

CONTINUATION OF NATIONAL EMERGENCY WITH RE-
SPECT TO THE FEDERAL REPUBLIC OF YUGOSLAVIA,
THE BOSNIAN SERBS, AND KOSOVO

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A REPORT ON DEVELOPMENTS CONCERNING THE NATIONAL
EMERGENCY WITH RESPECT TO THE FEDERAL REPUBLIC OF
YUGOSLAVIA (SERBIA AND MONTENEGRO) THE BOSNIAN SERBS,
AND KOSOVO, PURSUANT TO 50 U.S.C. 1703(c)



MAY 25, 2000.—Message and accompanying papers referred to the
Committee on International Relations and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), as expanded to address the actions and policies of the Bosnian Serb forces and the authorities in the territory that they control within Bosnia and Herzegovina, is to continue in effect beyond May 30, 2000, and the emergency declared with respect to the situation in Kosovo is to continue in effect beyond June 9, 2000.

On December 27, 1995, I issued Presidential Determination 96-7, directing the Secretary of the Treasury, *inter alia*, to suspend the application of sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) and to continue to block property previously blocked until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia. This sanctions relief, in conformity with United Nations Security Council Resolution 1022 of November 22, 1995 (hereinafter the "Resolution"), was an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initialed by the parties in Dayton on November 21, 1995, and signed in Paris on December 14, 1995 (hereinafter the "Peace Agreement"). The sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) were accordingly suspended prospectively, effective January 16, 1996. Sanctions imposed on the Bosnian Serb forces and authorities and on the territory that they control within Bosnia and Herzegovina were subsequently suspended prospectively, effective May 10, 1996, also in conformity with the Peace Agreement and the Resolution.

Sanctions against both the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs were subsequently terminated by United Nations Security Council Resolution 1074 of October 1, 1996. This termination, however, did not end the requirement of the Resolution that blocked those funds and assets that are subject to claims and encumbrances until unblocked in accordance with applicable law.

Until the status of all remaining blocked property is resolved, the Peace Agreement implemented, and the terms of the Resolution met, this situation continues to pose a continuing unusual and extraordinary threat to the national security, foreign policy interests, and the economy of the United States. For these reasons, I have

determined that it is necessary to maintain in force these emergency authorities beyond May 30, 2000.

On June 9, 1998, I issued Executive Order 13088, "Blocking Property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and Prohibiting New Investment in the Republic of Serbia in Response to the Situation in Kosovo." Despite months of preparatory consultations and negotiations, representatives of the Federal Republic of Yugoslavia (Serbia and Montenegro) in March 1999, completely blocked agreement on an internationally backed proposal for a political solution to the Kosovo crisis. Yugoslav forces reinforced positions in the province during the March negotiation and, as negotiations failed, intensified the ethnic cleansing of Albanians from Kosovo. Yugoslav security and paramilitary forces thereby created a humanitarian crisis in which approximately half of Kosovo's population of 2 million had been displaced from the province and an unknown but apparently large portion of the remaining population had been displaced within Kosovo by mid-April.

On April 30, 1999, I issued Executive Order 13121, "Blocking property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and Prohibiting Trade Transactions Involving the Federal Republic of Yugoslavia (Serbia and Montenegro) in Response to the Situation in Kosovo." Executive Order 13121 revises and supplements Executive Order 13088 to expand the blocking regime by revoking an exemption for certain financial transactions provided in Executive Order 13088; to impose a general ban on all U.S. exports and reexports to and imports from the Federal Republic of Yugoslavia (Serbia and Montenegro) (the "FRY (S&M)") or the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro; and to prohibit any transaction or dealing by a U.S. person related to trade with or to the FRY (S&M) or the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro. In addition, Executive Order 13121 directs that special consideration be given to Montenegro and the humanitarian needs of refugees from Kosovo and other civilians with the FRY (S&M) in the implementation of the Order. Finally, Executive Order 13121 also supplements Executive Order 13088 to direct that the commercial sales of agricultural commodities and products, medicine, and medical equipment for civilian end-use in the FRY (S&M) be authorized subject to appropriate safeguards to prevent diversion to military, paramilitary, or political use by the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro.

This situation continues to pose a continuing unusual and extraordinary threat to the national security, foreign policy interests, and the economy of the United States. For these reasons, I have determined that it is necessary to maintain in force these emergency authorities beyond June 9, 2000.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 25, 2000.*

NOTICE

CONTINUATION OF EMERGENCY WITH RESPECT TO THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO), THE BOSNIAN SERBS, AND KOSOVO

In accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared on May 30, 1992, with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), as expanded on October 25, 1994, in response to the actions and policies of the Bosnian Serbs. In addition, I am continuing for 1 year the national emergency declared on June 9, 1998, with respect to the Federal Republic of Yugoslavia's policies and actions in Kosovo. This notice shall be published in the *Federal Register* and transmitted to the Congress.

On May 30, 1992, by Executive Order 12808, President Bush declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Governments of Serbia and Montenegro, blocking all property and interests in property of those Governments. President Bush took additional measures to prohibit trade and other transactions with the Federal Republic of Yugoslavia (Serbia and Montenegro) by Executive Orders 12810 and 12831, issued on June 5, 1992, and January 15, 1993, respectively, and on April 25, 1993, I issued Executive Order 12846 imposing additional measures.

On October 25, 1994, I expanded the scope of the national emergency by issuing Executive Order 12934 to address the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the actions and policies of the Bosnian Serb forces and the authorities in the territory that they controlled within Bosnia and Herzegovina.

On December 27, 1995, I issued Presidential Determination 96-7, directing the Secretary of the Treasury, *inter alia*, to suspend the application of sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to the above-referenced Executive orders and to continue to block property previously blocked until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia. This sanctions relief, in conformity with United Nations Security Council Resolution 1022 of November 22, 1995 (hereinafter the "Resolution"), was an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initialed by the parties in Dayton on November 21, 1995, and signed in Paris on December 14, 1995 (hereinafter the "Peace Agreement"). The sanc-

tions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) were accordingly suspended prospectively, effective January 16, 1996. Sanctions imposed on the Bosnian Serb forces and authorities and on the territory that they control within Bosnia and Herzegovina were subsequently suspended prospectively, effective May 10, 1996, also in conformity with the Peace Agreement and the Resolution. Sanctions against both the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs were subsequently terminated by United Nations Security Council Resolution 1074 of October 1, 1996. This termination, however, did not end the requirement of the Resolution that those blocked funds and assets that are subject to claims and encumbrances remain blocked, until unblocked in accordance with applicable law.

Until the status of all remaining blocked property is resolved, the Peace Agreement implemented, and the terms of the Resolution met, the national emergency declared on May 30, 1992, as expanded in scope on October 25, 1994, must continue beyond May 30, 2000.

On June 9, 1998, by Executive Order 13088, I found that the actions and policies of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Serbia with respect to Kosovo, by promoting ethnic conflict and human suffering, threatened to destabilize countries in the region and to disrupt progress in Bosnia and Herzegovina in implementing the Dayton peace agreement, constituted an unusual and extraordinary threat to the national security and foreign policy of the United States. I therefore declared a national emergency to deal with that threat. On April 30, 1999, I issued Executive Order 13121 to take additional steps with respect to the continuing human rights and humanitarian crisis in Kosovo and the national emergency declared with respect to Kosovo. Because the crisis with respect to the situation in Kosovo has not been resolved, I have determined that it is necessary to maintain in force these emergency authorities beyond June 9, 2000.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 25, 2000.*

