

The Law of the People's Democratic Republic of Korea on the Protection of the Environment

Chapter 1

THE FUNDAMENTAL PRINCIPLES OF ENVIRONMENTAL PROTECTION

Article 1. Protecting the environment is noble work to provide the popular masses with an environment for leading an independent and creative life.

The State shall always show close concern for protecting and managing the environment so as to provide the people with a healthy environment and hygienic working conditions.

Article 2. Protecting the environment is important work which must be a permanent undertaking in building socialism and communism.

The State shall adopt measures to consolidate the success achieved under the guidance of the Workers' Party of Korea in the protection and management of the environment and to improve environmental protection and management in step with the modernization of industry and of other economic sectors, and shall increase investment systematically as required in implementing the measures.

Article 3. The State shall protect and manage the environment on a long-term and planned basis in order to create an environment in the country that accords with the aspirations and desires of the people.

The State shall build cities and villages, and distribute factories and enterprises and other industrial facilities rationally, on the principle of protecting the environment.

Article 4. Adopting measures for protecting the environment prior to beginning production is an important requirement for preventing environmental pollution and maintaining steady production.

The State shall direct and control factories, enterprises and cooperative organizations so that they take steps for preventing environmental pollution prior to beginning production and shall ensure that they steadily modernize their material and technical means for protecting the environment.

Article 5. Protecting the environment is the noble duty of all the people.

The State shall intensify the education of the people in socialist patriotism so that they take good care of the country's rivers, mountains, towns and villages and voluntarily take part in improving the protection and management of the environment.

Article 6. The State shall develop scientific research for protecting the environment from pollution, build up the scientific institutions that protect the environment and strengthen their direction.

Article 7. Prohibiting the development, testing and use of nuclear and chemical weapons and preventing any damage to the environment are the unanimous aspiration and desire of the people throughout the world.

The Democratic People's Republic of Korea shall fight against the devastation and pollution of the environment through the development, testing and use of nuclear and chemical weapons on the Korean peninsula and in the surrounding area.

Article 8. The State shall develop exchange and cooperation in science and technology in the field of environmental protection with all countries which are friendly towards our country.

Article 9. This law stipulates the principles of and regulations for protecting the environment, including the air, the water, the soil and living things, from damage, devastation and pollution.

The regulations for promoting, protecting and managing the natural environment, such as land and forestry resources, which are not covered by this law can be found in the "Land Law of the Democratic People's Republic of Korea".

Chapter 2

THE PRESERVATION AND IMPROVEMENT OF THE NATURAL ENVIRONMENT

Article 10. Preserving well and improving the natural environment is a requirement for providing the people with good living conditions and handing down a more beautiful and healthy environment to the generations to come.

All institutions, enterprises, organizations and citizens shall preserve the natural environment and improve, protect and manage it so that it is conducive to the promotion of the people's health and to their enjoyment of a civilized and pleasant life.

Article 11. Reserves and special reserves shall be established by the State in order to preserve the natural environment.

The Administration Council shall be responsible for this.

Article 12. Land management organs, scientific institutions for protecting natural and local government organs shall systematically investigate and record changes in the natural environment, such as those evident among animals and plants, those in the configuration of the ground, those in the quality of the water and climate, in these reserves and special reserves and take any necessary steps for their protection and management.

In the reserves and special reserves no act that is harmful to the preservation of the natural environment in its original state and to its thorough protection and management shall be permitted.

Article 13. Institutions, enterprises, organizations and citizens shall refrain from cutting down ornamental trees in and around cities and villages, along highways and railways and on the banks of lakes and rivers, and from damaging or destroying the scenery, such as beauty spots, pine groves on beaches, swimming beaches, peculiar rocks and cliffs, attractive and impressive physical features in mountainous areas and picturesque islands.

Article 14. Institutions, enterprises, organizations and citizens shall refrain from developing coal and ore mines in scenic spots, tourist resorts and holiday centres and from constructing buildings and facilities which impede the protection of the environment, and shall preserve caves, waterfalls, the remains of old castles, natural monuments, as well as spots of scenic beauty and of historical interest, in their original state.

Article 15. Institutions, enterprises and organizations shall adopt appropriate measures to prevent damage to the environment caused by the sinking of the ground when developing mineral resources and building underground structures.

Ground water shall not be drawn from places where damage may be caused by the sinking of the ground.

Article 16. Birds and animals that are raised for the purpose of promoting the environment shall not be caught, and wild and aquatic animals which are beneficial or unique to our country shall not be caught or killed without permission from the relevant organs in charge of environmental protection and supervision.

All citizens shall refrain from altering the balance of nature and from harming the working people's civilized and pleasant life by damaging the habitats of wild and aquatic animals and by digging up rare plants at will.

Article 17. City management organs and local administrative and economic guidance organs shall lay out parks, recreation grounds and amusement parks in many places and increase the green belt area by planting trees and turf along highways and railways, around buildings, on waste land outside blocks of flats and in public places.

Trees which hinder the improvement of the environment shall not be planted in and around urban communities.

Article 18. Institutions, enterprises, organizations and citizens shall participate regularly in the work of developing their towns and villages and shall intensify this work during the months for planting trees and beautifying towns. When constructing buildings and facilities in towns and villages and doing similar work, they shall not harm the surrounding areas.

Chapter 3

THE PREVENTION OF ENVIRONMENTAL POLLUTION

Article 19. Preventing environmental pollution is a prerequisite for preventing damage to the environment.

All institutions, enterprises, organizations and citizens shall comply strictly with the permitted limits for the protection of the environment, the pollutant emission standards and noise and vibration standards, set by the State.

These limits and standards shall be fixed by the Administration Council.

Article 20. Where necessary, institutions, factories and enterprises shall arrange devices to absorb gas and dust for the prevention of air pollution and provide air filters for eliminating odours from buildings and facilities and repair and improve furnaces, tanks, pipes and other facilities on a planned basis.

Local administrative and economic guidance organs shall establish health preserves between factories, enterprises and residential areas, and lay gardens there.

Article 21. Vehicles which exceed gas and smoke emission limits, which raise dust when carrying unpacked goods or which are dirty shall be prohibited from use, and machines and equipment which exceed permitted noise and vibration standards shall be prohibited from operation.

Public security organs, traffic-controllers and local government organs shall set up modern instruments for monitoring gas emissions on main streets and other places where they are required, monitor emissions of gas and smoke from vehicles and adopt any necessary measures for preventing air pollution.

Article 22. When gas, dust and smoke emissions can seriously harm men and animals by polluting the atmosphere under the influence of unusual weather conditions, the institutions, factories and enterprises concerned shall reduce the volume of emissions and control or stop the operation of vehicles.

Hydrometeorological organs shall inform the organs concerned promptly of unusual weather conditions.

Article 23. Institutions, enterprises, organizations and citizens shall refrain from burning leaves and waste products in the residential areas of cities and near main streets, and shall remove them elsewhere after collecting them at dumps.

City management organs and the organs concerned shall remove waste promptly so that it does not impede environmental protection.

Article 24. Institutions, enterprises and organizations shall establish cesspools and sewage works for the prevention of water pollution and adopt measures for the purification and recycling of sewage and waste water.

Article 25. City management organs, and the institutions, enterprises and organizations concerned shall repair and improve waterworks regularly and supply drinking water only after filtering and purifying it.

No factory, enterprise, building or facility shall be built, and no herbicide, insecticide or other harmful chemical shall be sprayed, in the area surrounding water intakes, reservoirs and drainage outlets.

Article 26. No ship, either sailing or at anchor in the territorial waters and economic waters, at the ports, harbours, and barrages, on the rivers, lakes, marshes and reservoirs, of the Republic shall dump or dispose of oil, foul water or filth.

Institutions for developing natural resources, local administrative and economic guidance organs and the other organs concerned shall refrain from polluting the marine environment when developing marine resources and from undertaking projects along seashores.

Article 27. Shipping organizations shall provide their ships with pollution prevention equipment or with tanks and other containers for storing sewage and waste corresponding to their displacement and have ships regularly inspected by the marine affairs control agencies.

The marine affairs control agencies shall strictly examine the ships' equipment for their environmental safety.

Article 28. Institutions, enterprises and cooperative organizations which manage harbours, ports, barrages and docks shall provide themselves with facilities for disposing of sewage and refuse, remove these from ships and purify or skim off any oil or filth floating on the water of the sea or river.

Article 29. The institutions, enterprises and organizations concerned shall locate cesspools, sewage works, rubbish and industrial refuse dumps in such places where there will be no threat of the contamination of the sea, rivers, lakes, marshes, reservoirs and sources of drinking water.

Earth-scraping areas, refuse dumps, coal bins, soot dumps, and slag heaps shall be so arranged as to avoid polluting the surrounding areas, and, when they are no longer being used, shall be buried under earth and planted with trees or used as farm land.

Article 30. Agricultural chemicals prohibited by the State because of their polluting effect on the air, water and soil or for their harmful effect on human life shall not be produced or imported.

Health and anti-epidemic organs shall investigate the noxious properties of all agricultural chemicals.

Article 31. Agricultural guidance organs, institutions, enterprises, organizations and citizens that use agricultural chemicals shall prevent agricultural chemicals from being blown away, or from flowing into rivers, lakes, marshes, reservoirs and the sea, and from being deposited underground.

Insecticides and other agricultural chemicals shall be sprayed by aeroplane only with the approval of the environmental protection and control agencies concerned.

Article 32. Institutions, factories and enterprises which produce or handle radioactive substances shall provide themselves with filtering and purifying devices to prevent the environment from being polluted by radioactive gas, dust, waste water and refuse, and reduce their radioactivity to below the tolerable limit.

Institutions, factories and enterprises which regularly handle radioactive substances in open conditions shall prevent pollution by regularly monitoring the radioactive pollution in the surrounding area.

Article 33. Institutions, factories and enterprises which produce, supply, carry, manage, use or destroy radioactive matter shall receive permission to handle it only from the radioactivity control organs or public security organs.

Radioactivity control organs shall regularly monitor possible environmental contamination elements and adopt any appropriate measures.

Article 34. No polluted fish, fruits, foodstuffs and animal feed shall be imported.

The institutions, enterprises, organizations and citizens concerned shall refrain from polluting foodstuffs during their production and handling.

Article 35. Equipment and technology which are damaging to the people's health and the environment because they emit harmful substances and make noise and vibrate shall not be imported or introduced into production.

Article 36. Institutions, enterprises and organizations shall regularly measure the quantities and densities of harmful substances emitted during production, as well as the intensity of noise and vibration, reduce them systematically and obtain approved limits from the environmental protection and control agencies concerned.

Harmful substances which exceed the permitted limit or are prohibited by the environmental protection and control agencies shall not be produced.

Article 37. Local government organs, land management organs and the other organs concerned shall relocate out of cities any factories and enterprises which are damaging to the residents' health, and move highways and railways for transporting goods either to areas outside residential areas or underground. Houses which are at risk of harm from pollution shall be relocated to places where the environmental conditions are good.

In the city centres no factories or enterprises which can cause pollution or which transport large volumes of goods shall be built and no buildings and facilities which have no pollution prevention equipment shall be used.

Chapter 4

THE GUIDANCE AND MANAGEMENT OF ENVIRONMENTAL PROTECTION

Article 38. Improving the guidance and management of environmental protection is an important requirement for thoroughly implementing the State policy of environmental protection.

The State shall establish a proper system for protecting the environment and strengthen the organizational direction and supervision of the work to improve environmental protection and management as required by the developing situation.

Article 39. The Administration Council shall give unified State direction to environmental protection work.

A nonpermanent environmental protection committee shall be established under the Administration Council to give collective guidance to environmental protection and take any necessary measures promptly.

Article 40. The supervision of environmental protection shall be undertaken by land management organs, the health and anti-epidemic organs, and radioactivity control organs which supervise environmental protection in different sectors, and other organs so authorized.

Article 41. The institutions, enterprises and organizations concerned shall supply the environmental protection and control organs and the environmental protection monitoring organs with the information they require and provide them with the working conditions they need.

State planning organs, materials supply organs, financial organs, including banks, and labour administration organs shall promptly supply sufficient facilities, materials, funds and manpower for protecting the environment.

Article 42. The central authorities, land management organs and local government organs concerned shall investigate the general state of the damage and pollution of the environment, draw up annual plans for improving environmental protection and adopt any necessary measures.

Article 43. The land planning organs and design assessment organs concerned shall locate residential and industrial areas after examining the hydrometeorological conditions, terrain conditions, oceanic conditions and other factors from the point of view of environmental protection and assess and approve only those technical tasks and designs that have been agreed upon by the public health organizations, hydrometeorological organs and other specialized organs concerned.

Article 44. The organs in charge of inspecting completed structures and the organizations participating in their inspection shall not pass structures which have not been furnished with pollution prevention facilities.

Article 45. The Administration Council shall establish a State pollution surveillance system, enhance the role of the pollution monitoring organs to ensure a regular monitoring of changes in the environment, and adopt scientific and technological measures for disposing of sewage, waste water and industrial refuse.

Article 46. Educational institutions and the press shall disseminate a scientific explanation of environmental protection and educate the masses to protect the environment by variety of ways and means and give wide publicity to the successes achieved in environmental protection.

Chapter 5

COMPENSATION FOR AND SANCTIONS AGAINST ENVIRONMENTAL DAMAGE

Article 47. Institutions, enterprises, organizations and citizens that have harmed the people's health and the property of the State, social cooperative organizations and citizens by damaging, destroying or polluting the environment shall compensate for the loss.

Article 48. Institutions, enterprises, organizations and citizens that have incurred losses from a violation of the regulations for environmental protection can claim damages from the institutions, enterprises, organizations and citizens that have inflicted the losses.

Article 49. In cases where State land and resources have been damaged by violators of the environmental protection regulations, the environmental protection and control agencies shall have the violators compensate the State for the damage.

Article 50. In cases where foreign ships or foreigners have polluted the air or water in our territory or our economic waters, the port supervisory organ and other authorized organs concerned shall detain them and ensure that they compensate for the loss, or fine them.

Article 51. The environmental protection and control agencies can halt projects under construction, the operation of factories and the running of vehicles which violate the environmental protection regulations or shall withdraw the structures and facilities involved and confiscate the materials and products.

Where the environment has been damaged, destroyed or polluted, rehabilitation may be required.

Article 52. In cases where institutions, enterprises and organizations have brought about grave consequences by seriously damaging, destroying or polluting the country's environment, their officials or the persons to blame shall be called to account administratively or penally.