

Press conference on clarifying Sections ...

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He said that regarding the authority bestowed on the Central Board, according to Article (10) of the Law to Safeguard the State Against the Dangers of Those Desiring to Cause Subversive Acts, the body has the following rights to impose restrictions to protect the State against subversive acts, and that is also exhibited with tables.

- (a) A person against whom action is taken can be detained for a period of not exceeding sixty days at a time in accord with Article 10 (a). This can be extended to a period up to one hundred and eighty days.
- (b) A person against whom action is taken under Article 10 (b) can be restricted for a period of up to one year.

Regarding the authority of the Cabinet

(a) Article 10 (a)

(1) Under the Article 12, the Central Board shall obtain the approval of the Cabinet prior to the detention of a person against whom action is taken under Article 10 (a), in case such detention is considered necessary for a period longer than stipulated under Article 10 (a).

(2) Under Article 14, the Cabinet may grant prior approval to continue the detention or restriction of rights of a person against whom action is taken for a period of not exceeding one year at a time up to a total of five years.

(b) Article 10 (b)

(1) Under Article 13, the Central Board shall obtain the approval of the Cabinet in case it is considered necessary to extend the restrictions on a person against

whom action is taken under Article 10 (b).

(2) Under Article 14, the Cabinet may grant prior approval to continue the restrictions of rights of a person against whom action is taken for a period not exceeding one year at a time up to a total of five years.

When the Central Board reviews the restriction order in accordance with the rules and regulations of the Law to Safeguard the State Against the Dangers of Those Desiring to Cause Subversive Acts, it can also review the detention order or prohibition order and has the right to do as follows:

(A) According to the Procedure 46 (b), if there is strong evidence of the danger, the restriction order can be changed as required and the detention order can be issued instead of the prohibition order and, according to the Procedure 46 (e), whether the restriction order is changed or not, the detention order can be cancelled and the prohibition order issued instead

(B) This being the case, the Central Board can change Article 10 (a) to Article 10 (b) and vice versa

According to Article 10 (a) of the Law to Safeguard the State Against the Dangers of Those Desiring to Cause Subversive Acts, the Central Board issued the prohibition order on Daw Aung San Suu Kyi three times in the period from 31-5-2003 to 27-11-2003, one time stretching up to 60 days totalling 180 days.

During that period, Daw Aung San Suu Kyi had to be hospitalized at Asia Taw Win clinic on Baho road in Sangyaung Township on 17-9-2003 as she was suffering from a certain female disease. When her health improved, she was discharged from the clinic on 26-9-2003. The government sent her back to her house on University Avenue on humanitarian grounds and allowed her to live there till the prohibition period under Section 10 (a) expired on 27-11-2003.

Then, as it was necessary to issue Article 10 (b) because Daw Aung San Suu Kyi was likely to undermine the community peace and stability, the Central Board issued a one-year prohibition order on her at her house from 28-11-2003 to 27-11-2004 by changing Article 10 (a) to Article 10 (b) according to Procedure 46 (e).

When it no longer has the right to continue the prohibition and as it was necessary to issue another prohibition order, the Central Board, with the prior permission of the Cabinet, issued prohibition orders as follows:

- (a) one year from 28-11-2004 to 27-11-2005-First time
- (b) six months from 28-11-2005 to 27-5-2006-Second time
- (c) one year from 28-5-2006 to 27-5-2007-Third time
- (d) one year from 28-5-2007 to 27-5-2008-Fourth time
- (e) one year from 28-5-2008 to 27-5-2009-Fifth time

Therefore, Daw Aung San Suu Kyi has been prohibited for 4 years and 6 months according to Article 13 and Article 14 and with the prior permission of the Cabinet. According to Article 14 and with the prior permission of the Cabinet, Daw Aung San Suu Kyi can be prohibited for five years by issuing prohibition orders, each one covering the period of not more than one year. Therefore, according to the law, Daw Aung San Suu Kyi can be prohibited for another six months.

As has been mentioned above, on 27-5-2009, the fifth prohibition order that came into effect on 28-5-2008 expires and it will turn 4 years and six months.

Therefore, according to the law, the Central Board, with the prior permission of the Cabinet, has the right to prohibit her for another six months. However, as she is the daughter of Bogyoke Aung San, the founding leader of Myanmar, the Central Board was seriously considering whether to issue another 6-month prohibition order.

At this time, unfortunately, it was found out that Daw Aung San Suu Kyi allowed Mr John William Yettaw, an American citizen who entered her house illegally, to stay at her house for two days, received him and served meals to him. As it was against the law, she had to be sued.

Whatsoever it may be, Daw Aung San Suu Kyi has the right to defend herself by asking for the services of a lawyer according to the law. In addition, the government has provided food, accommodation and health care to her on humanitarian grounds.

At 8.40 am, the press conference came to a close.

At 1 pm today, the cases against the American citizen Mr John William Yettaw, Daw Aung San Suu Kyi, Daw Khin Khin Win and Ma Win Ma Ma were heard at Yangon North District Court for the seventh day and ambassadors to Myanmar, charge d'affaires ai, diplomats, UNDP resident representatives, members of Myanmar foreign correspondents club, editorial staff of local journals and magazines and township representatives in Yangon Division were present as observers at the trial.—MNA



Police Brig-Gen Myint Thein.—MNA