

LIFTING AND MODIFYING MEASURES WITH RESPECT
TO THE FEDERAL REPUBLIC OF YUGOSLAVIA (SER-
BIA AND MONTENEGRO)

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

HIS REPORT ISSUING A NEW EXECUTIVE ORDER TO LIFT, WITH
RESPECT TO FUTURE TRANSACTIONS, THE ECONOMIC SAN-
CTIONS IMPOSED PURSUANT TO EXECUTIVE ORDER 13088 AND
EXPANDED BY EXECUTIVE ORDER 13121



JANUARY 20, 2001.—Referred to the Committee on International Relations
and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

THE WHITE HOUSE,
Washington, January 19, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b) (IEEPA) and section 301 of the National Emergencies Act, 50 U.S.C. 1631, I hereby report that I have exercised my statutory authority to take additional actions with respect to the national emergency described and declared in Executive Order 13088 of June 9, 1998, and related to the actions and policies of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro) (the "FRY (S&M)") and the Republic of Serbia with respect to Kosovo. I have issued a new Executive Order to lift, with respect to future transactions, the economic sanctions imposed pursuant to Executive Order 13088 and expanded by Executive Order 13121 of April 30, 1999, except for those sanctions targeted against members and supporters of the former Milosevic regime. These actions are also taken in furtherance of United Nations Security Council Resolution 827 of May 25, 1993, and subsequent resolutions.

The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to issue regulations in exercise of my authorities under IEEPA and the United Nations Participation Act, 22 U.S.C. 287c, to implement measures lifting and modifying the economic sanctions imposed pursuant to Executive Order 13088. Property blocked pursuant to Executive Order 13088 before the effective date of the new Executive Order will continue to be blocked pending the resolution of successor state and other issues. All Federal agencies are also directed to take actions within their statutory authority to carry out the provisions of the new Executive Order. In addition to the persons I have identified in the annex to the new Executive Order, the Secretary of the Treasury, in consultation with the Secretary of State, is to identify certain other persons whose property and interests in property will be blocked pursuant to the order and with respect to whose property interests certain transactions or dealings by U.S. persons will be prohibited. The Secretary of the Treasury, again in consultation with the Secretary of State, is also authorized to remove any person from the annex to the order. In order to ensure the fullest implementation of the Executive Order, the Secretary of State will take steps to identify for appropriate consideration by the Secretary of the Treasury persons potentially covered by the criteria set forth in the order, which includes individuals who may have sought or may be seeking, through repressive measures or otherwise, to exercise illegitimate control over FRY (S&M) political institutions or economic resources.

I am enclosing a copy of the Executive Order I have issued. The order was effective at 12:01 a.m. eastern standard time on January 19, 2001.

I have authorized these measures in response to the recent positive developments in the FRY (S&M) and, notwithstanding those developments, the unusual and extraordinary threat that remains to the national security and foreign policy of the United States. I found in Executive Order 13088 that the actions and policies of the Governments of the FRY (S&M) and the Republic of Serbia with respect to Kosovo, by promoting ethnic conflict and human suffering, threatened to destabilize the countries of the region and to disrupt progress in the Republic of Bosnia and Herzegovina in implementing the Dayton peace agreement, and therefore constituted an unusual and extraordinary threat to the national security and foreign policy of the United States. I declared a national emergency to deal with that threat and ordered that economic sanctions be imposed with respect to those governments. I issued Executive Order 13121 in response to the continuing human rights and humanitarian crises in Kosovo. That order revised and substantially expanded the sanctions imposed pursuant to Executive Order 13088.

On September 24, 2000, the people of the FRY (S&M) displayed extraordinary courage and principle when the elected Vojislav Kostunica to be their president. The peaceful democratic transition begun by President Kostunica and the people of the FRY (S&M) opens the prospect of the FRY (S&M)'s rejoining fully the international community and merits lifting, with respect to future transactions, the economic sanctions imposed pursuant to Executive Orders 13088 and 13121. Notwithstanding these positive developments, steps must still be taken to support the ongoing efforts of the International Criminal Tribunal for the former Yugoslavia (ICTY) and to continue to counter the threat that remains with respect to stability in the Balkan region and the full implementation of the Dayton peace agreement.

In resolution 827 and subsequent resolutions, the United Nations Security Council has called upon all states to cooperate fully with the ICTY. In this connection, the ICTY has issued an order that states determine whether Slobodan Milosevic and four other indicted persons have assets located in their territories and, if any such assets are found, adopt provisional measures to freeze those assets.

Additionally, Slobodan Milosevic and other persons currently or subsequently under open indictment by the ICTY must be held fully accountable for the violence and atrocities they unleashed in the Balkans over the past decade, and they must be denied access to the economic and other means that would support their further repressing democracy or promoting or perpetrating further human rights abuses. The same holds true for those persons assisting the indictees and other blocked persons in their illicit activities and those persons who, through repressive measures or otherwise, illegitimately exercise control over FRY (S&M) political institutions and economic resources and enterprises under the sponsorship of Slobodan Milosevic and his close associates.

We heartily applaud the peaceful democratic transition that is underway in the FRY (S&M) and we pledge to support President

Kostunica and other newly elected leaders as they work to build a truly democratic society. Unfortunately, however, we must recognize the past and present capacity of Slobodan Milosevic and other indicted war criminals and their close associates or other persons to foment ethnic conflict, repress democracy, and promote or perpetrate further human rights abuses. This capacity continues to threaten the stability of the Balkan region and the full implementation of the Dayton peace agreement and, therefore, still constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States. The actions we are taking will assist the FRY (S&M) in ending its isolation and returning fully to the international community. They also express our condemnation of the violence and atrocities that have plagued the Balkan region for the past decade and will help prevent human rights abuses in the future.

Sincerely,

WILLIAM J. CLINTON.

EXECUTIVE ORDER

LIFTING AND MODIFYING MEASURES WITH RESPECT TO THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO)

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c) (UNPA), and section 301 of title 3, United States Code, and in view of United Nations Security Council Resolution 827 of May 25, 1993 (UNSCR 827), and subsequent resolutions,

I, WILLIAM J. CLINTON, President of the United States of America, found in Executive Order 13088 of June 9, 1998, that the actions and policies of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro) (the “FRY (S&M)”) and the Republic of Serbia with respect to Kosovo, by promoting ethnic conflict and human suffering, threatened to destabilize countries of the region and to disrupt progress in Bosnia and Herzegovina in implementing the Dayton peace agreement, and therefore constituted an unusual and extraordinary threat to the national security and foreign policy of the United States. I declared a national emergency to deal with that threat and ordered that economic sanctions be imposed with respect to those governments. I issued Executive Order 13121 of April 30, 1999, in response to the continuing human rights and humanitarian crises in Kosovo. That order revised and substantially expanded the sanctions imposed pursuant to Executive Order 13088.

In view of the peaceful democratic transition begun by President Vojislav Kostunica and other newly elected leaders in the FRY (S&M), the promulgation of UNSCR 827 and subsequent resolutions calling for all states to cooperate fully with the International Criminal Tribunal for the former Yugoslavia, the illegitimate control over FRY (S&M) political institutions and economic resources or enterprises exercised by former President Slobodan Milosevic, his close associates and other persons, and those individuals’ capacity to repress democracy or perpetrate or promote further human rights abuses, and in order to take steps to counter the continuing threat to regional stability and implementation of the Dayton peace agreement and to address the national emergency described and declared in Executive Order 13088, I hereby order:

Section 1. Amendments to Executive Order 13088. (a) Section 1 of Executive Order 13088 of June 9, 1998, as revised by section 1(a) of Executive Order 13121 of April 30, 1999, is revised to read as follows:

Section 1. (a) Except to the extent provided in section 203(b) of IEEPA (50 U.S.C. 1702(b)), and in regulations, orders, directives, or licenses that may hereafter be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date, I hereby order blocked all property and interests in property that are or hereafter come within the United States or that are or hereafter come within the possession or control of United States persons, of:

(i) any person listed in the Annex to this order; and
(ii) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(A) to be under open indictment by the International Criminal Tribunal for the former Yugoslavia, subject to applicable laws and procedures;

(B) to have sought, or to be seeking, through repressive measures or otherwise, to maintain or re-establish illegitimate control over the political processes or institutions or the economic resources or enterprises of the Federal Republic of Yugoslavia, the Republic of Serbia, the Republic of Montenegro, or the territory of Kosovo;

(C) to have provided material support or resources to any person designated in or pursuant to section 1(a) of this order; or

(D) to be owned or controlled by or acting or purporting to act directly or indirectly for or on behalf of any person designated in or pursuant to section 1(a) of this order.

(b) All property and interests in property blocked pursuant to this order prior to 12:01 a.m., eastern standard time, on January 19, 2001, shall remain blocked except as otherwise authorized by the Secretary of the Treasury.

(b) Section 2 of Executive Order 13088, as replaced by section 1(b) of Executive Order 13121, is revoked and a new section 2 is added to read as follows:

Sec 2. Further, except to the extent provided in section 203(b) of IEEPA (50 U.S.C. 1702(b)), and in regulations, orders, directives, or licenses that may hereafter be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date, I hereby prohibit any transaction or dealing by a United States person or within the United States in property or interests in property of any person designated in or pursuant to section 1(a) of this order.

(c) Section 3 of Executive Order 13088 is revoked.

(d) Section 4 of Executive Order 13088, as revised by section 1(c) of Executive Order 13121, is renumbered and revised to read as follows:

Sec. 3. Any transaction by a United States person that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order is prohibited. Any conspiracy formed to violate the prohibitions of this order is prohibited.

(e) Section 5 of Executive Order 13088 is renumbered and revised to read as follows:

Sec. 4. For the purposes of this order:

(a) The term “person” means an individual or entity;

(b) The term “entity” means a partnership, association, trust, joint venture, corporation or other organization; and

(c) The term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

(f) Section 6 of Executive Order 13088 is renumbered and revised to read as follows:

Sec. 5. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by IEEPA and UNPA, as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their statutory authority to carry out the provisions of this order.

(g) A new section 6 is added to Executive Order 13088 to read as follows:

Sec. 6. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to remove any person from the Annex to this order as circumstances warrant.

(h) Section 7 of Executive Order 13088, as revised by section 1(d) of Executive Order 13121, is revoked.

Sec. 2. Preservation of Authorities. Nothing in this order is intended to affect the continued effectiveness of any rules, regulations, orders, licenses, or other forms of administrative action issued, taken, or continued in effect heretofore or hereafter under Executive Order 13088, Executive Order 13121, or the authority of IEEPA or UNPA, except as hereafter terminated, modified, or suspended by the issuing Federal agency.

Sec. 3. No Rights or Privileges Conferred. This order is not intended to create, nor does it create, any right, benefit, or privilege, substantive or procedural, enforceable at law by a party against the United States, its agencies, officers, or any other person.

Sec. 4. (a) Effective Date. This order is effective at 12:01 a.m. eastern standard time on January 19, 2001.

(b) *Transmittal Publication.* This order shall be transmitted to the Congress and published in the *Federal Register*.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *January 17, 2001.*

ANNEX

<u>NAME/DPOB (IF AVAILABLE)</u>	<u>BACKGROUND</u>
1. Acimovic, Slobodan 19 Sep 1951	Asst. Dir., Beogradska Banka (BB)
2. Albinovic, Veljko	GM, Pozarevacka Banka AD
3. Baltovski, Mira	GM for International Operations at BB
4. Banovic, Nenad 28 Oct 1969	ICTY indictee
5. Banovic, Predrag 28 Oct 1969	ICTY indictee
6. Borovnica, Goran 15 Aug 1965	ICTY indictee
7. Bozovic, Radoman 10 Jan 1953	ex-Managing Director, GENEX
8. Budisin, Radmila 3 Mar 1944 Srobobran	Gen Mgr, Legal, BB Browncourt trading
9. Bulatovic, Momir 21 Sep 1956	ex-PM, FRY
10. Cesic, Ranko 5 Sept 1964 Drvar	ICTY indictee
11. Cvetanovic, Ninoslav 1940	General Director, Rudarsko, Also exec of Bor Mining
12. Djakovic, Milan 5 Oct 1937	Director of NIS Jugopetrol
13. Fustar, Dragan 28 Mar 1956	ICTY indictee
14. Gajic-Milosevic, Milica 1970	Milosevic family daughter-in-law
15. Galovic, Predrag	GM Jugobanka AD and ex-Asst. FRY Minister for the Economy
16. Gruban, Momcilo 19 June 1961	ICTY indictee
17. Janjic, Stanisa 10 Mar 1948	Dir of JUMKO Holding, Member, SPS Main Committee
18. Jankovic, Gojko 31 Oct 1954	ICTY indictee
19. Jankovic, Tomislav	Galenika Board President
20. Jocic, Vladislav	GM, Sabacka Banka AD
21. Josic, Milan	GM, Loznicka Banka AD

22. Karadzic, Radovan 19 June 1945 Petnica, Montenegro	ICTY indictee
23. Karic, Palmira Bogoljub 17 Jan 1954 Pec, Kosovo	Businessman, ex-Min. without Portfolio, Serbia
24. Kertes, Mihail 29 Aug 1947 Palanka, Vojvodina	ex-Director, FRY Customs
25. Klipa, Dusan 9 Apr 1943 Sabac	Dir-Gen, Zorka
26. Knezevic, Dusan 23 June 1955 Orlovci	ICTY indictee
27. Lukic, Milan 6 Sep 1967 Foca, Bosnia-Herz.	ICTY indictee
28. Lukic, Sredoje 5 April 1961 Visegrad, Bosnia-Herz.	ICTY indictee
29. Maljkovic, Nebojsa 4 Sep 1954	Member, JUL directorate, ex-FRY Dep. PM, ex-FRY Min Cooperation, Pres., Dunav Insurance ICTY indictee
30. Marinic, Zoran 6 June 1963 Busovaca	
31. Marjanovic, Mirko 27 Jul 1937 Knin, Croatia	ex-Serbian PM
32. Markovic, Mirjana 10 Jul 1942	Milosevic family, wife
33. Markovic, Momir	Private banker, ex-deputy governor of National Bank of Yugoslavia (NBJ), editor of Velika Srbija
34. Markovic, Radomir 1946 or 1947	Head of RDB, chief of intelligence
35. Markovic, Vladimir	JUL member, Gen. Dir. Merima Chemical
36. Markovic, Zoran	Executive Director of BB
37. Martic, Milan 18 Nov 1954 Zagrovic	ICTY indictee
38. Mejakic, Zeljko 2 Aug 1964 Petrov Gaj	Other ICTY indictee

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39. Milacic, Borislav 13 May 1953	Minister of Finance, Serbia
40. Milanovic, Dafina	ex-Pres., Dafiment Bank
41. Milosevic, Borislav 1936	Milosevic family, brother
42. Milosevic, Marija 1965	Milosevic family, daughter
43. Milosevic, Marko 2 Jul 1974	Milosevic family, son
44. Milosevic, Milanka	Milosevic family, sister-in-law
45. Milosevic, Slobodan 20 Aug 1941 Pozarevac	ex-President of FRY, ICTY indictee
46. Milutinovic, Milan 19 Dec 1942 Belgrade	President, Serbia, ICTY indictee
47. Mitrovic, Borislav	ex-Sec. Gen., President's Secretariat
48. Mitrovic, Zeljko 31 May 1967	Owner of TV Pink, member, JUL directorate
49. Mladic, Ratko 12 Mar 1943 Bozinovici, Bosnia-Herz.	ICTY indictee
50. Mrksic, Milan 20 July 1947	ICTY indictee
51. Ojdanic, Dragoljub 1 Jun 1941 Ravni, Cajetina	ex-Minister of Defense, ICTY indictee
52. Paunovic, Radisav	Gen. Mgr of Izvozna Banka AD
53. Pavkovic, Nebojsa 10 Apr 1946 Senjski Rudnik, Despotovac Mun., Pozarevac	Chief of General Staff, Army
54. Penezic, Branislav	Gen. Mgr of Dunav Banka AD
55. Petrovic, Radoje	Gen. Mgr for international payments for BB
56. Radenkovic, Ljiljana	Anglo-Yugo Bank London, Antexol Trading Ltd, Cyprus
57. Radic, Miroslav 1 Jan 1961	ICTY indictee
58. Rahman, Pavle	Gen. Mgr for Funds and Liquidity for Beogradska Banka
59. Rajic, Ivica 5 May 1958 Johovac	ICTY indictee

60. Raketic, Srdjan	Dir. Gen., Privredna Banka, Pancevo AD
61. Ristic, Ljubisa 8 Feb 1947	President of JUL
62. Ristic, Milorad	Dir. Gen., Niska Banka AD
63. Rodic, Milan 11 Dec 1948	Member of JUL directorate, CEO Serbian Lumber Monopoly
64. Sainovic, Nikola 7 Dec 1948 Bor	ex-Deputy Prime Minister, ICTY indictee
65. Sekulic, Zarko	Dir Gen of Agrobanka AD
66. Simanovic, Vojislav 23 Sep 1953	Gen Mgr of PKB, Pres. JUL comm. for agr
67. Simic, Blagoje 1 July 1960 Kruskovo Polje	ICTY indictee
68. Slijivancanin, Veselin 13 June 1953	ICTY indictee
69. Sokolovacki, Zivko	member of JUL directorate, Chairman, NIS
70. Stankovic, Radovan 10 Mar 1969 Trebica	ICTY indictee
71. Stankovic, Srboljub 1940,	Dir. of NIS Naftagas, member, JUL directorate
72. Stojiljkovic, Vljako 1937 Mala Krsna	ex-Min Interior, Serbia ICTY Indictee
73. Tomasevic, Ljiljana	Executive Director, BB
74. Tomovic, Slobodan 1946	SPS regional head Kragujevac, ex-Min. of Energy, member of SPS main committee
75. Unkovic, Slobodan 1938	FRY Ambassador to China,
76. Vasiljevic, Jezdimir 1948	Dir. of failed pyramid scheme based out of Jugoskandik Bank
77. Vlatkovic, Dusan 12 Feb 1938	ex-Gov, NBJ, member, JUL
78. Vucic, Borka 4 Apr 1926	Min for Cooperation with Int Financial Institutions
79. Vukovic, Slobodan 2 Jan 1940	General Manager of Prva Preduzetnicka Banka AD
80. Zecevic, Miodrag	Director, JUBMES Bank
81. Zelenovic, Dragan 12 Feb 1961	ICTY indictee

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