

118TH CONGRESS
2D SESSION

H. R. 3012

IN THE SENATE OF THE UNITED STATES

NOVEMBER 21, 2024

Received; read twice and referred to the Committee on Foreign Relations

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 sessing 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 resettlement;
12 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: KEVIN F. MCCUMBER,
Clerk.