

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Brunei Darussalam - 2021

*THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY
LABOUR Protocol of 2014 P029 to the Forced Labour Convention*

REPORTING

Fulfillment of Government's reporting obligations

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Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, did the Government consult? [10.1]

a) The most representative employers organizations?,c) The competent authorities?

92. To which employers organizations was the report sent? [12] Please provide the list

Brunei National Chambers of Commerce.

93. To which workers organizations was the report sent? [13] Please provide the list

None.

94. Please describe the consultation process(es). [10.2]

This report was shared with Brunei National Chambers of Commerce and completed and compiled with inputs from relevant technical officers in the Department of Labour (Legal & Prosecution and Law Enforcement sections).

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	No
84. Please provide details and provide any relevant URL(s) [6.2]	
95. Did employers organizations comment on the report? [11a]	No
96. Did workers organizations comment on the report? [11b]	No
97. Please provide URL(s) to the responses and comments of the employers and workers organizations to the above questions, if you have received them	Not applicable.

Workers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	No
84. Please provide details and provide any relevant URL(s) [6.2]	
95. Did employers organizations comment on the report? [11a]	No
96. Did workers organizations comment on the report? [11b]	No
97. Please provide URL(s) to the responses and comments of the	Not applicable.

employers and workers organizations to the above questions, if you have received them

EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL

Ratification

Ratification status

p29 Ratification status

Ratification intention

61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?

Unlikely

62. What, if any, are the impediments to the ratification of the 2014 Protocol to Convention No. 29?

Current focus is on the potential to ratify other fundamental Conventions.

Existence of a policy and or plan of action for the suppression of forced or compulsory labour

63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour through prevention, victim protection and access to remedies? [1.1]

Yes

65. Please also indicate the manner in which employers' and workers' organizations have been consulted. [1.3]

1. Public awareness campaigns through roadshows, articles, websites, videoclips, and hotline are provided for any complaints and require information. 2. Regular inspections. 3. Guidance on how the process of recruitment of labour in

	accordance to relevant labour laws such as Employment Order 2009.
66. Does the Government envisage adopting a national policy and/or plan of action in this regard? [1.4]?	
67. Does the Government wish to receive ILO assistance in developing a national policy and/or plan of action in this regard? [1.4b]	
68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]	Yes
69. Please describe these measures. [1.5]	1. Increasing efforts by convicting traffickers. 2. Expanding victim protection measures during judicial proceedings. 3. Carrying out victim screening procedures. 4. Issuing sentences for trafficking crimes.
70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]	Yes
71. Please describe these data. [1.6.1]	Based on the information collected by the Royal Brunei Police Force (RBPF) and other respective agencies include the Department of Immigration & National Registration, the Department of Labour, the Prime Minister Office, and the Attorney General's Chamber.
72. Does the Government envisage collecting data on forced or compulsory labour? [1.6.2]	
Measures taken or envisaged for systematic and coordinated action	

<p>64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]</p>	<p>Measures include: 1) Establishment of Working Group (WG) Committee with Government Authorities; 2) Enforcement of Legislative Provisions; 3) Enforcement of Compound and Prosecution; 4) Strategies such as inspections, awareness campaigns through roadshows, articles, websites, videoclips, and provide hotline for any complaint. Objectives are: 1) To ensure victims' rights are in place; 2) Increase public awareness; 3) To provide prevention, protection and remedies to the victims; Authorities Responsible: 1. Royal Brunei Police Force (RBPf); 2. Department of Immigration and National Registration; 3. Department of Labour; 4. Prime Minister Office; 5. Attorney General Chamber; and 6. Ministry of Foreign Affairs.</p>
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Measures taken or envisaged to prevent forms of forced labour

<p>74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]</p>	<p>Yes</p>
<p>75. If so, please indicate the type of measures, [2.2]</p>	<p>a) Information, education and awareness raising targeting especially people in vulnerable situation and employers,b) Strengthening and broadening of the coverage of legislation, particularly labour law,c) Regulation and supervision of the labour recruitment and placement process,f) Promotion of safe and regular migration,g) Education/vocational training,h) Capacity building for the competent authorities</p>
<p>75.f. Please provide a description of measures taken or envisaged:</p>	<p>Promotion of compliance to the Employment Order, 2009</p>

75.f. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	General public
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Measures taken or envisaged to protect victims of forced labour

76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]	Yes
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77. If so, please indicate the type of measures [3.2]	a) Training of relevant actors for identification of forced labour practices,b) Legal protection of victims,c) Material assistance for victims,d) Medical and psychological assistance for victims,e) Measures for the rehabilitation and social and professional reintegration of victims,f) Protection of privacy and identity,g) Appropriate accommodation,h) Specific measures for children,i) Specific measures for migrants
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Measures taken or envisaged to facilitate access to remedies

78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]	Yes
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79. If so, please indicate the type of measures, [4.2]	a) Information and counselling for victims regarding their rights,b) Free legal assistance,c) Cost-free proceedings,e) Access to remedies and compensation,f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges,g) Provision for authorities not to prosecute victims for acts which they have been compelled to commit
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<p>80. Please indicate whether the measures aimed at providing access to justice and remedies apply to all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory. [4.3]</p>	<p>Yes</p>
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Non-prosecution of victims for unlawful acts that they would have been forced to carry out

<p>79.g. Please provide a description of measures taken or envisaged:</p>	
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<p>79.g. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:</p>	
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Cooperation with other Member States, international / regional organizations or NGOs

<p>81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]</p>	<p>Yes</p>
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<p>82. Please briefly describe the modalities of this cooperation. [5.2]</p>	<p>Cooperation towards achieving the effective and sustained suppression of forced or compulsory labour is in the form of capacity-building and exchange of knowledge through initiatives, projects, forums and workshops. Cooperation is commonly undertaken and steered under the ASEAN collective and through its relevant technical body work-plans. ASEAN projects commonly involve a wide spectrum of partners including the ILO and its experts as well as other US subsidiaries.</p>
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Promotional activities

<p>90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]</p>	<p>None to cite at this time.</p>
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Special initiatives or Progress

<p>85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]</p>	<p>No changes.</p>
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<p>90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]</p>	<p>None to cite at this time.</p>
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CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL

According to the social partners

Employers' organizations

<p>86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]</p>	<p>k) Lack of resources in employers organizations,l) Lack of resources in workers organizations</p>
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Workers' organizations

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

k) Lack of resources in employers organizations,l) Lack of resources in workers organizations

According to the Government

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

k) Lack of resources in employers organizations,l) Lack of resources in workers organizations

TECHNICAL COOPERATION NEEDS

Request

87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or compulsory labour, victim protection and access to remedies? [9.1]

Yes

88. If so, please indicate the needs in this area by level of importance (not important, less important, important, most important) [9.2]

b) Awareness-raising and mobilization activities => Important

c) Collection and analysis of data and information => Most Important

d) Guidance on the development of the national policy and plan of action => Most Important

	<p>e) Strengthening the legal framework => Important</p> <p>f) Capacity building for the competent authorities => Important</p> <p>g) Inter-institutional coordination => Important</p> <p>h) Promotion of fair recruitment and placement practices => Important</p> <p>i) Promotion of fair migration policies => Most Important</p> <p>j) Vocational training, job-creation and income-generation programmes for at-risk populations => Most Important</p> <p>k) Basic social security guarantees => Important</p> <p>l) Guidance on supporting due diligence => Important</p> <p>m) Capacity building for employers' and workers' organizations => Important</p> <p>n) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations => Most Important</p> <p>o) Exchange of experiences between countries or regions; international cooperation => Most Important</p> <p>p) Other => Important</p>
<p>89. Please provide additional information on the top three needs that you have identified in the elimination of forced labour or compulsory labour. Please provide URL(s) to any other information you may deem necessary.</p>	<p>None.</p>

Offer

p29 Offer