

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3012

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## AN ACT

To reauthorize the North Korean Human Rights Act of  
2004, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “North Korean Human  
3 Rights Reauthorization Act of 2023”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) The North Korean Human Rights Act of  
7 2004 (Public Law 108–333; 22 U.S.C. 7801 et seq.)  
8 and subsequent reauthorizations of such Act aimed  
9 to promote the protection of human rights, docu-  
10 mentation of human rights violations, transparency  
11 in the delivery of humanitarian assistance, and the  
12 importance of refugee protection.

13 (2) According to the State Department’s 2023  
14 Country Reports on Human Rights Practices, there  
15 are “widespread reports of political prisoners and  
16 detainees. . . most external estimates were between  
17 80,000 and 120,000; some NGOs placed the figure  
18 as high as 200,000.”

19 (3) North Korea continues to hold a number of  
20 South Koreans and Japanese abducted after the  
21 signing of the Agreement Concerning a Military Ar-  
22 mistice in Korea, signed at Panmunjom July 27,  
23 1953 (commonly referred to as the “Korean War  
24 Armistice Agreement”) and refuses to acknowledge  
25 the abduction of more than 100,000 South Koreans

1 during the Korean War in violation of the Geneva  
2 Convention.

3 (4) According to the State Department’s 2023  
4 Country Reports on Human Rights Practices, there  
5 are significant human rights violations in North  
6 Korea, which include “arbitrary or unlawful killings,  
7 including extrajudicial killings; enforced disappear-  
8 ance; torture or cruel, inhuman, or degrading treat-  
9 ment;. . . and extensive gender based-violence.”

10 (5) The effects of the COVID–19 pandemic and  
11 North Korea’s strict lockdown of its borders and  
12 crackdowns on informal market activities and small  
13 entrepreneurship have drastically increased food in-  
14 security for its people and given rise to famine con-  
15 ditions in parts of the country.

16 (6) North Korea’s COVID–19 border lockdown  
17 measures also include shoot-to-kill orders that have  
18 resulted in the killing of—

19 (A) North Koreans attempting to cross the  
20 border; and

21 (B) at least 1 South Korean official in  
22 September 2020.

23 (7) The Government of the People’s Republic of  
24 China is aiding and abetting North Korea’s human  
25 rights violations by forcibly repatriating North Ko-

1 rean refugees to North Korea where they are sent to  
2 prison camps, harshly interrogated, and tortured or  
3 executed.

4 (8) The forcible repatriation of North Korean  
5 refugees violates the People's Republic of China's  
6 freely undertaken obligation to uphold the principle  
7 of non-refoulement, as a state party to the the Con-  
8 vention Relating to the Status of Refugees, done at  
9 Geneva July 28, 1951 (and made applicable by the  
10 Protocol Relating to the Status of Refugees, done at  
11 New York January 31, 1967 (19 UST 6223)).

12 (9) North Korea continues to deny freedom of  
13 religion and persecute religious minorities, especially  
14 Christians and followers of Shaminism. Eyewitnesses  
15 report that Christians in North Korea have been tor-  
16 tured, forcibly detained, and even executed for pos-  
17 sessed a Bible or professing Christianity.

18 (10) The position of Special Envoy on North  
19 Korean Human Rights Issues was vacant from Jan-  
20 uary 2017 to December 2022, even though the  
21 President is required to appoint a Senate-confirmed  
22 Special Envoy to fill this position in accordance with  
23 section 107 of the North Korean Human Rights Act  
24 of 2004 (22 U.S.C. 7817). In January 2023 Presi-  
25 dent Biden nominated Julie Turner as Special

1 Envoy on North Korean Human Rights and Issues  
2 She was confirmed in July 2023.

3 **SEC. 3. SENSE OF CONGRESS.**

4 It is the sense of Congress that—

5 (1) The human rights and humanitarian condi-  
6 tions within North Korea remain deplorable and  
7 have been intentionally perpetuated against the peo-  
8 ple of North Korea through policies endorsed and  
9 implemented by Kim Jong-un and the Government  
10 of North Korea.

11 (2) promoting information access in North  
12 Korea continues to be a successful method of coun-  
13 tering DPRK propaganda and the United States  
14 Government should continue to support nongovern-  
15 mental radio broadcasting to North Korea and pro-  
16 mote other emerging methods in this space;

17 (3) because refugees among North Koreans  
18 fleeing into the People’s Republic of China face se-  
19 vere punishments upon their forcible return, the  
20 United States should urge the Government of the  
21 People’s Republic of China—

22 (A) to immediately halt its forcible repatri-  
23 ation of North Koreans;

24 (B) to allow the United Nations High  
25 Commissioner for Refugees (referred to in this

1 section as “UNHCR”) unimpeded access to  
2 North Koreans within China to determine  
3 whether they are refugees and require assist-  
4 ance;

5 (C) to fulfill its obligations as a state party  
6 to the Convention Relating to the Status of  
7 Refugees, done at Geneva July 28, 1951 (and  
8 made applicable by the Protocol Relating to the  
9 Status of Refugees, done at New York January  
10 31, 1967 (19 UST 6223) and the Agreement  
11 on the upgrading of the UNHCR Mission in the  
12 People’s Republic of China to UNHCR branch  
13 office in the People’s Republic of China, done  
14 at Geneva December 1, 1995;

15 (D) to address the concerns of the United  
16 Nations Committee Against Torture by incor-  
17 porating into domestic legislation the principle  
18 of non-refoulement; and

19 (E) to recognize the legal status of North  
20 Korean women who marry or have children with  
21 Chinese citizens and ensure that all such moth-  
22 ers and children are granted resident status  
23 and access to education and other public serv-  
24 ices in accordance with Chinese law and inter-  
25 national standards;

1           (4) the United States should continue to pro-  
2           mote the effective and transparent delivery and dis-  
3           tribution of any humanitarian aid provided in North  
4           Korea to ensure that such aid reaches its intended  
5           recipients to the point of consumption or utilization  
6           by cooperating closely with the Government of the  
7           Republic of Korea and international and nongovern-  
8           mental organizations;

9           (5) the United States currently blocks United  
10          States passports from being used to travel to North  
11          Korea without a special validation from the Depart-  
12          ment of State, and the Department of State should  
13          continue to take steps to increase public awareness  
14          about the risks and dangers of travel by United  
15          States citizens to North Korea;

16          (6) the United Nations has a significant role to  
17          play in promoting and improving human rights in  
18          North Korea and should press for access for the  
19          Special Rapporteur on the situation of human rights  
20          in North Korea, as well as for the United Nations  
21          High Commissioner for Human Rights;

22          (7) North Korea should repeal the Reactionary  
23          Thought and Culture Denunciation Law and other  
24          draconian laws, regulations, and decrees that mani-

1 festly violate the freedom of opinion and expression  
2 and the freedom of thought, conscience, and religion;

3 (8) the United States should expand the Re-  
4 wards for Justice program to be open to North Ko-  
5 rean officials who can provide evidence of crimes  
6 against humanity being committed by North Korean  
7 officials;

8 (9) the United States should continue to seek  
9 cooperation from all foreign governments—

10 (A) to allow the UNHCR access to process  
11 North Korean refugees overseas for resettle-  
12 ment; and

13 (B) to allow United States officials access  
14 to process refugees for possible resettlement in  
15 the United States; and

16 (10) the Secretary of State, through diplomacy  
17 by senior officials, including United States ambas-  
18 sadors to Asia-Pacific countries, and in close co-  
19 operation with South Korea, should make every ef-  
20 fort to promote the protection of North Korean refu-  
21 gees, escapees, and defectors.

22 **SEC. 4. REAUTHORIZATIONS.**

23 (a) SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY  
24 PROGRAMS.—Section 102(b)(1) of the North Korean



1 Human Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is  
2 amended by striking “2022” and inserting “2028”.

3 (b) ACTIONS TO PROMOTE FREEDOM OF INFORMA-  
4 TION.—Section 104 of the North Korean Human Rights  
5 Act of 2004 (22 U.S.C. 7814) is amended—

6 (1) in subsection (b)(1), by striking “2022”  
7 and inserting “2028”; and

8 (2) in subsection (c), by striking “2022” and  
9 inserting “2028”.

10 (c) REPORT BY SPECIAL ENVOY ON NORTH KOREAN  
11 HUMAN RIGHTS ISSUES.—Section 107(d) of the North  
12 Korean Human Rights Act of 2004 (22 U.S.C. 7817(d))  
13 is amended by striking “2022” and inserting “2028”.

14 (d) REPORT ON UNITED STATES HUMANITARIAN AS-  
15 SISTANCE.—Section 201(a) of the North Korean Human  
16 Rights Act of 2004 (22 U.S.C. 7831(a)) is amended, in  
17 the matter preceding paragraph (1), by striking “2022”  
18 and inserting “2028”.

19 (e) ASSISTANCE PROVIDED OUTSIDE OF NORTH  
20 KOREA.—Section 203 of the North Korean Human Rights  
21 Act of 2004 (22 U.S.C. 7833) is amended—

22 (1) in subsection (b)(2), by striking “103(15)”  
23 and inserting “103(17)”; and

24 (2) in subsection (c)(1), by striking “2018  
25 through 2022” and inserting “2024 through 2028”.

1 (f) ANNUAL REPORTS.—Section 305(a) of the North  
2 Korean Human Rights Act of 2004 (22 U.S.C. 7845(a))  
3 is amended, in the matter preceding paragraph (1) by  
4 striking “2022” and inserting “2028”.

5 **SEC. 5. ACTIONS TO PROMOTE FREEDOM OF INFORMA-**  
6 **TION.**

7 Title I of the North Korean Human Rights Act of  
8 2004 (22 U.S.C. 7811 et seq.) is amended—

9 (1) in section 103(a), by striking “Broadcasting  
10 Board of Governors” and inserting “United States  
11 Agency for Global Media”; and

12 (2) in section 104(a)—

13 (A) by striking “Broadcasting Board of  
14 Governors” each place such term appears and  
15 inserting “United States Agency for Global  
16 Media”;

17 (B) in paragraph (7)(B)—

18 (i) by redesignating clauses (i)  
19 through (iii) as clauses (ii) through (iv),  
20 respectively;

21 (ii) by inserting before clause (ii), as  
22 so redesignated the following:

23 “(i) an update of the plan required  
24 under subparagraph (A);”; and

1 (iv) in clause (iii), as so redesignated,  
2 by striking “pursuant to section 403” and  
3 inserting “to carry out this section”.

4 **SEC. 6. SPECIAL ENVOY FOR NORTH KOREAN HUMAN**  
5 **RIGHTS ISSUES.**

6 Section 107 of the North Korean Human Rights Act  
7 of 2004 (22 U.S.C. 7817) is amended by adding at the  
8 end the following:

9 “(e) REPORT ON APPOINTMENT OF SPECIAL  
10 ENVOY.—If the position of Special Envoy will remain va-  
11 cant for 1 year or longer without any presidential nomina-  
12 tion to appoint a new Special Envoy, not later than 90  
13 days before the date on which such position becomes va-  
14 cant for 1 year, the Secretary of State shall submit to  
15 the appropriate congressional committees a report that de-  
16 scribes the efforts being taken to appoint a new Special  
17 Envoy.”.

18 **SEC. 7. SENSE OF CONGRESS REGARDING KOREAN AMER-**  
19 **ICAN DIVIDED FAMILIES.**

20 It is the sense of Congress—

21 (1) the United States and North Korea should  
22 begin the process of reuniting Korean-American di-  
23 vided family members with their immediate relatives  
24 through ways such as—

1           (A) identifying divided families in the  
2           United States and North Korea who are willing  
3           and able to participate in a pilot program for  
4           family reunions;

5           (B) finding matches for members of such  
6           families through organizations such as the Red  
7           Cross; and

8           (C) working with the Government of South  
9           Korea to include American citizens in inter-Ko-  
10          rean video reunions;

11          (2) the institution of family is inalienable and  
12          the restoration of contact between divided families  
13          whether physically, literarily, or virtually is an ur-  
14          gent need; and

15          (3) the United States and North Korea should  
16          pursue reunions as a humanitarian priority of imme-  
17          diate concern.

Passed the House of Representatives November 20,  
2024.

Attest:

*Clerk.*



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