



The 6th Meeting of the AIPA Fact-Finding Committee (AIFOCOM)
to Combat the Drug Menace
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Chiang Rai, Thailand

COUNTRY REPORT OF BRUNEI DARUSSLAM

Brunei Darussalam in line with implementing the 29th AIPA General Assembly Resolution on the control of synthetic drug and illicit drug crop production, Brunei Darussalam's anti drug measure is based upon three fundamental strategies, namely the reduction of supply; the reduction of demand and the enhancement of international and regional cooperation.

1. THE REDUCTION OF SUPPLY STRATEGY

Through enforcement activities, a total of 577 arrests had been made in 2008. Of the 577 arrests, only 543 people were apprehended and from this figure, 336 were new cases and 207 of the remainder were recidivist cases. For the same year, 403 persons were convicted by the court for various offences mainly under the Misuse of Drugs Act and The Poisons Act. The most common offence committed is the consumption of illicit drugs, followed by possessions of utensils for abusing drugs and the possession of controlled drugs. Methamphetamine and Cannabis Herbs are the most widely abused drugs in Brunei Darussalam with a total seizure of **378.8340** grams and **613.9900** grams respectively in 2008.

Drug trafficking routes have not changed significantly. Most of the drugs came from neighbouring countries either by land, air or by sea. Thus in order to reduce the supply of drugs into this country, law enforcement efforts in Brunei Darussalam continue to be aimed at strengthening drug trafficking interdiction along the border especially along Brunei-Malaysia border in which both countries shared. Brunei Darussalam through the Narcotics Control Bureau (NCB) and cooperation from other enforcement agencies has continued its efforts in border control especially by patrolling the Brunei water which has become an attractive trafficking route for drug smugglers over many years.

Brunei Darussalam has also, from time to time, reviewed and amended its drug legislation in order to keep up with the changing drug crimes. In December 2002, NCB was given the power for detention of drug suspect(s) from twenty-four hours to forty-eight hours.

NCB and the Attorney – General Chambers have been working together towards upgrading investigation work on drug suspects and current discussion is on the way to introduce:-

- ❖ Special Power Of Investigation – a proposed provision under Misuse of Drugs Act (MDA) whereby NCB officers will be given special power of investigation into the financial proceeds and accounts of a drug suspect(s).
- ❖ Criminal Law (Preventive Detention) Chapter 150, that such a person has been or is associated with any activities relating to or involving the trafficking in narcotic drugs, to be detained for such period without trial. Detention would be based on Intelligence report and seizure or forfeiture of property may be carried out without conviction.

2. THE REDUCTION OF DEMAND STRATEGY

Brunei Darussalam also continues the efforts in reducing the demand through the following programmes :-

A. Civic Awareness

Brunei Darussalam continued its preventive drug education and public awareness efforts to promote and disseminate the anti-drug message to the public through;-

(i) ***Advocacy and Information Programmes***

NCB continues its public awareness efforts through mass media campaign such as through adverts and dramas on TV and Radio Station, Newspapers, Magazines, Pamphlets, Posters, Banners, Digital Displays and Billboards. In view of the importance of preventive drug education among the nations, the support from both public and private sectors including NGO has been encouraging. They have sponsored many items related to civic awareness as above.

(ii) ***School-Based Drug Prevention Programmes***

School talks continue to be the main thrust of the preventive drug education programme. The programme provides an insight to students about Brunei Darussalam current drug problems, national strategies ad policies and the harmful effects of drug abuse.

- (iii) A committee was set up lead by Permanent Secretary of Ministry of Culture, Youth and Sports to handle the social issues concerning community problem such as drug abuse, family abuse and hooligans. NCB has become one of the members of the committees.

This campaign and awareness programme was continued throughout the years covering villages and rural areas at the four districts of Brunei. The radio and media had played their important roles in spreading the Anti-Drug Education programme and the dangerous of Marijuana. This programme has continued till now.

(iv) Workplace-Based Drug Prevention Programmes.

NCB liaises closely with relevant agencies to identify drug problems among employees in the workplace. Random urine drug screening is also one of its activities that act as a deterrent measure where both the employees from both the public and private sector have both requested such services.

It is equally important that counter-drug measures must be comprehensive and multi-sectored with the involvement of public and private sectors including NGOs. BASMIDA, the only NGO in Brunei Darussalam, has worked closely with the Government and other NGOS overseas, particularly with ASEAN countries, in the collection and exchange of information, experiences and expertise for the eradication of the abuse of drug and other related substances.

BASMIDA also involves in educating the public in general on the danger of drugs and frequent establish ad support recreational activities for youths, give assistants to those who are involved in drugs abuse in finding meaningful alternatives.

B. Treatment and Rehabilitation Programme

In Brunei Darussalam, only one drug rehabilitation centre (DRC) known as 'Pusat Pemulihan Rumah Al-Islah' under the purview of Narcotic Control Bureau since 1st February 2008, under Ministry of Prime Minister is designed to cater for drug dependents whom are convicted of drug consumption offences using the new approach 'Therapeutic Community'. In 2008, 59 persons were sent to 'Pusat Pemulihan Al-Islah' to undergo treatment and rehabilitation.

C. Supervision Programme

The NCB Supervision Programme caters for abusers upon completion from Pusat Pemulihan Al-Islah, also for abusers who had undergone imprisonment sentences in the Prison Department for drugs consumption offences and for abusers who were ordered by the court to undergo supervision programme. In 2008, Narcotics Control Bureau has registered 288 entrants.

In 2008 about 222 were registered s new entrants and 66 were released upon satisfactory supervision.

3. LEGAL MATTERS

Narcotics Control Bureau (NCB) is the main agency responsible for the regulations of controlled drugs in Brunei Darussalam

- Given mandate under the Misuse of Drugs Act, Chapter 27 (equally empowers the Royal Brunei Police Force and Royal Customs and Excise Department to conduct arrest, seizure, investigation and prosecution into drug trafficking activities)
- MDA Chapter 27 provides mandatory death penalty for offences involving a trafficking of certain amount of specific controlled drugs.
- The Drug Trafficking (Recovery of Proceeds) Act, Chapter 178 empowers NCB to undertake intelligence gathering, investigation, arrest and searches and prosecutions on money laundering activities and disseminates information to relevant authorities at national and international levels.
- Money Laundering is an offence under Sections 20 and 22 of the DT(ROP) Act, Chapter 178. The predicate offences are stated as:
 - (i) Trafficking of controlled drug under Sec 3a of MDA, Chapter 27;
 - (ii) Possession of a controlled drug for purpose of trafficking under Sec 3A MDA, Chapter 27;
 - (iii) Manufacturing of controlled drug under Sec 4 of MDA, Chapter 27

4. THE ENHANCEMENT OF REGIONAL AND INTERNATIONAL COOPERATION

During the past years, it is shown that the cooperating at the regional and international levels, it is possible to thwart such illegal drug-related activities. Drug trafficking is a transnational crime; as such; initiatives to combat this problem must also be transnational. Brunei Darussalam is a signatory to all United Nations Convention on drug issues.

As member of ASEAN, Brunei Darussalam has strengthened its anti-drug effort and collaborations with her counterparts through the exchange of information on drug crime, adopting and coordinating specific drug control measures, sharing of anti drug experiences and good practices, joint cooperation in many training and seminars, and so on.

Brunei Darussalam also makes efforts to strengthen her bilateral cooperation with Malaysia to combat the drug menace. Both countries share common borders and the communication is now easier as there are more bridges and roads available, the NCB and Narcotics Department, Royal Malaysian Police Force had been working closely together in the fight against cross border illicit drug trafficking. Both countries have established good cooperation, networking of information, joint investigation and operations and regularly hold cross-border meetings with each other.

CONCLUSION

Despite continuous all-out efforts against drug problems, Brunei Darussalam is faced with an uphill task. However, NCB views these problems seriously and it committed in tackling them effectively through persistently pursuing its strategy of supply and demand

reduction, which among other things involves the ongoing implementation of drug laws and active preventive drug education measures. To date, Brunei Darussalam is not a crop producing country and will constantly keep a close eye in monitoring and take steps in ensuring that this menace does not surface in the near future.



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