

stifling, toxic or chemical and biological agents, or any others elements whose combinations can result in products of the some nature as those described above, or any other substance or explosive, beyond legal conditions or in contrary to prescriptions by competent authorities, are punishable, if their authors aimed or they knew that they were aimed to perpetrate any crime against State security, with a penalty from twelve to sixteen years of imprisonment. The penalties above described become more severe in the cases of crime of homicide.”

LXXVI. MYANMAR⁴³

SUMMARY OF LEGISLATION OF MYANMAR RELATED TO TERRORISM

In Myanmar, effective measures against terrorists are taken under two laws: the Unlawful Associations Act of 1908 promulgated to take action against the members of terrorist organizations and its supporters and the Emergency Provisions Act of 1950 enacted for effective prevention and suppression of terrorism acts that affect the security of the Union.

Under these laws, terrorist acts are regarded as serious criminal offences and are punishable by sentences ranging from 7 years imprisonment to death penalty reflecting seriousness attributed to such terrorist acts.

The Emergency Provisions Act, *inter alia*, contains the following pertinent provisions:

Section 6

Whoever does any act with the intention of deteriorating, obstructing, or destroying the purpose and ability of:

- (a) a building, vehicle, machinery, equipment, or other property used or intended to be used for Government purpose;
- (b) a road, bridge, drainage-crossing, embankment, port or dockyard;
- (c) a building, an object, a sanitary installation, a mine, or a factory used with respect to the manufacture, distribution or supply of essential goods;

⁴³ Transmitted to the Secretariat by that Government on 30 November 2001 (S/2001/1144, annex) and 5 September 2001 (S/2002/1045, enclosure). Information was also provided in respect of the Control of Money Laundering Law of 2002 and the Law of Taking Action Against Owning and Marketing of Properties Obtained by Unlawful Means of 1986.

- (d) a restricted area or a protected area;
- (e) a water-supply work, pipe connections, machine, apparatus, or other objects related to water-supply

shall be punished with imprisonment for a term not more than 7 years, or fined, or with both.

Section 6A

(1) Whoever with the intention of causing extreme suffering to the public or loss of lives or of endangering the lives or security of the public, or knowing that extreme suffering will befall the public or lives will be lost or that the lives or security of the public will be endangered, destroys or causes to destroy:

- (a) a public train, a motor vehicle, a vessel, an aircraft or other vehicle;
- (b) a public road, a railway-line, a railway-bridge or other bridge;
- (c) a public reservoir, a water-supply work and a pipe connected thereto;
- (d) a public dam;

shall be punished with death.

(2) Whoever with the intention of causing extreme suffering to the public or loss of lives or of endangering the lives or the safety of the public, or knowing that extreme suffering will befall the public or lives will be lost or that the lives or security of the public will be endangered, uses a mine or dynamite in any manner to destroy any object mentioned in sub-section (1), shall be punished with death.

(3) Notwithstanding anything contained in sub-section (1) and (2), any person who commits any offence mentioned in sub-section (1) or (2) under coercion and intimidation shall be punished with imprisonment of any type for a term which may extend to 7 years.