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# LAW OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA ON THE PROTECTION OF THE ENVIRONMENT

Adopted by Ordinance No. 5 of the Supreme People's Assembly on April 9, 1986, amended by Decree No. 488 of the Presidium of the Supreme People's Assembly on March 4, 1999, amended by Decree No. 1676 of the Presidium of the Supreme People's Assembly on July 24, 2000, amended by Decree No. 1083 of the Presidium of the Supreme People's Assembly on April 19, 2005, amended by Decree No. 1482 of the Presidium of the Supreme People's Assembly on March 22, 2011 and amended by Decree No. 1825 of the Presidium of the Supreme People's Assembly on August 23, 2011

## Chapter 1 Fundamentals

### Article 1 (Nature of environmental protection)

Protection of the environment is a noble patriotic work for the country and nation.

The State shall pay close attention to the protection and preservation of the environment so as to increase the beauty of the country, protect and promote people's health, provide them with cultured and hygienic environment and working conditions.

### Article 2 (Main principle of environmental protection)

Environmental protection is an important work that should be tackled consistently in socialist construction.

The State shall adopt measures to consolidate the successes achieved in the protection and preservation of the environment and to improve the environmental protection in keeping with the modernization of industry and other sectors of the economy, while systematically increasing investment in the implementation of the measures taken.

### Article 3 (Principle of protecting environment on the basis of plan)

The State shall protect and preserve the environment on a long-term and planned basis with a view to creating an environment that satisfies the aspirations and desire of the people.

The State shall ensure that cities and villages are built and factories, enterprises and other industrial establishments are located rationally in view of the environmental protection.

### Article 4 (Principle of giving priority to pollution prevention)

Taking strict measures for preventing pollution before starting any production and construction is an important requirement of environmental protection.

The State shall ensure that institutions, enterprises and organizations take measures for preventing environmental pollution before starting production and construction, and steadily modernize the material and technical means for the protection of the environment.

#### Article 5 (All-people participation in environmental protection)

Protection and management of the environment is a noble duty of all people.

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

#### Article 6 (Promotion of scientific research)

The State shall promote scientific research for protecting the environment from pollution, build up scientific institutions to that end and strengthen guidance on them.

#### Article 7 (Prohibition of development, testing and use of nuclear and chemical weapons)

The Democratic People's Republic of Korea consistently maintains the policy of prohibiting the development, testing and use of nuclear and chemical weapons and preventing any damage to the environment.

The State shall fight vigorously against the devastation of the environment through the development, testing and use of nuclear and chemical weapons on the Korean peninsula and in the surrounding area.

#### Article 8 (Exchange and cooperation)

The State shall promote exchange and cooperation with foreign countries and international organizations in the field of environmental protection.

#### Article 9 (Scope of regulation)

This Law stipulates the principles of and guidelines for preventing the devastation of the environment caused by pollution of the air, water, soil and sea, noise, vibration, ground subsidence, bad odor, destruction of ozone layer and global warming, thereby creating a better environment.

Matters not provided for in this Law shall be governed by the relevant laws and regulations.

## Chapter 2 Preservation and Improvement of Natural Environment

#### Article 10 (Basic requirements)

Good preservation and promotion of natural environment is a requirement for providing people with good living conditions and handing down a more beautiful and healthy environment to the coming generations.

Institutions, enterprises, organizations and citizens shall preserve, protect and manage the natural environment so that it may be conducive to the promotion of people's health and to their enjoyment of cultural and emotional life.

#### Article 11 (Designation of reserves and special reserves)

Reserves and special reserves such as nature conservation reserve, animal reserve, plant reserve, scenic spot reserve and marine resources reserve shall be designated for the purpose of protecting the environment.

The reserves and special reserves shall be designated by the Cabinet.

#### Article 12 (Taking measures for environmental protection)

The land and environmental protection organ and the institutions concerned shall regularly conduct a survey and record the changes in the natural environment such as changes of animals and plants, configuration of ground, quality of water and of climate in all the areas including the reserves and special reserves, and take necessary steps.

No act that is harmful to the preservation of the natural environment in the original state and to the protection and management thereof shall be committed in the reserves and special reserves.

#### **Article 13 (Preservation of natural scenery)**

Institutions, enterprises, organizations and citizens shall not cut down ornamental trees in and around cities and villages, along roads and railways and on the banks of lakes and rivers, nor damage or destroy such landscape as beauty spots, seaside pine groves, swimming beaches, rare rocks and cliffs, attractive and impressive physical features in mountainous areas and picturesque islands.

The land and environmental protection organ, local power organs, and institutions, enterprises and organizations concerned shall make the mountains contiguous to the main railroads thick woodland by planting many trees and afforest mountain plots and treeless spaces.

#### **Article 14 (Preservation of scenic spots and natural monuments)**

Institutions, enterprises, organizations and citizens shall not develop coal and ore mines in scenic spots, tourist resorts and holiday centers, nor construct buildings and facilities that are detrimental to the protection of environment, and shall preserve in the original state the caves, waterfalls, the remains of old castles, natural monuments, as well as spots of scenic beauty or of historical interest.

#### **Article 15 (Prevention of subsidence)**

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

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

#### **Article 16 (Prohibition of act of damaging balance of ecological system)**

Institutions, enterprises, organizations and citizens shall not cause hindrance to the protection of the ecological system, preservation and sustainable utilization of biodiversity through damaging the habitats of wild and aquatic animals, or catching or collecting plants and animals registered as rare or endangered species.

Animals and plants that are designated by the State as objects of protection and proliferation shall not be caught or collected without permission from the land and environmental protection organ.

#### **Article 17 (Laying out recreational facilities, afforestation)**

The land and environmental protection organ, urban management institutions and institutions, enterprises and organizations concerned shall lay out parks, recreation grounds and amusement parks in different places and plant along roads, railways, rivers, around buildings, on the waste land around buildings and in public places trees, flowers and turf of good species that can be conducive to environmental protection in a multi-faceted way.

The land within 20 m of the left and right side of the protection area of the main railway shall be planted with trees and used as a nursery.

Institutions, enterprises and organizations except the land and environmental protection organ shall not use the land within 20m of the left and right side of the protection area of the main railway.

#### **Article 18 (Months for land and environment protection)**

The State shall, with a view to conducting campaign for land management and environmental protection on a nation-wide scale, designate months for land and environmental protection, namely, general mobilization month for land management, months for planting trees and beautifying towns.

Months for protection of land and environment shall be designated by the Cabinet.

## Chapter 3 Prevention of Environmental Pollution

### Article 19 (Compliance with environmental protection criteria)

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

Institutions, enterprises and organizations shall strictly observe the permitted limits of environmental protection, and the environmental protection criteria for the pollutant emission, noise and vibration.

Environmental protection criteria shall be laid down by the Cabinet.

### Article 20 (Installation of gas and dust collector and air filters)

Institutions, enterprises and organizations shall install gas and dust collector and air filters in buildings and facilities to prevent the emission of gas, dust and bad odor, and maintain and repair furnaces, tanks, pipes and other facilities on a planned basis.

Boilers that have not undergone technical inspection shall not be operated.

### Article 21 (Prohibition of use of vehicles and equipment that emit gas and smoke beyond limits)

Vehicles that emit gas beyond the limits or may raise dust by carrying unpacked goods or those that are dirty shall be prohibited from operation, and machines and equipment that exceed permitted noise and vibration criteria shall not be operated.

People's security organs shall strictly undertake technical inspection and control of the operation of vehicles to ensure that the vehicles that discharge harmful gas beyond the emission limit are not operated.

### Article 22 (Prevention of air pollution caused by abnormal weather conditions)

Where gas, dust and the like that are emitted may seriously pollute the atmosphere under the influence of abnormal weather conditions, the land and environmental protection organ and the institutions, enterprises and organizations concerned shall control or suspend the use of the facilities and operation of vehicles concerned.

Hydrological and meteorological institutions shall inform the land and environmental protection organ and institutions concerned of abnormal weather phenomena.

### Article 23 (Disposal of waste material)

Urban management institutions and the institutions, enterprises and organizations concerned shall be equipped with waste removal facilities; remove leaves and garbage promptly and shall not burn them in the residential areas of cities and near the main road.

Garbage collected at dumping area should be disposed of promptly.

### Article 24 (Purification of wastewater)

Institutions, enterprises and organizations concerned shall set up sewage treatment facilities for the purification of wastewater and prevent it from flowing into the sea, rivers, lakes, reservoirs and the like.

### Article 25 (Repairing and improving waterworks, purification of drinking water)

Urban management institutions and the institutions, enterprises and organizations concerned shall repair and improve waterworks regularly, strictly filter and purify drinking water to supply people with drinking water that meets the water quality standards.

Factories, enterprises, buildings or facilities shall not be built, nor herbicide, insecticide or other harmful chemicals used in the area surrounding water intakes, reservoirs and drainage outlets.

**Article 26 (Environmental protection in sea, rivers, lakes and reservoirs)**

No ship, either sailing or at anchor in the territorial waters or economic waters, at the ports, harbours, and barrages, on the rivers, lakes, and reservoirs of the DPRK shall dump oil, foul water or garbage therein.

Institutions in charge of exploiting natural resources, and institutions, enterprises and organizations concerned shall not pollute the marine environment while developing marine resources or undertaking construction projects along seashores.

**Article 27 (Furnishing ships with pollution prevention equipment)**

Institutions, enterprises and organizations that are engaged in shipping shall furnish their ships with pollution prevention equipment corresponding to their tonnage.

Marine affairs control organ shall, while conducting overhauling of a ship, check whether the ship is equipped with pollution prevention facilities.

**Article 28 (Prevention of pollution by ships)**

Institutions, enterprises and organizations that operate harbours, ports, barrages and docks shall be furnished with sewage and refuse disposal facilities, and promptly dispose of the sewage and refuse discharged by the ships.

Any oil or filth floating in the sea or river shall be purified or skimmed off.

**Article 29 (Construction of sewage works, rubbish and industrial refuse dumps)**

Institutions, enterprises and organizations concerned shall build sewage works, rubbish and industrial refuse dumps in the places where there will be no danger of contaminating the sea, rivers, lakes, reservoirs or sources of drinking water.

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

**Article 30 (Production or import of chemicals, evaluation of poisonous character)**

Institutions, enterprises and organizations that wish to produce or import agricultural and other chemicals shall have them evaluated for their poisonous character and environmental impact by the State quality control organ and the competent inspection body.

Agricultural and other chemicals the use of which was prohibited by the State because of their polluting effect on the air, water and soil or their harmful effect on human life shall not be produced nor imported.

**Article 31 (Storage and use of agricultural chemicals, prohibition of sale and supply of polluted agricultural products)**

Agricultural guidance organ and the institutions, enterprises and organizations concerned shall store and use agricultural chemicals in accordance with the prescribed rules so that such poisonous materials as organic pollutants or heavy metals shall not float in the air, flow into sea, rivers, lakes and reservoirs, or get deposited underground.

Agricultural chemicals shall not be sprayed by airplane without the approval of the land and environmental protection organ.

Where the soil in question exceeds the pollution limit, crops shall be planted only after relevant remedies have been taken, and the agricultural products produced in the polluted soil shall not be sold or supplied.

### Article 32 (Prevention of pollution by radioactive substances)

The institutions and enterprises that are engaged in the production or handling of radioactive substances shall be equipped with facilities for filtering and purifying gas, dust, wastewater and refuse, and reduce their radioactivity to below the tolerance limit.

The institutions and enterprises that handle radioactive substances in open conditions shall regularly monitor the radioactive pollution in the surrounding area and take relevant actions.

### Article 33 (Handling of radioactive substances)

Where the radioactive substance is to be produced, supplied, carried, stored, used or destroyed, the institutions, enterprises and organizations concerned shall obtain permission from the radioactivity control organ or public security organ.

Radioactivity control organ shall regularly monitor the elements that are likely to cause environmental pollution and take appropriate measures.

### Article 34 (Prohibition of import of polluted goods)

No polluted foodstuffs, medicines, daily necessities and animal feed that may have a harmful effect on environmental protection and public health shall be imported.

Foodstuffs, medicines, daily necessities and animal feed that are imported by the institutions, enterprises, organizations and citizens shall be quarantined by the competent institutions.

### Article 35 (Prohibition of import or introduction into production)

Waste products, equipment and technology that might emit harmful substances or make noise or cause vibration, resulting in environmental destruction shall not be imported nor introduced into production.

### Article 36 (Regular measuring of quantity and density of harmful substances and intensity of noise and vibration)

Institutions, enterprises and organizations shall regularly measure, analyze and record the quantity and density of harmful substances emitted during production, as well as the intensity of noise and vibration, and reduce them systematically.

Harmful substances that are not permitted by the land and environmental protection organ or exceed the permitted limit shall not be emitted.

### Article 37 (Relocation of buildings and facilities causing pollution)

The land and environmental protection organ, local power organs and the institution concerned shall relocate in the area outside the city the factories and enterprises that cause pollution, move railways and freight-transporting roads either to areas outside residential quarters or underground, and relocate houses that are affected by pollution to places with good environmental conditions.

Such factories or enterprises as can cause pollution or require transportation of large volumes of goods shall not be built in the central area of the city, and buildings and facilities without pollution prevention equipment shall not be used.

### Article 38 (Development and use of renewable energy resources)

Institutions, enterprises and organizations shall, in view of the environmental protection and the requirement of the sustained development of the economy, reduce the use of fossil energy such as coal and oil, and extensively develop and use solar, wind, tidal, geothermal and other renewable energy resources.

### Article 39 (Introduction of environment authentication system)

Institutions, enterprises and organizations shall establish environmental management system and conduct all forms of production and operation in accordance with the environmental protection requirements.

In case of need, authentication may be obtained for the environmental management system and the products.

The authentication of environmental management system and the products shall be undertaken by the competent institution of environmental authentication.

#### Article 40 (Introduction of technology for reusing wastes and by-products)

Institutions, enterprises and organizations shall actively introduce the technology for reusing wastes and by-products in order that environmental pollution is prevented, raw and other materials are less used and the percentage of reusing resources is increased.

## Chapter 4 Guidance and Control of Environmental Protection

#### Article 41 (Basic requirements)

Improving guidance and control of the environmental protection is an important requirement for the full implementation the State policy on environmental protection.

The State shall strengthen its direction and control over the work of environmental protection to meet the requirements of the developing realities.

#### Article 42 (Guidance organ)

Guidance of environmental protection shall be undertaken by the central guidance organ of land and environmental protection under the unified direction of the Cabinet.

The central guidance organ of land and environmental protection shall establish a proper system of guidance of environmental protection and constantly improve the guidance methods.

Article 43 (Establishment of environment monitoring system, control of environmental conditions)

The central guidance organ of land and environmental protection shall establish an environment monitoring system for the regular monitoring and controlling of the environmental conditions at national level, as well as working out annual plans for environmental protection and provide guidance for their implementation in a responsible manner.

#### Article 44 (Planning of environmental economic index)

The State planning organ and the institution concerned shall properly set the economic index for the sector of environmental protection and include them in the national economic plan for the thorough implementation thereof.

#### Article 45 (Provision of conditions)

Institutions, enterprises and organizations shall furnish the land and environmental protection organ and the relevant institutions with the information they require for the monitoring and measuring of the environmental protection, as well as necessary working conditions.

The State planning organ, labour administration organ, materials supply institutions, and financial and banking institutions shall timely supply sufficient manpower, facilities, materials and funds for the protection of the environment.

#### Article 46 (Technical tasks and designs subject to environmental impact assessment)

Institutions, enterprises and organizations shall draw up designs and technical tasks from the point of view of the environmental protection, and submit them to the land and environmental protection organ for the assessment of environmental impact and to the relevant institutions for agreement.

Technical tasks and designs shall not be examined and endorsed unless the environmental impact thereof has been assessed and an agreement has been reached with the relevant institutions.

**Article 47 (Pollution prevention facilities, inspection of completed structures)**

Institutions responsible for the inspection of completed structures shall not give a certificate of pass to the structures that are not equipped with pollution prevention facilities.

**Article 48 (Control of environmental condition)**

Institutions, enterprises and organizations shall collect a detailed statistical data on the environmental condition of their respective units once a year for submission to the land and environmental protection organ and the statistics organ.

The central guidance organ of land and environmental protection and the central statistics organ shall annually prepare a national report on environmental condition for submission to the Cabinet.

**Article 49 (Introduction of successful scientific results)**

The central guidance organ of land and environmental protection, scientific research institutions of environmental protection and the relevant institutions shall strengthen the scientific research for the prevention of environmental destruction due to various factors and for the improvement of land and environment, and introduce the successful results into the environmental protection.

**Article 50 (Dissemination of scientific information)**

Educational institutions and the press shall, in various forms and ways, conduct dissemination of scientific information and awareness-raising of the general public in respect of the environmental protection, and give wide publicity to the successes achieved in the environmental protection.

**Article 51 (Supervision and control)**

Supervision and control of the environmental protection shall be undertaken by the land and environmental protection organ and the competent control and supervisory organs.

The land and environmental protection organ and the competent control and supervisory organs shall strictly supervise the implementation of the State's policy on environmental protection.

**Article 52 (Compensation for damage to health and property)**

Where damage has been caused to people's health and the property of the State, social, cooperative organizations and citizens through destruction of the environment, due compensation shall be made.

**Article 53 (Detention, compensation, fine)**

Where foreign vessels or individuals have committed acts of causing damage to the environment in the territory of the DPRK, the vessel and the individual concerned shall be detained and fined, or shall compensate for the damage.

**Article 54 (Suspension of operation, confiscation)**

Projects under construction, operation of factories and vehicles that violate the environmental protection regulations shall be suspended, or the structures and facilities involved shall be removed, and the materials and money used for illegal acts confiscated and restoration to the original state of the destroyed environment demanded.

**Article 55 (Administrative or penal liability)**

Officials of the institutions, enterprises and organizations and individual citizens who are responsible for the grave consequences caused through their violation of this Law shall, depending on the gravity of the offence, be liable to administrative or penal responsibility.