**33rd Session of the Universal Periodic Review**

**Review of Brunei** **Darussalam**

10 May 2019

**Statement by Austria**

We welcome H.E. ... and the delegation of Brunei Darussalam to the 3rd round of the UPR and thank them for their report and presentation today.

Austria acknowledges past efforts by Brunei Darussalam towards the MDGs and measures to empower women in society. We also encourage the government to continue to implement the Brunei Vision 2035.

Austria, however, is highly concerned about the implementation of the new penal code order. While welcoming the recent announcement to maintain its de-facto moratorium on executions and to apply it to the new penal code order, Austria recalls that corporal punishment, like amputation, and stoning violate fundamental human rights and international obligations of Brunei Darussalam. Certain provisions of the new penal code contradict the Convention against Torture (CAT), the Convention of the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Austria offers the following recommendations:

* Immediately suspend any kind of punishment that would harm the life or physical integrity of human beings;
* Maintain its de-facto moratorium and establish an official moratorium on executions with a view to abolishing the death penalty;
* Review the penal code in order to ensure its strict compliance with Brunei Darussalam’s human rights obligations and commitments;
* Repeal all legislation giving rise to discrimination against people on grounds of their sexual orientation or gender identity;
* Ratify the United Nations Convention Against Torture (CAT), which was signed by Brunei Darussalam in 2015 and make declarations according to Art. 21 and 22 CAT, [that Brunei Darussalam recognises the competence of the committee to receive and consider communications by a State Party and by individuals, respectively];

I thank you.