

BRUNEI

Executive Summary

Although the constitution protects religious freedom, other laws and policies restrict this right, and in practice, the government generally enforced these restrictions. The government continued its longstanding 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 did not demonstrate a trend toward either improvement or deterioration in respect for and protection of the right to religious freedom.

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

The U.S. embassy repeatedly expressed its 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 made clear the position of the U.S. government regarding religious freedom. In addition, the embassy supported programs related to respect for religious freedom.

Section I. Religious Demography

According to official statistics, the population is 82 percent Muslim, 7 percent Buddhist, 3 percent Christian, and less than 1 percent a combination of other faiths (including Hindu, Baha'i, Taoist, Sikh, Nasrani, atheists, and others); 7 percent did not state their religious affiliation. The government categorizes Catholics as distinct from other Christians. There is also an indigenous population that adheres to traditional animistic beliefs, although many have converted either to Islam or Christianity. According to the latest information available, there are 110 mosques and Islamic prayer halls, six Christian churches (three Roman Catholic, two Anglican and one Baptist), three Chinese Buddhist temples, and one Hindu temple, all officially registered in the country. Several Christian congregations operate without registration.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Although the constitution protects religious freedom, other laws and policies restrict this right. 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. Laws and regulations generally limited access to religious literature and public religious gatherings for non-Muslims.

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 (MRA) is responsible for propagating and reinforcing Shafi’i beliefs and practices, as well as enforcing Sharia, which exist alongside secular laws and apply 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 the 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 exercises discretion over applications and is 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, Qadiyaniah, and the Baha’i Faith. However, government statistics reported that 74 individuals affiliated with the Baha’i Faith reside in the country.

The government continued, as a general rule, to enforce zoning laws that prohibit the use of private homes as places of worship. The prohibition applies to non-

Muslims and to Muslims who belong to schools other than the Shafi'i school of Sunni Islam. However, there were reports that some unregistered religious groups conducted religious observances in private residences without interference from the authorities.

A 1964 fatwa issued by the state mufti strongly discourages Muslims from assisting non-Muslim organizations in propagating their faiths. The MRA 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 not to respond to applications from these groups. Nonetheless, Christian churches and their associated schools are allowed, for safety reasons, to repair, expand, and renovate buildings on their sites. However, the approval process is often lengthy and difficult.

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, claiming its superiority over other religious and social belief systems. MIB principles have been adopted as the basis for civic life. All government meetings and ceremonies commence with a Muslim prayer. When attending citizenship ceremonies, non-Muslims must wear national dress, including head coverings for men and women.

Any public assembly of five or more persons requires official approval in advance, regardless of the purpose of the assembly. Under longstanding emergency powers, this applies to all forms of public assembly, whether religious, political, or social.

Relevant authorities granted permission to Chinese religious temples to celebrate seasonal religious events. However, the temples must reapply for permission annually.

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

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

Government Practices

There was no change in the status of respect for religious freedom by the government during the reporting period. The government continued its restrictions on the religious freedom of non-Muslims, as well as Muslims who did not belong to the Shafi'i school of Sunni Islam. The government continued to favor the propagation of Shafi'i beliefs and practices, particularly through public events and the education system. Non-Muslims and non-Shafi'i Muslims were prohibited from receiving religious education in schools but religious education in private settings like the home was tolerated. 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." 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 texts for use in schools or houses of worship. In addition, government security agents reportedly monitored churches. Muslims remained subject to the government's interpretation of Sharia (Islamic law). During the year, the sultan repeatedly called for the establishment of criminal Sharia law and the government reportedly was working on implementing it in the near future.

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 maintained strict customs controls on the importation of non-Islamic religious texts such as Bibles, as well as on 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 BND 2,000 (\$1,550).

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

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 Sharia. Ethnic Malays generally were assumed to be Muslim. Non-Muslims were not held accountable to Sharia precepts, and religious authorities checked identity cards for ethnicity when conducting raids against suspected violators of Sharia. Visitors to the country were asked to identify their religion on their visa applications, and foreign Muslims were subject to Sharia precepts; however, many persons did not identify their faith and were not challenged.

Authorities continued to arrest persons for offenses under Sharia, such as khalwat (close proximity between the sexes) and consumption of alcohol. Although there were reports of khalwat cases of foreign workers during immigration enforcement raids, no official statistics on such cases were available. 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 years, some persons were imprisoned for up to four months for repeated offenses of khalwat. Men are subject to a BND 1,000 (\$775) fine and women to a BND 500 (\$385) fine if convicted of khalwat.

Throughout 2011, the sultan repeatedly called for the establishment of Islamic criminal law. Newspapers carried articles promoting Islamic law, and the government reported that various ministries and parties would participate in its establishment. The sultan also proposed the possibility of a parallel system with both Islamic and civil law.

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. Religious authorities allowed non-

halal restaurants and non-halal sections in supermarkets to operate without interference.

The Ministry of Education (MOE) 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 Islamic head covering. There were no depictions of other religions' practices in textbooks. The MOE prohibited the teaching of other religions and comparative religious studies. In January 2010 the sultan decreed that religious education would be mandatory for Muslim students. As a result, private schools were required to teach Islam and made 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.

Schools, including private schools, could be fined or school officials imprisoned for teaching non-Islamic religious subjects. In previous years, Christian students at a private school offering 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 private settings like the home.

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 was 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. According to the latest government statistics available, there were 575 conversions to Islam in 2010.

Muslims may convert legally to another religion; however, they often faced significant official and societal pressure not to convert. Permission from the MRA must be obtained before converting from Islam.

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.

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 generally coexisted peacefully.

Section IV. U.S. Government Policy

The ambassador and other embassy officers continued dialogue on religious freedom with government officials at all levels and with representatives of all religious groups. Embassy representatives continued to encourage the government to adhere to the provisions of its constitution and declarations on human rights. Embassy officials promoted religious freedom through discussions with senior government and religious leaders and expressed concern regarding restrictions on religious freedom in the country. During her December 2010 visit, U.S. Special Representative to Muslim Communities Farah Pandith conveyed strong support for religious freedom and tolerance. She engaged in dialogue with youth, government officials, the press, and entrepreneurs, emphasizing the U.S. role as a partner for Muslim communities worldwide. The embassy maintained contacts with religious leaders and made clear the commitment of the U.S. government to promote religious freedom. In addition the embassy supported religious freedom through the Fulbright exchange program, visits to places of worship, and public discussions on religious freedom issues.