**Universal Periodic Review 33 – Brunei Darussalam**

**Statement by the Kingdom of the Netherlands** **– 10 May 2019**

Mr President,

The Kingdom of the Netherlands thanks the delegation of Brunei for the presentation of its national report.

The Netherlands compliments Brunei on its recent confirmation that it will maintain its de facto moratorium on the death penalty and on its recent announcement that Brunei will – hopefully unconditionally - ratify UNCAT.

The Netherlands remains deeply concerned with the decision of Brunei’s government to fully implement its revised Penal Code Order. The inhumane penalties it includes raise serious concerns in light of Brunei’s international human rights obligations and commitments. Furthermore, they have a detrimental impact on a number of vulnerable groups in Brunei, including LGBTI persons, women and children.

The Netherlands therefore **recommends** Brunei:

1. To ensure that the criminalization of offences in the Syariah Penal Code is compliant with international human rights standards by undertaking immediate efforts to review, revise and repeal sections that are contrary to its legal obligations under the Universal Declaration of Human Rights and human rights treaties that Brunei Darussalam has signed or ratified.
2. Repeal or amend those sections of the Penal Code that criminalize consenting same-sex conduct and discriminate against people based on sexual orientation and gender identity, in line with SDG 10.

The Netherlands wishes Brunei success with the follow-up of all recommendations it receives during this third UPR cycle.

Thank you, Mr President.