducting raids against suspected violators of Shari'a. Visitors to the country were asked to identify their religion on their visa applications, and foreign Muslims were subject to Shari'a precepts; however, many persons did not identify their faith and were not challenged.

Authorities continued to arrest persons for offenses under Shari'a, such as khalwat (close proximity between the sexes) and consumption of alcohol. According to statistics released by religious authorities, there were 51 khalwat cases during

the reporting period. Government officials reported that in many cases, khalwat charges were dropped before prosecution due to lack of evidence. Most of those detained for a first offense were fined and released, although in previous reporting periods, some persons were imprisoned for up to four months for repeated offenses of khalwat. Men are subject to a $634 (BND 1,000) fine and women to a $317 (BND 500) fine if convicted of khalwat.

Religious authorities regularly participated in raids to confiscate alcoholic beverages and non-halal meats brought into the country without proper customs clearance. They also monitored restaurants and supermarkets to ensure conformity with halal practices. Restaurants and service employees that served Muslims in daylight hours during Ramadan were fined. Non-halal restaurants and non-halal sections in supermarkets were allowed to operate without interference from religious authorities.

The Ministry of Education required courses on Islam and the MIB in all schools that adhered to the state curriculum. Most school textbooks were illustrated to portray Islam as the norm, and often all women and girls were shown wearing the Muslim head covering. There were no depictions of practices of other religions in textbooks. The Ministry of Education prohibited the teaching of other religions and comparative religious studies. In January the head of state decreed that religious education would be mandatory for Muslim students. As a result private schools were required to teach Islam, by making Ugama instruction mandatory on an extracurricular, after-hours basis for their Muslim students. Ugama is a six-year education course that teaches Sunni Islam according to the Shafi'i school of thought.

During the reporting period, the government warned Christian schools that they could be fined or school officials imprisoned for teaching non-Muslim religious subjects. In previous reporting periods, Christian students at one private school that offered Islamic instruction during regular school hours were allowed to attend Christian religious instruction during periods when Muslim students received Islamic instruction. The government has not revised its position regarding the teaching of non-Islamic religious courses to non-Islamic students. However, the government did not prohibit or restrict parents from providing religious instruction for children in their homes.

There was no legal requirement for women to wear head coverings in public; however, social customs were reinforced by religious authorities to encourage Muslim women to wear the tudong, a traditional head covering, and many women did so. In government schools and at institutes of higher learning, Muslim and non-Muslim female students must wear Islamic attire, including a head covering as a part of their uniform. Male students were expected to wear the songkok (hat) although this is not required in all schools.

Marriage between Muslims and non-Muslims was not permitted, and non-Muslims must convert to Islam if they wish to marry a Muslim. Government statistics indicated 575 conversions to Islam during the reporting period. Muslims may legally convert to another religion; however, they often faced significant official and societal pressure not to convert. Permission from the Ministry of Religious Affairs must be obtained before converting from Islam. During the year the Ministry sanctioned two renunciations of Islam.

Forced Religious Conversion

There were no reports of forced religious conversion. The government offered financial incentives for conversion to Islam. If parents converted to Islam, there was often family and official pressure for the children to do the same. However, the law states that the conversion of children is not automatic and a person must be at least 14 years old to make such a commitment.

Improvements and Positive Developments in Respect for Religious Freedom

Officials from the Prime Minister's Office, Ministry of Foreign Affairs and Trade, and Ministry of Religious Affairs started to hold monthly meetings with religious leaders from Roman Catholic, Christian and Chinese Buddhist communities to exchange views and ideas on common interests.

On April 25, 2010, Ghazali Basri gave a presentation on his book *Medium for Knowledge of Comparative Religions* at Brunei's Seri Begawan Religious Teachers University. The presentation encouraged teachers of religion to learn the fundamentals of other religious in order to promote greater interfaith understanding.

On April 5, 2010, a delegation of officials from the Ministry of Religious Affairs, the Ministry of Foreign Affairs and Trade, and representatives from the Apostolic Vicariate, Saint Andrew's Church and Chinese religious communities attended the Asia-Europe Meeting (ASEM) on interfaith dialogue in Spain. The theme of the meeting was entitled "The Consolidation of Religious Freedom and of Mutual Knowledge of Societies through Interreligious and Intercultural Dialogue."

In March 2010 the ambassador-at-large at the Ministry of Foreign Affairs and Trade delivered a presentation on interfaith processes that can build bridges for a harmonious community with peace and development, at the Special Non-Aligned Movement Ministerial Meeting on Interfaith Dialogue and Cooperation for Peace and Development, held in the Philippines.

In October 2009 officials from various departments of the government as well as religious leaders from the Roman Catholic, Protestant and Chinese Buddhist communities attended the 5th Asia Pacific Regional Interfaith Dialogue in Perth, Australia. In September 2009 a Ministry of Religious Affairs official attended the ASEM Interfaith / Intercultural Retreat for Religious Leaders.

The government has permitted the Iban (indigenous tribe) Brunei Association to celebrate the annual "Hari Gawai," a ritual for giving thanks to the God of Paddy. During the reporting period, ministers and senior government officials attended the ceremony, which was widely reported in the local media. A senior government official called for the Dusun community (a non-Muslim indigenous tribe that practices paganism) to preserve its traditions and pass its culture to the younger generation.

Section III. Status of Societal Respect for Religious Freedom

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice. The country's religious groups coexisted peacefully.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The U.S. embassy continued to increase contacts and dialogue with government officials and representatives of all religious groups. Embassy representatives continued to encourage the government to adhere to the spirit of its constitution and its declarations on human rights. Embassy officials promoted religious freedom through discussions with senior government and religious leaders and expressed concern regarding the increased restrictions on religious freedom in the country affecting all levels of the public and private sectors. On February 5, 2010, the ambassador highlighted President Obama's interfaith dialogue initiative in his weekly "Ask the U.S. Ambassador" column in the local *Borneo Bulletin*. The embassy maintained close contacts with religious leaders and made clear the commitment of the United States government to promote religious freedom. In addition the **e**mbassy supported religious freedom through the Fulbright exchange program, visits to places of worship, and public discussions on religious freedom issues. In February 2010 a policy planning expert from the U.S. State Department and an officer from the Office of International Religious Freedom met with senior government officials at the Ministry of Religious Affairs and Ministry of Foreign Affairs and Trade and discussed interfaith issues and religious freedom.

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