

(16) Violations of religious freedom

The term “violations of religious freedom” means violations of the internationally recognized right to freedom of religion and religious belief and practice, as set forth in the international instruments referred to in section 6401(a)(2) of this title and as described in section 6401(a)(3) of this title, including violations such as—

(A) arbitrary prohibitions on, restrictions of, or punishment for—

(i) assembling for peaceful religious activities such as worship, preaching, and prayer, including arbitrary registration requirements;

(ii) speaking freely about one’s religious beliefs;

(iii) changing one’s religious beliefs and affiliation;

(iv) not professing a particular religion, or any religion;

(v) possession and distribution of religious literature, including Bibles; or

(vi) raising one’s children in the religious teachings and practices of one’s choice; or

(B) any of the following acts if committed on account of an individual’s conscience, non-theistic views, or religious belief or practice: detention, interrogation, imposition of an onerous financial penalty, forced labor, forced mass resettlement, imprisonment, forced religious conversion, forcibly compelling non-believers or non-theists to recant their beliefs or to convert, beating, torture, mutilation, rape, enslavement, murder, and execution.

(Pub. L. 105–292, § 3, Oct. 27, 1998, 112 Stat. 2790; Pub. L. 114–281, § 3, Dec. 16, 2016, 130 Stat. 1427.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 105–292, Oct. 27, 1998, 112 Stat. 2787, known as the International Religious Freedom Act of 1998, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 6401 of this title and Tables.

Section 3021(i) of title 50, referred to in par. (14), was redesignated section 3021(k) by Pub. L. 110–53, title XVIII, § 1841(g)(1), Aug. 3, 2007, 121 Stat. 500.

AMENDMENTS

2016—Pars. (10) to (14). Pub. L. 114–281, § 3(2), (3), added pars. (10) and (11) and redesignated former pars. (10) to (12) as (12) to (14), respectively. Former par. (13) redesignated (16).

Par. (15). Pub. L. 114–281, § 3(4), added par. (15).

Par. (16). Pub. L. 114–281, § 3(1), redesignated par. (13) as (16).

Par. (16)(A)(iv) to (vi). Pub. L. 114–281, § 3(5)(A), added cl. (iv) and redesignated former cls. (iv) and (v) as (v) and (vi), respectively.

Par. (16)(B). Pub. L. 114–281, § 3(5)(B), inserted “conscience, non-theistic views, or” after “an individual’s” and “forcibly compelling non-believers or non-theists to recant their beliefs or to convert,” after “forced religious conversion,”.

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

Committee on Banking and Financial Services of House of Representatives abolished and replaced by Committee on Financial Services of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred from Committee on Energy and Commerce of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

SUBCHAPTER I—DEPARTMENT OF STATE
ACTIVITIES**§ 6411. Office on International Religious Freedom; Ambassador at Large for International Religious Freedom****(a) Establishment of Office**

There is established within the Department of State an Office on International Religious Freedom that shall be headed by the Ambassador at Large for International Religious Freedom appointed under subsection (b).

(b) Appointment

The Ambassador at Large shall be appointed by the President, by and with the advice and consent of the Senate, and shall report directly to the Secretary of State.

(c) Duties

The Ambassador at Large shall have the following responsibilities:

(1) In general

The primary responsibilities of the Ambassador at Large shall be to—

(A) advance the right to freedom of religion abroad, to denounce the violation of that right, and to recommend appropriate responses by the United States Government when this right is violated; and

(B) integrate United States international religious freedom policies and strategies into the foreign policy efforts of the United States.

(2) Advisory role

The Ambassador at Large shall be a principal adviser to the President and the principal adviser to the Secretary of State regarding matters affecting religious freedom abroad and, with advice from the Commission on International Religious Freedom, shall make recommendations regarding—

(A) the policies of the United States Government toward governments that violate freedom of religion or that fail to ensure the individual’s right to religious belief and practice; and

(B) policies to advance the right to religious freedom abroad.

(3) Diplomatic representation

Subject to the direction of the President and the Secretary of State, the Ambassador at Large is authorized to represent the United States in matters and cases relevant to religious freedom abroad in—

(A) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Organization on Security and Cooperation in Europe, and other international organizations of which the United States is a member;

(B) multilateral conferences and meetings relevant to religious freedom abroad; and

(C) contacts with nongovernmental organizations that have an impact on the state of religious freedom in their respective societies or regions, or internationally.

(4) Coordination responsibilities

In order to promote religious freedom as an interest of United States foreign policy, the Ambassador at Large—

(A) shall coordinate international religious freedom policies across all programs, projects, and activities of the United States; and

(B) should participate in any interagency processes on issues in which the promotion of international religious freedom policy can advance United States national security interests, including in democracy promotion, stability, security, and development globally.

(5) Reporting responsibilities

The Ambassador at Large shall have the reporting responsibilities described in section 6412 of this title.

(d) Funding

The Secretary of State shall provide the Ambassador at Large with such funds as may be necessary for the hiring of appropriate staff for the Office, including full-time equivalent positions and other temporary staff positions needed to compile, edit, and manage the Annual Report under the direct supervision of the Ambassador at Large, and for the conduct of investigations by the Office and for necessary travel to carry out this chapter. The Secretary of State should provide the Ambassador at Large with sufficient funding to carry out the duties described in this section, including, as necessary, representation funds. On the date on which the President's annual budget request is submitted to Congress, the Secretary shall submit an annual report to the appropriate congressional committees that includes a report on staffing levels for the International Religious Freedom Office.

(Pub. L. 105-292, title I, §101, Oct. 27, 1998, 112 Stat. 2791; Pub. L. 114-281, title I, §101(a), Dec. 16, 2016, 130 Stat. 1428.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (d), was in the original “this Act”, meaning Pub. L. 105-292, Oct. 27, 1998, 112 Stat. 2787, known as the International Religious Freedom Act of 1998, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 6401 of this title and Tables.

AMENDMENTS

2016—Subsec. (b). Pub. L. 114-281, §101(a)(1), inserted before period at end “, and shall report directly to the Secretary of State”.

Subsec. (c)(1). Pub. L. 114-281, §101(a)(2)(A), substituted “responsibilities” for “responsibility”, inserted dash after “shall be to”, designated remainder of existing provisions as subpar. (A), substituted “; and” for period at end, and added subpar. (B).

Subsec. (c)(2). Pub. L. 114-281, §101(a)(2)(B), inserted “the principal adviser to” before “the Secretary of State” in introductory provisions.

Subsec. (c)(3)(C). Pub. L. 114-281, §101(a)(2)(C), added subpar. (C).

Subsec. (c)(4), (5). Pub. L. 114-281, §101(a)(2)(D), (E), added par. (4) and redesignated former par. (4) as (5).

Subsec. (d). Pub. L. 114-281, §101(a)(3), substituted “appropriate staff for the Office, including full-time equivalent positions and other temporary staff positions needed to compile, edit, and manage the Annual Report under the direct supervision of the Ambassador at Large, and for the conduct of investigations by the Office and for necessary travel to carry out this chapter. The Secretary of State should provide the Ambassador at Large with sufficient funding to carry out the duties described in this section, including, as necessary, representation funds. On the date on which the President's annual budget request is submitted to Congress, the Secretary shall submit an annual report to the appropriate congressional committees that includes a report on staffing levels for the International Religious Freedom Office.” for “staff for the Office, for the conduct of investigations by the Office, and for necessary travel to carry out the provisions of this section.”

NEAR EAST AND SOUTH CENTRAL ASIA RELIGIOUS FREEDOM

Pub. L. 113-161, Aug. 8, 2014, 128 Stat. 1855, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Near East and South Central Asia Religious Freedom Act of 2014’.

“SEC. 2. SPECIAL ENVOY TO PROMOTE RELIGIOUS FREEDOM OF RELIGIOUS MINORITIES IN THE NEAR EAST AND SOUTH CENTRAL ASIA.

“(a) APPOINTMENT.—The President may appoint a Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia (in this Act referred to as the ‘Special Envoy’) within the Department of State. The Special Envoy shall have the rank of ambassador and shall hold the office at the pleasure of the President.

“(b) QUALIFICATIONS.—The Special Envoy should be a person of recognized distinction in the field of human rights and religious freedom and with expertise in the Near East and South Central Asia.

“SEC. 3. DUTIES.

“(a) IN GENERAL.—The Special Envoy shall carry out the following duties:

“(1) Promote the right of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia, denounce the violation of such right, and recommend appropriate responses by the United States Government when such right is violated.

“(2) Monitor and combat acts of religious intolerance and incitement targeted against religious minorities in the countries of the Near East and the countries of South Central Asia.

“(3) Work to ensure that the unique needs of religious minority communities in the countries of the Near East and the countries of South Central Asia are addressed, including the economic and security needs of such communities.

“(4) Work with foreign governments of the countries of the Near East and the countries of South Central Asia to address laws that are discriminatory toward religious minority communities in such countries.

“(5) Coordinate and assist in the preparation of that portion of the report required by sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) relating to the nature and extent of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia.

“(6) Coordinate and assist in the preparation of that portion of the report required by section 102(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)) relating to the nature and extent of religious freedom of religious minorities in the coun-

tries of the Near East and the countries of South Central Asia.

“(b) COORDINATION.—In carrying out the duties under subsection (a), the Special Envoy shall, to the maximum extent practicable, coordinate with the Assistant Secretary of State for Population, Refugees and Migration, the Ambassador at Large for International Religious Freedom, the United States Commission on International Religious Freedom, and other relevant Federal agencies and officials.

“SEC. 4. DIPLOMATIC REPRESENTATION.

“Subject to the direction of the President and the Secretary of State, the Special Envoy is authorized to represent the United States in matters and cases relevant to religious freedom in the countries of the Near East and the countries of South Central Asia in—

“(1) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Organization of Security and Cooperation in Europe, and other international organizations of which the United States is a member; and

“(2) multilateral conferences and meetings relevant to religious freedom in the countries of the Near East and the countries of South Central Asia.

“SEC. 5. CONSULTATIONS.

“The Special Envoy shall consult with domestic and international nongovernmental organizations and multilateral organizations and institutions, as the Special Envoy considers appropriate to fulfill the purposes of this Act.

“SEC. 6. SUNSET.

“This Act shall cease to be effective beginning on October 1, 2019.

“SEC. 7. FUNDING.

“Of the amounts appropriated or otherwise made available to the Secretary of State for ‘Diplomatic and Consular Programs’ for fiscal years 2015 through 2019, the Secretary of State is authorized to provide to the Special Envoy \$1,000,000 for each such fiscal year for the hiring of staff, the conduct of investigations, and necessary travel to carry out the provisions of this Act.”

§ 6412. Reports

(a) Portions of annual Human Rights Reports

The Ambassador at Large shall assist the Secretary of State in preparing those portions of the Human Rights Reports that relate to freedom of religion and freedom from discrimination based on religion and those portions of other information provided Congress under sections 2151n and 2304 of this title that relate to the right to freedom of religion.

(b) Annual Report on International Religious Freedom

(1) Deadline for submission

On May 1 of each year or the first day thereafter on which the appropriate House of Congress is in session, the Secretary of State, with the assistance of the Ambassador at Large, and taking into consideration the recommendations of the Commission, shall prepare and transmit to Congress an Annual Report on International Religious Freedom supplementing the most recent Human Rights Reports by providing additional detailed information with respect to matters involving international religious freedom. Each Annual Report shall contain the following:

(A) Status of religious freedom

A description of the status of religious freedom in each foreign country, including—

(i) trends toward improvement in the respect and protection of the right to religious freedom and trends toward deterioration of such right;

(ii) violations of religious freedom engaged in or tolerated by the government of that country;

(iii) particularly severe violations of religious freedom engaged in or tolerated by the government of that country as well as the routine denial of visa applications for religious workers;

(iv) particularly severe violations of religious freedom in that country if such country does not have a functioning government or the government of such country does not control its territory;

(v) the identification of prisoners, to the extent possible, in that country pursuant to section 6417(d) of this title;

(vi) any action taken by the government of that country to censor religious content, communications, or worship activities online, including descriptions of the targeted religious group, the content, communication, or activities censored, and the means used; and

(vii) wherever applicable, an assessment and description of the nature and extent of acts of anti-Semitism and anti-Semitic incitement that occur in that country during the preceding year, including—

(I) acts of physical violence against, or harassment of, Jewish people, acts of violence against, or vandalism of, Jewish community institutions, and instances of propaganda in government and nongovernment media that incite such acts; and

(II) the actions taken by the government of that country to respond to such violence and attacks or to eliminate such propaganda or incitement, to enact and enforce laws relating to the protection of the right to religious freedom of Jewish people, and to promote anti-bias and tolerance education.

(B) Violations of religious freedom

An assessment and description of the nature and extent of violations of religious freedom in each foreign country, including persecution of one religious group by another religious group, religious persecution by governmental and nongovernmental entities, persecution targeted at individuals or particular denominations or entire religions, persecution of lawyers, politicians, or other human rights advocates seeking to defend the rights of members of religious groups or highlight religious freedom violations, prohibitions on ritual animal slaughter or male infant circumcision, the existence of government policies violating religious freedom, including policies that discriminate against particular religious groups or members of such groups, policies that ban or restrict the public manifestation of religious belief and the peaceful involvement of religious groups or their members in the political life of each such foreign country, and the existence of government policies concerning—