

North Korean Constitution - April 2009

Preamble

The Democratic People's Republic of Korea is a chuch'e-based socialist fatherland that embodies the idea and leadership of the great leader Comrade Kim Il Sung.

The great leader Comrade Kim Il Sung is the founder of the DPRK and the father of socialist Korea.

Comrade Kim Il Sung founded the immortal chuch'e idea, and by organizing and leading the anti-Japanese revolutionary struggle under its banner, established glorious revolutionary traditions and achieved the historic cause of the fatherland's liberation. He founded the DPRK on the basis of laying a solid foundation for building an independent and sovereign state in the fields of politics, economy, culture, and military.

Comrade Kim Il Sung reinforced and developed the Republic into a popular masses-centered socialist country and a socialist state of independence, self-support, and self-defense by putting forward a chuch'e-oriented revolutionary line and wisely leading various stages of the social revolution and construction work.

Comrade Kim Il Sung clarified the fundamental principles of state building and state activities; established the most superior state and social system, political method, and system and method of social management; and provided a firm foundation for achieving the wealth, power, and prosperity of the socialist fatherland and for succeeding to and completing the chuch'e revolutionary cause.

Comrade Kim Il Sung, regarding the idea of "Serving the people as heaven" as his motto, was always with the people, devoted his whole life to them, took care of and led the people with his noble politics of benevolence, and thus turned the whole society into one big, single-heartedly united family.

The great leader Comrade Kim Il Sung is the sun of the nation and the lodestar of the fatherland's reunification. Comrade Kim Il Sung set forth the country's reunification as the supreme task of the nation and devoted all his efforts and energies to its realization. While consolidating the Republic into a powerful and mighty fortress for the fatherland's reunification, Comrade Kim Il Sung presented fundamental principles and methods of the fatherland's reunification and developed the movement for the fatherland's reunification into a pan-national movement, and thus paved the road for accomplishing the cause of the fatherland's reunification with the united strength of the entire nation.

The great leader Comrade Kim Il Sung clarified the basic idea of the DPRK's foreign policy, expanded and developed the country's external relations with this as a basis, and enabled the Republic to highly display its international authority. Comrade Kim Il Sung, as a veteran statesman of the world, pioneered a new era of independence, engaged in energetic activities for the reinforcement and development of the socialist movement and the nonaligned movement, as well as for global peace and friendship among the peoples, and made an immortal contribution to mankind's cause of independence.

Comrade Kim Il Sung was a genius in ideology and theory and in the art of leadership, an

ever-victorious, iron-willed brilliant commander, a great revolutionary and politician, and a great human being.

Comrade Kim Il Sung's great idea and achievements in leadership are the eternal treasures of the DPRK revolution and serve as a basic guarantee for the affluence and prosperity of the DPRK.

Under the leadership of the Workers Party of Korea [WPK], the DPRK and the Korean people will hold the great leader Comrade Kim Il Sung in high esteem as the eternal president of the Republic and complete the chuch'e revolutionary cause to the end by defending, carrying forward, and developing Comrade Kim Il Sung's idea and achievements.

The DPRK Socialist Constitution is the Kim Il Sung constitution, in which the great leader Comrade Kim Il Sung's chuch'e-oriented idea of state building and his achievements in state building have been made into law.

Chapter I. Politics

Article 1. The DPRK is an independent socialist state representing the interests of all the Korean people.

Article 2. The DPRK is a revolutionary state, which has inherited the brilliant traditions established in the glorious revolutionary struggle against the imperialist aggressors to achieve the fatherland's liberation and the freedom and happiness of the people.

Article 3. The DPRK considers the chuch'e idea and the military-first idea, which are person-centered worldviews and revolutionary ideas for achieving the independence of the popular masses, as the guiding principles of its activities.

Article 4. The sovereignty of the DPRK shall be vested in the working people, which include workers, farmers, soldiers, and working intellectuals. The working people shall exercise their sovereignty through their representative organs -- the Supreme People's Assembly [SPA] and the local people's assemblies at all levels.

Article 5. All state organs of the DPRK shall be organized and managed on the principle of democratic centralism.

Article 6. The organs of sovereignty at all levels, from the county people's assembly to the SPA, shall be elected on the principle of universal, equal, and direct suffrage by secret ballot.

Article 7. Deputies to the organs of sovereignty at all levels shall have close ties with their constituents and shall be accountable to them for their work. Constituents may recall a deputy they have elected at any given time in the event the latter loses confidence.

Article 8. The social system of the DPRK is a man-centered social system whereby the working popular masses are the masters of everything, and everything in society serves the working popular masses. The state shall safeguard the interests of, and respect and protect the human rights of the working people, including workers, farmers, soldiers, and working intellectuals, who have been freed from exploitation and oppression and have become the masters of the state and society.

Article 9. The DPRK shall struggle to achieve the complete victory of socialism by strengthening the people's regime in the northern half of Korea and by vigorously waging the three revolutions -- ideological, technological, and cultural -- to achieve the fatherland's reunification on the principle of independence, peaceful reunification, and grand national

unity.

Article 10. The DPRK shall base itself on the political and ideological unity of all the people, based on the worker-farmer alliance led by the working class. The state shall revolutionize all members of the society and turn them into the working class by intensifying the ideological revolution, and shall turn the whole of society into a single collective united in comradeship.

Article 11. The DPRK shall carry out all its activities under the leadership of the WPK.

Article 12. The state shall adhere to the class line and strengthen the dictatorship of the people's democracy, and thus firmly protect the people's sovereignty and socialist system from the maneuvers for destruction by hostile elements at home and abroad.

Article 13. The state shall embody the mass line and implement in all work the Ch'o'ngsan-ri spirit and method, whereby the upper echelons assist the lower echelons, solutions to problems are sought among the masses, and the voluntary enthusiasm of the masses is aroused by giving priority to the political work, the work with people.

Article 14. The state shall vigorously carry out mass movements, including the Movement To Win the Three-Revolution Red Flag, and accelerate the socialist construction to the maximum.

Article 15. The DPRK shall protect the democratic national rights of Korean compatriots overseas and their legitimate rights and interests as recognized by international law.

Article 16. The DPRK shall guarantee the legitimate rights and interests of foreigners in its territory.

Article 17. Independence, peace, and friendship are the basic ideas of the DPRK's foreign policy and the principles of its external activities. The state shall establish diplomatic and political, economic, and cultural relations with all the countries that treat our country in a friendly manner, on the principles of complete equality and independence, mutual respect and noninterference in each other's internal affairs, and reciprocity. The state shall unite with the peoples of the world who espouse independence and shall actively support and encourage the struggle of the peoples of all countries to oppose all forms of aggression and interference in others' internal affairs and to achieve the sovereignty of their countries and national and class liberation.

Article 18. The laws of the DPRK are a reflection of the intents and interests of the working people and serve as a basic weapon in state administration. Respect for the law and its strict observation and execution is the duty of all organs, enterprises, organizations, and citizens. The state shall perfect the socialist legal system and strengthen the socialist law-abiding life.

Chapter II. Economy

Article 19. The DPRK shall base itself on the socialist production relations and the foundation of a self-supporting national economy.

Article 20. In the DPRK, the means of production are owned by the state and social cooperative organizations.

Article 21. The property of the state shall be the property of all the people. There shall be no limit to the property which the state can own. All the natural resources of the country, railways, air transportation, telecommunications and postal organs, as well as major factories, enterprises, ports, and banks, shall be owned solely by the state. The state shall protect and

develop on a priority basis the property of the state, which plays a leading role in the economic development of the country.

Article 22. The property of social cooperative organizations shall be the collective property of the working people belonging to the organizations concerned. Such property as land, farm machinery, ships, small- and medium-sized factories, and enterprises may be owned by social cooperative organizations.

The state shall protect the property of social cooperative organizations.

Article 23. The state shall enhance the ideological consciousness and the technological and cultural standards of farmers; shall promote the leading role of the property owned by all of the people over cooperative property so as to organically combine the two forms of property; shall consolidate and develop the socialist cooperative economic system by improving the guidance and management of the cooperative economy; and shall gradually convert the property of cooperative organizations into the property owned by all of the people based on the voluntary will of all members of cooperative organizations.

Article 24. Private property is property for the personal and consumption purposes of citizens. Private property is comprised of the socialist distribution according to the results of labor and additional benefits of the state and society. The products of individual sideline activities, including those from garden plot farming, and the income derived from other legal economic activities shall also belong to private property. The state shall protect private property and guarantee the right to its inheritance by law.

Article 25. The DPRK shall regard it as the supreme principle of its activities to ceaselessly improve the material and cultural living standards of the people. The increasing material wealth of the society in our country, where taxes have been abolished, shall be used entirely to promote the welfare of the working people. The state shall provide all the working people with every condition for obtaining food, clothing, and housing.

Article 26 . The self-supporting national economy provided in the DPRK is a firm foundation for the happy socialist lives of the people and for the affluence and prosperity of the fatherland. The state shall adhere to the socialist line of building a self-supporting national economy and accelerate the chuch'e-orientation, modernization, and scientification of the people's economy to turn the people's economy into a highly advanced chuch'e-oriented economy, and shall struggle to build material and technological foundations befitting a completely socialist society.

Article 27. The technological revolution is a basic link for developing the socialist economy. The state shall carry out all economic activities by always giving top priority to technological development, accelerate scientific and technological development and the technological remodeling of the people's economy, and vigorously carry out the mass technological innovation movement, so as to free the working people from difficult and arduous labor and to narrow the differences between physical labor and mental labor.

Article 28. The state shall industrialize and modernize agriculture by accelerating the technological revolution in rural areas, and enhance the role of counties and strengthen its guidance and assistance to rural areas, in order to eliminate the differences between urban and rural areas and class distinctions between the working class and farmers. The state shall build, at its own expense, production facilities for cooperative farms and modern houses in rural areas.

Article 29. Socialism is built by the creative labor of the working masses. Labor in the DPRK is the independent and creative labor of the working people who have been freed from

exploitation and oppression. The state shall make the labor of our working people, who do not experience unemployment, more joyful and worthwhile, so that they work with voluntary enthusiasm and initiative for the society, the collective, and themselves.

Article 30. The daily working hours of the working people shall be eight hours. The state shall shorten the daily working hours for certain labor, according to the level of difficulty and special conditions. The state shall ensure the full utilization of the working hours by organizing labor effectively and strengthening labor discipline.

Article 31. In the DPRK, citizens shall begin to work from the age of 16. The state shall prohibit the labor of children under the stipulated working age.

Article 32. In guiding and managing the socialist economy, the state shall firmly maintain the principle of correctly combining political guidance with economic and technological guidance, the unified guidance of the state with the initiative of each unit, unitary command with democracy, and political and moral incentives with material incentives.

Article 33. The state shall guide and manage the economy according to the Taean work system, a socialist form of economic management whereby the economy is managed and operated scientifically and rationally on the basis of the collective strength of the masses of producers, and according to the agricultural guidance system of guiding the rural economy with industrial methods. In managing the economy, the state shall implement an independent economic accounting system to meet the demands of the Taean work system, and ensure correct utilization of such economic levers as prime cost, price, and profitability.

Article 34. The people's economy of the DPRK is a planned economy. The state shall draw up and implement the plans for the development of the people's economy in accordance with the rules governing the development of a socialist economy, so as to maintain a correct balance of accumulation and consumption, accelerate economic construction, ceaselessly enhance the people's living standards, and strengthen national defense capabilities. The state shall ensure a high rate of growth in production and a balanced development of the people's economy by formulating unified and detailed plans.

Article 35. The DPRK shall compile and execute the state budget pursuant to the plans for the development of the people's economy. The state shall systematically increase its accumulation, and expand and develop socialist property by intensifying the struggle for increased production and conservation and by exercising strict financial control in all sectors.

Article 36. In the DPRK, foreign trade shall be undertaken by state organs, enterprises, and social cooperative organizations. The state shall develop foreign trade on the principles of complete equality and reciprocity.

Article 37. The state shall encourage joint ventures and business collaboration between the organs, enterprises, and organizations in our country and foreign corporations or individuals, as well as the establishment and operation of various forms of enterprises in special economic zones.

Article 38. The state shall implement a tariff policy to protect the self-supporting national economy.

Chapter III. Culture

Article 39. The socialist culture, which is flourishing and developing in the DPRK, shall contribute to enhancing the creative ability of the working people and to meeting their sound cultural and emotional demands.

Article 40. The DPRK shall, by thoroughly carrying out the cultural revolution, train all people as builders of socialism who have a profound knowledge of nature and society and high cultural and technological standards, and intellectualize the whole of society.

Article 41. The DPRK shall build a genuine people-oriented and revolutionary culture that serves the socialist working people. In building a socialist national culture, the state shall oppose the cultural infiltration of imperialism and restorationist tendencies, and protect national cultural heritages, and inherit and develop them in conformity with the socialist reality.

Article 42. The state shall eliminate the outdated society's mode of life and establish a new socialist mode of life in full measure in all fields.

Article 43. The state shall implement the principle of socialist pedagogy, and thus raise the younger generations as resolute revolutionaries who struggle for the society and the people, and as new *chuch'e*-type people of knowledge, virtue, and physical health.

Article 44. The state shall give priority to the work of educating the people and training national cadres over any other work and closely combine general education with technological education, and education with productive labor.

Article 45. The state shall develop universal 11-year compulsory education, including one-year compulsory preschool education, at a high level in line with the trends in the development of modern science and technology and the realistic demands of socialist construction.

Article 46. The state shall train competent technicians and experts by developing the educational system devoted exclusively to study, as well as the educational system of various forms combining work and study, and by enhancing the scientific and theoretical levels of technological education and education in social studies and basic sciences.

Article 47. The state shall educate all students free of charge and give scholarships to students of universities and technical schools.

Article 48. The state shall strengthen social education and guarantee all the necessary conditions for all the working people to study.

Article 49. The state shall raise children of preschool age at nurseries and kindergartens at the expense of the state and society.

Article 50. The state shall establish *chuch'e* in scientific research work, actively introduce advanced sciences and technologies, develop new fields of science and technology, and thus raise the country's science and technology to world-class standards.

Article 51. The state shall establish a discipline of correctly drawing up the plans to develop science and technology and implementing them thoroughly, and strengthen creative cooperation among scientists, technicians, and producers.

Article 52. The state shall develop *chuch'e*-oriented and revolutionary literature and art, which are national in form and socialist in content. The state shall encourage creative writers and artists to produce many works of high ideological and artistic value and enlist a broad range of masses in literary and artistic activities.

Article 53. The state shall provide ample up-to-date cultural facilities in accordance with

people's demand for continuous spiritual and physical development, so that all the working people may enjoy socialist cultural and emotional lives to the full.

Article 54. The state shall protect our language from all forms of policies to obliterate the national language and shall develop it to meet the needs of the present day.

Article 55. The state shall popularize physical culture and sports and make them a part of the daily life, thus strongly preparing all the people for labor and national defense, and shall develop the techniques of physical culture and sports in accordance with the realities of our country and the trends in the development of modern physical culture and sports.

Article 56. The state shall consolidate and develop the system of universal free medical care and strengthen the district-doctor system and the preventive medicine system to protect the lives of people and improve the health of the working people.

Article 57. The state shall draw up environmental protection measures before production, preserve and develop the natural environment, and prevent environmental pollution, thus providing the people with a modern and hygienic living environment and working conditions.

Chapter IV. National Defense

Article 58. The DPRK shall base itself on an all-people, nationwide defense system.

Article 59. The mission of the armed forces of the DPRK is to carry out the military-first revolutionary line in order to protect the nerve center of the revolution, safeguard the interests of the working people, defend the socialist system and the gains of the revolution from foreign aggression, and protect the freedom, independence, and peace of the fatherland.

Article 60. The state shall carry out a self-defensive military line, the basic substance of which is to convert the entire army into a cadre army, modernize the entire army, arm all the people, and turn the whole country into a fortress, on the basis of arming the army and the people politically and ideologically.

Article 61. The state shall establish a revolutionary system of leading the army and military ethos; strengthen military discipline and mass discipline within the army; and promote the high display of the lofty traditional virtue of unity between officers and enlisted men, harmony between military and political [affairs], and unity between the army and the people.

Chapter V. Basic Rights and Responsibilities of Citizens

Article 62. The requirements for becoming a citizen of the DPRK shall be prescribed by law pertaining to nationality. Citizens shall be under the protection of the DPRK, regardless of their place of residence.

Article 63. In the DPRK, the rights and responsibilities of citizens are based on the collectivist principle of "One for all, all for one."

Article 64. The state shall substantially guarantee all citizens genuine democratic rights and freedom, and happy material and cultural lives. In the DPRK, the rights and freedom of citizens shall be further expanded with the consolidation and development of the socialist system.

Article 65. Citizens shall have equal rights in all spheres of the state and social life.

Article 66. All citizens who have reached the age of 17 shall have the right to vote and the

right to be elected, irrespective of sex, race, occupation, length of residence, property and intellectual level, party affiliation, political view, or religious belief. Citizens serving in the armed forces shall also have the right to vote and the right to be elected. Persons who have been disenfranchised by a court decision and persons who are insane shall not have the right to vote or the right to be elected.

Article 67. Citizens shall have freedom of speech, press, assembly, demonstration, and association. The state shall guarantee conditions for the free activities of democratic political parties and social organizations.

Article 68. Citizens shall have freedom of religion. This right shall be guaranteed by permitting the construction of religious buildings and the holding of religious ceremonies. Religion shall not be used in bringing in outside forces or in harming the state and social order.

Article 69. Citizens may make appeals and file petitions. The state shall fairly deliberate and deal with appeals and petitions as prescribed by law.

Article 70. Citizens shall have the right to labor. All citizens who are able to work shall choose occupations according to their wishes and talents, and shall be guaranteed secure jobs and working conditions. Citizens shall work according to their abilities and shall be paid in accordance with the quantity and quality of their work.

Article 71. Citizens shall have the right to rest. This right shall be guaranteed by the establishment of working hours, legal holidays, paid leave, rest and recuperation at state expense, and by a variety of continuously increasing cultural facilities.

Article 72. Citizens shall have the right to receive free medical care, and persons who are no longer able to work due to old age, illness, or physical disability, and the old and children who do not have caretakers, shall have the right to receive material assistance. This right shall be guaranteed by free medical care, continuously expanding medical facilities that include hospitals and sanitariums, and the state social insurance and the social security system.

Article 73. Citizens shall have the right to receive education. This right shall be guaranteed by an advanced educational system and the state's people-oriented educational measures.

Article 74. Citizens shall have freedom to engage in scientific, literary, and artistic activities. The state shall grant benefits to inventors and creators. Copyrights, patents to inventions, and other patent rights shall be protected by law.

Article 75. Citizens shall have freedom of residence and travel.

Article 76. Revolutionary fighters, families of revolutionary and patriotic martyrs, families of servicepersons of the People's Army, and disabled soldiers shall receive special protection from the state and society.

Article 77. Women shall be entitled to the same social status and rights as men. The state shall provide special protection to mothers and children by guaranteeing maternity leave before and after childbirth, reducing working hours for mothers with many children, and expanding the network of maternity hospitals, nurseries, and kindergartens, and by implementing other measures. The state shall provide every possible condition for women to participate in society.

Article 78. Marriage and family shall be protected by the state. The state shall take deep interest in consolidating the family, the basic unit of social life.

Article 79. Citizens shall be guaranteed inviolability of the person and the home and privacy of correspondence. Citizens cannot be detained or arrested and their homes cannot be searched without legal grounds.

Article 80. The DPRK shall protect people of other countries who defected while struggling for peace and democracy, for national independence and socialism, and for freedom of scientific and cultural activities.

Article 81. Citizens shall firmly safeguard the political and ideological unity and cohesion of the people. Citizens shall value their organization and collectively and highly demonstrate the trait of dedicating themselves to work for the society and the people.

Article 82. Citizens shall abide by the laws of the state and the socialist standards of life and defend their honor and dignity as citizens of the DPRK.

Article 83. Labor is a sacred duty and honor of citizens. Citizens shall voluntarily and sincerely participate in labor and strictly observe labor discipline and working hours.

Article 84. Citizens shall value and love the property of the state and social cooperative organizations, struggle against all forms of misappropriation and waste, and assiduously manage the country's economy in a manner befitting a master. The property of the state and social cooperative organizations shall be inviolable.

Article 85. Citizens shall always heighten their revolutionary vigilance and struggle by dedicating themselves to the security of the state.

Article 86. Defending the fatherland is the supreme duty and honor of citizens. Citizens shall defend the fatherland and serve in the armed forces as prescribed by law.

Chapter VI. State Organizations

Section 1. The Supreme People's Assembly (SPA)

Article 87. The SPA is the organ of supreme sovereignty in the DPRK.

Article 88. The SPA shall exercise the legislative power. The SPA Presidium may also exercise the legislative power when the SPA is in recess.

Article 89. The SPA shall be composed of the deputies elected on the principle of universal, equal, and direct suffrage by secret ballot.

Article 90. The term of office of the SPA shall be five years. A new SPA shall be elected prior to the expiry of its term of office in accordance with the decision of the SPA Presidium. When unavoidable circumstances render an election impossible, the term of office shall be extended until an election is held.

Article 91. The SPA shall have the authority to:

1. Amend and supplement the Constitution.
2. Enact, or amend and supplement sectoral laws.
3. Approve major sectoral bills adopted by the SPA Presidium when the SPA is in recess.
4. Establish the basic principles of the state's domestic and foreign policies.
5. Elect or recall the chairman of the DPRK NDC.
6. Elect or recall the president of the SPA Presidium.
7. Elect or recall the first vice chairman, vice chairmen and members of the NDC on the

recommendation of the chairman of the DPRK NDC.

8. Elect or recall the vice presidents, honorary vice presidents, secretary, and members of the SPA Presidium.

9. Elect or recall the premier of the Cabinet.

10. Appoint the vice premiers, committee chairmen, ministers, and other members of the Cabinet on the recommendation of the premier of the Cabinet.

11. Appoint or dismiss the Prosecutor General of the Central Prosecutor's Office.

12. Elect or recall the President of the Central Court.

13. Elect or recall the chairmen, vice chairmen, and members of the sectoral committees of the SPA.

14. Deliberate and approve the state plan for the development of the people's economy and the report on the status of its implementation.

15. Deliberate and approve the state budget and the report on the status of its execution.

16. Receive reports on the status of the work of the Cabinet and central organs and establish measures, if necessary.

17. Decide on the ratification or abrogation of treaties presented to the SPA.

Article 92. The SPA shall hold regular sessions and extraordinary sessions. Regular sessions shall be convened once or twice a year by the SPA Presidium. Extraordinary sessions shall be convened when the SPA Presidium deems them necessary, or at the request of more than one-third of the total number of deputies.

Article 93. The SPA requires a quorum of more than two-thirds of the total number of deputies in order to meet.

Article 94. The SPA shall elect its chairman and vice chairmen. The chairman shall preside over the sessions.

Article 95. Agenda items for discussion at the SPA shall be submitted by the chairman of the DPRK NDC, the NDC, the SPA Presidium, the Cabinet, and sectoral committees of the SPA. Deputies may also submit agenda items.

Article 96. The first session of each term of the SPA shall elect a credentials committee for deputies and, based on a report submitted by this committee, adopt a decision confirming the credentials of deputies.

Article 97. The SPA shall issue laws, ordinances, and decisions. The laws, ordinances, and decisions issued by the SPA shall be adopted with the approval of more than a half of the deputies attending the session in a vote by show of hands. The Constitution can be revised or supplemented with the approval of more than two-thirds of the total number of deputies to the SPA.

Article 98. The SPA shall have such sectoral committees as the Legislation Committee and the Budget Committee. The SPA sectoral committees shall be composed of the chairman, vice chairmen, and members. The SPA sectoral committees shall draw up or deliberate drafts of state policies and bills to assist the work of the SPA and establish measures for their execution. The SPA sectoral committees shall carry out their work under the guidance of the SPA Presidium when the SPA is in recess.

Article 99. Deputies to the SPA shall be guaranteed inviolability. No deputy to the SPA can be arrested or be subject to criminal punishment without the consent of the SPA, or when it is in recess, without the consent of its Presidium, except for a flagrant offense.

Section 2. Chairman of the DPRK National Defense Commission

Article 100. The chairman of the DPRK National Defense Commission [NDC] is the supreme leader [ch'oego ryo'ngdoja] of the DPRK.

Article 101. The term of office of the chairman of the DPRK NDC shall be the same as that of the SPA.

Article 102. The chairman of the DPRK NDC is the supreme commander of the overall armed forces of the DPRK and commands and directs all the armed forces of the state.

Article 103. The chairman of the DPRK NDC shall have the duties and authority to:

1. Guide overall affairs of the state.
2. Directly guide the work of the NDC.
3. Appoint or dismiss important cadres of the national defense sector.
4. Ratify or abrogate significant treaties concluded with other countries.
5. Exercise the right to grant special pardons.
6. Declare a state of emergency and state of war in the country, and issue orders for mobilization.

Article 104. The chairman of the DPRK NDC shall issue orders [myo'ngnyo'ng].

Article 105. The chairman of the DPRK NDC shall be accountable for his work to the SPA.

Section 3. The National Defense Commission

Article 106. The National Defense Commission [NDC] is the supreme national defense guidance organ of state sovereignty.

Article 107. The NDC shall be composed of the chairman, first vice chairman, vice chairmen, and members.

Article 108. The term of office of the NDC shall be the same as that of the SPA.

Article 109. The NDC shall have the duties and authority to:

1. Establish important policies of the state for carrying out the military-first revolutionary line.
2. Guide the overall armed forces and defense-building work of the state.
3. Supervise the status of executing the orders of the chairman of the DPRK NDC and the decisions and directives of the NDC, and establish relevant measures.
4. Rescind the decisions and directives of state organs that run counter to the orders of the chairman of the DPRK NDC and to the decisions and directives of the NDC.
5. Establish or abolish central organs of the national defense sector.
6. Institute military titles and confer military titles above the general grade officer rank.

Article 110. The NDC shall issue decisions and directives.

Article 111. The NDC shall be accountable for its work to the SPA.

Section 4. The SPA Presidium

Article 112. The SPA Presidium is the organ of supreme sovereignty when the SPA is in recess.

Article 113. The SPA Presidium shall be composed of the president, vice presidents, secretary, and members.

Article 114. The SPA Presidium may have a few honorary vice presidents. Functionaries among the SPA deputies who have participated in the work of state building for a long time and made distinguished contributions may become honorary vice presidents of the SPA Presidium.

Article 115. The term of office of the SPA Presidium shall be the same as that of the SPA. The SPA Presidium shall continue to execute its duties until a new Presidium is elected, even after the term of office of the SPA is terminated.

Article 116. The SPA Presidium shall have the duties and authority to:

1. Convene the SPA.
2. Deliberate and adopt drafts of new sectoral bills and regulations, and drafts of amendments and supplements to existing sectoral laws and regulations which are submitted while the SPA is in recess, and obtain the approval of the next SPA session for major sectoral bills to be adopted and implemented.
3. Deliberate and approve the state plan for the development of the people's economy, and the state Budget and its adjusted plan, which are submitted while the SPA is in recess due to unavoidable circumstances.
4. Interpret the Constitution and existing sectoral laws and regulations.
5. Supervise the observance and execution of laws by state organs and establish relevant measures.
6. Rescind decisions and directives of state organs that run counter to the Constitution; laws, ordinances, and decisions of the SPA; orders of the chairman of the DPRK NDC; decisions and directives of the NDC; and the decrees, decisions, and directives of the SPA Presidium; and suspend the execution of erroneous decisions of the local people's assemblies.
7. Carry out the work for electing deputies to the SPA and organize the work of electing deputies to the local people's assemblies.
8. Work with deputies to the SPA.
9. Work with the sectoral committees of the SPA.
10. Establish or abolish committees and ministries of the Cabinet.
11. Appoint or dismiss vice premiers, committee chairmen, ministers, and other members of the Cabinet on the recommendation of the premier of the Cabinet when the SPA is in recess.
12. Appoint or dismiss members of the sectoral committees of the SPA Presidium.
13. Elect or recall judges and people's assessors of the Central Court.
14. Ratify or abrogate treaties concluded with other countries.
15. Decide on and announce the appointment or recall of diplomatic representatives to other countries.
16. Institute decorations, medals, honorary titles, and diplomatic ranks, and confer decorations, medals, and honorary titles.
17. Exercise the right to grant general amnesties and special pardons.
18. Establish or alter administrative units and districts.
19. Conduct external work, including that with other countries' legislatures and inter-parliamentary organizations.

Article 117. The President of the SPA Presidium shall organize and guide the work of the Presidium. The President of the SPA Presidium shall represent the state and receive credentials and letters of recall from envoys accredited by other countries.

Article 118. The SPA Presidium shall hold plenary meetings and executive meetings. The plenary meetings shall be composed of all the members and the executive meetings shall be composed of the president, vice presidents, and secretary.

Article 119. The plenary meetings of the SPA Presidium shall discuss and decide on important issues raised in fulfilling the duties of the Presidium and in exercising its authority. The executive meetings shall discuss and decide on the issues delegated by the plenary

meetings.

Article 120. The SPA Presidium shall issue decrees, decisions, and directives.

Article 121. The SPA Presidium may have sectoral committees to assist it in its work.

Article 122. The SPA Presidium shall be accountable for its work to the SPA.

Section 5. The Cabinet

Article 123. The Cabinet is an administrative and executive organ of supreme sovereignty and an organ of overall state administration.

Article 124. The Cabinet shall be composed of the premier, vice premiers, committee chairmen, ministers, and other members as required. The term of office of the Cabinet shall be the same as that of the SPA.

Article 125. The Cabinet shall have the duties and authority to:

1. Establish measures to execute state policies.
2. Enact, amend and supplement regulations concerning state administration based on the Constitution and sectoral laws.
3. Guide the work of the committees and ministries of the Cabinet, the organs under the direct control of the Cabinet, and the local people's committees.
4. Establish or abolish organs under the direct control of the Cabinet, major administrative and economic organs, and enterprises, and establish measures to improve the state administration organizations.
5. Draw up the state plan for the development of the people's economy and establish measures for its implementation.
6. Compile the state budget and establish measures for its execution.
7. Organize and execute the work of industries, agriculture, construction, transportation, telecommunications and post, commerce, trade, land management, city management, education, science, culture, public health, physical culture and sports, labor administration, environmental protection, tourism, and various other sectors.
8. Establish measures to strengthen the monetary and banking system.
9. Carry out the inspection and control work aimed at establishing order in state administration.
10. Establish measures to maintain public order, protect the property and interests of the state and social cooperative organizations, and guarantee the rights of citizens.
11. Conclude treaties with foreign countries and conduct external work.
12. Rescind the decisions and directives of administrative and economic organs that run counter to the decisions and directives of the Cabinet.

Article 126. The premier of the Cabinet shall organize and guide the work of the Cabinet. The premier of the Cabinet shall represent the government of the DPRK.

Article 127. The Cabinet shall hold plenary meetings and executive meetings. The Cabinet plenary meetings shall be composed of all members of the Cabinet, and the executive meetings shall be composed of the premier, vice premiers, and other members of the Cabinet appointed by the premier.

Article 128. The Cabinet plenary meetings shall discuss and decide on new and important issues raised in administrative and economic affairs. The executive meetings shall discuss and decide on the issues delegated by the Cabinet plenary meetings.

Article 129. The Cabinet shall issue decisions and directives.

Article 130. The Cabinet may have non-standing sectoral committees to assist it in its work.

Article 131. The Cabinet shall be accountable for its work to the SPA, and to the SPA Presidium when the SPA is in recess.

Article 132. The newly elected premier of the Cabinet shall take an oath at the SPA on behalf of the members of the Cabinet.

Article 133. Committees and ministries of the Cabinet are the executive organs of the Cabinet in their respective sectors, as well as the management organs of the center in their respective sectors.

Article 134. Committees and ministries of the Cabinet shall control, guide, and manage the work of the sectors concerned in a unified manner under the guidance of the Cabinet.

Article 135. Committees and ministries of the Cabinet shall manage committee meetings and cadre meetings. Committee meetings and cadre meetings of the committees and ministries shall discuss and decide on the measures to execute the Cabinet's decisions and directives, as well as other important issues.

Article 136. Committees and ministries of the Cabinet shall issue directives.

Section 6. Local People's Assembly

Article 137. Provincial (municipality directly under the central authority), municipal (district), and county people's assemblies are the local organs of sovereignty.

Article 138. The local people's assemblies shall be composed of the deputies elected on the principle of universal, equal, and direct suffrage by secret ballot.

Article 139. The term of office of provincial (municipality directly under the central authority), municipal (district), and county people's assemblies shall be four years. A new election of the local people's assembly shall be held prior to the expiry of its term of office according to the decision of the local people's committee at the corresponding level. When unavoidable circumstances render an election impossible, the term of office shall be extended until an election is held.

Article 140. The local people's assembly shall have the duties and authority to:

1. Deliberate and approve local plans for the development of the people's economy and reports on the status of their implementation.
2. Deliberate and approve local budgets and reports on their execution.
3. Establish measures to execute the laws of the state in the local area concerned.
4. Elect or recall the chairman, vice chairmen, secretary, and members of the people's committee at the corresponding level.
5. Elect or recall judges and people's assessors of the court at the corresponding level.
6. Rescind erroneous decisions and directives of the people's committee at the corresponding level and of the people's assemblies and people's committees at lower levels.

Article 141. The local people's assembly shall hold regular sessions and extraordinary sessions. Regular sessions shall be convened once or twice a year by the people's committee at the corresponding level. Extraordinary sessions shall be convened when the people's committee at the corresponding level deems them necessary or at the request of more than one-third of the total number of deputies.

Article 142. The local people's assembly requires a quorum of more than two-thirds of the total number of deputies in order to meet.

Article 143. The local people's assembly shall elect its chairman. The chairman shall preside over the sessions.

Article 144. The local people's assembly shall issue decisions.

Section 7. Local People's Committee

Article 145. Provincial (municipality directly under the central authority), municipal (district), and county people's committees are the local organs of sovereignty when the people's assembly at the corresponding level is in recess, and are the administrative and executive organs of local sovereignty at the corresponding level.

Article 146. The local people's committee shall be composed of the chairman, vice chairmen, secretary, and members. The term of office of the local people's committee shall be the same as that of the people's assembly at the corresponding level.

Article 147. The local people's committee shall have the duties and authority to:

1. Convene the people's assembly sessions.
2. Carry out the work of electing deputies to the people's assembly.
3. Carry out work with deputies to the people's assembly.
4. Execute the decisions and directives of the relevant local people's assembly and of the people's committees at higher levels; the laws, ordinances, and decisions of the SPA; the orders of the chairman of the DPRK NDC; the decisions and directives of the NDC; the decrees, decisions, and directives of the SPA Presidium; and the decisions and directives of the Cabinet and the committees and ministries of the Cabinet.
5. Organize and execute all administrative work in the local area concerned.
6. Draw up local plans for the development of the people's economy and establish measures for their implementation.
7. Compile local budgets and establish measures for their execution.
8. Establish measures to maintain public order, protect the property and interests of the state and social cooperative organizations, and guarantee the rights of citizens in the local area concerned.
9. Carry out the inspection and control work aimed at establishing order in state administration in the local area concerned.
10. Guide the work of the people's committees at lower levels.
11. Rescind erroneous decisions and directives of the people's committees at lower levels, and suspend the execution of erroneous decisions of the people's assemblies at lower levels.

Article 148. The local people's committee shall hold plenary meetings and executive meetings. The plenary meetings of the local people's committee shall be composed of all its members, and the executive meetings shall be composed of the chairman, vice chairmen, and secretary.

Article 149. The plenary meetings of the local people's committee shall discuss and decide on the important issues raised in fulfilling its duties and in exercising its authority. The executive meetings shall discuss and decide on the issues delegated by the plenary meetings.

Article 150. The local people's committee shall issue decisions and directives.

Article 151. The local people's committee may have non-standing sectoral committees to assist it in its work.

Article 152. The local people's committee shall be accountable for its work to the people's assembly at the corresponding level. The local people's committee shall be subordinate to the people's committees at higher levels, the Cabinet, and the SPA Presidium.

Section 8. Prosecutors' Offices and Courts

Article 153. Prosecution work shall be executed by the Central Prosecutor's Office, by provincial (municipality directly under the central authority), municipal (district), and county prosecutors' offices, and by the special prosecutor's office.

Article 154. The term of office of the Prosecutor General of the Central Prosecutor's Office shall be the same as that of the SPA.

Article 155. Prosecutors shall be appointed or dismissed by the Central Prosecutor's Office.

Article 156. The prosecutor's office shall have the duties to:

1. Monitor whether organs, enterprises, organizations, and citizens precisely observe the laws of the state.
2. Monitor whether the decisions and directives of state organs run counter to the Constitution; to the laws, ordinances, and decisions of the SPA; to the orders of the chairman of the DPRK NDC; to the decisions and directives of the NDC; to the decrees, decisions, and to the directives of the SPA Presidium; and to the decisions and directives of the Cabinet.
3. Expose criminals and law offenders and call them to legal account in order to protect the sovereignty of the DPRK, the socialist system, the property of the state and social cooperative organizations, and the constitutional rights, lives, and property of the people.

Article 157. Prosecution work shall be executed under the unified guidance of the Central Prosecutor's Office, and all prosecutors' offices shall be subordinate to their higher offices and to the Central Prosecutor's Office.

Article 158. The Central Prosecutor's Office shall be accountable for its work to the SPA, and to the SPA Presidium when the SPA is in recess.

Article 159. Judicial proceedings shall be conducted by the Central Court, provincial (municipality directly under the central authority) courts, and municipal (district) and county people's courts, and by special courts. Verdicts shall be delivered in the name of the DPRK.

Article 160. The term of office of the President of the Central Court shall be the same as that of the SPA. The term of office of judges and people's assessors of the Central Court and of provincial (municipality directly under the central authority) courts, and of municipal (district) and county people's courts shall be the same as that of the people's assembly at the corresponding level.

Article 161. The president and judges of the special court are appointed or dismissed by the Central Court. The people's assessors of the special court are elected by the servicepersons or employees of the unit concerned at their meetings.

Article 162. The duties of the court are to:

1. Protect the sovereignty of the DPRK, the socialist system, the property of the state and social cooperative organizations, and the constitutional rights, lives, and property of the people through judicial activities.
2. Ensure that all organs, enterprises, organizations, and citizens precisely observe the laws of the state and struggle actively against class enemies and all law offenders.
3. Execute decisions and judgments with regard to property and conduct notary work.

Article 163. Judicial proceedings shall be conducted by a court consisting of one judge and two people's assessors. In special cases, the court may consist of three judges.

Article 164. Judicial proceedings shall be open to the public and the accused shall be guaranteed the right of defense. Judicial proceedings may be closed to the public as prescribed by law.

Article 165. Judicial proceedings shall be conducted in the Korean language. Foreigners may speak in their own language during judicial proceedings.

Article 166. The court shall be independent in conducting judicial proceedings and shall carry out judicial activities according to law.

Article 167. The Central Court is the supreme judicial organ of the DPRK. The Central Court shall supervise the judicial activities of all courts.

Article 168. The Central Court shall be accountable for its work to the SPA, and to the SPA Presidium when the SPA is in recess.

Chapter VII. National Emblem, National Flag, National Anthem, and Capital

Article 169. The national emblem of the DPRK depicts the design of a magnificent hydroelectric power plant under Mt Paektu, the sacred mountain of the revolution, and a brilliantly shining five-pointed red star, within an oval frame consisting of ears of rice, braided with a red ribbon bearing the inscription "The Democratic People's Republic of Korea".

Article 170. The national flag of the DPRK consists of a wide red stripe at the center, bordered by a narrow white stripe both above and below, followed by a blue stripe. The central red stripe carries a five-pointed red star within a white circle near the hoist. The ratio of the width to its length is 1:2.

Article 171. The national anthem of the DPRK is "Aegukka [The Patriotic Song]".

Article 172. The capital of the DPRK is Pyongyang.