



**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 BRUNEI DARUSSALAM

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 732 arrests had been made in 2007. However, 394 (53.83%) were new cases and the remainder, 338 (46.17%), were repeated cases. For the same year, 256 persons were convicted by the court for various offences mainly under the Misuse of Drugs Act.

The most common offence committed was consumption of illicit drugs, followed by possessions of utensils for abusing drugs and then possession of controlled drugs. Methamphetamine and Cannabis were still the most widely abused drugs in Brunei Darussalam with a total seizure of 237.53 grams and 48.883 trams respectively.

Drug trafficking routes have not changed significantly. Most of the drugs came from neighboring 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 waters 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.

2. THE REDUCTION OF DEMAND STRATEGY

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

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, News papers, 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 through "in kind" contributions toward the civic awareness campaigns.

In 2007, Narcotic Control Bureau had covered about 14,109 audiences which include members of the public in various activities such as the road show, talks, to villages and government/private sector officers and through their visits to Narcotic Control Bureau Office.

Special programme was also organized to commemorate the "**International Day against Drug Abuse and Illicit Trafficking**" on 26th June every year. In 2007, a troop of motor riders rode their bikes from Belait District to Brunei Muara District, covering a distance of more than 100 km, and carry with them Anti Drug Messages that were then distributed to all the public.

(ii) School-Based Drug Prevention Programmes

School talks continue to be the main thrust of the preventive drug education programme. Throughout 2007, staff of the NCB visited a total of 78 schools and delivered talks to some 11,550 students. The programme provides an insight to students about Brunei Darussalam current drug problems, national strategies and policies and the harmful effects of drug abuse.

(iii) Workplace-Based Drug Prevention Programmes

NCB liaises closely with relevant agencies to identify drug problems among employees in the workplace. In 2007, staff of NCB had visited 57 workplaces nationwide and delivered talks to a total of 3,717 audiences. NCB also received visits from government and private sectors to NCB office to listen to anti-drug talks and programmes. Random urine drug screening is also one of its activities which act as a deterrent measure. Out of 1,841 employees from both government and private sectors who had been randomly tested for drugs in 2007, 8 were found positive.

One of the examples of a Public Private Partnership (PPP) that has been established in the workplace is with *Adinin Group of Companies* whereby they agreed to give full support and cooperation for NCB to promote drug awareness campaigns to all its sub-company and allow random urine screening to be conducted to all of their staff.

(iv) Community-Based Drug Prevention Programmes

NCB also actively involved in giving Preventive Drug Education Road Shows to members of the community especially in villages throughout the country, youths and at mosques.

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, an anti-drug association 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 drug abuse and other related substances. BASMIDA also actively involves in educating the public in general on the danger of drugs and frequently organize recreational activities for youths.

While the members of 'Rakan Harmoni' eventually they are ex-drug abuse who are also involve in anti-drug awareness campaign by giving talks on their past experiences to supervisee and public.

To further aid on the demand reduction strategy, a National Committee to Tackle the Social Issues in Brunei Darussalam was set up which is lead by Permanent Secretary of Ministry of Culture, Youth and Sports. Drug abuse is among the issues that were handled by this committee.

B. Treatment and Rehabilitation Programme

On 1st February 2008, the administration of the rehabilitation centre known as 'Pusat Pemulihan Rumah Al-Islah' was transferred from Prisons Department to Narcotics Control Bureau, Prime Minister's Office. The center is desired to cater for drug abuser who was referred either by Court's Order, Minister's Order or Voluntarily.

Since the transferred, the center has introduced a new approach of rehabilitation that has been practiced in other countries i.e. Therapeutic Community Programme on top of other on going Vocational, Physical and Spiritual Programme. Although the programme has only been introduced and practiced for just 3 months; an improvement has already been shown on the well-beings of the residence in the center.

C. Supervision Programme

Supervision Division, Narcotic Control Bureau is responsible for the aftercare of ex-drug abuser. The supervisee are ought to obligate with the supervision order in which if they breach the order, they would be taken action for minimum 3 years imprisonment for once positive urine result during the 2 years supervision programme.

The NCB Supervision Programme caters for abusers from three different entry; i) upon completion from Pusat Pemulihan Rumah Al-Islah, ii) for abusers who had undergone imprisonment sentences in the Prisons Department and iii) abusers who were ordered by the court to undergo supervision programme.

In 2007, 170 were registered as new entrants and 72 were released upon satisfactory supervision.

3. LEGAL MATTERS

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 Exercise Department to conduct arrest, seizure, investigation and prosecution into drug trafficking activities).
- Misuse of Drug Act 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 where the predicate offences are stated as:
 - (i) Trafficking of controlled drug under Section 3a of MDA, Chapter 27
 - (ii) Possession of a Controlled Drug for purpose of Trafficking under section 3A MDA, Chapter 27
 - (iii) Manufacturing of controlled drug under Section 4 of MDA, Chapter 27
- Special Power of Investigation under Money Laundering Order 2000 is a 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.
- Office under section 6(b) MDA Cap 27 for consumption of Drugs, if committed by Permanent Resident of Brunei outside Brunei Darussalam, he/she may be dealt with as if that offence had been committed in Brunei Darussalam.

4. REGIONAL AND INTERNATIONAL COOPERATION

During the past years, it is shown that by cooperation 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 Convention on drug issues.

As a 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, NCB and Narcotics Criminal Investigation Division, 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.

Recently, Brunei Darussalam also extends its bilateral cooperation with Central Narcotics Bureau, Singapore and National Anti Drug Agency of Malaysia.

5. CONCLUSION

Despite continuous all-out efforts against drug problems, Brunei Darussalam is faced with an uphill task. NCB views these problems seriously and is very committed in tackling them effectively through persistent 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.

Brunei Darussalam will continue to foster higher level of cooperation with its regional and international drug enforcement counterparts to continuously produce effective results and maintain a tough stance in the intervention and eradication of illicit drug activities.