

**(5) North Koreans**

The term “North Koreans” means persons who are citizens or nationals of North Korea.

**(6) South Korea**

The term “South Korea” means the Republic of Korea.

(Pub. L. 108-333, § 5, Oct. 18, 2004, 118 Stat. 1290; Pub. L. 110-346, § 4, Oct. 7, 2008, 122 Stat. 3941.)

## AMENDMENTS

2008—Par. (1)(A). Pub. L. 110-346 substituted “Foreign Affairs” for “International Relations”.

## SUBCHAPTER I—PROMOTING THE HUMAN RIGHTS OF NORTH KOREANS

**§ 7811. Sense of Congress regarding negotiations with North Korea**

It is the sense of Congress that the human rights of North Koreans should remain a key element in future negotiations between the United States, North Korea, and other concerned parties in Northeast Asia.

(Pub. L. 108-333, title I, § 101, Oct. 18, 2004, 118 Stat. 1290.)

**§ 7812. Support for human rights and democracy programs****(a) Support**

The President is authorized to provide grants to private, nonprofit organizations to support programs that promote human rights, democracy, rule of law, and the development of a market economy in North Korea. Such programs may include appropriate educational and cultural exchange programs with North Korean participants, to the extent not otherwise prohibited by law.

**(b) Authorization of appropriations****(1) In general**

There are authorized to be appropriated to the President \$2,000,000 for each of the fiscal years 2005 through 2008 and \$2,000,000 for each of fiscal years 2009 through 2017 to carry out this section.

**(2) Availability**

Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

(Pub. L. 108-333, title I, § 102, Oct. 18, 2004, 118 Stat. 1290; Pub. L. 110-346, § 5, Oct. 7, 2008, 122 Stat. 3941; Pub. L. 112-172, § 4, Aug. 16, 2012, 126 Stat. 1308.)

## AMENDMENTS

2012—Subsec. (b)(1). Pub. L. 112-172 substituted “2017” for “2012”.

2008—Subsec. (b)(1). Pub. L. 110-346 inserted “and \$2,000,000 for each of fiscal years 2009 through 2012” after “2008”.

**§ 7813. Radio broadcasting to North Korea****(a) Sense of Congress**

It is the sense of Congress that the United States should facilitate the unhindered dissemi-

nation of information in North Korea by increasing its support for radio broadcasting to North Korea, and that the Broadcasting Board of Governors should increase broadcasts to North Korea from current levels, with a goal of providing 12-hour-per-day broadcasting to North Korea, including broadcasts by Radio Free Asia and Voice of America.

**(b) Report**

Not later than 120 days after October 18, 2004, the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report that—

(1) describes the status of current United States broadcasting to North Korea; and

(2) outlines a plan for increasing such broadcasts to 12 hours per day, including a detailed description of the technical and fiscal requirements necessary to implement the plan.

(Pub. L. 108-333, title I, § 103, Oct. 18, 2004, 118 Stat. 1291.)

**§ 7814. Actions to promote freedom of information****(a) Actions**

The President is authorized to take such actions as may be necessary to increase the availability of information inside North Korea by increasing the availability of sources of information not controlled by the Government of North Korea, including sources such as radios capable of receiving broadcasting from outside North Korea.

**(b) Authorization of appropriations****(1) In general**

There are authorized to be appropriated to the President \$2,000,000 for each of the fiscal years 2005 through 2017 to carry out subsection (a).

**(2) Availability**

Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

**(c) Report**

Not later than 1 year after October 18, 2004, and annually through 2017, the Secretary of State, after consultation with the heads of other appropriate Federal departments and agencies, shall submit to the appropriate congressional committees a report, in classified form, on actions taken pursuant to this section.

(Pub. L. 108-333, title I, § 104, Oct. 18, 2004, 118 Stat. 1291; Pub. L. 110-346, § 7, Oct. 7, 2008, 122 Stat. 3941; Pub. L. 112-172, § 6, Aug. 16, 2012, 126 Stat. 1309.)

## AMENDMENTS

2012—Subsecs. (b)(1), (c). Pub. L. 112-172 substituted “2017” for “2012”.

2008—Subsec. (b)(1). Pub. L. 110-346, § 7(1), substituted “2012” for “2008”.

Subsec. (c). Pub. L. 110-346, § 7(2), substituted “annually through 2012” for “in each of the 3 years thereafter”.

**§ 7815. United Nations Commission on Human Rights**

It is the sense of Congress that the United Nations has a significant role to play in promoting

and improving human rights in North Korea, and that—

(1) the United Nations Commission on Human Rights (UNCHR) has taken positive steps by adopting Resolution 2003/10 and Resolution 2004/13 on the situation of human rights in North Korea, and particularly by requesting the appointment of a Special Rapporteur on the situation of human rights in North Korea; and

(2) the severe human rights violations within North Korea warrant country-specific attention and reporting by the United Nations Working Group on Arbitrary Detention, the Working Group on Enforced and Involuntary Disappearances, the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, the Special Rapporteur on the Right to Food, the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, the Special Rapporteur on Freedom of Religion or Belief, and the Special Rapporteur on Violence Against Women.

(Pub. L. 108-333, title I, §105, Oct. 18, 2004, 118 Stat. 1291.)

#### § 7816. Establishment of regional framework

##### (a) Findings

The Congress finds that human rights initiatives can be undertaken on a multilateral basis, such as the Organization for Security and Cooperation in Europe (OSCE), which established a regional framework for discussing human rights, scientific and educational cooperation, and economic and trade issues.

##### (b) Sense of Congress

It is the sense of Congress that the United States<sup>1</sup> should explore the possibility of a regional human rights dialogue with North Korea that is modeled on the Helsinki process, engaging all countries in the region in a common commitment to respect human rights and fundamental freedoms.

(Pub. L. 108-333, title I, §106, Oct. 18, 2004, 118 Stat. 1292.)

#### § 7817. Special Envoy on North Korean human rights issues

##### (a) Special Envoy

The President shall appoint a special envoy for North Korean human rights issues within the Department of State (hereafter in this section referred to as the “Special Envoy”), by and with the advice and consent of the Senate. The Special Envoy should be a person of recognized distinction in the field of human rights who shall have the rank of ambassador and shall hold the office at the pleasure of the President.

##### (b) Central objective

The central objective of the Special Envoy is to coordinate and promote efforts to improve respect for the fundamental human rights of the people of North Korea, including, in coordination with the Bureau of Population, Refugees,

and Migration, the protection of those people who have fled as refugees.

##### (c) Duties and responsibilities

The Special Envoy shall—

(1) participate in the formulation and the implementation of activities carried out pursuant to this chapter;

(2) engage in discussions with North Korean officials regarding human rights;

(3) support international efforts to promote human rights and political freedoms in North Korea, including coordination and dialogue between the United States and the United Nations, the European Union, North Korea, and the other countries in Northeast Asia;

(4) consult with non-governmental organizations who have attempted to address human rights in North Korea;

(5) make recommendations regarding the funding of activities authorized in sections 7812 and 7814 of this title;

(6) review strategies for improving protection of human rights in North Korea, including technical training and exchange programs; and

(7) develop an action plan for supporting implementation of the United Nations Commission on Human Rights Resolution 2004/13.

##### (d) Report on activities

Not later than 180 days after October 18, 2004, and annually thereafter through 2017, the Special Envoy shall submit to the appropriate congressional committees a report on the activities undertaken in the preceding 12 months under subsection (c).

(Pub. L. 108-333, title I, §107, Oct. 18, 2004, 118 Stat. 1292; Pub. L. 110-346, §8, Oct. 7, 2008, 122 Stat. 3941; Pub. L. 112-172, §7, Aug. 16, 2012, 126 Stat. 1309.)

#### AMENDMENTS

2012—Subsec. (d). Pub. L. 112-172 substituted “2017” for “2012”.

2008—Pub. L. 110-346, §8(1), substituted “North Korean human rights issues” for “human rights in North Korea” in section catchline.

Subsec. (a). Pub. L. 110-346, §8(2), in first sentence, substituted “North Korean human rights issues” for “human rights in North Korea” and inserted “, by and with the advice and consent of the Senate” before period at end and, in second sentence, inserted “who shall have the rank of ambassador and shall hold the office at the pleasure of the President” before period at end.

Subsec. (b). Pub. L. 110-346, §8(3), inserted “, including, in coordination with the Bureau of Population, Refugees, and Migration, the protection of those people who have fled as refugees” after “North Korea”.

Subsec. (c). Pub. L. 110-346, §8(4), added par. (1), redesignated former pars. (1) to (6) as (2) to (7), respectively, and substituted “sections 7812 and 7814” for “section 7812” in par. (5).

Subsec. (d). Pub. L. 110-346, §8(5), substituted “thereafter through 2012” for “for the subsequent 5 year-period”.

#### SUBCHAPTER II—ASSISTING NORTH KOREANS IN NEED

#### § 7831. Report on United States humanitarian assistance

##### (a) Report

Not later than 180 days after October 18, 2004, and annually thereafter through 2017, the Ad-

<sup>1</sup> So in original. Probably should be “States”.