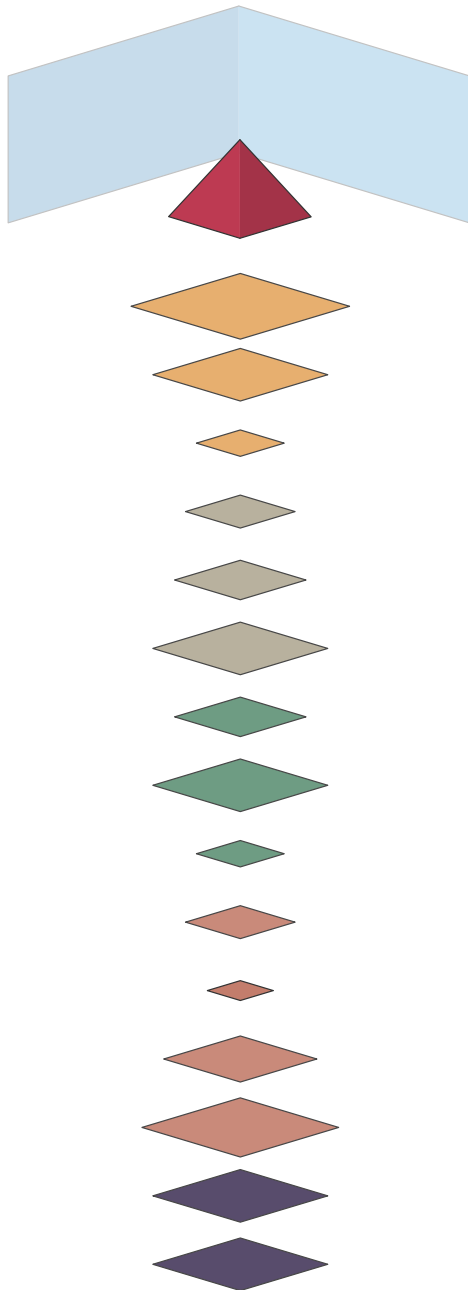


 **BRUNEI**



 **2.85**
CRIMINALITY SCORE

180th of 193 countries
45th of 46 Asian countries
11th of 11 South-Eastern Asian countries

 **CRIMINAL MARKETS** **3.30**

HUMAN TRAFFICKING	5.00
HUMAN SMUGGLING	4.00
EXTORTION & PROTECTION RACKETEERING	2.00
ARMS TRAFFICKING	2.50
TRADE IN COUNTERFEIT GOODS	3.00
ILLICIT TRADE IN EXCISABLE GOODS	4.00
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	4.50
CYBER-DEPENDENT CRIMES	4.00
FINANCIAL CRIMES	4.00

 **CRIMINAL ACTORS** **2.40**

MAFIA-STYLE GROUPS	1.00
CRIMINAL NETWORKS	2.00
STATE-EMBEDDED ACTORS	3.00
FOREIGN ACTORS	4.00
PRIVATE SECTOR ACTORS	2.00

 **4.58**
RESILIENCE SCORE



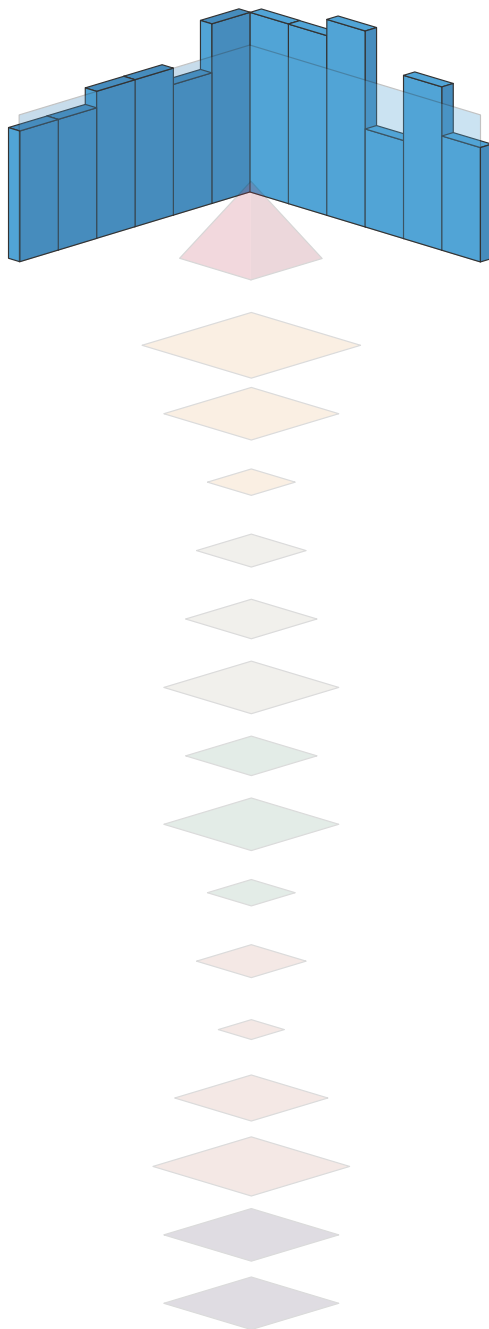
Funding provided by the United States Government.



Funded by the European Union

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**





 **4.58**
RESILIENCE SCORE

107th of 193 countries
20th of 46 Asian countries
5th of 11 South-Eastern Asian countries

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	5.50
TERRITORIAL INTEGRITY	5.50
ANTI-MONEY LAUNDERING	5.50
ECONOMIC REGULATORY CAPACITY	6.00
VICTIM AND WITNESS SUPPORT	3.00
PREVENTION	5.00
NON-STATE ACTORS	3.50

 **2.85**
CRIMINALITY SCORE

 CRIMINAL MARKETS	3.30
 CRIMINAL ACTORS	2.40



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CRIMINALITY

CRIMINAL MARKETS

PEOPLE

To a moderate extent, Brunei is both a transit and destination country for human trafficking, with women who migrate for domestic work on social visit passes or tourist visas being particularly vulnerable. Foreign workers, some of whom have entered the country irregularly, are often targeted by human traffickers, who force their victims into exploitative situations using tactics such as withholding wages, switching labour contracts, confiscating passports or trapping workers in involuntary servitude through physical abuse. A large portion of the migrant workers subject to trafficking crimes come from Indonesia, Philippines, Bangladesh and China. There have also been reports of high-profile political figures engaging in sexual exploitation. Despite being a prominent criminal market in the country, the size and value of human trafficking in Brunei are relatively small compared to other countries in the region.

The distinction between human smuggling and human trafficking is unclear in Brunei, making it difficult to accurately estimate the size and reach of the human smuggling market. Those who perpetrate human smuggling crimes face hefty fines and imprisonment, but law enforcement often criminalizes the smuggled people rather than the perpetrators. There is little information on the size of the market for extortion and protection racketeering in Brunei but, despite some episodic cases, mainly related to human trafficking activities, these practices do not seem to be systemic in the country.

TRADE

Arms trafficking in Brunei does not appear to be a significant issue, and the majority of trade is internal rather than transnational, consisting mostly of crude, handcrafted weapons typically used by poachers. The government prohibits all civilian possession of firearms, including for hunting or personal protection. Violent crime remains low, which may reflect patterns within this criminal market.

The trade of counterfeit goods occurs in Brunei, with authorities regularly conducting investigations and seizures of fake versions of items such as watches, cosmetics, medicines and food. Because of a lack of information, it is difficult to estimate the size of the market in the country. The illicit trade of excise goods, such as cigarettes, alcohol, fireworks and tools, is a problem in Brunei. Law enforcement has conducted several operations to combat this trade, resulting in numerous confiscations of contraband items and the detaining and fining of people involved in smuggling.

ENVIRONMENT

Illegal timber harvesting in Brunei is primarily carried out by organized crime groups and loggers. It often occurs along the border with Malaysia, where Malaysian loggers, sometimes armed, encroach into Brunei's forests. Additionally, Malaysian poachers enter Brunei from Sarawak to harvest agarwood, which is popular in the Middle East as an ingredient for perfume, and smuggle it back to Malaysia for export. However, Brunei has managed to preserve much of its rainforest, indicating that flora crimes have not had a significant impact on the country.

Although wildlife poaching is reportedly lower in Brunei than in neighbouring countries, some protected species, such as pangolins, slow lorises, owls, turtles, leopard cats and shark fins, are still illegally sold in certain markets and via social media, with cross-border smuggling probably moving the goods to neighbouring Malaysia. Birds are reported to be especially threatened by the wildlife trade, and illegal fishing activities occur in Brunei's exclusive economic zone, with most foreign illegal vessels coming from Vietnam and Malaysia. Although there is a small fauna crime market in Brunei, strong legislative efforts and a general respect for nature have helped to keep it in check. The monarchy has prioritized wildlife conservation, and efforts are under way to raise public awareness of the threats posed by such trafficking.

There is evidence of non-renewable resource crimes taking place in Brunei and law enforcement has periodically shut down illegal goldmines without being able to track down miners or systematically collect information on illicit networks coordinating this market. Illegal gold mining may be a cross-regional phenomenon that has intensified because of the COVID-19 pandemic, which has led to increased unemployment levels and incentivized those without employment or working under precarious conditions to engage in illegal mining, given the low barriers to entry in the sector and the abundance of valuable minerals in the country.

DRUGS

There is no evidence to suggest that Brunei is a source or transit country for heroin, but it is a destination country to some extent. International actors facilitate the trade of heroin from other areas in South East Asia, although locals supply it to regular consumers within Brunei. The market remains small in comparison to neighbouring countries, and the high price of heroin in Brunei suggests that the availability of the drug is relatively limited overall.

There is no indication that cocaine trade occurs in Brunei. Cocaine has not been involved in any major seizures in the

country for almost a decade. Although some countries in South East Asia have become involved in the illegal transport of cocaine from Latin America, there is no evidence to suggest that Brunei is involved in this aspect of the trade. Cannabis is the second most seized drug in Brunei after methamphetamine, and there are indications that its consumption is increasing, particularly among youth and students. Brunei reportedly has one of the most expensive per-gram prices of cannabis in the world.

The synthetic drug trade, particularly the demand for methamphetamine-based substances, has been on the rise over the past five years. Syabu, a street-quality type of methamphetamine, is now the primary drug of concern in Brunei and most other Association of Southeast Asian Nations member states. Criminal networks involved in its use and distribution have connections in Malaysia and other South East Asian countries. Ketamine and ecstasy (MDMA) are also growing in popularity. The synthetic drug market is a major criminal market in Brunei, with most profits accruing to foreign actors due to the growing supply from air and maritime routes. Despite the impact of the COVID-19 pandemic, the synthetic drug market in South East Asia, including Brunei, has proven highly resilient.

CYBER-DEPENDENT CRIMES

Brunei faces various cybercrime challenges, mainly distributed denial-of-service (DDoS) attacks. Despite the threats, Brunei boasts robust cyber capacity and high levels of internet accessibility. Its people have a good understanding of cyber-security, which makes it a more challenging target for cyber-attacks compared to other South East Asian countries.

FINANCIAL CRIMES

Recent instances of financial crimes in Brunei include fraudulent investment schemes by Malaysians falsely claiming to be linked to a Brunei sovereign wealth fund, as well as bribery cases involving public officials seeking job promotions. Additionally, the lack of clear distinction between the royal family's private assets and public finances has allegedly allowed for the accumulation of significant private wealth.

CRIMINAL ACTORS

There is currently no evidence of mafia-style groups or criminal networks operating in Brunei, with the exception of minor loose gangs. Although the country has a zero-tolerance policy for corruption and bribery, it is difficult to determine the extent to which private wealth is extracted from state resources due to the absolute monarchy's wealth and lack of transparency. As the media is owned by the royal family, any involvement of high-level state actors or royal family members in illegal activities, including organized crime, is unlikely to be reported on. In addition, allegations that the royal family and their associates have been involved in trafficking women for sexual exploitation have not been effectively investigated. The lack of democratic processes and the absolute power of the monarchy lead to a lack of transparency surrounding state-embedded actors.

Brunei is vulnerable to drug trafficking and transnational terrorism because of its location on drug trafficking routes between China and Oceania and its proximity to Malaysia and the Philippines. As a result, there is presence, albeit limited, of West African syndicates, Chinese Triad groups and South East Asian criminal actors in the country. The latter specialize in illegal fishing on Brunei's coast-line. Given the lack of transparency, it is difficult to differentiate between private and public interests in Brunei and determine the involvement of private sector actors in organized crime.

RESILIENCE

LEADERSHIP AND GOVERNANCE

Brunei is an absolute monarchy with a restricted political environment, lack of transparency and limited press freedom. The monarch is involved in major government positions and financial interests, and the government has shown little commitment to combating transnational organized crime. Furthermore, the international community has criticized the country for its human rights abuses, citing, for example, the introduction of stricter Sharia legislation and the criminalization of homosexuality in Brunei. Although

the Anti-Corruption Bureau has successfully prosecuted several lower-level officials, the use of broad and vague terminology in Bruneian law can be problematic. Cases involving high-level officers and members of the royal family are not prosecuted. The Legislative Council, despite having no independent power, engages in question-and-answer sessions with government officials. However, there is generally little transparency in the operations of the Brunei government.

Brunei has ratified various international treaties against organized crime and participates in regional and international forums to enhance international and regional cooperation with law enforcement agencies. The country has already joined several multilateral networks, including INTERPOL and the Asia/Pacific Group on Money Laundering. However, despite Brunei's long list of legal and political commitments, there is limited information about their implementation and few examples of practical bilateral or regional cooperation in relation to actual transnational organized crime investigation or prosecution.

Brunei has a strong legislative framework against transnational organized crime, including a new legal requirement for some companies to maintain a register of controllers and submit their details to the Ministry of Finance and Economy. Nevertheless, despite the existence of these legal instruments, there are few examples of their implementation, and criminal justice practitioners have applied them inconsistently. Brunei's Internal Security Act serves as the primary legal framework to combat subversion, organized violence and other crimes that threaten the country's stability and national security. Brunei's approach to confiscation is also unique, as suspected perpetrators do not need to be convicted of organized crime to have their assets confiscated.

CRIMINAL JUSTICE AND SECURITY

Brunei's legal system is divided into secular and Sharia courts, with the latter following a strict interpretation of Islamic law. Civil and criminal law is based on English common law and enforced in secular courts, Sharia law is enforced in Sharia courts. In death penalty cases, the government provides an attorney to indigent defendants, and a legal aid fund was established to address the gap in access to justice. Conditions in prisons are not well documented.

Brunei's obligations to prevent and combat transnational organized crime are not clearly defined in any criminal code. Although the government established an inter-agency team to investigate potential cases of human trafficking, they have failed to prosecute or convict any traffickers for the fourth consecutive year. Concerns have been raised that this is due to misunderstandings about what constitutes trafficking and to law enforcement's insufficient capacity to identify victims and to investigate powerful stakeholders, including those connected to the royal family. In 2021, two large-scale operations targeting drug trafficking organizations in the country ended with the arrest of a number of suspects and the seizure of large quantities of syabu, as well as money, vehicles and jewelry.

Given Brunei's small size, the country mostly controls its sovereign territory without international assistance. However, its coastal and maritime areas are vulnerable to illegal, unregulated and unreported fishing, as there is a lack of efficient law enforcement in the high sea. The

potential smuggling of people could also be a market that requires further attention from authorities, but no specific information exists regarding any explicit threats to Brunei's territorial integrity by transnational organized crime actors.

ECONOMIC AND FINANCIAL ENVIRONMENT

Brunei's Anti-Money Laundering Act covers money laundering within the country, but the significant assets held by the monarchy are unlikely to be subject to scrutiny. Although Brunei has made significant progress in national anti-money laundering measures, it does not align its financial system's rules with good practices of financial transparency, allowing a high degree of beneficial ownership and tax secrecy.

Brunei's economy relies heavily on oil extraction, accounting for almost all of the country's total exports and over half of its GDP. The country has called for economic diversification, but progress has been slow because of the centralized state structure that relies on the monarchy. Despite this, Brunei's exceptional wealth and tax-free status for citizens attracts foreign investors. The country also maintains a favourable economic regulatory environment with good property rights, judicial effectiveness, government integrity and business, monetary and trade freedoms. However, poor fiscal health, limited financial freedoms and high unemployment rates, particularly among foreign workers, increase vulnerability factors such as human trafficking.

CIVIL SOCIETY AND SOCIAL PROTECTION

Brunei has no dedicated facility for addressing human trafficking, but it does have rehabilitation and protection centres to assist victims. In recent years, the government has allocated more of its budget for trafficking-specific expenses and maintained a secure shelter that provides medical care, counselling, vocational training programmes and access to recreational activities to female and male victims under 18. Although the government allows victims to leave the shelter without a chaperone and promises to help them find alternative employment, victims are likely to be deported and/or convicted as irregular workers and not identified as victims of human trafficking. There is no known protection programme, although the police encourage victims to assist in investigations as witnesses.

Although Brunei has no national-level prevention strategies, the government has worked on poverty reduction policies as a form of crime prevention. It has also established an inter-agency public relations task force to raise awareness of trafficking and labour rights and regularly reviews government efforts through the inter-agency anti-trafficking committee. However, the lack of protections for foreign workers suggests insufficient measures to guard against exploitation.

As an absolute monarchy with no elected representatives at the national level, Brunei has a scarcity of civil society organizations because of national legislation ensuring

close government oversight. Only non-Bruneian NGOs are operating in the country, and they work closely with the government to tackle human trafficking, particularly sex trafficking of minors. Press freedom is severely restricted, with Brunei's only television station run by the state. The country's main English-language daily newspaper is also controlled by the sultan's family, leading journalists are reported to practise self-censorship. In addition, the introduction of Sharia law has led to the further restriction of Brunei's civic space, including the imposition of the death penalty for various offences, such as insulting the Prophet Mohammed, and punishments against individuals for publications against Islamic beliefs.

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