



# THE PARALLEL GULAG

NORTH KOREA'S  
"AN-JEON-BU" PRISON CAMPS



**DAVID HAWK**

With  
AMANDA MORTWEDT OH



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\*The symbol on the cover is the uniform insignia of the “*An-jeon-bu*,” translated as the Ministry of People’s Security, North Korea’s police force that administers the *kyo-hwa-so* prison system through its Prisons Bureau.

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# ABOUT THE COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA (HRNK)

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HRNK is the leading U.S.-based bipartisan, non-governmental organization in the field of North Korean human rights research and advocacy, tasked to focus international attention on human rights abuses in that country. It is HRNK's mission to persistently remind policymakers, opinion leaders, and the general public that more than 20 million North Koreans need our attention.

Since its establishment in October 2001, HRNK has played an important intellectual leadership role in North Korean human rights issues by publishing thirty-three major reports (available at <http://www.hrnk.org/publications/hrnk-publications.php>). Recent reports have addressed issues including political prison camps, the dominant role that Pyongyang plays in North Korea's political system, North Korea's state sponsorship of terrorism, the role of illicit activities in the North Korean economy, the structure of the internal security apparatus, the *songbun* social classification system, and the abduction of foreign citizens.

HRNK was the first organization to propose that the human rights situation in North Korea be addressed by the UN Security Council. HRNK was directly, actively, and effectively involved in all stages of the process supporting the work of the UN Commission of Inquiry on North Korean human rights. Its reports have been cited numerous times in the report of the Commission of Inquiry, the reports of the UN Special Rapporteur on North Korean human rights, a report by the UN Office of the High Commissioner for Human Rights, a report of the UN Secretary-General António Guterres, and several U.S. Department of State Democratic People's Republic of Korea Human Rights Reports. On several occasions, HRNK has been invited to provide expert testimony before the U.S. Congress.

# ABOUT THE AUTHORS

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## DAVID HAWK

In addition to *North Korea's Parallel Gulag*, David Hawk has previously researched and authored a series of reports for HRNK: the first (2003) and second (2012) editions of *The Hidden Gulag: Exposing Prison Camps in North Korea*, which were translated into Korean and Japanese and published in Seoul and Tokyo; *North Korea's Hidden Gulag: Interpreting Reports of Changes in the Prison Camps* (2013); and *The Hidden Gulag IV: Gender Repression and Prisoner Disappearances* (2015).

Additionally, Hawk authored *Thank You Father Kim Il Sung: Eyewitness Accounts of Severe Violations of Freedom of Thought, Conscience and Religion in North Korea* (U.S. Commission for International Religious Freedom (USCIRF)); *Concentrations of Inhumanity: An Analysis of Phenomena of Repression in North Korea's Prison Camps According to the Provisions of Article 7 of the Rome Statute of the International Criminal Court* (Freedom House); *Pursuing Peace While Advancing Rights: The Untried Approach to North Korea* (U.S.-Korea Institute, Johns Hopkins School of Advanced International Studies (SAIS)); "International Human Rights Law; and the D.P.R.K.," *China's Internal and External Relations and Lessons for Korea and Asia*, eds. Jung-ho Bae and Jae Ku, (Korea Institute for National Unification (KINU)); and "North Korea's Response to the UN Commission of Inquiry Report on the Situation of Human Rights in the D.P.R.K." (in *Law and Policy on Korean Unification: Analysis and Implications*, eds. Jong-chul Park and Jeong-ho Roh, KINU and the Korean Legal Studies Department of the Columbia University Law School).

David Hawk is a former Executive Director of Amnesty International, USA and a former UN human rights official in charge of the Cambodia Office of the UN High Commissioner for Human Rights. He has written numerous reports on human rights issues, most notably on genocide in Cambodia, massacres in Rwanda, and the severe violations of human rights in North Korea. Hawk has taught at Hunter College, City University of New York and was a visiting Scholar at the Institute for the Study of Human Rights, Columbia University. Currently he teaches in the International Relations Department at the University of South Florida.

## AMANDA MORTWEDT OH

Amanda Mortwedt Oh is HRNK Project Officer in charge of satellite imagery analysis. She was the desk officer for the series of satellite imagery analyses of North Korean prisons and prison camps published by HRNK and DigitalGlobe Analysis Center, and subsequently AllSource Analysis. She prepared the HRNK "Submission of Information & Documentation on the Situation of Human Rights in North Korea" to the UN Commission of Inquiry, and co-authored *Rights Up Front*, for HRNK and the Robert F. Kennedy Center for Justice and Human Rights.

Amanda Mortwedt Oh holds a JD from the University of St. Thomas School of Law (Minneapolis) and an LL.M. from the Fletcher School of Law and Diplomacy at Tufts University. She also serves as an attorney in the U.S. Army Reserve Judge Advocate General's Corps.

## ACKNOWLEDGEMENTS

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Amanda Mortwedt Oh played an indispensable role in the preparation of this report. Drawing on her previous research and familiarity with satellite photographs of North Korea's prison camps, she was able to match previously unidentified images of prisons and prison camps with my compilation of published data on the *kyo-hwa-so* prison camps. Amanda assisted in the review of the compiled data in the "Working Survey" and Provincial Chart of *kyo-hwa-so* prison camps, and copy-edited text. Special thanks also to Joseph S. Bermudez Jr. for his analyses of the satellite images of the prisons pictured in this report.

Ms. Rosa Park, HRNK's Director of Programs and Editor, completed editing, designed the formatting and layout for this report, and organized the valuable input of several interns: Chloe Pulfer was instrumental in the design of the provincial chart and map of the *kyo-hwa-so* and *kwan-li-so*, and assisted with other design and editing aspects; Amanda Won translated and Jihye Lee edited the 2012 North Korean Criminal Code; Hyebin Jeon did translations of the Korean language reports by the Database Center for North Korean Human Rights (NKDB); Grace Warwick and Soohyun Chang did fact-checking and cross-checking for the data compilation in the "Working Survey"; and Elizabeth Yang assisted in editing and formatting footnotes.

Mr. Jung Gwang-il, Founder and Director of NO CHAIN: The Association of North Korean Political Victims and their Families, organized interviews for the author with former *kyo-hwa-so* prisoners now resident in South Korea. Jeonghyun Kang, former HRNK intern, and Ashley Youngsun Eom translated for my interviews in Seoul.

Many thanks to Roberta Cohen for her valuable insights and editorial review.

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And special thanks to Joan Libby Hawk for her unflagging patience, valued advice, and editing assistance during the research and writing of this report.

*David Hawk*

October 26, 2017

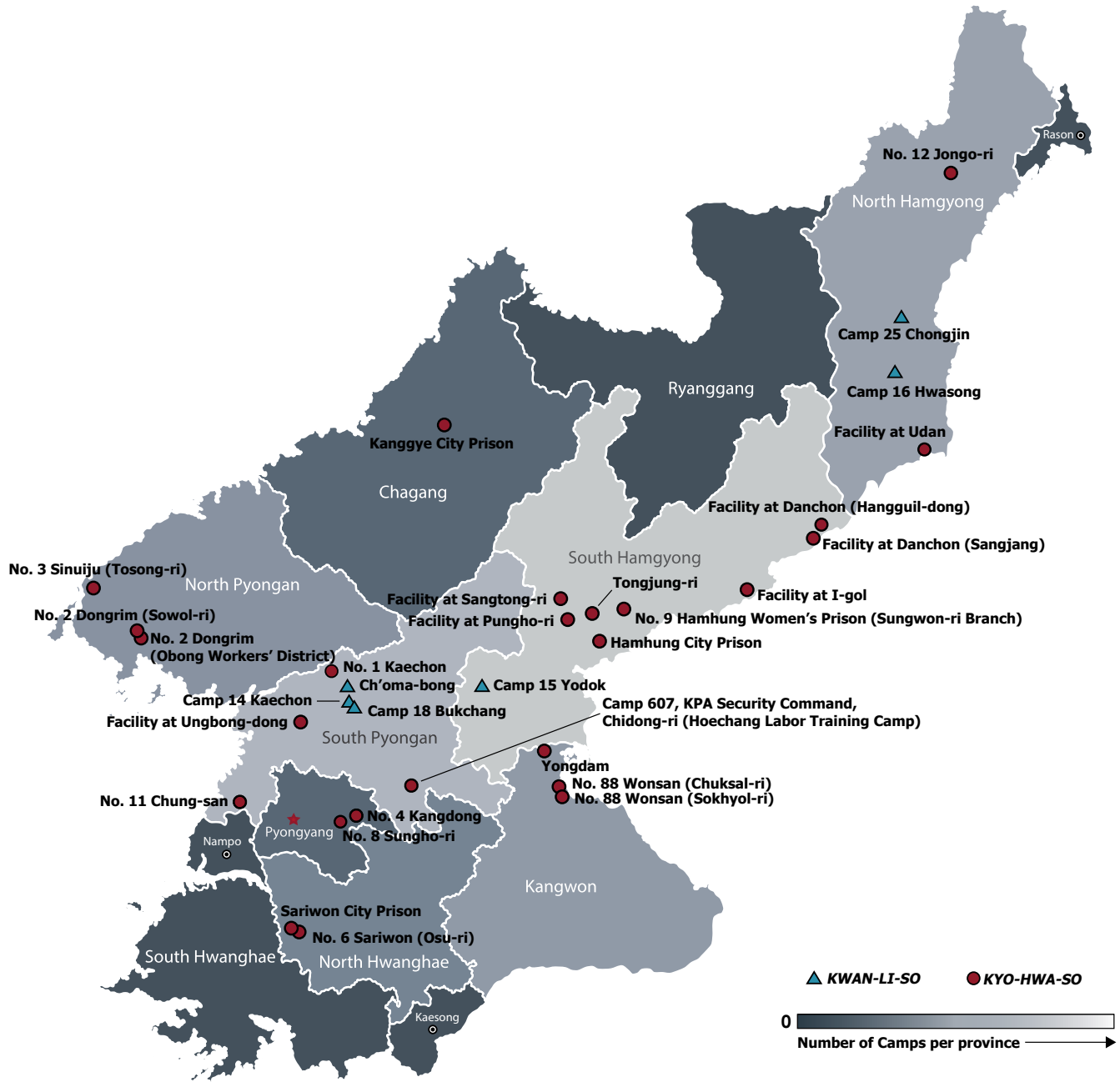
## ABBREVIATIONS (Alphabetical Order)

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HRNK	Committee for Human Rights in North Korea
KINU	Korea Institute for National Unification
KWP	Korean Workers' Party
LTC	Labor Training Camp
MPS	Ministry of People's Security
MSS	Ministry of State Security
NGO	Non-governmental organization
NKDB	Database Center for North Korean Human Rights
UN COI	United Nations Commission of Inquiry



# MAP OF KYO-HWA-SO AND KWAN-LI-SO PRISON CAMPS



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# FOREWORD

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## THE HONORABLE MICHAEL KIRBY

### Chairman of the UN Commission of Inquiry on Human Rights Violations in the Democratic People's Republic of Korea (2013–2014)

In 2013, I was appointed by the President of the UN Human Rights Council to be the Chair of the Commission of Inquiry on the Democratic People's Republic of Korea (DPRK). With two brilliant and dedicated colleagues and an excellent secretariat, we produced our report in little more than half a year. We found that:

***“Systematic, widespread and gross human rights violations have been, and are being, committed by [the DPRK], its institutions and officials...The gravity, scale and nature of these violations reveal a state that does not have any parallel in the contemporary world. [It is]...a totalitarian state...[that] seeks to dominate every aspect of its citizens’ lives and terrorises them from within.”***

From the start of our work, we resolved to fulfil our mandate in a way different from most such inquiries. As an antidote to the extreme secrecy of the DPRK, we decided to place emphasis on transparency. We conducted public hearings, which were filmed and placed online. We engaged with media. Throughout our report, we quoted the testimony of our witnesses, in order to allow them to speak directly to power. Our first public hearing was held in Geneva, followed by others in Seoul, Tokyo, London and Washington, DC. Amongst the first witnesses who gave evidence before us was David Hawk. I had known him partly whilst performing other UN duties in Cambodia. He helped us to overcome the refusal of the DPRK to permit a visit to their country. He did so through his words, photographs and satellite imagery, he helped the UN COI to leap fearsome barriers of isolation, so that we would understand the system of detention camps that had been established in the DPRK. That country denied the existence of any such camps. His testimony was compelling. It was little wonder that the DPRK did not want a vigilant and independent UN commission to enter their territory and inspect the camps.

The UN COI found the existence and grim features of the camps, detention facilities and prisons in the DPRK. It concluded:

***“That such political prison camps continue to exist at present in the DPRK is an affront to the universally shared human rights values and a crime against humanity. It is the duty of [the] DPRK and the international community to ensure that these camps are dismantled and the surviving prisoners released without further delay.”***

Our recommendations extended both to the political prison camps (*kwan-li-so*) and the labor re-education camps (*kyo-hwa-so*). Magically, there is no reason to believe any substantive change in the situation reported by the UN COI in 2014. Now, continuing his invaluable work for human rights, David Hawk has published *The Parallel Gulag*. It is a report providing additional evidence. It updates the record contained in the UN COI report. It shows that North Korea's system of political oppression remains in place as an affront to the conscience of humanity. As the DPRK has itself failed to rectify this grave problem, the duty, by international law, falls upon the organised international community in the United Nations. If the problem was urgent in 2014, it is doubly so today.

DAVID HAWK

With Amanda Mortwedt Oh

David Hawk has been providing reports on the “hidden gulags” of the DPRK for 15 years. His reports have become a kind of clarion voice for the men, women and children who have lived and died in these atrocious and inhuman places. His reports have revealed what the thousands of victims of the DPRK regime have tried to hide by isolating the camps; terrorising the detainees and those who survive; and exhibiting violence, famine and countless and endless propaganda to demoralise an entire people. Through David Hawk’s research and dedication, we in the outside world, have come to know the gulags for what they are: instruments of fear and control by the leadership of the DPRK that has imposed on North Korea a huge system of detention that breaches United Nations law and universal, civilised standards.

In this book, David Hawk provides never-before-seen imagery of labor re-education camps, both suspected and confirmed. He reveals a parallel network of prisons controlled by the DPRK’s Ministry of People’s Security (*An-jeon-bu*). These revelations suggest the imposition of degrees of suffering even more pervasive than the UN COI described in 2014. Although these labor camps might be described as “ordinary prisons”, there is nothing “ordinary” in the treatment of those incarcerated there. Differences in the treatment of prisoners and political detainees are often merely “matters of degree, not principle. Policies that combine forced labour with deliberate starvation, inadequate medical care and poor hygiene conditions cause the death of thousands of inmates annually.”

The world must be grateful to David Hawk for his vigilance and persistence. Through his efforts, the voices of those suffering reach the outside world. Ultimately, those voices will strengthen the resolve of the international community to demand accountability; to denounce the perpetrators; and to punish those who are guilty of crimes against humanity and other serious human rights abuses.

As the world knows, recent developments in the DPRK have added to the urgent need to improve the lot of the political detainees and prisoners. I refer to the development of a dangerous armoury of nuclear weapons and the refinement of intercontinental and other ballistic missiles that endanger not only North Korea itself but also the region and the wider world. As is apparent from the opening words of the *Charter* of the United Nations of 1945, new world order has been established on the foundation of universal human rights; international peace and security and the principle of justice. History teaches that violent and totalitarian states are dangerous not only to their own people but to neighbours and others. It is not possible to solve the problems of peace and security in relation to the DPRK without addressing the deep home-grown problems of human rights violations and affronts to the principle of justice. The three objectives of the United Nations are not separate and distinct. They are interconnected and interdependent.

This is why *The Parallel Gulag* and the story it tells are so important for Korea and the World as it is today. It is why the work of David Hawk is essential. It tells us the kind of state the DPRK is. And the grave danger it presents derives from more than the weapons it has created.

*Michael Kirby*

1 October 2017

# INTRODUCTION

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North Korea operates two systems of arbitrary detention and political imprisonment. Both systems feature forced labor and brutal conditions, leading to high rates of deaths in detention in both systems. One system is a group of *kwan-li-so* political penal labor colonies and at least one large penitentiary. The *kwan-li-so* are commonly termed political prison camps or concentration camps in English and administered by the “*Kuk-ga-bo-wi-bu*,” which is translated as the Ministry of State Security (MSS).<sup>1</sup> This police agency, commonly called *Bo-wi-bu* by North Koreans, is also termed the secret police in English as it administers a number of intelligence and counter-intelligence operations, including the powerful and dreaded investigation and interrogation units that are feeder institutions for the political prison camps. Updated satellite imagery of these *kwan-li-so* political prison camps is included in Appendix I.

The second system is the network of distinctively calibrated prison camps and penitentiaries, termed *kyo-hwa-so* or *kyo-yang-so* as well as other detention and hard labor facilities usually termed *jip-kyul-so* or *ro-dong-dan-ryeon-dae*. These are administered by the *In-min-bo-an-seong*, which is translated as the Ministry of People’s Security (MPS).<sup>2</sup> This police force continues to be called *An-jeon-bu* by former North Koreans, who use an earlier title for this ministry or department.<sup>3</sup> The incarceration facilities run by the *An-jeon-bu* police force, like the prison camps run by the *Bo-wi-bu* police force, also prescribe hard labor under brutal conditions. They, too, feature an elaborate system of brutal investigations and interrogations that are feeder and transit institutions, where egregious human rights violations take place.

Previously, *The Hidden Gulag* series by HRNK described both systems of political imprisonment and forced labor as the “hidden” penal labor colonies administered by the MSS and the nationwide multiplex political incarceration system administered by the MPS.<sup>4</sup> The aim was to identify and elucidate the different systems and institutions of severe repression in North Korea.

This present report by HRNK focuses a much more comprehensive spotlight than previously possible on North Korea’s *parallel* system of arbitrary detention and severe repression: the prison and prison camp system run by the *An-jeon-bu* (MPS).<sup>5</sup> Three particular developments have enabled a more comprehensive update and examination of the prison system used for population control: 1) additional prisoner testimony; 2) the discovery of previously unidentified and unpublished satellite imagery of the *kyo-hwa-so* prisons; and 3) a translation of the 2012 North Korean Criminal Code.

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1 Also termed State Security Agency or State Security Department.

2 Also termed the People’s Security Agency or Department.

3 Prior to 1998, this police force was called *Sa-hoe-an-jeon-bu*, the Social Safety Ministry or Department.

4 The 2003 edition of *The Hidden Gulag* and the 2012 revised and updated edition provided examples, descriptions, and analyses of the variety of detention and forced labor facilities. Subsequent HRNK reports have tracked changes in both political incarceration systems. *North Korea’s Hidden Gulag: Interpreting Reports of Changes in the Prison Camps* (2013) described the closure of *Kwan-li-so* Camps 18 and 22, and provided a revised estimate of the number of prisoners in the *kwan-li-so* political prison camps. *The Hidden Gulag IV: Gender Repression and Prisoner Disappearances* (2015) described the dismantlement of the Sorimchon section of *Kwan-li-so* Camp 15 “Yodok” and the addition of a large women’s detention facility at *Kyo-hwa-so* No.12, “Jongo-ri.”

5 There is an up-to-date, as of August 2017, survey of the *kwan-li-so* prison camps in Appendix I to this report.

## ADDITIONAL PRISONER DATA

In comparison to the smaller number of former *kwan-li-so* political prisoners, guards, and MSS police officials who fled to South Korea, there are hundreds of former North Koreans, among the more than 30,000 North Korean refugees now residing in South Korea, who were previously incarcerated in the *kyo-hwa-so* and related prison and prison camp systems administered by the MPS.

Two Seoul-based research organizations, the Korea Institute for National Unification (KINU) and the Database Center for North Korean Human Rights (NKDB)<sup>6</sup> have unparalleled access to newly arriving North Korean refugees in South Korea. They have access even before these refugees, usually termed “defectors” in South Korea, complete their initial investigations and orientation programs, and then settle into the general population throughout South Korea.<sup>7</sup> This access to incoming refugees has enabled KINU and NKDB to publish information on a larger number of penal facilities in North Korea, frequently including detailed information on locations. The data from these sources, along with the information obtained by HRNK, is surveyed in the section entitled “Working Survey of Known *Kyo-hwa-so* Prison Camps” below.

A substantial portion of this data was available to the UN Commission of Inquiry (UN COI) on human rights in North Korea.<sup>8</sup> Indeed, the UN COI had sufficient information on the *kyo-hwa-so* prison system to conclude that the repression therein constituted crimes against humanity.<sup>9</sup> However, there is now, in 2017, additional information that was not available to the UN COI when it conducted its hearings and research in 2013 and 2014.

The survey of known *kyo-hwa-so* is not presented as a definitive list of such penal facilities, but is a more comprehensive summary than previously available to the world outside of North Korea. Again, this is possible because, as of 2017, there are hundreds of former North Korean citizens currently residing in South Korea who were previously imprisoned in the detention and forced labor facilities operated by the MPS.

## NEW SATELLITE IMAGERY

The second development is locating geo-coordinates and finding satellite imagery of many more prisons and prison camp facilities in North Korea. The 2003 edition of *The Hidden Gulag* was the first human rights report to utilize satellite imagery of North Korea’s prison camps to reinforce the testimony of former prisoners, even before the availability of Google Earth.<sup>10</sup> Beginning in 2013, HRNK utilized the expertise of professional satellite imagery analysts to publish a series of reports containing quality analysis of the much higher resolution

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<sup>6</sup> NKDB is a Seoul-based human rights non-governmental organization (NGO). KINU is a Seoul-based government-funded research organization and think tank.

<sup>7</sup> Once settled into the general Korean population, recently arriving refugees from North Korea, who might have more recent information about human rights issues in North Korea have to be located through the efforts of other NGOs run by defectors.

<sup>8</sup> UN General Assembly, *Report of the detailed findings of the commission of inquiry on human rights in the DPRK*, UN Doc. A/HRC/25/CPR.1, February 7, 2014, 246-248 [henceforth, COI Report].

<sup>9</sup> *Ibid.*, 330-333.

<sup>10</sup> The prison camp satellite imagery published in HRNK’s *The Hidden Gulag* report series have been confirmed by former prisoners or prison guards, or other former North Koreans who have had the occasion to personally visit the prison camps.

imagery that is now publically available.<sup>11</sup> Other NGOs and websites also map prison camp facilities in North Korea, including Amnesty International, North Korean Economy Watch, One Free Korea, and organizations based in Seoul such as KINU and NKDB, along with other South Korean NGOs run by defectors.

Because North Korean authorities continue to refuse to allow UN officials or the International Committee of the Red Cross to visit places of detention in North Korea, satellite imagery of the prisons and prison camps remain tremendously important. Satellite imagery allows the outside world to track expansions of some prison camps or the removal of specific zones of other camps, including changes about which there is not yet former prisoner or eyewitness testimony.<sup>12</sup>

HRNK's recent investigation of expansive as well as close-up satellite imagery located North Korean facilities with the tell-tale identifying characteristics of prison camps and penitentiaries—security enclosures with gated high walls and barbed wire fences, guard towers, dormitories, and workshops or mines located within or adjacent to the prisons and prison camps. In some cases, these images of suspected, but unconfirmed, penal labor facilities were shown to former North Korean prisoners interviewed for this report. In other cases, the images of penal labor facilities have been matched with the more detailed location information provided in refugee testimony-based research. In other cases, HRNK researchers used the more detailed location information to further scour satellite imagery of North Korea, finding previously unidentified and unpublished satellite imagery of these additional penal labor facilities.<sup>13</sup>

Prior to this present HRNK report, only a handful of satellite images of the *kyo-hwa-so* prisons and prison camp facilities administered by North Korea's MPS were publicly known or published.<sup>14</sup> The "Working Survey of Known *Kyo-hwa-so* Prison Camps" section of this report contains previously unpublished satellite images of numerous additional prisons and prison camps. That section indicates which facilities have been confirmed by former prisoners or other former North Koreans who had the occasion to visit those prisons and which facilities have not yet been confirmed by eyewitness testimony from North Korean escapees.

The publication of these new satellite images of prisons and prison camps may help to enable former North Korean prisoners or residents from nearby localities to provide eyewitness confirmation of these penal labor facilities.

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<sup>11</sup> See *North Korea's Camp No. 25, Update 2*, November 2016; *North Korea: Flooding at Kyo-hwa-so No. 12*, September 2016; *North Korea: Kyo-hwa-so No. 12, Jongo-ri*, August 2016; *North Korea: Ch'oma-bong Restricted Area*, March 2016; *North Korea: Imagery Analysis of Camp No. 16*, December 2015; *North Korea: Imagery Analysis of Camp No. 14*, November 2015; *Imagery Analysis of Camp No. 15 "Yodok," Closure of the Revolutionizing Zone*, September 2015; *North Korea's Camp No. 25 Update*, June 2014; *North Korea's Camp No. 25*, February 2013; *North Korea's Camp No. 22 – Update*, December 2012; and *North Korea's Camp No. 22*, October 2012. All are accessible on HRNK's website at <http://www.hrnk.org/publications/hrnk-publications.php>.

<sup>12</sup> See, for example, David Hawk, *The Hidden Gulag IV: Gender Repression and Prisoner Disappearances* (Washington, DC: Committee for Human Rights in North Korea, 2016).

<sup>13</sup> HRNK researchers utilized Google Earth Pro; 38 North's DPRK Digital Atlas; Wikimapia; and, North Korean Economy Watch's "North Korea Uncovered, version 18," (2009).

<sup>14</sup> Primarily, *Kyo-hwa-so No. 1*, Kaechon; *Kyo-hwa-so No. 3*, Sinuiju; *Kyo-hwa-so No. 4*, Kangdong; and *Kyo-hwa-so No.12*, Jongo-ri.

## THE 2012 NORTH KOREAN CRIMINAL CODE

The third development is the newly translated and recently revised North Korean Criminal Code. The 2012 Criminal Code, replacing the 2009 version, was originally published by the North Korean Supreme People's Assembly. HRNK obtained a copy from a South Korean government website,<sup>15</sup> and translated the 2012 North Korean Criminal Code into English. The revised 2012 version, like its predecessors, makes it abundantly clear that many of its articles and provisions allow authorities to deprive North Korean citizens of their liberties for, essentially, political offenses. These articles are inconsistent with or are directly contrary to contemporary international human rights standards, including those set forth in the international human rights conventions that North Korea has acceded to or ratified.

The enforcement of this Criminal Code, with its myriad political as well as criminal offenses, is manifestly intended to keep the citizenry in line and results in the imprisonment of thousands of North Koreans at any one time, and cumulatively thousands of North Koreans over the last decade.

Because the prison camps and penitentiaries administered by the MPS also detain North Koreans for what are genuinely criminal offenses, it is not possible to provide more precise statistics on the number of political prisoners. However, according to the testimony of former prisoners, there are *An-Jeon-bu* prisons and prison camps where a majority of inmates are imprisoned for "crimes that are not really crimes" as the North Korean refugees express it.

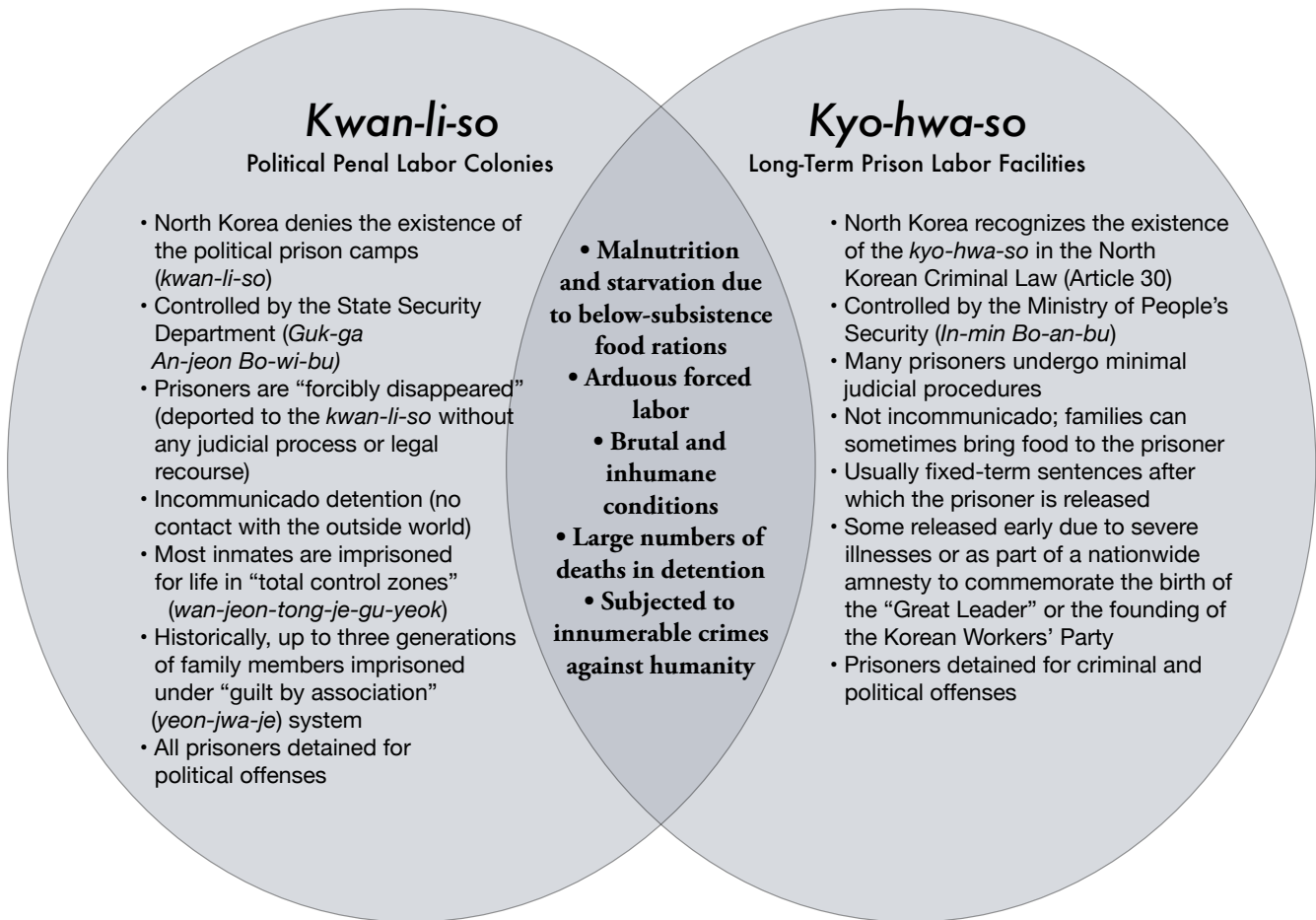
The political nature of the North Korean Criminal Code is outlined in the section entitled "Enforcing the 'One-and-Only Ideology' System: A Glance at the 2012 North Korean Criminal Code" below. The complete 2012 North Korean Criminal Code in the original Korean language and HRNK's English translation appear in Appendix II to this report.

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<sup>15</sup> Korea Ministry of Government Legislation, "Laws," *North Korea Laws Information Center*, <http://world.moleg.go.kr/KP/law> (accessed August 2017).



## COMPARATIVE PHENOMENA OF REPRESSION: POLITICAL PURGES VS. POPULATION CONTROL



Before examining the details of the *kyo-hwa-so* prison and prison camp system administered by the *An-jeon-bu* MPS, it is useful to briefly compare it to the *kwan-li-so* political prison camp system run by the *Bo-wi-bu* MSS, as there are important differences in the phenomena of repression within these two different systems of political imprisonment. Some important differences are:

- The prison camp system administered by the MSS is extra-judicial, extra-legal, secret, and incommunicado, while the prison system administered by the MPS is not, although its legal and judicial underpinnings fall far short of international standards.
- MSS prison camps incarcerate family members along with the principal offender, while the MPS prison camps do not.<sup>16</sup>

<sup>16</sup> There is little empirical data, but it seems quite possible that the imprisonment of the children and grandchildren of political and ideological offenders is now less routine than in previous decades.

- Those deported to the prison camps, mostly for life-long sentences, by the MSS police are political prisoners by definition. The prisons and prison camps run by the MPS police incarcerate and punish North Koreans for both criminal and political offenses, and usually for fixed-term sentences.

However, the major difference between these two systems is their functionality in North Korean social and political life.

The *kwan-li-so* political prison and prison camp system run by the *Bo-wi-bu* (MSS) police is used to preemptively purge, punish, and remove from North Korean society political elements or factions from the Korean Workers' Party (KWP), the army, and the state administrative structures that the Kim regime leadership surmises or suspects might challenge their dictatorial rule, their "monolithic" ideology, or their "revolutionary" and extreme policies and practices. The international community has learned most of what is known about this system of political imprisonment from former prisoners, former prison guards, and former officials of the MSS police who fled to South Korea during the rule of Kim Il-sung and Kim Jong-il.

From these sources, researchers can ascertain who was being sent to the *kwan-li-so* political prison camps and why.<sup>17</sup> Kim Jong-un has also brutally purged and executed suspected or insufficiently loyal members of the KWP, the army, and the government bureaucracy, including his own uncle and half-brother. Nevertheless, except for several high-level executions publicized by the regime, the fate and whereabouts of these purged individuals, their network of supporters, and their families are mostly unknown to the international community.

The political purpose of the *kyo-hwa-so* prison and prison camp system run by the *An-jeon-bu* (MPS) police is general population control. In addition to the "normal" criminal offenses for which persons can be legitimately deprived of their liberty and punished—murder, assault, theft, kidnapping, drug distribution, and other crimes—the North Korean Criminal Code has a very long list of political offenses. This list enables the regime to severely punish its citizens for reasons that are not compatible with, or are directly contrary to, contemporary international standards, including the provisions of human rights conventions that North Korea has acceded to or ratified.

Along with protecting the lives and property of the citizenry, the MPS is charged by the Supreme People's Assembly with defending the sovereignty and socialist system of North Korea. The MPS maintains the complex citizen registration system, keeping extensive and in-depth files on each North Korean citizen. The MPS maintains a large network of informants for the surveillance of the populace.<sup>18</sup> The Ministry's local offices issue internal travel documents to control the movement of citizens. If there is a crackdown on internal travel without proper authorization, as was recently reported by Radio Free Asia, it is the MPS that enforces it.<sup>19</sup>

<sup>17</sup> See David Hawk, "Successive Waves of Political Imprisonment: A Historical Overview," in *The Hidden Gulag Second Edition*, (Washington, DC: Committee for Human Rights in North Korea, 2012), 37-41 for a brief account.

<sup>18</sup> For further information on the Ministry of People's Security, see Ken Gause, *Coercion, Control, Surveillance, and Punishment: An Examination of the North Korean Police State* (Washington, DC: Committee for Human Rights in North Korea, 2012), 27–35; and Fyodor Tertitskiy, "Daily duty: Inside North Korea's regular police force," *NK News*, August 10, 2016, <https://www.nknews.org/2016/08/daily-duty-inside-north-koreas-regular-police-force/>.

<sup>19</sup> Jieun Kim, "North Korean Police Restrict Citizen Movements Across Country," *Radio Free Asia*, March 30, 2017, <http://www.rfa.org/english/news/korea/north-korean-police-restrict-citizen-movements-across-country-03302017163907.html>.

North Korea scholars describe the Kim regime as resting on three foundations. The first is the attempt at complete control of the knowledge and information that the populace is allowed access to. The second is effectively omnipresent and even overlapping systems of surveillance over the citizenry. The third foundation is the certainty of harsh punishment for non-compliance with the totalitarian dictates of the regime.<sup>20</sup> This foundation is the political function of the MPS police and the North Korean Criminal Code and criminal procedure codes on which its operations are based, and the system of incarceration that administers certainly assured harsh punishments.<sup>21</sup>

Provisions of the North Korean Criminal Code, discussed in more detail below in the section entitled “Enforcing the ‘One-and-Only Ideology’ System: A Glance at the 2012 North Korean Criminal Code” allows the Kim regime to severely punish North Korean citizens for the following acts:

- gatherings not authorized by Party and state authorities
- criticizing or expressing dissatisfaction even privately, especially anti-state propaganda or agitation
- demonstrating with an anti-state purpose
- the import, possession, or use of decadent drawings, written materials, periodicals, music, movies, or videos, particularly “enemy” broadcasting or propaganda
- foul, hostile, or superstitious activities
- “illegally” crossing the border of North Korea
- suppressing the people’s struggle for national liberation and re-unification, or harboring or failing to report people who do

There are also criminal prohibitions against these acts:

- failing to comply with the instructions of a state agency
- concocting false rumors that may lead to the distrust of the state or its agencies
- violations of the order of socialist collective life
- management workers who execute superiors’ orders in a careless manner
- drawing up a plan for the economy in a haphazard manner, and
- not rightly selecting winning athletes for important competitions

HRNK does not have the capability to independently determine the exact number of prisoners in the *kyo-hwa-so* prisons and prison camps or the ratio of political prisoners to criminal prisoners. However, it is clear that at any one time, there are thousands of North Koreans who are deprived of their liberty for what the North Korean refugees now in South Korea describe as “crimes that are not really crimes.” They are subjected to imprisonment and forced labor under very brutal conditions, beginning with the provision of below-subsistence-level food rations. The UN COI estimated that the number of prisoners in the *kyo-hwa-so* prison and prison camp system could be 70,000 or more.<sup>22</sup>

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20 Some Korea scholars would add a fourth foundation of the regime: the loyalty of the political elite.

21 Perhaps given the changes in North Korean society owing to widespread marketization, the qualification should now be added: certain punishment unless sufficient payments or payoffs can be offered.

22 COI Report, 246.

Cumulatively, thousands of North Koreans have been imprisoned in the *kyo-hwa-so* and related prisons for essentially political offenses. Even without including the number of prisoners in the *kwan-li-so* political prison camps administered by the MSS, North Korea would place at or near the top of the list of countries with the largest number of political prisoners.

# THE *KYO-HWA-SO* PRISON CAMP SYSTEM AND RELATED HARD LABOR FACILITIES ADMINISTERED BY THE MINISTRY OF PEOPLE'S SECURITY

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Each province in North Korea, with the possible exception of sparsely populated Ryanggang Province, has one or more prisons or prison camps that detain North Korean men and women in extremely harsh conditions and subject them to forced labor. These prisons and prison camps hold both political prisoners and persons convicted of criminal offenses as commonly understood. Some of these facilities have a numerical designation. Others are identified by a name, usually the nearest city or town that would be known by most North Koreans.

Some of the *kyo-hwa-so* resemble large penitentiaries, compounds surrounded by high walls with guard towers and contain several buildings for prisoner housing and manufacturing, and offices for guards and prison officials. Other *kyo-hwa-so* are encampments surrounded by barbed wire fences in more rural areas. Sometimes, the prison facility is located on the outskirts of a city or town, although more are located in the countryside or in mountainous areas. Prisoners work in mining, logging, agricultural labor, crop production, or animal husbandry. Some prisoners manufacture products such as furniture, cement, or brick from the raw materials mined, logged, or gathered at the prison or prison camp. Other prisoners are involved in factory production of textiles, leather and shoe manufacturing, or labor-intensive production of wigs, false eyelashes, or other goods.

The survey of known *kyo-hwa-so* prisons in North Korea that follows below in the section entitled "Working Survey of Known *Kyo-hwa-so* Prison Camps" is not a definitive list. It is a summary of information that has been provided by North Korean refugees now residing in South Korea. It is not possible to provide a definitive count of the number of such prisons because several *kyo-hwa-so* prisons have a number of satellite facilities located several miles from the main prison or camp. Some former prisoners identify these detention facilities as satellite prisons, while others describe them as independent facilities.

## THE MISNOMER OF "RE-EDUCATION THROUGH LABOR"

*Kyo-hwa-so* literally translates as "a place to make a good person through education." Sometimes, the term *ro-dong kyo-hwa-so* is used meaning "re-education through labor." *Kyo-hwa-so* is sometimes translated into English as a "re-education camp," or even "edification center" or "enlightenment center."

***The large number of testimonies provided by former prisoners incarcerated at these facilities makes it clear that these are cruel euphemisms for a prison system that the UN COI found to extend to the level of crimes against humanity.<sup>23</sup>***

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<sup>23</sup> "Based on the body of testimony and other evidence received, the Commission finds that crimes against humanity extend to the ordinary prison system, in particular the ordinary prison camps (*kyohwaso*) and to a lesser degree the various types of short-term forced-labour facilities." COI Report, para. 1068, p. 330.

A recent publication by the South Korean National Human Rights Commission uses the translation “Correctional Labor Camp.”<sup>24</sup> The 2014 UN COI translates *kyo-hwa-so* as “ordinary prison camp.”

The “education” component of imprisonment in the *kyo-hwa-so* prison system has two components. The first is the *saeng-hwal-chong-hwa*, translated as mutual self-criticism, which is held at least weekly. It is commonly practiced at nearly all North Korean work units, where colleagues gather, usually in the evening or at the end of the workday, to confess their inadequate work habits and criticize the work habits of their co-workers. According to former prisoners, the person being criticized would face fellow prisoners or a prison official and often falsely confess to imaginary or invented mistakes swiftly so the work unit could conclude these sessions as quickly as possible.

The second “education” component of *kyo-hwa-so* imprisonment is the memorization and recitation of North Korea’s most important annual political statements. During Kim Il-sung’s and Kim Jong-il’s reign, the most important statement was the New Year’s Day speech that outlined the regime’s policy objectives and political priorities for the coming year. Because Kim Jong-il rarely spoke publicly during his rule, the annual January 1st regime statement was given in the form of a “New Year’s Day Joint Editorial” in the Party, the military, and the government newspapers. Even now, the prisoners are required to memorize the speeches and recite them individually or in unison. The priorities are often set forth in slogans such as, “Let us build...” or “Let us carry out...,” which the prisoners shout out together. Former prisoners interviewed by HRNK viewed themselves, quite correctly, as unjustly imprisoned and thought these propaganda sessions were far removed from their reality and life experiences—they were just another form of punishment.

## THE REGIME CLAIMS VS. PRISONER TESTIMONY

Unlike the *kwan-li-so* political prison camps run by the MSS, which the North Korean diplomats formally deny even exist, North Korean authorities do not deny the existence of the *kyo-hwa-so* prisons and prison camps. Rather, North Korean police officials make extraordinary claims about the prisons that contradict the testimonies of hundreds of former prisoners who, after release, fled to South Korea.

According to Colonel General Jung Young-wook of the MPS:

***“Although the country is in a poor economic condition, Marshall Kim Jong Un, with warm love and consideration of the people, takes extra care to feed the kyo-hwa-so persons and provide summer and winter clothes, necessities of life, medicine and other supplies to them... We conduct monthly health checkups to find any disease and provide the right treatment at the right time. We also distribute workload according to the checkups.”***<sup>25</sup>

<sup>24</sup> National Human Rights Commission of Korea, *Korean-English Glossary of North Korea Human Rights Terms*, (Seoul, 2016), 59.

<sup>25</sup> *Minjok Tongshin*, June 1, 2015. *Minjok Tongshin* is a Korean language television service accessible on YouTube.

According to Lieutenant General Kim Sung-il, also of the MPS:

***“When [prisoners in the kyo-hwa-so] have dinner we let them study and watch TV. About twice a week we also show them interesting TV and soap operas or films... Now there is a TV in every room. We also provide newspapers, magazines and Rodong Shinmun...”<sup>26</sup>***

To the contrary, the most common *kyo-hwa-so* prison camp realities cited by former prisoners include:

- grossly inadequate food rations
- arduous and frequently dangerous labor
- the absence of medical treatment
- high rates of deaths in detention with offensive and culturally improper burial of the dead
- widespread and wrongful imprisonment

The grossly inadequate food rations keep prisoners in a persistent state of hunger and malnutrition. How much financial support, food subsidies, or medicine and medical equipment, if any, these penal institutions receive from central, provincial, or municipal governments is not well known. Nevertheless, many prisons and prison camps have agricultural and animal husbandry components. Some of the agricultural production goes to the prison guards, and perhaps a small amount goes to the prisoners. However, large parts of the harvests are taken away, either for other government officials or, many suspect, for sale in local markets. Notwithstanding the agricultural labor and production by the prisoners themselves, numerous former prisoners have relayed that health, or even life, in the *kyo-hwa-so* and related hard labor facilities depend on the abilities of a prisoner’s family to bring food and medicine to the prison or prison camp for the prisoner’s use.

Prison labor is arduous and sometimes dangerous manual labor. Mining is done with picks and shovels, and logging is done by axes and handsaws. Even with the safety equipment and precautions unheard of in North Korean prisons, mining and logging is dangerous work. Farming is done with only the most basic farm tools. Prisoners often have to walk a great distance to get to the mines, forests, or agricultural plots. Prison work units have production quotas and failure to meet the quotas can frequently result in a further reduction in food rations and even beatings.

Coal and other minerals mined by prison labor go to higher authorities for either domestic use or export to China. The same is likely the case for timber and timber products, and for varied manufactured goods such as textiles, shoes, bricks, or cement. Prison officials or higher KWP authorities have contracted prison labor for products such as textiles, wigs, and false eyelashes. Female prisoners who only did the early and most labor-intensive parts of producing wigs and false eyelashes believed that the partially sewn or glued wigs and eyelashes were then sent to China for finishing and marketing.

Former prisoners further describe the absence of medicine and medical facilities. Some of the prisons and prison camps have sick rooms for seriously ill prisoners, but former inmates report that there is hardly any medicine. Female prisoners report the complete unavailability of provisions or products for their menstrual cycles.

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<sup>26</sup> Ibid., June 1, 2015.

Overall, the brutal and arduous labor, grossly inadequate diet, and lack of medicine lead to a dreadfully large number of deaths in detention. The bodies of deceased prisoners are frequently dumped into unmarked graves near the prison or prison camp without the traditional Korean funeral rites or arrangements. This is a deep cultural offense frequently commented on by prisoners who survived their sentence. Other former prisoners report that when they were very sick, and appeared close to death, the prison authorities would send for their families to come and take them home for either recovery or death. Upon recovery, though, the prisoners were supposed to return to prison. Although, several of HRNK's interviewees reported that upon recovery, they fled to China or South Korea instead, fearing recurring hunger and disease if they returned to the prison or prison camp.

## RELATED HARD LABOR FACILITIES

There are additional and related detention and forced hard labor facilities termed *kyo-yang-so* and *ro-dong-dan-ryeon-dae* that are also administered by the *An-jeon-bu* (MPS). *Kyo-yang-so* translates literally as "a place to make a good person through nurturing." *Ro-dong-dan-ryeon-dae* is usually translated as labor training center or camp (LTC). Some of these are in fixed locations. Others seem to function as mobile forced labor brigades attached to local municipalities. In theory or on paper, there may be some difference between these related penal labor institutions and the *kyo-hwa-so* in terms of the relative retention of citizen rights during or after detention. Mostly, it is a matter of the length of sentence: the *ro-dong-dan-ryeon-dae* LTCs detain prisoners for six months or under; the *kyo-yang-so* detain prisoners between one and two years; and the *kyo-hwa-so* detain prisoners for two years or more. According to the testimony of former prisoners, hard and often dangerous labor, brutal conditions and treatment, and grossly inadequate food provisions are common to all of these facilities.

## THE BRUTAL FEEDER SYSTEM TO KYO-HWA-SO IMPRISONMENT

The *kyo-hwa-so* and related forced labor prison facilities have an elaborate and brutal feeder system. A person is arrested by the MPS police or, in some cases, handed over to the MPS police by the *Bo-wi-bu* (MSS) political police. In police custody, the arrested person is held in a local detention facility known as a *ka-mok*, which is usually in the same building as the interrogation rooms known as *ku-ryu-jang*.<sup>27</sup> The detention facilities are sometimes overcrowded. Then, detention and interrogation can last for a few days or for months on end. Former prisoners frequently complain about extreme confinement and grossly inadequate food provisions. In addition, those detained a long time frequently report horrific weight loss. Many express relief at the prospect of being sent to a *kyo-hwa-so* prison or prison camp, where they can at least walk around and forage for grass, insects, or rodents to eat.

It is not until later in the process that local police may notify their families of their detention. Their families may then be able to bring food or medicine to the detained. Many former prisoners report having to kneel motionless in their detention cells for hours on end. Many report being beaten or subjected to systematic torture during detention and interrogation if their jailers are not satisfied with their confession, which may have to be written over and over again until their interrogators are satisfied.

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<sup>27</sup> Former North Korean prisoners use these terms interchangeably as the facilities are usually in the same building.



The trial and long-term imprisonment are supposed to take place, and usually do take place, in or very near the detainee's hometown or place of legal residence. If the detainee is arrested and held in some other location, once the interrogators have sufficient records, the detainees are sent to a holding facility known as a *jip-kyul-so* to wait for police to come and transport them back to their town of residence for trial. This process can take weeks. Former prisoners again report continued grossly inadequate food provisions and continued loss of body weight.

It is in the *ka-mok* and *jip-kyul-so* where some of the most egregious human rights violations take place. While there are beatings and systematic torture reported in the prisons and prison camps, often for failure to meet production quotas or for violations of prison regulations, former prisoners report routine beating and systematic torture following and during their initial arrest and interrogation. It is in the *ka-mok* and *jip-kyul-so* where forcibly repatriated women who are found or discovered to be pregnant—it is presumed by Chinese husbands—are subjected to forced abortion or infanticide if the pregnancy is too far advanced for an abortion.<sup>28</sup>

## WRONGFUL IMPRISONMENT

Unlike the extra-judicial enforced disappearances and incommunicado detention of persons deported to the *kwan-li-so* political prison camps administered by the MSS secret police,<sup>29</sup> persons arrested or turned over to the MPS police are subject to the provisions of the North Korean Criminal Code and criminal procedure codes. After the initial detention and interrogation are complete, and local police authorities become aware of the incarceration of the accused, they can—although, it is reported that sometimes they do not—notify the prisoner's family. The prisoner's family may then have the ability to bring food and medicine to the incarcerated family member. Given the meager food rations provided by the authorities, former prisoners state that this can be a key element of survival.

Persons arrested by the *An-jeon-bu* (MPS) also, by statute, are supposed to have access to legal counsel during or at their trial. However, in actual practice, this is questionable. Some former prisoners report that they did not have a lawyer. Other former prisoners were not sure. One former prisoner interviewed by HRNK stated that she thought her lawyer was the person who asked her if she had committed the offense she was charged with. Another former prisoner related that she thought she had a lawyer, but she could not tell which of the men sitting at the table with her was her lawyer. This is obviously far removed from the "fair trial" or "due process" standards enumerated in the International Covenant on Civil and Political Rights that North Korea has acceded to.

Most importantly, North Koreans currently detained under the authority of the MPS are usually, but not always, charged with offenses detailed in the North Korean Criminal Code. They are then subjected to a judicial process, however inadequate, and found innocent or convicted by a judge. If convicted, they are sentenced to a fixed term of imprisonment and are released after serving their time.<sup>30</sup> Numerous prisoners are released before their

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<sup>28</sup> See *The Hidden Gulag Second Edition*, 111-167 and *The Hidden Gulag IV: Gender Repression and Prisoner Disappearances* (2015), 12-27 for detailed accounts and analysis of the gender aspects of political imprisonment and the appalling infanticide violations.

<sup>29</sup> With the exception of *Kwan-li-so* Camp 18, "Bukchang" that is likely still administered by the MPS.

<sup>30</sup> The short-term *ro-dong-dan-ryeon-dae* LTCs were originally created during the famine of the 1990s to informally handle the large number of North Koreans forcibly repatriated from China after fleeing there to obtain food. Initially, the forcibly repatriated North Koreans were sent directly to the LTCs without charges or trials. Subsequently, the LTCs were

sentence has been completed as part of general amnesties offered on the birthdays of the Kim regime leaders or important Party or state anniversaries. Prisoners indicate that the frequently considerable time spent in pre-trial detention is sometimes included as time served within the length of a sentence.

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recognized and incorporated into the legal system, and the provisions of the North Korean Criminal Code related to “illegal” border crossing were applied.

# THE UNITED NATIONS' LEGAL ANALYSIS: CRIMES AGAINST HUMANITY IN THE *KYO-HWA-SO*

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## PRISONER TESTIMONY AND THE UNITED NATIONS' LEGAL ANALYSIS

There are different, though complimentary, ways to examine and take measure of the North Korean *kyo-hwa-so* prison system. One way is to review the stories and testimonies of individual former prisoners. These reveal the serial atrocities inflicted on these North Koreans as they are processed through the feeder system outlined above, followed by the serial atrocities of the phenomena of repression at the *kyo-hwa-so* prisons themselves. The 2012 second edition of HRNK's *The Hidden Gulag* provides three dozen testimonies and personal accounts of former prisoners in the MPS prison facilities.<sup>31</sup> Three individual prisoner accounts of the post-2008 women's section at *Kyo-hwa-so* No. 12, Jonggo-ri, are available in *The Hidden Gulag IV: Gender Repression and Prisoner Disappearances*.<sup>32</sup>

The other essential way to take measure of the North Korean *kyo-hwa-so* prison system is by briefly reviewing the legal analysis undertaken at the request of the UN Human Rights Council by the 2014 UN COI on human rights in North Korea. This formal UN review determined that the *kyo-hwa-so* prison system and, to a lesser degree, the various types of short-term forced labor detention facilities, constitute multiple crimes against humanity.

According to the *Report of the detailed findings of the commission of inquiry on human rights in the Democratic People's Republic of Korea*:

***"In the DPRK, the criminal justice system and its prisons serve not merely to punish common crimes. They also form an integral part of the state's systematic and widespread attack against anyone considered a threat to the political system and its leadership. Many inmates of ordinary prisons in the DPRK are, in fact, political prisoners..."***<sup>33</sup>

***"The inhumane acts that detainees suffer within the ordinary prisons are not isolated incidents that can be traced back to individual guards or particular facilities. The Commission finds that, across the vast prison system, inhumane acts follow regular patterns that victimize tens of thousands of inmates at any one time..."***<sup>34</sup>

***"Deliberate starvation and forced labour follow the same patterns in different prisons across the country, making it likely that acts are based on orders originating at the central level. Very similar types of punishment practices and torture facilities... are used across different detention installations. According to the Commission's findings, thousands of***

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31 Hawk, *The Hidden Gulag Second Edition*, 84-147.

32 Hawk, *The Hidden Gulag IV*, 18-22.

33 COI Report, para. 1082, p. 332.

34 Ibid., para. 1083, p. 333.

*ordinary prison inmates die every year in the DPRK from starvation, exhaustion, beatings, preventable work accidents and curable diseases...<sup>35</sup>*

Inhumane acts, constituting crimes against humanity, committed against ordinary prisoners include:

## **VIOLATIONS OF FUNDAMENTAL RULES OF INTERNATIONAL LAW<sup>36</sup>**

*“Imprisonment in an ordinary prison camp (kyo-hwa-so) is usually based on a judicial process. However, this is a process that falls far short of a fair and public hearing by a competent, independent and impartial tribunal established by law...<sup>37</sup> Many inmates in ordinary prisons are imprisoned without substantive reason that would be compatible with international law. Often they are imprisoned for conduct that constitutes a protected exercise of human rights and should never been criminalized.”<sup>38</sup>*

## **EXTERMINATION AND MURDER**

*“...Policies that combine forced labour with deliberate starvation, inadequate medical care and poor hygiene conditions cause the deaths of thousands of inmates annually. The DPRK does not lack the capacity or resources necessary to operate a more humane penitentiary system. Most ordinary prison camps are net producers of food, but food is not given to the prisoners who remain hungry. Moreover the output of mining and manufacturing carried out in the camps generate revenue that is apparently not used for the benefit of establishing decent conditions of detention [emphasis added]. The Commission therefore finds that the inhumane conditions in the camps are a result of deliberate State policy.”<sup>39</sup>*

*“Ordinary prison camps in the DPRK may not have the general objective of eliminating the inmates. Their legally stated purpose at least is to re-educate inmates through labour. Policies emanating from the central government to manage ordinary prisons, however, including the deliberate denial of adequate food and medical care, are being pursued despite awareness that they will cause the death of a large portion of the prison population in the ordinary course of events. This level of criminal intent is sufficient, in the view of the Commission, to establish that crimes against humanity of extermination and murder have been committed.”<sup>40</sup>*

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35 Ibid., para. 1084, p. 333.

36 Ibid., para. 1070, p. 330.

37 Ibid., para. 1071, p. 330.

38 Ibid., para. 1072, p. 330.

39 Ibid., para. 1073, p. 331.

40 Ibid., para. 1074, p. 331.

***“According to the findings of the Commission individual acts of murder have taken place in the ordinary prison camps including summary executions of persons who attempt to escape as well as instances of secret executions.”<sup>41</sup>***

## **TORTURE, RAPE, AND OTHER GRAVE SEXUAL VIOLENCE**

***“Torture, as defined in international criminal law, is an established feature of the ordinary prisons in the DPRK. Torture manifests itself in the form of solitary confinement in tiny cells, the deliberate imposition of extreme levels of starvation as a disciplinary measure, and the infliction of severe beatings and other atrocities to punish inmates. The suffering resulting from the prolonged starvation, coupled with other inhumane conditions of detention, imposed on inmates to aggravate their punishment generally often also meets the threshold of torture...”<sup>42</sup>***

***“The forced abortions to which pregnant inmates have been subjected constitutes a form of sexual violence of a gravity that meets the threshold required for crimes against humanity.”<sup>43</sup>***

These are the concluding summary findings of the UN COI. The factual bases, obtained from the hearings and interviews of the Commission, for these conclusions are presented in the detailed report of the UN COI.

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41 Ibid., para. 1075, p. 331.

42 Ibid., para. 1076, p. 331.

43 Ibid., para. 1077, p. 331.

# ENFORCING NORTH KOREA'S "ONE-AND-ONLY IDEOLOGY" SYSTEM: A GLANCE AT THE 2012 CRIMINAL CODE AND THE BLATANT CONTRADICTIONS WITH THE INTERNATIONAL COVENANTS ON CIVIL AND POLITICAL RIGHTS AS WELL AS ECONOMIC, SOCIAL AND CULTURAL RIGHTS

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While the North Korean Criminal Code contains provisions that prohibit universally recognized criminal acts, it is also replete with provisions that criminalize acts commonly regarded as fundamental freedoms of thought, expression, assembly, association, and movement. Some of these provisions clearly and explicitly contradict fundamental freedoms stipulated in the International Covenant on Civil and Political Rights, which North Korea acceded to in 1981. Other provisions in the North Korean Criminal Code override other rights and freedoms. A glance at the North Korean legal code makes it clear how easy it is for the leadership and its police organs to use the penal system to compel obedience from the citizenry. A review of the North Korean Criminal Code confirms that a significant number of those deprived of their liberty in the *kyo-hwa-so* prison system detailed in this report are political prisoners.

The 2012 North Korean Criminal Code sustains the findings of the UN COI on the basis of its review of the 2009 Criminal Code. The UN COI cites Kim Il-sung's 1958 statement that "the DPRK's laws should serve as a weapon to champion socialism" and that "all the workers of the judicial organs should be true to the Party's leadership and intensify the struggle against counter-revolutionaries..."<sup>44</sup> The UN COI further notes that:

***"The political function of the law and the justice system has also been entrenched in the DPRK's criminal legislation, starting with the 1950 Criminal Code, which borrowed language from the Criminal Act of the Soviet Union that was in force under Joseph Stalin... Many of the overt references to the function of criminal law as a tool of political control were removed in subsequent revisions. However, the present criminal law of [North Korea] the DPRK still requires the state to carefully identify friends and enemies of the state in its struggle against 'anti-state and anti-people crimes'... Moreover, the Criminal Law currently in use defines 'Crimes against the state or the People' (called anti-revolutionary crimes in the past) in such broad and vague terms that the exercise of any number of human rights can be prosecuted as a crime."<sup>45</sup>***

The political and politicized nature of the 2012 North Korean Criminal Code is made evident in Chapter 1, "The Fundamental Principles of Criminal Law," Article 1, "Objectives of Criminal Law," which even before stating that "the system of penal codes of crimes ensures that people can lead independent and creative lives," states

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44 Ibid., para. 121, p. 31, citing Kim Il-sung, *Condensed Biography*, 207-208.

45 Ibid., para. 122, p. 31.

that the “Criminal Law of the DPRK defends the sovereignty of the state and the socialist system.” The Criminal Code includes chapters and sections with the titles “Crimes Against the State,” “Crimes Against the Nation,” “Crimes of Impairing Socialist Culture,” and “Criminal Violations of the Order of Socialist Collective Life,” as well as provisions such as “Criminal Violations of the Regulations for General Administration.”

## “ILLEGAL” BORDER CROSSING VS. THE FREEDOM TO LEAVE

There are thousands of North Koreans, who are mostly women, imprisoned for “illegal” border crossing following their forced repatriation from China, where these North Korean citizens go in search of food or employment, to reach South Korea, or to reunify with family members in South Korea.<sup>46</sup> These North Koreans are convicted and sentenced for violations of North Korea’s Criminal Code Article 221:

***“A person who illegally crosses a border of the Republic shall be punished by reform through short-term labor for less than one year. In cases where the foregoing act is a grave offense, punishment shall be reform through labor for less than two years.”***

“Illegal” here means without the permission of Party officials, which many poor North Koreans without close connections to KWP officials, or the money necessary to bribe these officials, cannot obtain. However, for the survival of their families, many go regardless. This provision sends repatriated North Koreans to the *ro-dong-dan-ryeon-dae* LTCs for less than a year, to the *kyo-yang-so* prisons for one year, or to the *kyo-hwa-so* prisons for two or more years.

This blatantly contradicts Article 12.2 of the International Covenant on Civil and Political Rights, which states that “Everyone shall be free to leave any country *including [one’s] own* [emphasis added].”<sup>47</sup>

## “IMPAIRING SOCIALIST CULTURE” VS. FREEDOMS OF OPINION AND EXPRESSION

North Korea’s Criminal Code Articles 183 and 184 criminalize importing, listening to, keeping, or distributing drawings, photos, books, recordings, or electronic media that “reflect decadent, carnal or foul content.” Article 185 criminalizes a person “who [even] without anti-state motives listens, keeps or distributes enemy broadcasting that is hostile to the Republic.”

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<sup>46</sup> It should be noted that there is no automatic corresponding right to enter the neighboring country, as immigration remains under the sovereignty of the neighboring state. However, in this case, the UN COI and the Special Rapporteurs on the situation of human rights in North Korea have long noted that North Koreans in China should be treated as “refugees” or “refugees sur place” because of their brutal imprisonment upon forced repatriation from China to North Korea. Therefore, China, as a signatory to the 1951 “Convention and Protocol Relating to the Status of Refugees,” has a legal obligation to provide protection to those fleeing North Korea. Many are doing so in order to seek asylum or have a reasonable fear of persecution based on one of five facts upon return. Forcibly repatriating North Koreans with legitimate asylum claims violates the principle of *non-refoulement*. See Roberta Cohen, “China’s Forced Repatriation of North Korean Refugees Incurs United Nations Censure,” July 2, 2014, [https://www.hrnk.org/uploads/pdfs/Art%20%20KEI%20China%20Repats%202014%20\(1\).pdf](https://www.hrnk.org/uploads/pdfs/Art%20%20KEI%20China%20Repats%202014%20(1).pdf).

<sup>47</sup> Article 12 does enumerate exceptional situations to this right, but none that North Korea comes close to meeting.

These provisions contradict Article 19.2 of the International Covenant on Civil and Political Rights, which states that:

***“[T]he right to freedom of expression includes “freedom to seek, receive and import information and ideas of all kinds regardless of frontiers [emphasis added], orally, in print, in the form of art, or through any form of media of his [or her] choice.”***

These provisions of the North Korean Criminal Code also disregard Article 15.4 of the International Covenant on Economic, Social and Cultural Rights, which posits that:

***“States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.”***

Articles 183, 184, and 185 effectively prohibit and criminalize a huge array of media material not produced by the state and KWP organs of North Korea, and any media or opinions other than those specified in the Ten Basic Principles of the [Kimilsungist] Unitary (which is also translated as the “Monolithic” or “One-and-Only”) Ideology System. This criminalizes not only the possession of materials prepared in the Korean language by ethnic Koreans in South Korea, China, Japan, and the U.S., but also any art, music, and literature in other languages that can be understood by North Koreans, such as Chinese, Japanese, Russian, and German. According to Russian Korea scholars such as Andrei Lankov, such prohibition on possession of foreign materials even extended to magazines from the Soviet Union and Eastern Europe at a time when they were North Korea’s principal allies.

As previously noted, the above international conventions allow certain exemptions to some of the rights and freedoms stipulated therein, but North Korea stretches the exemptions in ways that the conventions themselves do not allow.<sup>48</sup>

## **“VIOLATING THE ORDER OF SOCIALIST COLLECTIVE LIFE” VS. FREEDOMS OF THOUGHT AND RELIGION**

Article 256 of the 2012 North Korean Criminal Code criminalizes engaging “in superstitious activities in exchange for money or goods.” This law is specifically intended to prohibit fortune-telling and enable the imprisonment of fortune-tellers. Fortune-telling is a residual practice of Shamanism, a Korean and pan-Asian religion that holds that all animate and inanimate objects have spirits with the power to influence destiny, and that shamans, who are almost always women, have the ability to discern these spirits and predict their determination for the future. Shamanism is a recognized religion in South Korea, and fortune-telling remains a popular pursuit. By many accounts, in North Korea during the Great Famine of the 1990s, fortune-telling became a widespread practice. In particular, one former prisoner stated that “even the police” consulted

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<sup>48</sup> It should be noted that South Korea’s National Security Law also criminalizes the possession of soft or hard copies of information and materials printed in North Korea. However, there is a stark contrast between the degree of punishment in North Korea, where lives are on the line, and South Korea, where there is rule of law possibly resulting in a trial and sentence by a judge.



fortune-tellers for predictions as to whether their families would survive the famine. Nevertheless, the 2012 Criminal Code continues this prohibition.

Article 256 allows for the imprisonment of persons who import other religious materials with the intent to sell, although this is also banned under the aforementioned Articles 183 and 184. One of the former prisoners interviewed by HRNK was imprisoned in *Kyo-hwa-so* No. 1, “Kaechon” for fortune-telling. However, in her case, this seemed to be a secondary charge as her primary offense reported to authorities was for singing a South Korean pop song, which is designated as “decadent” or “foul,” as noted above.

## **VIOLATING FREEDOMS OF EXPRESSION AND ASSEMBLY**

Numerous articles in the 2012 North Korean Criminal Code enable imprisonment, property confiscation, and execution for political acts, including non-violent political expression. Article 60, “Conspiracy to Subvert the State,” stipulates:

***“[A] person, who with anti-state purposes, participates in a coup-d’état, riot, demonstration or assault, or takes part in a conspiracy, shall be punished.... Where a person commits a grave offence, he or she shall be punished for life-term, or the death penalty and confiscation of property.”***

Coups d’état, riots, or assaults could be violent, and hence legitimately criminalized. However, a “demonstration” is, by international standards, considered to be a right to freedom of expression and assembly.

Article 62 (Anti-State Propaganda and Political Agitation) states that a “person who with anti-state intent launches propaganda and agitation shall be punished.”

Article 63 (Treason Against the Fatherland) criminalizes:

***“A Korean national, who under the control of imperialists, suppresses our people’s struggle for national liberation or the struggle for reunification of the country...In cases where the offense is grave, he or she shall be punished by life term reform through labor or the death penalty and the confiscation of property.”***

North Korea casts a wide net when criminalizing anti-state political actions. Articles 71, 72, and 73 criminalize harboring or concealing evidence, failure to inform relevant authorities, and the neglect or failure to prevent crimes against the state.

## **“CRIMES THAT ARE NOT REALLY CRIMES”**

Former *kyo-hwa-so* prisoners, interviewed by HRNK for having exercised their right to leave their country of origin in search of food or income-generating employment in China, report that many others not imprisoned for border crossing were also deprived of their liberty and subjected to hard labor under extremely harsh

conditions for “crimes that are not really crimes,” as the former prisoners express it. The North Korean Criminal Code contains a number of unusual offenses for which North Koreans can be punished according to law. They are:

Article 190 (Disregard of Writings, Inventions and Technical Innovations) states that a “person who makes an incorrect assessment of writings, inventions or technical innovations and ignores them out of greed, jealousy or other mean motives shall be punished.”

Article 209 (Collective Disturbance) states that a “person who, as part of a group, fails to comply with the instructions of a state agency shall be punished.”

Article 211 (Fabrication and Distribution of False Rumor) criminalizes a “person who concocts a false rumor that may lead to distrust of the state shall be punished.”

Article 222 (Illegal Cooperation) states that “A person who illegally cooperates with a person against the state shall be punished.”

Article 237 (Dereliction of Duty) criminalizes a “Management worker who does not execute his or her superior’s orders or directions, or his or her normal duty, or executes the aforementioned in a careless manner, thereby causing grave consequences shall be punished.”

Article 240 (Damaging the Prestige of State Agencies) states that a “Management worker, who through acting unlawfully or misconduct, damages the prestige of state agencies shall be punished.”

Oddly, Article 196 (Unjust Selection of Athletes) states that “A person who does not rightly select athletes for important competitions, resulting in serious consequences, shall be punished.”

This HRNK report focuses on provisions of the Criminal Code that criminalize elementary civil and political rights involving opinion, expression, assembly, and movement. These provisions are regularly used to unjustly deprive thousands of North Koreans of their liberty and subject them to forced labor under very brutal conditions. However, readers of the full text of the 2012 Criminal Code, which is in Appendix II, below will note that there are also a large number of prohibitions on economic activity. Many of these prohibitions are enforced sporadically at best. Nearly all of the commentators on North Korea’s marketization from below note that the economic activity in the ubiquitous markets, from which most North Koreans get most of their food, clothing, and consumer goods, is still technically “illegal.” Enforcing criminal prohibitions on economic activity appears to be highly discretionary at the local level, impacted by corruption, bribery, and formal and informal business and political network protection.

Readers are encouraged to read through the full 2012 North Korean Criminal Code in Appendix II of this report.

# PROVINCIAL CHART OF KYO-HWA-SO PRISON CAMPS

## KNOWN KYO-HWA-SO PRISONS AND PRISON CAMPS BY PROVINCE

### North Hamgyong

- *Kyo-hwa-so* No. 12, Jongo-ri\*
- Hoeryong *Kyo-hwa-so*+
- Facility at Udan+

### South Hamgyong

- Hamhung City Prison\*
- *Kyo-hwa-so* No. 9, Hamhung Women's Prison (Sungwon-ri Branch)
- Kadam *Kyo-hwa-so*
- Wangjang *Kyo-hwa-so*
- Yonggwang *Kyo-hwa-so*
- Gumya *Kyo-hwa-so*^  
*Kyo-hwa-so* No. 55/ Oro *Kyo-yang-so* +x
  - Facility at Pungho-ri
  - Facility at Sangtong-ri
  - Tongjung-ri *Kyo-hwa-so*
- Kyo-hwa-so* No. 77, Danchon#x
  - Facility at Hangguil-dong
  - Facility at Sangjang
- Facility at I-gol

### North Pyongan

- *Kyo-hwa-so* No. 2, Dongrim (Sowol-ri)\*\*
- *Kyo-hwa-so* No. 2, Dongrim (Obong Workers' District)\*\*
- *Kyo-hwa-so* No. 3, Sinuiju\*  
*Kyo-hwa-so* No. 55, Cheonma•
- Cholsan *Kyo-hwa-so*•

### South Pyongan

- *Kyo-hwa-so* No. 1, Kaechon\*
- *Kyo-hwa-so* No. 11, Chung-san\*
- Camp 607, KPA Security Command, Chidong-ri (Hoechang Labor Training Camp)  
Sunchon• /Sukchon^  
*Kyo-hwa-so*
  - Facility at Unbong-dong

### Chagang

- Kanggye City Prison
- *Kyo-hwa-so* No. 7, Kanggye\*\*
- Chagang *Kyo-hwa-so*^
- Songgan *Kyo-hwa-so*^

### Kangwon

- *Kyo-hwa-so* No. 5
- Yongdam *Kyo-hwa-so* #
- *Kyo-hwa-so* No. 88, Wonsan (Sokhyol-li)\*\*
- *Kyo-hwa-so* No. 88, Wonsan (Chuksal-ri)\*\*

### North Hwanghae

- *Kyo-hwa-so* No. 6, Sariwon (Osu-ri)\*\*
- Sariwon City Prison
- Geumok *Kyo-hwa-so*^ (Perhaps the same as *Kyo-hwa-so* No. 8, Sungho-ri)

### South Hwanghae

- Haeju *Kyo-hwa-so*^

### Ryonggan

*No information*

### Pyongyang

(Administrative area)

- *Kyo-hwa-so* No. 4, Kangdong\*
  - Hyungsan *Kyo-hwa-so* \*\*
  - Hwachon *Kyo-hwa-so*•
  - Sokchu *Kyo-hwa-so*•
  - Jakgol *Kyo-hwa-so*•
  - Hoichang *Kyo-hwa-so*•
  - Yongguang *Kyo-hwa-so*•
  - Holdong *Kyo-hwa-so*•
- *Kyo-hwa-so* No. 8, Sungho-ri#
- Cheongwun-dong *Kyo-hwa-so*

### Legend

- Location and image available herein
- Location and image presently unavailable

- \* : Based on research by HRNK, KINU, and NKDB
- \*\* : Based on research by KINU and NKDB
- # : Based on research by HRNK and NKDB
- + : Based on research by HRNK
- : Based on research by NKDB
- ^ : Based on research by KINU
- x : Reported closed

Some *kyo-hwa-so* prisons and prison camps are known by a designated number. Others are termed by former North Koreans only by their proximate location. The UN Commission of Inquiry interviewed former prisoners from or confirmed from previous North Korea reports the following: *Kyo-hwa-so* Nos. 1, 4, 6, 9, 11, 12, and 22.  
(See A/HRC/25/CPR.1, 7 Feb. 2014, page 247.)

# WORKING SURVEY OF KNOWN *KYO-HWA-SO* PRISON CAMPS

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The survey that follows below is based on published information currently available from HRNK, KINU, and NKDB. It is not an exhaustive list, but it is a list of relatively large scale forced labor facilities for offenses deemed by North Korean authorities to be the equivalent of felony-level crimes, for which information, based on interviews with former North Korean citizens, is currently available.

It is presently not possible to obtain or provide a definitive accounting or list. As can be seen below, many of the *kyo-hwa-so* prison camps are numbered. Others are not, as many former North Koreans identify the prison camp facilities only according to the name or town they are affiliated with. A number of the prison camps have satellite facilities several miles away from the main penitentiary, but some of these satellite detention facilities and prisoner work sites may be regarded in some accounts as separate labor camps. Additionally, some of the prisons have men's and women's sections within the same penitentiary enclosed by a wall. Others, such as the *Kyo-hwa-so* No. 9, "Hamhung," have a men's prison and a women's prison several miles apart, and so they can be counted as one or two prisons. Further, there is considerable fluctuation as facilities merge or close, district borderlines change, and area names change.

Estimates of the number of prisoners within the facilities are subject to a great deal of flux as well. There is a large number of deaths in detention and also a large number of releases throughout the entire system of penal labor facilities. This is either on account of time served or because substantial amnesties are granted on the birthday anniversaries of the Kim dynastic leaders or other major political celebrations.

For some of these prison camps, there are scores of former prisoners who, upon release from prison in North Korea, fled to China and made their way to South Korea. This is particularly the case for the *kyo-hwa-so* used for imprisoning North Korean women forcibly repatriated from China. For other prison camps, currently available information is limited.

Due to the fact that North Korea continues to reject requests from the United Nations to allow on-site access to its detention facilities by the International Committee of the Red Cross or appropriate UN officials, satellite imagery of North Korea's prisons and prison camps is essential as supportive evidence for the testimony provided by former prisoners. To date, approximately half a dozen of the *kyo-hwa-so* prisons and prison camps have been located using satellite imagery of the facilities identified by former North Korean prisoners or former nearby residents, including one prison camp facility not publically identified prior to this HRNK report.

Satellite images of detention facilities that have been corroborated and identified by former prisoners are noted as such below. In searching for and analyzing satellite imagery of prisons and prison camps in North Korea that have not yet been identified by former prisoners or former North Korean residents from those

localities, HRNK has drawn on the expertise of Joseph S. Bermudez Jr., a pre-eminent satellite imagery analyst of North Korean sites.<sup>49</sup>

In regards to the series of previously unpublished satellite images of prisons and prison camps, mostly located thanks to coordinates provided in recent NGO reports cited below, it should be noted that the cameras used in today's commercial satellites vary significantly in terms of image quality. As a result, the imagery collected for any given area in North Korea can vary considerably from high-resolution (less than 1 meter per pixel) to medium-resolution (1 to 100 meter(s) per pixel) to low-resolution (greater than 100 meters per pixel).

Each increasing level of resolution—30 centimeters per pixel is the best available commercially—allows for the ability to progress from detection to recognition to identification and ultimately to technical analysis. The further analysis moves along this chain, the higher the level of confidence. For the reports produced by HRNK, medium-resolution was occasionally employed for detection while high-resolution imagery, which can also range considerably from 30 centimeters to 70 centimeters per pixel, was used exclusively for recognition, identification, and technical analysis.

Even with high-resolution imagery, it is not always possible to definitively confirm suspected prisons or prison camps. This is why HRNK provides numerous images in its reports. Wide dissemination of these images, along with the accompanying testimony, will enable North Korean refugees to provide confirmation of, identification of, and insight on suspected prisons and prison camp facilities.

The following survey includes neither *kwan-li-so* political prison camps nor, with some noted exceptions, the smaller scale *ro-dong-dan-ryeon-dae* LTCs or mobile labor brigades, *ka-mok* or *ku-ryu-jang* detention-interrogation facilities, or *jyp-kyul-so* detention facilities. However, updated images of the *kwan-li-so* political prison camps are detailed in Appendix I below.

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<sup>49</sup> Joseph S. Bermudez Jr. was a Co-founder and Chief Analytics Officer of AllSource Analysis, and a former Senior Analyst at DigitalGlobe and Jane's Information Group. DigitalGlobe is a leading commercial purveyor of satellite imagery. Jane's Information Group is a leading source of information on military facilities, forces, and weapons around the world. His analyses of satellite imagery of North Korea's nuclear and missile test facilities are regularly published in 38 North, a website affiliated with the U.S.-Korea Institute at the School of Advanced International Studies of Johns Hopkins University, and are frequently cited in The New York Times. During his tenures as an analyst at DigitalGlobe and at AllSource Analysis, HRNK and DigitalGlobe, and HRNK and AllSource Analysis published a series of reports on satellite imagery of the *kwan-li-so* political prison camps in North Korea.

## KYO-HWA-SO IDENTIFIED BY NUMBER (Arranged in numerical order)

### **Kyo-hwa-so No. 1, Kaechon South Pyongan Province**

*Kyo-hwa-so* No. 1, Kaechon is also transliterated as Gaechon, which is located in Yaksu-dong, Kaechon City and thought to be one of the oldest *kyo-hwa-so* prison camps. Two former prisoners were interviewed for the 2003 edition of *The Hidden Gulag*.<sup>50</sup> This report contained a 2002 DigitalGlobe satellite image of the penitentiary with site identifications by former prisoners.<sup>51</sup>

In early 2016, NKDB published a Korean language report on *Kyo-hwa-so* No. 1, Kaechon based on interviews with 31 former prisoners. The earliest interviewed former prisoner was detained in 1986.<sup>52</sup> There is an extended discussion of *Kyo-hwa-so* No. 1, Kaechon in the 2016 KINU report, *Prison Camps in North Korea*,<sup>53</sup> based on multiple interviews, which also contains a 2014 Google Earth satellite image with sites identified by former prisoners. A discussion of *Kyo-hwa-so* No. 1, Kaechon in a 2014 paper by a senior KINU researcher, “Human Rights Conditions of the Ordinary Prison Camps (*Kyo-hwa-so*) in North Korea,”<sup>54</sup> based on interviews with North Korean escapees who entered South Korea between 2010 and 2014, contains more wide-angle satellite imagery by V-World, a South Korean satellite imagery firm.<sup>55</sup>

*Kyo-hwa-so* No. 1, Kaechon appears in satellite imagery as an easily recognizable large-scale penitentiary. Estimates of the number of prisoners range from 4,000 to 6,000, with an estimated 2,000 women. It is not possible for the former prisoners to know more precise numbers because the prison was divided into men’s and women’s quarters, and again into isolated sections for fixed-term prisoners and sections for life-time sentence prisoners. Prisoners from one section could see prisoners in other sections, but communication between sections was impossible.

In addition to persons deprived of their liberty for political offenses—one of the interviewees from 2002 for first edition of *The Hidden Gulag* was imprisoned because she was reported to authorities for singing a South Korean pop song at a private party, and there were numerous interviewees who were imprisoned as “illegal” border crossers—there are prisoners convicted of genuine criminal offenses such as theft, fraud, drug possession, murder, and other crimes. At one point, there were reportedly between 200 and 250 former Japanese-Koreans imprisoned at *Kyo-hwa-so* No. 1, “Kaechon.”<sup>56</sup>

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50 David Hawk, *The Hidden Gulag: Exposing North Korea’s Prison Camps* (Washington, DC: Committee for Human Rights in North Korea, 2003), 43-48 [henceforth, Hawk, *The Hidden Gulag*].

51 *Ibid.*, 119.

52 Lee Seung-joo, *A Series of Detention Facilities in North Korea: Kaechon Kyo-hwa-so No.1, ‘Message from Survivors’* [in Korean] (Seoul: NKDB, 2016).

53 Han Dong-ho, Do Kyoung-ok, Lee Wootai and Rim Je Joon, *Prison Camps in North Korea* (Seoul: KINU, 2016).

54 Lee Keum-soon, “Human Rights Conditions of the Ordinary Prison Camps (*Kyo-hwa-so*) in North Korea,” paper presented at the 4<sup>th</sup> Chaillot Human Rights Forum, Seoul, South Korea, 2014. Of the 1,125 former residents of North Korea interviewed by KINU between 2010 and 2014, nearly 130 had been imprisoned in North Korea.

55 *Ibid.*, 27.

56 Many of the nearly 100,000 ethnic Koreans who migrated from Japan to North Korea in the 1960s—most of the families had actually come to Japan from the southern areas of South Korea—were deemed unsuitable for the Kim Il-sung nation. There were also “villages” or sections of former Japanese-Koreans in the *kwan-li-so* prison camps such as

Prison labor is used for textile production and leather manufacturing of shoes, belts, holsters, and other goods, including those for export. Leather goods production is considered the most dangerous because of the heavy machinery used to cut and stitch leather, and the toxicity of the glues used. There were ten different work units, also including smaller units for food preparation, farming and livestock, and construction. Some of the prisoners' cells were so overcrowded that some women preferred to sleep under their sewing machines in the textile factory. Prison hygiene was reportedly appalling and food rations were inadequate, leading to high rates of death from malnutrition-related illness, particularly for those prisoners whose families did not or could not bring them food.

**Figure 1**



Location: 39° 42'34.72"E, 125° 55'24.78"E.

*Kwan-li-so* Camp 15, "Yodok." Why some of this unfortunate group were sent to *kyo-hwa-so* prison camps while others were sent to *kwan-li-so* prison camps is not clear.

## ***Kyo-hwa-so* No. 2, Dongrim North Pyongan Province**

Both the 2011 NKDB Report<sup>57</sup> and 2016 NKDB Korean language listing<sup>58</sup> name *Kyo-hwa-so* No. 2, Dongrim, which is also transliterated as Tongrim, and identify its location as Obong-ro-dong-ja-gu, which is translated as Obong Workers' District in Dongrim-gun, North Pyongan Province. However, they have no other specific information about its current state of operation. Similarly, both the 2014<sup>59</sup> and the 2016 KINU listings<sup>60</sup> name *Kyo-hwa-so* No. 2, Dongrim, but likewise, have no further information on its current state of operation. HRNK has not interviewed any former prisoners from *Kyo-hwa-so* No. 2, Dongrim.

Two facilities that look similar to other *kyo-hwa-so* identified by former prisoners and local residents are provided below. Although these are high-resolution satellite images, it is not possible to definitively confirm the function of the two facilities. HRNK includes them here in order for former North Korean residents from these localities to confirm the nature and identity of these facilities.

**Figure 2**



Location: 39° 52'39.30"N 124° 43'46.58"E.

57 Yoon Yeo-sang, Ku Hyun-ja, Kim In-sung, and Lee Ji-hyun, *Prisoners in North Korea Today* (Seoul: Database for North Korean Human Rights, 2011), 69.

58 NKDB, *Current Situation of Detention Facilities in North Korea Focused on Kyo-hwa-so* [in Korean] (Seoul: The Database for North Korean Human Rights, 2016), 40-41.

59 Lee, "Human Rights Conditions," 19.

60 Han et al., *Prison Camps*, 16.



*Kyo-hwa-so* No. 2, Dongrim (Sowol-ri) in North Pyongan Province is located in the northern part of the town of Dongrim. Jambong-ri is to the west and Obong Workers' District is to the southeast.

**Figure 3**



Location: 39° 52'5.42"N 124° 44'59.35"E.

### ***Kyo-hwa-so* No. 3, Sinuiju North Pyongan Province**

Between 2002 and 2003, HRNK interviewed a former prisoner from *Kyo-hwa-so* No. 3, "Sinuiju" who was imprisoned for an admitted criminal offense and sentenced to ten years for assault and battery during the mid-1980s to the mid-1990s.<sup>61</sup> According to his testimony, about 2,500 prisoners mined rock and gold, and made prison uniforms. Both KINU and NKDB list this prison,<sup>62</sup> but no further or more recent information is available. KINU locates this prison at Paekto-dong.<sup>63</sup>

61 Hawk, *The Hidden Gulag*, 51-52.

62 See footnotes 4-9.

63 Lee, "Human Rights Conditions," 19.

**Figure 4**



Location: 40° 3'43.00"N 124° 24'34.65"E.

### **Kyo-hwa-so No. 4, Kangdong Pyongyang City**

Also transliterated as Gangdong, *Kyo-hwa-so* No. 4, Kangdong is located in Chael-kol on the eastern outskirts of Pyongyang close to South Pyongan Province. A former prisoner in the 1990s was interviewed for the 2003 edition of *The Hidden Gulag*.<sup>64</sup> This former prisoner identified its location as Kangdong-gun, South Pyongan Province, a common designation prior to the extension of the administrative boundaries of Pyongyang. A satellite image of it appears in the 2012 edition of *The Hidden Gulag*.<sup>65</sup> *Kyo-hwa-so* No. 4, Kangdong is noted in the 2016 KINU report.<sup>66</sup> The 2016 Korean language NKDB report on *Kyo-hwa-so* No. 4, Kangdong is based on interviews with seven former prisoners, whose time of imprisonment ranges from 1988 to 2012.<sup>67</sup>

The satellite image below, which appeared on page 226 of *The Hidden Gulag Second Edition*, was first located and identified by Curtis Melvin of North Korean Economy Watch on the basis of a detailed drawing from a former prisoner interviewed by HRNK. The drawing by the former prisoner appears on page 110 of *The Hidden Gulag Second Edition*.

<sup>64</sup> Hawk, *The Hidden Gulag*, 53.

<sup>65</sup> Hawk, *The Hidden Gulag Second Edition*, 226.

<sup>66</sup> Han et al., *Prison Camps*, 16-17.

<sup>67</sup> Yoo Hye-jung, *A Series of Detention Facilities in North Korea: Kangdong Kyo-hwa-so No. 4, 'Another Face of Pyongyang'* [in Korean] (Seoul: NKDB, 2016).

A prison for men, reportedly established as a limestone and cement factory during the long Japanese occupation of Korea, *Kyo-hwa-so* No. 4, Kangdong has a clearly visible limestone quarry just outside the penitentiary walls. There is a conveyor belt to transport the limestone rocks into the prison camp. Some prisoner work units were assigned to crush and pulverize the rocks, and other work units fire the crushed limestone in large kilns with twelve work units or *kwan-ri-ga*, which is translated as divisions, in all.

According to NKDB's research, in addition to the main prison at Dae-ri, Rodong-ja-gu, Kangdong-gun, *Kyo-hwa-so* No. 4, Kangdong has satellite or sub-branches at the following seven locations: 1) Hwachon; 2) Sokchu; 3) Jakgol; 4) Hoichang; 5) Yongguang; 6) Holdong; and 7) Hyungsan, which is also transliterated as Hyongsan and Heongsan. These sub-branches hold between 150 and 200 prisoners.<sup>68</sup> The 2011 NKDB Report notes that the Hyungsan branch, located in the Hyungjaesan area of Pyongyang, is considered a "model prison." The Hwachon prison branch, located in the Seungho area, Hwachon 1-dong, Pyongyang, is located near the Hwachon coal mine and includes both military and civilian prisoners.<sup>69</sup> The main branch prison population is estimated to be between 1,000 and 4,000. In the 1990s, the prison was severely overcrowded and the population estimates even higher.

Food rations were well below minimum subsistence levels and prison hygiene was almost non-existent. The former prisoner interviewed by HRNK spoke of a particular problem: prison clothing was permeated by cement dust that hardened from rain or sweat leading to chaffing and skin diseases. Rates of deaths in detention were very high, particularly in the 1990s during the Great Famine. Presently, prisoners' families are allowed to bring food to their relatives in *Kyo-hwa-so* No. 4, Kangdong.

**Figure 5**



The geo-coordinates are 39° 0'31.24"N 126° 9'12.42"E.

68 Ibid.

69 Yoon et al., *Prisoners in North Korea Today*, 70.

## ***Kyo-hwa-so* No. 5 Kangwon Province**

The 2014 KINU list mentions a *Kyo-hwa-so* No. 5 in Kangwon, along with several un-named prisons in Kangwon Province, also transliterated as Gangwon Province.<sup>70</sup> No other information is available on *Kyo-hwa-so* No. 5.

## ***Kyo-hwa-so* No. 6, Sariwon North Hwanghae Province**

*Kyo-hwa-so* No. 6, Sariwon was one of the earliest North Korean prison camps to become widely known about outside of North Korea because of the involvement of Amnesty International in the release of Ali Lameda and Jacques Sedillot. They were members in good standing in the Venezuelan and French, respectively, communist Parties. In 1967, both were recruited to Pyongyang by the North Korean Foreign Ministry to translate the writings of Kim Il-sung into Spanish and French. Lameda was a poet and author whose writings were well known throughout Latin America.

Lameda and Sedillot believed that, under secret surveillance, they were overheard discussing amongst themselves that Kim's *Juche* ideology was incompatible with Marxism-Leninism. Accused of being a French spy, Sedillot was arrested in September 1967. Initially, no charges were brought against Lameda, but he was subjected to solitary confinement in a one-by-three meter cell for a year on below subsistence level food rations. Having lost 50 pounds and covered in sores, he also confessed to espionage.

Lameda and Sedillot were sent to *Kyo-hwa-so* No. 6, Sariwon, where, while held in unheated cells, they labored making jeep parts manufactured at the prison until 1974. Lameda's toenails dropped off due to frostbite. Prison guards there told him the name of the prison camp and that there were between 6,000 and 8,000 prisoners, and an additional 1,000 persons in a sick ward.

They were told by prison guards and "orderlies" (privileged prisoners, some of whom had been previously held in other prison camps) that there were some twenty other prison labor camps. They estimated at the time that there were roughly 150,000 prisoners all together.

Informed by Latin American and French colleagues, Amnesty International took up their cases. The government of Venezuela and, according to Amnesty International, the President of Romania intervened on behalf of Sedillot and Lameda. They were then released from prison. Sedillot died in Pyongyang from prison-related illnesses before he could return to France. Lameda recuperated in Eastern Europe and returned to Venezuela where he published an account of his imprisonment. Amnesty International translated excerpts into English and published, "Ali Lameda, A Personal Account of the Experience of a Prisoner of Conscience in the DPRK" in 1979.<sup>71</sup>

KINU's 2016 research lists *Kyo-hwa-so* No. 6, Sariwon as a currently operating prison camp.<sup>72</sup> The NKDB 2011 report and the 2016 Korean language report on prison camps note that *Kyo-hwa-so* No. 6, Sariwon is now

<sup>70</sup> Lee, "Human Rights Conditions," 19.

<sup>71</sup> Amnesty International, *Democratic People's Republic of Korea: Ali Lameda: A Personal Account of the Experience of a Prisoner of Conscience in the Democratic People's Republic of Korea*, AI Index: ASA 24/002/1979, January 1979, 14.

<sup>72</sup> Han et al., *Prison Camps*, 16-17.

divided into three sections: 1) Shinheung-dong, a clothing and shoe factory; 2) Shinchang-dong, a large farm; and 3) Dorim-ri, which NKDB reports to be a “model detention facility.”<sup>73</sup> KINU’s 2014 listing treats Shinchang, also transliterated as Shinsang, as a separate facility.<sup>74</sup> According to NKDB’s 2011 research, there were 3,000 to 4,000 persons imprisoned in the *Kyo-hwa-so* No. 6, Sariwon prison camp.

Two facilities that look similar to other *kyo-hwa-so* identified by former prisoners and local residents are provided below. Although these are high-resolution satellite images, it is not possible to definitively confirm the function of the two facilities. HRNK includes them here in order for former North Korean residents from these localities to confirm the nature and identity of these facilities.

**Figure 6**



Location: 38° 30'45.41"N 125° 46'26.59"E.

73 Yoon et al., *Prisoners in North Korea Today*, 41.

74 Lee, “Human Rights Conditions,” 20.

**Figure 7**



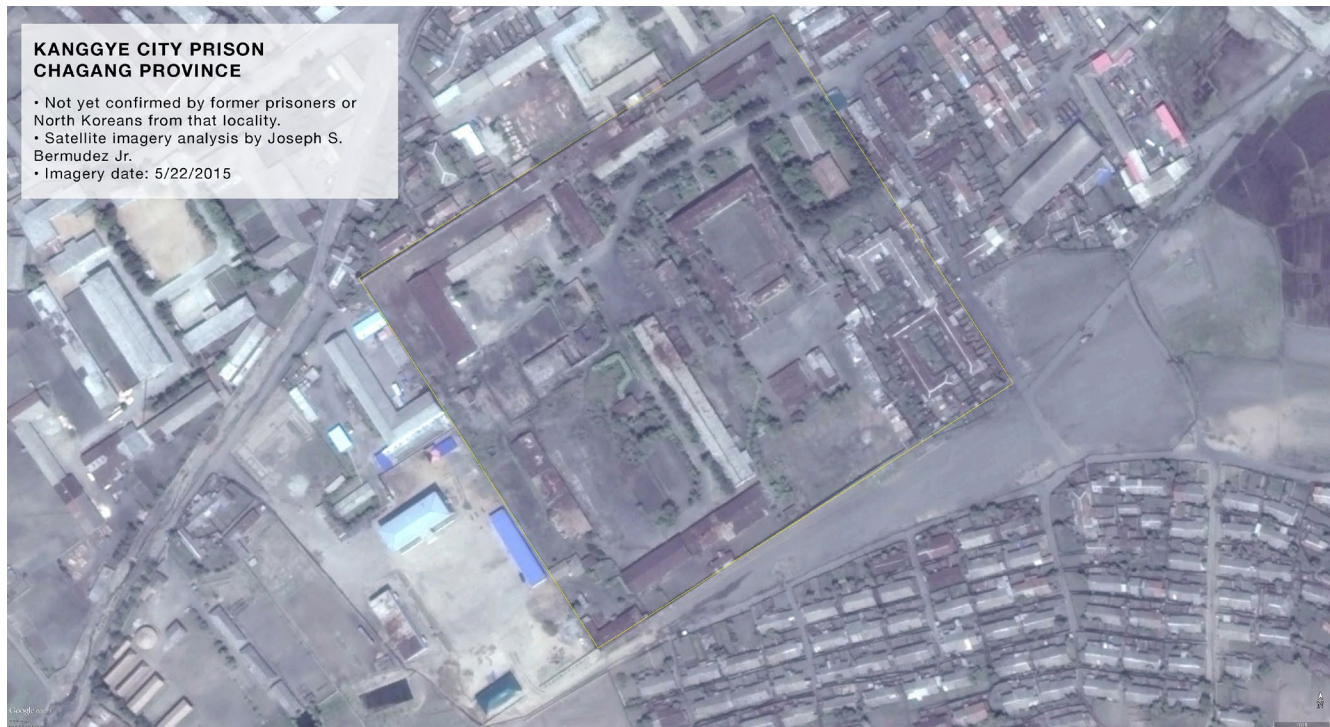
Location: 38° 29'0.94"N 125° 49'3.31"E.

This may be the “model detention facility” at Dorim-ri reported by NKDB.

### ***Kyo-hwa-so No. 7, Kanggye* Chagang Province**

Also transliterated as Kanggye and Ganggye, *Kyo-hwa-so No. 7, Kanggye*, in the city of that name, is on KINU’s and NKDB’s lists of *kyo-hwa-so* prisons and prison camps. However, according to NKDB, the current status and number of prisoners is not known. HRNK has not interviewed any former prisoners from *Kyo-hwa-so No. 7, Kanggye*.

**Figure 8**



Location: 40° 57'15.56"N 126° 34'4.31"E.

### ***Kyo-hwa-so No. 8, Yongdam* Kangwon Province**

Between 2002 and 2003, HRNK interviewed a former North Korean imprisoned in *Kyo-hwa-so No. 8, Yongdam* in Wonsan City, Kangwon Province in the early- to mid-1980s.<sup>75</sup> At that time, prisoners manufactured bicycles. KINU's research notes that *Kyo-hwa-so No. 8, Yongdam* was relocated and incorporated into *Kyo-hwa-so No. 10*.<sup>76</sup> The 2011 NKDB volume, *Prisoners in North Korea Today*, lists a Prison No. 8 located in the Seungho area of Pyongyang, but has no further information on the operation of this prison.<sup>77</sup>

For additional information on *Kyo-hwa-so No. 8, "Yongdam,"* see pages 48-49 for an image and geo-coordinates of a facility that has not yet been confirmed.

### ***Kyo-hwa-so No. 9, Hamhung* South Hamgyong Province**

Also transliterated as Hamheung, the 2011 NKDB report locates *Kyo-hwa-so No. 9, Hamhung Men's Prison* at Hoeyang, Hoesang Area, Hamhung City, while Hamhung Women's Prison is located at Songwon Village, which is also spelled as Sungwon, Hoesang Area, Hamhung City. It further notes that the men's prison was a sewing machine factory that was originally constructed during the Japanese occupation of Korea. It was

75 Hawk, *The Hidden Gulag*, 51.

76 Lee, "Human Rights Conditions," 19.

77 Yoon et al., *Prisoners in North Korea Today*, 70.

then converted into a prison factory in the mid-1990s. According to that NKDB report, in addition to the men's prison main facility at Yoesang-dong, there is a men's prison unit at a gold mine in Chongpyong County, South Hamgyong Province, and a prison unit at a coal mine in Kowon County, South Hamgyong Province. The 2016 NKDB Korean language report on *Kyo-hwa-so* No. 9, Hamhung is based on testimony from 30 former prisoners incarcerated there from 1998 to 2012.<sup>78</sup>

The 2011 NKDB report includes a 500 person women's prison at Songwon-ri, Hoesang Area, which was established in the late 1990s to accommodate the growing number of women forcibly repatriated from China.<sup>79</sup> Although the report identifies the facility as *Kyo-hwa-so* No. 9, Hamhung Women's Prison, it is also reportedly known as the "3<sup>rd</sup> Department of Hamhung Prison."<sup>80</sup> The 2014 KINU list of *Kyo-hwa-so* notes a prison at Sungwon-ri and Dongchun-ri, Hamhung City, and also enumerates it as *Kyo-hwa-so* No. 9, along with another facility at Hoesang Area, Hamhung City, also listed as *Kyo-hwa-so* No. 9. That list also notes a *Kyo-hwa-so*, Yonggwang in Hamhung and prison facilities at Dongryung-ri and Seomun-ri, in addition to the main facility in Hoesang District.<sup>81</sup>

A former prisoner, whose testimony is provided in the 2012 second edition of *The Hidden Gulag*, described the prison farm at Sungwon-ri, Hyesan District, South Hamgyong Province, which is not far from Hamhung City. This is reportedly where an estimated 500 women grew corn and other vegetables, cut wood, and worked on construction and repair. However, this former prisoner identified the prison farm numerically as *Kyo-hwa-so* No. 15.<sup>82</sup>

The 2014 KINU list describes two prisons at Sungwon-ri and Dongchun-ri, with the main branch at Hoesang Area with sub-units at Seomun-ri, Hamhung City and Dongryung-ri, Yonggwang County.<sup>83</sup> The 2016 KINU report lists the facilities together as Hamhung *Kyo-hwa-so*.<sup>84</sup>

HRNK has obtained two satellite images. One facility is located inside Hamhung City and a second structure is located at Sungwon-ri, where NKDB reported the Hamhung Women's Prison was located.

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78 Ahn Hyun-min, *A Series of Detention Facilities in North Korea: Hamhong Kyo-hwa-so No.9, 'Memory of No Return'* [in Korean] (Seoul: The Database for North Korean Human Rights, 2016).

79 Ibid., 71.

80 Yoon et al., *Prisoners in North Korea Today*, 94.

81 Lee, "Human Rights Conditions," 20.

82 Hawk, *The Hidden Gulag Second Edition*, 95-96.

83 Lee, "Human Rights Conditions," 20.

84 Han et al., *Prison Camps*, 16.



**Figure 9**



Location: 39° 57'27.67"N 127° 33'47.40"E.

**Figure 10**



Location: 40° 3'29.86"N 127° 40'34.29"E.

## ***Kyo-hwa-so* No. 10**

The KINU listing published in 2014 notes that former *Kyo-hwa-so* No. 8 was incorporated into *Kyo-hwa-so* No. 10.<sup>85</sup> However, there is no other information available on that *kyo-hwa-so*, at least not under that numerical designation.

## ***Kyo-hwa-so* No. 11, Chung-san South Pyongan Province**

There is a great deal of testimony available in South Korea about *Kyo-hwa-so* No. 11, Chung-san, which is also transliterated as Chonsan, Jungsan, and Jeung-san. The prison camp is a forced labor facility that imprisoned large numbers of “illegal” border crossers, many of whom fled to China and South Korea after their release from *Kyo-hwa-so* No. 11, Chung-san.

One former prisoner from Chung-san was interviewed by HRNK for the 2012 second edition of *The Hidden Gulag*. Two additional former prisoners at Chung-san were interviewed in Seoul in July 2016 for the present report. These former prisoners were able to identify the satellite images of one of the prison facilities within this area.

KINU includes *Kyo-hwa-so* No. 11, Chung-san in both its 2014 and 2016 lists.<sup>86</sup> NKDB’s 2016 Korean language report on *Kyo-hwa-so* No. 11, Chung-san is based on 53 testimonies that cover imprisonment periods from 1992 to 2010.<sup>87</sup>

*Kyo-hwa-so* No. 11, Chung-san is a fertile agricultural area southwest of Pyongyang. It is bound on the west by the “West Sea,” which appears on some maps as the Yellow Sea, and on the eastern side by a number of reservoirs. The area also contains military installations. Former prisoners report target practices from shore batteries to targets in the sea. Essentially, *Kyo-hwa-so* No. 11, Chung-san is a farm with prison labor. There are ten or eleven separate plots, each with its own detention facility. Scattered amongst the agricultural plots worked on by prison laborers are clusters of housing for prison officials and guards.

Some of these detention facilities are termed *kyo-hwa-so*, *kyo-yang-so*, or *ro-dong-dan-ryeon-dae* by former prisoners. One former prisoner interviewed by HRNK used the term *kyo-do-so*, a more literary term for moral “re-education.” The primary difference between these facilities appears to be the length of servitude: *ro-dong-dan-ryeon-dae* for sentences of six-months; *kyo-yang-so* for sentences of one to two years; and *kyo-hwa-so* for sentences of more than two years. There may, on paper or in theory, be a difference in the restrictions on citizens’ rights between these different categories of imprisonment and forced labor, but this could not be discerned from HRNK’s interviews with former prisoners. Furthermore, the designations of the same particular facility may have changed over time with internal mergers, the departure and arrival of new prisoners, or transfers from other prison camps of prisoners with different sentences. *Kyo-hwa-so* is the best term for the aggregate of these detention and forced labor facilities.

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85 Lee, “Human Rights Conditions,” 19.

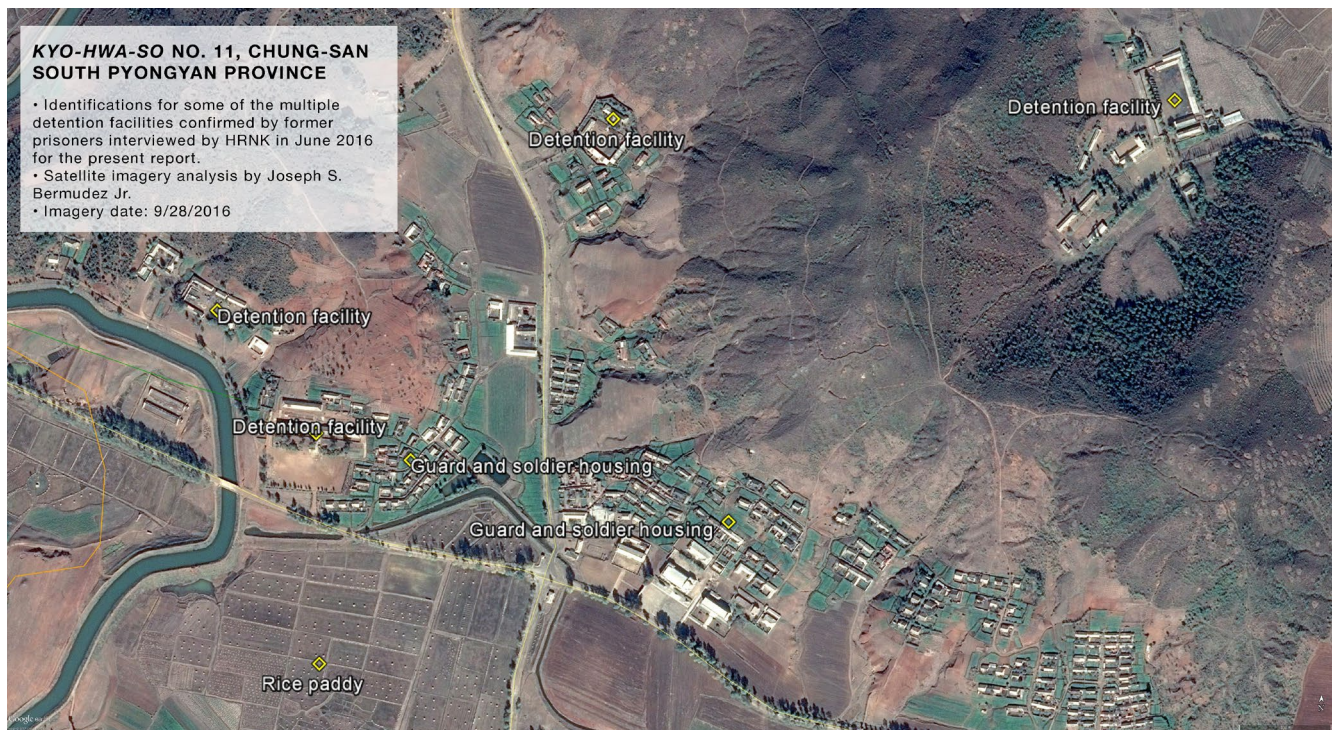
86 Lee, “Human Rights Conditions,” 19, and Han et al., *Prison Camps*, 16-17.

87 Lim Soon-hee, *A Series of Detention Facilities in North Korea: Chungsan Kyo-hwa-so No.11, ‘Honoring the Souls of Kkotdongsan (flower garden mountain)’* [in Korean] (Seoul: NKDB, 2016).

Most of the separated facilities are reported to hold some 500 to 600 prisoners, with one-half or more of the prisoners being punished for “illegal” border crossing. Most prisoners work in the fields to grow rice or corn, tend livestock, make rope, and produce fertilizer in the agricultural off seasons. Some prisoners were engaged in landfill construction to increase the acreage available for farming. There was also some light manufacturing. One particular work unit of young women prisoners engaged in making false eyelashes. Reportedly, all of the agricultural output was sent to the MPS in Pyongyang, providing food for the regular police force.

Notwithstanding *Kyo-hwa-so* No. 11, Chung-san being a prison farm, a former prisoner interviewed by HRNK indicated that the prison food rations were appalling. Prisoners who could not keep up with the pace of work were beaten and there was a large number of deaths in detention. Prisoners who died in the camp were buried without coffins or grave markers in a hill the prisoners called “flower mountain.” Thus, NKDB subtitled its 2016 report on *Kyo-hwa-so* No. 11, Chung-san, “Honoring the Souls of *Kkotdongsan*,” the Korean translation for “flower mountain.”<sup>88</sup>

**Figure 11**



Location: 39° 4'40.35"N 125° 26'15.58"E.

***Kyo-hwa-so* No. 12, Jongo-ri  
North Hamgyong Province**

Also transliterated as Chongo-ri, *Kyo-hwa-so* No. 12, Jongo-ri is another prison camp about which a great deal has long been known outside of North Korea. Once again, this is due to the large number of “illegal” border crossers formerly imprisoned there who fled North Korea to China and South Korea after release. *Kyo-hwa-so* No. 12, Jongo-ri, when it existed as a men’s prison camp, was described in the 2003 first edition of *The Hidden*

88 An unmarked and improper burial is culturally offensive in Korean tradition.

*Gulag*.<sup>89</sup> Two 2008 Google Earth satellite images of Jongo-ri were featured in the 2012 second edition of *The Hidden Gulag*.<sup>90</sup> The 2015 HRNK report, *The Hidden Gulag IV: Gender Repression and Prisoner Disappearances*, described the addition of the women prisoners' wing to *Kyo-hwa-so* No. 12, Jongo-ri, and included a 2013 satellite image showing the expansion of the prison camp.<sup>91</sup> An additional former female prisoner who worked in the eyelash-making work unit at Jongo-ri was interviewed by HRNK in 2016.

The expansion of Jongo-ri, based on an extensive number of interviews with former prisoners, and including two V-World satellite images, was described in the 2014 KINU paper and in the 2016 KINU Report.<sup>92</sup> The 2016 NKDB Korean language report on *Kyo-hwa-so* No. 12, Jongo-ri includes information from 90 testimonies.<sup>93</sup>

As a solely men's prison camp prior to 2007 or 2008, the prisoners mined copper and iron, cut logs, made bricks, and grew crops. A former prisoner, who was imprisoned from December 1998 to July 1999, was interviewed by HRNK between 2002 and 2003. He indicated that the rate of deaths in detention from forced labor and below subsistence level food rations was extremely high. The prison was overcrowded, holding anywhere between 1,300 and 1,500 men.

Women prisoners were introduced in 2007 or 2008 and, at first, housed in several residence units within the prison. However, to accommodate the growing number of North Korean women forcibly repatriated from China, a women's section was built along one of the walls of the men's prison. The women prisoners' work units include farming and livestock, along with wig and eyelash production units. Additional information can be found in the several recent reports mentioned above. At one point, the women's section was believed to have held upwards of 1,000 female prisoners.

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89 Hawk, *The Hidden Gulag*, 54-55.

90 Hawk, *The Hidden Gulag Second Edition*, 227.

91 Hawk, *The Hidden Gulag IV*, 12-27, 46-47.

92 Lee, "Human Rights Conditions," 21-26; Han et al., *Prison Camps*, 17-27. The latter has a wide-angle Google Earth satellite image, 18.

93 Kim In-sung, *A Series of Detention Facilities in North Korea: Chongo-ri Kyo-hwa-so No.12, 'Honoring Souls of the Dead at Mt. Bulmang'* [In Korean] (Seoul: The Database Cnter for North Korean Human Rights, 2016).

**Figure 12**



Location: 42° 12'34.00"N 129° 45'18.14"E.

### **Kyo-hwa-so No. 55, Cheonma North Pyongan Province**

A former prisoner from *Kyo-hwa-so* No. 77, Cheonma, interviewed by HRNK between 2002 and 2003, testified that *Kyo-hwa-so* No. 55, Cheonma, which is also transliterated as Chunma, was so overcrowded that many prisoners from Cheonma were transferred to *Kyo-hwa-so* No. 77 (see below under the section entitled *Kyo-hwa-so* Believed to be Closed).<sup>94</sup> The 2016 NKDB Korean language report, "Current Situation of Detention Facilities in North Korea, focused on Kyohwaso," lists a *Kyo-hwa-so* No. 55 at Cheonma-gun, but reports that its current status is unknown.<sup>95</sup>

### **Kyo-hwa-so No. 88, Wonsan Kangwon Province**

The 2014 KINU listing notes three prisons in Wonsan: one without a number in Wonsan and two with the number 88. Of the latter, one is called *Kyo-hwa-so* No. 88, Dukwon and another is denominated as *Kyo-hwa-so* No. 88, located at Sokhyon-ri, Wonsan City, Kangwon Province.<sup>96</sup> The 2011 NKDB report also lists *Kyo-hwa-so* No. 88, Wonsan.<sup>97</sup> The 2016 NKDB Korean language report locates *Kyo-hwa-so* No. 88, Wonsan in Juksan-ri, which

<sup>94</sup> Hawk, *The Hidden Gulag*, 48.

<sup>95</sup> NKDB, *Current Situation... focusing on Kyo-hwa-so*, 40-41.

<sup>96</sup> Lee, "Human Rights Conditions," 19.

<sup>97</sup> Yoon et al., *Prisoners in North Korea Today*, 96.

is also spelled Chuksan-ri, Wonsan, noting that its current status is unknown.<sup>98</sup>HRNK has not interviewed any former prisoners from *Kyo-hwa-so* No. 88, Wonsan.

HRNK has located two facilities in this area with striking resemblance to well identified *kyo-hwa-so*. Although these are high-resolution satellite images, it is not possible to definitively confirm the function of the two facilities. HRNK includes them here in order for former North Korean residents from these localities to confirm the nature and identity of these facilities.

**Figure 13**



Location: 39° 9'26.46"N 127° 21'51.76"E.

98 NKDB, *Current Situation...focusing on Kyo-hwa-so*.

**Figure 14**



Location: 39° 11'57.43"N 127° 20'45.07"E.

## KYO-HWA-SO IDENTIFIED BY NAME (Arranged by Province)

### North Hamgyong Province

#### **Hoeryong Kyo-hwa-so**

Between 2002 and 2003, HRNK interviewed a former North Korean who was imprisoned in “*Hoeryong Ro-Dong-Kyo-Hwa-So*” in the early 1990s.<sup>99</sup> Hoeryong Kyo-hwa-so is located in the mountains, about 40 kilometers from Hoeryong City, after which the prison was named. An estimated 1,500 prisoners, mostly convicts of criminal offenses, mined copper, logged, and made furniture. Reportedly, in 1992, some political prisoners were brought in. There is no recent information, so it is possible that this prison camp has been closed or subsequently termed by its more precise location, *Kyo-hwa-so* No. 12, Jongo-ri.<sup>100</sup>

### South Hamgyong Province

In addition to the numbered *kyo-hwa-so* noted above, including 1-12, 55, 77, and 88, KINU has identified *kyo-hwa-so* by name in South Hamgyong Province, including:

- Kadam *Kyo-hwa-so*, located in Kowon County;
- Wangjang *Kyo-hwa-so*, located in Chungpyong County;
- Yonggwang *Kyo-hwa-so*, located in Hamhung City; and
- Hamhung *Kyo-hwa-so*, located in Haetbit-dong, Hoesang District, Hamhung City<sup>101</sup>
- Gumya *Kyo-hwa-so*, located in Gumya County, which is in the far south of South Hamgyong Province, just across the boundary line with Kangwon Province.<sup>102</sup>

### Chagang Province

Both KINU<sup>103</sup> and NKDB<sup>104</sup> identify Kanggye, also spelled as Ganggye, which NKDB numbers *Kyo-hwa-so* No. 7. It is detailed above under the section entitled *Kyo-hwa-so* Identified by Number. KINU identifies Songgan *Kyo-hwa-so*, also spelled as Sunggan, and Chagang *Kyo-hwa-so*.<sup>105</sup> All three are located in the middle of Chagang province.

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99 Hawk, *The Hidden Gulag*, 52-53.

100 *Kwan-li-so* Camp 22 may also be closed. It was located near Hoeryong on the North Korean border with China. It is likely that prisoners were moved south, further from the border.

101 Lee, “Human Rights Conditions,” 20. This may be the same facility referred to earlier on page 35 under *Kyo-hwa-so* No. 9, which NKDB has located at an area designated as Yeosang.

102 Han et al., *Prison Camps*, 16-17.

103 Lee, “Human Rights Conditions,” 19.

104 NKDB, *Current Situation...focusing on Kyo-hwa-so*, 40-41.

105 Han et al., *Prison Camps*, 16-17.



## **North Pyongan Province**

In addition to the *kyo-hwa-so* noted with numbers above, NKDB identifies Cholsan *Kyo-hwa-so*, located in Cholsan-gun.<sup>106</sup>

KINU identifies Dongrim *Kyo-hwa-so*, which is also spelled as Tongrim, in Dongrim County.<sup>107</sup> It is designated as *Kyo-hwa-so* No. 2, Dongrim by NKDB and KINU.

## **South Pyongan Province**

In addition to the two *kyo-hwa-so* identified by number above, No. 1, Kaechon and No. 11, Chung-san,<sup>108</sup> both KINU and NKDB list Sukchon *Kyo-hwa-so*,<sup>109</sup> which is also designated as Sunchon *Kyo-hwa-so*. NKDB locates Sunchon *Kyo-hwa-so* at Ungbong-dong, which is also transliterated as Eungbong-dong, Sunchon, and notes that it is a gold mine with an estimated 400 prisoners. NKDB further notes that it is a branch of *Kyo-hwa-so* No. 1, Kaechon.<sup>110</sup>

### **Sunchon *Kyo-hwa-so***

**Figure 15**



Location: 39° 26'9.54"N 125° 47'44.43"E.

<sup>106</sup> NKDB, *Current Situation...focusing on Kyo-hwa-so*, 40-41.

<sup>107</sup> Both Lee, "Human Rights Conditions," 19, and Han et al., *Prison Camps*, 16-17.

<sup>108</sup> Based on interviews with former prisoners by HRNK, NKDB, and KINU.

<sup>109</sup> Han, *et al*, *op. cit.*, p. 16.

<sup>110</sup> NKDB, *Current Situation...focusing on Kyo-hwa-so*, 40-41. Ungbong-dong is located in between Sukchon and Sunchon.

The prison facility in Figure 15 appears in between the two adjacent towns of Sukchon and Sunchon. This facility is sometimes identified as Sukchon *Kyo-hwa-so* and sometimes identified as Sunchon *Kyo-hwa-so*. HRNK located a satellite image of a small walled compound located 3.2 kilometers northwest of Ungbong-dong with what appears to be two visible guard towers. The area near this structure includes small tailings piles, some of which are marked in the satellite image.

Although this is a high-resolution satellite image, it is not possible to definitively confirm the function of this facility. HRNK includes it here in order for former North Korean residents from these localities to confirm the nature and identity of this facility.

### **People's Army 607 Labor Training Camp**

NKDB notes a prison camp at Heochang termed the "People's Army 607 Labor Detention Facility," where an estimated 400 prisoners work in mining and raising livestock. NKDB also notes that there are two prison buildings, two storehouses, and a medical facility.<sup>111</sup> On July 9, 2015, Daily NK, a Seoul-based news service run by North Korean defectors, published a story about this facility, including a satellite image, which included identifications by their North Korean source.<sup>112</sup>

**Figure 16**



Location: 39° 11'26.75"N 126°29'35.15"E.

<sup>111</sup> Ibid., 40-41. It is likely that there are additional military prisons, but these are not usually listed among the prison camps for civilian citizens.

<sup>112</sup> Seol Song-ah, "Former prisoner recounts life in 'Camp 607,'" *Daily NK*, July 9, 2015, <http://www.dailynk.com/english/m/read.php?catald=nk01500&num=13331>.

## **Pyongyang**

In addition to *Kyo-hwa-so* No. 4, Kangdong as described above and well documented by HRNK, NKDB, and KINU, NKDB and KINU also list Heongsan, which is alternatively spelled Heongjesan, in Heongjesan district.<sup>113</sup> NKDB identifies Heongsan *Kyo-hwa-so* as Branch No. 7 of *Kyo-hwa-so* No. 4, Kangdong, where the limestone processing is done along with raising livestock. NKDB lists Hwachong *Kyo-hwa-so*, Hwachon1-dong, Sungho district, located near the Hwachon coal mine, and identifies it as Branch No. 4 of *Kyo-hwa-so* No. 4, Kangdong.<sup>114</sup>

KINU also lists Cheongwun-dong *Kyo-hwa-so* within the current boundary of Pyongyang.<sup>115</sup>

NKDB also lists Sungho-ri *Kyo-hwa-so*, which it identifies as *Kyo-hwa-so* No. 8, where roughly 2,000 prisoners mine coal on the border of North Hwanghae Province.<sup>116</sup> KINU's report locates *Kyo-hwa-so* No. 8, Sungho-ri within North Hwanghae Province on the border of Pyongyang.<sup>117</sup>

**Figure 17**



Location: 39° 0'5.25"N 126° 3'28.24"E.

113 Lee, "Human Rights Conditions," 19; Han et al., *Prison Camps*, 16-17; NKDB, *Current Situation...focusing on Kyo-hwa-so*, 40-41.

114 Ibid., NKDB, 40-41.

115 Han et al., *Prison Camps*, 16-17.

116 NKDB "Current Situation....Focusing on Kyohwaso", *op. cit.*, p. 40-41.

117 Han et al., *Prison Camps*, 16-17.

## **North Hwanghae Province**

### **Geumok Kyo-hwa-so**

As noted directly above, KINU lists Geumok *Kyo-hwa-so* in Sungho-ri, North Hwanghae Province.<sup>118</sup> Also noted above, *Kyo-hwa-so* No. 6, Sariwon is also located in North Hwanghae Province.

## **South Hwanghae Province**

KINU lists Haeju *Kyo-hwa-so* within South Hwanghae Province.<sup>119</sup>

## **Kangwon Province**

### **Yongdam Kyo-hwa-so**

Between 2002 and 2003, HRNK interviewed a former North Korean imprisoned in *Kyo-hwa-so* No. 8, Yongdam in Wonsan City, Kangwon Province in the early- to mid-1980s.<sup>120</sup> At that time, prisoners manufactured bicycles. KINU's research notes that *Kyo-hwa-so* No. 8, Yongdam was relocated and incorporated into *Kyo-hwa-so* No. 10.<sup>121</sup> Both NKDB and this KINU list mention Yongdam as an unnumbered *kyo-hwa-so* located in Chonnae-gun, Kangwon Province. NKDB estimates the prison population to be around 2,000, and that its current status is unknown. The 2011 NKDB volume, *Prisoners in North Korea Today*, lists a "Prison No. 8" located in the Seungho area of Pyongang, but has no further information on the operation of this prison.<sup>122</sup>

Satellite imagery analysis indicates that this structure was present in satellite images dating back as far as the 1980s or earlier. The facility was expanded between October 2012 and July 2014, along with a smaller expansion more recently.

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118 Ibid., 16-17.

119 Ibid., 16-17.

120 Hawk, *The Hidden Gulag*, 51.

121 Lee, "Human Rights Conditions," 19.

122 Yoon et al., *Prisoners in North Korea Today*, 70.

**Figure 18**



Location: 39° 21'42.91"N 127° 15'53.02"E.

Although this is a high-resolution satellite image, it is not possible to definitively confirm the function of this facility. HRNK includes it here in order for former North Korean residents from these localities to confirm its nature and identity of this facility.

## KYO-HWA-SO BELIEVED TO BE CLOSED

### ***Kyo-hwa-so* No. 22, Oro South Hamgyong Province**

*Kyo-hwa-so* No. 22, Oro is referred to by former prisoners as “Two-two.” Between 2002 and 2003, HRNK interviewed a former male prisoner held at *Kyo-hwa-so* No. 22, Oro in the mid- to late-1990s, where he reported a large number of deaths in detention.<sup>123</sup> He reported that there were about 1,000 men and about 100 women prisoners serving one to two year sentences, mostly hauling stones to construct a hydroelectric power dam. The 2014 KINU listing notes that *Kyo-hwa-so* No. 22, Oro is located at Dongchun-ri, which is also transliterated as Tongjung-ri, in Yonkwang or Yonggwang County.<sup>124</sup>

The 2011 NKDB report lists *Kyo-hwa-so* No. 22, Oro.<sup>125</sup>

Information provided to HRNK in July 2016, including testimony from a former prisoner who was among a group of women prisoners transferred from Oro to *Kyo-hwa-so* No. 11, Chung-san, indicates that Oro was closed around 2008.

The 2016 KINU listing omits *Kyo-hwa-so* No. 22, Oro.

The 2016 NKDB Korean language report, “Series of Detention Facilities in North Korea: Oro No. 22 Kyohwaso” is based on interviews with 17 former prisoners. There was also a No. 55 *ro-dong-dan-ryeon-dae* LTC, mostly for persons sentenced to six months or less, located at Oro. This report also notes a transfer of female prisoners to *Kyo-hwa-so* No. 11, Chung-san, and a considerable merger of prisoners and numerical designations at Oro. The *ro-dong-dan-ryeon-dae* was reportedly closed, and the report posits that it is likely that *Kyo-hwa-so* No. 22, Oro came under the management of *Kyo-hwa-so* No. 9, Hamhung and was renamed as the Tongjung-ri Branch of *Kyo-hwa-so* No. 9, Hamhung. The report has many details of Oro as it operated for decades under the numerical designation of “Two-Two.” The many detailed descriptions in this report are from testimony prior to 2008.<sup>126</sup>

HRNK found three facilities nearby that appear to be operating prisons. These three facilities in this area bear striking resemblance to other well identified *kyo-hwa-so*. Although these are high-resolution satellite images, it is not possible to definitively confirm the function of the three facilities. HRNK includes them here in order for former North Korean residents from these localities to confirm the nature and identity of these facilities.

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123 Hawk, *The Hidden Gulag*, 49-51.

124 Lee, “Human Rights Conditions,” 20.

125 Yoon et al., *Prisoners in North Korea Today*, 96.

126 Suh Yoon-Hwan, *A Series of Detention Facilities in North Korea: Oro Kyo-hwa-so No. 22, ‘Revengeful Spirits of Bannamu-gol’*, [in Korean] (Seoul: NKDB, 2016).

**Figure 19**



Location: 40° 2'35.88"N 127° 31'24.94"E.

**Figure 20**



Location: 40° 1'19.71"N 127° 25'55.91"E.

**Figure 21**



Location: 40° 5'35.68"N 127° 21'26.45"E.

### ***Kyo-hwa-so* No. 77, Danchon South Hamgyong Province**

Between 2002 and 2003, HRNK interviewed a former prisoner sentenced to Danchon *Kyo-hwa-so*, which is also transliterated as Tanchon, in the mid-1980s. It was a large prison camp located in the mountains where male prisoners, "labored in a gold mine, originally opened during the Japanese occupation of Korea.<sup>127</sup> Most of these men were serving three-year sentences for genuine criminal offenses, although there was a number of "illegal" border crossers.

The 2016 NKDB Korean language report notes that *Kyo-hwa-so* No. 77, Danchon was closed in 1997.<sup>128</sup> While NKDB reports that *Kyo-hwa-so* No. 77, Danchon was closed, HRNK found two facilities nearby that appear to be operating prisons.

These two facilities in this area bear striking resemblance to well identified *kyo-hwa-so*. Although these are high-resolution satellite images, it is not possible to definitively confirm the function of these facilities. HRNK includes them here in order for former North Korean residents from these localities to confirm the nature and identity of these facilities.

127 Hawk, *The Hidden Gulag*, 48.

128 NKDB, *Current Situation...focusing on Kyo-hwa-so*.



**Figure 22**



Location: 40° 26'15.36"N 128° 53'57.06"E.

**Figure 23**



Location: 40° 24'57.26"N 128° 53'46.11"E.

## OTHER POSSIBLE PRISON FACILITIES

HRNK has located satellite images of facilities that certainly share the appearance of other well documented *kyo-hwa-so*: perimeter security walls, guard towers, and other key indicators. These facilities are not referenced in any of the NGO reports on prisons and prison camp facilities cited throughout this summary.

Although these are high-resolution satellite images, it is not possible to definitively confirm the function of these facilities. HRNK includes them here in order for former North Korean residents from these localities to confirm the nature and identity of these facilities.

**Figure 24**



Location: 40° 9'51.87"N 128° 30'43.21"E.

**Figure 25**



Location: 40° 50'57.25"N 129° 34'50.45"E.

## ***THE PARALLEL GULAG: NEXT STEPS***

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The authors hope this Working Survey will be of use to former North Korean prisoners, refugees, and human rights advocates and investigators for ongoing and future documentation of human rights violations in North Korea.

## APPENDIX I: KWAN-LI-SO POLITICAL PRISON CAMPS NOT INCLUDED IN *THE PARALLEL GULAG*

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As noted in the introduction, this HRNK report covers the prisons and prison camps, termed *kyo-hwa-so*, which are administered by the North Korean Ministry of People's Security (MPS). However, for the benefit of readers not familiar with the complex systems of repression in North Korea, this appendix summarizes the current situation of the prison camps and prison complexes, termed *kwan-li-so*. The *kwan-li-so* political prison camps are administered, with one exception noted below, by the MSS.

The *kwan-li-so* political prison camps are political penal labor colonies to which real, suspected and imagined, or potential adversaries of the Kim family dynasty, possibly including their families, are ostracized without any legal or judicial process. Most are given lifelong sentences of incommunicado imprisonment and forced labor. These sprawling political prison camps, with one exception, are located in mountainous areas. The prisoners are forced to labor in mines, logging enterprises, agricultural fields, and the valleys between the mountain ranges raising livestock. There also tends to be some manufacturing within the camps.

The powerful and secretive MSS political police, and the Kim regime deem *kwan-li-so* prisoners as persons who have engaged in wrong-actions, possessed wrong-ideas, wrong-knowledge, and wrong-associations. Several actions by Kim Il-sung condemned thousands of innocent people to the political prison camps shortly after the conclusion of the Korean War. He purged the KWP, the North Korean army, the administration of political factions coming from the southern part of the peninsula, those deemed to be too close or too sympathetic with the Chinese or the Russian communist parties, and those who identified with religion, land ownership, or collaborating with the Japanese during the occupation.

Prior to and during the Korean War, hundreds of thousands of Koreans fled to South Korea. In the 1960s and 1970s, the Kim regime identified the family members remaining in North Korea of those who had fled south. Many of these family members were sent to the *kwan-li-so* political prison camps. Later, there were others in North Korea who opposed replacing Marxism with *Juche* ideology along with those who opposed the dynastic succession of Kim Jong-il. There was perceived dissent and disloyalty within various elements of the army. Such dissidents and their families were deported to the *kwan-li-so* political prison camps. North Koreans caught in China attempting to flee to South Korea or even meeting with South Koreans in China were sent to the camps.

There are several remarkable phenomena related to the *kwan-li-so* political prison camps. First, North Korea continues to formally deny that they even exist. The regime has not provided any explanation as to what precisely is located where these facilities are, notwithstanding the substantial prisoner and prison guard testimony along with the detailed satellite imagery.

Second, there was a revival of the penal practice of family imprisonment for opposing the emperor or king. This was one of a number of revived feudal practices along with the "Monolithic Ideological System," the extreme isolation of the populace, and, of course, dynastic succession associated with the adoption of "*Juche* ideology." The *yeon-jwa-je* guilt-by-association system of imprisonment, which incarcerated up to three generations of families, filled the camps with more than 100,000 prisoners.

Third, this extra-judicial imprisonment and forced labor under brutal conditions is incommunicado. Prisoners are not allowed any correspondence or visits with former friends, neighbors, co-workers, or family members not imprisoned. People do not know of the fate or whereabouts of those who disappeared to the *kwan-li-so* political prison camps.

Based on information from former prisoners, prison camp guards, and former MSS officials who defected to South Korea, up until the 1990s, it had been estimated that the *kwan-li-so* political prison camp population numbered between 150,000 and 200,000. By the second decade of the new millennium, the estimated prisoner population dropped to between 80,000 and 120,000. There are two possible reasons for the decline in the prison camp population. The first reason is the high number of deaths in detention. In particular, many of those who were imprisoned from the 1960s to the 1980s have passed away. Second, it is now thought that the practice of collective punishment or *yeon-jwa-je*—this is the imprisonment of up to three generations of entire families—is much less practiced now than was the case under Kim Il-sung and Kim Jong-il.<sup>129</sup> If this is indeed the case, the rate of deaths in detention will continue to exceed the number of incoming new prisoners.

Initially, there had been a dozen *kwan-li-so* political prison camps. Over time, there was a consolidation into a half dozen very large camps. Recently, one large camp was closed, and another was substantially demobilized as a prison camp. There are various alterations and constructions within the existing camps, including the development of an enclosed area. In satellite imagery, the characteristics of a political prison camp are evident, but there is not yet an eyewitness or any first-person testimony. The currently operating *kwan-li-so* political prison camps are briefly surveyed below.

For more information and first-person testimony on the operation of the *kwan-li-so* political penal labor colonies, see *The Hidden Gulag Second Edition*.<sup>130</sup> Another useful resource is NKDB's *Political Prison Camps in North Korea Today*.<sup>131</sup> For the UN COI's analysis of the *kwan-li-so* political prison camps, see the *Report of the detailed findings of the commission of inquiry on human rights in the DPRK*, on pages 208-246 and 323-330.<sup>132</sup>

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129 The basis of this supposition is that the North Korean defector community in South Korea remains in substantial telephone contact with North Koreans who remain in North Korea, despite how dangerous this telephone communication may be for North Koreans. While Kim Jong-un's purges of officials are well known, activists within the defector community in South Korea believes that if, as used to be the case, entire families were disappearing from society and being deported to the political prison camps, they would hear about it. They have not been hearing about this.

130 Hawk, *The Hidden Gulag Second Edition*, 7-82, 197-224. See also David Hawk, *North Korea's Hidden Gulag: Interpreting Reports of Changes in the Prison Camps* (Washington, DC: Committee for Human Rights in North Korea, 2013); and Hawk, *The Hidden Gulag IV*, 28-50.

131 Yoon Yeo-sang, Lee Ja-en and Han Sun-young, *Political Prison Camps in North Korea Today* (Seoul: NKDB, 2011).

132 COI Report, see footnote 11.

## THE KWAN-LI-SO POLITICAL PRISON CAMPS OPERATING IN 2017

### Camp 14, Kaechon South Pyongan Province

*Kwan-li-so* No. 14 or Camp 14, Kaechon is a sprawling penal labor colony, which is about 25 miles long and 19 miles wide, located in a mountainous area of South Pyongan Province bordering the north side of the Taedong River. On the south side of the river is Camp No. 18, Bukchang, which, among others, imprisoned family members of prisoners held at Camp 14, Kaechon. In the 1990s, an estimated 15,000 prisoners labored to mine coal, log, farm, raise livestock, and manufacture goods.

Much of our knowledge about Camp 14, Kaechon comes from two former prisoners. Kim Yong was imprisoned there in the mid-1990s before he was transferred to Camp 18, Bukchang, where his mother was imprisoned and from which he escaped.<sup>133</sup> A second, and more recent former prisoner, Shin Dong-hyuk, whose story is told in a well known biography, was incarcerated at Camp 14, Kaechon.<sup>134</sup> Shin was also imprisoned at Camp 18, Bukchang, but he told his story as if all recounted events took place at Camp 14, Kaechon. His testimony has not been sufficiently disentangled, so his descriptions of Camp 14, Kaechon are problematic.

Satellite imagery indicates that Camp 14, Kaechon remains operational.<sup>135</sup>

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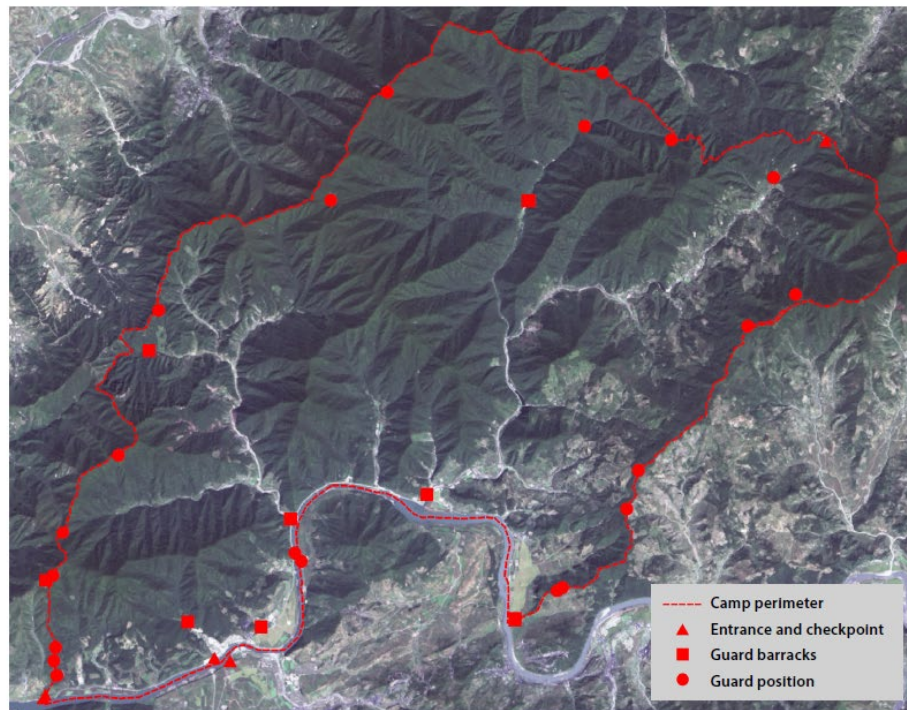
<sup>133</sup> See Hawk, *The Hidden Gulag*, 36-38 for Kim Yong's descriptions of Camp 14 and Hawk, *The Hidden Gulag*, 109-112 for satellite imagery of Camp 14. For a book-length biography of Kim and his experiences at Camps 14 and 18, see Kim Yong with Kim Suk-young, *Long Road Home: Testimony of a North Korean Camp Survivor* (Columbia University Press, 2017).

<sup>134</sup> Blaine Harden, *Escape from Camp 14* (Penguin Books, 2013). The 2015 edition has a new foreword, which partially brings Camp 18 into Shin's account.

<sup>135</sup> See Joseph S. Bermudez Jr, Andy Dinvine, and Mike Eley, *North Korea: Imagery Analysis of Camp 14*, (Washington, DC; Committee for Human Rights in North Korea, 2015) for 63 pages of wide-angle and close-up satellite imagery. Camp 14 is easily visible on Google Earth, and coordinates are 39.576 N, 126.071 E.



Figure 4



Camp 14 perimeter

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## Camp 15, Yodok South Hamgyong Province

This sprawling political penal labor colony, formally designated as “Border Patrol Unit 2915,” is the most internationally well known of North Korea’s *kwan-li-so* political prison camps. In addition to lifelong imprisonment sections termed “total control zones,” *Kwan-li-so* No. 15, Yodok or Camp 15, Yodok had sections, termed “revolutionizing process zones,” from which prisoners could be released back into North Korean society after ten years of hard labor for some prisoners from these areas and after three years of hard labor for other prisoners from one smaller area.

Prisoners at Camp 15 labored at mining, logging, agricultural production and animal husbandry, and some manufacturing. Nine former Camp 15, Yodok prisoners, who upon release from the prison camp fled to South Korea, were interviewed by HRNK for the 2012 second edition of *The Hidden Gulag*. Their time periods of imprisonment range from 1970 to 2006, and one of these prisoners was transferred for several years to one of the lifelong imprisonment “total control zones” within Camp 15, Yodok as a record-keeper for that section

of the camp.<sup>136</sup> There have been several Korean language biographies by former Camp 15, Yodok prisoners published in Seoul. However, they are now very difficult to obtain. There is an account, available in English and French, of a young boy imprisoned for ten years because of the perceived wrongdoings of his grandfather.<sup>137</sup>

There have been no known releases from Camp 15, Yodok since 2007. Between 2013 and 2014, the small “revolutionizing zone” known as Sorimchon or Kumchon-ri was completely demolished. The fate and whereabouts of the former prisoners there is unknown.<sup>138</sup>

It is apparent from satellite imagery that Camp 15, Yodok continues to function, to the best of our knowledge, as a lifelong imprisonment “total control zone.” Former prisoners continue to track the changes and developments in the camp landscape and buildings. The most recently available Google Earth satellite imagery indicates that some units of prisoner housing in the eastern part of the prison camp were torn down between June 2016 and February 2017. As of mid-2017, up-to-date satellite imagery is not available for the western sections of Camp 15.<sup>139</sup>

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<sup>136</sup> See Hawk, *The Hidden Gulag*, 2nd ed., 52-68 for their stories and descriptions of Camp 15, and Hawk, *The Hidden Gulag Second Edition*, 197-208 for satellite imagery.

<sup>137</sup> Kang Chol-hwan and Pierre Rigoulot, *Aquariums of Pyongyang: Ten Years in the North Korean Gulag* (Basic Books, Paris and New York, 2000).

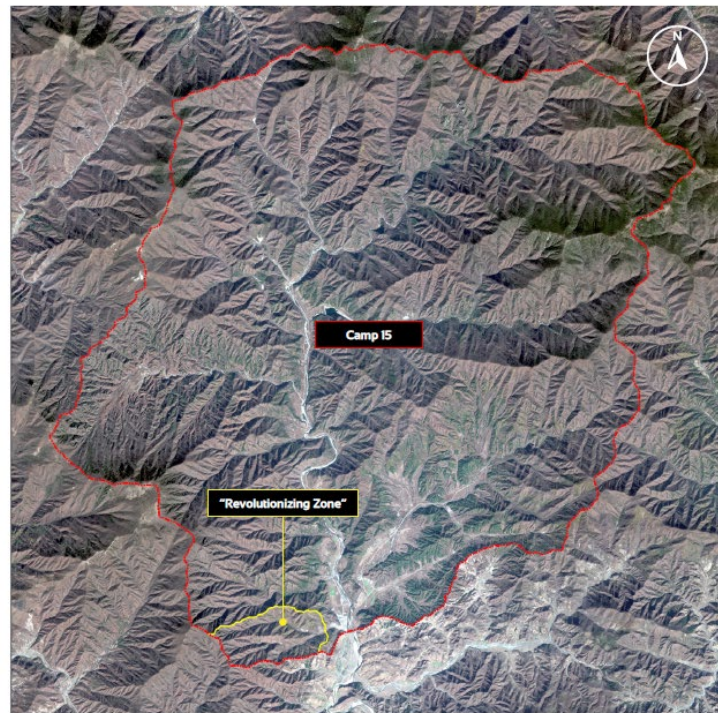
<sup>138</sup> See Hawk, *The Hidden Gulag IV*, 28-50 for an account of the demolition of Sorimchon/Kumchon-ri. See also Joseph S. Bermudez Jr., Andy Dinvine, and Mike Eley, *North Korea: Imagery Analysis of Camp 15 “Yodok”: Closure of the “Revolutionizing Zone”* (Washington, DC: Committee for Human Rights in North Korea, 2015) for in-depth satellite imagery.

<sup>139</sup> See *North Korean Economy Watch*; “Prison Camp 15 (Yodok) reduces prisoner housing,” [nkeconwatch.com/2017/04/27](http://nkeconwatch.com/2017/04/27).





Figure 1



Camp 15 and the "Revolutionizing Zone"

© Committee for Human Rights in North Korea 2017

### **Camp 16, Hwasong North Hamgyong Province**

Another sprawling encampment, three times the size of Washington, DC, in a heavily forested area in Hwasong County in North Hamgyong Province, lies *Kwan-li-so* No. 16, Hwasong or Camp 16, Hwasong, just to the east of the Punggye-ri nuclear weapons test site. It is usually called *Kwan-li-so* No. 16, Hwasong after the nearby city. Former North Korean officials and other defectors have disclosed its existence, but unlike other political prison camps, no former prisoners or guards have fled to South Korea and been interviewed by HRNK. There is much less known about its operation, other than that it has, at least up until recently, been a lifelong imprisonment "total control zone."<sup>140</sup>

However, the camp has been extensively surveyed through satellite imagery, which indicates that it was operational as far back as 1983. In 2013, Amnesty International released a number of satellite images that

<sup>140</sup> In 2013, Amnesty International referred to an interview with a former guard from Camp 17. See Amnesty International briefing, *North Korea: Continued Investment in the Infrastructure of Repression*.

include new housing and administrative structures added in 2011 and 2012.<sup>141</sup> In late 2015, HRNK and AllSource Analysis published a 61-page report with scores of detailed wide-angle and close-up images of the various parts of Camp 16.<sup>142</sup>



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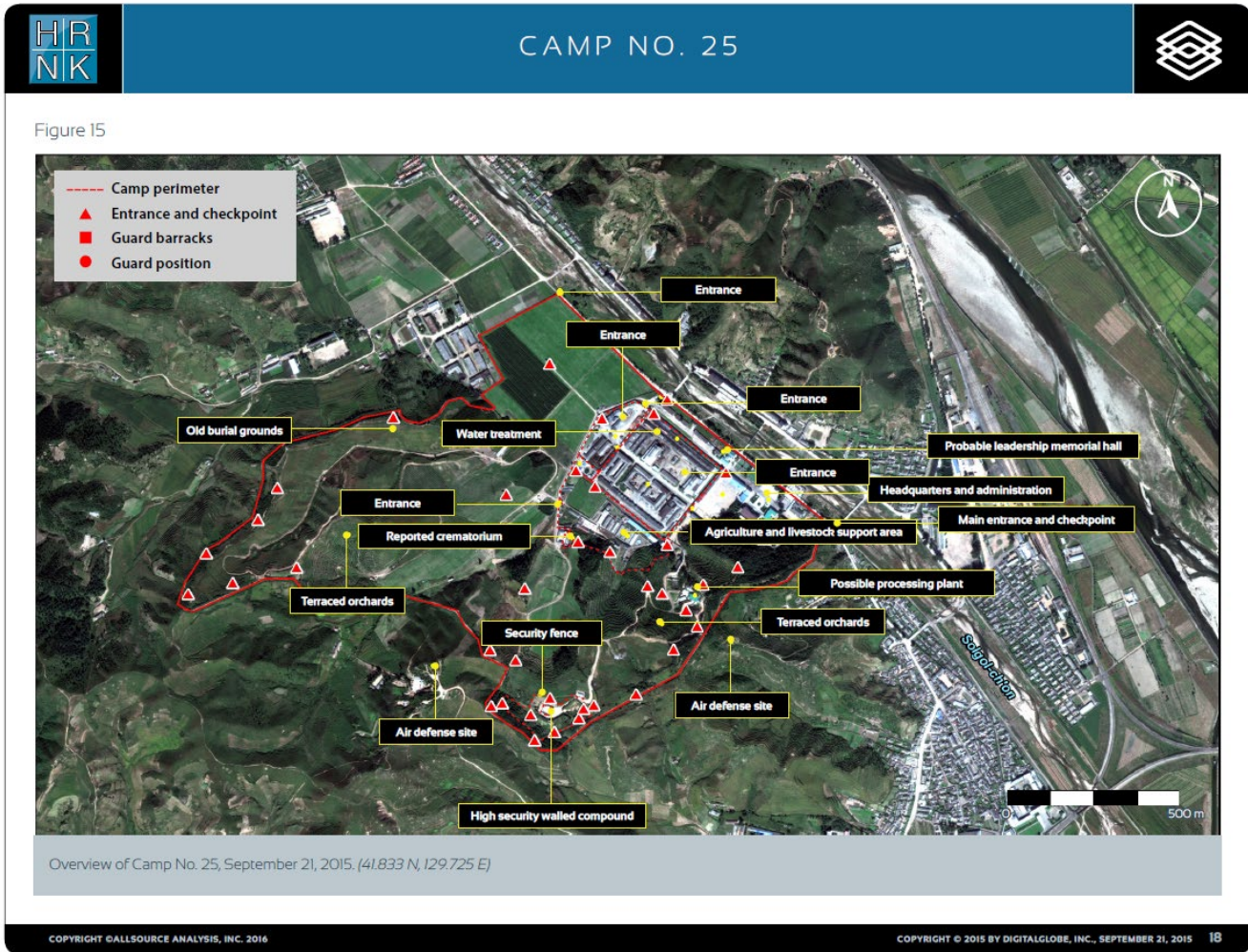
### Camp 25, Chongjin North Hamgyong Province

Located in Susong-dong, North Hamgyong Province, just outside of Chongjin City, *Kwan-li-so* No. 25, Chongjin or Camp 25, Chongjin is different from the other *kwan-li-so* political prison camps. While administered by the MSS and only detaining prisoners for lifelong sentences, it has the shape and form of a penitentiary, not a sprawling political prison camp. Therefore, though it is generally considered a *kwan-li-so*, some North Korean defectors refer to it as Chongjin *Kyo-hwa-so*. The prisoners reportedly manufacture well known North Korean

<sup>141</sup> Amnesty International, *North Korea: New Satellite Images Show Continued Investment in the Infrastructure of Repression*, AI Index: ASA 24/010/2013 (London: Amnesty International publications, 2013).

<sup>142</sup> Joseph S. Bermudez Jr., Andy Divine, and Mike Eley, *North Korea: Imagery Analysis of Camp 16* (Washington, DC: Committee for Human Rights in North Korea, 2015).

bicycles. Its location has been confirmed by former local residents who had occasion to make deliveries to the political prison camp. Contemporary satellite images show expansions in 2009 and 2010.<sup>143</sup>



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## A SUBSTANTIALLY DECOMMISSIONED KWAN-LI-SO POLITICAL PRISON CAMP

### Camp 18, Bukchang South Pyongan Province

Located just south of the Taedong River, which separates Camp 18 from Camp 14, *Kwan-li-so* No. 18, Bukchang or Camp 18, Bukchang, formally designated as the “Chosun People’s Guard Unit 2918,” was one of the earliest massive political penal labor colonies. It was always somewhat of an anomaly because, unlike all the other *kwan-li-so* prison camps, Camp 18, Bukchang was administered by the “regular” police or the *An-jeon-bu* (MPS), rather than the the *Bo-wi-bu* (MSS) political police. Thus, Camp 18, Bukchang is sometimes referred to as a *kyo-*

<sup>143</sup> See Joseph S. Bermudez Jr., *North Korea’s Camp No. 25, Update* (Washington, DC: Committee for Human Rights in North Korea, 2014).

*hwa-so* similar the prison camps described earlier in this report. However, because Camp 18, Bukchang was not subject to the North Korean Criminal Code and criminal procedure codes—it was organized according to the *yeon-jwa-je* guilt-by-association collective punishment system that incarcerates up to three generations of families—it is generally considered to be a *kwan-li-so* political prison camp by virtue of this uniquely feudal phenomena of repression. Indeed, many of the political prisoners there were the family members of the primary “wrong-doers” or “wrong-thinkers” who were imprisoned in other camps.

A great deal is known about Camp 18, Bukchang because, as with Camp 15, Yodok, there are a dozen former prisoners who fled to South Korea following their “release” from imprisonment. This includes a female prisoner who was imprisoned at the age of 13 in 1974 and held there until her “release” in 2001.<sup>144</sup> The “release” of prisoners at Camp 18, Bukchang was, however, very differently organized than the “releases” from the “revolutionizing zones” of Camp 15, Yodok.

Roughly coinciding with the turn of the 21st Century, the civilian or “regular” police authorities administering the prison camp recognized that many or most of the prisoners in the lifelong sentence prison camp were the children and grandchildren of the principal political offenders within the family. In many cases, the primary offenders had already passed away in detention. In a process termed *madang haeje*, which is loosely translated as restricted release, the second- or third-generation prisoners, who had good work records and followed prison camp rules, were “released” in place. Select “villages” or areas within Camp 18, Bukchang were decommissioned or dismantled as prison camps for those selected. Prisoners deemed not eligible for “release” were moved to other areas within the camp that continued to function as a political prison. Prisoners who were “released” had their citizenship rights, such as they are in North Korea, restored. This included the right to leave the prison camp area, which was a very difficult undertaking, as it was extremely difficult to find residence and employment elsewhere in North Korea. Some did leave the area, and of those, some subsequently fled to China and South Korea. Other former prisoners, who had been held for decades at Camp 18, Bukchang and had lost all contact with their pre-imprisonment friends, relatives, or locality, simply remained penuriously at the houses and “villages” where they had been assigned as prisoners.<sup>145</sup>

It was thought that by around 2006, nearly all of Camp 18, Bukchang had been decommissioned as a prison camp, with a remainder of somewhere between 2,000 and 5,000 prisoners sent to a new area in Dongrim-ri, which is also transliterated as Tonglim-li, north of the Taedong River, bordering Camp 14.<sup>146</sup> Thus, sometimes

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<sup>144</sup> During her 28 years of imprisonment among other forms of forced labor, Mrs. Kim Hye-sook worked in coal mines and was successively imprisoned in several of the different sections of the sprawling prison camp. After 13 years in the coal mines, Mrs. Kim contracted black lung disease, which continues to affect her health. Her brother, also forced to work in the mines, died in a mining accident along with his entire work unit crew of seven prisoners. Her biography in the Korean language was published in Seoul. She painted a highly detailed “map” of Camp 18, Bukchang and recently identified numerous camp landmarks on high-resolution satellite imagery.

<sup>145</sup> For a more detailed discussion of the process of *madang haeje* at Camp 18, Bukchang, see, Hawk, *North Korea's Hidden Gulag: Interpreting Reports of Changes in the Prison Camps*, 23-33. This report suggests that the dismantlement process at Camp 18, Bukchang could potentially serve as a model for the dismantlement of the other political prison camps in North Korea. There is limited testimony that comparable dismantlement took place at another *An-jeon-bu* administered prison camp, No. 19, Danchon in South Hamgyong Province. See Yoon et al., *Political Prison Camps in North Korea Today*, 104.

<sup>146</sup> KINU, *Recent Trend of Change in North Korean Political Prison Camps* (Seoul: Korean Institute of National Unification, 2013), 31. Also cited in Hawk, *ibid.*, 33. The construction of prison camp-like structures at Donrim-ri between 2007 and 2011 was first cited by Curtis Melvin in North Korean Economy Watch's “Speculation Time: a New *Kwan-li-so*,” and further

this new area continued to be identified as Camp 18.<sup>147</sup> However, there was limited former prisoner testimony that a very small area of the original Camp 18, Bukchang continues to function and operate as a prison camp.<sup>148</sup>

In late 2016, *North Korean Economy Watch*<sup>149</sup> published a substantial report with numerous satellite images reporting that there was significant building activity at the original Camp 18, Bukchang, including likely security perimeters and structures. It is speculated that the political prison camp may have been reconstituted and reopened.<sup>150</sup> Previous unpublished imagery analysis by HRNK and AllSource Analysis also indicates that instead of having been completely deactivated, Camp 18, Bukchang still detained a small number of prisoners, and that there are what appear to be new fortified perimeter areas with detention facilities. When new satellite imagery becomes available for comparative analysis, HRNK will publish an update on Camp 18.

The following satellite image includes the boundaries of Camp 18, Bukchang.



Google Earth 10/23/2016 / Image © CNES/Airbus  
Image with border © Committee for Human Rights in North Korea

identified by DigitalGlobe analysts cited in Amnesty International, *New Satellite Images Show Blurring of Political Prison Camp and Villages in North Korea*, Amnesty International Index No. ASA/24/004/2013.

<sup>147</sup> See *2016 White Paper on Human Rights in North Korea* (Seoul: KINU, 2016), 399.

<sup>148</sup> HRNK interviewed a former prisoner from Camp 18, Bukchang in Seoul in 2015. This prisoner stayed in telephone contact with a sibling, who remained in North Korea and returned to their former residential area in Camp 18, Bukchang on North (and South) Korea's Confucian-inspired "grave sweeping" holiday to clean and place flowers at the grave of their mother, who had passed away in detention. This former prisoner claimed that there was still a prison section in operation, but declined to survey Google Earth imagery of the sprawling encampment because the computer screen gave him headaches. Unfortunately, the location could not be specifically located.

<sup>149</sup> North Korean Economy Watch, a news project that utilizes satellite imagery to analyze the North Korean economy, is an affiliate of 38 North, a prominent website at the U.S.-Korea Institute of the Johns Hopkins University School of Advanced International Studies (SAIS) located in Washington, DC.

<sup>150</sup> See North Korean Economy Watch, "Has Camp 18 been re-opened or merged with Camp 14?," <http://www.nkeconwatch.com/2016/09/30/has-camp-18-been-reopened-or-merged-with-camp-14/>.

## A NEW RESTRICTED AREA, POSSIBLY FUNCTIONING AS A PRISON CAMP

### Ch'oma-bong/Dongrim-ri South Pyongan Province

As noted above, a new restricted area, initially identified as Dongrim-ri, has been noticed by North Korea watchers, north of the Taedong River and adjacent to Camp 14.<sup>151</sup> Korea watchers continued to see construction activity next to Camp 14 in satellite images.<sup>152</sup> In March 2016, HRNK and AllSource Analysis, utilizing satellite images dating from 2006 to 2015, published an extensive report, *North Korea: Ch'oma-bong Restricted Area*, with scores of carefully examined satellite images.<sup>153</sup> As there is no officially designated name or number and there is not yet first- person or eyewitness testimony, this facility was termed Ch'oma-bong after the name of the mountain, valley, and stream at the center of the area, as well as the name of a nearby town.

In a 5.6 square mile enclosed area, there are clearly visible security perimeters: double fencing in some areas, single fencing in other areas, guard barracks and positions, entrances, and checkpoints. There are two areas of self-contained high-security areas within the encampment. Several areas feature mines and mine-related structures. Other areas include orchards and agricultural production and related structures. Imagery analysis indicates that construction began between 2006 and 2007, and that this is a currently functional forced labor facility. As of mid-2017, there is not yet former prisoner, former guard, or former nearby resident testimony about this area.

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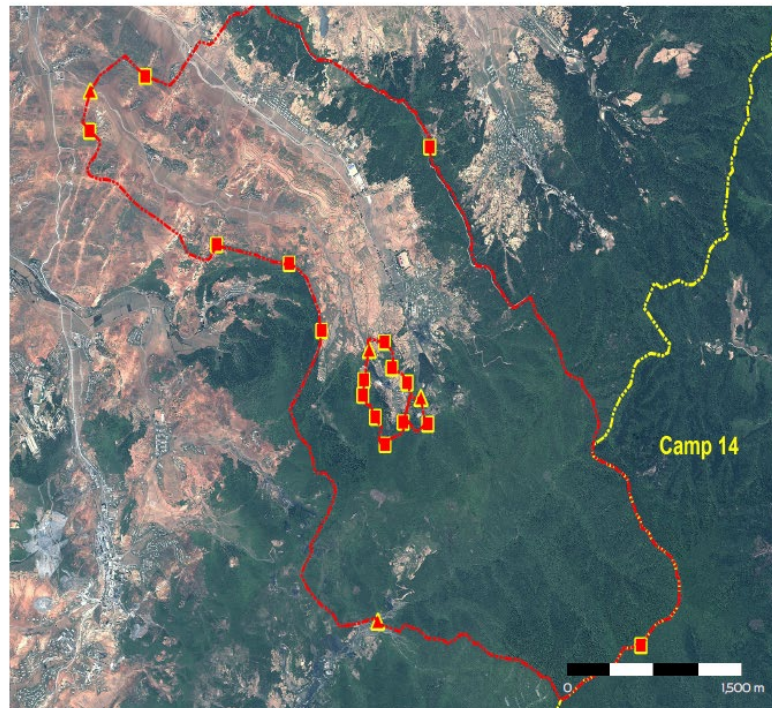
<sup>151</sup> The prison camp satellite imagery published in HRNK's *The Hidden Gulag* report series has been confirmed by former prisoners or prison guards, or other former North Koreans who have had the occasion to personally visit the prison camps.

<sup>152</sup> See Amnesty International, "North Korea: New images show blurring of prison camps and villages," news release, March 7, 2013, based on imagery analysis from DigitalGlobe.

<sup>153</sup> Joseph S. Bermudez Jr., Andy Dinvine, and Mike Eley, *North Korea: Ch'oma-bong Restricted Area* (Washington, DC: Committee for Human Rights in North Korea, 2016).



Figure 4



Overview of the Ch'oma-Bong Restricted Area guard positions. (125.998719, 39.628522)

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## A RECENTLY CLOSED *KWAN-LI-SO* POLITICAL PRISON CAMP

### Camp 22, Hoeryong North Hamgyong Province

Another sprawling—31 by 25 miles long and wide—political penal labor colony is *Kwan-li-so* No. 22, Hoeryong or Camp 22. It is officially designated as “Chosun People’s Security Unit 2209” and located near the city of Hoeryong, the heralded hometown of Kim Il-sung’s wife and Kim Jong-un’s mother. Originally opened in the mid-1960s, Camp 22, Hoeryong was expanded in the 1980s and 1990s to accommodate the consolidation of several smaller prison camps. A great deal of information about Camp 22 came from a former prison guard who was there from 1990 to 1994 and fled to South Korea, where he is now a human rights activist.<sup>154</sup> Camp 22, Hoeryong was the first political prison camp with published satellite images in a highly regarded news

<sup>154</sup> The prison guard, Mr. Ahn Myong-chol, was also a guard at Camp Nos. 11, 13, and 26 during his decade-long tenure as a draftee in the North Korean military. At Camp 22, Hoeryong his duties included making deliveries by truck to the various parts of the expansive political prison camp.

magazine.<sup>155</sup> For a more detailed description and satellite images of Camp 22, Hoeryong during its years of operation, please refer to the 2012 second edition of *The Hidden Gulag* on pages 77 to 78 and 222.

The population of prisoners with a lifelong sentence has declined from 1990s levels.<sup>156</sup> Reportedly, the camp's mining productivity has been substantially depleted. In mid-2012, local residents reported that the camp had been closed, but the fields and mines were still open for use by nearby civilian residents. The remaining prisoners had been transported south by trains at night. Much of this information came from the family members of guards and prison officials, who brought leftover goods and provisions to Hoeryong City to sell at local markets.<sup>157</sup>

The fate and whereabouts of former prisoners at Camp 22, Hoeryong is unknown. Some prisoners may have been transferred to Camp 16, Hwasong, where new housing was constructed between 2010 and 2013,<sup>158</sup> or to Camp 25, Chongjin. See *North Korea's Hidden Gulag: Interpreting Reports of Changes in the Prison Camps* for more details on the closure of Camp 22, Hoeryong.<sup>159</sup> Satellite imagery confirms that several interrogation and detention facilities, as well as the guard towers within the prison camps were demolished.<sup>160</sup>

HRNK will publish an update on this camp with new satellite imagery. In the image below, Joseph S. Bermudez Jr. identifies the former camp's perimeter.

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<sup>155</sup> *Far Eastern Economic Review*, Dec. 12, 2002.

<sup>156</sup> *Radio Free Asia* (RFA) reported that the 2009 currency devaluation affected the ability of prison camp authorities to purchase food, and that the Hoeryong area had very low food harvests in 2009 and 2010, so that many prisoners died of malnutrition and related disease.

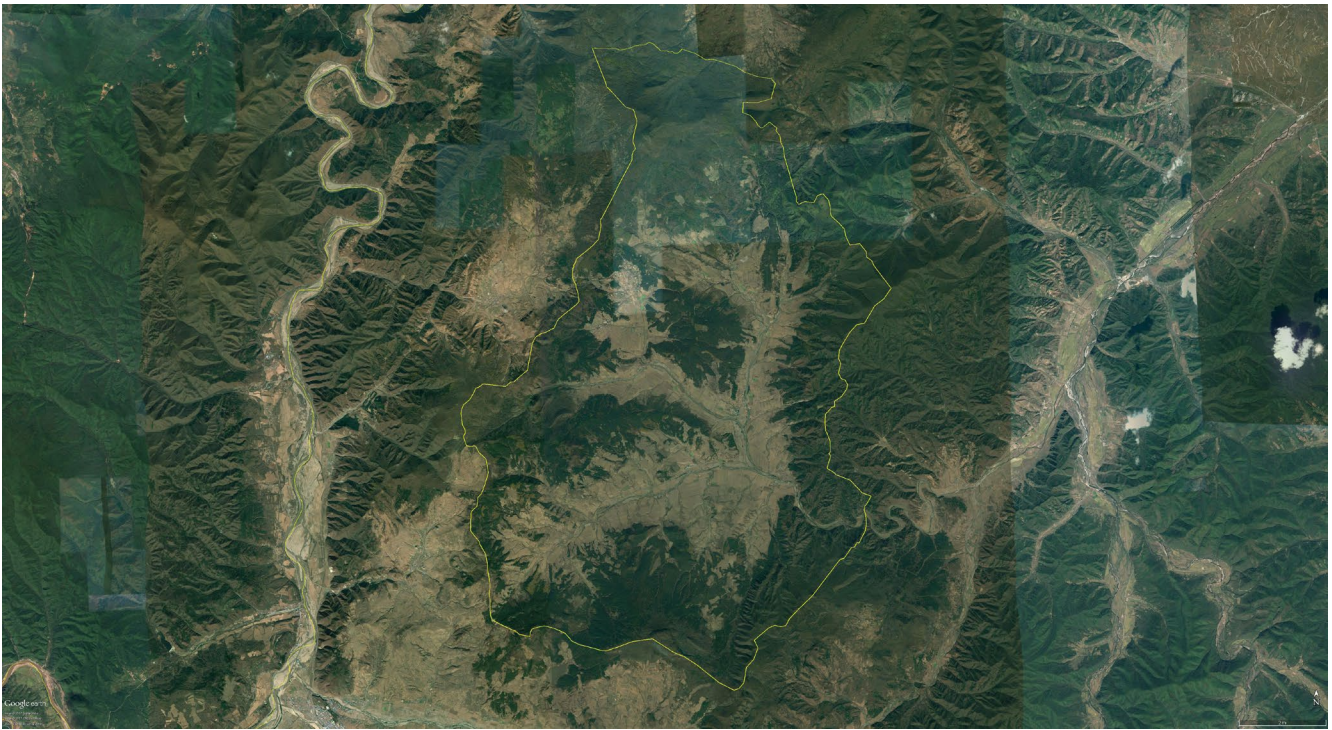
<sup>157</sup> This information was conveyed in a series of reports from Daily NK, a Seoul-based news service staffed by North Korean defectors, and RFA. Hoeryong, on the North Korean border with China, is well within the range of Chinese mobile telephone transmission towers. While it is highly illegal, many North Koreans in North Hamgyong Province use cell phones to stay in touch with relatives and friends residing in South Korea.

<sup>158</sup> See North Korean Economy Watch; "Kwanliso No. 16 imagery update," [NKeconwatch.com/2013/07/19/kwanliso-no-16-imagery-update/](http://NKeconwatch.com/2013/07/19/kwanliso-no-16-imagery-update/).

<sup>159</sup> Hawk, *The Hidden Gulag*, 10-22.

<sup>160</sup> See *North Korea's Camp No. 22* (HRNK and DigitalGlobe, Oct. 2012); and *North Korea's Camp No. 22 – Update* (HRNK and DigitalGlobe, Dec. 2012).





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## APPENDIX II:

# THE 2012 NORTH KOREAN CRIMINAL CODE

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### CRIMINAL LAW OF NORTH KOREA

**2012**

북한 형법

Amended and supplemented by decision of the Standing Committee of the Supreme People's Assembly on December 19, 1974.

Adopted by Decision No. 2 of the Standing Committee of the Supreme People's Assembly on February 5, 1987.

Amended and supplemented by Decision No. 6 of the Standing Committee of the Supreme People's Assembly on December 15, 1990.

Amended and supplemented by Decision No. 54 of the Standing Committee of the Supreme People's Assembly on March 15, 1995.

Amended by Decree No. 953 of the Presidium of the Supreme People's Assembly on August 11, 1999.

Amended and supplemented by Decree No. 432 of the Presidium of the Supreme People's Assembly on April 29, 2004.

Amended and supplemented by Decree No. 1084 of the Presidium of the Supreme People's Assembly on April 19, 2005.

Amended and supplemented by Decree No. 1225 of the Presidium of the Supreme People's Assembly on July 26, 2005.

Amended and supplemented by Decree No. 1673 of the Presidium of the Supreme People's Assembly on April 4, 2006.

Amended and supplemented by Decree No. 2035 of the Presidium of the Supreme People's Assembly on October 18, 2006.

Amended and supplemented by Decree No. 2280 of the Presidium of the Supreme People's Assembly on June 26, 2007.

Amended and supplemented by Decree No. 2403 of the Presidium of the Supreme People's Assembly on October 16, 2007.

Amended and supplemented by Decree No. 1105 of the Presidium of the Supreme People's Assembly on October 1, 2010.

Amended and supplemented by Decree No. 1694 of the Presidium of the Supreme People's Assembly on June 7, 2011.

Amended and supplemented by Decree No. 2346 of the Presidium of the Supreme People's Assembly on April 24, 2012.

Amended and supplemented by Decree No. 2387 of the Presidium of the Supreme People's Assembly on May 14, 2012.

## CHAPTER 1 THE FUNDAMENTAL PRINCIPLES OF CRIMINAL LAW

### CHAPTER 2 GENERAL REGULATIONS

#### SECTION 1 Offenses

#### SECTION 2 Punishments

### CHAPTER 3 CRIMES AGAINST THE STATE AND THE NATION

#### SECTION 1 Crimes against the State

#### SECTION 2 Crimes against the Nation

#### SECTION 3 Crimes of Harboring, Failing to Report and Neglecting of a Crime against the State and the Nation

### CHAPTER 4 CRIMES OF VIOLATING NATIONAL DEFENSE SYSTEM

### CHAPTER 5 CRIMINAL VIOLATIONS OF THE SOCIALIST ECONOMIC SYSTEM

#### SECTION 1 Property Crimes Involving State and Social Cooperative Organizations

#### SECTION 2 Criminal Violations of Economic Order

#### SECTION 3 Criminal Violations of the Regulations for Land Administrations and Environmental Protection

#### SECTION 4 Criminal Violations of the Regulations for Labor Administration

### CHAPTER 6 CRIMES OF IMPAIRING SOCIALIST CULTURE

### CHAPTER 7 CRIMINAL VIOLATIONS OF THE REGULATIONS FOR GENERAL ADMINISTRATION AND MAINTENANCE

#### SECTION 1 Criminal Violations of the Regulations for General Administration

#### SECTION 2 Management Offices

### CHAPTER 8 CRIMINAL VIOLATIONS OF THE ORDER OF SOCIALIST COLLECTIVE LIFE

### CHAPTER 9 CRIMINAL IMPAIRMENT OF THE LIFE AND PROPERTY OF CITIZENS

#### SECTION 1 Criminal Impairment of Life, Health, and Reputation<sup>161</sup>

#### SECTION 2 Crimes of Encroachment on Personal Property

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<sup>161</sup> Although the exact translation is "personality," the implied meaning is "personal reputation."

## 제1장 형법의 기본 **CHAPTER 1 THE FUNDAMENTAL PRINCIPLES OF CRIMINAL LAW**

### 제1조 (형법의 사명) Article 1 (Objectives of Criminal Law)

조선민주주의인민공화국 형법은 범죄 및 형벌제도를 바로 세워 국가주권과 사회주의제도를 보위하고 인민들의 자주적이며 창조적인 생활을 보장하는데 이바지한다.

The criminal law of the Democratic People's Republic of Korea defends the sovereignty of the state and the socialist system and, by establishing the system of the penal codes for crimes, guarantees that the people can lead independent and creative lives.

### 제2조 (범죄자의 처리원칙) Article 2 (Principle of Treating Offenders)

국가는 범죄자의 처리에서 로동계급적원칙을 확고히 견지하고 사회적교양을 위주로 하면서 이에 법적 제재를 배합하도록 한다.

In the treatment of offenders, the state shall adhere to principles that have been ascribed to the working class and apply legal sanctions with the main stress on social education.

### 제3조 (범죄의 미연방지원칙) Article 3 (Principle of Preventing Crime)

국가는 모든 공민들이 법을 존엄있게 대하고 엄격히 지키며 범죄와의 투쟁에 적극 나서게 하여 범죄를 미리 막도록 한다.

The state shall attempt to ensure that all citizens respect and strictly observe state laws and take an active part in the fight against crime so as to prevent crime.

### 제4조 (조국과 민족반역행위를 누우친 자의 처리원칙) Article 4 (Principle of Treating Repenters Who Once Betrayed the Country and Nation)

국가는 조국과 민족을 반역한 행위를 한 자라 하더라도 조국통일을 위하여 적극적으로 나서는 경우에는 과거를 묻지 않으며 형사책임을 추궁하지 않도록 한다.

The state will forgive even the past criminal history of a person who committed an act of betrayal of the fatherland and the people, if the person works actively for the reunification of the country, and he or she shall bear no criminal liability.

### 제5조 (자수자의 처리원칙) Article 5 (Principle of Treating Offender Who Surrenders Himself)

국가는 범죄를 저지른 자라 하더라도 자기의 잘못을 진심으로 누우치고 자수한 자에 대하여서는 관대히 용서하도록 한다.

The state shall show leniency and generously forgive an offender who repents of his wrongdoings and surrenders himself voluntarily.

### 제6조 (형법에 규정된 범죄에 대하여서만 형사책임을 지우는 원칙) Article 6 (Principle of Imposing Criminal Liability Only for Crimes Prohibited by Criminal Law)

국가는 형법에서 규정된 범죄에 대하여서만 형사책임을 지우도록 한다.

The state shall impose criminal liability only for crimes defined as offenses under the criminal law.

### 제7조 (형벌적용의 원칙) Article 7 (Principle of Imposing Penalty)

국가는 범죄행위와 범죄자의 위험성정도를 고려하여 그에 해당하는 형벌을 적용하도록 한다.

The state shall impose penalties on offenders in consideration of the dangerousness of the criminal acts and the offender.

### 제8조 (국민, 령역, 현실원칙) Article 8 (Democratic People, Territory and Actual Principle)

이 법은 범죄를 저지른 공화국국민에게 적용한다. 공화국민이 공화국령역밖에서 범죄를 저지른 경우에도 이 법을 적용한다. 공화국령역안에서 범죄를 저지른 다른 나라 사람에게도 이 법을 적용한다. 그러나 외교특권을 가진 다른 나라 사람에 대하여서는 그때마다 외교적절차에 따라 해결한다. 공화국령역밖에서 공화국을 반대하였거나 공화국 공민을 침해한 다른 나라 사람에게도 이 법을 적용한다.

This law applies to citizens of the Democratic People's Republic of Korea who commit offenses. This law also applies to citizens of the Democratic People's Republic of Korea who commit offenses outside its territory. This law also applies to foreigners who commit offenses within our Republic. However, imposing criminal liabilities on foreigners with diplomatic immunity is settled in accordance with diplomatic procedure. This law also applies to foreigners who oppose the Democratic People's Republic of Korea outside of its territory or commit offense against citizens of the Republic in another country.

### 제9조 (불소급 및 소급원칙) Article 9 (Retroactivity and Non-retroactivity Principle)

범죄를 저지른 자에게는 그 범죄를 저지른 당시의 형법을 적용한다. 그러나 종전 형법에서 범죄로 보던 행위를 이 법에서 범죄로 보지 않았거나 형벌을 낮춘 경우에는 이 법을 적용한다.

2012 Punishment is imposed on offenders in accordance with the penal law in force at the time when the offense was committed. This principle applies in cases where acts that were regarded as offenses under a previous law are not considered as such under a revised law and in cases where penalty has been reduced under a revised law.

## 제2장 일반규정 **CHAPTER 2 GENERAL REGULATIONS**

### 제1절 범 죄 **SECTION 1. OFFENSES**

#### 제10조 (범죄의 개념) Article 10 (Concept of Offenses)

범죄는 국가주권과 사회주의제도와 법질서를 고의 또는 과실로 침해한 형벌을 줄 정도의 위험한 행위이다.

Offenses are punishable, dangerous acts that violate the sovereignty of the state, the socialist system, and state laws, whether intentionally or negligently.

#### 제11조 (형사책임 나이) Article 11 (Age of Criminal Responsibility)

범죄를 저지른 당시 14살 이상 되는 자에 대하여서만 형사책임을 지운다.

Criminal responsibility shall be imposed only on offenders who are over 14 years of age when they commit an offense.

제12조 (정신병상태에서 사회적으로 위험행한 위를 한 자에 대한 처리) Article 12 (Treatment of Offender Who Commits Socially Dangerous Acts while Affected by Mental Disorder)

2102: 만성정신병, 일시적인 정신이상 때문에 자기의 행위를 가리지 못하였거나 통제할수 없는 상태에서 사회적으로 위험한 행위를 한자에 대하여서는 형사책임을 지우지 않으며 의료처분을 적용할수 있다. 술에 취하여 범죄를 저지른 자에 대하여서는 앞항을 적용하지 않는다.

Criminal liability shall not be imposed on an offender who commits socially dangerous acts while he or she is unable to judge his or her conduct or control himself or herself because of chronic mental disease or a temporary mental disorder; medical measures may be adopted in such cases. The foregoing paragraph does not apply to a person who commits an offense under the influence of alcohol.

제13조 (정신병 상태에 있는 범죄자의 처리) Article 13 (Treatment of Offenders in a State of Mental Disorder)

정상적인 정신상태에서 범죄를 저지른 자가 수사, 예심, 재판 당시 정신병 상태에 있을 경우에는 의료처분을 적용하며 회복되었을 경우에는 형사책임을 지운다.

Should a person who has committed an offense while in a normal mental state become mentally unbalanced at the time of the investigation, preliminaries, and delivery of the verdict, medical measures shall be adopted for him or her. Criminal liability shall be imposed on him or her after his or her return to a normal mental state.

제14조 (형사책임을 지우지 않는 일반조건) Article 14 (General Requisites for Exempting an Offender from Criminal Liability)

이 법에서 범죄로 규정한 행위를 한 경우라 하더라도 가벌성이 작을 경우에는 형사책임을 지우지 않는다.

An offender shall not be attributed criminal liability in cases where the conditions required for criminal prosecution are not sufficiently satisfied, even if the act is defined as an offense under this criminal law.

제15조 (정당방위) Article 15 (Self-Defense)

이 법에서 범죄로 규정한 행위를 한 경우라 하더라도 국가 및 사회적리익이나 다른 사람 또는 자기 자신의 적법적리익을 침해하는 위급한 범죄를 막기 위한 행위로서 그것이 방위의 정도를 지나치게 넘지 않았을 경우에는 형사책임을 지우지 않는다.

Should an act that is defined as an offense under this law be committed in order to prevent an offense against the interests of the state, against the public interests, or against the legitimate interests of other persons or oneself, and should the offense be considered a reasonable defensive measure, it shall not be punished.

제16조 (긴급피난) Article 16 (Necessity)

이 법에서 범죄로 규정한 행위를 한 경우라 하더라도 위급한 사태를 피하는데 그 길밖에 없었으며 그렇게 한 결과 입은 손실이 보호한 리익보다 적을 경우에는 형사책임을 지우지 않는다.

Should an act defined as an offense under this law be committed to counter a dangerous and urgent situation, and should there be no alternative and the resultant damage be less than that which would otherwise have been caused, it shall bear no criminal liability.

제17조 (자발적으로 중지한 범죄에 대한 형사책임) Article 17 (Criminal Liability for Voluntarily Ceased Crime)

범죄를 준비하거나 저지르다가 도중에 스스로 완전히 그만둔 경우에는 형사책임을 지우지 않는다. 그러나 실지로 한 행위가 다른 무거운 범죄의 표징을 갖춘 경우에는 해당한 형사책임을 지울 수 있다.

In cases where a person stops his or her crime completely during the planning or the attempt, criminal liability shall not be imposed. However, in cases where the act committed has an indication of other serious crime, appropriate punishment may be imposed.

제 18조 (피해자의 요구에 따라 그의 인신을 침해한자에 대한 형사책임) Article 18 (Criminal Liability of Offender, Violating Victim's Physical Integrity, Who Acted upon Victim's Request)

피해자의 요구에 기초하여 그의 인신을 침해한자에 대하여서는 가벌성이 작을 경우 형사책임을 지우지 않는다.

An offender who violates a victim's physical or reputational integrity upon the victim's request will not bear criminal liability only when the offense has little consequence.

제19조 (가족, 친척을 상대로 저지른 범죄에 대한 형사책임) Article 19 (Criminal Liability for Crimes Committed Against Family Members or Relatives)

가족, 친척을 상대로 저지른 범죄에 대하여서는 용서하여줄데 대한 피해자 또는 피해자측의 요구가 있을 경우에는 형사책임을 지우지 않는다. 고의적살인죄, 고의적경살인죄, 발작적격분에 의한 살인죄, 정당방위초과살인죄, 과실적살인죄, 고의적중상해죄, 강도죄, 강간죄에 대하여서는 앞항을 적용하지 않는다.

Crimes committed against a family member or relative shall bear no criminal liability when the victim himself or the victim's family demands a pardon. The foregoing paragraph does not apply to premeditated, deliberate murder; deliberate murder; voluntary manslaughter; murder in excess of self-defense; involuntary manslaughter; intentional serious injury; robbery; or rape.

제20조 (범죄의 준비와 미수에 대한 형사책임) Article 20 (Criminal Liability for Planning or Attempting a Crime)

범죄의 준비와 미수에 대한 형사책임은 범죄의 위험성 정도, 범죄의 실행정도, 기수에 이르지 못한 원인을 참작하여 지운다. 범죄의 준비와 미수에 대하여서는 기수와 같은 조항을 적용한다. 범죄의 준비는 미수, 범죄의 미수는 기수보다 가볍게 처벌한다.

Criminal liability for the planning or the attempt of a crime shall be imposed in consideration of the degree of dangerousness, the progress of execution of the offense, and the cause of failure to commit the crime. The article concerning the crime committed shall be applicable also when the crime is only planned or attempted. Lighter punishment shall be imposed on the planning of a crime than on an attempt to carry it out.

제21조 (조직체형태의 공범자들에 대한 형사책임) Article 21 (Criminal Liability of Organized Group of Accomplices)

범죄조직체의 주모자와 추종자에 대하여서는 그 조직체가 목적인 범죄에 해당되는 조항에 따라 형사책임을 지우며 주모자는 무겁게 처벌한다.

The mastermind and his assistants in a criminal group shall be punished under the article concerning the crime committed with the mastermind being punished more severely.

제22조 (단순형태의 공범자들에 대한 형사책임) Article 22 (Criminal Liability of Mere Accomplices)

단순형태의 공범사건에서 추긴자, 방조자에 대하여서는 실행자에게 적용하는 조항에 따라 형사책임을 지운다. 추긴자는 실행자와 같게 또는 무겁게, 방조자는 실행자와 같게 또는 가볍게 처벌한다.

Instigators and supporters who are mere accomplices and who are implicated in a crime shall be punished under the article applied to the offenders. The punishment for the instigator shall be equal to or heavier than that imposed on the offender, and the punishment for the supporter shall be equal to or lighter than that imposed on the offender.

제23조 (특수적 표징을 요구하는 범죄를 저지른 공범자에 대한 형사책임) Article 23 (Accomplice of Offenses Which Require Special Status)

특수적표징을 요구하는 범죄의 실행자가 해당 표징을 갖추지 못한 자와 공모하여 범죄를 저질렀을 경우에는 그러한 표징을 갖추지 못한 다른 실행자, 추긴자, 방조자도 공동범죄실행자, 추긴자, 방조자로 형사책임을 지운다. In a case where a perpetrator of an offense that requires special status has committed the offense in collusion with another who does not fall under the incidence of that status, the other offenders, instigators, and supporters without the special status shall also be punished as co-perpetrators, instigators, or supporters.

제24조 (은닉범에 대한 형사책임) Article 24 (Criminal Liability for Harboring a Criminal)

범죄를 저지를 당시에는 관여하지 않고 범죄를 저지른 다음 범죄자 또는 범죄의 흔적을 감추어준 자에 대하여서는 이 법에 규정된 경우에만 형사책임을 지운다.

In cases provided for under this law, those who, although not directly involved in the crime, hide the offender or the evidence of the crime after it was committed, shall bear criminal liability according to this [criminal] law.

제25조 (불신고범에 대한 형사책임) Article 25 (Criminal Liability for Failing to Report a Crime)

범죄를 준비하고 있거나 저지른 것을 알면서 그것을 해당 기관에 알리지 않은 자에 대하여서는 이 법에 규정된 경우에만 형사책임을 지운다.

In cases provided for under this law, those who fail to report to the relevant authorities the crime or the fact that a crime was being planned in spite of having been aware of it, shall bear criminal liability.

제26조 (방임죄에 대한 형사책임) Article 26 (Criminal Liability for Neglect)

해로운 긴급한 사태를 능히 막거나 막을 대책을 세울 수 있었음에도 불구하고 내버려두어 엄중한 결과를 일으킨 자에 대하여서는 이 법에 규정된 경우에만 형사책임을 지운다.

In cases provided for under this law, punishment shall be imposed on those who fail to act to prevent a crime, when such action is fully possible or who fail to take steps to prevent a crime and thus cause grave consequences to arise.



## 제2절 형 벌 SECTION 2. PUNISHMENTS

### 제27조 (형벌의 종류) Article 27 (Types of Punishments)

형벌의 종류는 다음과 같다. 1. 사형 2. 무기로동교화형 3. 유기로동교화형 4. 로동단련형 5. 선거권박탈형 6. 재산몰수형 7. 자격박탈형 8. 자격정지형

Punishments are 1. Death 2. Lifetime of reform through labor 3. Limited term of reform through labor 4. Short-term labor 5. Deprivation of the right to vote 6. Confiscation of property 7. Removal of qualifications 8. Suspension of qualifications.

### 제28조 (기본형벌과 부가형벌) Article 28 (Principal Punishments and Supplementary Punishments)

사형, 무기로동교화형, 유기로동교화형, 로동단련형은 기본형벌이다. 선거권박탈형, 재산몰수형, 자격박탈형, 자격정지형은 부가형벌이다.

The death penalty, lifetime term of reform through labor, limited term of reform through labor, and short-term labor are the principal punishments imposed on offenders. Deprivation of the right to vote, confiscation of property, deprivation of qualifications, and suspension of qualifications are supplementary punishments.

### 제29조 (사형) Article 29 (The Death Penalty)

사형은 범죄자의 육체적 생명을 박탈하는 방법으로 집행한다. 범죄를 저지를 당시 18살에 이르지 못한 자에 대하여서는 사형을 줄 수 없으며 임신녀성에 대하여서는 사형을 집행할수 없다.

The death penalty is executed by depriving the offender of his physical life. The death penalty shall not be imposed on those who were under 18 years of age when they committed the offense, nor shall it be executed against pregnant women.

### 제30조 (무기로동교화형, 유기로동교화형) Article 30 (Life and Limited Term of Reform Through Labor)

무기로동교화형, 유기로동교화형은 범죄자를 교화소에 넣어 로동을 시키는 방법으로 집행한다. 무기로동교화형, 유기로동교화형 집행기간에는 국민의 권리의 일부가 정지된다. 유기로동교화형기간은 1년부터 15년까지로 한다. 범죄를 병합하거나 형기를 합산할 경우에도 유기로동교화형기간은 15년을 넘을수 없다. 범죄자가 구속되어있는 기간 1일은 유기로동교화형기간 1일로 계산한다.

Lifetime and limited term of reform through labor shall be executed by sending an offender to a long-term prison labor camp where he or she will engage in labor. During the period of lifetime and limited term of labor reform, an offender's civil rights are partially suspended. The period of reform through labor for limited term is from 1 year to 15 years. Even in cases where crimes are combined, or the prison terms are added together, the total term may not exceed 15 years. Each day of the offender's detention shall be counted as a day of the reformation period.

### 제31조 (로동단련형) Article 31 (Short-term Labor)

로동단련형은 범죄자를 일정한 장소에 보내어 로동을 시키는 형벌이다. 로동단련형 집행기간에는 국민의 권리가 보장된다. 로동단련형 기간은 6개월부터 1년까지로 한다. 범죄를 병합하거나 합산할 경우에도 로동단련형 기간은 1년을 넘을 수 없다. 범죄자가 구속되어 있는 기간 1일을 로동단련형 기간 1일로 계산한다.

Short-term labor is executed by sending an offender to a designated place where the offender will engage in labor. The civil rights of an offender are guaranteed during the period of short-term labor. The period of short-term labor is from six months to 1 year. Even in cases where crimes are combined or added, the total term of short-term labor may not exceed 1 year. Each day of the offender's detention shall be counted as one day of short-term labor.

#### 제32조 (선거권박탈형) Article 32 (Deprivation of the Right to Vote)

선거권박탈형은 반국가 및 반민족범죄를 저지른자로부터 일정한 기간 선거할 권리를 빼앗는 형벌이다. 반국가 및 반민족범죄사건을 심리할 경우에는 선거권박탈문제를 함께 심리하여야 한다. 선거권박탈형 기간은 5년이며 유기로동교화형 집행이 끝난 날부터 계산한다.

Suffrage is a punishment that takes away the right to vote for a certain period of time from those who committed anti-state and anti-people crimes. The deprivation of the right to vote must be considered when a crime against the state and the nation is being judged. The period of the deprivation of the right to vote must be five years and shall be counted from the end of the execution of the limited term of reform through labor.

#### 제33조 (벌금형) Article 33 (Monetary Penalty)

벌금형은 반국가 및 반민족범죄를 저지른자에게 물질적제재를 가하는 형벌이다. 반국가 및 반민족범죄사건을 심리할 경우에는 벌금부과문제를 함께 심리하여야 한다. 벌금형에 따르는 벌금액수는 범죄행위의 엄중성정도에 따라 재판소가 정한다.

A monetary penalty is applied against an offender who committed crimes against the state and the nation. The monetary penalty must be considered when a crime against the state and the nation is being judged. The amount of the fines shall be defined by the court based on the severity of the offense.

#### 제34조 (재산몰수형) Article 34 (Confiscation of Property)

재산몰수형은 유죄판결을 받은자의 재산을 무상으로 국가에 넘기는 형벌이다. 재산몰수형판결을 집행할 경우에는 유죄판결을 받은자의 가족이 최저생활을 하는데 필요한 식량과 일용필수품, 돈을 남겨놓는다.

The penalty of the confiscation of property is executed by handing the property of the convicted criminal to the state free of charge. When a property forfeiture judgment is enforced, the family of the convicted person shall keep the food, daily necessities, and money necessary for a basic standard of living, which shall not be confiscated.

#### 제35조 (재산몰수형의 취소 및 사건기각시 재산처리) Article 35 (Compensation In Case of Cancellation of Confiscation or Dismissal of the Case)

재산몰수형이 취소되었거나 사건이 기각되었을 경우에는 몰수하였던 재산을 돌려준다.

Confiscated property shall be returned should the penalty of the confiscation of property be cancelled or should the case be dismissed.

#### 제36조 (재산몰수당한자의 빚처리) Article 36 (Debt Treatment for a Person Whose Property is Subject to Confiscation)

재산을 몰수당한 자가 재산담보처분이 있기 전에 진 빚에 대하여서는 몰수한 재산으로 법이 정한 순위에 따라 물어준다. 그러나 재산담보처분이 있는 다음에 진 빚에 대하여서는 몰수한 재산으로 물어주지 않는다.

Any debt previously incurred by a person whose property is subjected to confiscation shall be repaid from the confiscated property prior to disposition of forfeited property according to the order provided for under the law. However, a debt contracted after seizure shall not be repaid from the confiscated property.

#### 제37조 (자격박탈형) Article 37 (Deprivation of Qualifications)

자격박탈형은 유죄판결을 받은자가 가지고 있던 일정한 자격을 완전히 빼앗는 형벌이다. 일정한 자격을 고의적인 범죄를 저지르는데 리용한 사건을 심리할 경우 자격박탈문제를 함께 심리하여야 한다.

The penalty of the deprivation of qualifications is executed by permanently depriving a certain qualification that the convicted person had. When considering the cases of crimes in which the offender used his qualifications to intentionally commit a crime, deprivation of qualifications of the offender should be considered.

#### 제38조 (자격정지형) Article 38 (Suspension of Qualifications)

자격정지형은 유죄판결을 받은자가 가지고있던 일정한 자격을 일시적으로 빼앗는 형벌이다. 일정한 자격을 가진자가 과실로 범죄를 저지른 사건을 심리할 경우 자격정지문제를 함께 심리하여야 한다. 자격정지형 기간은 3년이며 유기로동교화형, 로동단련형의 집행이 끝난 날부터 계산한다.

The penalty of the suspension of a qualification is executed by temporarily depriving certain qualifications that the convicted person had. When considering the cases of crimes in which the offender with a certain qualification negligently committed a crime, suspension of the qualification of the offender should be considered. The term of the suspension of qualification is three years and shall be counted from the end of the execution of the limited term of reform through labor or short-term labor.

#### 제39조 (형벌의 량정) Article 39 (Determination of Penalties)

형벌량정은 범죄의 성격, 목적과 동기, 수단과 방법, 실행정도, 범죄적 결과, 공모관계, 범죄자의 위험성정도 같은것을 참작하여 한다. 이 경우 해당 조항에 규정된 형벌의 한도를 기준으로 한다.

Penalties are determined by considering the character of, the motives for, and the aim of the crime; the ways and means by which and the extent to which the crime was committed; the consequences of the crime, complicity, and the degree of danger to which the offender repents of his or her crime. In this case, the limits of the penalties provided by the relevant articles of this law shall be taken as the standard.

#### 제40조 (형벌량정에서 무겁게 보는 조건) Article 40 (Conditions for Determining Aggravated Penalties)

형벌량정에서 무겁게 보는 조건은 다음과 같다.

1. 범죄의 주동분자인 경우 2. 여러번 범죄를 저질렀을 경우 3. 잔인한 수단과 방법으로 범죄를 저질렀을 경우 4. 전시 또는 재해상태를 리용하여 범죄를 저질렀을 경우

Penalties shall be aggravated in the following cases:

1. When the offender is the principal culprit in the crime; 2. When the offender has committed offenses repeatedly; 3. When the crime is committed by brutal ways and means; 4. When the offender commits a crime by taking advantage of a wartime or disaster situation.

#### 제41조 (형벌량정에서 가볍게 보는 조건) Article 41 (Conditions for Determining Mitigated Penalties)

형벌량정에서 가볍게 보는 조건은 다음과 같다.

1. 범죄의 피동분자인 경우
2. 국가에서 맡겨준 일을 더 잘하려고 하다가 범죄를 저질렀을 경우
3. 강한 정신적자극으로 범죄를 저질렀을 경우
4. 미성인이 범죄를 저질렀을 경우
5. 정당방위, 긴급피난의 정도를 넘었을 경우
6. 자백을 하였을 경우
7. 특출한 공로를 세운 자가 범죄를 저질렀을 경우
8. 략취하였거나 파손한 재산을 스스로 보상하였거나 원상복구하였을 경우
9. 피해자에게 잘못이 있었을 경우
10. 중한 범죄를 적발하는데 협력한 경우

Penalties shall be mitigated in the following cases:

1. When the offender is a passive culprit;
2. When the crime is committed to contribute to the country;
3. When the crime is committed under the influence of strong mental pressure;
4. When the offender is a juvenile;
5. When the offense is considered to meet the conditions for self-defense or necessity;
6. When the offender confesses his or her guilt;
7. When the offender has previously contributed greatly to the country;
8. When the offender makes compensation for or restitution of the properties that he has plundered or damaged;
9. When the victim is found with fault;
10. When the offender assists in identifying serious crimes.

#### 제42조 (형벌의 무겁게 또는 가볍게 적용하는 범위) Article 42 (Limit of Applying Aggravated or Mitigated Penalties)

형벌량정에서 무겁게 또는 가볍게 보는 조건이 있을 경우에는 주어야 할 형벌의 절반정도의 범위 안에서 그 위험성정도에 맞게 무겁게 또는 가볍게 줄 수 있다. 이 경우 해당 조항에 규정된 형벌의 최고 또는 최저한도보다 높게 또는 낮게 줄 수 없다.

Aggravated or mitigated penalties may be aggravated or mitigated by up to half the original penalty based on the graveness of crimes. In such a case, the penalty may not exceed the maximum penalty or fall short of the minimum penalty prescribed in the relevant provision.

#### 제43조 (법정형의 최저한도보다 형벌을 낮게 정하는 경우) Article 43 (Determination of Penalties Below Minimum Limit Allowed by Law)

해당 조항에 규정되어있는 형벌의 최저한도보다 더 낮게 형벌을 주어야 할 특별한 사정이 있을 경우 해당 조항에 규정되어있는 형벌보다 낮게 줄 수 있다.

In special cases, lighter penalty than the minimum limit provided for under the relevant article shall be imposed.

#### 제44조 (범죄의 병합조건) Article 44 (Conditions for Merging of Offenses)

한 범죄자가 저지른 여러 형태의 범죄가 각각 독립적으로 형사책임을 추궁할수 있을 경우에는 병합한다. 그러나 여러 형태의 범죄들이 결합되어 하나의 범죄로 되었거나 어느 한 형태의 범죄가 다른 형태의 범죄를 저지르는 데 필수적전제로 되었을 경우에는 병합하지 못한다.

In cases where an offender commits different types of offenses that respectively entail independent criminal liability, he or she shall be merged into one crime. However, in cases where different types of crimes are combined to constitute a single offense or one crime is considered to have been an essential premise for subsequent offenses or other types of crimes, merging shall not be possible.

#### 제45조 (범죄병합시의 형벌량정) Article 45 (Determination of Penalty In Case of Merging of Offenses)

한 범죄자가 저지른 여러 형태의 범죄를 함께 재판할 경우에는 매 범죄별로 형벌을량정한 다음 제일 높이량정한 조항의 형벌에 나머지 조항의 형벌을 절반정도 합한다. 이 경우 병합한 범죄에 해당한 부가형벌은 기본형벌과 함께 적용한다. 판결의 선고는 이 조로 한다.

In cases where the offender commits different types of offenses, the punishment will be determined by first deciding penalties for each offense. Then the heaviest penalty shall be added to one-half of the remaining penalties. In such a case, the supplementary penalties of the merged crimes shall be applied in line with general punishments. The rendition of judgment shall be based on this article.

#### 제46조 (서로 다른 종류의 형벌기간계산) Article 46 (Determination of the Period of Different Penalties)

서로 다른 종류의 형벌기간을 하나의 형벌기간으로량정할 경우에는 제재의 도수가 높은 종류의 형벌로 하며 로동단련형 기간 2일을 유기로동교화형 기간 1일로 계산한다.

In cases of multiple penalties for which a single period of penalty is determined, the penalty shall be of the heaviest kind, and two days of short-term labor shall be counted as one day of limited reform through labor.

#### 제47조 (형벌집행이 끝나기 전에 저지른 범죄와 숨긴 범죄에 대한 형벌량정) Article 47 (Determination of Penalty for Crimes Committed or Hidden before the Term Is Over)

유죄판결을 받은자가 판결이 확정된 다음 형벌의 집행이 끝나기 전에 새로운 범죄를 저질렀거나 숨긴 범죄에 대하여서는 형벌을량정하여 남은 형기에 합한다.

In cases where, after sentence has been passed, the offender commits or hides another crime before serving the full term of the penalty, the penalty for the new or hidden offense shall be decided and added to the remaining term of the former penalty.

#### 제48조 (이상, 이하에 대한 해석) Article 48 (Interpretation of "More Than" and "Less Than")

이 법에서 형벌기간을 지정한 이상, 이하는 해당 수를 포함한다. 형벌기간은 범죄의 위험성정도에 따라 년뿐아니라 개월까지 정할수 있다.

The expressions "more than" and "less than" used in this law for determining the term of penalties, shall include the relevant number described. The term of penalty may be determined in months and years depending on the gravity of the offense.

#### 제49조 (형벌집행기간계산) Article 49 (Calculation of the Period for the Execution of Penalty)

형벌집행기간은 판결이 확정된 날부터 형벌기간이 마감되는 날까지로 한다. 범죄자가 구속되어있는 기간의 형벌집행기일계산은 이 법 제30조와 제31조에 따라 형벌집행기간에 포함하여 계산한다.

The execution of a penalty begins from the day when the judgment becomes final and ends on the day of completion of the term of punishment. The criminal's detention execution period is included in the period of execution of a penalty and shall be calculated in accordance with Articles 30 and 31.

#### 제50조 (사회적교양처분의 적용조건) Article 50 (Conditions for Applying Public Education Penalty)

미성년이 범죄를 저질렀거나 성인이 범죄를 저질렀다 하더라도 그의 개준성 정도, 범죄의 위험성정도에 비추어 사회적교양의 방법으로 고칠수 있을 경우에는 사회적교양처분을 할수 있다.

In cases where the offender is a minor or is an adult deemed suitable for reform through public education, a public education penalty shall be applied after consideration of the degree to which the offender repents and the gravity of the offense.

#### 제51조(사회적교양처분의 법률적효과) Article 51 (Legal Effect of Re-education in Society Penalty)

사회적교양처분을 받은자가 법이 정한 기간에 새로운 범죄를 저지르지 않았을 경우에는 그범죄에 대한 형사책임을 지우지 않는다. 그러나 사회적교양처분을 받은자가 새로운 범죄를 저질렀거나 숨긴 범죄가 드러났을 경우에는 사회적교양처분을 받았던 범죄에 대하여 형벌을 량정하고 그 전부 또는 일부를 새로 저지른 범죄 또는 숨긴 범죄에 대하여 량정한 형벌에 합한다.

Should a person who has received a re-education in society penalty not commit another offense during the period of criminal law, he or she is deemed to have served his or her sentence. However, in cases where a person who has been given a re-education in society penalty commits another offense or reveals hidden crimes during the period of suspension, all or part of the penalty that was suspended shall be added to the penalty for the new offense.

#### 제52조 (집행유예 적용조건과 기간) Article 52 (Requisites and Periods for Suspension of Sentence)

3년까지 로동교화형을 받은자의 개준성정도, 범죄의 위험성정도에 비추어 그를 교화소에 보내여 로동교화형을 집행할 필요가 없다고 인정될 경우에는 3년부터 5년까지 집행을 유예하는 판결을 내릴수 있다.

If it is deemed unnecessary to send an offender to a prison camp who receives 3 years or less of reform through labor due to their degree of repentance and the gravity of the offense, a penalty may be suspended for three to five years.

#### 제53조 (집행유예의 법률적효과) Article 53 (Legal Effect of Suspension of Sentence)

집행유예를 받은자가 집행유예기간에 새로운 범죄를 저지르지 않았을 경우에는 그에게 내렸던 판결의 집행이 끝난것으로 인정한다. 그러나 새로운 범죄를 저질렀거나 숨긴 범죄가 드러났을 경우에는 유예한 형벌의 전부 또는 일부를 새로 저지른 범죄나 숨긴 범죄에 대하여 량정한 형벌에 합한다.

A person who has received a re-education in society penalty and does not commit another offense during the probation period, he or she is deemed to have served his or her sentence. However, in cases where a person who has been given a re-education in society penalty commits another offense or reveals hidden crimes

during the probation period, all or part of the penalty that was suspended shall be added to the penalty for the new offense.

#### 제54조 (특사, 대사) Article 54 (Special and General Pardons)

유죄판결을 받은자의 형벌면제는 특사 또는 대사로 한다. 특사는 조선민주주의인민공화국 국방위원회 제1위원장이 실시한다. 대사는 최고인민회의 상임위원회가 실시한다.

A convicted criminal may have his or her penalty cancelled under a special or general pardon. Special pardons are granted by the First Chairman of the National Defense Commission of the Democratic People's Republic of Korea. General pardons are granted by the Presidium of the Supreme People's Assembly.

#### 제55조 (형기단축 및 만기전석방) Article 55 (Reduction of Term and Parole)

유기로동교화형, 로동단련형판결을 받은자가 형집행기간에 생활을 모범적으로 한 경우에는 형기를 줄여줄 수 있다. 무기로동교화형, 유기로동교화형, 로동단련형을 받은 자가 완전히 교양개조되었다고 인정될 경우에는 유기로동교화형, 로동단련형은 받은 형기의 절반이, 무기로동교화형은 10년이 지난 다음 형벌집행을 면제하여 줄 수 있다.

In cases where a person who has been sentenced to either a limited term of reform through labor or short-term labor has shown exemplary behavior during the execution period, his or her term for the penalty may be reduced. In cases where a person who has been sentenced to limited term of reform through labor is deemed to have become faithful in reforming himself or herself, he or she may be released after the passage of half of the period of reform through short-term labor. In the case of a life term of reform through labor, the release can take place after the passage of ten years.

#### 제56조 (형벌집행이 끝난 자의 법적지위)

특사, 대사를 받은 자 또는 형벌집행이 끝난 자에 대하여서는 특사, 대사를 받은 날 또는 형벌집행이 끝난 날부터 범죄를 저지르지 않았던자와 같이 인정하며 법적으로 차별하지 않는다.

2009-A person who has been granted a special or a general pardon and a person who has served his or her full time is regarded as guiltless from the day of the granting of the special or general pardon or from the day on which the term ends and is not discriminated against under the law.

#### 제57조 (형사소추시효기간) Article 57 (Prescription Period for Criminal Prosecution)

범죄를 저지른 때부터 다음의 기간이 지나면 형사책임을 지우지 않는다. 1) 1년까지의 로동단련형을 줄수 있는 범죄에 대하여서는 3년. 2) 3년까지의 로동교화형을 줄수 있는 범죄에 대하여서는 5년. 3) 3년이상 5년까지의 로동교화형을 줄수 있는 범죄에 대하여서는 8년. 4) 5년이상 10년까지의 로동교화형을 줄수 있는 범죄에 대하여서는 12년. 5) 무기로동교화형, 사형을 줄수 있는 범죄에 대하여서는 20년.

Criminal liability shall not be borne when the following periods have passed from the commission of an offense.

1. Three years for offenses that merit reform through labor for up to one year; 2. Five years for offenses that merit reform through labor for up to three years; 3. Eight years for offenses that merit reform through labor for three to five years; 4. Twelve years for offenses that merit reform through labor for up to five to ten years; 5. Twenty years for offenses that merit a life term of reform through labor or the death penalty.

제58조 (형사소추시효를 적용하지 않는 범죄) Article 58 (Offenses Excluded from Criminal Prosecution)

반국가 및 반민족범죄와 고의적중살인범죄에 대하여서는 형사소추시효기간에 관계없이 형사책임을 지운다.  
Criminal liability shall be borne for crimes against the state and the nation and for premeditated murder, regardless of the passage of time.

제59조 (형사소추시효기간이 새로 계산되는 사유) Article 59 (Reasons for Counting Anew the Period of Criminal Prosecution)

이 법 제57조에 규정된 기간이 넘기 전에 범죄자가 새로운 범죄를 저질렀거나 예심 또는 재판을 회피하였거나 수사시작결정을 한 경우에는 그날부터 형사소추시효기간이 새로 계산된다.

When an offender commits a new offense before the period provided under Article 57 of this law passes, or declines a preliminary examination or trial before the period passes, the period of criminal prosecution will start anew.

**제3장 반국가 및 반민족범죄 CHAPTER 3 CRIMES AGAINST THE STATE AND THE NATION**

**제1절 반국가범죄 SECTION 1. CRIMES AGAINST THE STATE**

제60조 (국가전복음모죄) Article 60 (Conspiracy to Subvert the State)

반국가적 목적으로 정변, 폭동, 시위, 습격에 참가하였거나 음모에 가담한 자는 5년 이상의 로동교화형에 처한다. 정상이 특히 무거운 경우에는 무기로동교화형 또는 사형 및 재산몰수형에 처한다.

A person who, with anti-state purposes, participates in a coup d'état, riot, demonstration or assault, or takes part in a conspiracy shall be punished by reform through labor for more than five years. In cases where the person commits a grave offense, he or she shall be punished by a life term of reform through labor or the death penalty, and confiscation of property.

제61조 (테로죄) Article 61 (Terrorism)

반국가 목적으로 간부들과 인민들을 살인, 랍치하였거나 그들에게 상해를 입힌 자는 5년 이상의 로동교화형에 처한다. 정상이 특히 무거운 경우에는 무기로동교화형 또는 사형 및 재산몰수형에 처한다.

A person who, with anti-state purposes, kills, abducts, or injures cadres or people shall be punished by reform through labor for more than five years. In cases where the person commits a grave offense, he or she shall be punished by a life term of reform through labor or the death penalty, and confiscation of property.

제62조 (반국가선전, 선동죄) Article 62 (Anti-State Propaganda and Agitation)

반국가 목적으로 선전, 선동행위를 한자는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who, with anti-state purposes, launches propaganda and agitation shall be punished by reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years or death, and confiscation of property.



### 제63조 (조국반역죄) Article 63 (Treason against the Fatherland)

공민이 조국을 배반하고 다른 나라로 도망쳤거나 투항, 변절하였거나 비밀을 넘겨준 조국반역행위를 한 경우에는 5년 이상의 로동교화형에 처한다. 정상이 특히 무거운 경우에는 무기로동교화형 또는 사형 및 재산몰수형에 처한다.  
A citizen of the Republic who commits treason against the Fatherland by defection, surrender, betrayal, or disclosure of secrets shall be punished by reform through labor for more than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years.

### 제64조 (간첩죄) Article 64 (Espionage)

공화국공민이 아닌자가 우리 나라에 대한 정탐을 목적으로 비밀을 탐지, 수집, 제공한 경우에는 5년 이상 10년 이하의 로동교화형에 처한다. 정상이 무거운 경우에는 10년 이상의 로동교화형에 처한다.  
A non-citizen of the Republic who detects, collects, or transmits secrets with the intention of espionage against the Republic shall be punished by reform through labor for more than five years and less than ten years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than ten years.

### 제65조 (파괴암해죄) Article 65 (Sabotage)

반국가 목적으로 파괴, 암해행위를 한자는 5년 이상 10년 이하의 로동교화형에 처한다. 앞항의 행위를 여러번 또는 공모하여 한 경우에는 10년 이상의 로동교화형에 처한다. 정상이 특히 무거운 경우에는 무기로동교화형 또는 사형 및 재산몰수형에 처한다.  
A person who commits acts of destruction and sabotage with anti-state purposes shall be punished by reform through labor for more than five years and less than ten years. In cases where the foregoing act has been executed repeatedly or in collusion, the offender shall be punished by reform through labor for more than ten years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for life or the death penalty, and confiscation of property.

### 제66조 (무장간섭 및 대외관계단절사촉죄) Article 66 (Inducement of Armed Intervention and Severance of Diplomatic Relationship)

다른 나라 사람이 다른 나라 또는 다른 나라에 있는 집단을 추겼거나 자금을 대주어 공화국에 대한 무장간섭을 하게 하였거나 외교관계를 끊어버리게 하였거나 공화국과 체결한 조약을 파기하게 한 경우에는 10년 이상의 로동교화형에 처한다.  
A foreign national who encourages or supplies funds to encourage a foreign country or group to perpetrate armed intervention against the Republic, break diplomatic relations with the Republic, or annul a treaty with the Republic shall be punished by reform through labor for more than ten years.

### 제67조 (외국인에 대한 적대행위죄) Article 67 (Aggression against Foreigners)

공화국과 다른 나라와의 관계를 약화시킬 목적으로 공화국에 체류하는 다른 나라 사람의 인신, 재산을 침해한자는 5년 이상 10년 이하의 로동교화형에 처한다. 정상이 무거운 경우에는 10년 이상의 로동교화형에 처한다.  
A person who violates the personal liberty or property of a foreigner in the Republic in order to weaken relations between the Republic and the latter's country shall be punished by reform through labor for more

than five years and less than 10 years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than ten years.

## 제2절 반민족범죄 **SECTION 2. CRIMES AGAINST THE NATION**

### 제68조 (민족반역죄) Article 68 (Treason against the Nation)

조선민족으로서 제국주의의 지배밑에서 우리 인민의 민족해방운동과 조국 통일을 위한 투쟁을 탄압하였거나 제국주의자들에게 조선민족의 리익을 팔아먹은 민족반역행위를 한자는 5년 이상의 로동교화형에 처한다. 정상이 특히 무거운 경우에는 무기로동교화형 또는 사형 및 재산몰수형에 처한다.

A Korean national, who, under the control of imperialists, suppresses our people's struggle for national liberation or the struggle for the reunification of the country or betrays the nation by selling national interests to imperialists, shall be punished by reform through labor for more than five years. In cases where the person commits a grave offense, he or she shall be punished by a life term of reform through labor or the death penalty, and confiscation of property.

### 제69조 (조선민족해방운동탄압죄) Article 69 (Suppression of the National Liberation Struggle of the Korean Nation)

다른 나라 사람이 조선인민의 민족해방운동과 조국통일을 위한 투쟁을 탄압한 경우에는 5년 이상 10년 이하의 로동교화형에 처한다. 정상이 무거운 경우에는 10년 이상의 로동교화형에 처한다.

A foreign national who suppresses the national liberation struggle of the Korean people or the struggle for the reunification of the country shall be punished by reform through labor for more than five years and less than ten years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than ten years.

### 제70조 (조선민족적대죄) Article 70 (Aggression against the Korean Nation)

다른 나라 사람이 조선민족을 적대시할 목적으로 해외에 상주하거나 체류하는 조선사람의 인신, 재산을 침해하였거나 민족적 불화를 일으킨 경우에는 5년 이상 10년 이하의 로동교화형에 처한다. 정상이 무거운 경우에는 10년 이상의 로동교화형에 처한다.

A foreign national who, with hostile intentions against the Korean nation, violates the personal liberty or property of a Korean national who resides or stays abroad, or causes national dissension, shall be punished by reform through labor for more than five years and less than ten years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than ten years.

## 제3절 반국가 및 반민족범죄에 대한 은닉죄, 불신고죄, 방임죄 **SECTION 3. CRIMES OF HARBORING, FAILING TO REPORT, AND NEGLECTING OF A CRIME AGAINST THE STATE AND THE NATION**

### 제71조 (반국가 및 반민족범죄에 대한 은닉죄) Article 71 (Harboring an Individual who Committed a Crime against the State or the Nation)

반국가 및 반민족범죄를 저지른자 또는 범죄의 흔적을 감추어준자는 4년 이하의 로동교화형에 처한다.

A person who harbors another who has committed a crime against the state or the nation, or conceals the evidence of a crime or the nation, shall be punished by reform through labor for less than four years.

제72조 (반국가 및 반민족범죄에 대한 불신고죄) Article 72 (Criminal Failure to Report a Crime against the State or the Nation)

반국가 및 반민족범죄나 범죄자라는 것을 알면서 그것을 해당 기관에 알리지않은 자는 3년이하의 로동교화형에 처한다.

A person who, having known another person who has committed a crime against the state or the nation, fails to inform the relevant authorities about such other person, shall be punished by reform through labor for less than three years.

제73조 (반국가범죄에 대한 방임죄) Article 73 (Failure to Prevent a Crime against the State)

반국가범죄를 저지르고있다는것을 알면서 그것을 긴급히 막는데 필요한 대책을 능히 세울 수 있었음에도 불구하고 내버려둔 자는 3년이하의 로동교화형에 처한다.

A person who, having learned of a crime against the state being committed, fails to take steps to prevent such a crime despite his or her capacity to do so, shall be punished by reform through labor for less than three years.

#### 제4장 국방관리질서를 침해한 범죄 CHAPTER 4 CRIMES OF VIOLATING NATIONAL DEFENSE SYSTEM

제74조 (명령, 결정, 지시집행태만죄) Article 74 (Negligent Execution of Orders, Decisions, and Directions)

조선민주주의인민공화국 국방위원회위원장 제1위원장 명령, 최고사령관명령, 국방위원회 결정, 지시, 당중앙군사위원회 명령, 결정, 지시를 제때에 정확히 집행하지 않은자는 1년이하의 로동단련형에 처한다. 앞항의 행위를 여러번 한 경우에는 2년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 2년이상 5년이하의 로동교화형에 처한다.

A person who fails to accurately execute in a timely manner or perfunctorily executes the orders of the First Chairman of the National Defense Commission of the Democratic People's Republic of Korea, the orders of the Supreme Commander of the Korean People's Army, the decisions and directions of the National Defense Commission, or the orders, decisions, and directions of the Central Military Committee of the Worker's Party of Korea, shall be punished by reform through labor for less than one year. In cases where the foregoing offense has been committed repeatedly, the offender shall be punished by reform through labor for less than two years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than two years and less than five years.

제75조 (전략예비물자의 조성 및 전시생산준비태만죄) Article 75 (Failure to Prepare for Strategic Reserve Supplies, Organization, and Wartime Production)

전략예비물자의 조성과 전시생산준비를 하지 않은자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

He or she who fails to prepare strategic reserve supplies or to prepare for wartime production shall be punished by reform through labor for less than one year. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for less than three years.

제76조 (무기, 탄약, 전투기술기재략취죄) Article 76 (Plundering of Weapons, Ammunition, and Combat Technology Equipment)

무기, 탄약, 전투기술기재를 략취한자는 1년이하의 로동단련형에 처한다. 여러 번 또는 대량의 무기, 탄약, 전투기술기재를 략취한 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who plunders weapons, ammunition, or combat technology equipment shall be punished by short-term reform through labor for less than one year. In cases where a large amount of weapons, ammunition, or combat technology equipment is plundered or plundered repeatedly, punishment shall be reform through labor for less than five years. In cases where the offense is grave, he or she shall be punished by reform through labor for more than five years and less than ten years.

제77조 (무기, 탄약비법휴대, 양도죄) Article 77 (Illegal Occupation, Transfer of Weapons, and Ammunition)

무기, 탄약을 비법적으로 가지고 있거나 다른 사람에게 넘겨준자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who illegally possesses or transfers weapons and ammunition shall be punished by reform through short-term labor for less than one year. In cases where a foregoing act is a grave offense, punishment shall be reform through labor for less than three years.

제78조 (무기, 탄약, 전투기술기재, 군사시설고의적파손죄) Article 78 (Intentional Destruction of Weapons, Ammunition, Combat Technology Equipment, or Military Facilities)

무기, 탄약, 전투기술기재와 군사시설을 고의적으로 파손시킨 자는 1년이하의 로동단련형에 처한다. 대량의 무기, 탄약, 전투기술기재 또는 중요한 군사시설을 파손시켰거나 방화, 폭파의 방법으로 파손시킨 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다. 앞항의 행위로 정상이 특히 무거운 경우에는 10년이상의 로동교화형에 처한다.

A person who intentionally destroys weapons, ammunition, combat technology equipment or military facilities shall be punished by reform through labor for less than one year. In cases where a large amount of weapons, ammunition, combat technology equipment or important military facilities is damaged or destroyed through fire, explosion, or other means, the punishment shall be reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years. In cases where the offense of the foregoing paragraph is particularly grave, the punishment shall be reform through labor for more than ten years.

제79조 (무기, 탄약, 전투기술기재, 군사시설과실적파손죄) Article 79 (Destruction of Weapons, Ammunition, Combat Technology Equipment, or Military Facilities through Negligence)

대량의 무기, 탄약, 전투기술기재 또는 중요한 군사시설을 파손시킨 경우에는 1년이하의 로동교화형에 처한다. 앞항의 행위가 정상이 특히 무거운 경우에는 3년이상의 로동교화형에 처한다.

A person who destroys a large amount of weapons, ammunition, combat technology equipment or important military facilities, shall be punished by reform through labor for less than one year. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than three years.

제80조 (군사경비근무질서위반죄) Article 80 (Violation of Military Guard System)

민간군사훈련에 동원된자가 경비근무질서를 어겨 경비대상물에 피해를 준 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

If a person who is mobilized for civilian military training violates the military guard system and this leads to damage of a guarded object, he or she shall be punished by reform through labor for less than one year. In cases where the offense of the foregoing paragraph is particularly grave, he or she shall be punished by reform through labor for less than three years.

제81조 (군사임무수행방해죄) Article 81 (Interference with Performance of Military Duties)

경비근무, 차단근무, 단속근무, 기통임무 같은 군사임무수행을 방해하여 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who interferes with military duties, such as guard duty, policing, or secret communications duty, shall be punished by short-term labor for less than one year. In cases where the offense of the foregoing paragraph is particularly grave, the punishment shall be punished by reform through labor for less than three years.

제82조 (군수품분실죄) Article 82 (Loss of Military Supplies)

군수품을 잃어버린 자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who loses military supplies shall be punished by short-term labor for less than one year. In cases where the offense of the foregoing paragraph is particularly grave, he or she shall be punished by reform through labor for less than two years.

제83조 (군수품매매죄) Article 83 (Trading Military Supplies)

군수품이라는것을 알면서 팔았거나 산자는 1년이하의 로동단련형에 처한다.

A person who knowingly buys or sells military supplies shall be punished by short-term labor for less than one year.

제84조 (군수품생산에 지장을 준죄) Article 84 (Hindering Production of Military Supplies)

군수품생산에 필요한 설비와 원료, 연료, 전력, 자재를 제때에 생산보장하지 않았거나 그 질을 보장하지 못하여 군수품생산에 지장을 준 자는 1년이하의 로동단련형에 처한다.

A person who hinders the production of military supplies by failing to build equipment or produce raw or other materials, fuel or electric power in a timely manner or failing to ensure their qualities shall be punished by short-term labor for less than one year.

제85조 (군수품을 오작품, 불합격품으로 생산한 죄) Article 85 (Production of Defective or Disqualified Military Supplies)

군수품생산부문 일군이 기술규정, 표준조작법, 제품규격, 제품검사에 관한 질서를 어기고 오작품, 불합격품을 생산한 경우에는 1년이하의 로동교화형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A military supplies production worker who does not comply with technical regulations, a standard operation manual, product specifications or product inspection codes, and produces defective or disqualified supplies, shall be punished by reform through labor for less than one year. In cases where the offense of the foregoing paragraph is particularly grave, the punishment shall be reform through labor for less than two years.

제86조 (군수품생산용자재, 군수품류용죄) Article 86 (Misappropriation of Military Supplies or Materials for Production of Military Supplies)

군수품생산부문 책임일군이 군수품생산용자재와 군수품을 다른 목적에 쓴 경우에는 1년이하의 로동교화형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A military supplies production manager who misappropriates military supplies or materials for production of such military supplies shall be punished by short-term labor for less than one year. In cases where the offense of the foregoing paragraph is particularly grave, the punishment shall be reform through labor for less than two years.

제87조 (군사복무동원기피죄) Article 87 (Evasion of Military Service)

군사복무동원을 기피한 자는 1년이하의 로동단련형에 처한다. 앞항의 행위를 전시 또는 준전시예 한 경우에는 3년이하의 로동교화형에 처한다.

A person who evades military service shall be punished by short-term labor for less than one year. In cases where the foregoing act is committed during wartime or quasi-wartime, the punishment shall be reform through labor for less than three years.

제88조 (기피자, 탈영자은닉죄) Article 88 (Harboring of Evaders and Deserters)

군사복무동원기피자, 탈영자라는것을 알면서 숨겨준자는 1년이하의 로동단련형에 처한다.

A person who knowingly hides an evader of military service or a deserter shall be punished by short-term labor for less than one year.

제89조 (군인으로 가장한 죄) Article 89 (Impersonating a Soldier)

군인으로 가장하여 사회적으로 위험한 행위를 한 자는 1년 이하의 로동단련형에 처한다.

A person who impersonates a soldier and commits a socially dangerous act shall be punished by short-term labor for less than one year.

제90조 (국방비밀루설죄) Article 90 (Disclosure of Confidential Information Concerning National Defense)

국방비밀을 루설한자는 1년이하의 로동단련형에 처한다. 중요한 국방비밀을 루설한 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who discloses confidential information or loses classified documents concerning national defense shall be punished by reform through labor for less than one year. In cases where national defense information is disclosed, the punishment shall be reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years.

제5장 사회주의경제를 침해한 범죄 **CHAPTER 5 CRIMINAL VIOLATIONS OF THE SOCIALIST ECONOMIC SYSTEM**

제1절 국가 및 사회협동단체 소유를 침해한 범죄 **SECTION 1. PROPERTY CRIMES INVOLVING STATE AND SOCIAL COOPERATIVE ORGANIZATIONS**

제91조 (국가재산훔친죄) Article 91 (Stealing State Property)

국가 및 사회협동단체의 재산을 훔친 자는 1년이하의 노동단련형에 처한다. 대량의 국가 및 사회협동단체재산을 훔친 경우에는 4년이하의 노동교화형에 처한다. 특히 대량의 국가 및 사회협동단체재산을 훔친 경우에는 4년이상 9년이하의 노동교화형에 처한다.

A person who steals the property of the state or a social cooperative organization shall be punished by short-term labor for less than one year. A person who steals a large amount of state or social cooperative organization property shall be punished by reform through labor for less than four years. Especially in cases where large amount of state or social cooperative organization property is stolen, the punishment shall be reform through labor for more than four years and less than nine years.

제92조 (국가재산빼앗은죄) Article 92 (Plundering State Property)

국가 및 사회협동단체의 재산을 빼앗은자는 1년이하의 노동단련형에 처한다. 여러 번 또는 공모하여 혹은 대량의 국가 및 사회협동단체재산을 빼앗은 경우에는 6년이하의 노동교화형에 처한다. 특히 대량의 국가 및 사회협동단체재산을 빼앗은 경우에는 6년이상 10년이하의 노동교화형에 처한다.

A person who plunders the property of the state or of a social cooperative organization shall be punished by short-term labor for less than one year. A person who plunders a large amount of property or plunders repeatedly or in collusion shall be punished by reform through labor for less than six years. In cases where an extremely large amount of state or social cooperative organization property has been plundered, the punishment shall be reform through labor for more than six years and less than ten years.

제93조 (국가재산속여가진 죄) Article 93 (Extortion of State Property)

국가 및 사회협동단체의 재산을 공갈하여 빼앗은자는 1년이하의 노동단련형에 처한다. 대량의 국가 및 사회협동단체재산을 속여가진 경우에는 3년이하의 노동교화형에 처한다. 특히 대량의 국가 및 사회협동단체재산을 속여가진 경우에는 3년이상 8년이하의 노동교화형에 처한다.

A person who extorts the property of the state or a social cooperative organization shall be punished by short-term labor for less than one year. A person who extorts a large amount of property, or extorts repeatedly or in collusion shall be punished by reform through labor for less than three years. In cases where a large amount of state or social cooperative organization property is extorted, the punishment shall be reform through labor for more than three years and less than eight years.

제94조 (국가재산횡령죄) Article 94 (Appropriation of State Property)

기관, 기업소, 단체의 위임에 따라 일정한 의무를 실행하는자 또는 관리 일군이 직무상 또는 일시적위임에 의하여 보관관리하고있는 국가 및 사회협동단체의 재산을 횡령한 경우에는 1년이하의 노동단련형에 처한다. 대량의 국가 및 사회협동단체 재산을 횡령한 경우에는 5년이하의 노동교화형에 처한다. 특히 대량의 국가 및 사회협동단체 재산을 횡령한 경우에는 5년이상 10년이하의 노동교화형에 처한다.

In cases where a person under a duty entrusted by an institution, corporate association or organization, or a management worker appropriates the property of the state or a social cooperative organization that he or she is in charge of, either as part of his or her duty or by temporary delegation, he or she shall be punished by short-term labor for less than one year. A person who appropriates a large amount of the property shall be punished by reform through labor for less than five years. In cases where a large amount of state or social cooperative organization property has been appropriated, the punishment shall be reform through labor for more than five years and less than ten years.

제95조 (국가재산대량락취죄) Article 95 (Plundering Large Amounts of State Property)

이 법 제91조-94조에 지적된 여러가지 행위를 하여 락취한 총량이 대량인 경우에는 5년이하의 로동교화형에 처한다. In cases where the person plunders a large amount of state property, as mentioned in the aforementioned acts in Articles 91 to 94, punishment shall be reform through labor for less than five years.

제96조 (국가재산강도죄) Article 96 (Robbery of State Property)

사람의 생명, 건강에 위협을 주는 폭행, 협박을 하여 국가 및 사회협동단체의 재산을 강도한자는 5년이하의 로동교화형에 처한다. 여러번 또는 공모하여 혹은 대량의 국가 및 사회협동단체재산을 강도하였거나 무기, 흉기를 리용하여 강도한 경우에는 5년이상 10년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 10년이상의 로동교화형에 처한다.

A person who robs the state or a social cooperative organization of its property through threats or assaults that endanger the lives and health of people shall be punished by reform through labor for less than five years. A person who employs violence to take a large amount of state or social cooperative organization property or commits the aforementioned act repeatedly, in collusion, or with weapons shall be punished by reform through labor for more than five years and less than ten years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than ten years.

제97조 (특히 무거운 형태의 국가재산락취죄) Article 97 (Extremely Grave Plunder of State Property)

국가 및 사회협동단체재산락취행위의 정상이 특히 무거운 경우에는 10년이상의 로동교화형에 처한다. In cases where the plunder of state or social cooperative organization property is extremely grave, the punishment shall be reform through labor for more than ten years.

제98조 (국가재산공동탐오죄) Article 98 (Collective Misappropriation of State Property)

비법적으로 상금, 우대제, 생활비를 적용하였거나 각종 총화, 후방사업의 명목으로 국가 및 사회협동단체재산의 공동탐오를 지시하였거나 조직한 자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who directs or organizes the collective misappropriation of state property or a social cooperative organization under the pretext of various gatherings or welfare projects, or illegally awards a cash prize, a premium or a stipend, shall be punished by short-term labor for less than one year. In cases where the act of the foregoing paragraph is grave, the punishment shall be reform through labor for less than two years.



제99조 (국가재산고의적파손죄) Article 99 (Intentional Destruction of State Property)

국가 및 사회협동단체의 재산을 고의적으로 파손시킨 자는 1년이하의 로동단련형에 처한다. 대량 또는 중요한 생산수단이나 시설물을 파손시켰거나 방화, 폭파의 방법으로 파손시킨 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who purposely destroys the property of the state or a social cooperative organization shall be punished by reform through short-term labor for less than one year. In cases where a particularly important means of production or an important facility is destroyed or in cases of arson or the use of explosives against the property of the state or a social cooperative organization, the punishment shall be reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years.

제100조 (국가재산과실적파손죄) Article 100 (Negligent Destruction of State Property)

대량의 국가 및 사회협동단체의 재산을 과실로 파손시킨 자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who commits negligent destruction of the property of the state or a social cooperative organization shall be punished by short-term labor for less than one year. In cases where the act of foregoing paragraph is grave, he or she shall be punished by reform through labor for less than three years.

제2절 경제관리질서를 침해한 범죄 **SECTION 2. CRIMINAL VIOLATIONS OF ECONOMIC ORDER**

제101조 (화폐위조 및 위조화폐사용죄) Article 101 (Forgery of Currency and Use of Counterfeit Currency)

공화국화폐와 외국화폐가 위조되었다는 것을 알면서 사용한자는 1년이하의 로동단련형에 처한다. 화폐를 위조하였거나 대량의 위조된 화폐를 사용한 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다. 특히 대량의 화폐를 위조한 경우에는 10년이상의 로동교화형에 처한다.

A person who knowingly uses counterfeit Republic or foreign currency that is counterfeited shall be punished by reform through labor for less than one year. A person who counterfeits the currency or uses a large amount of counterfeit currency shall be punished by reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years. In cases where the person counterfeits a large amount of currency, the punishment shall be reform through labor for more than ten years.

제102조 (증권위조 및 위조증권사용죄) Article 102 (Forgery of Securities and Use of Counterfeit Securities)

국가의 유가증권을 위조하였거나 대량의 위조된 증권을 사용한자는 1년이하의 로동단련형에 처한다. 대량의 유가증권을 위조하였거나 특히 대량의 위조증권을 사용한 경우에는 5년이하의 로동교화형에 처한다.

A person who counterfeits state securities or uses counterfeit securities shall be punished by labor for less than one year. In cases where the person counterfeits or uses a large amount of state securities, he or she shall be punished by reform through labor for less than five years.

제103조 (무현금결제수단의 비법발급, 결제, 사용죄) Article 103 (Illegal Issuance, Payment or Usage of a Noncash Method of Payment)

무현금결제수단을 비법적으로 발급하였거나 결제하여주었거나 사용하여 대량의 재산적손실을 준자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 특히 대량의 손실을 준 경우에는 5년이하의 로동교화형에 처한다.

A person who illegally issues, pays or uses a noncash method of payment shall be punished by short-term labor for less than one year. In cases where the foregoing act results in an extremely large loss, the punishment shall be reform through labor for less than five years.

제104조 (대부질서위반죄) Article 104 (Violation of the Loan Control)

은행일군이 비법적으로 현금을 대부하여준 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위로 특히 대량의 재산적손실을 준 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A bank employer or employee who illegally loans cash shall be punished by short-term reform through labor for less than one year. In cases where the person commits a large amount of financial damage due to the preceding act, he or she shall be punished by reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years.

제105조 (화폐질서위반죄) Article 105 (Violation of the Currency Control)

화폐교환질서를 어겨 국가에 재산적손실을 준자는 1년이하의 로동단련형에 처한다.

A person who commits financial damage to the Republic due to violating the currency exchange control shall be punished by reform through short-term labor for less than one year.

제106조 (화폐매매죄) Article 106 (Trading Foreign Currency)

리기적목적밑에 공화국은행에서 바꿀 수 있는 화폐를 매매한자는 1년이하의 로동단련형에 처한다.

A person who illegally exchanges currency that is exchangeable in a bank of the Republic for personal gain shall be punished by short-term labor for less than one year.

제107조 (외화관리질서위반죄) Article 107 (Violation of the Regulations for Foreign Currency Control)

외화관리질서를 어긴자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who violates the regulations for foreign currency control shall be punished by reform through short-term labor for less than one year. In cases where the act of foregoing paragraph is grave, he or she shall be punished by reform through labor for less than three years.

제108조 (외화사용질서위반죄) Article 108 (Violation of the Regulations For Currency Usage)

외화사용질서를 위반한자는 1년이하의 로동단련형에 처한다.

A person who violates the regulations for currency usage shall be punished by reform through labor for less than one year.

#### 제109조 (탈세죄) Article 109 (Tax Evasion)

2009-외국투자기업과 외국인이 고의적으로 세금을 납부하지 않았거나 적게 납부한 경우에는 3년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 3년이상 5년이하의 로동교화형에 처한다.

2009-A foreign investment company or a foreigner that intentionally fails to pay taxes in whole or in part shall be punished by reform through labor for less than three years. In cases where the company or the person commits a grave offense, he or she shall be punished by reform through labor for more than three years and less than five years.

#### 제110조 (국가납부질서위반죄) Article 110 (Violation of State Payment Regulations)

국가납부질서를 어긴자는 1년이하의 로동단련형에 처한다.

A person who violates the regulations to make payments to the state shall be punished by reform through short-term labor for less than one year.

#### 제111조 (암거래죄) Article 111 (Illegal Trade)

개인이 암거래행위를 하여 대량의 리득을 얻은 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위로 특히 대량의 리득을 얻은 경우에는 2년이하의 로동교화형에 처한다.

A person who commits illegal trade and creates a large amount of profits shall be punished by reform through short-term labor for less than one year. In cases where the person gains extremely large profits due to the preceding act, he or she shall be punished through labor for less than two years.

#### 제112조 (거관죄) Article 112 (Brokerage)

거간행위를 하여 대량의 리득을 얻은 자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 특히 대량의 리득을 얻은 경우에는 3년이하의 로동교화형에 처한다.

A person who gains large profits from brokering shall be punished by short-term labor for less than one year. In cases where the profits gained from the foregoing act are particularly large, the punishment shall be reform through labor for less than three years.

#### 제113조 (고리대죄) Article 113 (Usury)

고리대행위를 상습적으로 한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who engages in usury shall be punished by short-term labor for less than one year. In cases where the preceding act is a grave offense, the punishment shall be reform through labor for less than three years.

#### 제114조 (비법적인 영업죄) Article 114 (Illegal Commercial Activity)

개인이 국가기관의 승인없이 영업활동을 하여 대량의 리득을 얻은 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who gains large profits by engaging illegally in commercial activities without a state organization's permission shall be punished by reform through short-term labor for less than one year. In cases where the preceding act is a grave offense, punishment shall be by reform through labor for less than two years.

제115조 (무역 또는 외화벌이기관, 단체의 상적행위죄) Article 115 (Unfair Commercial Activity of Institutions or Trade and Foreign Currency Earning Agency or Organization)

무역 또는 외화벌이기관, 단체의 관리일군이 다른 나라에서 들여온 물자를 가지고 비법적으로 상적행위를 한 경우에는 1년이하의 로동단련형에 처한다.

In cases where a person in charge of a trade or foreign currency earnings agency or organization illegally conducts unfair commercial activities with supplies imported from other countries, the punishment shall be short-term labor for less than one year.

제116조 (법인행세죄) Article 116 (Impersonation of Corporation)

법인으로 가장하여 경제거래를 하여 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who commits a grave offense by impersonating a corporation to conduct transactions shall be punished by short-term labor for less than one year.

제117조 (특허권, 상표권, 공업도안권, 원산지명권침해죄) Article 117 (Encroachment Upon Patent, Trademark, Industrial Design, or Country of Origin Markings)

특허권, 상표권, 공업도안권, 원산지명권을 침해한 자는 1년이하의 로동단련형에 처한다. 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who encroaches upon patent, trademark, industrial design or country of origin markings shall be punished by short-term labor for less than one year. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for less than two years.

제118조 (귀금속, 유색금속밀수, 밀매죄) Article 118 (Smuggling and Trafficking of Precious or Non-Ferrous Metals)

귀금속 또는 유색금속을 밀수, 밀매한 자는 1년이하의 로동단련형에 처한다. 대량의 귀금속 또는 유색금속을 밀수, 밀매한 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다. 앞항의 행위가 정상이 특히 무거운 경우에는 10년이상의 로동교화형에 처한다.

A person who illegally smuggles or traffics precious or non-ferrous metals shall be punished by reform through short-term labor for less than one year. In cases where a large quantity of precious or non-ferrous metals is smuggled or trafficked, the punishment shall be reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years. In cases where the foregoing act is particularly grave, the punishment shall be reform through labor for more than ten years.

제119조 (밀수죄) Article 119 (Smuggling)

밀수행위를 한 자는 1년이하의 로동단련형에 처한다. 대량 또는 여러번 혹은 국가가 통제하는 물건을 밀수하였거나 앞항의 행위를 해당 부문 공무원이 한 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who smuggles goods shall be punished by reform through short-term labor for less than one year. A government official in the relevant sector who commits the aforementioned act or smuggles goods that are under state control or smuggles goods in large quantities or repeatedly shall be punished by reform through

labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years.

제120조 (수출입질서위반죄) Article 120 (Violation of the Regulations for Import and Export)

비법적으로 수출입행위를 조직하였거나 지시한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person in charge of an institution, corporate association or organization who violates the regulations for import and export shall be punished by short-term labor for less than one year. In cases where the preceding act is a grave offense, he or she shall be punished by reform through labor for less than three years

제121조 (대외경제활동질서위반죄) Article 121 (Violation of Foreign Economic Activities Regulations)

대외경제활동을 무책임하게 하여 재산적손실을 준자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who conducts foreign economic activities in an irresponsible manner that causes large financial damage shall be punished by reform through labor for less than one year. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for less than three years.

제122조 (비법적인 외화원천동원죄) Article 122 (Illegal Payment of Sources for Foreign Currency Earnings)

비법적으로 돈 또는 물건을 주고 외화원천동원을 한자는 1년이하의 로동단련형에 처한다. 국가가 통제하는 물건을 외화원천으로 동원한 경우에는 3년이하의 로동교화형에 처한다.

A person who illegally pays money or goods as sources for foreign currency earnings shall be punished by short-term labor for less than one year. In cases where goods under state control are paid as sources for foreign currency earnings, the punishment shall be reform through labor for less than three years.

제123조 (비법적인 작업 또는 수송죄) Article 123 (Illegally Performed Work or Transportation)

기관, 기업소, 단체의 기계설비와 운수수단을 리용하여 비법적으로 작업 또는 수송을 하여주고 특히 대량의 돈 또는 물건을 받은자는 1년이하의 로동단련형에 처한다.

A person who uses machinery and transportation of an institution, corporate association or organization to illegally perform work or transportation for another and receives a particularly large amount of money or goods shall be punished by short-term labor for less than one year.

제124조 (철도, 수상, 항공운수질서위반죄) Article 124 (Violation of the Railway, Marine or Air Transportation Regulations)

운수조직과 지휘를 무책임하게 하였거나 교통운수질서를 어겨 기차, 배, 비행기를 손상시켰거나 그 정상적 운행에 지장을 주었거나 사람을 죽게 중상해를 입게 하였거나 사람을 죽게 한자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 기차, 배, 비행기를 전복, 파괴시켰거나 여러명이 중상해를 입게 하였거나 여러명을 죽게 한 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다. 1항의 행위가 정상이 특히 무거운 경우에는 10년이상의 로동교화형에 처한다.

A person who damages a train, a ship or an airplane, hinders its regular operation or causes death or serious injury by violating transportation regulations or giving irresponsible directions shall be punished by reform

through short-term labor for less than one year. In cases where the preceding act damages or destroys a train, ship, or an airplane, and causes multiple deaths or serious injuries to multiple persons, punishment shall be by reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years. In cases where the foregoing act of Paragraph 1 is particularly grave, the punishment shall be reform through labor for more than ten years.

제125조 (화차, 짐배리용질서위반죄) Article 125 (Violation of Freight Car and Cargo Regulations)

화차, 짐배의 리용질서를 어겨 화차, 짐배를 상당한 기간 지체시킨자는 1년이하의 로동단련형에 처한다.  
A person who violates regulations for freight cars and cargoes, resulting in delaying freight cars and cargoes, shall be punished by reform through short-term labor for less than one year.

제126조 (운수수단운행방해죄) Article 126 (Interruption of Transportation Utilization Service)

운수수단의 운행을 방해하여 지체시킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.  
A person who interrupts the transportation utilization service shall be punished by short-term labor for less than one year. In cases where the preceding act is a grave offense, punishment shall be reform through labor for less than three years.

제127조 (인민경제계획규률위반죄) Article 127 (Violation of the People's Economic Plan Regulations)

인민경제계획을 되는대로 세웠거나 계획을 고쳤거나 계획수행정형을 거짓보고하였거나 계획대로 집행하지 않아 인민경제의 계획적, 균형적발전에 지장을 준자는 1년이하의 로동단련형에 처한다.  
A person who hinders or modifies the planned and balanced development of the people's economy by drawing up a plan for the people's economy in a haphazard manner shall be punished by short-term labor for less than one year.

제128조 (계약규률위반죄) Article 128 (Violation of Contractual Regulations)

계약규률을 어겨 인민경제계획수행에 지장을 준 자는 1년이하의 로동단련형에 처한다.  
A person who hinders the execution of a plan for the people's economy by violating contractual regulations shall be punished by short-term labor for less than one year.

제129조 (국가예비물자의 공급, 보관, 리용질서위반죄) Article 129 (Violation of Supply, Storage and Use of State Reserve Supply Regulations)

국가예비물자의 공급, 보관, 리용질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.  
A person who violates supply, storage and state reserve supply regulations shall be punished by short-term labor for less than one year. In cases where the preceding act is a grave offense, he or she shall be punished by reform through labor for less than three years.

제130조 (마약, 독약, 폭발물의 보관, 공급질서위반죄) Article 130 (Violation of the Regulations for Storage and Supply of Drugs, Poisons, and Explosives)

마약이나 독약, 폭발물에 대한 보관 및 공급질서를 어긴자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who violates the regulations for storage and supply of drugs, poisons, and explosives shall be punished by short-term labor for less than one year. In cases where the act of the foregoing paragraph is a grave offense, the punishment shall be reform through labor for less than three years.

제131조(비법적인 경제관리죄) Article 131 (Illegal Management of Economy)

비법적으로 경제관리를 한자는 1년이하의 로동단련형에 처한다.

A person who engages in illegal economic management shall be punished by short-term labor for less than one year.

제132조 (국가재산을 개인에게 비법적으로 꾸어준 죄) Article 132 (Illegal lending of State Property to an Individual)

화폐를 비롯한 국가 및 사회협동단체의 재산을 개인에게 비법적으로 꾸어준자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

A person who illegally lends to an individual the property of the state or a social cooperative organization, including currency, shall be punished by short-term labor for less than one year. In cases where the preceding act is a grave offense, he or she shall be punished by reform through labor for less than five years.

제133조 (원료, 자재, 자금, 설비의 류용, 랑비, 사장죄) Article 133 (Misappropriating, Squandering or Hoarding of Raw and Other Materials, Funds and Equipment)

원료, 자재, 자금 또는 설비를 류용, 랑비하였거나 경제관리운영에 지장을 주었거나 국가 및 사회협동단체에 재산적 손실을 준자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who hinders the normal management of the economy or causes the loss of state property or the property of a social cooperative organization by misappropriating raw and other materials, funds or equipment shall be punished by short-term labor for less than one year. In cases where the preceding act is a grave offense, he or she shall be punished by reform through labor for less than two years.

제134조 (국가재산의 부패변질, 류실죄) Article 134 (Spoilage and Loss of State Property)

국가 및 사회협동단체의 재산을 무책임하게 보관관리하여 대량의 재산을 부패변질, 류실시킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 특히 대량의 국가 및 사회협동단체 재산을 부패변질, 류실시킨 경우에는 2년이하의 로동교화형에 처한다.

A person who causes a large quantity of the property of the state or of a social cooperative organization to be spoiled or lost by managing such property in an irresponsible manner shall be punished by short-term labor for less than one year. In cases where the foregoing act causes a particularly large quantity of the property of the state or a social cooperative organization to be spoiled or lost, the punishment shall be reform through labor for less than two years.

제135조 (설비, 물자, 자재, 자금의 비법처분죄) Article 135 (Illegal Disposal of Equipment, Supplies, Materials, and Funds)

기관, 기업소, 단체사이에 비법적으로 설비, 물자, 자재, 자금을 주었거나 받았거나 바꾸었거나 팔고산 경우에는 1년이하의 로동단련형에 처한다.

A person who illegally trades equipment, supplies, materials, or funds with an institution, corporate association, or an organization shall be punished by short-term labor for less than one year.

제136조 (재산을 약취하여 기관에 넘겨준죄) Article 136 (Plundering and Transferring Property)

재산을 약취하여 자기 기관, 기업소, 단체에서 썼거나 다른 기관, 기업소, 단체에 넘겨준 자는 1년이하의 로동단련형에 처한다.

A person who plunders property and uses said property in his or her institution, corporate association or organization, or transfers said property to another institution, corporate association or organization, shall be punished by short-term labor for less than one year.

제137조 (오작품, 불합격품생산죄) Article 137 (Production of Sub-standard or Rejected Goods)

기술규정, 표준조작법, 규격, 공정검사에 관한 질서를 어겨 대량의 오작품, 불합격품을 생산하였거나 생산되게 한자는 1년이하의 로동단련형에 처한다.

A person who fails to meet technical regulations, standard operating regulations or specifications and produces or directs the production of a large quantity of sub-standard or rejected goods shall be punished by short-term labor for less than one year.

제138조 (품질감독질서위반죄) Article 138 (Violation of Quality Control Regulations)

품질감독질서를 어긴자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

2012; A person who violates the regulations for quality control shall be punished by short-term labor for less than one year. In cases where the preceding act is a grave offense, he or she shall be punished by reform through labor for less than two years.

제139조 (생산수단수리질서위반죄) Article 139 (Violation of Production and Repair Regulations)

생산수단수리규정을 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who violates regulations for production and repair shall be punished by reform through labor for less than one year.

제140조 (설비점검, 보수질서위반죄) Article 140 (Violation of Inspection and Repair Equipment Regulations)

설비점검, 보수질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person whose failure to conduct organized enterprises in accordance with the regulations for inspection and repair of equipment leads to equipment damage or production stoppages shall be punished by short-term



labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

제141조 (오작설계, 오작시공죄) Article 141 (Sub-standard Design and Faulty Construction)

오작설계를 하였거나 오작시공하여 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who makes a sub-standard design for construction or constructs without a blueprint, causing serious injury or great loss, shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

제142조 (국가건물리용질서위반죄) Article 142 (Violation of State Building Usage Regulations)

국가건물리용질서를 어긴자는 1년이하의 로동단련형에 처한다.

A person who violates regulations for using state buildings shall be punished by reform through short-term labor for less than one year.

제143조 (준공검사 및 리용허가질서위반죄) Article 143 (Irresponsible Inspection of Construction and Approval for Use)

건설물의 준공검사와 기계, 설비의 리용허가질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who commits a grave offense by violating the regulations of inspecting a building, machinery, or equipment shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

제144조 (준공검사 및 사용허가를 받지 않고 건설물 또는 기계, 설비를 리용하게 한 죄) Article 144 (Usage without Inspection of Construction and Approval for Usage of a Building, Equipment, and Facilities)

준공검사와 사용허가를 받지 않고 건설물 또는 기계, 설비를 리용하게 하여 엄중한 결과를 일으킨 자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who makes a sub-standard design for construction or constructs without a blueprint or without proper reference to it, causing serious great loss, shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

제145조 (실리가 없는 시설건설, 기계설비제작죄) Article 145 (Unprofitable Construction of a Building, Equipment, or Facilities)

경제적으로 실리가 없거나 매우 적다는 것을 알면서 시설을 건설하였거나 기계설비를 제작하여 특히 대량의 자재와 자금, 로력을 낭비한자는 1년이하의 로동단련형에 처한다.

A person who constructs a facility or manufactures machinery knowing that there are no or very few economic benefits, thereby squandering a large amount of materials, funds or labor, shall be punished by short-term labor for less than one year.

제146조 (국가살림집리용질서위반죄) Article 146 (Violation of State-Owned Dwelling Place Regulations)

국가살림집리용질서를 어긴자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who violates regulations for state-owned dwelling places shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

제147조 (농업생산질서위반죄) Article 147 (Violation of Agricultural Production Regulations)

농업생산질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who violates the regulations for agricultural production shall be punished by reform through short-term labor for less than one year.

제148조 (수의방역 및 사양관리질서위반죄) Article 148 (Violation of Veterinary Control and Breeding Regulations)

수의방역 또는 사양관리질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who violates the regulations for veterinary control or breeding, causing great loss, shall be punished by reform through short-term labor for less than one year.

제149조 (양어사업질서위반죄) Article 149 (Violation of Pisciculture Business Regulations)

양어사업질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who violates the regulations for the maintenance of fish farms shall be punished by reform through short-term labor for less than one year.

제150조 (천해양식질서위반죄) Article 150 (Violation of Mariculture Regulations)

천해양식질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who violates the regulations for mariculture, causing great loss, shall be punished by reform through short-term labor for less than one year.

제151조 (상품공급질서위반죄) Article 151 (Violation of Product Supply Regulations)

상품을 제때에 인수하지 않았거나 상품공급질서를 어겨 인민생활에 커다란 불편을 준자는 1년이하의 로동단련형에 처한다.

A person who does not receive a product in a timely manner or violates the regulations for product supply, resulting in great inconvenience to the people's lives, shall be punished by short-term labor for less than one year.

제152조 (상품판매질서위반죄) Article 152 (Violation of Product Sale Regulations)

상품판매질서를 어긴자는 1년이하의 로동단련형에 처한다.

A person who violates regulations for product sale shall be punished by reform through short-term labor for less than one year.

제153조 (량정질서위반죄) Article 153 (Violation of Crop Policy Regulations)

량정질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who violates regulations for crop policy shall be punished by reform through short-term labor for less than one year.

제154조 (밀주죄) Article 154 (Illegal Production)

장사 또는 물물교환의 목적으로 밀주행위를 한자는 1년이하의 로동단련형에 처한다.

A person who commits illegal production for sale or trade shall be punished by reform through short-term labor for less than one year.

제155조 (계량기구량목위반죄) Article 155 (Violation of Measuring Instruments Regulations)

계량기구의 눈금과 량을 비법적으로 고친자 또는 계량기구의 눈금과 량이 틀린다는것을 알면서 사용한자는 1년이하의 로동단련형에 처한다.

A person who illegally changes the scale and standard of measuring instruments or uses them knowing that their scale and standard are incorrect shall be punished by short-term labor for less than one year.

제156조 (전력공급질서위반죄) Article 156 (Violation of Production and Supply of Electricity Regulations)

전력공급질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who violates the regulations for production and supply of electricity, resulting in serious consequences, shall be punished by short-term labor for less than one year.

제157조 (전력사용질서위반죄) Article 157 (Violation of Use of Electricity Regulations)

전력사용질서를 어겨 대량의 전력을 낭비한자는 1년이하의 로동단련형에 처한다.

A person who violates the regulations for electricity use, thereby squandering a large amount of electric power shall be punished by short-term labor for less than one year.

제158조 (통신사업질서위반죄) Article 158 (Violation of Communications and Broadcasting Services Regulations)

통신사업질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who violates regulations for communications and broadcasting services, resulting in serious consequences, shall be punished by reform through labor for less than one year.

제159조 (해사감독질서위반죄) Article 159 (Violation of the Maritime Affairs Supervision Regulations)

배설계의 심의, 배의 등록과 검사, 선원의 등록과 기술자격심사를 무책임하게 하여 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who violates the regulations for maritime affairs supervision and irresponsibly conducts ship design review, ship registration and inspection, sailor registration or technical certification examination shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

제160조 (해난구조의무기피죄) Article 160 (Evasion of Responsibility to Rescue)

해난구조를 의뢰받은자가 위험에 처한 사람, 배, 짐을 구조하지 않아 엄중한 결과를 일으킨 경우에는 1년이하의 로동단련형에 처한다. 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who is required to conduct rescue operations but does not rescue an endangered person, vessel or load, resulting in serious consequences, shall be punished by short-term labor for less than one year. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for less than three years.

제161조 (가격제정질서위반죄) Article 161 (Violation of Price Setting Regulations)

가격제정질서를 어긴자는 1년이하의 로동단련형에 처한다.

A person who violates the regulations for price setting shall be punished by short-term labor for less than one year.

제162조 (난방열도용죄) Article 162 (Stealing Heat)

비법적으로 난방열을 도용하여 난방열공급에 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who illegally uses heat, resulting in serious consequences in heat supply, shall be punished by reform through labor for less than one year.

제163조 (주민연료공급질서위반죄) Article 163 (Violation of Resident Fuel Supply Regulations)

주민연료확보사업을 무책임하게 하였거나 공급질서를 어겨 인민생활에 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who fails to responsibly secure residential fuel or violates the regulations for its supply, resulting in serious consequences, shall be punished by short-term labor for less than one year.

제3절 국토관리 및 환경보호질서를 침해한 범죄 **SECTION 3. CRIMINAL VIOLATIONS OF THE REGULATIONS FOR LAND ADMINISTRATION AND ENVIRONMENTAL PROTECTION**

제164조 (토지리용질서위반죄) Article 164 (Violation of Land Use Regulations)

토지리용질서를 어긴자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who violates regulations for land use shall be punished by reform through labor for less than one year. In cases where the foregoing act is a grave offense, punishment shall be reform through labor for less than three years.

제165조 (토지보호질서위반죄) Article 165 (Violation of Land Protection Regulations)

토지보호질서를 어겨 토지를 류실시킨자는 1년이하의 로동단련형에 처한다.

A person who violates regulations for land protection, causing land to be washed away, shall be punished by reform through short-term labor for less than one year.

제166조 (지하자원개발, 채굴 및 제련질서위반죄) Article 166 (Violation of Subterranean Resources Development, Mining, and Smelting Regulations)

지하자원의 개발, 채굴 및 제련질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who violates regulations for subterranean resources development, mining, or smelting, resulting in serious consequences, shall be punished by reform through short-term labor for less than one year.

제167조 (개인의 광석채취, 제련죄) Article 167 (Individual Collection and Smelting of Ores)

개인이 광석을 채취, 제련한 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who individually collects or smelts ores shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

제168조 (산림조성, 보호, 리용질서위반죄) Article 168 (Violation of Regulations for Creation, Protection and Use of Forests Regulations)

산림조성, 보호, 리용질서를 어겨 산림자원에 대량의 재산적손실을 준자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who violates the regulations for creation, protection or use of forests, resulting in great damage to forestry resources, shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

제169조 (산림람도벌죄) Article 169 (Abusive and Illegal Felling of Forest Trees)

개인이 산림을 람도벌한 경우에는 1년이하의 로동단련형에 처한다. 대량 또는 주요대상지의 산림을 람도벌한 경우에는 2년이하의 로동교화형에 처한다.

A person who fells trees in a forest abusively or illegally shall be punished by short-term labor for less than one year. In cases where a large number of trees are felled or trees of designated important forests are felled, the punishment shall be reform through labor for less than two years.

제170조 (과실적산불죄) Article 170 (Forest Fire Caused by Negligence)

과실로 산불을 일으켜 산림자원에 손실을 준자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who causes a large loss to forest resources by beginning a forest fire through negligence shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

제171조 (비법적인 산개간죄) Article 171 (Illegal Clearing of Forest)

비법적으로 산을 개간한자는 1년이하의 로동단련형에 처한다.

A person who illegally clears a forest shall be punished by short-term labor for less than one year.

제172조 (수산 및 동식물자원보호질서위반죄) Article 172 (Violation of Marine, Animal, and Plant Resources Protection and Maintenance Regulations)

허가없이 또는 금지된 시기와 장소 혹은 금지된 수단과 방법으로 물고기와 리로운 동식물을 잡았거나 채취한 자는 1년이하의 로동단련형에 처한다.

A person who catches or collects fish and useful animals or plants without permission, during the closed season, in a prohibited area, or by banned means and methods, shall be punished by short-term labor for less than one year.

제173조 (환경보호질서위반죄) Article 173 (Violation of Environmental Protection Regulations)

환경보호질서를 어겨 대기, 물, 토양을 오염시킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who violates regulations for environmental protection and contaminates the air, water or soil to create pollution shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

제174조 (하천보호질서위반죄) Article 174 (Violation of River Protection Regulations)

하천보호질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who violates the regulations for river protection, resulting in a risk of serious consequences, shall be punished by short-term labor for less than one year.

제175조 (도로관리질서위반죄) Article 175 (Violation of Road Maintenance Regulations)

도로를 정상적으로 수리, 정비, 보수하지 않아 운수수단의 운행에 지장을 준자는 1년이하의 로동단련형에 처한다.

A person who fails to duly repair or maintain roads, thereby hindering transportation service, shall be punished by short-term labor for less than one year.

제4절 로동행정질서를 침해한 범죄 **SECTION 4. CRIMINAL VIOLATIONS OF THE REGULATIONS FOR LABOR ADMINISTRATION**

제176조 (로동보호 및 로동안전시설을 갖추지 않은 죄) Article 176 (Failure to Provide Labor Protection and Labor Safety Facilities)

로동보호 및 로동안전시설을 갖추어주지 않고 로동을 시켜 사람이 중상해를 입게 하였거나 사람을 죽게 하였거나 대량의 재산적손실을 가져오게 한자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 여러명이 중상해를 입게 하였거나 여러명을 죽게 하였거나 특히 대량의 재산적 손실을 가져오게 한 경우에는 5년이하의 로동교화형에 처한다.

A person who directs workers to work without providing labor protection and labor safety facilities, thereby causing serious injury, serious accidents, or financial damage, shall be punished by short-term labor for less than one year. In cases where the foregoing act causes multiple deaths or serious injuries to multiple persons, the punishment shall be reform through labor for less than five years.

#### 제177조 (로동안전질서위반죄) Article 177 (Violation of Labor Safety Regulations)

로동안전질서를 어겨 사람이 중상해를 입게 하였거나 사람을 죽게 하였거나 대량의 재산적손실을 가져오게 한자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 여러명이 중상해를 입게 하였거나 여러명을 죽게 하였거나 특히 대량의 재산적손실을 가져오게 한 경우에는 5년이하의 로동교화형에 처한다.

A person who violates the regulations for labor safety, thereby causing serious injury, accidents, or financial damage, shall be punished by short-term labor for less than one year. In cases where the foregoing act causes multiple deaths, serious injuries to multiple persons, or extreme financial damage, the punishment shall be reform through labor for less than five years.

#### 제178조 (화재방지규정위반죄) Article 178 (Violation of Fire Prevention Regulations)

화재방지대책을 세우지 않아 화재, 폭발 같은 엄중한 사고를 일으켜 사람이 중상해를 입게하였거나 사람을 죽게 하였거나 대량의 재산적손실을 가져오게 한자는 1년 이하의 로동단련형에 처한다. 앞항의 행위로 사람을 죽게 하였거나 여러명을 죽게 하였거나 특히 대량의 재산적손실을 가져오게 한 경우에는 5년이하의 로동교화형에 처한다.

A person who fails to take measures to prevent fire or explosions, resulting in serious accidents, death, or property loss, shall be punished by short-term labor for less than one year. In cases where the foregoing act causes death, injuries to multiple persons, or a particularly large property loss, the punishment shall be reform through labor for less than five years.

#### 제179조 (교통사고죄) Article 179 (Traffic Accidents)

자동차와 같은 륜전기재를 운전하는 자가 통행질서를 어겨 사람에게 중상해를 입게 하였거나 사람을 죽게 하였거나 대량의 재산적손실을 가져오게 한 경우에는 1년이하의 로동단련형에 처한다. 앞항의 여러명이 중상해를 입게 하였거나 여러명을 죽게 하였거나 특히 대량의 재산적손실을 가져오게 하였거나 사고를 내고 도주한 경우에는 5년이하의 로동교화형에 처한다.

A driver of a wheeled vehicle such as a car, who violates traffic safety regulations, thereby causing serious injury, accidents, or property loss, shall be punished by short-term labor for less than one year. In cases where the foregoing act causes deaths, injuries to multiple persons, extreme property loss, or where the persons escapes, the punishment shall be reform through labor for less than five years.

#### 제180조 (사회주의분배질서위반죄) Article 180 (Violation of Socialist Distribution Regulations)

로동의 량과 질에 대한 평가를 고의적으로 그릇되게 하여 분배, 생활비, 상금을 부당하게 적용한 자는 1년이하의 로동단련형에 처한다.

A person who deliberately makes an inaccurate assessment of the quantity and quality of labor and makes an unjust distribution of profits, living expenses, or prize money shall be punished by short-term labor for less than one year.

제181조 (미성인에게 로동을 시킨 죄) Article 181 (Assigning Work to Minors)

로동할 나이에 이르지 못한 미성인에게 로동을 시킨자는 1년이하의 로동단련형에 처한다.

A person who assigns work to a minor under the working age shall be punished by short-term labor for less than one year.

제182조 (여성에게 금지된 로동을 시킨 죄) Article 182 (Assigning Prohibited Work to Women)

여성에게 법적으로 금지된 로동을 시킨 자는 1년이하의 로동단련형에 처한다.

A person who makes women do the kinds of work prohibited by law shall be punished by short-term labor for less than one year.

제6장 사회주의문화를 침해한 범죄 **CHAPTER 6 CRIMES OF IMPAIRING SOCIALIST CULTURE**

제183조 (퇴폐적인 문화반입, 류포죄) Article 183 (Importation and Distribution of Decadent Culture)

퇴폐적이고 색정적이며 추잡한 내용을 반영한 그림, 사진, 도서, 록화물과 전자매체 같은것을 허가없이 다른 나라에서 들여왔거나 만들었거나 류포하였거나 비법적으로 보관하고 있는자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

A person who, without authorization, imports, makes, distributes or illegally keeps drawings, photos, books, video recordings or electronic media that reflect decadent, carnal or foul contents shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than five years.

제184조 (퇴폐적인 행위를 한 죄) Article 184 (Conduct of Decadent Acts)

퇴폐적이고 색정적이며 추잡한 내용을 반영한 그림, 사진, 도서, 록화물과 전자매체 같은것을 보았거나 들었거나 그러한 행위를 한자는. 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who watches or listens to drawings, photos, books, video recordings or electronic media that reflects decadent, carnal or foul contents or who performs such acts himself or herself shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

제185조 (적대방송청취, 적자물수집, 보관, 류포죄) Article 185 (Listening to Hostile Broadcasting and Collecting, Keeping or Distributing Enemy Propaganda)

반국가목적이 없이 적들의 방송을 들었거나 적자물을 수집, 보관하였거나 류포한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

A person who, without anti-state motives, listens to an enemy's broadcasting or collects, keeps or distributes enemy propaganda, shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than five years.



제186조 (역사유적, 유물, 명승지, 천연기념물고의적파손죄) Article 186 (Intentional Damaging of Historic Sites, Relics, Scenic Spots or Natural Monuments)

국가가 보존관리하는 역사유적과 유물, 명승지, 천연기념물을 고의적으로 파손시킨자는 1년이하의 로동단련형에 처한다.

A person who intentionally damages historic sites, relics, or natural monuments that are preserved and managed by the state shall be punished by short-term labor for less than one year.

제187조 (역사유적, 유물, 명승지, 천연기념물파손죄) Article 187 (Damaging of Historic Sites, Relics, Scenic Spots or Natural Monuments)

국가가 보존관리하는 역사유적과 유물, 천연기념물을 과실로 파손시킨자는 1년이하의 로동단련형에 처한다.

A person who damages historic sites, relics, or natural monuments that are preserved and managed by the state shall be punished by short-term labor for less than one year.

제188조 (역사유적도굴죄) Article 188 (Robbing of Historic Sites)

역사유적을 도굴한자는 1년이하의 로동교화형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

A person who robs an historic site shall be punished by reform through labor for less than five years. In cases where the foregoing act is a grave offense, the punishment shall be reform through labor for less than five years.

제189조 (역사유물밀수, 밀매죄) Article 189 (Smuggling and Illegal Trafficking of Historic Relics)

역사유물을 밀수, 밀매한자는 1년이하의 로동교화형에 처한다. 국보역사유물을 밀수, 밀매하였거나 준국보역사유물을 여러 번 밀수, 밀매한 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who illegally smuggles or traffics an historic relic shall be punished by reform through labor for less than one year. In cases where state historic relics are smuggled or illegally sold, or where the offense is committed repeatedly or in collusion, the punishment shall be reform through labor for less than five years. In cases where the foregoing act is a grave offense, punishment shall be more than five years and less than ten years.

제190조 (저작, 발명, 창의고안묵살죄) Article 190 (Disregard of Writings, Inventions or Technical Innovations)

탐욕, 질투 그밖의 비렬한 동기말에 저작, 발명, 창의고안을 그릇되게 평가하여 묵살시킨 자는 1년이하의 로동단련형에 처한다.

A person who makes an incorrect assessment of writings, inventions or technical innovations and ignores them out of greed, jealousy or other pernicious motives shall be punished by short-term labor for less than one year.

제191조 (저작, 발명, 창의고안도용죄) Article 191 (Theft of Writings, Inventions or Technical Innovations)

리기적목적에서 다른 사람의 저작, 발명, 창의고안을 자기 이름으로 발표한 자는 1년이하의 로동단련형에 처한다.

A person who publishes another person's writings, inventions or technical innovations under his or her own name for personal gain shall be punished by short-term labor for less than one year.

제192조 (컴퓨터망침입죄) Article 192 (Breaking into a Computer Network)

국가관리, 국방건설, 첨단과학기술분야의 컴퓨터망에 침입한자는 1년이하의 로동교화형에 처한다.

A person who breaks into a computer network of state maintenance, national defense construction or the technology and science sector shall be punished by reform through labor for less than one year.

제193조 (정보파손죄) Article 193 (Damaging Information)

컴퓨터 같은 정보처리장치에 보존된 중요정보를 파손시킨 자는 1년이하의 로동교화형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who damages important information stored in an information-processing device such as a computer shall be punished by reform through labor for less than one year. In cases where the foregoing act is a grave offense, punishment shall be reform through labor for less than two years.

제194조 (허위정보입력, 류포죄) Article 194 (Input and Distribution of False Information)

탐욕, 질투 그밖의 비렬한 동기에서 컴퓨터망에 허위정보를 입력시켰거나 류포시켜 정보처리에 혼란을 조성한 자는 1년이하의 로동교화형에 처한다.

A person who inputs or distributes false information into a computer network out of greed, jealousy or other pernicious motives, thereby causing confusion in information processing, shall be punished by reform through labor for less than one year.

제195조 (후비양성질서위반죄) Article 195 (Unjust Execution of Next Generation Cultivation Affairs)

학교추천과 입학, 실력평가와 배치사업을 부당하게 한 자는 1년이하의 로동단련형에 처한다.

A person who unjustly executes recommendations for school, school admission, skills evaluation or school placement shall be punished by short-term labor for less than one year.

제196조 (체육선수선발질서위반죄) Article 196 (Unjust Selection of Athletes)

중요체육경기에 출전한 선수선발을 바로하지 못하여 엄중한 결과를 일으킨 자는 1년이하의 로동단련형에 처한다.

A person who does not rightly select athletes for important competitions, resulting in serious consequences, shall be punished by short-term labor for less than one year.

제197조 (어린이보호, 관리질서위반죄) Article 197 (Violation of Child Protection and Care Regulations)

탁아소, 유치원일군이 어린이보호, 관리질서를 어겨 어린이가 중상해를 입게 하였거나 어린이를 죽게 한 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A worker serving at a nursery or a kindergarten who violates the regulations for child protection and care, thereby severely injuring or killing a child, shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

#### 제198조 (의료사고죄) Article 198 (Medical Accident)

의료일군이 치료와 간호를 불성실하게 하였거나 잘못하여 환자가 중병에 걸리게 하였거나 중상해를 입게 하였거나 죽게 한 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A medical worker, who irresponsibly treats and nurses a patient, thereby causing death or harm to the patient, shall be punished by reform through short-term labor for less than one year. In cases where the foregoing act is a grave offense, punishment shall be reform through labor for less than three years.

#### 제199조 (치료거부죄) Article 199 (Refusal to Treat a Patient)

의료일군이 특별한 리유없이 왕진과 치료를 거부하여 환자를 죽게 한 경우에는 1년이하의 로동교화형에 처한다.

A medical worker who, without a special reason, refuses to visit a patient or to treat him or her, thereby causing the patient to die, shall be punished by reform through labor for less than one year.

#### 제200조 (비법의료죄) Article 200 (Illegal Medical Service)

의료일군이 아닌자 또는 의료일군이라 하더라도 의무활동외에 리기적목적으로 의료행위를 하여 환자가 중병에 걸리게 하였거나 중상해를 입게 하였거나 죽게 한 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

In cases where a person who is not a medical worker, or a person who, albeit being a medical worker, does harm to a person's health by giving him medical treatment for personal gain, that person shall be punished by reform through short-term labor for less than one year. In cases where the foregoing act results in serious consequences, the punishment shall be reform through labor for less than five years.

#### 제201조 (불량의약품생산죄) Article 201 (Production of Defective Medicine and Medical Instruments)

의약품제조를 잘못하였거나 의약품검사를 무책임하게 하여 환자가 중병에 걸리게 하였거나 환자를 죽게 한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who produces defective medicine or medical instruments, or irresponsibly inspects medicine or medical instruments, thereby causing death or harm to a patient's health, shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, the punishment shall be reform through labor for less than three years.

#### 제202조 (가짜의약품, 식료품제조, 판매죄) Article 202 (Production of Defective Medicine and Food Products)

사람의 생명, 건강에 해로운 가짜의약품, 식료품이라는것을 알면서 만들어 판자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 사람이 중병에 걸리게 하였거나 장애자로 되게 하였거나 사람을 죽게 하였거나 대량의 가짜의약품, 식료품을 제조, 판매한 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who produces and sells defective medicine or food products shall be punished by reform through short-term labor for less than one year. In cases where the foregoing act causes death or harm to a patient's health, or in cases where the person produces a large amount of defective medicine or food products, shall be punishable by reform through labor for less than five years. In cases where the offense is grave, punishment shall be reform through labor for more than five years and less than ten years.

제203조 (위생방역사업태만죄) Article 203 (Negligence of Disease Control)

위생방역사업을 무책임하게 하여 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

In cases where disease control measures are executed irresponsibly, resulting in serious consequences, he or she shall be punished by reform through short-term labor for less than one year. In cases where the foregoing act is a grave offense, punishment shall be reform through labor for less than three years.

제204조 (국경검역사업태만죄) Article 204 (Irresponsible Border Quarantine)

국경을 통과하는 인원과 물품, 동식물검역을 무책임하게 하여 전염병 또는 병해충이 들어오게 한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who irresponsibly executes the quarantine of persons, goods, flora or fauna, resulting in the spread of an epidemic or harmful insects, shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

제205조 (사람의 장기, 태아, 혈액의 취득, 매매, 리용죄) Article 205 (Acquisition, Sales and Use of Human Organs, Fetus and Blood)

병치료 또는 리기적목적으로 사람의 장기, 태아, 혈액 같은것을 취득한자는 1년이하의 로동교화형에 처한다. 병치료를 목적으로 사람의 장기, 태아, 혈액 같은 것을 매매, 리용한 경우에는 5년 이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who acquires a human organ, a fetus or blood to treat illness or for personal gain, shall be punished by reform through short-term labor for less than one year. In cases where the person uses a human organ, a fetus or blood to treat illness, he or she shall be punished by reform through labor for less than five years. In cases where the person commits a grave offense, punishment shall be reform through labor for more than five years and less than ten years.

제206조 (비법아편재배, 마약, 독성물질제조죄) Article 206 (Illegal Cultivation of Opium, Drugs, and Manufacturing of Poisonous Substances)

비법적으로 아편을 재배하였거나 마약, 독성물질을 제조한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

A person who grows opium poppies or manufactures drugs and poisonous substances illegally shall be punished by reform through labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than five years.

제207조 (비법마약사용죄) Article 207 (Illegal Use of Drugs)

비법적으로 마약을 사용한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

A person who uses drugs illegally shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than five years.

제208조 (마약밀수, 밀매죄) Article 208 (Smuggling and Illegal Trafficking of Drugs)

마약을 밀수, 밀매한 자는 1년이하의 로동단련형에 처한다. 대량의 마약을 밀수 밀매한 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다. 특히 대량의 마약을 밀수, 밀매한 경우에는 10년이상의 로동교화형에 처한다. 제3항의 행위가 정상이 특히 무거운 경우에는 무기로동교화형 또는 사형에 처한다.

A person who smuggles or traffics drugs illegally shall be punished by reform through short-term labor for less than one year. In cases where the person smuggles or traffics a large quantity of drugs, the punishment shall be reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years. In cases where the person smuggles or traffics an extreme quantity of drugs, he or she shall be punished by reform through labor for more than ten years. In cases where the foregoing act is particularly grave, the punishment shall be a life term of reform through labor or the death penalty.

## **제7장 일반행정관리질서를 침해한 범죄 CHAPTER 7 CRIMINAL VIOLATIONS OF THE REGULATIONS FOR GENERAL ADMINISTRATION AND MAINTENANCE**

### **제1절 일반행정관리질서를 침해한 범죄 SECTION 1. CRIMINAL VIOLATIONS OF THE REGULATIONS FOR GENERAL ADMINISTRATION**

#### 제209조 (집단적소동죄) Article 209 (Collective Disturbance)

국가기관의 지시에 응하지 않고 집단적으로 소동을 일으킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위를 무기 또는 흉기를 리용하여 하였거나 사람에게 중상해를 입혔거나 사람을 죽게 하였거나 대량의 재산을 파괴한 것 같은 경우에는 5년이하의 로동교화형에 처한다. 제2항의 행위를 한 주동분자는 5년이상 10년이하의 로동교화형에 처한다.

A person who, as part of a group, fails to comply with the instructions of a state agency shall be punished by reform through labor for less than one year. A person who commits the foregoing act with the use of weapons or who causes death, serious injuries, destruction or other grave consequences through the aforementioned act, shall be punished by reform through labor for less than five years. The mastermind and the principal culprits of the aforementioned act shall be punished by reform through labor for more than five years and less than ten years.

#### 제210조 (직무집행방해죄) Article 210 (Interference with the Execution of Duty)

폭행, 협박, 모욕의 방법으로 관리일군의 직무집행을 방해한 자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 해당 부문의 사업에 혼란을 준 경우에는 3년이하의 로동교화형에 처한다.

A person who interferes with the execution of the duty of a management worker by assaults, threats, or insults shall be punished by short-term labor for less than one year. In cases where the foregoing act causes disturbance to the affairs of the relevant sector, the punishment shall be reform through labor for less than three years.

제211조 (허위풍설날조, 류포죄) Article 211 (Fabrication and Distribution of a False Rumor)

국가에 대한 불신을 조성할 수 있는 허위풍설을 꾸며냈거나 류포시켜 사회적혼란을 준자는 1년이하의 로동단련형에 처한다

A person who concocts a false rumor that may lead to distrust of the state and cause social disruption shall be punished by short-term labor for less than one year.

제212조 (공인비법사용, 위조죄) Article 212 (Illegal Use and Fabrication of Official Seals and Government Seals)

공인을 비법적으로 사용하였거나 위조하였거나 위조한것인줄 알면서 사용한자는 1년이하의 로동단련형에 처한다.  
A person who makes an illegal use of an official seal or a government seal, fabricates such a thing, or uses a fabricated seal knowing that it is a fabrication shall be punished by short-term labor for less than one year.

제213조 (문서, 증명서의 비법처분, 위조, 사용죄) Article 213 (Illegal Disposal, Forging or Illegal Use of Documents and Certificates)

리기적목적 또는 비렬한 동기에서 문서, 증명서를 감추었거나 처분하였거나 위조하였거나 위조한것인줄 알면서 사용한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who conceals, disposes of, or forges documents or other certificates, or passes on their counterfeits knowing that they are counterfeits, for personal gain or with pernicious motives, shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

제214조 (출판질서위반죄) Article 214 (Violation of Publication Regulations)

출판질서를 어기고 출판물을 인쇄, 발행, 보급하였거나 타자, 복사하였거나 전자매체의 제작, 보급질서를 어겨 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who, in violation of the regulations for publication, prints, publishes or distributes publications, types or copies them, or violates the regulations for production and distribution of electronic media, thereby causing serious consequences, shall be punished by short-term labor for less than one year.

제215조 (폭발물비법제조, 휴대, 사용, 양도죄) Article 215 (Illegal Production, Carrying, Use or Supply of Explosives)

폭발물을 비법적으로 만들었거나 가지고있었거나 사용하였거나 다른 사람에게 넘겨준 자는 1년이하의 로동단련형에 처한다. 대량의 폭발물을 비법적으로 만들었거나 가지고있었거나 사용하였거나 다른사람에게 넘겨주었거나 사람이 중상해를 입게 하였거나 사람을 죽게 한 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who illegally makes, possesses or uses explosives, or who supplies them to others, shall be punished by short-term labor for less than one year. In cases where the foregoing act causes death, serious injuries or a large amount of damage, the punishment shall be reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years.

제216조 (위험성물질수송위반죄) Article 216 (Violation of Regulations for Transportation of Radioactive, Explosive or Inflammable Materials)

방사성, 폭발성, 인화성, 독성물질수송질서를 어기고 그것을 운반하였거나 부쳤거나 부쳐준자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 사람이 중상해를 입게 하였거나 사람을 죽게 하였거나 대량의 재산적손실을 일으키게 한 경우에는 5년이하의 로동교화형에 처한다. 제1항의 행위로 여러명이 중상해를 입게 하였거나 여러명을 죽게 하였거나 특히 대량의 재산적 손실을 일으키게 한 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who violates the regulations for the transportation of radioactive, explosive, inflammable, or poisonous materials and carries, delivers or helps to deliver them, shall be punished by short-term labor for less than one year. In cases where the foregoing act causes death, serious injuries or a large amount of damage, the punishment shall be reform through labor for less than five years. In cases where the foregoing act causes multiple deaths, serious injuries to multiple persons or a particularly large amount of damage, the punishment shall be reform through labor for more than five years and less than ten years.

제217조 (경비근무질서위반죄) Article 217 (Violation of the Regulations for Guard Duty)

경비근무질서를 어겨 경비대상물에 피해를 준자는 1년이하의 로동교화형에 처한다. 앞항의행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who violates the regulations for guard duty thus damaging the guarded object shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for more than two years.

제218조 (독립임무수행태만죄) Article 218 (Negligent Performance of Individual Duty)

관리일군이 아닌자가 자기의 독립적인 임무를 성실히 수행하지 않아 엄중한 결과를 일으킨 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who is not a manager and irresponsibly performs an individual duty, causing serious consequences, shall be punished by reform through short-term labor for less than one year. In cases where the foregoing act is a grave offense, punishment shall be reform through labor for less than three years.

제219조 (고의적비밀루설죄) Article 219 (Intentional Revealing of Secrets)

국가비밀을 고의적으로 루설한 자는 1년이하의 로동교화형에 처한다. 중요한 국가비밀을 루설하였거나 국가비밀루설로 엄중한 결과를 일으킨 경우에는 5년이하의 로동교화형에 처한다.

A person who intentionally reveals state secrets shall be punished by reform through labor for less than one year. In cases where an important state secret is revealed or results in serious consequences, the punishment shall be reform through labor for less than five years.

제220조 (과실적비밀루설죄) Article 220 (Revealing of Secrets by Negligence)

국가비밀을 과실로 루설하였거나 국가비밀문서를 잃어버린자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who reveals state secrets or loses classified state material by negligence shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

#### 제221조 (비법국경출입죄) Article 221 (Illegal Border Crossing)

비법적으로 국경을 출입한 자는 1년이하의 노동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 노동교화형에 처한다.

A person who illegally crosses the state border shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than five years.

#### 제222조 (비법협조죄) Article 222 (Illegal Cooperation)

공화국을 적대시하는자를 비법적으로 도와준자는 1년이하의 노동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 노동교화형에 처한다.

A person who illegally cooperates with a person against the Republic shall be punished by reform through short-term labor for less than one year. In cases where the foregoing act is a grave offense, punishment shall be reform through labor for less than two years.

#### 제223조 (령공, 령해침입죄) Article 223 (Trespassing on Territorial Airspace and Waters)

다른 나라 사람이 비행기 또는 배를 몰고 허가없이 공화국령공, 령해에 들어왔거나 령공, 령해밖으로 나갔거나 지정된 항로, 비행고도를 어긴 경우에는 3년이하의 노동교화형에 처한다.

A foreigner who enters or leaves the territorial airspace or waters of the Republic by airplane or by boat without permission, or violates designated courses or altitude, shall be punished by reform through labor for less than three years.

#### 제224조 (거짓신고, 진술죄) Article 224 (False Report and Testimony)

범죄에 대하여 거짓신고를 하였거나 수사, 예심, 재판심리에서 거짓진술, 감정, 통역, 해석을 한자는 1년이하의 노동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 노동교화형에 처한다.

A person who makes a false report concerning a crime or makes false testimony, assessment, translation or analysis during the investigation, preliminaries or trials, shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

#### 제225조 (증인협박죄) Article 225 (Threatening a Witness)

거짓진술, 감정, 통역, 해석을 하도록 폭행, 협박, 회유, 기만을 한자는 1년이하의 노동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 노동교화형에 처한다.

A person who assaults, threatens, conciliates, or deludes another to force him or her to make false testimony, assessment, interpretation or analysis shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.



#### 제226조 (사건관계자에 대한 복수죄) Article 226 (Revenge)

복수할 목적으로 사건관계자에게 구타, 폭행, 모욕한 자는 1년이하의 로동교화형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who beats, assaults or insults a person involved in an incident in order to gain revenge shall be punished by reform through labor for less than one year. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for less than three years.

#### 제227조 (일반범죄은닉죄) Article 227 (Harboring of General Criminals)

유기로동교화형이상의 형벌에 처할수 있는 범죄자 또는 범죄의 흔적을 감추어준자는 1년이하의 로동단련형에 처한다. 고의적살인, 강도행위를 저지른 범죄자 또는 범죄의 흔적을 감추어준 경우에는 3년이하의 로동교화형에 처한다.

A person who harbors an offender subject to reform through labor for a definite period, or conceals the evidence of a crime, shall be punished by short-term labor for less than one year. In cases where the person conceals an offender who committed murder or robbery or conceals the evidence of such, the punishment shall be reform through labor for less than three years.

#### 제228조 (일반범죄불신고죄) Article 228 (Failure to Report General Crime)

국가재산강도죄, 고의적중살인죄, 개인재산강도죄를 준비하고 있거나 저지른 것을 알면서 해당 기관에 알리지 않은자는 1년이하의 로동단련형에 처한다.

A person who, having learned of the planning or committing of offenses under robbery of state property, intentional murder, or robbery of personal property, and fails to report it to the relevant agency, shall be punished by short-term labor for less than one year.

#### 제229조 (도주죄) Article 229 (Flight)

구속중에 있거나 형벌집행중에 있는자가 도주한 경우에는 1년이하의 로동단련형에 처한다. 시설을 파괴하였거나 폭행하고 도주한 경우에는 3년이하의 로동교화형에 처한다.

In cases where a person who is in custody or in the middle of serving his or her term takes flight, the punishment shall be short-term labor for less than one year. A person who, in the course of escaping, destroys facilities or commits violence, shall be punished by reform through labor for less than three years.

#### 제230조 (뢰물죄) Article 230 (Bribery)

대량의 뵤물을 받은자는 1년이하의 로동단련형에 처한다. 특히 대량의 뵤물을 받은 경우에는 3년이하의 로동교화형에 처한다.

A person who accepts bribes shall be punished by short-term labor for less than one year. In cases where the amount of the bribe is particularly large, the punishment shall be reform through labor for less than three years.

#### 제231조 (봉인손상죄) Article 231 (Damaging Seals)

기관, 기업소, 단체에서 한 봉인을 손상시켜 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다.

A person who damages the seal of an agency, enterprise or organization shall be punished by reform through short-term labor for less than one year.

#### 제232조 (담보처분한 재산비법처분, 리용죄) Article 232 (Illegal Usage and Disposal of Mortgage and Property)

담보처분한 재산을 비법적으로 처분하였거나 리용한자는 1년이하의 로동단련형에 처한다.

A person who illegally disposes of his or her mortgaged property shall be punished by reform through short-term labor for less than one year.

#### 제233조 (부당한 신소죄) Article 233 (Unjust Complaints)

리기적 목적 또는 비렬한 동기에서 과장, 날조된 신소를 하여 엄중한 결과를 일으킨 자는 1년이하의 로동단련형에 처한다.

A person who causes grave consequences by submitting exaggerated or fabricated complaints for personal gain or pernicious motives shall be punished by short-term labor for less than one year.

#### 제234조 (대외적권위훼손죄) Article 234 (Damaging the Prestige of the Republic in Foreign Countries)

우리 나라 국민이 다른 나라 공화국의 대외적권위를 훼손시키는 행위를 한 경우에는 3년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 3년이상 8년이하의 로동교화형에 처한다.

A citizen who damages the prestige of the Republic in foreign countries shall be punished by reform through labor for less than three years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than three years and less than eight years.

### 제2절 직무상범죄 **SECTION 2. MANAGEMENT OFFENSES**

#### 제235조 (직권람용죄) Article 235 (Abuse of Authority)

관리일군이 리기적목적으로 직권을 람용하여 엄중한 결과를 일으킨 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A management worker who causes grave consequence by abusing his or her authority for personal gain shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

#### 제236조 (월권행위죄) Article 236 (Ultra Vires)

관리일군이 상급의 권한에 속하는 행위를 그의 승인없이 하여 엄중한 결과를 일으킨 경우에는 1년이하의 로동단련형에 처한다.

A worker who exercises the authority of his or her superior without the superior's permission, thereby causing grave consequences, shall be punished by short-term labor for less than one year.

#### 제237조 (직무태만죄) Article 237 (Dereliction of Duty)

관리일군이 상급으로부터 받은 명령, 지시 또는 직무상 의무를 수행하지 않았거나 되는대로 하여 엄중한 결과를

일으킨 경우에는 1년이하의 로동단련형에 처한다. 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A worker who does not execute his or her superior's orders or directions, or his or her normal duty, or executes the aforementioned in a careless manner, thereby causing grave consequences shall be punished by short-term labor for less than one year. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for less than three years.

#### 제238조 (물질적부담을 시킨죄) Article 238 (Placement of a Material Burden)

지원, 후원, 부조, 사업보장의 명목으로 물질적 부담을 시킨 경우에는 1년이하의 로동단련형에 처한다.

A person who on the pretext of support, sponsorship, gift or a business guarantee, places a financial burden on an employee, shall be punished by short-term labor for less than one year.

#### 제239조 (신소, 청원처리질서위반죄) Article 239 (Ignoring Petition and Complaint)

관리일군이 국민의 신소, 청원을 묵살하였거나 그 처리를 부당하게 하여 엄중한 결과를 일으킨 경우에는 1년이하의 로동단련형에 처한다.

A worker who deliberately ignores or wrongly deals with a petition or a complaint from citizens, resulting in serious consequences, shall be punished by short-term labor for less than one year.

#### 제240조 (국가기관권위훼손죄) Article 240 (Damaging the Prestige of State Agencies)

관리일군이 위법행위를 하였거나 처신을 잘못하여 국가기관의 권위를 훼손시킨 경우에는 1년이하의 로동단련형에 처한다.

A worker who, through acting unlawfully or misconduct, damages the prestige of state agencies shall be punished by short-term labor for less than one year.

#### 제241조 (비법체포, 구속, 수색죄) Article 241 (Illegal Arrest, Detention or Search)

법일군이 비법적으로 사람을 체포, 구속, 구인하였거나 몸 또는 살림집을 수색하였거나 재산을 압수, 몰수한 경우에는 1년이하의 로동단련형에 처한다.

A legal-sector worker who illegally detains, apprehends or arrests others, searches the body or the dwelling of a person, or confiscates or forfeits the property of a person shall be punished by short-term labor for less than one year.

#### 제242조 (사건과장, 날조죄) Article 242 (Exaggeration and Falsification of Case)

법일군이 비법적인 방법으로 사람을 심문하였거나 사건을 과장, 날조한 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위로 사람을 죽게 하였거나 중상해를 입게 하였거나 형사책임을 지운 경우에는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A legal-sector worker who interrogates a person in an illegal way, exaggerates, or falsifies a case shall be punished by reform through short-term labor for less than one year. In cases where the foregoing act causes such other person to die, sustain serious injuries, or become falsely convicted of a crime, the punishment shall be reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years.

제243조 (비법석방죄) Article 243 (Illegal Release of Criminals)

법일군이 비법적으로 범죄자를 놓아주었거나 범죄사실을 가볍게 하여준 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A legal-sector worker who illegally releases a criminal or makes the crime lighter than it is shall be punished by reform through labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

제244조 (부당한 판결, 판정죄) Article 244 (Unjust Decision or Judgment)

재판일군이 부당한 판결, 판정을 한 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

A court worker who reaches an unjust decision or judgment shall be punished by reform through labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than five years.

제245조 (판결, 판정을 집행하지 않은 죄) Article 245 (Failure to Execute Decisions and Judgments)

정당한 리유없이 확정된 판결, 판정을 집행하지 않은 자는 1년이하의 로동단련형에 처한다.

A person who fails to execute a final decision or judgment without a just reason shall be punished by short-term labor for less than one year.

제8장 사회주의공동생활질서를 침해한 범죄 **CHAPTER 8 CRIMINAL VIOLATIONS OF THE ORDER OF SOCIALIST COLLECTIVE LIFE**

제246조 (불량자적행위죄) Article 246 (Misdemeanor Acts)

파렴치한 불량자행위를 한자는 1년이하의 로동단련형에 처한다. 잔인한 방법으로 불량자적행위를 한 경우에는 5년이하의 로동교화형에 처한다. 패를 지어 사회에 불안과 공포를 조성한 주동분자는 5년이상 10년이하의 로동교화형에 처한다.

A person who is guilty of shameful acts of misdemeanor shall be punished by short-term labor for less than one year. In cases where an act of misdemeanor is committed in a cruel way, the punishment shall be short-term labor for less than five years. A person who, through forming a gang, causes anxiety and fear to society, shall be punished by reform through labor for more than five years and less than ten years.

제247조 (패싸움죄) Article 247 (Gang Fight)

집단적으로 패싸움을 한자는 1년이하의 로동단련형에 처한다. 앞항의 행위를 무기 또는 흉기를 리용하여 하였거나 사람이 중상해를 입게 하였거나 사람을 죽게 하였거나 대량의 재산파괴와 같은 엄중한 결과를 일으킨 경우에는 5년이하의 로동교화형에 처한다.

A person who, as part of a group, engages in a gang fight shall be punished by short-term labor for less than one year. In cases where the foregoing act is committed using a lethal weapon or causes death, serious injuries, or serious consequences such as destruction of property, the punishment shall be reform through labor for less than five years.

제248조 (미성인범죄추진 죄) Article 248 (Encouraging a Minor to Commit Crime)

17살에 이르지 못한 자에게 범죄를 저지르도록 추겼거나 범죄에 가담하게 하였거나 불량자로 되게 한자는 3년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 3년이상 5년이하의 로동교화형에 처한다.

A person who encourages a minor under the age of seventeen to commit or take part in a crime and thus to become delinquent shall be punished by reform through labor for less than three years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than three years and less than five years.

제249조 (매음죄) Article 249 (Prostitution)

매음행위를 한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

A person who has engaged in prostitution multiple times shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than five years.

제250조 (음탕한 행위죄) Article 250 (Acts of Obscenity)

여러 남녀가 모여 음탕한 행위를 한 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

In cases where many men and women gather and engage in obscene activities, the punishment shall be reform through labor for less than one year. In cases where the foregoing act is a grave offense, the punishment shall be reform through labor for less than five years.

제251조 (직권참용죄) Article 251 (Impersonation of Authority)

관리일군이 아닌자가 관리일군으로 가장하였거나 관리일군이 다른 관리일군으로 가장하여 사회적으로 위험한 행위를 한 경우에는 1년이하의 로동단련형에 처한다.

In cases where a person who is not a manager disguises him/herself as management or commits a socially dangerous act in the guise of a management worker, and in cases where a manager commits such act in the guise of another manager, he or she shall be punished by short-term labor for less than one year.

제252조 (거짓행세죄) Article 252 (Exercise of False Authority)

검열, 단속일군으로 가장하여 사회적으로 위험한 행위를 한자는 1년이하의 로동단련형에 처한다.

A person who commits a socially dangerous act in the guise of a censor or inspector worker shall be punished by short-term labor for less than one year.

제253조 (실력행사죄) Article 253 (Exercise of Force)

자기의 인신상 또는 재산상 피해를 법에 의거하지 않고 실력을 행사하여 차지한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who unlawfully redeems his or her reputational or physical injury, or property loss by force shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, punishment shall be reform through labor for less than two years.

#### 제254조 (명예, 칭호참용죄) Article 254 (Usage of False Honor and Titles)

리기적목적으로 국가적명예나 칭호를 참용하여 사회적으로 위험한 행위를 여러번 한자는 1년이하의 로동단련형에 처한다.

A person who commits a socially dangerous act repeatedly by exercising false state honor or titles for personal gain shall be punished by short-term labor for less than one year.

#### 제255조 (도박죄) Article 255 (Gambling)

돈 또는 물건을 대고 도박을 한 자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who gambles with money or goods shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

#### 제256조 (미신행위죄) Article 256 (Superstitious Activities)

돈 또는 물건을 받고 미신행위를 여러번 한자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person who repeatedly engages in superstitious activities in exchange for money or goods shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

#### 제257조 (비법혼인 및 가정파탄죄) Article 257 (Illegal Marriage and Breaking Up of Family)

탐욕 그밖의 비렬한 동기에서 여러 대상과 혼인하였거나 다른 사람의 가정을 파탄시킨 자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who for greedy or other pernicious motives marries multiple spouses or breaks up another person's family shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

#### 제258조 (늙은이, 어린이보호책임회피죄) Article 258 (Neglecting the Responsibility to Protect the Elderly and Children)

늙은이, 어린이 또는 로동능력이 없는 사람을 보호할 의무를 지닌자가 자기의 책임을 회피하여 엄중한 결과를 일으킨 경우에는 1년이하의 로동단련형에 처한다.

A person who avoids taking care of an elderly person, a child or a person incapable of work that he or she is responsible for protecting, thereby resulting in serious consequences, shall be punished by short-term labor for less than one year.

제259조 (양로사업질서위반죄) Article 259 (Violation of Railroad Business Regulations)

양로사업을 잘하지 않아 엄중한 결과를 일으킨자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년이하의 로동교화형에 처한다.

A person, who violates regulations for railroad business shall be punished by reform through short-term labor for less than one year. In cases where the foregoing act is a grave offense, punishment shall be less than three years.

제260조 (학대궤시죄) Article 260 (Mistreatment)

자기의 보호밑에 있는 사람을 학대궤시한자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 보호대상자가 장애자로 되게 하였거나 중상해를 입게 하였거나 사망되게 하였거나 자살하게 한 경우에는 3년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이하의 로동교화형에 처한다.

A person who harms the health of a person under his or her protection by mistreating such person shall be punished by short-term labor for less than one year. In cases where the foregoing act causes handicap, injuries, deaths, or committing suicide, punishment shall be reform through labor for less than three years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for less than five years.

제261조 (습득물횡령죄) Article 261 (Misappropriation of Lost Property)

주은 돈 또는 물건을 국가기관에 바치지 않고 가진 자는 1년이하의 로동단련형에 처한다

A person who keeps money or goods he or she has found without handing them over to the relevant state agency shall be punished by short-term labor for less than one year.

제262조 (사례금을 바치지 않은 죄) Article 262 (Failure to Submit Reward and Profit to the State)

공무원이 거래과정에 받은 사례금을 국가기관에 바치지 않고 가진 경우에는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 3년 이하의 로동교화형에 처한다.

A public official who does not submit to the state a large amount of rewards or profits that resulted from transactions, or that he or she received during transactions and takes it for his or her own, shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than three years.

제263조 (략취물건거래죄) Article 263 (Trading Plundered Goods)

략취한 물건인줄 알면서 받아가졌거나 샀거나 팔아준자는 1년이하의 로동단련형에 처한다.

A person who receives, buys or sells plundered goods in the knowledge that they are plundered shall be punished by short-term labor for less than one year.

제264조 (묘파괴죄) Article 264 (Damaging Graves)

묘를 고의적으로 파괴한자는 1년이하의 로동단련형에 처한다. 많은 묘를 파손시킨 경우에는 2년이하의 로동교화형에 처한다.

A person who intentionally destroys a grave shall be punished by short-term labor for less than one year. In cases where many graves are damaged, the punishment shall be reform through labor for less than two years.

## 제265조 (엄중한 결과발생방임죄) Article 265 (Allowing Grave Consequences to Occur)

사람이 죽을 위험에 처하였거나 특히 대량의 손실을 줄수 있다는것을 알면서 해당기관 또는 관계자에게 알리지 않았거나 능히 구원하거나 막을수있는 행위를 하지 않아 사람을 죽게 하였거나 특히 대량의 손실을 가져오게 한자는 1년이하의 로동단련형에 처한다.

2012; A person who knows that a person's life is in danger or that a particularly large amount of damage may occur and does not inform the relevant agency or person or does not take possible measures to save the person or avert the consequences, to cause death or a particularly large amount of damage, shall be punished by short-term labor for less than one year.

## 제9장 공민의 인신과 재산을 침해한 범죄 **CHAPTER 9 CRIMINAL IMPAIRMENT OF THE LIFE AND PROPERTY OF CITIZENS**

### 제1절 생명, 건강, 인격을 침해한 범죄 **SECTION 1. CRIMINAL IMPAIRMENT OF LIFE, HEALTH, AND REPUTATION**

#### 제266조 (고의적중살인죄) Article 266 (Intentional Murder)

탐욕, 질투 그밖의 비렬한 동기에서 사람을 고의적으로 죽인 자는 10년이상의 로동교화형에 처한다. 앞항의 행위로 정상이 특히 무거운 경우에는 무기로동교화형 또는 사형에 처한다.

A person who intentionally murders another out of greed, jealousy, or other pernicious motives shall be punished by reform through labor for more than ten years. In cases where the person commits a grave offense, he or she shall be punished by a life term of reform through labor or the death penalty.

#### 제267조 (고의적경살인죄) Article 267 (Intentional Manslaughter)

탐욕, 질투 그밖의 비렬한 동기가 없이 고의적으로 사람을 죽인자는 3년이상 10년이하의 로동교화형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 10년이상의 로동교화형에 처한다.

A person who intentionally slaughters another without greed, jealousy, or other pernicious motives shall be punished by reform through labor for more than three years and less than ten years. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for more than ten years.

#### 제268조 (발작적격분에 의한 살인죄) Article 268 (Homicide Induced by Fit of Rage)

피해자의 폭행 또는 심한 모욕때문에 일어난 발작적격분상태에서 사람을 죽인자는 3년이하의 로동교화형에 처한다. 앞항의 행위로 여러 사람을 죽인 경우에는 3년이상 8년이하의 로동교화형에 처한다.

A person who kills another in a fit of rage brought about by violence or serious insults from the victim shall be punished by reform through labor for less than three years. In cases where many persons are killed by the foregoing act, the punishment shall be reform through labor for more than three years and less than eight years.

#### 제269조 (정당방위초과살인죄) Article 269 (Homicide Beyond Justifiable Self-Defense)

정당방위의 정도를 넘었거나 직무집행상, 의무실행상 필요한 정도를 넘는 행위를 하여 사람을 죽인자는 1년이하의 로동교화형에 처한다.



A person who kills another by an act that goes beyond a measure of justifiable self-defense, or beyond the measure necessary for the performance of his or her duty or responsibility, shall be punished by reform through labor for less than one year.

#### 제270조 (과실적살인죄) Article 270 (Involuntary Manslaughter)

사람을 과실로 죽인자는 1년이하의 로동교화형에 처한다. 과실로 여러 사람을 죽인 경우에는 5년이하의 로동교화형에 처한다.

A person who is guilty of accidental killing shall be punished by reform through labor for less than one year. In cases where such a person accidentally kills multiple persons, the punishment shall be reform through labor for less than five years.

#### 제271조 (고의적중상해죄) Article 271 (Intentional Infliction of Grave Injury)

고의적으로 사람의 생명에 위험할 정도의 중상을 입혔거나 눈, 귀 그밖의 기능을 잃게 하였거나 얼굴에 흉한 허물을 남겼거나 정신병을 일으키게 하였거나 로동능력을 현저히 떨어뜨린 자는 5년이하의 로동교화형에 처한다. 앞항의 행위를 잔인한 방법으로 하였거나 피해자가 죽게 하였거나 여러 사람에게 중상을 입힌 경우에는 5년이상 10년이하의 로동교화형에 처한다.

A person who intentionally inflicts grave injury that endangers the life of another, who causes an eye, ear, or another organ to lose its function, who causes injury to the face that leaves a permanent scar, who causes a mental disorder or who causes injury which will considerably impair the victim's working ability shall be punished by reform through labor for less than five years. In cases where the foregoing act causes the victim to die, is executed using brutal methods or causes serious injuries to multiple persons, the punishment shall be reform through labor for more than five years and less than ten years.

#### 제272조 (발작적격분에 의한 중상해죄) Article 272 (Infliction of Grave Injury Induced by Fit of Rage)

피해자의 폭행 또는 심한 모욕때문에 일어난 발작적격분상태에서 사람에게 중상을 입힌 자는 1년이하의 로동단련형에 처한다. 앞항의 행위로 여러 사람에게 중상을 입힌 경우에는 3년이하의 로동교화형에 처한다.

A person who causes grave injury to another in a fit of rage brought about by violence or serious insult from the victim shall be punished by reform through short-term labor for less than one year. In cases where the foregoing causes serious injuries to multiple persons, the punishment shall be reform through labor for less than three years.

#### 제273조 (과실적중상해죄) Article 273 (Infliction of Grave Injury by Accident)

사람에게 과실로 중상을 입힌 자는 1년이하의 로동단련형에 처한다. 앞항의 행위가 정상이 무거운 경우에는 2년이하의 로동교화형에 처한다.

A person who accidentally causes grave injury shall be punished by short-term labor for less than one year. In cases where the foregoing act is a grave offense, he or she shall be punished by reform through labor for less than two years.

#### 제274조 (고의적경상해죄) Article 274 (Intentional Infliction of Light Injury)

사람에게 고의적으로 경상을 입힌 자는 1년이하의 로동단련형에 처한다.

A person who intentionally causes light injury to another shall be punished by short-term labor for less than one year.

#### 제275조 (폭행죄) Article 275 (Assault)

사람에게 폭행을 한 자는 1년이하의 로동단련형에 처한다.

A person who assaults another shall be punished by short-term labor for less than one year.

#### 제276조 (비법자유구속죄) Article 276 (Illegal Deprivation of Freedom)

비법적으로 사람의 자유를 구속한자는 1년이하의 로동단련형에 처한다.

A person who illegally detains other people, restricting their freedom, shall be punished by reform through short-term labor for less than one year.

#### 제277조 (어린이 훔친죄) Article 277 (Abduction of Children)

리기적목적 또는 복수적동기에서 어린이를 훔쳤거나 감춘자는 1년이하의 로동단련형에 처한다.

A person who abducts or conceals a child for personal gain or for the sake of revenge shall be punished by reform through labor for less than one year.

#### 제278조 (유괴죄) Article 278 (Kidnapping)

리기적목적에서 사람을 유괴한 자는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다. 여러 사람을 유괴한 경우에는 10년이상의 로동교화형에 처한다.

A person who kidnaps another for personal gain shall be punished by reform through labor for less than five years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than five years and less than ten years. In cases where multiple persons are kidnapped, the punishment shall be reform through labor for more than ten years.

#### 제279조 (강간죄) Article 279 (Rape)

폭행, 협박하여 또는 구원을 받지 못할 상태를 리용하여 녀성을 강간한 자는 5년이하의 로동교화형에 처한다. 정상이 무거운 경우에는 5년이상 10년이하의 로동교화형에 처한다. 여러 번 른간하였거나 앞항의 행위로 피해자에게 중상해를 입혔거나 죽게 한 경우에는 10년이상의 로동교화형에 처한다.

A man who rapes a woman by using violence or threats or by taking advantage of her helpless status shall be punished by reform through labor for less than five years. In cases where the person commits a grave offense, punishment shall be reform through labor for more than five years and less than ten years. In cases where the foregoing act is committed multiple times, resulting in injuries or deaths, the punishment shall be reform through labor for less than ten years.

#### 제280조 (복종관계에 있는 녀성을 강요하여 성교한 죄) Article 280 (Forcing a Subordinate Woman to Have Sexual Intercourse)

복종관계에 있는 녀성을 강요하여 성교한 자는 1년이하의 로동단련형에 처한다. 앞항의 행위를 여러 녀성에 대하여 하였거나 녀성을 타락 또는 자살하게 한 경우에는 3년이하의 로동교화형에 처한다.

A man who forces a woman who is his subordinate to have sexual intercourse with him shall be punished by short-term labor for less than one year. In cases where the aforementioned act is committed against multiple women, or when the woman concerned becomes depraved or commits suicide as a result of the aforementioned act, the offender shall be punished by reform through labor for less than three years.

제281조 (미성인성교죄) Article 281 (Sexual Intercourse With a Minor)

15살에 이르지 못한 미성인과 성교한 자는 1년이하의 로동단련형에 처한다. 여러 번 성교한 경우에는 5년이하의 로동교화형에 처한다.

A person who has sexual intercourse with a minor under the age of fifteen shall be punished by reform through labor for less than one year. In cases where the person commits a grave offense multiple times, he or she shall be punished by reform through labor for less than five years.

제282조 (모욕 및 명예훼손죄) Article 282 (Insult and Slander)

사람을 모욕하였거나 그의 명예를 훼손시킨자는 1년이하의 로동단련형에 처한다.

A person who insults another or who slanders his or her good name shall be punished by short-term labor for less than one year.

제2절 개인소유를 침해한 범죄 **SECTION 2. CRIMES OF ENCROACHMENT ON PERSONAL PROPERTY**

제283조 (개인재산훔친죄) Article 283 (Stealing Personal Property)

개인의 재산을 훔친자는 1년이하의 로동단련형에 처한다. 대량의 개인재산을 훔친 경우에는 3년이하의 로동교화형에 처한다. 특히 대량의 개인재산을 훔친 경우에는 3년이상 8년이하의 로동교화형에 처한다.

A person who steals the property of an individual shall be punished by short-term labor for less than one year. In cases where personal property is stolen in large quantities, the punishment shall be reform through labor for less than three years. In cases where a particularly large amount of personal property is stolen, the punishment shall be reform through labor for more than three years and less than eight years.

제284조 (개인재산빼앗은 죄) Article 284 (Taking Personal Property)

개인의 재산을 빼앗은 자는 1년이하의 로동단련형에 처한다. 여러번 또는 공모하여 혹은 대량의 개인재산을 빼앗은 경우에는 5년이하의 로동교화형에 처한다. 특히 대량의 개인재산을 빼앗은 경우에는 5년이하의 로동교화형에 처한다.

A person who takes the property of another person shall be punished by short-term labor for less than one year. In cases where personal property is plundered in large quantities, multiple times or in collusion, the punishment shall be reform through labor for less than five years. In cases where a particularly large amount of personal property is plundered, the punishment shall be reform through labor for less than five years.

제285조 (개인재산속여가진죄) Article 285 (Taking Personal Property by Cheating)

개인의 재산을 속여 가진 자는 1년이하의 로동단련형에 처한다. 대량의 개인재산을 속여 가진 경우에는 2년이하의 로동교화형에 처한다. 특히 대량의 개인재산을 속여가진 경우에는 2년이상 7년이하의 로동교화형에 처한다.

A person who cheats an individual of his or her property shall be punished by short-term labor for less than

one year. In cases where a large amount of personal property is taken by cheating, the punishment shall be reform through labor for less than two years. In cases where a particularly large amount of personal property is taken by cheating, the punishment shall be reform through labor for more than two years and less than seven years.

#### 제286조 (개인재산횡령죄) Article 286 (Appropriation of Personal Property)

개인의 재산을 횡령한 자는 1년이하의 로동단련형에 처한다. 대량의 개인재산을 횡령한 경우에는 4년이하의 로동교화형에 처한다. 특히 대량의 개인재산을 횡령한 경우에는 4년이상 9년이하의 로동교화형에 처한다.

A person who appropriates the property of an individual shall be punished by short-term labor for less than one year. In cases where personal property is appropriated in large amounts, the punishment shall be reform through labor for less than four years. In cases where a particularly large amount of personal property is appropriated, the punishment shall be reform through labor for more than four years and less than nine years.

#### 제287조 (개인재산대량락취죄) Article 287 (Taking a Large Amount of Personal Property)

이 법 제 283조-제286조에 이르는 여러가지 행위를 하여 락취한 량이 대량인 경우에는 4년이하의 로동교화형에 처한다.

A person who takes a large amount of personal property by committing offenses aforementioned in Articles 238 to 286 shall be punished by reform through labor for less than four years.

#### 제288조 (개인재산강도죄) Article 288 (Robbery of Personal Property)

사람의 생명, 건강에 위험을 주는 폭행, 협박을 하여 개인의 재산을 강도한 자는 4년이하의 로동교화형에 처한다. 여러번 또는 공모하여 혹은 무기, 흉기를 리용하여 하였거나 대량의 개인재산을 강도한 경우에는 4년 이상 9년이하의 로동교화형에 처한다. 앞항의 행위가 정상이 특히 무거운 경우에는 9년이상의 로동교화형에 처한다.

A person who robs an individual of his or her property by violence or threats, endangering the life and health of the victim, shall be punished by reform through labor for less than four years. In cases where the foregoing act is committed multiple times, in collusion or with the use of weapons, or where a large amount of personal property is taken, the punishment shall be reform through labor for more than four years and less than nine years. In cases where the foregoing act is particularly grave, the punishment shall be reform through labor for more than nine years.

#### 제289조 (무거운 형태의 개인재산락취죄) Article 289 (Grave Forms of Taking Personal Property)

개인재산락취행위의 정상이 무거운 경우에는 10년이상의 로동교화형에 처한다.

In cases where the person commits a grave offense of taking personal property, he or she shall be punished by reform through labor for more than ten years.

#### 제290조 (개인재산고의적파괴죄) Article 290 (Destruction of Personal Property)

개인의 재산을 고의적으로 파괴한 자는 1년이하의 로동단련형에 처한다. 대량의 개인재산을 파괴한 경우에는 4년이하의 로동교화형에 처한다. 특히 대량의 개인재산을 파괴한 경우에는 4년이상 10년이하의 로동교화형에 처한다.

A person who deliberately destroys the property of an individual shall be punished by short-term labor for less than two years. In cases where personal property is destroyed in large quantities, the punishment shall be reform through labor for less than four years. In cases where the person commits a grave offense, he or she shall be punished by reform through labor for more than four years and less than ten years.

