

classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

CHAPTER 108—GLOBAL MAGNITSKY HUMAN RIGHTS ACCOUNTABILITY

Sec.	
10101.	Definitions.
10102.	Authorization of imposition of sanctions.
10103.	Reports to Congress.

§ 10101. Definitions

In this chapter:

(1) Foreign person

The term “foreign person” has the meaning given that term in section 595.304 of title 31, Code of Federal Regulations (as in effect on the day before December 23, 2016).

(2) Gross violations of internationally recognized human rights

The term “gross violations of internationally recognized human rights” has the meaning given that term in section 2304(d)(1) of this title.

(3) Person

The term “person” has the meaning given that term in section 591.308 of title 31, Code of Federal Regulations (as in effect on the day before December 23, 2016).

(4) United States person

The term “United States person” has the meaning given that term in section 595.315 of title 31, Code of Federal Regulations (as in effect on the day before December 23, 2016).

(Pub. L. 114–328, div. A, title XII, §1262, Dec. 23, 2016, 130 Stat. 2533.)

Editorial Notes

CODIFICATION

Section was formerly set out in a note under section 2656 of this title.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 114–328, div. A, title XII, §1261, Dec. 23, 2016, 130 Stat. 2533, provided that: “This subtitle [subtitle F (§§1261–1264) of title XII of div. A of Pub. L. 114–328, enacting this chapter] may be cited as the ‘Global Magnitsky Human Rights Accountability Act.’”

§ 10102. Authorization of imposition of sanctions

(a) In general

The President may impose the sanctions described in subsection (b) with respect to any foreign person the President determines, based on credible evidence—

(1) is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in any foreign country who seek—

(A) to expose illegal activity carried out by government officials; or

(B) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion,

expression, association, and assembly, and the rights to a fair trial and democratic elections;

(2) acted as an agent of or on behalf of a foreign person in a matter relating to an activity described in paragraph (1);

(3) is a government official, or a senior associate of such an official, that is responsible for, or complicit in, ordering, controlling, or otherwise directing, acts of significant corruption, including the expropriation of private or public assets for personal gain, corruption related to government contracts or the extraction of natural resources, bribery, or the facilitation or transfer of the proceeds of corruption to foreign jurisdictions; or

(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, an activity described in paragraph (3).

(b) Sanctions described

The sanctions described in this subsection are the following:

(1) Inadmissibility to United States

In the case of a foreign person who is an individual—

(A) ineligibility to receive a visa to enter the United States or to be admitted to the United States; or

(B) if the individual has been issued a visa or other documentation, revocation, in accordance with section 1201(i) of title 8, of the visa or other documentation.

(2) Blocking of property

(A) In general

The blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of a foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) Inapplicability of national emergency requirement

The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

(C) Exception relating to importation of goods

(i) In general

The authority to block and prohibit all transactions in all property and interests in property under subparagraph (A) shall not include the authority to impose sanctions on the importation of goods.

(ii) Good

In this subparagraph, the term “good” has the meaning given that term in section 16¹ of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emer-

¹ See References in Text note below.