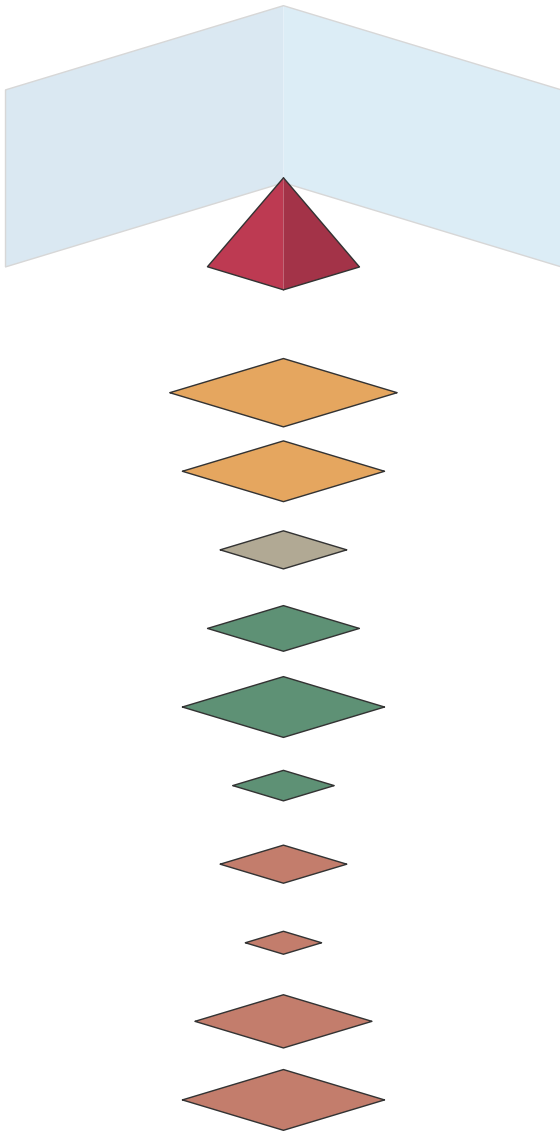


 **BRUNEI**



 **2.76**  
**CRIMINALITY SCORE**

**180<sup>th</sup>** of 193 countries  
**46<sup>th</sup>** of 46 Asian countries  
**11<sup>th</sup>** of 11 South-Eastern Asian countries

 **CRIMINAL MARKETS** **3.15**

HUMAN TRAFFICKING	4.50
HUMAN SMUGGLING	4.00
ARMS TRAFFICKING	2.50
FLORA CRIMES	3.00
FAUNA CRIMES	4.00
NON-RENEWABLE RESOURCE CRIMES	2.00
HEROIN TRADE	2.50
COCAINE TRADE	1.50
CANNABIS TRADE	3.50
SYNTHETIC DRUG TRADE	4.00

 **CRIMINAL ACTORS** **2.38**

MAFIA-STYLE GROUPS	1.00
CRIMINAL NETWORKS	2.50
STATE-EMBEDDED ACTORS	2.00
FOREIGN ACTORS	4.00

 **4.58**  
**RESILIENCE SCORE**

**106<sup>th</sup>** of 193 countries  
**20<sup>th</sup>** of 46 Asian countries  
**5<sup>th</sup>** of 11 South-Eastern Asian countries

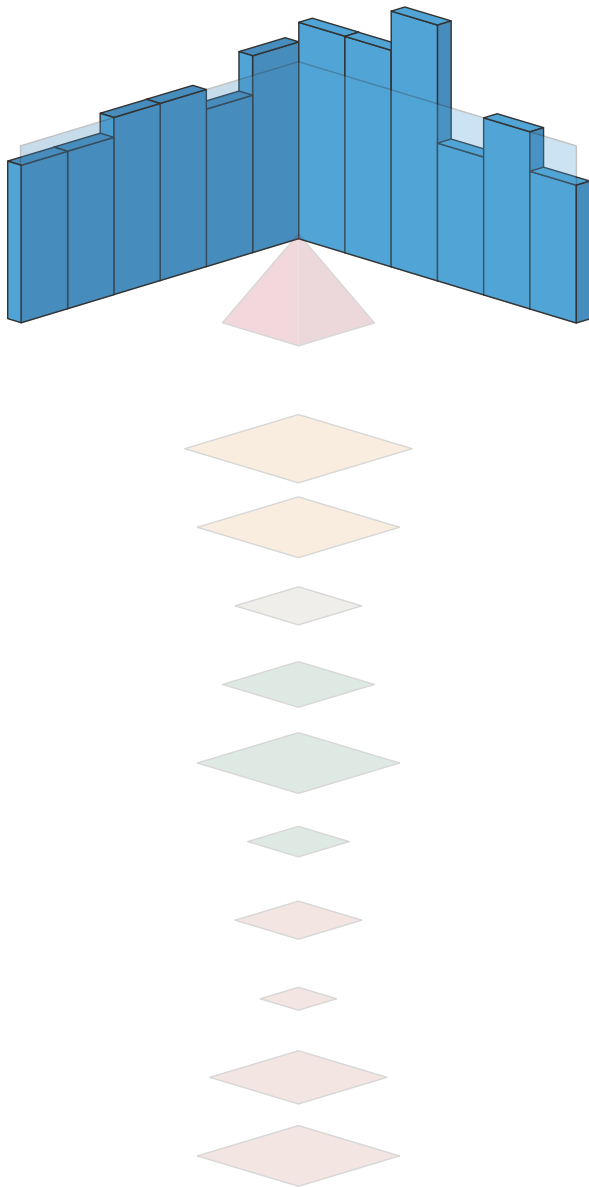


Funding provided by the United States Government.



ENACT is funded by the European Union and implemented by the Institute for Security Studies and INTERPOL, in affiliation with the Global Initiative Against Transnational Organized Crime.

 **BRUNEI**





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**RESILIENCE SCORE**

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POLITICAL LEADERSHIP AND GOVERNANCE	4.00
GOVERNMENT TRANSPARENCY AND ACCOUNTABILITY	4.00
INTERNATIONAL COOPERATION	4.50
NATIONAL POLICIES AND LAWS	4.50
JUDICIAL SYSTEM AND DETENTION	4.00
LAW ENFORCEMENT	5.00
TERRITORIAL INTEGRITY	5.50
ANTI-MONEY LAUNDERING	5.50
ECONOMIC REGULATORY CAPACITY	6.50
VICTIM AND WITNESS SUPPORT	3.50
PREVENTION	4.50
NON-STATE ACTORS	3.50

**2.76**  
**CRIMINALITY SCORE**

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 <b>CRIMINAL MARKETS</b>	<b>3.15</b>
 <b>CRIMINAL ACTORS</b>	<b>2.38</b>



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# CRIMINALITY

## CRIMINAL MARKETS

### PEOPLE

Brunei is both a destination and transit country for human trafficking and smuggling, with a moderately sized market for these crimes. Foreign workers, some of whom have entered the country irregularly, constitute the group most likely to be targeted by human traffickers, who force them into work to pay off debt, who switch their contracts, who withhold wages, who confiscate their passports, and who, in some cases, abuse workers physically. Other migrants fall victim to trafficking before they reach Brunei and are lured with promises of high salaries. A large portion of the migrant workers subject to trafficking crimes come from China, Bangladesh, the Philippines, Malaysia, Indonesia, and Thailand. With regard to human smuggling, Bruneian 'brokers' offer fake work visas to Bangladeshi citizens wanting to travel to Brunei to look for employment. Law enforcement tends to criminalize victims of human trafficking and smuggling as their focus is on illegal entry into the country. This and a failure to ensure the conviction of traffickers could lead to the growth of this criminal market.

### TRADE

Data on arms trafficking is particularly limited in the case of Brunei, which suggests that it is not an issue. Illicit firearms have been confiscated but in isolated events only.

### ENVIRONMENT

There is some evidence that non-renewable-resource crimes take place in Brunei, with the authorities periodically closing down illegal gold mines. There is little information, however, about the nature of these crimes and the actors involved in them.

Although there is no proof that it is happening on a large scale, research suggests that the illegal harvesting of timber takes place along Brunei's border with Malaysia. There are also reports of Malaysians entering Brunei from Sarawak to illegally harvest agarwood. However, Brunei has managed to retain most of its rainforests, which indicates that flora crimes have not had a massive impact on the country. Wildlife poaching is a limited problem in Brunei compared with its neighbours, and the country has a relatively strong legal framework to fight the issue. Nevertheless, a small criminal market for fauna products operates in Brunei, with protected species such as pangolins, slow lorises, owls, turtles and leopard cats, as well as shark fins, being sold illegally in some markets and via social media.

### DRUGS

Brunei does not play an important role as an origin or transit country for any drugs. Consumption is centred mainly on synthetic drugs and cannabis. The largest illicit market appears to be for synthetic drugs. Demand for methamphetamine-based substances is high, and the sale and consumption of street-quality methamphetamine, known as syabu (or shabu), has surged in recent years. The criminal networks involved in the distribution and use of syabu usually have connections with Malaysia and other countries in South-eastern Asia. The use of ketamine and MDMA has also increased, and synthetic drugs have been discovered in transit across the border between Brunei and Malaysia.

The second most consumed and seized drug in Brunei is cannabis. However, with the rise of cheaper methamphetamine derivatives, the popularity of cannabis seems to have waned. With some of the highest heroin prices and lowest seizure rates in the world, Brunei has a very small base of heroin consumers; while there is little evidence of any cocaine trade in the country.

## CRIMINAL ACTORS

There is no proof of any significant local organized-crime groups in Brunei. State-embedded actors do not play a major role in criminal markets. Evidence indicates that some West African syndicates, Chinese triads and members of the Abu Sayyaf group may have a sporadic presence in Brunei and could wield some influence on its criminal markets.

# RESILIENCE

## LEADERSHIP AND GOVERNANCE

Brunei is an absolute monarchy with a restricted political environment. The National Committee on Transnational Crime (NCTC) was established to combat transnational crimes, such as trafficking and smuggling of persons. However, the government has yet to take a strong position on transnational organized crime and has not identified it as a high priority. Brunei's institutional and legal framework for preventing and combating corruption is fairly effective; and while the government does not operate with transparency, corruption is perceived as moderate.

Brunei is a signatory to a number of treaties and conventions pertaining to organized crime, including the UN Convention against Transnational Organized Crime (UNTOC), the UNTOC protocol on the smuggling of migrants, and the UN Convention against Corruption. Brunei is not, however, a party to the UNTOC protocols on the trafficking of people or firearms; nor has it signed or ratified the Arms Trade Treaty.

Brunei has joined several multilateral networks to enhance international and regional cooperation with other law-enforcement agencies. It has an INTERPOL national central bureau, is a member of the Asia Pacific Group against Money Laundering (APG), and abides by the Association of South East Asian Nations' (ASEAN) Treaty on Mutual Legal Assistance in Criminal Matters. The extradition framework of Brunei allows it to enter into agreements with other countries on an individual basis, even those with whom it does not have formal extradition arrangements.

Brunei's legal framework for combating organized crime is somewhat atypical: security laws contain provisions that can be used against organized-crime groups; however, obligations to prevent and combat transnational organized crime are not clearly articulated in any criminal code.

## CRIMINAL JUSTICE AND SECURITY

Since gaining independence, Brunei has based its legal framework on Sharia law while still retaining elements of the colonial-era English legal system. Judges are appointed by the sultan and, in general, the courts are not fully independent or able to provide adequate guarantees of fair judicial process. There is little information about detention facilities in the country and no evidence to suggest sustained organized-crime activities in prisons. Law enforcement has a specialist anti-trafficking unit but lacks other dedicated divisions.

## ECONOMIC AND FINANCIAL ENVIRONMENT

Brunei is an attractive country in which to do business, with a fairly good regulatory environment and a relatively open economy. The country has a high level of human development and is comparatively wealthy. It is heavily dependent on the extractive industries, and natural resources make up a very large part of the economy.

As a member of the APG, Brunei underwent monitoring checks in 2005 and 2010. The government's monetary authority houses the country's financial intelligence unit, which collaborates with the APG and adheres nominally to its standards. In spite of these measures, in recent years government officials have been implicated in large-scale money-laundering scandals. This calls into question the efficiency of Brunei's Anti-Money Laundering and Countering the Financing of Terrorism system. Moreover, Brunei's rules for its financial system are not in line with good practices on financial transparency, and it continues to allow a high degree of beneficial ownership and tax secrecy.

## CIVIL SOCIETY AND SOCIAL PROTECTION

Although Brunei's police encourage victims to assist in investigations as witnesses and promise them protection, there is no known witness-protection programme in the country. In general, Brunei lacks the necessary mechanisms to support victims and witnesses of crime. There is no formal system of identifying victims of human trafficking, but Brunei has rehabilitation and protection centres that take in trafficked victims.

While Brunei has built up and implemented its regulations on crime reduction and prevention, there is no readily available information on a national prevention strategy for transnational organized crime. According to the government, however, actions associated with its national development plan have had crime-prevention outcomes.

Brunei partakes in the ASEAN 2016-2025 Plan of Action to Combat Transnational Crime. Given the country's heavily monarchical political culture, in which the sultan exercises executive power, civil-society organizations (CSOs) are scarce and operate under a strong regime of state supervision. Recently, ASEAN CSOs have issued a joint statement on the implementation of Sharia laws in Brunei, which they fear will significantly curtail their space for civic participation. Journalists in Brunei do not enjoy the freedom to cover any issue without fear of reprisal and generally operate in a restricted environment.

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