

# BRUNEI

## EXECUTIVE SUMMARY

Brunei Darussalam is a sultanate that has been ruled by the same family for more than 600 years. Sultan Haji Hassanal Bolkiah governed under longstanding emergency powers that placed few limits on his power. The Legislative Council, made up of appointed, indirectly elected, and ex officio members, met during the year and exercised a limited role in recommending and approving legislation. Security forces reported to the sultan.

Restrictions on religious freedom; exploitation of foreign workers; and limitations on freedom of speech, press, assembly, and association were the most prevalent human rights problems.

The following human rights problems were also reported: inability of citizens to change their government, trafficking in persons, and discrimination against women.

There were no reported cases of government officials committing human rights abuses.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

#### **b. Disappearance**

There were no reports of politically motivated disappearances.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

There were no reports of torture or rape and sexual abuse during the reporting period. Caning is mandatory for 42 criminal offenses, and as of September, 38 individuals were caned, most commonly for drug-related offenses and immigration

violations. Canings were carried out in the presence of a doctor, who had the authority to interrupt the punishment for medical reasons.

### **Prison and Detention Center Conditions**

Prison and detention center conditions generally met international standards. Prisoners had access to potable water. Jerudong Prison held 437 “serious offenders,” of whom 49 were women and held in a separate facility in the prison compound. Juveniles are not subject to imprisonment; however, courts sent juvenile offenders to a local rehabilitation center known as Al-Hidayah. Approximately 4.5 percent of the prison population consisted of individuals awaiting trial.

Approximately 30 percent of the inmate population consisted of foreigners of various religions. Inmates were permitted to practice their religions. A government-appointed committee composed of retired government officials monitored prison conditions and investigated complaints of inhumane conditions.

During the year there were no reports that human rights monitors requested prison visits. Foreign diplomats had consular access to detained nationals. Family members were permitted to visit prisoners and bring food.

The prison has an ombudsmen system in place. “Visiting justices,” ranging from prominent businessmen and community leaders to representatives of public institutions, visited prisons once a month. The prison also implemented rehabilitation programs to persuade inmates to repent and become productive citizens. To improve prisons, authorities began construction on a second modern facility, as the existing prison facility could only officially hold 366 inmates and required renovation. The government trained prison personnel from all facilities in basic counseling to assist inmates in identifying issues and facilitate reintegration into society.

### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions; however, they could be superseded through the invocation of emergency powers.

### **Role of the Police and Security Apparatus**

The police force and Internal Security Department (ISD), which fall under the direct control of the Prime Minister's Office, have primary responsibility for enforcing laws and maintaining order. The Departments of Labor and Immigration in the Ministry of Home Affairs also hold limited law enforcement powers for labor and immigration offenses. Civilian authorities maintained effective control over the police force, the ISD, and the labor and immigration departments, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

### **Arrest Procedures and Treatment While in Detention**

A magistrate must endorse a warrant for arrest, except when police are unable to obtain an endorsement in time to prevent the flight of a suspect. Police officers have broad powers to make arrests without warrants of persons caught in the act of committing a crime. After arrest, police may detain a suspect up to 48 hours before bringing the individual before a magistrate. There were no reports that persons were detained without a hearing.

The Internal Security Act (ISA) permits the government to detain suspects without trial for renewable two-year periods. The government regularly convenes an independent advisory board consisting of executive and judicial branch officials to review individual ISA detentions and recommend whether they should be renewed for an additional two years. There were no detainees held under the ISA during the year.

Detainees reportedly were informed promptly of the charges against them. Information on detainees was made public only after their release.

The criminal procedure code allows for bail except in cases indicated as "discretionary" by law. Detainees generally had prompt access to lawyers and family visitations; however, police may deny access in exceptional cases, such as probable cause to suspect witness tampering. There is no legal provision to provide affordable legal counsel for poor defendants, except in capital cases. In noncapital cases indigent defendants may act as their own lawyers in court.

### **e. Denial of Fair Public Trial**

The law does not provide specifically for an independent judiciary, but the courts appeared to act independently, and there were no known instances of government

interference with the judiciary. All higher court judges are appointed by the sultan and serve at his pleasure.

### **Trial Procedures**

Secular law, based on English common law, provides all citizens with the right to a fair and efficient judicial process, and the judiciary generally enforced this right. Defendants in criminal proceedings are presumed innocent. Most criminal cases are conducted in public trials by a judge or panel of judges. Defendants do not enjoy the right to trial by jury. Procedural safeguards include the right to defense counsel, an interpreter, and the right to confront accusers and to avoid self-incrimination. Lawyers have access to the accused once charges are filed through the trial process, but not during initial questioning. Defendants and their attorneys have access to government-held evidence relevant to their cases. Defendants have a right of appeal. ISA detainees were denied the right to legal counsel and were not presumed to be innocent.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

There is no specific provision of law to bring civil suit for human rights violations. In customary practice individuals may present written complaints about rights violations to the sultan directly for review. Such complaints typically were handled privately, and there were no reports of civil remedies handled in this manner during the year. Individual government servants who act outside their authority resulting in civil wrongdoing may be subject to fines or prosecution. Civil courts were generally unbiased.

### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The law permits government intrusion into the privacy of individual persons, families, and homes. Sharia (Islamic law) permits enforcement of khalwat, an Islamic prohibition on the close proximity of a Muslim and a member of the opposite sex other than a spouse or close relative. The government reported 256 khalwat cases during the year, of which 102 cases were pending or in trial, 134 remained under investigation and eight concluded with convictions, and the remainder still under investigation.

The government monitored private e-mail, cell phone messaging, and Internet chat room exchanges believed to be subversive. An informant system was used as part of the government's internal security apparatus to monitor suspected dissidents.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

Under the emergency powers and the Sedition Act, the government significantly restricted freedom of speech and of the press.

#### **Status of Freedom of Speech and Press**

Freedom of Speech: Members of the Legislative Council are allowed to “speak their opinions freely,” but they are prohibited from using language or exhibiting behavior deemed “irresponsible, derogatory, scandalous, or injurious.” Under the Sedition Act, it is an offense to challenge the authority of the sultan or members of the royal family. The act also makes it an offense to challenge “the standing or prominence of the national philosophy, the Malay Muslim Monarchy concept.” This ideology permeates the country's life and government administration, promoting Islam as the state religion and monarchical rule as the sole acceptable governing system, and upholding the rights and privileges of the Brunei Malay race.

Freedom of Press: The Sedition Act requires local newspapers to obtain operating licenses and prior government approval of foreign editorial staff, journalists, and printers. The law also gives the government the right to bar distribution of foreign publications and requires distributors of foreign publications to obtain a government permit. The law allows the government to close a newspaper without giving prior notice or showing cause.

Foreign newspapers were routinely available, although the government must approve their distribution. Internet versions of foreign media were routinely available.

The government owned the only television station. Three Malaysian television stations were also available, along with two satellite television services. Some content was subject to censorship based on theme, but such censorship was not consistent.

Censorship or Content Restrictions: The Sedition Act provides for prosecution of newspaper publishers, proprietors, or editors who publish anything allegedly having a seditious intent. Publication may be suspended for up to one year, and publishers, printers, or editors can be prohibited from publishing, writing, or editing any other newspaper. Printing equipment can also be seized. Persons convicted under the act face fines of up to BN\$5,000 (approximately \$3,850) and jail terms of up to three years. Journalists deemed to have published or written “false and malicious” reports may be subjected to fines or prison sentences.

The country’s major newspapers practiced self-censorship.

### **Internet Freedom**

Social media Web sites are widely accessible. The government monitored private e-mail and Internet chat room exchanges of citizens believed to be subversive. There was anecdotal information that fear of government surveillance reduced the number of visitors to Internet forums.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom; however, some researchers chose to publish under a pseudonym from overseas when they perceived that subject matter would not be well received.

A censorship board made up of officials from the Prime Minister’s Office and the Ministries of Home Affairs and Religious Affairs determines the suitability of concerts, movies, cultural shows, and other public performances. Religious authorities also review publications to ensure compliance with social norms.

## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

Under the emergency powers, the government significantly restricted the right to assemble. According to the Societies Order, public gatherings of 10 or more persons require a government permit, and police have the authority to stop an unofficial assembly of five or more persons deemed likely to cause a disturbance of the peace.

## **Freedom of Association**

The law does not provide for freedom of association: It requires formal groups, including religious, social, or cultural, to register with the Registrar of Societies and provide regular reports on membership and finances. The government continued to restrict the activities of international service organizations such as Rotary, Kiwanis, and the Lions, which developed out of the established business community. Regulations promulgated by the Ministry of Religious Affairs and the State Mufti's Office prohibited Muslims from joining these organizations.

The National Development Party maintained that government restrictions limited the party's growth.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt](http://www.state.gov/j/drl/irf/rpt).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

Foreign Travel: Government employees, both citizens and foreigners working on a contractual basis, must apply for approval to go abroad. The government's 2009 guidelines state that no government official may travel alone and that nonrelated male and female officers may not travel together.

Exile: By law the sultan may forcibly exile, permanently or temporarily, any person deemed a threat to the safety, peace, or welfare of the country. However, there have been no cases of banishment since 1984.

### **Protection of Refugees**

Access to Asylum: The country's laws do not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees. The government did not provide protection against the expulsion or return of refugees to countries where their lives or freedom would be

threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. However, as in past years, there were no such expulsions or returns during the year.

### **Stateless Persons**

Citizenship is derived through one's parents rather than through birth within the country's territory. According to unofficial sources, there were approximately 20,000 stateless persons in the country, including persons born and raised in the country who were not automatically accorded citizenship and its attendant rights but were granted permanent resident status. A significant number of stateless persons were of Chinese descent, which may be attributed to the fact that the Chinese are the largest non-Malay minority group. All citizenship applicants must pass a test demonstrating sufficient knowledge of Malay culture and language.

Stateless persons can obtain citizenship through an application process if they are permanent residents who have contributed to the country's economic growth, women married to citizens for two years, women married to permanent residents for five years, or children of permanent resident fathers after the age of two years and six months. Children of citizen mothers are subject to a separate application process to confirm citizenship because transmission of citizenship can only be automatically assumed for children of citizen fathers. Government policy mandates that a child born in the country to stateless parents must apply for a special pass. The births of members of the Dusun and Iban indigenous groups living in rural areas often were not registered. Coupled with illiteracy, this made it difficult for such persons to obtain citizenship.

Stateless persons enjoy many privileges of citizenship, but do not have the right to own land and are not entitled to full subsidized health care or higher education. The Land Code Strata Act, effective in 2009, allows permanent residents to own units of multistory property for a maximum of 99 years. In lieu of passports, the government issued certificates of identity to allow these persons international travel and reentry; foreign visas may be entered in the certificates.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

Citizens do not have the right to change their government peacefully. The sultan ruled through hereditary birthright. While Brunei is a constitutional sultanate, in 1962 the former sultan invoked an article of the constitution that allowed him to



assume emergency powers. The current sultan continued the practice, which places few limits on his power.

### **Elections and Political Participation**

Recent Elections: Political authority and control rested entirely with the sultan. A 33-person legislative council (LegCo) of primarily appointed members and little independent power provides a forum for public discussion of proposed government programs, as well as administrative deficiencies. It convenes once a year for approximately two weeks, after which it is dissolved. The Seventh LegCo session met in March 2011. Council members may be disqualified from service on the basis of various offenses, including disloyalty to the sultan.

Persons age 18 years and above may vote by secret ballot in village consultative council elections, which are based on a traditional system of village chiefs. Candidates must be Muslim, approved by the government, and citizens or permanent residents for more than 15 years. The councils communicate constituent wishes through a variety of channels, including periodic meetings chaired by the minister of home affairs. The government also meets with mukim (collections of villages) representatives to allow for airing of local grievances and concerns.

Political Parties: The Brunei National Development Party was the country's only registered political party. The party pledged to support the sultan and the government. Although the party criticized administrative deficiencies, its few activities received limited publicity, and it was hindered by membership restrictions.

Participation of Women and Minorities: In 2009 the sultan appointed the first female cabinet member, Datin Hayati, as attorney general. Two other women held ministerial rank--the sultan's sister, Princess Masna, ambassador-at-large in the Ministry of Foreign Affairs and Trade; and Deputy Minister for Culture Youth and Sports Datin Adina, appointed in 2010. There were four female permanent secretaries--in the Ministries of Defense, Foreign Affairs and Trade, and Industry and Primary Resources. There were two women appointed to the LegCo.

Ethnic Chinese held one Cabinet-level post and two LegCo positions.

### **Section 4. Official Corruption and Government Transparency**

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively; however, officials sometimes engaged in corrupt practices with impunity.

In February 2010, a former government minister accused of corruption in awarding government projects was sentenced to seven years in prison and ordered to pay 90 percent of the prosecution costs, which amounted to approximately BN\$523,900 (\$403,000) and restitution to the government. The total amount he received in gratuities was BN\$4.2 million (\$3.2 million). The former minister's alleged partner was sentenced in absentia to seven years in prison, and an arrest warrant was issued. If captured, he would also be liable for 10 percent of the prosecution costs, amounting to BN\$55,875 (\$42,980).

Government officials were not subject to financial disclosure reports.

The law provides for public access to government information. During the year the LegCo approved, and the government published, a summary of the budget for the fiscal year. However, the government continued to restrict and classify as confidential some information on the financial dealings of the government and the royal family. The law provides that no court can compel any person to give evidence relating to unpublished government records unless the relevant ministry's permanent secretary gives consent.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

Few civil society organizations dealt directly with human rights. A nongovernmental organization (NGO) seeking to operate in the country is required to apply for permission under the Companies Act and provide a list of members. The government may suspend the activities of a registered NGO if it deems such an act in the public interest. In the past the Consumers' Association of Brunei attempted to address human rights, but the government impeded these attempts. However, the association remained active in building relationships with other NGOs in the region dealing with consumer protection issues. There were NGOs that dealt with such issues as assisting victims of domestic violence.

Government Human Rights Bodies: There are no government human rights bodies in Brunei.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The law does not contain specific provisions prohibiting discrimination based on race, sex, disability, language, or social status.

## Women

Rape and Domestic Violence: The law stipulates imprisonment of up to 30 years and caning with no fewer than 12 strokes for rape. The law does not criminalize spousal rape; it explicitly states that sexual intercourse by a man with his wife is not rape, as long as she is not under age 13. The legal age of marriage is 14. Protections against sexual assault by a spouse are provided under the amended Islamic Family Law Order 2010 and Married Women Act Order 2010, and the penalty for breaching a protection order is a fine not exceeding BN\$2,000 (\$1,538) or imprisonment not exceeding six months. By year's end, 26 rape cases had been reported, 15 of which remained under investigation.

There is no specific domestic violence law, but arrests were made in domestic violence cases under the Women and Girls Protection Act. The police investigate domestic violence only in response to a report by a victim. The police were generally responsive in the investigation of such cases. During the year there were a total of 144 cases of spousal abuse reported; at year's end 120 cases were under investigation. The criminal penalty for a minor domestic assault is one to two weeks in jail and a fine. An assault resulting in serious injury is punishable by caning and a longer prison sentence.

A special unit staffed by female officers existed within the police department to investigate domestic abuse and child abuse complaints. A hotline was available for persons to report domestic violence. The Department of Community Development in the Ministry of Culture, Youth, and Sport provided counseling for women and their spouses. Based on individual circumstances, some female and minor victims were placed in protective custody at a government-sponsored shelter while waiting for their cases to be brought to court.

Islamic courts staffed by male and female officials offered counseling to married couples in domestic violence cases. Officials did not encourage wives to reconcile with flagrantly abusive spouses, and Islamic courts recognized assault as grounds for divorce.

Female Genital Mutilation (FGM): There is no law criminalizing FGM, but there were no known reports of FGM during the year.

Sexual Harassment: The law prohibits sexual harassment and stipulates that whoever assaults or uses criminal force, intending thereby to outrage or knowing it is likely to outrage the modesty of a person, shall be punished with imprisonment for as much as five years and caning. The government reported 45 cases of sexual harassment, of which 32 were under investigation at year's end.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children and have access to modern contraceptive devices and methods through the government and private clinics. Citizens enjoy free medical and health care, including skilled attendance during childbirth, prenatal care, and essential obstetric and postpartum care. Women had equal access to diagnostic and treatment facilities for sexually transmitted diseases.

Discrimination: In accordance with the government's interpretation of Qur'anic precepts, Muslim women have rights similar to those of Muslim men in areas such as divorce and child custody. Islamic law requires that males receive twice the inheritance of women. Civil law permits female citizens to own property and other assets, including business properties. Male spouses of female citizens could not apply for permanent resident status until they had resided in the country for a cumulative total of 20 out of the 25 years immediately preceding their application. Female spouses of male citizens on the other hand could apply for permanent resident status after only two years of marriage. Female citizens may pass their nationality on to their children, but only through an application process.

Women with permanent positions in the government could apply for travel allowances for their children; however, they could not do so for their husbands working in the private sector. With this exception, they received the same allowance privileges as their male counterparts. According to government statistics, women made up 57 percent of the civil service force and held 28 percent of senior management posts. Women were not discriminated against in access to employment and business. Some professions such as meteorology are designated as women's professions, and men noted discrimination during hiring.

## **Children**

Birth Registration: Citizenship is derived through one's father rather than through birth within the country's territory. Female citizens may pass their nationality on to their children, but only through an application process. Birth registration is universal and immediate except for Dusun and Iban indigenous persons in rural

areas (see section 6, Indigenous People). Parents with stateless status are required to apply for a special pass for a child born in the country; failure to register a child made it difficult to enroll the child in school.

Child Abuse: As of October the government reported 16 cases of child abuse. Two cases of child abandonment were reported during the year. The Royal Brunei Police Force hosts a specialized Woman and Child Abuse Crime Investigation Unit and the Ministry of Culture, Youth and Sports provides shelter and care to victims.

Sexual Exploitation of Children: By law sexual intercourse with a girl under age 14 constitutes rape and is punishable by imprisonment for not less than eight years and not more than 30 years and not less than 12 strokes of the cane. The law protects women, girls, and boys from exploitation through prostitution and “other immoral purposes,” including pornography.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

### **Anti-Semitism**

There were no known Jewish communities in the country, and there were no reports of anti-Semitic acts.

### **Trafficking in Persons**

See the Department of State’s *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **Persons with Disabilities**

The law does not prohibit discrimination against or mandate accessibility or other assistance for persons with disabilities. The government provided educational services for children with disabilities, but the level of services available was uneven. The Department for Community Development conducted several programs targeted at promoting awareness of the needs of persons with disabilities.

### **National/Racial/Ethnic Minorities**

Government policy provides for preferential programs designed to boost the economic position of ethnic Malays, who constitute approximately two-thirds of the population.

### **Indigenous People**

A large percentage of indigenous Iban were stateless. In rural areas some indigenous Iban did not register the birth of their children, which created difficulties during school enrollment, access to healthcare, and employment. Indigenous lands of the Iban and Dusun are not specifically demarcated and there were no specially designated representatives for the indigenous groups in the Legislative Council or other government entities.

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

The law makes it a criminal offense to have “sexual intercourse against the order of nature.” There were no reports of official or societal discrimination based on sexual orientation in employment, housing, access to education, or health care.

### **Other Societal Violence or Discrimination**

There were no reports of societal violence or discrimination against persons with HIV/AIDS.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for workers to form and join unions. Under the Trade Unions Act, unions must be registered with the government. All workers, including civil servants other than those serving in the military and those working as prison guards or police officers, may form and join trade unions of their choice without previous authorization or excessive requirements. The law applies in the Muara Export Zone. Although government data indicated approximately 87,867 foreigners worked in the country, these workers are excluded from most labor law protections, including freedom of association.

While the law permits the formation of trade union federations, it forbids affiliation with international labor organizations unless there is consent from the home affairs minister and the Department of Labor.

The government prohibits strikes, and the law makes no explicit provision allowing either the right to strike or the right to collective bargaining. .

The law prohibits employers from discriminating against workers in connection with union activities, but it does not provide for reinstatement for dismissal related to union activity.

There were no reports of government interference in union activity, and worker organizations were independent of the government. Employer discrimination against union members was not reported.

#### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits forced or compulsory labor. However, there were credible reports of forced labor, including debt bondage and involuntary domestic servitude. Foreign embassies with a large population of citizens working in the country reported cases of nonpayment of wages for up to a year as well as a lack of access to travel documents. For many cases in which abuses were committed, the government levied fines and prosecuted offenders.

There were credible reports of domestic and construction workers from neighboring countries paying the equivalent of two months' wages to fictitious employers to obtain labor passes and work freelance on the local economy. The government has begun a process to only issue labor passes to registered recruiting agencies. There were also credible reports of citizens from South Asian countries working for little or no pay for up to one year to pay back foreign agents for securing jobs for them.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

#### **c. Prohibition of Child Labor and Minimum Age for Employment**

Various domestic laws prohibit the employment of children under age 16. Parental consent and approval by the Labor Commission is required for those under 18. Female workers under 18 may not work at night or on offshore oil platforms. The

Department of Labor, which is part of the Ministry of Home Affairs, effectively enforced laws related to the employment of children. There were no reports of violations of child labor laws.

#### **d. Acceptable Conditions of Work**

The law does not set a minimum wage, but most employed citizens command good salaries; per capita income stands at BN\$40,700 (US\$31,300). Some foreign embassies set minimum wage requirements for their nationals working in Brunei. The standard workweek is Monday through Thursday, then Saturday, with Friday and Sunday off, allowing for two rest periods of 24 hours each week. The law provides for paid annual holidays, overtime for work in excess of 48 hours per week, and double time for work performed on legal holidays, but laws regarding hours were frequently not observed in practice.

Occupational health and safety standards were established by government regulations. The law permits a worker to leave a hazardous job site without jeopardizing his employment.

The Labor Department inspected working conditions on a routine basis and in response to complaints. The government usually moved quickly to investigate abuses, and abusive employers faced criminal and civil penalties. The Labor Department had the power to terminate the license of abusive employers and revoke their foreign labor quota. The majority of abuse cases were settled out of court through agreements where the employer paid financial compensation to the worker.

The government generally enforced labor, health and safety regulations effectively, but enforcement in the unskilled labor sector was lax. This was true especially for foreign laborers at construction sites, where pay arrearage and inadequate safety and living conditions were reported. The government may close a workplace where health, safety, or working conditions are unsatisfactory.

Government mediation by the Labor Department continued to be the most common means used to resolve labor disputes. In 2010 the commissioner responsible for labor was given additional authority to protect foreign worker rights. The government prosecuted employers who employed irregular immigrants or did not process workers' documents, rendering them irregular. When grievances could not be resolved, regulations require employers to pay for the repatriation of the foreign workers and all outstanding wages.



In practice foreign workers who filed grievances sometimes did not receive their back wages, and required their embassy to assist in their repatriation. Foreign migrant workers often signed contracts with employment agents or other sponsors in their home countries that reduced their promised salaries through payments to the agencies or sponsors. The government forbade wage deductions to agencies or sponsors and mandated that employees receive their full salaries; nevertheless, foreign workers continued to pay high fees to manpower agents to obtain work in the country. The government now requires recruiting agencies to be registered.

During the year there were cases reported of nonpayment of salaries. The majority of cases involved domestic workers. In many cases, judicial penalties including convictions and fines were levied against employers found to not pay wages.

In practice government protective measures for foreign workers existed and included arrival briefings for workers, inspections of facilities, and a telephone hotline for worker complaints. However, immigration law allows for prison sentences and caning for workers who overstay their work permits and for irregular immigrants seeking work, as well as for foreign workers employed by companies other than their initial sponsor. While the majority of prosecutions involved those who overstayed their work permits, many workers faced prosecution for residing under irregular status due to their former employers' negligence.