

THE REGISTRATION OF FIREARMS

IN NORTH KOREA

North Korea had been under Japanese occupation until the Communists took over the country in August 1945. During the occupation period, the registration of firearms was regulated by the Governor-General Ordinance Concerning the Control of Firearms and Gunpowder^{1/} and the Enforcement Regulation issued thereunder.^{2/}

With respect to the control of firearms, Article 10 of the Ordinance provided:

Art. 10. In order to maintain public peace and order, the pertinent administrative agency may prohibit or restrict acceptance, transportation, carrying or use of firearms or gunpowder.

However, under the provisions of the Enforcement Regulation, it was stipulated that any person who wished to manufacture,^{3/} sell,^{4/} import or export,^{5/} carry^{6/} or possess^{7/} firearms had to obtain permission from the competent administrative authorities or the police station having jurisdiction over the place where he resided. Any person who failed to obtain permission was subject to the following penalties: (1) imprisonment for not more than

^{1/} Ordinance No. 3, August 21, 1912.

^{2/} Regulation No. 46, August 28, 1924.

^{3/} Articles 2, 3, and 4.

^{4/} Articles 5 and 6.

^{5/} Article 12.

^{6/} Article 19.

^{7/} Article 17.

three (3) months or a fine of not more than one hundred (100) yen, or detention, or a minor fine in cases of manufacture, sale, import or export;^{8/} (2) imprisonment for not more than one (1) month or a fine of not more than two hundred (200) yen in the case of possession of firearms.^{9/}

From the above laws in force before the Communists took over, we presume that there exist special laws regulating fire arms in the People's Republic of North Korea, which the Library does not have in its collection. However, the following provisions relating to fire arms in the Criminal Code may be of interest:

Art. 88. Persons who openly or secretly steal firearms, parts therefor, or ammunition from the warehouses and depots of the Korean People's Army, border detachment units, security service units, agencies of the Ministry of Internal Affairs, or from the regular or temporary installations of the aforementioned military units shall be punished by imprisonment for a term of more than 5 years.

The same crimes committed with the threat or actual use of force endangering the life and health of persons charged with guard duties shall be punished by imprisonment for a term of more than 10 years or, under aggravating circumstances, by death and total confiscation of property.

Art. 263. The shipment of gunpowder, explosives, and readily inflammable fluids by fraudulent means via

^{8/} Articles 103 and 104.

^{9/} Article 102.

railroad, water transport, the mails, or by any other way shall be punished by imprisonment for a term of up to 5 years.

Art. 264. The manufacture, storage, or sale of explosives without appropriate authorization shall be punished by imprisonment for a term of up to 3 years.

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