

# BEIJING DECLARATION AND PLATFORM FOR ACTION

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## BRUNEI DARUSSALAM REPORT

## **Background**

Brunei Darussalam fully recognizes the importance of women's role in the socio-economic development of the country. The nation also acknowledges that gender equality and women's empowerment, besides being basic human rights, are important ends in themselves and crucial for the advancement of women. Our continuous commitment to the development of all sectors is provided in our nation's "Vision 2035" which aims towards an educated, highly skilled and accomplished people, an increase in the quality of life and towards a dynamic and sustainable economy.

The positive development and continued progress of women in Brunei Darussalam can be attributed to the nation's pro-active efforts in improving the lives of its people.

- Brunei Darussalam has achieved almost all of the targets of the Millennium Development Goals.
- Increasing investments in education, health and infrastructure, supported by our natural resources, have propelled our country to position number 30 out of 177 nations in UNDP's Human Development Index 2007/2008 at a rate of 0.894, an improvement by 4 places since the last UNHDI survey was made.

## **Brunei Darussalam in General**

Brunei Darussalam is an independent sovereign Sultanate governed on the basis of a written constitution. It gained independence on 1<sup>st</sup> January 1984 and adopts the ministerial system of Government. His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah, the Sultan and Yang Di-Pertuan of Brunei Darussalam is the supreme executive authority and is concurrently the Prime Minister, Defence Minister and Finance Minister.

Brunei Darussalam is located on the northwest of Borneo alongside the South China Sea, a location that has proved invaluable for developing the oil and natural gas resources that are its greatest economic asset. Brunei Darussalam has a land area of 5,765 square kilometers, 78% of which is still covered in tropical forests. The country

is divided into four districts, namely Brunei–Muara, Tutong, Belait and Temburong. The capital city is called Bandar Seri Begawan.

## **Population**

The population estimate for Brunei Darussalam in 2008 is 398,000. Women make up 47% or 187,000 of the population. The multi-ethnic population is predominantly made up of Malays (66.6%). A majority of the population live in extended family system with an average household size of 6 persons per household. The positive development and continued progress of women in Brunei Darussalam can be attributed to the nation's pro-active efforts in improving the lives of its people, in particular in the area of health and education.

## **Part 1 : OVERVIEW OF ACHIEVEMENTS AND CHALLENGES IN PROMOTING GENDER EQUALITY AND WOMEN'S EMPOWERMENT**

Since the Beijing Platform for Action and the Convention on the Elimination of all forms of Discrimination against Women, which Brunei Darussalam acceded to in May 2006, there have been many government and non-government interagency collaboration and coordination to promote gender equality. A Ministerial level National Council on Social Issues was established in mid 2008 chaired by the Minister of Culture, Youth and Sports who is responsible for Women Issues in Brunei Darussalam. Members include the Ministers of Education, Religious Affairs, Home Affairs, Communications (in his capacity as Chairperson of the Sultan Haji Hassanal Bolkiah Foundation) and the Deputy Minister in the Prime Minister's Office. There is a Special Committee on Women and Family Issues under the purview of the National Council. The Terms of Reference of this Special Committee is to formulate policies, draw up a National Plan of Action on Women Issues and ensure the implementation of the Plan of Action.

At present the coordinated efforts by all agencies (Government and NGOs) is towards the compilation of Brunei Darussalam's 1<sup>st</sup> report to the CEDAW Committee and in campaigns to increase public awareness of CEDAW. The compilation process provided the forum for greater consultation on gender

issues and achieved in highlighting gender issues which have resulted in policy amendments towards the elimination of all forms of discrimination against women.

Preparation of budgets are generally gender-free as all budgets take into account both gender. There is no gender-responsive budgeting.

On the Millennium Development Goals, Brunei Darussalam issued its 1<sup>st</sup> MDG report in 2005 entitled “Brunei Darussalam: Millennium Goals and Beyond” and is considering the 2<sup>nd</sup> report. The extract of the report on MDG Goal 3: Promote Gender Equality and Empower Women, which is annexed, is favourable on the overall status of women in Brunei Darussalam.

### **Legislation on Women**

Despite the fact that there is no specific stated policy on women, the Brunei Constitution is gender free and several domestic legislations are in place specifically for the protection and rights of women in Brunei Darussalam.

- Protection of women and girls against sexual exploitation is covered under the Unlawful Carnal Knowledge Act 1938 and the Women and Girls Protection Act 1972. Under the former, sexual intercourse with a girl less than 16 years of age is considered as a criminal act, while the latter protects women and girls against unlawful or immoral purposes such as prostitution.
- The Islamic Family Order 1999 relates to Islamic family law with respect to marriage, divorce, maintenance, guardianship and other matters connected with family life.
- The Married Women Order and The Guardianship of Infants Order 1999 protects the rights of those women and children not covered by the Islamic family law
- To protect children below the age of 18 from discrimination, abuse and neglect, the Children’s Order 2000 was enforced. This act will soon be superseded by the Children and Young Persons Order which will include rehabilitation for juvenile delinquents.
- The Child Care Centres Order, 2006 regulates the establishment and operations of child care centres.

- The Old Age and Disability Pensions Act 1954 provides old age pensions to all women once they attain the age of 60 years, regardless of financial status.
- Equal protection of women is also enforced through general legal provisions such as the Trafficking and Smuggling of Persons Order enforced in 2004 and the Offenders (Probation and Community Service) Order enforced in 2006.
- In term of violence against women, the law governing the protection of women and girls can be found in other legislation namely the Penal Code Chapter 22 (Section 322, 324, 334, 375). Provision for illegalizing domestic violence is currently in process through strengthening existing family legislation to ensure that women and children are protected from violence.

The Community Development Department is also the custodian of two welfare homes especially established for the safety, protection and rehabilitation of women and girls. “Taman Nor Hidayah” Welfare Home is gazetted under the Women and Girls Protection Act while “Darussakinah” Welfare Home is gazetted under the Children’s Order. A juvenile home for rehabilitation of girls will soon be operational. Temporary shelter centres are also available to house citizens including women and their children who are displaced from their homes because of natural disasters or other social problems.

## **Part 2 : PROGRESS IN IMPLEMENTATION OF THE CRITICAL AREAS OF CONCERN OF THE BEIJING PLATFORM FOR ACTION AND THE FURTHER INITIATIVES AND ACTIONS IDENTIFIED IN THE TWENTY THIRD SPECIAL SESSION OF THE GENERAL ASSEMBLY.**

### **Women and Education**

Education is compulsory in Brunei Darussalam. The increase in the capacity of women and in their status in Brunei Darussalam can be largely ascribed to their educational attainment. Ever since the 1950’s, providing universal access to education has been a fundamental objective of Brunei Darussalam’s education policy. This policy has proven to be beneficial in terms of providing much needed education to our workforce and therefore has made a substantial impact on the socio-economic development for both

men and women in the country. The positive effect of this education policy is evident in the sharp rise in the number of literate women, in the increase in the number of women in the labour force and in the general level of participation by women at all levels of society. The literacy rate for girls from the 2001 census was 91.5% and this figure is estimated at a higher rate today. Girls significantly outnumber boys in tertiary education with the number of female graduates at 64% of total graduate population in 2006. Such progress in education is possible only through the strong political will of the Government of Brunei Darussalam and in the financial allocation provided towards the development of educational infrastructure and human resource development. In the 2007–2012 National Development Plan, 11.8% of the total NDP budget is allocated towards education and human resource development. The newly launched 21<sup>st</sup> Century National Education System (SPN21) outlines the programmes and policy changes to prepare students for the 21<sup>st</sup> century with greater emphasis on character building, providing multiple pathways to higher education and providing multiple choices of educational programmes based on students' interests, needs and abilities. This new education system will provide greater opportunities for students to attain higher levels of education and provide for lifelong learning.

## **Women and Health**

The provision of comprehensive health care system for the people of Brunei Darussalam is a priority for the Government. Affordable and equal access to healthcare for women has led to the overall good health and high quality of life of women in Brunei Darussalam. Female life expectancy is estimated at 77.5 years compared to 74.6 years for males. The three leading causes of death among Brunei women are similar to those in developed countries and are associated with affluent life styles. The Ministry of Health gives emphasis to preventive and educational health programmes such as safe motherhood and reproductive health programmes as well as health education and screening measures related to female cancers, diseases, nutrition and tobacco.

Most of these programmes are provided through Maternal and Child Health (MCH) Services at the primary health care as well as tertiary levels. MCH services are provided through a network of 4 hospitals, 15 health centres, 30 health clinics and a Flying Doctor Team to serve mothers and children in urban and remote areas. The improvement in the quality of maternal health has contributed to the decline in the maternal mortality rates over the last 15 years.

Infant and child mortality rates have declined as women become better informed and more empowered, achieving higher standards of living, and have access to improved maternal and child services. Today the maternal mortality rate is at the low rate of 0.4 per thousand live births while Infant and child mortality rates was significantly reduced from over 30 deaths per thousand live births in the 1970s to the current rates of 7.6 per thousand live births.

## **Women and Employment**

The changes in women's socio-economic characteristics and their corresponding role in the Brunei society have been due to several factors since the 1970's and more especially in the last decade. The first and fundamental one is the improvement in the general level of education among females. This has led to a dramatic increase in the participation rate of women in the labour force, working in professional, technical, managerial and administrative jobs, from a rate of only 20% in 1971 to 59% today. Bruneian women now constitute about 49% of the civil service force where they occupy 28% of Division I posts.

Women serve in a wide variety of capacities ranging from entrepreneurs, lawyers, pilots and fire fighters to notable ranks in the Civil service. Ample employment opportunities for women both in the public and private sectors have made this possible. Brunei women's employment have permeated into male-dominated fields such as the army, fire brigade and police force, to name a few. Our women have also contributed actively in decision-making processes and attain lead positions in various professions such as legal, political, financial, and managerial. The highest level attained include a ministerial post, a high court judge and several chief executive officers both in the public and private sectors.

Prior to 13 December 2008, all non-graduate women officers and workers in the public service were, upon marriage, relegated from "permanent appointment" status to "month to month" status which meant they were not entitled to benefits similar to their male counterparts. This policy has now been removed and all women officers and workers in the public service now permanent appointment status.

## **Women's Right to Ownership**

In Brunei Darussalam, there is no restriction for women in gaining ownership right to land and housing. The national long-term goal is that everyone regardless of gender will have proper accommodation and with citizens owning their own houses. The

Government encourages the people to have their own houses through the provision of interest-free housing loans to its male or female employees. The Government also provides accommodation to its employees for a low monthly rental. In addition, interest-free loans are given to Government employees to build their own houses or buy ready-built ones.

For the landless, all citizens regardless of gender are eligible for the National Housing Schemes such as the National Housing Development Programme (NHDP), Landless Indigenous Citizens Housing Scheme (LICHS) and Land Entitlement and Infill Scheme (LEIS).

Other agencies such as the Islamic Religious Council and the Sultan Haji Hassanal Bolkiah Foundation also provide homes for the homeless.

### **Violence against Women**

In 2007 there were 145 cases of reported incidents of wife abuse, compared to 65 incidences in 2000, an increase of 223%. It is generally believed that the increase can be attributed in part, to the increasing awareness among women and family members that domestic violence is an offence, that it is not merely an internal family matter. Despite this increase, it is believed that domestic violence cases and more specifically, domestic violence against women, is generally under-reported. Efforts towards increasing public awareness are continuous and Brunei Darussalam celebrated ASEAN Women's Day 2007 with a Forum on Women's Rights according to Legislation and in 2008 with a symposium on domestic violence which called for a National Action Plan on Domestic Violence.

### **Women and Entrepreneurship**

Women in Brunei Darussalam have traditionally been active participants in business. Today, women's participation in the business world has begun to increase and is no longer restricted to trading but also consultancy, architecture, legal practice, manufacturing, aqua-culture and agriculture, general construction and many more. Women business owners have also managed to penetrate international markets and have proven to have business acumen that is on par with our businessmen. They have responded positively to the Government's call to develop the small and medium enterprises (SME) sector as a potential means of diversifying the economy away from oil and gas. SMEs contribute 92% of the employment opportunities in the private



sector and more than half of these SMEs are owned by women. Their active involvement is encouraged and nurtured by the Government and the private sector through equal access to the provision of incentives and entrepreneurial support.

The supportive measures include financial assistance schemes, access to information technology, business counselling as well as training in the form of workshops, seminars and consultations. Financial assistance schemes are made available to SMEs through commercial banks. These include the Enterprise Facilitation Scheme, the Micro-Credit Financing Scheme and the Working Capital Credit Fund. The Enterprise Facilitation Scheme has three components – the Entrepreneur Development Scheme, the Enterprise Development Scheme and the Regional Cooperation Project Facilitation Scheme. As of March 2006, our women accounted for 62% of the beneficiaries of the Micro-Credit Financing Scheme.

The Brunei Women Business Council was established in 2000 specifically to oversee the economic activities and promote the business development of our women. Some of the activities coordinated by this Council are seminars and workshops, trade fairs, business matching and networking particularly with other women entrepreneurs around the world.

### **Regional and International Commitments**

Brunei Darussalam's commitment to women development is reflected in our efforts towards gender mainstreaming and in our commitment to CEDAW, to the Beijing Declaration and Platform of Action, the ASEAN Declaration on the Advancement of Women in the ASEAN Region, the Declaration on the Elimination of Violence Against Women in the ASEAN Region and the Millennium Development Goals, in particular, the goal to promote gender equality and empower women.

## **Part 3 : INSTITUTIONAL DEVELOPMENT**

### **Function of National Machinery**

The Department of Community Development under the Ministry of Culture, Youth and Sports is the focal agency for women affairs in Brunei Darussalam. The department's objectives in relation to women affairs are:-

1. To undertake and coordinate programmes and activities pertaining to women affairs such as
  - Research/studies on women in development
  - Collection and dissemination of information on women
  - Awareness programmes on women issues including the rights and responsibilities of women as agents of development including their responsibilities in strengthening the family unit in order to achieve harmonious living in family life, society and the nation
  - Awareness programmes designed to eliminate discrimination against women, such as violence against women, legislation, trafficking etc.
  
2. To encourage the participation of women in national development without compromising the stability of their marriage/family life.

The department's functions in relation to women include:-

- To provide protection, counseling and advice to women and girls who are victimized by marital abuse, sexual abuse, drug abuse and other social ills;
- To provide welfare benefits, emergency relief, educational guidance, training and temporary shelter to women who are destitute, elderly, widowed, divorced, disabled or victims of natural disaster or misfortune;
- To organize and implement self-reliant/entrepreneurial programmes to help women become economically-independent; and
- To monitor the activities of women's associations in the country in order to ensure that they are in line with national development objectives.

### **The Role of Non-Government Organisations**

In addressing women issues in the country, the Government of Brunei Darussalam is strongly supported by the Women's Council of Brunei Darussalam, a women's civil society or non-government organization representing 14 women's associations affiliated under it. The Women's Council main objective is to improve the status of women in all areas especially in education, economy, welfare, culture and society.

The aims and objectives of the Women's Council of Brunei Darussalam are:

1. Preserving the aspirations of the concept Malay Muslim Monarchy in all activities carried out by the Council;
2. Unifying and strengthening all groups of women through correspondence, women associations, welfare bodies and individuals;
3. Acting as a national body representing the women in Brunei Darussalam' improving and upgrading the position of women in all areas especially education, economy, social and welfare, culture and community development;
4. Improving and upgrading the position of women in all areas especially education, economy, social and welfare, culture and community development;
5. Encouraging women to realize and bear their responsibilities towards the community and the nation;
6. Acting as the centre for collecting and disseminating information concerning women and families;
7. Providing a forum for the exchange of views, experiences and discussions especially relating to issues affecting women, children and family;
8. Strengthening the relationship among women without taking into account race, religion and status; and
9. Cooperating with the Government in all areas especially in the development of Brunei Darussalam.

The establishment of the Special Committee on Women and Family Issues headed by the Minister responsible for women issues which will report to the Ministerial level National Council on Social Issues reflects the Government's commitment to addressing issues on gender equality and strengthens the existing national mechanism for the promotion of gender equality.

#### **Part 4 : REMAINING CHALLENGES AND ACTIONS TO ADDRESS THEM**

In general, as reflected in the Brunei Darussalam MDG Report and through our indicators, women have equal access to basic necessities such as daily sustenance, shelter, education, health, clean water, sanitation and clothing. In some areas, such as education, the indicators for women's achievement are higher than their male counterparts. Having achieved the base line requirements, the issue facing us now is to ensure the continuance of services to sustain the ongoing development of women and to aim towards improving the environment for development of women beyond the basic level by increasing the quality of the nature of development for women. Tus,

whilst remarkable progress has been made in the advancement of women within the context of MDG and BPFA, Brunei Darussalam continues to exert its efforts to promote strategy of gender mainstreaming as one of the most effective means to support promotion of advancement of women at all levels.

In this regard, several measures and action needs to be taken which include:

- **The strengthening of national machinery**

In Brunei Darussalam, the Department of Community Development is the focal agency for women affairs. Its functions include coordinating programmes and activities pertaining to women affairs, provide protection, counseling and rehabilitation programmes to women and girls victimized by social ills, providing financial assistance, emergency relief, as well as organizing and implementing self-reliant entrepreneurial programmes. This national machinery needs to be enhanced through technical assistance and resource allocation.

- **Capacity-building for gender mainstreaming**

Mainstreaming gender concerns in national programmes and policies requires technical skills and knowledge for the adoption and implementation of gender sensitive and action-oriented policies in all relevant sectoral areas. Knowledge could be share through appropriate networking where gender mainstreaming tools and manuals could be disseminated and adapted to specific things.

- **Collection of sex-disaggregated data**

There is a need to make more efforts in acquiring up-to-date data and ensure that indicators, especially economic indicators are sufficient. This is because quality data in the official statistics can assist in ensuring that women's contributions to the economic and hence social development of the country are recognized and valued.

- **Enhancing partnerships with NGOs and civil society.**

NGOs and civil society are important partners in pushing forward the agenda of Beijing Declaration and Platform for Action, CEDAW as well as other gender-related instruments. NGOs will continue to raise awareness about the legal entitlements of

women, violence issues and reproductive rights, while Governments ensure access to resources and services.

- **Increasing the participation of women in national development planning and governance**
- **Increasing the participation of women in executive positions**

At present the participation of women in executive positions is 20% (MDG Report) which is below the international requirement of 30%.

Other areas which need improvement include the following:-

- the need for more women/mother-friendly environment for working women
- increase in maternity leave
- the introduction of paternity leave
- working conditions for women to be on par with their male counterparts
- tackling the problem of domestic violence of which women represent the majority of victims, and
- strengthening the family institution.

In the context of regional cooperation, Brunei Darussalam welcomes and supports any regional program and effort that will promote the advancement of women through the strategy of gender mainstreaming, such as:

- Capacity building in gender mainstreaming and gender planning, monitoring and evaluation;
- Capacity building in gender-responsive budgeting
- Conduct training for social workers and counselors in dealing with victims and offenders of violence;
- Training for trainers for women in entrepreneurship;
- Greater cooperation in research, exchange of information and data and best practices on matters pertaining to gender mainstreaming.