

## Universal Periodical Review

*Forth Cycle*

*47th Working Group*

## BURNEI DARUSSALAM



### Right to Life

**Ratification of the Convention on  
the Prevention and the Punishment of the Crime of Genocide**

**Decriminalization of suicide**

8<sup>th</sup> of April 2024

*“From the politics of taking life to the politics of affirming it”*

**We understand the right to life as being – for everyone – the full enjoyment of life,  
as being the right not to be killed,  
as being everyone’s responsibility not to kill or let others die.**

The Center for Global Nonkilling works for the fulfillment of life, individually and universally. It has a unique mission, that is both inspirational for individuals and transformative for societies:

*“To promote change toward the measurable goal of a killing-free world  
by means open to infinite human creativity in reverence for life”.*

The Center was founded by various persons, notably by Glenn Paige (1929-2017), Professor of Political Science and author of the book “Nonkilling Political Science”, widely translated<sup>1</sup>. We are a worldwide congregation of persons, including scholars and practitioners coming from all walks of life. We use our freedoms, responsibilities and knowledge, our conscience to create societies and institutions that do not kill, enabling all individuals, all institutions and societies to live fulfilled nonkilling lives. Valuing and protecting life is the most enhancing and empowering mission of each and all, of everyone and of all human social groups and institutions<sup>2</sup>. As humans, we are all and shall all be nonkilling centres. As citizens of the future, we are all global. We hereby partake with, sustain our institutions towards the services to life, happiness and well-being, in present time as for the future.

We are all global on our single planet.  
May we all be and become nonkilling!

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The Center for Global Nonkilling uses the Universal Periodic Review and its cycles to highlight and follow the implementation of all aspects of life and of the right to life.

Presently, we make three types of UPR submissions:

- A systematic call for *the urgent and universal ratification of the Genocide Convention*.
- A systematic call for *the urgent and universal decriminalization of suicide*.
- On demand, we do a comprehensive *country portrait*<sup>3</sup> staging all the domains of life where the People and the concerned States can and shall progress towards fulfilling life and the right to life, valuing and protecting life, avoiding all preventable accidents and injuries<sup>4</sup>.

*From conception till death, these living domains of life include the right to be given and to share an enjoyable life, reproductive rights, prenatal and genetic engineering, abortion, infant and maternal mortality and morbidity, birth registration as needed to be legally recognized as a living person fully entitled with rights and duties; deaths caused by road traffic, suicides, homicides and conflicts, deaths occurring at work, in custody, through leisure accidents or because of fires, falls, drownings and poisoning, or by any other preventable cause<sup>5</sup>. We also support leading efforts towards a healthy and happy longevity and in some circumstances, we may survey the right to die<sup>6</sup>.*

*Due to constrained capacities so far, we do not or rarely address other issues and rights, though they are fully needed to sustain life such as the rights to health, to a safe environment and to fulfilled standards of living. Yet we stand in our dignity and recall that all rights are equal, interlinked, indivisible and mutually reinforcing and that all rights are needed to lead all lives into well-being and happiness, in a peaceful, sustained and sustainable manner.*

*To any of these submissions, we may add reflections and demands regarding the Life and Peace Constitutions.  
Improvements of our common legal infrastructures favor the status of life and  
forward the establishment of comprehensive and encompassing peace policies.*

*“Happy people breed a happy world”*

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## **Universal Periodic Review of Brunei Darussalam**

We wish a happy UPR to the people and the country of Brunei Darussalam.

### **Summary**

This is our second submission for Brunei<sup>7</sup>. It deals with:

1. The ratification of the Convention on the Prevention and Punishment of the Crime of Genocide.
2. The decriminalization of suicides.

We recall our other requests made to Brunei Darussalam during the 3rd cycle still in need to be met:

3. Ratification of the Covenant on Civil and Political rights.
4. Abolition of the death penalty and ratification of OP-II of CCPR aimed at the abolition of the death penalty.
5. Ratification of the Convention on Enforced Disappearances.

We appeal to the People and the Authorities of Brunei sustain the roads of change, to rejoice in humanity and its sustainable development, in its participative dignity.

### **Preventing genocide**

Ratification of the Convention on the Prevention and the Punishment of the Crime of Genocide is a commitment to the universality of the human species, to the right to life, to the right of everyone to belong to social groups and to have social relations, as needed to develop our common humanity through happy and thriving collective societies and individual identities.

The right to life is also to duty not to kill, for individuals and inasmuch for groups of people. Every person needs to be part of a social group to live, to be part of society and to relate with its government, all thriving for the good of each and all. Therefore, all individuals as well as all social and political groups should be protected against genocide. More than not as tools and initiatives are available for prevention<sup>8</sup>.

We recall that the United Nations Special Adviser of the Secretary-General on the Prevention of Genocide has called for the 75th anniversary of the Convention on the 9<sup>th</sup> of December 2024 for the universal ratification of the Convention<sup>9</sup>. We also recall that the Human Rights Council has adopted, without a vote in April this year a resolution containing a similar call<sup>10</sup>.

Nothing in the situation of a country, political or strategic, can justify the absence of tools needed for the prevention of genocide and atrocity crimes. The Convention on the Prevention and the Punishment of the crime of Genocide is one of these tools and great commitments towards this prevention.

However, we regret that Brunei has noted in all the cycles of the UPR the four recommendations made to the country for the ratification of the convention<sup>11</sup>.

The Penal Code of Brunei, though it was amended numerous times since these recommendations were made, does not contain provisions related to genocide<sup>12</sup>. Brunei is not either party to the Rome Statute, which would legally cover for the country the crime of genocide. Either one of these dispositions need to be done to implement article V of the Genocide Convention which requires enacting legislation punishing genocide.

Ratification is one of the means needed to prevent and end genocide, allowing humanity to enter an “age of dignity” and to pursue its existence taking itself and all its members, its survival and the well-being of everyone in due account.

### **Suicide decriminalization**

Life is a gift and a responsibility, individually as in common.

Bringing life to happiness and worth, for all, protecting life as required by international law, thus largely preventing and eradicating suicide are chosen and noble goals.

This decriminalization demand is based on the existence of a penalty for attempting suicide in the Penal code of Brunei<sup>13</sup> and as in article 165 of the sharia law<sup>14</sup>, both being applicable. Needs and effects of decriminalization are based on the duty of States to protect life, and inferred from the World Health Organization’s work on suicide prevention<sup>15</sup>. WHO’s latest publication in 2023, directly addresses the topic: “WHO policy brief on the health aspects of decriminalization of suicide and suicide attempts”<sup>16</sup>.

Decriminalization is one of the means needed to attain better suicide prevention, greater respect for the right to life by States. The Human Rights Council adopted by consensus a resolution calling for non-coercive measures to address mental health issues<sup>17</sup>. Decriminalization serves as an efficient tool to progress and achieve Sustainable Development Goal 3.4.2: “To reduce of a third, by 2030 the number of deaths attributed to suicide”<sup>18</sup>. Preventing suicides is also mentioned in the Human Rights Committee general comment N° 36<sup>19</sup>. And during the 75<sup>th</sup> anniversary of the Universal Declaration of Human Rights, Brunei pledged to support the family in its contribution to achieve SDG 3, which as stated includes reduction of suicides. Family sound and caring environment is essential to suicide prevention and attempts recovery<sup>20</sup>.

Decriminalization of self-inflicted suicide highly helps prevention.

Instead of stigma, it raises awareness and care for life. Instead of secrecy and isolation, it opens safe spaces for health and care for the concerned persons and their relatives, spaces in which to seek for help without fear. It opens avenues for better training and dedication of medical and social teams and personal. Instead of threat and force imposed on already vulnerable and fragile persons, decriminalization adds good will and benevolence to their situation. It transfers otherwise used resources (repression) for information and prevention campaigns, such as hotlines and care centers.

Persons concerned by suicides and attempts will know they can genuinely have access to counsel, help and healing.

Medical personal and other health and social workers will deliver their services honestly, without threat or fear of coercion for the concerned person.

People attempting suicide or having ideation of suicide often express through it a call for help.

**This call must be heard and answered.** These persons need steady, strong, open and solid support for their existence rather than shame and blame or unpredictable punishment or deprivations. They need to be able to do their resilience and their social integration or reintegration without added burdens.

Decriminalization helps policy makers and the political valuation of life. Though more reporting may occur soon thereafter, decriminalization is proven to be a suicide rate reducing measure<sup>21</sup>. It garners accurate reporting and statistics, thus giving adequate tools to the authorities to draw life-saving policies<sup>22</sup>. Decriminalization also creates strong motives and incentives for all other life protecting policies, creating a culture of respect for life and of civic cooperation, enabling society to thrive in happiness, more happiness for all its people.

### **Suicide prevention in Brunei**

Data related to suicides in Brunei is available, though neither very recent nor coherent, figures often differ<sup>23</sup>. Using to the World Health Organization database, the rate of suicides for 100,000 persons is rather low compared to the world's rate: 2.5/100,000 – world rate: = 9.8/100,000. However, in absolute figures, it is still 40-50 persons who perished at their own hands in 2019 in the country<sup>24</sup>. There was a sharp raise in the rate in the recent decade causing for public alarm and the design of new preventive policies<sup>25</sup>. We salute this trend and assure that decriminalization will help. Much more can and shall be done to save lives. As well, more needs to be done to fulfill SDG target 3.4.2 of diminishing suicides by a third. Such accomplishment would see the rate (as provided by WHO and the World Bank) come down from 2.5 to 1.8/100,000 or to around 25 suicides yearly. Whatsoever, none of these figures take in account the effects of the Covid-19 pandemic on suicides.

### **Preventive measures.**

There is a national official mental health helpline<sup>26</sup>. Psychiatric services also provide mental services<sup>27</sup>. Regarding the official helpline, medical secrecy overruns the illegality of suicide.

We still ask this can be coordinated in all situations: decriminalization will lift all ambiguities and stigma.

### **Decriminalization**

Article 309 of the penal code<sup>28</sup> and article 165 of the sharia law<sup>29</sup> of Brunei allow courts to punish persons attempting suicide to up to one year of imprisonment, to pay a fine or both. The disposition of the sharia law is recent, 2013. We do not know if sentences are handed down.

### **Suicide decriminalization in other countries**

India decriminalized in 2017<sup>30</sup>, Nepal in 2018<sup>31</sup>, Guyana<sup>32</sup> and Pakistan in 2022<sup>33</sup>, Malaysia in 2023<sup>34</sup>. Ireland started its prevention strategy by decriminalizing in 1993.

They are to our knowledge around 30 countries in the world still in need to do so. Brunei is listed on the two lists we have regarding the countries still in need of doing this decriminalization<sup>35</sup>.

#### **We strongly recommend to the authorities of Brunei:**

- 1) **To revise the Penal Code to integrate the crime of genocide.**
- 2) **To ratify the Genocide convention.**
- 3) **To revise the Penal Code and Sharia law to decriminalize suicide.**
- 4) **To adopt all other accurate measures to prevent suicides and to protect life.**
- 5) **To clarify and unify suicide data collection.**

**We greatly thank the authorities of Brunei Darussalam  
for further successes in the implementation of these endeavors.**

*Calling on each and every one to create a nonkilling world.  
A world where life can be lived happily,  
A life which can be universally and infinitely sustained on Earth,  
We welcome the delegations of Brunei Darussalam to Geneva,  
A City of Peace.*

*We wish to all the people of Brunei Darussalam,  
And to their Authorities  
A successful Universal Periodic Review,  
A rewarding, constructive and fulfilling life.*

<sup>1</sup> <http://nonkilling.org/center/publications-media/books-translations>

<sup>2</sup> <http://nonkilling.org/center/how-to-help>

<sup>3</sup> All our UPR submissions are or will be available here: <https://nonkilling.org/center/nonkilling-monitoring-programs/nonkilling-activity-at-the-un>

<sup>4</sup> Shall you wish to see done such a scan of your own country's status of life and the right to life or done for any other country, please contact our office, the author of this submission, or our UN team.

<sup>5</sup> For most of causes of death, statistics and efficient preventive methods exist.

The Universal Periodic Review cycles and the Sustainable Development Goal's (SDG) Voluntary National Reports (VNR) largely allow for a regular follow up of progresses made.

<sup>6</sup> Here is an WHO updated statistic overview of causes of death due to injury and violence (2019-2022):

<https://www.who.int/publications/i/item/9789240047136>

<sup>7</sup> Our previous submission is here: <https://www.ohchr.org/en/hr-bodies/upr/uprbn-stakeholders-info-s33>

<sup>8</sup> I. e. : <http://www.gaamac.org> or <https://www.globalr2p.org/> and <https://www.globalr2p.org/resources/members-of-the-global-network-of-r2p-focal-points/>

<sup>9</sup> <https://www.un.org/en/genocideprevention/international-day.shtml>

<sup>10</sup> <https://undocs.org/A/HRC/55/L.16>

<sup>11</sup> <https://upr-info->

[database.uwazi.io/library/?q=\(allAggregations:!f,filters:\(state\\_under\\_review:\(values:\(slys121rie\)\)\),from:0,includeUnpublished:!f,limit:30,order:desc,searchTerm:%27genocide%27,sort\\_score,treatAs:number\\_unpublished:!f\)](database.uwazi.io/library/?q=(allAggregations:!f,filters:(state_under_review:(values:(slys121rie))),from:0,includeUnpublished:!f,limit:30,order:desc,searchTerm:%27genocide%27,sort_score,treatAs:number_unpublished:!f))

<sup>12</sup> <https://www.agc.gov.bn/AGC%20Site%20Pages/The%20Laws%20of%20Brunei%20-%20P.aspx>

<sup>13</sup> The code as we know it, as retrieved on April 5<sup>th</sup> 2024, in English on the website of the General Attorney of Brunei.

<https://www.agc.gov.bn/AGC%20Site%20Pages/The%20Laws%20of%20Brunei%20-%20P.aspx>

<sup>14</sup> [http://www.agc.gov.bn/AGC%20Images/LAWS/Gazette\\_PDF/2013/EN/](http://www.agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2013/EN/)

<sup>15</sup> WHO country guide: “LIVE LIFE: An implementation guide for suicide prevention in countries”, 2021. Quoted “Who. Live life”, <https://www.who.int/publications-detail-redirect/9789240026629>. Various mentions of decriminalization with examples of successes and effects are found therein.

See also WHO: “National suicide prevention strategies. Progress, examples and indicators”, 2018.

<https://www.who.int/publications/i/item/national-suicide-prevention-strategies-progress-examples-and-indicators>

A WHO general overview on suicide (WHO news-room on suicide): <https://www.who.int/news-room/fact-sheets/detail/suicide>

All WHO publications on suicides: [https://www.who.int/publications/i?healthtopics=1822c912-624e-414c-aa36-7fac6c6958c9\\_d96f810d-4734-477f-829e-3b8a4cfd2909\\_94489630-4c06-4ff1-91cf-3d15b824556d](https://www.who.int/publications/i?healthtopics=1822c912-624e-414c-aa36-7fac6c6958c9_d96f810d-4734-477f-829e-3b8a4cfd2909_94489630-4c06-4ff1-91cf-3d15b824556d)

Suicide prevention day, 10<sup>th</sup> of September yearly: <https://www.who.int/campaigns/world-suicide-prevention-day/2022>

<sup>16</sup> <https://www.who.int/publications/i/item/9789240078796>

<sup>17</sup> [https://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/52/L.15](https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/52/L.15), operative paragraph 5.

<sup>18</sup> Text of the Goal is here summarized for direct understanding, the complete version reads:

Goal 3: Ensure healthy lives and promote well-being for all at all ages.

Target 3.4: By 2030, **reduce by one third** premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being. *Emphasize added.*

Indicator 3.4.2: Number of Deaths Attributed to Suicide.

<https://sdgs.un.org/goals/goal3>

<sup>19</sup> <https://www.ohchr.org/en/calls-for-input/general-comment-no-36-article-6-right-life>

<sup>20</sup> Pledge n° 6. <https://www.ohchr.org/en/human-rights-75/pledge/human-rights-75-pledges>

<sup>21</sup> United for Mental Health: “Decriminalising Suicide: Saving Lives, Reducing Stigma”, 2021, p.5.

<https://unitedgmh.org/knowledge-hub/its-time-to-decriminalise-suicide-reducing-stigma-and-saving-lives/>

Wu KC-C, Cai Z, Chang Q, et al. “Criminalisation of suicide and suicide rates: an ecological study of 171 countries in the world”, 2022. *BMJ Open* 2022;12:e049425. doi:10.1136/bmjopen-2021-049425

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8860012>

<sup>22</sup> WHO, “Suicide prevention: a global imperative”, 2014, p. 51. It clearly shows that rates will only be accurate if suicides are decriminalized, even if they may rise in the beginning because decriminalization increases reporting.

<sup>23</sup> Every life counts.

Data may differ (even within UN or related bodies) and they are limitations to suicide reporting as stigma, social and legal regulations and delays may impede the quality of reporting. We do our best to find various sources of data and to cross them accurately, but do not always have the time and means needed to contact delegations or local authorities to collect firsthand information. Foremost, what is important is the preservation of life, as sound and updated the reporting may however be.

2019: <https://www.who.int/publications/i/item/9789240026643>, p. 24.

2019: <https://apps.who.int/gho/data/view.main.MHSUICIDE15TO19v>

Others: <https://www.worldlifeexpectancy.com/cause-of-death/suicide/by-country/>

<https://donnees.banquemondiale.org/indicateur/SH.STA.SUIC.MA.P5?locations=QA>

Every life counts.

<sup>24</sup> <https://www.who.int/publications/i/item/9789240026643>, p. 24.

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- <sup>25</sup> Hilda Ho, “Suicide prevention in Brunei”, in BJPsych International, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7283118/>
- <sup>26</sup> Phone number 145 (same number as in many countries). <https://thescoop.co/2019/02/13/make-the-call-dial-145-to-see-mental-health-help/>
- <sup>27</sup> <https://www.moh.gov.bn/Lists/Latest%20news/NewDispForm.aspx?ID=187>
- <sup>28</sup> Penal code of Brunei: “Article 309. Whoever attempts to commit suicide and does any act towards the commission of such offence, shall be punished with imprisonment for a term not exceeding one year, fine or both”.  
See also: United for mental health: “Decriminalising Suicide: Saving Lives, Reducing Stigma”, 2021, p. 28-29. <https://unitedgmh.org/knowledge-hub/its-time-to-decriminalise-suicide-reducing-stigma-and-saving-lives/>
- <sup>29</sup> Sharia law of Brunei: “Article 165. Any person who attempts to commit or attempts to cause the commission of suicide is guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000, imprisonment for a term not exceeding one year or both”.
- <sup>30</sup> “Who. Live life”, p. 22.
- <sup>31</sup> “Who. Live life”, p. 14.
- <sup>32</sup> Which had one the world’s highest rate. <https://www.aljazeera.com/opinions/2023/9/10/from-ghana-to-guyana-hope-mounts-in-fight-against-suicide-criminalisation>
- <sup>33</sup> Same article and numerous other press accounts.
- <sup>34</sup> <https://time.com/6290858/malaysia-suicide-decriminalization-mental-health/>
- <sup>35</sup> United for Mental Health: “Decriminalising Suicide: Saving Lives, Reducing Stigma”, 2021, p.3. lists all countries where this decriminalization is still, to our knowledge, required, to the exception of Pakistan that did so on the 23<sup>rd</sup> of December 2022. <https://unitedgmh.org/knowledge-hub/its-time-to-decriminalise-suicide-reducing-stigma-and-saving-lives/>  
See also the “WHO policy brief on the health aspects of decriminalization of suicide and suicide attempts”, page 2, footnote 1. <https://www.who.int/publications/i/item/9789240078796>.  
Though not official, Wikipedia holds a list of suicide legislation: [https://en.wikipedia.org/wiki/Suicide\\_legislation](https://en.wikipedia.org/wiki/Suicide_legislation)