



ASEAN INTER-PARLIAMENTARY ASSEMBLY

**THE 11th MEETING OF THE AIPA FACT-FINDING COMMITTEE (AIFOCOM)
TO COMBAT THE DRUG MENACE
12th – 16th May 2014, Landmark Mekong Riverside Hotel
Vientiane, Lao People’s Democratic Republic**

Country Progress Report on Drug Control

I. Introduction

The Narcotics Control Bureau (NCB), under the purview of Prime Minister’s Office, Brunei Darussalam is the leading agency in combating drug related crimes in Brunei Darussalam.

As the leading agency, the Bureau serves as the coordinator of any anti-drug related programmes and projects at the national level. It also acts as a focal point of cooperation with other law enforcement agencies on drug related matters at national, regional and international level.

The Bureau is in view of the importance in the balance between reducing drug demand and drug supply and thus to efficiently eradicate drug crimes, the Bureau adopts two different strategies:-

- i. The reduction of supply through the preventive of the entry of drugs either through legal or illegal point of entry; and
- ii. The reduction of demand through effective activities such as preventive drug education, supervision and rehabilitation.

II. Drug Situation

Drug Arrest

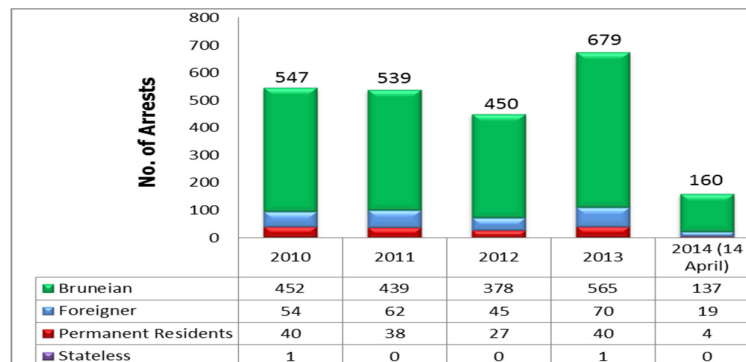


Figure 1: The number of arrests made for the year 2010 – 2014 (up to 14 March 2014)

Figure 1 above shows the number of arrests made by the bureau in the past years and shows a decreasing trend for the year 2010 – 2012 (small percentage). However, in 2013, the Bureau has improved the rate of quality arrest focusing on High Impact Operation which resulted in 50.8% increase in drug arrest from the year 2012 to 2013. Majority of the arrests made by the Bureau are those with Bruneian citizenship (over 80% each year) as shown in figure 1, followed by foreigners and permanent residents.

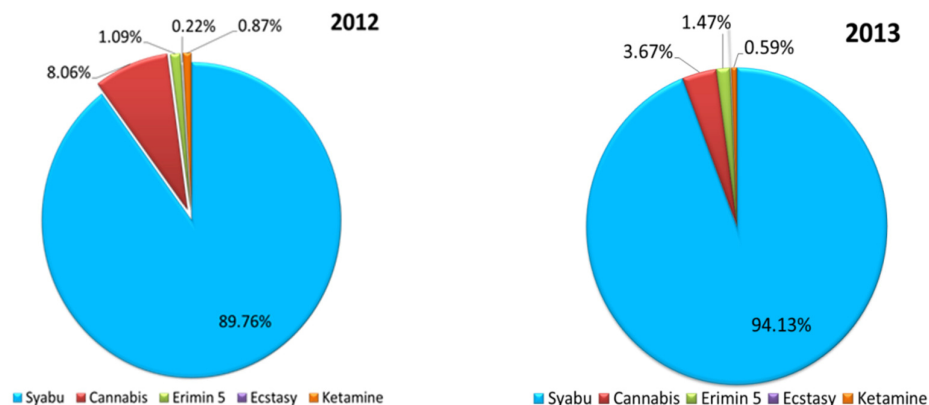


Figure 2: The percentage of drug user in Brunei Darussalam according to their drug of choice for the year 2012 and 2013

Figure 2 above shows the percentage of drug users in Brunei Darussalam according to their drug of choice for the year 2012 and 2013. Both charts shows a consistency in the most favored drug amongst drug users in which over 85% of the total arrests made in the year 2012 and 2013 were found to be involved with Syabu. The second most favoured drug amongst the drug users is Cannabis followed with Erimin 5, Ketamine and Ecstasy.

Drug Seizure

In summary, the following drugs were confiscated during the year 2012, 2013 and 2014:-

Type of drugs	2012	2013	2014 (14 April)
Methylephedrine (Syabu)	9005.12 grams	1976.72 grams	159.89 grams
Cannabis (Herb)	638.99 grams	752.27 grams	162.99 grams
Cannabis (Plant)	-	-	-
Cannabis (resin)	-	-	-
Erimin 5 (Nimetazepam)	572 tablets	129 tablets	490 tablets
Ketamine (pil)	386 tablets	-	-
Ketamine	6 grams	18 grams	51.81 grams
Ecstasy	9 tablets	6 tablets	25 tablets

Apprehension at Border Control

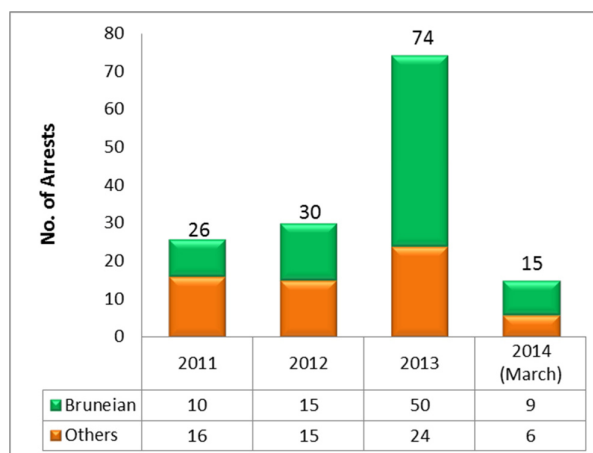


Figure 3: Number of arrests made at various border control in Brunei Darussalam

Figure 3 above shows an increasing trend on the number of arrests made at various border control checkpoints in Brunei Darussalam for various drug related offences with the period of 2011 – 2013. For the period January – March 2014, 15 arrests were made. The number of Bruneian citizens arrested at various border controls has shown a significant increase in the year 2013 as 50 arrests were made by 2013.

In 2012, a total 8.2kg of Methylamphetamine were confiscated at various border checkpoints in Brunei Darussalam, including Brunei International Airport. Drugs smuggled in from various border checkpoints in Brunei Darussalam were usually confiscated in small amount, suggesting for personal use only except for two cases in the year 2012 where Kenyan nationals were apprehended at the Brunei International Airport in possession of drug type methylamphetamine. However, the smuggled drugs were not destined for Brunei Darussalam as Brunei Darussalam was only used as a transit country.

The majority arrest made is at the Sungai Tujoh Control Post, a border between Belait District, Brunei Darussalam and Miri, Sarawak, Malaysia. The number of arrests made at various border control checkpoint in Brunei Darussalam is as below:-

Location	2011	2012	2013	2014 (March)
Brunei International Airport	2	7	0	0
Serasa Terminal	0	1	1	1
Kuala Lurah Control Post	1	3	17	4
Sungai Tujoh Control Post	13	13	44	10
Labu Control Post	10	6	10	0
Puni Control Post	0	0	2	0
Total	26	30	74	15

III. Trafficking Situation

Drug Trafficking in Brunei Darussalam

Brunei Darussalam continues to face endless challenges in combating drug crimes in the country as drug related crimes continue to increase. The current drug situation in Brunei Darussalam is currently under control; in the first half of 2013, out of 370 arrests made, only 10% of the arrests were for drug-trafficking offences. Relative to the total population of Brunei Darussalam, this only constitutes less than 0.001% of the Brunei population. In this sense, the drug trade in Brunei Darussalam is relatively small in the 'international scale'. Locals arrested are small-scale traffickers whose illegal proceeds generally end up in household income.

International Drug Syndicate

Brunei Darussalam has been used as a transit point for drug traffickers in their journey of drug trafficking. The investigations of three cases involving foreign nationals have revealed that these drug couriers transited in Brunei Darussalam carrying concealed drugs in their luggages are meant for the drug market in a foreign country being the final destination.

In the past, Brunei Darussalam has seen its own citizen being victim of West African Drug Syndicate and being used as drug couriers. Five cases have been reported involving Brunei citizen being apprehended at foreign international airport for attempting to bring in controlled drug into Australia, China and Chile.

IV. Legislation/National Drug Control Policy

The Misuse of Drugs Act, Chapter 27

The Misuse of Drugs Act (MDA), Chapter 27 is the main legislative enforced by NCB to conduct arrest, seizure, investigation and prosecution into drug trafficking activities. It provides mandatory death penalty for offences involving a trafficking of certain amount of specific controlled drugs.

The Misuse of Drugs (Amendment) Order 2012 was passed in February 2012 which involved a reclassification of controlled drugs including the elevation of Cannabis as a "Class A" Drug and several ATS substances such as ecstasy (MDMD) and Syabu (Methamphetamine). Codeine, Ketamine and Nimetazepam (Erimin 5) has been reclassified and elevated to Class B controlled drug. Under the revamped classification of drug schedule, mitragynine (ketum leaves) was introduced into the Class D drugs.

Other legal amendments to the Misuse of Drug Acts, Chapter 27 includes the following:

- a. Consumption of controlled drug outside Brunei Darussalam by permanent resident;
- b. Definition of cannabis, cannabis mixtures, cannabis resin;
- c. Place of consumption of drugs need not be stated or proven for prosecution;
- d. Powers of search and seizure by Narcotics' officer with the rank of Senior Narcotics Officer;
- e. Provisions empowers the Director to admit persons who have voluntarily submit themselves for Treatment and Rehabilitation at the Al-Islah Treatment and Rehabilitation Centre;
- f. Regulations for resident of the Al-Islah Treatment and Rehabilitation Centre to be brought out of the centre for the purpose of social / community services as part of the social re-integration programme run by the centre; and
- g. Period of treatment and rehabilitation in the Al-Islah centre was amended from 'not more than 1 year' to 'not more than 2 years'.

The Criminal Asset Recovery Order, 2012 ('CARO')

The Criminal Asset Recovery Order, 2012 ('CARO'), came into effect on the 16 June 2012, repealing two Money Laundering related legislations, i.e. The Drug Trafficking (Recovery of Proceeds) Act (DR(ROP)) and the Criminal Conduct (Recovery of Proceed) Order (CC(ROP)). It was introduced to consolidate the various procedures and powers in asset recovery and remove complexities found in the previous provisions. Further, CARO aim to clarify the provisions to increase transparency and to enable Brunei to successfully take action against those who intend to make illicit use of Brunei's financial system.

Section 3 of CARO gives the definition of 'Money Laundering Offences', removing problematic provisions which previously existed in DT(ROP) and CC(ROP). Under this provision, it clarifies that offences of money laundering is not dependent on the proof of the predicate offence; it is a "Standard Alone" offence.

Under this legislation, it makes available several provisions such as Restraining Orders, Confiscation Orders, Benefit Recovery Orders, Non-Conviction Based Forfeiture Orders, where there is no prosecution, unexplained and wealth declaration etc.

Section 99 of CARO gives power of arrest to any authorized officer (including an officer of the Narcotics Control Bureau) to arrest without warrant any person whom he reasonably suspect of committing or attempting to commit an offence under this order.

Section 100 of the same gives wide powers to the authorized officer as part of his investigation into money laundering offences.

Criminal Law (Preventive Detention) Act. Chapter 150

NCB is empowered under this Act to request to the Minister for an order to detain or place under the Bureau's Supervision of persons who have been associated with activities of criminal nature, specifically, in the interest of public safety and peace and good order.

Under Section 14, suspect may initially be detained for a period not exceeding 24 hours, later extended to 48 hours under the authority of an Assistant Director of the Bureau and finally for a total remand of 14 days under the authority of the Deputy Director of the Bureau and above.

Once the minister is satisfied that such person has been arrested for activities of criminal nature and probing threats to public safety, the Minister may order for that person to be detained for any period exceeding 1 year or placed under the Bureau's Supervision for any period not exceeding 3 years.

V. Enforcement

The Law Enforcement and Intelligence Division of the Bureau is responsible in implementing the strategy of reduction of illicit manufacturing, abuse and trafficking of drugs and other drug-related crimes through vigorous enforcement activities and prevention of the entry of narcotic drugs either through legal or illegal point of entry. This involves analysis of intelligence information, surveillance in designated areas, raid and arrest of suspect, seizure of drugs, evidence collection and patrolling both land and waterways. Personnel under this division also conduct investigation and prosecution cases under the Misuse of Drugs Act and Poison Act.

Over the years, the Bureau has improved the rate of quality arrest focusing on High Impact Operation. Operational officers have been sent for courses and trainings aiming to improve their capabilities and skills as well as increasing their knowledge on proper operational technique and procedure. The establishment of Strategic Intelligence Section has also improved the collation of intelligence information of drug related crimes in Brunei Darussalam.

Brunei Darussalam has been used as a transit point for drug traffickers in their journey of drug trafficking as there are cases in which drugs are being brought into another country using Brunei Darussalam as a transit country before arriving at their final destination.

To effectively eliminate syndicates involved in drug trafficking across Brunei Darussalam's border, our border control officers have been more vigilant in drug profiling of traffickers entering and exiting the border and increase intelligence information sharing amongst law enforcement agencies to monitor any illegal drug activities.

The Bureau has also expanded its Border Control Unit and over the past years, the Bureau has established a good work relationship with border control officers from the neighboring countries. This involved exchange of work visits, enhancing NCB's officer knowledge and skills to combat drug crimes across the border as well as sharing current issues in matters relating to drug trafficking across the border.

National and regional networking and cooperation are also in place and has been improved. With this, the bureau occasionally conduct meeting with other law enforcement/judicial agencies at both national and regional level to further discuss on how to strengthen legal and/or enforcement techniques. This involves the share and exchange of intelligence information, including the changing trend of Modus Operandi in drug trafficking and concealment techniques.

NCB is also a member to the Airport Security Committee which meets up regularly to discuss security matter at Brunei International Airport. This committee includes other law enforcement agencies responsible for the security of the airport such as Department of Civil Aviation, Royal Brunei Police Force, Royal Customs and Excise Department and Immigration.

Following the initiative by Office of the Narcotics Control Board (ONCB), Thailand in setting up an ASEAN Airport Interdiction Task Force (AAITF) and the recommendations by ASEAN Senior Officials Meeting on Drugs (ASOD), Brunei Darussalam has established its national Airport Interdiction Task Force (AITF) which entails the following:-

- i. Preventive and detection methods through intelligence sharing, joint operations and bilateral/trilateral/multilateral cooperation;
- ii. Strengthening networking of relevant enforcement agencies at the airport
- iii. To coordinate cross-border investigation/ operations;
- iv. To collaborate with international agencies and counterpart agencies of partner countries.

VI. Preventive Education

NCB's efforts in preventive drug education to promote public awareness and disseminate the anti-drug messages to the public include the following activities:-

i. Advocacy and Information Programme

To provide education and public awareness on the danger used of illegal drugs through the mass media campaign that includes adverts, digital displays, radio stations, banners, posters, pamphlets and billboards. In support of this program, cooperation from both public and private sectors including the Non-Governmental Actors has been encouraging.

ii. School based Drug Prevention Programmes

Lectures and talks regarding the harmful effects of drugs continued to be one of the main ways to educate students not to engage in this illegal activity. The programme is one of the approaches to increase knowledge and awareness to reduce the demand of drugs consumed.

A committee lead by Permanent Secretary of Ministry of Culture, Youth and Sports to handle the social issues concerning community problem such as drug abuse and family abuse. 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.

With the success of the implementation of 30 minutes lectures in Year 9 classes, starting NCB has extended similar programme for Year 5 students and religious schools in all four districts. We believe that by doing so, we are able to be more pro-active by having more interaction with the students and disseminate more knowledge on the dangers of drugs to them.

NCB has also published and disseminate a guideline book specifically for teachers to assist the NCB in educating students on harmful drug effects.

iii. Workplace based Drug Prevention Programme

NCB collaborates with the relevant agencies to curb issues of drugs among employees in the workplace. One of the measures conducted by Narcotics Control Bureau as a deterrent approaches is the random urine drug screening at work places.

NCB has signed a Memorandum of Understanding (MoU) with Royal Brunei (RB) to further intensify anti-drugs activities and programmes organized for the company. Such activities involve talks, random urine screening for its employees and the publication of anti-drug banners at the Brunei International Airport. A commercial on drug awareness is also in placed and played on screen during take-offs and landing.

iv. Other Initiatives

In its drug awareness efforts, NCB also deliver talks and conduct exhibition to the public. NCB also participates in carnivals and road shows, organized by other agencies in order to promote drug awareness education to the public.

In order to enlist and foster public support in combating illicit drug use, NCB has organized leisure activities such as Talent Show, explore-race and article writing contest which involves the participations from the public.

NCB further intensify its anti-drug activities through the collaboration with the Ministry of Education to produce a guidance book for teachers, Teachers' Guide on Drugs, which assists, guide and provide comprehensive and detailed facts and information to educators and teachers.

NCB has established a good working relationship with other public and private sectors, including the media, non-governmental and community-based organizations, academic and research institutions, and religious-based organizations to plan, execute, and monitor civic awareness initiatives and to advocate drug abuse prevention programmes. Such agencies involved in drug abuse prevention programmes are Ministry of Health, Ministry of Education, Ministry of Culture, Youth and Sports, Radio Television Brunei and Higher academic institutions in Brunei Darussalam.

VII. Treatment and Rehabilitation

With effect from 1 February 2008, His Majesty the Sultan and Yang Di Pertuan of Brunei Darussalam has consented for Narcotics Control Bureau to take over the management of Rumah Al-Islah from the Prison Department; after 18 years of being under the purview of the Prison Department. This has allowed NCB to closely monitor the development and the effectiveness of the programmes carried out by the centre.

Al-Islah Treatment and Rehabilitation Centre is the only approved treatment and rehabilitation of drugs centre in Brunei Darussalam which adopts the Psycho-social model focusing on behavioral changes through Therapeutic Community Program, spiritual therapy, life skills and vocational training.

The centre adopts Therapeutic Community (TC) as the treatment modes for its residents aiming to reinforce positive behaviour. Therapeutic Community is a group-based approach which embraces a set of methods aiming in treating its clients (residents) from emotional disturbances in a communal atmosphere and emphasizes the role of peers in securing safe-environment through the process of learning and support amongst themselves. It also emphasize on family responsibility which encourage behavioural shaping and management, emotional and psychological support, Intellectual and Spiritual support as well as vocational and survival skills.

In the Therapeutic Community (TC), the residents are in close supervision by the mayor (identified reformed drug user) and monitored by the respective personnel. The 4 structure of the programme includes the following:

- i. Behavioural change;
- ii. Emotional and physiological;
- iii. Intellectual and spiritual; and
- iv. Vocational and life skills.

In early 2012, a new provision 'Temporary Released Scheme' was introduced. The scheme is a transitional phase for residents prior their release from the centre. It aims to gradually prepare residents psychologically to be integrated in the community. Temporary release scheme allows residents to find employment, having employment, participate in any work attachment and involve with community services outside the centre with close supervision of the centre.

Al-Islah Treatment and Rehabilitation Centre is actively seeking networking with government and non-government organization, small and medium entrepreneurs to support residents in finding and securing employment for residents.

The role of family is vital in support for recovery process of residents. The centre is delivering its services by psycho-educating family members through family visits, social gathering with family at the centre and encouraging regular open family visits with residents.

By 31st March 2014, Al-Islah Centre has accommodated a total number of 213 residents of which 86.9% of the total residents are males i.e. 185 are males and 28 are females. 131 (61.5%) residents are admitted through Minister Order for those who have failed in supervision scheme following positive urine and absentees and willingness to undergo treatment after counselling intervention. Whilst 37 (17.3%) residents are admitted through court order and 45 (21.1%) admissions are on voluntary basis.

Out of the total of 213 residents, 25 residents were registered in the year 2014 (Jan – March) and a total of 37 residents were released upon completion of the treatment and rehabilitation programme in the centre.

VIII. International Cooperation

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

Brunei Darussalam makes efforts to strengthen its bilateral cooperation with Malaysia and Singapore to combat the drug menace in the region. Both countries have established good cooperation, networking of information and hold annual bilateral meeting.

Brunei Darussalam actively participates in international and regional meetings and is an active member to the followings meetings:

- a. ASEAN Senior Officials on Drug Matter (ASOD);
- b. Head Of National Drug Law Enforcement Agencies (HONLEA);
- c. Senior Officials Meeting On Transnational Crime (SOMTC + 3);
- d. The Colombo Plan Consultative Committee Meeting;
- e. Anti-Drug Liaison Officials' Meeting for International Cooperation (ADLOMICO);
- f. Asia Pacific Operational Drug Enforcement Conference (ADEC);
- g. Annual International Drug Enforcement Conference (IDEC) and Far East Regional Working Group (Mini IDEC Regional Meeting).
- h.

ASEAN Ministerial Meeting on Drug Matters (AMMDM)

On 3rd September, Brunei Darussalam hosted the 2nd ASEAN Ministerial Meeting on Drug Matters (AMMDM) attended by ASEAN Ministers responsible for Drug Matters. A Chairman Statement was adopted at the end of the meeting amongst which the ASEAN Ministers commended ASOD in its relentless efforts to achieve its mission on realizing a vision of drug-free ASEAN by 2015 and urged ASOD and other relevant bodies to discuss necessary measures to work towards a post-2015 agenda for ASEAN to further realise this vision.

IX. Any Other Comments

Supervision Scheme

Supervision as an aspect of aftercare services is considered in Brunei Darussalam to be vital for the true realisation of the Rehabilitation Process. It is felt that continuous aftercare support and encouragement must be given to the supervisees to help them reintegrate fully into the society.

The total number of supervisees registered to the Supervision Scheme is show as below:-

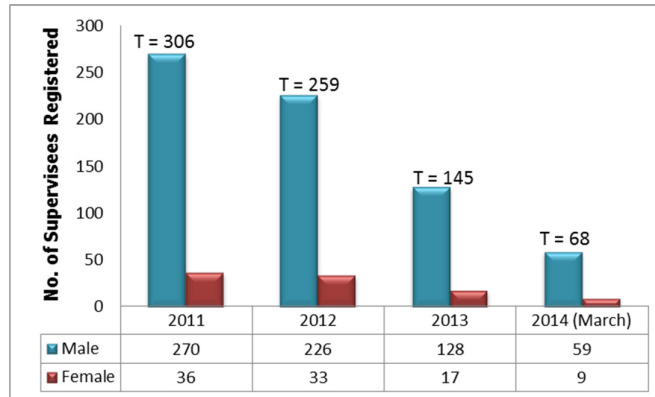


Figure 4 shows the number of supervisees registered to the Supervision Scheme in the year 2011, 2012, 2013 and 2014 (March)

Figure 4 above shows the numbers of supervisees registered to the Supervision scheme for the 2011 – 2013 and 2014 up to 31st March. Up until 31st March 2014, a total number of 269 supervisees are still undergoing the supervision scheme under the Bureau.

Supervision Scheme is compulsory in Brunei Darussalam and legally it is provided by the Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) Regulations, 1987. The supervision scheme is a two-year programme comprising of two phases. Throughout the supervision period, all supervisee are required to vigilant supervision programme, intake assessment, urine screening, home-visits and family interviews. In addition, further enhancement to the supervision programme is being introduced with the establishment of Counselling and Psychology Units.

In NCB, the introduction of peer mentor, reformed drug abuser known as “Rakan Harmoni” group helps to motivate and further guide those drug recovering offenders through peer support group programme.

NCB also provide psych education services to the family members of the supervised which aims to provide knowledge and assist the family members to understand the early sign of relapse and the reason behind it.

X. Conclusion

NCB takes the drug problems seriously and is committed in tackling them effectively by continuously pursuing its strategy of supply and demand reduction.

To date, Brunei Darussalam is not a drug producing country and drugs seized in Brunei Darussalam entered the country through our borders. In this regards, law enforcement agencies in Brunei Darussalam is doing everything in its power to control the entry of drugs into Brunei Darussalam.

Brunei Darussalam is also not a crop cultivation country and will constantly keep a close eye in monitoring and take steps in ensuring that this menace or other growing threats experienced by the region does not surface.

Brunei Darussalam also believes that it is necessary to have concerted effort with other national and regional counterparts to fight the drug crimes together. Brunei Darussalam also aims to provide adequate treatment to drug abusers to reduce their addiction level rather than to reduce "harm" associated with drug use.

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