

Brunei Now Penalizes Homosexuality with Death by Stoning

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At a time when much of the world is accepting LGBTQ individuals and relationships, the pendulum has swung in the opposite direction in the small nation of Brunei. Earlier this month, Brunei put into force a new set of harsh criminal provisions mandating extreme physical punishment for certain acts forbidden by Islamic law, most notably that any individual found guilty of a homosexual act will now be punished with death by stoning.

The new criminal provisions were originally announced by Brunei's Sultan Hassanal Bolkiah in 2014. Bolkiah has led Brunei since 1967 and is one of the wealthiest people in the world due to Brunei's oil exports. In December 2018, Brunei's Attorney General released a notification that the laws would be put into force beginning in April 2019.

The new laws also require the death penalty for adultery, abortion, and certain forms of blasphemy against the Quran or the Prophet Muhammad. The law additionally requires amputation of limbs for stealing and 40 lashes for lesbian intercourse. Children that have reached puberty are treated as adults under the law, while children older than seven may be punished by whipping.

Many members of the LGBTQ community already have fled Brunei fearing persecution. Meanwhile, governments and NGOs around the world have urged Brunei to reverse its new mandate. Human Rights Watch described the laws as "barbaric to the core" and against international law. The United States Department of State released a statement that the new code "runs counter to [Brunei's] international human rights obligations, including with respect to torture or other cruel, inhuman or degrading treatment or punishment." Despite the opposition, Brunei officials thus far have stated that Brunei will keep the laws in place.

Brunei joins nine other countries^[1] that penalize homosexuality with the death penalty. At a time when multinational companies are making increasing efforts to promote global diversity, Brunei exemplifies the special challenges posed in understanding and working with a variety of legal requirements, as well as cultural values and perspectives.

^[1] Afghanistan, Iran, Mauritania, Nigeria, Qatar, Saudi Arabia, Somalia, Sudan, and Yemen.

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