CONSTITUTION
OF
THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

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PREAMBLE

The Democratic People's Republic of Korea is a people-centred socialist State which represents the interests of the Korean people and fights for the socialist cause.

In the Democratic People's Republic of Korea, the great Kimilsungism-Kimjongilism is the only guiding ideology in State building and activities, and modelling the whole society after Kimilsungism-Kimjongilism is the general orientation and goal of State building.

The Democratic People's Republic of Korea steadfastly defends and constantly develops the brilliant traditions established during the glorious revolutionary struggle for the liberation of the country and for the freedom and well-being of the people.

In the Democratic People's Republic of Korea, the fundamental principles of State building and activities are to establish its leader's unified leadership system, to maintain the revolutionary line of independence and to fully apply the people-first principle.

The Democratic People's Republic of Korea organizes and implements overall State administration as planned and intended by its leader, and steadfastly defends and continuously glorifies its leader's ideology of, and exploits in, State building.

The Democratic People's Republic of Korea maintains the principle of independence in State building and activities, and develops all the realms of social life in its own way and by its own efforts.

In the Democratic People's Republic of Korea, the supreme principle of its activities is to give top and absolute priority to the demands and interests of the masses of the people and to promote their well-being.

The Democratic People's Republic of Korea maintains, as the general line of socialist construction, strengthening the people's government, improving its functions and role, and conducting the three revolutions—ideological, technological and cultural—in a thoroughgoing way.

The Democratic People's Republic of Korea steadily strengthens the people's government's unified guidance over and management of the whole society, as required by the changing times and revolutionary practice.

The Democratic People's Republic of Korea enhances the leadership role of the State in carrying out the three revolutions, with a view to making every member of society revolutionary, raising the country's technological and economic strength to the highest level, and making the whole society cultured.

The Democratic People's Republic of Korea implements the class line and mass line in a thoroughgoing way so as to consolidate to the utmost the single-hearted unity of the whole society, relies on the patriotic enthusiasm and creative power of the masses in resolving all

problems, and strengthens the people's democratic dictatorship in order to firmly defend the socialist system and the people's rights and interests.

The Democratic People's Republic of Korea strengthens the People's Army, strives to arm the entire population and fortify the whole country at a higher level, and develops the defence industry in order to steadily improve the nation's defence capability.

The Democratic People's Republic of Korea, by further improving its system of legislation and encouraging greater obedience to the law, ensures that the law defends people and people abide by the law.

The Democratic People's Republic of Korea, adhering to independence, peace and friendship as the basic ideals of its external policy and the defence of its national interests as an immutable principle, develops its external relations and fights for peace and security in the world and for the common prosperity of humanity.

The Democratic People's Republic of Korea shall hold fast to this Constitution, a genuine people's code and a powerful political weapon in the revolution and construction, and accomplish the revolutionary cause of Juche.

Chapter I. POLITICS

Article 1.

The name of the country is the Democratic People's Republic of Korea.

Article 2.

The territory of the Democratic People's Republic of Korea extends from its border with the People's Republic of China and the Russian Federation in the north to the Republic of Korea in the south, and includes the associated territorial waters and airspace.

The Democratic People's Republic of Korea shall never allow any infringement on its territory.

Article 3.

A citizen of the Democratic People's Republic of Korea is a person with the nationality of the Democratic People's Republic of Korea.

A citizen is under the protection of the Democratic People's Republic of Korea, regardless of their place of permanent or temporary residence.

Article 4.

The sovereignty of the Democratic People's Republic of Korea resides in its workers, farmers, soldiers, intellectuals and all other working people.

The working people exercise State power through their representative organs—the Supreme People's Assembly and local People's Assemblies at all levels.

Article 5.

All State organs in the Democratic People's Republic of Korea are formed and function on the principle of democratic centralism.

Article 6.

The organs of State power at all levels, from the Supreme People's Assembly to the county People's Assembly, are elected on the principle of universal, equal and direct suffrage by secret ballot.

Article 7.

Deputies to the organs of State power at all levels shall maintain close ties with their constituents and be accountable to them for their work.

A Deputy who has lost the confidence of his or her electors may be recalled at any time.

Article 8.

The social system of the Democratic People's Republic of Korea is a people-centred social system in which the working masses are the masters of everything and everything in society serves them.

The State shall champion the interests of the workers, farmers, soldiers, intellectuals and other working people, and shall respect and protect their human rights.

Article 9.

The Democratic People's Republic of Korea shall conduct all its activities under the guidance of the Workers' Party of Korea.

Article 10.

The Democratic People's Republic of Korea relies on the political and ideological unity of all the people, who are firmly rallied behind the Workers' Party of Korea.

The State shall step up the ideological revolution in order to make all the members of society revolutionary, to assimilate them into the working class and to turn the whole society into a collective based on comradely unity.

Article 11.

The State shall, by powerfully conducting the Three-Revolution Red Flag Movement and other revolutionary mass movements, accelerate socialist construction to the greatest extent possible.

Article 12.

The Democratic People's Republic of Korea shall champion the democratic, national rights of Koreans overseas and their rights and interests as recognized by international law.

Article 13.

The Democratic People's Republic of Korea shall guarantee the legal rights and interests of foreign nationals in its territory.

Article 14.

The Democratic People's Republic of Korea shall establish diplomatic and political, economic and cultural relations with all friendly countries, on the principles of complete equality, independence, mutual respect, noninterference in each other's affairs and mutual benefit.

The State shall promote unity with people around the world who aspire to independence and justice, and shall resolutely support and encourage the struggle of all peoples who oppose aggression and interference in all their forms and who are fighting for their country's sovereignty, and national and class emancipation.

Article 15.

The law of the Democratic People's Republic of Korea reflects the wishes and interests of the working people and is a basic instrument of State administration.

Respecting the law and adhering to and executing it strictly is the duty of all institutions, enterprises, organizations and citizens.

Chapter II. THE ECONOMY

Article 16.

The Democratic People's Republic of Korea relies on the socialist relations of production and the foundation of the independent national economy.

Article 17.

In the Democratic People's Republic of Korea, the means of production are owned by the State and social, cooperative organizations.

Article 18.

The property of the State belongs to all the people.

There is no limit to the property which the State may own.

Anything that constitutes a key branch of the national economy, including natural resources, the railways, air transport, and post and telecommunications establishments, as well as major factories and enterprises, ports and banks, is owned solely by the State.

The State shall protect and develop on a preferential basis that State property which plays a leading role in the economic development of the country.

Article 19.

The property of social, cooperative organizations is collectively owned by the working people associated with the organization concerned.

Land, farm machinery and ships, as well as 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 20.

The State shall raise the ideological consciousness and the technical and cultural level of farmers, combine the two forms of all-people property and cooperative property in an organic way in such a way that the dominant role of all-people property over cooperative property is enhanced, and consolidate and develop the socialist cooperative economic system by improving the guidance and management of the cooperative economy so that the property of cooperative organizations is steadily transformed into the property of the people as a whole, based on the voluntary will of all the cooperative's members.

Article 21.

Private property is property owned and consumed by individual citizens.

Private property is derived from socialist distribution according to work done and from supplementary benefits granted by the State and society.

The income of individuals from legal activities is also private property.

The State shall protect private property and guarantee by law the right to inherit it.

Article 22.

The Democratic People's Republic of Korea regards the steady improvement of the material and cultural standards of living of the people as the supreme principle of its activities.

The increasing material wealth of society shall be used entirely to promote the well-being of the working people.

The State shall provide all the people with every condition for leading an affluent and cultured life.

Article 23.

The independent national economy of the Democratic People's Republic of Korea is a solid foundation for the people to enjoy a happy life and for the country to prosper.

The State, adhering to the line of building an independent national economy, shall endeavour to promote the national economy on a Juche-oriented, modern, IT and scientific basis in order to make it a highly developed, Juche-oriented economy, and to build material and technical foundations commensurate with a wholly socialist society.

Article 24.

The technological revolution is a fundamental link for developing the socialist economy, and scientific and technological strength is the most important strategic resource of the State.

The State shall step up economic construction by enhancing the leading role of science and technology, integrating science and technology into production and vigorously promoting the mass-based technical innovation movement in all economic activities.

Article 25.

The State shall industrialize and modernize agriculture through the rural technological revolution in order to eliminate the difference between town and countryside and the class distinction between workers and farmers, and shall intensify its guidance and assistance to rural areas.

The State shall increase its supplies and assistance to rural areas in order to consolidate the material and technical foundations of agriculture and provide the people in the countryside with a desirable living environment.

Article 26.

The State shall promote the independent and multifaceted development of the cities and counties in order to turn all of them into strategic strongholds of a civilized, prosperous and powerful socialist country and into regions with their unique characteristics.

The State shall, in order to promote the simultaneous and balanced development of the unique characteristics of cities and counties, encourage them all to exploit in a proactive manner and utilize in an effective way their natural and economic resources and to step up the work of putting their regional-industry factories on a modern and IT footing.

The State shall provide the material and technical foundations and conditions necessary for the development of the regions and ensure that the regions achieve solid and sustained development by consolidating their unique forces and potentials.

Article 27.

Socialism is built by the patriotic enthusiasm and creative labour of the working people. Labour in the Democratic People's Republic of Korea is the independent and creative labour of the working people.

The State shall render the labour of the working people more joyful and worthwhile so that they work willingly with conscious enthusiasm and creativity for society, the collective and themselves.

Article 28.

The working day shall be eight hours.

The length of the working day shall be reduced by the State in the case of arduous labour and other special categories of work.

The State shall guarantee that the working hours are fully utilized through the proper organization of labour and the enforcement of labour discipline.

Article 29.

In the Democratic People's Republic of Korea, the minimum working age is 17 years. The State prohibits the employment of those under the minimum working age.

Article 30.

In its guidance and management of the socialist economy, the State shall strictly adhere to the principle of properly combining political guidance with economic and technical guidance, the unified guidance of the State with the creativity of individual units, unitary direction with democracy, and political and moral incentives with material incentives, and ensuring profitability.

Article 31.

The State shall direct and manage the national economy scientifically and rationally on the basis of the collective wisdom and efforts of the producer masses, and decisively enhance role of the Cabinet.

The State shall enforce the socialist system of responsible business operation in economic management, and make proper use of such economic levers as cost, price and profit.

Article 32.

The national economy of the Democratic People's Republic of Korea is a planned economy.

The State shall draw up and implement plans for the development of the national economy in accordance with the laws of socialist economic development, in such a way that the balance between accumulation and consumption can be maintained correctly, economic

construction can be accelerated, the people's standard of living can be steadily raised, and the nation's defence capabilities can be strengthened.

The State shall ensure a high rate of growth in production and balanced development of the national economy by implementing unified and detailed planning.

Article 33.

The Democratic People's Republic of Korea shall compile and implement the State budget according to the national economic development plan.

The State shall systematically increase its material accumulation and expand and develop socialist property by intensifying the campaign for increased production and greater economy and by exercising strict financial control in all spheres.

Article 34.

The foreign trade of the Democratic People's Republic of Korea is conducted by State organs and enterprises, and by social, cooperative organizations.

The State shall maintain relations of good credit in foreign trade, improve the structure of foreign trade, and develop foreign economic relations on the principles of equality and mutual benefit.

Article 35.

The State shall encourage the country's institutions, enterprises and organizations to conduct equity or contractual joint ventures with foreign corporations and individuals, and to establish and operate enterprises of various kinds in special economic zones.

Article 36.

The State shall pursue a tariff policy to protect the country's independent national economy.

Chapter III. CULTURE

Article 37.

Socialist culture, which is flourishing and developing in the Democratic People's Republic of Korea, contributes to improving the creative ability of the working people and to meeting their sound cultural and recreational demands.

Article 38.

The Democratic People's Republic of Korea shall, through a comprehensive cultural revolution, train the entire population to be builders of socialism who are equipped with a profound knowledge of nature and society and a high level of culture and technology, and step up the work of making all the people well versed in science and technology.

Article 39.

The Democratic People's Republic of Korea shall develop a truly people-oriented, revolutionary culture which serves the socialist working people.

In building a socialist national culture, the State shall oppose the cultural infiltration of imperialism, and shall protect its national cultural heritage and develop it in keeping with the existing socialist situation on the principles of establishing a Juche orientation and remaining faithful to historical facts and scientific accuracy.

Article 40.

The State shall, in order to raise the country's science and technology to the world standard, establish a Juche orientation in scientific research, introduce advanced science and technology in every possible way, increase its investment in the scientific research sector, and open up new areas of science and technology.

Article 41.

The State shall draw up a proper plan for developing science and technology, establish strict discipline in implementing it, and encourage greater creative cooperation among scientists, technicians and producers.

Article 42.

The State shall embody the principle of socialist pedagogy in order to raise the younger generation as genuine patriots who will fight for society and the collective and for the country and the people, and as pillars of socialist construction who are knowledgeable, morally sound and physically healthy.

Article 43.

The State shall give precedence to public education and the training of cadres for the nation, and shall closely combine general education with technological education, and education with productive labour.

The State shall improve the structure, contents and methods of education in order to develop education in the country into the most advantageous and ideal education which can fully guarantee the country's future.

Article 44.

The State shall develop universal compulsory 12-year education, including compulsory one-year preschool education, at a high level in accordance with the development trend of modern science and technology and the requirements of socialist construction.

Article 45.

The State shall train able people who are talented in science and technology by improving the regular education system and various forms of studying while working, and by steadily improving the educational conditions and environment.

Article 46.

The State shall provide education to all pupils and students free of charge, grant allowances to students at universities and colleges, and expand and strengthen socialist measures for benefiting the rising generation.

Article 47.

The State shall strengthen social education and provide the working people with all the conditions necessary for studying.

Article 48.

The State shall care for children of preschool age at creches and kindergartens at State and public expense.

Article 49.

The State shall protect the people's lives and improve the working people's health by consolidating and developing the socialist public health system, improving the quality of medical care, and building up the material and technical foundations of the public health sector.

Article 50.

The State shall develop Juche-oriented, revolutionary art and literature that is national in form and socialist in content.

The State shall encourage creative workers and artistes to produce many works of high ideological and artistic value, and shall encourage broad sections of the masses to participate in literary and artistic activities.

Article 51.

The State shall provide adequate, modern cultural facilities to meet the demands of the people who are desirous of continually improving themselves, both mentally and physically, so that the working people may enjoy a full socialist cultured, aesthetic life.

Article 52.

The State shall thoroughly prepare all the people for work and for national defence by popularizing physical culture and sports and making exercise part of their daily regime, and shall augment sporting skills to meet the country's needs and trends in modern sports.

Article 53.

The State shall create and develop a revolutionary and ennobling socialist way of life and conduct a powerful struggle against any practices that run counter to the socialist lifestyle.

Article 54.

The State shall ensure that all the members of society defend the Juche character and national identity of the Korean language, and actively preserve and sustain the cultured language of Pyongyang.

Article 55.

The State shall, in order to provide the people with a cultured and sanitary living environment and working conditions, adopt measures for protecting the natural environment, with this given preference over production, for preserving and promoting the natural environment, and for preventing environmental pollution.

Chapter IV. NATIONAL DEFENCE

Article 56.

The Democratic People's Republic of Korea is protected by an all-people, nationwide system of defence.

The Democratic People's Republic of Korea, as a responsible nuclear state, shall develop nuclear weapons to the highest level in order to guarantee its rights to existence and development, deter war and safeguard peace and stability in the region and the rest of the world.

Article 57.

The mission of the armed forces of the Democratic People's Republic of Korea is to defend its national sovereignty, its territorial integrity, and the rights and interests of its people, to safeguard the socialist system and the gains of the revolution from every manner of threat, and to guarantee the peace and prosperity of the country by dint of military strength.

Article 58.

The State shall implement the line of self-reliant defence, the key to which is to develop the army into a cadre army, to modernize the army, to arm all the people, and to fortify the country on the basis of training the people and service personnel politically and ideologically.

Article 59.

The State shall establish a revolutionary command system and military climate and strengthen military and mass discipline in the army, and shall give full play to the noble

traditional traits of unity between officers and soldiers, of combining military and political work, and of unity between the army and the people.

Article 60.

The State shall develop defence science and technology, and shall steadily raise the defence industry to a highly Juche-oriented, modern and scientific level.

Article 61.

The State shall establish throughout society a climate of prioritizing military affairs, and shall ensure that full preparations are made for all-people resistance.

Chapter V. THE FUNDAMENTAL RIGHTS AND DUTIES OF CITIZENS

Article 62.

In the Democratic People's Republic of Korea, the rights and duties of citizens are based on the collectivist principle: "One for all and all for one."

Article 63.

The State shall guarantee the genuine democratic rights and freedoms, as well as the material and cultural well-being, of all citizens.

In the Democratic People's Republic of Korea, the rights and freedoms of citizens shall be expanded through the consolidation and development of the socialist system.

Article 64.

Citizens shall enjoy equal rights in all spheres of State and public activities.

Article 65.

All citizens who have reached the age of 18 shall have the right to elect and to be elected, irrespective of gender, race, occupation, length of residence, property status, education, party affiliation, political views or religious belief.

Citizens serving in the armed forces shall also have the right to elect and to be elected. A person who has been disenfranchised by a Court decision or a person legally certified as insane shall not have the right to elect or to be elected.

Article 66.

Citizens shall be guaranteed freedom of speech, of the press, of assembly, of demonstration and of association.

The State shall guarantee the conditions for democratic political parties and social organizations to conduct activities freely.

Article 67.

Citizens shall have freedom of religious belief. This right shall be underscored through approval for the construction of religious buildings and for the holding of religious ceremonies. Religion must not be used as a means for drawing in foreign forces or for harming the State or social order.

Article 68.

Citizens are entitled to submit complaints and petitions.

The State shall investigate and deal with complaints and petitions impartially, as stipulated by the law.

Article 69.

Citizens have the right to work.

All able-bodied citizens may choose their occupation in accordance with their wishes and skills, and shall be provided with a stable job and proper working conditions. Citizens shall work according to their abilities, and shall be paid according to the quantity and quality of their work.

Article 70.

Citizens shall enjoy the right to rest. This right shall be ensured by set working hours, and by the provision of holidays, paid leave, accommodation at health resorts and holiday homes, and services provided at recreational facilities.

Article 71.

Citizens shall be entitled to medical care, and all those who are no longer able to work due to old age, illness or physical disability, as well as seniors and minors who have no means of support, shall be entitled to material assistance. This right shall be guaranteed by an expanding network of modern medical facilities, State social insurance and social security system.

Article 72.

Citizens have the right to an education. This right shall be ensured by an advanced educational system and by educational policies enacted by the State for the benefit of the people.

Article 73.

Citizens are free to engage in scientific, literary and artistic pursuits.

The State shall grant preferential treatment to those citizens who have contributed to the development of science, literature and the arts.

The State shall protect the intellectual property rights of citizens in accordance with the law.

Article 74.

Citizens have freedom of residence and travel.

Article 75.

Heroes, war veterans, persons of wartime merit, honoured disabled ex-soldiers, the families of revolutionary and patriotic martyrs, of martyrs in the overseas military operations and of socialist patriotic martyrs, meritorious persons of socialist patriotism, retired generals, demobilized officers and the families of soldiers of the People's Army shall enjoy the special protection of the State and society.

Article 76.

Women shall be accorded equal social status and rights with men.

The State shall afford special protection to mothers and children by providing maternity leave, preferential treatment for mothers with several children, a wide network of maternity hospitals, creches and kindergartens, and through other measures.

The State shall provide every condition for women to play their full role in society.

Article 77.

Marriage and the family are protected by the State.

The State pays close attention to consolidating the family, the basic unit of social life.

Article 78.

Citizens shall be guaranteed inviolability of the person and the home, and privacy of correspondence.

No citizen may be placed under control or arrest, nor can a citizen's home be searched, without a legal warrant.

Article 79.

The Democratic People's Republic of Korea shall grant the right of asylum to foreign nationals persecuted for struggling for peace and democracy, national independence and socialism, or for the freedom of scientific and cultural pursuits.

Article 80.

Citizens shall firmly safeguard the political and ideological unity and solidarity of the people.

Citizens shall cherish their organization and collective, and work with devotion for the good of society and the people.

Article 81.

Citizens shall observe the laws of the State and the socialist standards of life, and shall defend their honour and dignity as citizens of the Democratic People's Republic of Korea.

Article 82.

Work is a noble duty and honour of a citizen.

Citizens shall willingly and conscientiously participate in work and strictly observe labour discipline and the working hours.

Article 83.

Citizens shall take good care of the property of the State and social, cooperative organizations, shall combat every manner of misappropriation and waste, and shall manage the nation's economy diligently as its masters.

The property of the State and social, cooperative organizations is inviolable.

Article 84.

Citizens shall strive constantly to enhance their revolutionary vigilance and shall fight with devotion for the security of the State.

Article 85.

The defence of their nation is the supreme duty and honour of citizens.

Citizens shall defend the country and serve in the armed forces as required by the law.

Chapter VI. STATE ORGANS

Section 1. The President of the State Affairs Commission of the Democratic People's Republic of Korea

Article 86.

The President of the State Affairs Commission of the Democratic People's Republic of Korea is the head of state, representing the Democratic People's Republic of Korea.

Article 87.

The President of the State Affairs Commission of the Democratic People's Republic of Korea shall be elected by the Supreme People's Assembly according to the unanimous will of all the Korean people.

The President of the State Affairs Commission of the Democratic People's Republic of Korea shall not be elected as a Deputy to the Supreme People's Assembly.

Article 88.

The term of office of the President of the State Affairs Commission of the Democratic People's Republic of Korea shall be the same as that of the Supreme People's Assembly.

Article 89.

The President of the State Affairs Commission of the Democratic People's Republic of Korea shall be the Supreme Commander of the Armed Forces of the Democratic People's Republic of Korea and shall command and direct all the armed forces of the State.

The right of command over the nuclear forces of the Democratic People's Republic of Korea shall reside with the President of the State Affairs Commission of the Democratic People's Republic of Korea.

The President of the State Affairs Commission of the Democratic People's Republic of Korea may entrust to the State organ commanding the nuclear armed forces, the authority to use the country's nuclear forces.

Article 90.

The President of the State Affairs Commission of the Democratic People's Republic of Korea shall have the following authority:

1. to direct the overall affairs of the State;

2. to suspend the Speaker of the Supreme People's Assembly, the Premier of the Cabinet and other key cadres of the State from their posts, or to appoint or dismiss them when the Supreme People's Assembly is not in session;

3. to demand the resignation of a Deputy who has lost the people's confidence;

4. to veto the laws, decrees, decisions and directives of the Supreme People's Assembly and the Standing Committee of the Supreme People's Assembly when they run counter to the development of the State and demands of the people;

5. to award State commendations to those who have performed outstanding service;

6. to receive the credentials of diplomatic envoys accredited by foreign countries;

7. to appoint or recall the Democratic People's Republic of Korea's diplomatic representatives to other countries;

8. to ratify or rescind major treaties concluded with other countries;

9. to exercise the right of granting special pardons;

10. to proclaim a state of emergency, a state of war and mobilization order within the country;

11. to organize and direct the National Defence Committee in wartime.

Article 91.

The President of the State Affairs Commission of the Democratic People's Republic of Korea shall issue orders and decrees.

Section 2. The Supreme People's Assembly

Article 92.

The Supreme People's Assembly is the highest organ of State power in the Democratic People's Republic of Korea.

Article 93.

Legislative power shall be exercised by the Supreme People's Assembly. The Standing Committee of the Supreme People's Assembly may exercise legislative power when the Supreme People's Assembly is not in session.

Article 94.

The Supreme People's Assembly shall be composed of Deputies elected on the principle of universal, equal and direct suffrage by secret ballot.

Article 95.

The Supreme People's Assembly shall be elected for a term of five years.

A new Supreme People's Assembly shall be elected according to a decision of the Standing Committee of the Supreme People's Assembly prior to the expiry of the former's term of office.

When unavoidable circumstances render an election impossible, the term of office may be prolonged until an election can be held.

Article 96.

The Supreme People's Assembly shall have the following authority:

1. to amend or supplement the Constitution;

2. to adopt, amend or supplement laws;

3. to approve major laws adopted by the Standing Committee of the Supreme People's Assembly when the Supreme People's Assembly is not in session;

4. to establish the basic principles of the State's domestic and foreign policies;

5. to elect the President of the State Affairs Commission of the Democratic People's Republic of Korea;

6. to elect or recall the First Vice-President, Vice-Presidents and Members of the State Affairs Commission on the recommendation of the President of the State Affairs Commission of the Democratic People's Republic of Korea;

7. to elect or recall the Speaker and Deputy Speaker of the Supreme People's Assembly;

8. to elect or recall the Secretary General and Members of the Standing Committee of the Supreme People's Assembly;

9. to elect or recall the Premier of the Cabinet;

10. to appoint the First Vice-Premier, Vice-Premiers, Chairmen, Ministers and other members of the Cabinet on the recommendation of the Premier of the Cabinet;

11. to appoint or dismiss the Prosecutor General of the Supreme Public Prosecutor's Office;

12. to elect or recall the President of the Supreme Court;

13. to elect or recall the Chairmen, Vice-Chairmen and Members of the Committees of the Supreme People's Assembly;

14. to deliberate and approve the State plan for the development of the national economy and the report on its implementation;

15. to deliberate and approve the State budget and the report on its implementation;

16. to establish or abolish commissions and ministries of the Cabinet;

17. to hear reports on the work of the Standing Committee of the Supreme People's Assembly, the Cabinet, the Supreme Public Prosecutor's Office and the Supreme Court, and adopt measures as appropriate;

18. to decide on the ratification or nullification of treaties submitted to the Supreme People's Assembly.

Article 97.

The Supreme People's Assembly shall hold regular and extraordinary sessions. Regular sessions shall be convened twice a year by the Standing Committee of the Supreme People's Assembly.

Extraordinary sessions shall be convened when the Standing Committee of the Supreme People's Assembly deems them necessary, or at the request of a minimum of one-third of the total number of Deputies.

Article 98.

The Supreme People's Assembly shall require a quorum of at least two-thirds of the total number of Deputies in order to convene.

Article 99.

The sessions of the Supreme People's Assembly shall be presided over by the Speaker, and by the Deputy Speaker when the former is absent.

Article 100.

Items for deliberation by the Supreme People's Assembly shall be submitted by the President of the State Affairs Commission of the Democratic People's Republic of Korea, the State Affairs Commission, the Standing Committee of the Supreme People's Assembly, the Cabinet, and the Committees of the Supreme People's Assembly.

Items may also be submitted by Deputies.

Article 101.

The Supreme People's Assembly shall issue laws and decisions. Laws and decisions of the Supreme People's Assembly shall be adopted when more than half of the Deputies attending approve them.

The Constitution shall be amended or supplemented with the approval of more than two-thirds of the total number of Deputies to the Supreme People's Assembly.

Article 102.

The Supreme People's Assembly shall appoint the Bills Committee, the Budget Committee, the Foreign Affairs Committee and other Committees.

The Committees of the Supreme People's Assembly shall consist of the Chairman, a Vice-Chairman and Members.

The Committees of the Supreme People's Assembly shall assist with the work of the Supreme People's Assembly in drawing up or deliberating State policy and bills and adopting measures for their implementation.

The Committees of the Supreme People's Assembly shall work under the guidance of the Standing Committee of the Supreme People's Assembly during intervals between sessions of the Supreme People's Assembly.

Article 103.

Deputies to the Supreme People's Assembly shall be guaranteed inviolability.

No Deputy to the Supreme People's Assembly may be arrested or punished without the consent of the Supreme People's Assembly or, when it is not in session, without the consent of the Standing Committee of the Supreme People's Assembly, unless he or she is caught in the act.

Section 3. The State Affairs Commission

Article 104.

The State Affairs Commission is the supreme policy-oriented leadership body exercising State power.

Article 105.

The State Affairs Commission consists of the President, First Vice-President, Vice-Presidents and Members.

Article 106.

The term of office of the State Affairs Commission shall be the same as that of the Supreme People's Assembly.

Article 107.

The State Affairs Commission shall have the following duties and authority:

1. to discuss and decide important policies of the State;

2. to exercise supervision over the fulfilment of the orders and decrees of the President of the State Affairs Commission of the Democratic People's Republic of Korea and the decisions and directives of the State Affairs Commission, and adopt measures for their fulfilment;

3. to abrogate decisions and directives of State organs which run counter to the orders and decrees of the President of the State Affairs Commission of the Democratic People's Republic of Korea and to the decisions and directives of the State Affairs Commission;

4. to appoint or dismiss the First Vice-Premier, Vice-Premiers, Chairmen, Ministers and other Members of the Cabinet on the recommendation of the Premier of the Cabinet when the Supreme People's Assembly is not in session.

Article 108.

The State Affairs Commission shall issue decisions and directives.

Section 4. The Standing Committee of the Supreme People's Assembly

Article 109.

The Standing Committee of the Supreme People's Assembly is the highest organ of State power when the Supreme People's Assembly is not in session.

Article 110.

The Standing Committee of the Supreme People's Assembly consists of the Chairman, Vice-Chairman, Secretary General and Members.

The Speaker and Deputy Speaker of the Supreme People's Assembly shall concurrently hold the posts of Chairman and Vice-Chairman of the Standing Committee of the Supreme People's Assembly.

Article 111.

The term of office of the Standing Committee of the Supreme People's Assembly shall be the same as that of the Supreme People's Assembly.

The Standing Committee of the Supreme People's Assembly shall continue its work until a new Standing Committee is elected, even after the term of the Supreme People's Assembly expires.

Article 112.

The Standing Committee of the Supreme People's Assembly shall have the following duties and authority:

1. to convene sessions of the Supreme People's Assembly;

2. to deliberate and adopt new draft bills and regulations, and amendments and supplements to existing laws and regulations, proposed in intervals between sessions of the Supreme People's Assembly, and to obtain the approval of the next session of the Supreme People's Assembly for major laws which are adopted and enforced;

3. to deliberate and approve the State plan for the development of the national economy, the State budget and plans for their adjustment proposed for unavoidable reasons in intervals between sessions of the Supreme People's Assembly;

4. to interpret this Constitution, as well as existing laws and regulations;

5. to supervise law observance by State organs and to adopt appropriate measures;

6. to rescind decisions and directives of State organs which run counter to this Constitution, to the orders and decrees of the President of the State Affairs Commission of the Democratic People's Republic of Korea, to laws and decisions of the Supreme People's Assembly, to decisions and directives of the State Affairs Commission and to decrees, decisions and directives of the Standing Committee of the Supreme People's Assembly, and to suspend the implementation of unwarranted decisions by regional People's Assemblies;

7. to conduct the election of Deputies to the Supreme People's Assembly and to organize elections of Deputies to regional People's Assemblies;

8. to work with the Deputies to the Supreme People's Assembly;

9. to work with the Committees of the Supreme People's Assembly;

10. to set up or abolish Commissions and Ministries of the Cabinet when the Supreme People's Assembly is not in session;

11. to elect or recall the Deputy Speaker of the Supreme People's Assembly, Secretary General and Members of the Standing Committee of the Supreme People's Assembly and Members of the Committees of the Supreme People's Assembly, and to appoint or dismiss Members of the Committees of the Standing Committee of the Supreme People's Assembly when the Supreme People's Assembly is not in session;

12. to elect or recall Judges and People's Assessors of the Supreme Court;

13. to decide on approving or nullifying treaties submitted to the Standing Committee of the Supreme People's Assembly;

14. to oversee the exercise of State power by regional People's Committees;

15. to institute orders, medals, titles of honour and diplomatic ranks, and to confer orders, medals and titles of honour;

16. to grant general amnesties;

17. to establish or alter administrative units and districts;

18. to conduct external activities, including contacts with foreign parliaments and inter-parliamentary organizations.

Article 113.

The Standing Committee of the Supreme People's Assembly shall convene Plenary Meetings and Meetings of the Permanent Committee.

The Plenary Meeting shall be attended by all Members. The Meeting of the Permanent Committee shall comprise the Chairman, Vice-Chairman and Secretary General. Important matters in the exercise of the duties and authority of the Standing Committee of the Supreme People's Assembly shall be discussed at Plenary Meetings, and other matters at Meetings of the Permanent Committee.

Article 114.

The Standing Committee of the Supreme People's Assembly shall issue decrees, decisions and directives.

Article 115.

The Standing Committee of the Supreme People's Assembly may appoint Committees to assist it in its work.

Article 116.

The Standing Committee of the Supreme People's Assembly shall be accountable to the Supreme People's Assembly for its work.

Section 5. The Cabinet

Article 117.

The Cabinet is the administrative and executive body of State power and organ of overall State administration.

Article 118.

The Cabinet is made up of the Premier, First Vice-Premier, Vice-Premiers, Chairmen, Ministers and other Members.

The term of office of the Cabinet shall be the same as that of the Supreme People's Assembly.

Article 119.

The Cabinet shall have the following duties and authority:

1. to adopt measures for the implementation of State policies;

2. to adopt, amend or supplement regulations on State administration on the basis of this Constitution and the relevant laws;

3. to direct the work of the Commissions and Ministries of the Cabinet, organs directly under its authority and regional People's Committees;

4. to establish or abolish organs directly under its authority as well as major administrative and economic bodies and enterprises, and adopt measures for improving State administration bodies;

5. to draft the State plan for the development of the national economy and adopt measures for implementing it;

6. to draw up the State budget and adopt measures for implementing it;

7. to organize and supervise the work of industry, agriculture, construction, transport, post and telecommunications, commerce, foreign trade, land administration, urban administration, education, science, culture, health care, physical culture and sports, labour administration, environmental protection, tourism, and so on;

8. to adopt measures for strengthening the monetary and banking system;

9. to inspect and control the observance of order in State administration;

10. to adopt measures for maintaining public order, protecting the property and interests of the State and social, cooperative organizations, and safeguarding the rights of citizens;

11. to conclude treaties with foreign countries and to conduct external affairs;

12. to rescind decisions and directives of administrative and economic bodies, which run counter to the decisions, administrative orders and directives of the Cabinet.

Article 120.

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 Democratic People's Republic of Korea.

Article 121.

The Cabinet shall convene Plenary Meetings and Meetings of its Permanent Committee.

The Plenary Meeting of the Cabinet shall be attended by all the Members of the Cabinet, and the Meeting of the Permanent Committee shall comprise the Premier, First Vice-Premier, Vice-Premiers and other Members of the Cabinet appointed by the Premier.

Important matters in the exercise of the duties and authority of the Cabinet shall be deliberated and decided at Plenary Meetings, and other matters at Meetings of the Permanent Committee.

Article 122.

The Cabinet shall issue decisions, administrative orders and directives.

Article 123.

The Cabinet may form non-permanent committees to assist it in its work.

Article 124.

The Cabinet shall be accountable to the Supreme People's Assembly for its work and to the Standing Committee of the Supreme People's Assembly when the Supreme People's Assembly is not in session.

Article 125.

The newly-elected Premier of the Cabinet shall take an oath of allegiance on behalf of the Members of the Cabinet before the Supreme People's Assembly.

Article 126.

The Commissions and Ministries of the Cabinet are departmental executive bodies of the Cabinet and central departmental administrative bodies.

Article 127.

The Commissions and Ministries of the Cabinet shall, under the guidance of the Cabinet, provide unified supervision and guidance to the work of their sectors.

Article 128.

The Commissions and Ministries of the Cabinet shall convene Commission meetings and cadre meetings.

Commission meetings and cadre meetings shall deliberate and decide on such important matters as measures for implementing the decisions, administrative orders and directives of the Cabinet.

Article 129.

The Commissions and Ministries of the Cabinet, and the organs and departmental administrative bodies directly under its authority, shall issue directives.

Section 6. The Regional People's Assembly

Article 130.

The People's Assembly of a province (or municipality directly under central authority), city (or district) or county is a regional organ of State power.

Article 131.

The regional People's Assembly is made up of Deputies elected on the principle of universal, equal and direct suffrage by secret ballot.

Article 132.

The term of office of the People's Assembly of a province (or municipality directly under central authority), city (or district) or county shall be four years.

A new regional People's Assembly shall be elected according to a decision of the regional People's Committee at the corresponding level prior to the expiry of the former's term of office.

When unavoidable circumstances render an election impossible, the term of office of the regional People's Assembly shall be prolonged until such time as an election can be held.

Article 133.

A regional People's Assembly shall have the following duties and authority:

1. to deliberate and approve regional plans for the development of the national economy and reports on their implementation;

2. to deliberate and approve the regional budget and the report on its implementation;

3. to adopt measures for executing State laws in the region concerned;

4. to elect or recall the Chairman, Vice-Chairmen, Secretary General and Members of the People's Committee at the corresponding level;

5. to rescind unwarranted decisions and directives of the People's Committee at the corresponding level and the People's Assemblies and People's Committees at lower levels;

6. to receive reports on the work of the People's Committee at the corresponding level and the organs at the level of a province (or municipality directly under central authority), city (or district) or county, and to adopt measures as appropriate.

Article 134.

The regional People's Assembly shall convene regular 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 a minimum of one-third of the total number of Deputies.

Article 135.

The regional People's Assembly shall require a quorum of at least two-thirds of the total number of Deputies in order to convene.

Article 136.

The regional People's Assembly shall elect its Speaker and Deputy Speaker.

The Speaker shall preside over sessions.

The Deputy Speaker shall preside over a session when the Speaker is absent.

Article 137.

The regional People's Assembly shall issue decisions.

Section 7. The Regional People's Committee

Article 138.

The People's Committee of a province (or municipality directly under central authority), city (or district) or county shall exercise the functions of the regional organ of State power when the People's Assembly at the corresponding level is not in session, and of the administrative and executive organ of State power at the corresponding level.

Article 139.

The regional People's Committee is made up of the Chairman, Vice-Chairmen, Secretary General and Members.

The term of office of the regional People's Committee shall be the same as that of the corresponding People's Assembly.

Article 140.

The regional People's Committee shall have the following duties and authority:

1. to convene sessions of the People's Assembly;

2. to organize the election of Deputies to the People's Assembly;

3. to work with Deputies to the People's Assembly;

4. to elect or recall the Vice-Chairmen, Secretary General and Members of the People's Committee at the corresponding level when the People's Assembly is not in session;

5. to elect or recall Judges and People's Assessors of the Court at the corresponding level when the People's Assembly is not in session;

6. to implement the orders and decrees of the President of the State Affairs Commission of the Democratic People's Republic of Korea, the laws and decisions of the Supreme People's Assembly, the decisions and directives of the State Affairs Commission, the decrees, decisions and directives of the Standing Committee of the Supreme People's Assembly, the decisions, administrative orders and directives of the Cabinet, the directives of the Commissions and Ministries of the Cabinet and the organs and administrative departmental bodies directly under its authority, and the decisions and directives of the corresponding regional People's Assembly and of the People's Committee at a higher level;

7. to organize and carry out all administrative affairs in the given region;

8. to draft regional plans for the development of the national economy, and to adopt measures for its implementation;

9. to draw up the regional budget, and to adopt measures for its implementation;

10. to adopt measures for maintaining public order, for protecting the property and interests of the State and social, cooperative organizations, and for safeguarding the rights of citizens in the given region;

11. to inspect and control the establishment of order in State administration in the given region;

12. to direct the work of the People's Committees at lower levels;

13. to rescind unwarranted decisions and directives of the People's Committees at lower levels, and to suspend the implementation of unwarranted decisions of the People's Assemblies at lower levels.

Article 141.

The regional People's Committee shall convene Plenary Meetings and Meetings of the Permanent Committee.

The Plenary Meeting of the regional People's Committee shall be attended by all its members. The Meeting of the Permanent Committee shall comprise the Chairman, Vice-Chairmen and Secretary General.

The Plenary Meeting of the regional People's Committee shall deliberate and decide on important matters arising in implementing its duties and exercising its authority, and the Meeting of the Permanent Committee shall deliberate and decide on other matters.

Article 142.

The regional People's Committee shall issue decisions and directives.

Article 143.

The regional People's Committee may appoint non-permanent committees to assist it in its work.

Article 144.

The regional People's Committee shall be accountable to the corresponding People's Assembly for its work.

The regional People's Committee is subordinate to the People's Committees at higher levels, the Cabinet and the Standing Committee of the Supreme People's Assembly.

Section 8. The Public Prosecutor's Office and the Court

Article 145.

In the Democratic People's Republic of Korea, the Public Prosecutor's Office is an organ overseeing law observance and prosecuting wrongdoing.

Article 146.

Investigation and prosecution shall be conducted by the Supreme Public Prosecutor's Office, the Public Prosecutor's Office of a province (or municipality directly under central authority), city (or district) or county, and the Special Public Prosecutor's Office.

Article 147.

The term of office of the Prosecutor General of the Supreme Public Prosecutor's Office shall be the same as that of the Supreme People's Assembly.

Article 148.

Public prosecutors shall be appointed or dismissed by the Supreme Public Prosecutor's Office.

Article 149.

The Public Prosecutor's Office shall have the following functions:

1. to ensure the strict observance of State laws by institutions, enterprises, organizations and citizens;

2. to ensure that the implementation of the decisions and directives of State bodies conform with this Constitution, the orders and decrees of the President of the State Affairs Commission of the Democratic People's Republic of Korea, the laws and decisions of the Supreme People's Assembly, the decisions and directives of the State Affairs Commission, the decrees, decisions and directives of the Standing Committee of the Supreme People's Assembly, and the decisions, administrative orders and directives of the Cabinet;

3. to identify and institute legal proceedings against criminals and others who violate the law, in order to protect the State power of the Democratic People's Republic of Korea, the socialist system, the property of the State and social, cooperative organizations, personal rights as guaranteed by this Constitution, and people's lives and property.

Article 150.

Investigation and prosecution shall be conducted under the unified direction of the Supreme Public Prosecutor's Office, and all Public Prosecutor's Offices shall be subordinate to their higher offices and the Supreme Public Prosecutor's Office.

Article 151.

The Supreme Public Prosecutor's Office shall issue directives.

Article 152.

The Supreme Public Prosecutor's Office shall be accountable to the Supreme People's Assembly for its work and to the Standing Committee of the Supreme People's Assembly when the Supreme People's Assembly is not in session.

Article 153.

In the Democratic People's Republic of Korea, a Court is a judicial organ.

Article 154.

Justice shall be administered by the Supreme Court, the Court of a province (or municipality directly under central authority), a city (or district) or county People's Court, and the Special Court.

Verdicts shall be delivered in the name of the Democratic People's Republic of Korea.

Article 155.

The term of office of the President of the Supreme Court shall be the same as that of the Supreme People's Assembly.

The term of office of Judges and People's Assessors of the Supreme Court, the Court of a province (or municipality directly under central authority) and a city (or district) or county People's Court shall be the same as that of the People's Assembly at the corresponding level.

Article 156.

The President and Judges of the Special Court shall be appointed or dismissed by the Supreme Court.

The People's Assessors of the Special Court shall be elected by the soldiers of the unit concerned or by employees at meetings.

Article 157.

The Court shall have the following functions:

1. to protect through judicial procedure State power and the socialist system established in the Democratic People's Republic of Korea, the property of the State and social, cooperative organizations, personal rights as guaranteed by this Constitution, and people's lives and property;

2. to ensure that all institutions, enterprises, organizations and citizens abide strictly by State laws and staunchly combat class enemies and all law-breakers;

3. to hand down judgments and findings with regard to property, and to conduct notary duties.

Article 158.

Justice shall be administered by a Court consisting of one Judge and two People's Assessors. In special cases, there may be three Judges.

Article 159.

Court cases shall be heard in public, and the accused shall be guaranteed the right of defence.

Hearings may be closed to the public, as stipulated by the law.

Article 160.

Judicial proceedings shall be conducted in the Korean language. Foreign citizens may use their own language during court proceedings.

Article 161.

In administering justice, a Court shall be independent, and judicial proceedings shall be carried out in strict accordance with the law.

Article 162.

The Supreme Court is the highest judicial organ of the Democratic People's Republic of Korea.
The Supreme Court shall supervise the judicial activities of all Courts.

Article 163.

The Supreme Court shall issue directives.

Article 164.

The Supreme Court shall be accountable to the Supreme People's Assembly for its work and to the Standing Committee of the Supreme People's Assembly when the Supreme People's Assembly is not in session.

Chapter VII. NATIONAL EMBLEM, FLAG AND ANTHEM AND CAPITAL

Article 165.

The national emblem of the Democratic People's Republic of Korea bears the design of a hydroelectric power station below Mt Paektu, the sacred mountain of the revolution, and the beaming light of a five-pointed red star, with ears of rice forming an oval frame, bound with a red ribbon bearing the inscription "Democratic People's Republic of Korea."

Article 166.

The national flag of the Democratic People's Republic of Korea consists of a central red panel, bordered both above and below by a narrow white stripe and then a blue stripe. The central red panel bears a five-pointed red star within a white circle near the hoist. The ratio of the width to the length of the national flag is 1:1.65.

Article 167.

The national anthem of the Democratic People's Republic of Korea is a hymn describing the patriotic faith and will of all the people to defend for generations and add eternal lustre to the beautiful natural environment, time-honoured history, brilliant culture and glorious fighting traditions of our country, and demonstrate to the whole world that this socialist country is an eternal country of the people and a world-class power under the leadership of the Workers' Party of Korea.

Article 168.

The capital of the Democratic People's Republic of Korea is Pyongyang.