

DPRK STRENGTHENS PUNISHMENT FOR 'CAPITALISTIC' CRIME

Since passing economic management reform measures in July of 2002, North Korea has faced a new brand of criminals engaging in 'capitalistic crimes' ranging from bribery to black marketing to prostitution. It has recently come to light that in July of 2004, DPRK officials took steps to strengthen administrative punishment for these crimes. One South Korean research institute which focuses on North Korea recently acquired a copy of the 'Democratic People's Republic of Korea (DPRK) Law on Administrative Punishment'. The document spells out administrative actions to be taken against a wide range of unlawful activity not considered serious enough for criminal prosecution.

This law on administrative punishment was not included in the first public printing of the DPRK legal code in August 2004, or in the revision published in March of last year, making this the first time the law has been known to South Koreans. The first article of the newly found code states its goal to be, "to enforce administrative punishment in order to strictly construct a system and conditions to prevent unlawful action and to contribute to the establishment of socialist observance and character." The law is broken down into several subsections, with articles 29-94 covering violations of economic management, articles 95-113 dealing with violations affecting culture, articles 114-140 covering actions in violation of daily administrative activities, and articles 141-174 spelling out punishments for violations of community living conditions, covering a total of 146 different violations.

Included in violations of economic management are failing to meet production quotas; illegal disposal of materials, parts, or products; embezzlement from government or local cooperatives; and long-term unemployment. In addition, private tutoring for profit, distribution of lewd photographs or publications, production of opium or other narcotics, and other actions deemed harmful to DPRK culture are listed as punishable offenses along with paying or taking bribes,

abuse of power, and other misconduct concerning administrative work. Black-marketing, loan sharking, prostitution, unjustified divorce, breaking off an engagement, and wearing clothing not suitable for public display are also listed, giving some insight into what appears to be anti-social activity occurring with some frequency as of late.

The law applies to those people over the age of 16, and stipulates that an offense will be handled by the Cabinet, or any number of police, security organizations, or social groups, depending on the severity of the crime, and will be punishable by community service, firing, warnings, fines, confiscation, or revocation of qualifications. With this law, North Korea claims to have established law and order in each region by strengthening guidance and leadership of relevant government committees.

The passing of the Law on Administrative Punishment is, on one hand, a government response to a wide range of crimes emerging as capitalistic measures have been enacted in line with the July 1, 2002 measures, while it also shows the complexity of change taking place in North Korean society. It may to some extent shed light on the normally hidden North Korean society, yet may have been left out of DPRK legal publications in order to give the impression of a 'non-oppressive constitutional government' to outsiders.

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