

(Pub. L. 114–122, title III, §303, Feb. 18, 2016, 130 Stat. 113.)

§ 9243. Report on and imposition of sanctions with respect to serious human rights abuses or censorship in North Korea

(a) Report required

(1) In general

The Secretary of State shall submit to the appropriate congressional committees a report that—

(A) identifies each person the Secretary determines to be responsible for serious human rights abuses or censorship in North Korea and describes the conduct of that person; and

(B) describes serious human rights abuses or censorship undertaken by the Government of North Korea or any person acting for or on behalf of that Government in the most recent year ending before the submission of the report.

(2) Consideration

In preparing the report required under paragraph (1), the Secretary of State shall—

(A) give due consideration to the findings of the United Nations Commission of Inquiry on Human Rights in North Korea; and

(B) make specific findings with respect to the responsibility of Kim Jong Un, and of each individual who is a member of the National Defense Commission of North Korea or the Organization and Guidance Department of the Workers' Party of Korea, for serious human rights abuses and censorship.

(3) Submission and form

(A) Submission

The report required under paragraph (1) shall be submitted not later than 120 days after February 18, 2016, and every 180 days thereafter for a period not to exceed 3 years, and shall be included in each human rights report required under sections 2151n(d) and 2304(b) of this title.

(B) Form

The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(C) Public availability

The Secretary of State shall publish the unclassified part of the report required under paragraph (1) on the website of the Department of State.

(b) Designation of persons

The President shall designate under section 9214(a) of this title any person listed in the report required under subsection (a)(1) that—

(1) knowingly engages in, is responsible for, or facilitates censorship by the Government of North Korea; or

(2) knowingly engages in, is responsible for, or facilitates serious human rights abuses by the Government of North Korea.

(c) Sense of Congress

It is the sense of Congress that the President should—

(1) seek the prompt adoption by the United Nations Security Council of a resolution calling for the blocking of the assets of all persons responsible for severe human rights abuses or censorship in North Korea; and

(2) fully cooperate with the prosecution of any individual listed in the report required under subsection (a)(1) before any international tribunal that may be established to prosecute persons responsible for severe human rights abuses or censorship in North Korea.

(Pub. L. 114–122, title III, §304, Feb. 18, 2016, 130 Stat. 113.)

Executive Documents

DELEGATION OF FUNCTIONS

Functions and authorities of President under subsection (b) of this section delegated to Secretary of the Treasury, in consultation with Secretary of State, by Memorandum of President of the United States, May 18, 2016, 81 F.R. 37479, set out as a note under section 9212 of this title.

SUBCHAPTER IV—GENERAL AUTHORITIES

§ 9251. Suspension of sanctions and other measures

(a) In general

Any sanction or other measure required under subchapter I, II, or III (or any amendment made by such subchapters) (other than section 9214(g), 9221b, or 9221c of this title) may be suspended for up to 1 year upon certification by the President to the appropriate congressional committees that the Government of North Korea has made progress toward—

(1) verifiably ceasing its counterfeiting of United States currency, including the surrender or destruction of specialized materials and equipment used or particularly suitable for counterfeiting;

(2) taking steps toward financial transparency to comply with generally accepted protocols to cease and prevent the laundering of monetary instruments;

(3) taking steps toward verification of its compliance with applicable United Nations Security Council resolutions;

(4) taking steps toward accounting for and repatriating the citizens of other countries—

(A) abducted or unlawfully held captive by the Government of North Korea; or

(B) detained in violation of the Agreement Concerning a Military Armistice in Korea, signed at Panmunjom July 27, 1953 (commonly referred to as the “Korean War Armistice Agreement”);

(5) accepting and beginning to abide by internationally recognized standards for the distribution and monitoring of humanitarian aid; and

(6) taking verified steps to improve living conditions in its political prison camps.

(b) Renewal of suspension

The suspension described in subsection (a) may be renewed for additional, consecutive 180-day periods after the President certifies to the appropriate congressional committees that the