



Brunei

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

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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." Other laws and policies placed restrictions on religious groups that did not adhere to the Shafi'i school of Sunni Islam.

The Government was responsible for deterioration of religious freedom during the reporting period by further restricting religious freedoms for non-Muslims. Non-Muslims were prohibited from receiving religious education in private religious schools, even though this had been previously allowed. Non-Muslims also faced social and, at times, official pressure to conform to Islamic guidelines on behavior. The Government maintained a ban on a number of groups it considered "deviant." Practitioners of non-Muslim religions were not allowed to proselytize, and government policies generally discouraged the population from being exposed to religions besides Islam. 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. Active monitoring of churches and disruption of supply shipments and mail were reported. Laws and regulations generally limited access to religious literature, places of worship, and public religious gatherings for non-Muslims. The Government continued to favor the propagation of Shafi'i beliefs and practices, as well as the Malay Islamic Monarchy (MIB) belief system, particularly through public events and the education system. Muslims remained subject to the Government's interpretation of Shari'a (Islamic law).

The country's various religious groups coexisted peacefully; however, ecumenical interaction was limited due to rulings by religious officials that place religious sanctions against Muslims appearing to support non-Muslim religions by engaging in interfaith dialogue.

The U.S. Government regularly discusses religious freedom with the Government as part of its overall policy to promote human rights. The Ambassador actively promoted religious freedom through discussion with senior government and religious leaders. In addition, the U.S. Embassy repeatedly expressed concerns, verbally and in writing, to senior government officials about the denial of religious rights protected in the constitution. In each approach, the Embassy made clear the United States' commitment to religious freedom.

Section I. Religious Demography

The country has an area of 2,200 square miles and a population of 380,000. According to official statistics, the population includes 197,260 Muslims, 16,215 Buddhists, 6,844 Christians, 712 Roman Catholics, 242 Hindus, 72 Baha'is, 34 atheists, 40 Taoists, 33 Sikhs, and seven Nasrani, as well as 53 individuals of other religious groups and 16,916 who did not state a religious preference. 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.

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 place restrictions on religious groups that do not adhere to the Shafi'i school of Sunni Islam.

The Government describes the country as a Malay Islamic Monarchy and actively promotes adherence by its Muslim residents to Islamic values and traditions. The Ministry of Religious Affairs is responsible for propagating and reinforcing the Shafi'i beliefs and practices as well as enforcing Shari'a law, which exist alongside secular laws and applies only to Muslims. Islamic authorities organize a range of dakwah or proselytizing activities and incentives to explain and propagate Islam. Among the incentives to converts, especially those from the indigenous communities in rural areas, are monthly financial assistance, new homes, electric generators, and water pumps.

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 exercises discretion over applications and may refuse approval for any reason. Unregistered organizations can face charges of unlawful assembly and be fined. Individuals who participate in or influence others to join unregistered organizations can be fined, arrested, and imprisoned.

There are 101 mosques and Muslim prayer halls, seven Christian churches, three Chinese temples, and one Hindu temple officially registered in the country. The Government continues to enforce zoning laws that prohibit the use of private homes as places of worship. However, there were reports that unregistered religious groups were able to conduct religious observances without interference from the authorities in private residences.

The Government observes the following religious holidays as national holidays: Chinese New Year, Christmas Day, Hari Raya Aidil Fitri (Eid ul-Fitr), Hari Raya Aidil Adha (Eid ul-Adha), First Day of Ramadhan (Ramadan), First Day of the Muharram (Islamic Calendar), Isra Mikraj (Isra Me'raj), the Prophet Muhammad's Birthday, and Nuzal Al-Quraan (Revelation of the Quran).

The Government periodically warned the population about "outsiders" preaching radical Islamic fundamentalist or unorthodox beliefs and 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 uses the fatwa to influence other government authorities either to deny non-Shafi'i religious organizations permission for a range of religious and administration activities or to fail to respond to applications from these groups. Nonetheless, Christian churches and their associated schools have been allowed, for safety reasons, to repair, expand, and renovate buildings on their sites. However, this process is often lengthy and difficult.

Any public assembly of five or more persons requires official approval in advance, regardless of the purpose of the assembly. Chinese 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 female Muslims' inheritance will be half that of male heirs.

Restrictions on Religious Freedom

The Government was responsible for deterioration of religious freedom during the reporting period by further restricting religious freedoms for non-Muslims.

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 events at the University of Brunei Darussalam to reinforce the importance of preserving the MIB principles, and which were particularly directed at youth in the audience. All government meetings and ceremonies commence 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 is prohibited. The Government has banned the importation of religious teaching materials or scriptures, such as the Bible, and refused permission to establish new churches, temples, or shrines. It has also banned several religious groups that it considers deviant, including Al-Arqam, Abdul Razak Mohammad, Al-Ma'unah, Saihoni Taispan, the Baha'i faith, Tariqat Mufarridiyyah, Silat Lintau, and Qadiyaniah.

Anyone who teaches or promotes any "deviant" beliefs or practices in public may be charged under the Islamic Religious Council Act and punished with 3 months' incarceration and a fine of \$1,400 (BND 2,000).

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

There were credible reports that agents of the Internal Security Department monitored religious services at Christian churches as well as the activities of senior church leaders and members.

The Government required residents to carry identity cards that state 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 under 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, during the reporting period there were 54 khalwat cases. 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. By law, men are liable to a \$634 (BND\$1,000) and women to a \$317 (BND\$500) fine if convicted of khalwat.

Religious authorities regularly participated in raids to confiscate alcoholic beverages and nonhalal 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 the fasting month were fined. Nonhalal restaurants and nonhalal sections in supermarkets were allowed to operate without interference from religious authorities.

The Ministry of Education requires courses on Islam and MIB in all schools that adhere to the state curriculum. Most school textbooks were illustrated to portray Islam as the norm, and women and girls were usually 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. Private schools were not required to teach Islam, but many made voluntary Ugama instruction available on an extra-curricular, after-hours basis for their Muslim students. Ugama is an optional six-year education system that teaches Sunni Islam under the Shafi'i school of thought.

In previous reporting periods, one private school was allowed to offer Christian and Islamic instruction during regular school hours. During the reporting period, the Government warned teachers and administrators at Christian schools that they could be fined or imprisoned for teaching non-Muslim religious subjects. As of the end of the reporting period the Government had not revised its position regarding the teaching of non-Islamic religious courses to non-Muslim students. The Government did not prohibit or restrict parents from providing religious instruction to their children in their own homes.

There is 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 are expected to wear the songkok (hat) although this is not required in all schools. In previous reporting periods there were some reports that non-Muslim women teachers at public schools were pressured by government officials or colleagues to wear Muslim attire.

Marriage between Muslims and non-Muslims is not permitted, and non-Muslims must convert to Islam if they wish to marry a Muslim. Government statistics indicated that there were 369 conversions to Islam during the reporting period. Muslims may legally convert to another religion; however, they often face significant official and societal pressure not to convert. Permission from the Ministry of Religious Affairs must be obtained before converting from Islam. During the reporting period, the Ministry sanctioned two renunciations of Islam.

There were no reports of religious detainees or prisoners in the country.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or the refusal to allow such citizens to be returned to the United States. If parents convert to Islam, there is 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. In previous reporting periods, there were reports of teenage children who refused to convert to Islam when their parents converted.

Improvements and Positive Developments in Respect for Religious Freedom

In November 2008 the Chinese Tiong Hua Community initiated its first official meeting with the Minister of Religious Affairs at the Islamic Dakwah Center.

Since 2007 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, senior government officials attended this ceremony for the first time, a fact that was widely reported in the local media.

Section III. Status of Societal Respect for Religious Freedom

The country's various religious groups coexist peacefully, although ecumenical interaction was limited by common interpretations of rulings by religious officials that place religious sanctions on Muslims appearing to support non-Muslim religions by engaging in interfaith dialogue.

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, including minorities. Embassy representatives continued to encourage the Government to adhere to the spirit of its Constitution and its declarations on human rights. The Embassy promoted religious freedom through discussion with senior government and religious leaders and expressed concern over the increased restrictions on religious freedom to all levels of the public and societal sectors. The Embassy maintains close contact with religious leaders and has made clear the commitment of the Embassy and the U.S. Government to promote religious freedom. In addition, during the reporting period, the Embassy supported religious freedom through the Fulbright exchange program, visits to places of worship, and public discussions on religious freedom issues.

In August 2008 the Embassy supported the visit of the U.S. Special Envoy to the Organization of the Islamic Conference. The Special Envoy met with the Minister of Foreign Affairs and Trade and the State-Mufti and visited the Sultan Sharif Ali Islamic University.