



**Fifth Meeting of the ASEAN Inter-Parliamentary Assembly (AIPA)  
Fact-Finding Committee (AIFOCOM) to Combat the Drug Menace  
Singapore, 22-25 June 2008**

## **COUNTRY REPORT OF MALAYSIA**

### **1. INTRODUCTION**

The “Dadah” (illicit drugs) problem remains as one of the most serious problems in Malaysia. The Malaysian Government views the dadah problem with grave concern. To give fresh impetus to combat drugs, the National Drug Council, was replaced by the Cabinet Committee on the Eradication of Drugs chaired by the Hon. Prime Minister. It has been actively monitoring the development of the dadah situation and the efforts made by the various agencies to combat the problem in the country.

### **2. THE ROLE OF ANTI-NARCOTICS AGENCIES**

The National Anti-Drugs Agency under the Ministry of Home Affairs as the focal point is responsible with the formulation of policies relating to drugs, especially with the drug abuse preventive education and treatment, rehabilitation of drug dependants and enforcement

The Narcotics Criminal Investigation Division (NCID) of the Royal Malaysia Police is the main agency for the enforcement of drug laws. The Royal Malaysian Customs is another department involved in enforcing the drug laws and the task is carried out by its Narcotics Division. The Pharmaceutical Services Division of the Ministry of Health as a regulatory agency enforces some drug laws, in particular the Poisons Act 1952 which controls and regulates the sale, import and export of poisons, precursors and essential chemicals.

#### **2.1 Background of the National Anti-Drugs Agency**

The National Anti-Drugs Agency under the Ministry of Home Affairs that operates at the Federal, State and District levels was set up in 1996 to monitor and control the drug situation in Malaysia. Its functions and powers have now been formalized under the National Anti Drug Agency Act 2004.

The objective of the National Anti-Drugs Agency is to ensure that national effort in combating the drug menace is carried out in a planned, integrated and coordinated manner to create a drug-free society. The terms of reference of the National Anti-Drugs Agency are as follows :

- a. To implement preventive programs
- b. To implement drug treatment and rehabilitation programs
- c. Upgrade the system for data collection and to carry out evaluation on the effectiveness of all national anti drug programs
- d. Enhance regional and international cooperative efforts to combat the drug problem; and

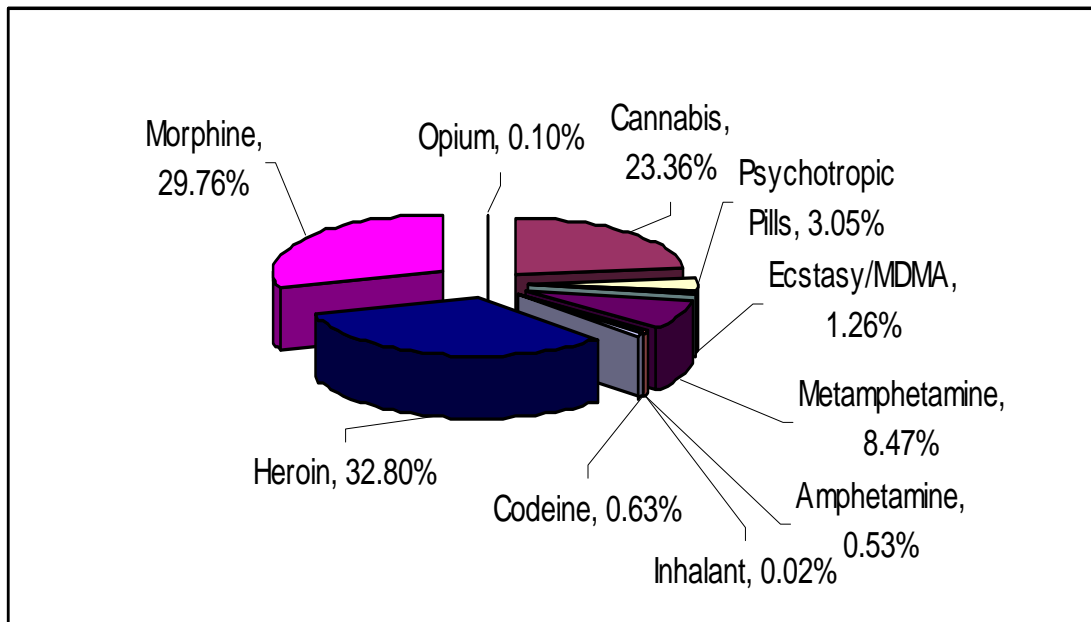
- e. Serve as a Secretariat to the Cabinet Committee on Drugs and its Action Committees

### 3. OVERVIEW OF THE DRUG ABUSE SITUATION

The total number of addicts detected in January – December 2007 was **14,489** persons. **6,679** were new cases (**46.10%**) and **7,810** (**53.90%**) were relapse cases. There was an overall decline of **36.48%** compared to the previous year. On average, 557 new cases are detected monthly.

#### 3.1 Types of Drugs Used

Of the **14,489** addicts identified from January to December 2007, 9,064 addicts used heroin/morphine, 3,385 used cannabis, 14 used opium, 442 used psychotropic pills, 1,235 used syabu or methamphetamine hydrochloride, 182 used ecstasy (MDMA), 73 used amphetamine, codeine was used by 91 abusers and 3 abused inhalants.



Source: National Drug Information System

#### 3.2 Trend and Type of Drug Users

Method of Use	Jan – Dec 2007	Percentage (%)
Chasing	9718	67.07%
Smoke	3399	23.46%
Swallow	679	4.81%
Injection	581	4.01%
Drink	91	0.63%

<b>Inhale</b>	3	0.02%
<b>TOTAL</b>	<b>13,633</b>	<b>100%</b>

Source : National Drug Information System

### 3.3 Injecting Drug Users (IDU) Infected by AIDS and HIV

In 2006, the number of AIDS/HIV cases reported was 5,830 HIV and 1,840 AIDS cases of which 78.5% of HIV/AIDS patients are injecting drug users. The accumulated total from 1986 till 2006 is about was 72,500 persons.

### 3.4 Drug Seizures and Arrests

#### 3.4.1 Drug Trafficking / Drug Seizures

Seizures of most drugs showed an increase compared to the year 2006. Seizures of all types by the various authorities in 2007 are as follows:

<b>TYPE OF DRUGS</b>	<b>SEIZURES IN Jan – Dec 2007</b>	<b>SEIZURES IN Jan – Dec 2006</b>
Heroin No. 3	243.25 kgs	151.53 kgs
Raw Opium	4.02 kgs	-
Prepared Opium	3.35 kgs	0.51 kgs
Cannabis	1,482.56 kgs	2,290.68 kgs
Psychotropic Pills	455,407 tablets	65,840 tablets
Ecstasy Pills	151,221 tablets	258,737 tablets
Ecstasy (powder)	167.55 kgs	9.90 kgs
Syabu	69.23 kgs	139.34 kgs
Ketamine	267.90 kgs	189.02 kgs
Cocaine	10.2 kgs	2.2 kgs

Source : National Drug Information System

#### 3.4.2 Arrest of Drug Offenders

The number of arrests of drug offenders in 2007 **increased** as compared to that of 2006 in the same period whereby a total of **55,226** persons were arrested under the Dangerous Drugs Act (DDA) 1952, the Dangerous Drugs (Special Preventive Measures) Act 1985 and the Poisons Act as compared to **40,062** in the same period the previous year. This represents an overall increase of **17.72%**. The number of persons arrested under Section 39B which carries the mandatory death penalty for the period January – December 2007 was **2,085**. The number of offenders under Section 39A (possession of illicit drugs) in January – December 2007 was **4,023** cases.

### **3.4.3 International Drug Trafficking**

To a certain extent, Malaysia continues to be a transit country for drugs, particularly heroin No. 4, coming from the Golden Triangle en route to destinations abroad for International markets. A total of 89 Malaysians have been arrested in 2007 for various drug offences abroad whilst 918 foreigners were arrested in Malaysia.

## **4. OVERVIEW OF DRUG LAWS AND LEGISLATION/RECENT DEVELOPMENTS**

Drug legislation in Malaysia is comprehensive and provides for a set of laws that covers both prevention and treatment and rehabilitation. This reflects the seriousness of the national effort to curb drug trafficking and drug abuse. Existing laws are under continuous scrutiny to identify weaknesses and consequently to enhance their effectiveness. Malaysia's drug laws are to be found in six (6) major statutes. They are:

- 4.1 Dangerous Drugs Act 1952
- 4.2 Poisons Act 1952
- 4.3 Drug Dependants (Treatment and Rehabilitation) Act 1983
- 4.4 Dangerous Drugs (Special Preventive Measures) Act 1985
- 4.5 Dangerous Drugs (Forfeiture of Property) Act 1988 and;
- 4.6 National Anti-Drug Agency Act 2004

### **4.1 Dangerous Drugs Act 1952**

The Dangerous Drugs Act 1952 represents the major legislation in relation to drug control in Malaysia. This Act is very extensive covering aspects of offences, procedures and evidence. Among others, it **provides for mandatory death sentence for drug trafficking offences**. This legislation has been amended several times in order to keep abreast with the upsurge in the drug trafficking and drug abuse situation.

### **4.2 Poisons Act 1952**

The Poisons Act 1952 is aimed at controlling the import and sale of poisons. The term 'Poisons' refers to any substance specified in the Poisons List and includes any mixture, preparation, solution or natural substance containing such substance other than an exempted preparation or an article or preparation included for the time being in the Second Schedule of the Act.

### **4.3 Drug Dependants (Treatment and Rehabilitation) Act 1983**

The Drug Dependants (Treatment and Rehabilitation) Act 1983 provides for both compulsory treatment and rehabilitation of any person who have been certified as dependant as well as for voluntary treatment and rehabilitation. The period of the treatment and rehabilitation at rehabilitation centers is for two (2) years. This institutional treatment and rehabilitation is followed by aftercare for another two (2) years.

### **4.4 Dangerous Drugs (Special Preventive Measures) Acts 1985**

This preventive detention law that came into force on 15 June 1985 replaced the Emergency (Public Order and Prevention Crime) Ordinance 1969. It is aimed at enhancing the effectiveness of countermeasures taken by the relevant authorities against those who are involved in drug trafficking. It empowers the government to detain

anyone suspected of being a trafficker without having to bring the suspect to any court of law. As a 'sunset' legislation, it is renewable every five years.

#### **4.5 Dangerous Drugs (Forfeiture of Property) Act 1988**

Drug trafficking in the country remains rampant despite the provision for mandatory death sentence on those convicted for drug trafficking. Despite the harsh penalty, many are still willing to take the risk because drug trafficking remains lucrative. In cognizance of this, Government has introduced the Dangerous Drugs (Forfeiture of Property) Act 1988, which came into force on 10 June 1988. It empowers the relevant authorities to trace, freeze and forfeit assets of convicted drug traffickers.

### **5. RECENT DEVELOPMENTS**

#### **5.1 New Legislation**

The National Anti-Drug Agency Bill 2004 has been passed by Parliament. The new legislation provides for the establishment for the agency. It confers powers upon officers of the National Anti-Drugs Agency to perform preventive, treatment, rehabilitation, enforcement, investigation, special preventive measures and for the forfeiture of property under the relevant acts.

#### **5.2 Cabinet Committee on the Eradication of Drugs and its Sub-Committees**

The new Cabinet Committee on the Eradication of Drugs has been formed. It is chaired by the Hon. Prime Minister. Under the Cabinet Committee, there is Action Committee and Sub Committees. The aim of these committees are to oversee and review the implementation of the National Drug Control Strategy and to ensure effective implementation.

There are three Sub-Committees that act as the working group and suggest new policies for implementation or reviews existing policies and makes recommendations and reports to the Action Committee. The Action committee decides on the recommendations and reports to the Cabinet Committee on the decisions it has taken/made or it makes recommendations to the cabinet Committee on the Eradication of Drugs for a final decision if it involves policy changes. The 3 Cabinet Sub-Committee currently focus on the core areas:

- a. Prevention Education and Publicity
- b. Laws
- c. Treatment and Rehabilitation

This system is replicated at the state level and reaches into the district level. By a **directive** issued by the Prime Minister in April 2007, **Members of Parliament** can chair meetings at the district level committee, and thus play an important role at the local community level to prevent drug abuse.

### **6. OVERVIEW OF THE NATIONAL DRUG CONTROL STRATEGY**

The National Drug Control strategy is focused on eliminating the demand for and the supply of drugs into the country through the following strategies:

- 6.1 Prevention
- 6.2 Enforcement
- 6.3 Treatment and Rehabilitation
- 6.4 International Co-operation (supporting strategy\_

## **7. DEMAND REDUCTION PROGRAMS**

Primary prevention programs involve prevention education in schools and dissemination of information to the public. The programs are aimed at insulating members of society, especially youths, from falling prey to the drug scourge. The activities carried out in 2007 fall into three broad categories:

- 7.1 Advocacy and Information programs
- 7.2 School-based programs
- 7.3 Community based drug prevention programs
- 7.4 Parents based drug prevention programs
- 7.5 Workplace based drug prevention programs

### **7.1 Advocacy and Information Programs**

#### **7.1.1 Mobile Drug Abuse Prevention Unit**

The Mobile Drug Abuse Unit began operations in 1990. These units move throughout Peninsular Malaysia bringing awareness to the community on the drug problem and the strategies employed by the government. In the period between January to December 2007, more than 800 exhibitions were held in public areas, shopping complexes, stadiums, etc.

#### **7.1.2 Anti-Drug Campaigns**

This program was continuously carried out. Most activities were implemented through the electronic media, print media, films/video clips as well as the holding of anti-drug exhibitions. National leaders, religious leaders and experts in their respective fields of anti drug activities were invited to appear on television as well as national and state radio programs to discuss the drug problems faced by the nation and the role of the community in combating the drug problem.

In 2007 a new community focused mobilization program “**GEMPADAH**” (Community Blitz against Drugs) was launched and it was very successful in drawing large crowds. It aims at mobilizing resources and organizations at the local level to deal with drug issues at that level.

### **7.2 School Based Programs**

#### **7.2.1 Students’ Resilience and Interpersonal Skills Development Education (STRIDE)**

This program is a comprehensive school-based drug education program for primary schools in Malaysia. STRIDE was developed on the philosophy that preventive drug

education needs to begin early especially in primary school where the attitudes and behaviors of students are nurtured before they become adolescents.

The objective of this program are :

- a. Enhance the knowledge and life skills of primary school students to resist the negative peer pressure to take drugs
- b. Enhance self-esteem and interpersonal skills of primary school students to say NO to drugs
- c. Encourage primary school students to participate in drug abuse prevention and healthy activities, and
- d. Create abhorrence for drugs and to create drug free schools in Malaysia.

The program has the following modules:

- a. STRIDE Curriculum consisting of 36 lessons for grade 4,5 and 6,
- b. STRIDE Co-Curriculum, STRIDE Plus consisting of STRIDE Clubs and STRIDE Camps,
- c. STRIDE Parents' Program and,
- d. STRIDE Bulletin and Film.

In the period between January to December 2007 the STRIDE Curriculum was implemented in 776 schools and involved 253,301 students. 17 STRIDE Camps were held.

### **7.2.2 Training in Interpersonal skills for Preventive Drug Education**

Since 1994, teachers and drug preventive personnel have been trained in interpersonal skills for preventive drug education. Interpersonal skills form a major component in the drug education curriculum in schools, especially infused in subjects such as moral education, language studies, physical and health education and religious studies. In 2007, 14 training sessions were held and 1,250 teachers were trained.

### **7.2.3 Surprise Urine Screening**

The National Anti-Drugs Agency conducts surprise urine screening, at random, for high-risk students so as to enable early intervention actions to be taken. Students identified positive for drugs would be counseled by the school counselor and asked to attend motivational camp/courses to enhance their self-esteem and interpersonal skills. In 2007, a total of 2,043 schools were involved in this program and 15 motivational camps were held for affected students.

### **7.3 Community Based Drug Preventive Programs**

These programs are aimed at the core groups like parents and teachers associations, community and religious leaders or involve a whole community like settlers in a specific land scheme, a fishing community or a village. A variety of means are used like community events like 'gotong-royong', talks, dialogues and forum, healthy lifestyle events, exhibitions and games. It also involved NGO/Community Based Organizations.

Many parliamentarians as community leaders actively support and participate in these programs. More than 800 programs were held in 2007 in all states.

#### **7.4 Parents Based Drug Prevention Programs**

Parents are involved in drug prevention activities primarily through participation in Community based drug awareness programs. They are also encouraged to participate in awareness through involvement in the parents and teachers associations.

#### **7.5 Workplace Based Drug Prevention Programs**

As of December 2007, triggering seminars involving 66 firms were held. Talks, exhibitions and briefings were held for 35 small and medium size businesses and government organizations throughout the country to assist them to promote and implement drug preventive programs in their workplace as well as to enhance awareness on drug prevention.

### **8. DRUG TREATMENT AND REHABILITATION**

#### **8.1 One-Stop Center Concept**

Malaysia is one of the few countries in the region that has developed a compulsory rehabilitation program for drug dependents. The objective of the treatment and rehabilitation program is to enable drug dependants to overcome the physical and psychological addiction to drugs and to thereafter live a drug-free life style.

The National Anti-Drugs Agency implements two (2) methods of treatment and rehabilitation namely:

- Rehabilitation in the Institution; and
- Rehabilitation in the Community

A suspected addict can be detained for a period of 14 days for urine and medical examination to ascertain this status. If certified to be an addict, a magistrate guided by advise contained in the Social Report, can either commit him to an institutional rehabilitation program or place him under the supervision of a Rehabilitation Officer.

Currently there are about 7,000 addicts trainees who are undergoing treatment and rehabilitation at the 28 government managed centers. There are also about 66 privately managed drug treatment and rehabilitation centers.

The Government has also established 18 Anti-Drug Service Centers. The role and functions of these centers are as follows:

- a. Plan and implement drug preventive programs at the district level,
- b. Provide facilities for drug treatment and rehabilitation for volunteering drug addicts,
- c. Provide counseling and advisory services to those who require such services,

- d. Manage and determine the rehabilitation program that would best suit the addicts who are referred to the center by the police or by addicts who volunteer for treatment and rehabilitation, and
- e. Provide follow-up services to those addicts who have been placed under the Supervision Program and for those who have finished their program at the government treatment and rehabilitation centers.

## **8.2 Relapse Prevention**

In 2007, greater focus is being given to relapse prevention in the community. Toward this end, apart from strengthening our community based program through the service center, a comprehensive range of activities and programs were carried out. These include 382 seminars and motivational course for ex-addicts, 189 programs for families and 401 outreach programs.

Here too, parliamentarians and local leaders can play an important role in changing the negative mindset of society against recovering addicts by supporting community based programs and speaking up on the critical need of supporting all recovering persons.

## **9. OVERVIEW OF ACTIVITIES WITH NON-GOVERNMENT ORGANIZATIONS, PRIVATE SECTOR AND MASS MEDIA**

### **9.1 Non-Government Organizations**

Activities with non-governmental are carried out on drug prevention activities, aftercare and in the social re-integration of addicts into society. Some of the organizations are PEMADAM involved with prevention, PENGASIH assisting HIV/AIDS infected addicts, PENDAMAI and Malaysia Care assisting addicts. Other community base organizations like the Neighborhood Committees, Village Development and Security Committee, women's organizations and youth organizations also participate in drug prevention activities. In 2007, a total of 253 programs were held jointly with the various NGO's.

### **9.2 Private Sector**

Private sector involvement is through their support of national level anti-drug campaigns and particularly in supporting drug prevention programs in the workplace.

Private sector participation has also been encouraged in the production of posters, leaflets and billboards promoting the anti-drug message.

NGO's and the Private Sectors are encouraged to jointly participate and organize activities under **GEMPADAH** (Community Blitz against Drug) since 2007.

### **9.3 Mass Media**

Media involvement in Malaysia has been through the participation of the Ministry of Information providing coverage for national and international conferences and events, launch of campaigns, televisions and radio talk shows.

## **10. ROLE OF PARLIAMENTARIANS**

In this regard, Member of Parliament and state Assemblymen have an important role to play in supporting and nurturing community based organizations to actively participate in anti-drug efforts. These measures include:

- 10.1 Providing leadership and support to community based organizations,
- 10.2 Providing financial support,
- 10.3 Providing networking/linkages between government and community based organizations,
- 10.4 Help to form links between private sector and community based organizations,
- 10.5 Mobilize local resources to deal with emerging drug trends,
- 10.6 Enhance civic awareness on the dangers of drugs,
- 10.7 Inform the public on new initiatives and facilitate community acceptance e.g. methadone program use of condoms, etc., and
- 10.8 Warn the community of new trends e.g. young women used as drug mules overseas using high salary/vacations as lure.

## **11. CONCLUSION**

The Government continues to improve its machinery to combat the drug problem in the country, a problem that is still considered as a security problem. Malaysia believes that the only way to solve the drug problem is through multi-disciplinary approach and in partnership with all sectors of society in the country and by strengthening cooperation with its neighbor countries. It is only with concerted efforts that we can achieve the objective of having drug-free societies worldwide.