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

89–011 WASHINGTON : 2001
THE WHITE HOUSE,

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 reestablish 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.

ANNEX

<table>
<thead>
<tr>
<th>NAME/DOB (IF AVAILABLE)</th>
<th>BACKGROUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acimovic, Slobodan</td>
<td>Asst. Dir., Beogradska Banka (BB)</td>
</tr>
<tr>
<td>19 Sep 1951</td>
<td></td>
</tr>
<tr>
<td>2. Altabovic, Veljko</td>
<td>GM, Pozarevacka Banka AD</td>
</tr>
<tr>
<td>3. Baltevski, Mira</td>
<td>GM for International Operations at BB</td>
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<td>4. Banovic, Nenad</td>
<td>ICTY indictee</td>
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<tr>
<td>28 Oct 1969</td>
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<tr>
<td>5. Banovic, Predrag</td>
<td>ICTY indictee</td>
</tr>
<tr>
<td>28 Oct 1969</td>
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<tr>
<td>6. Boronvica, Goran</td>
<td>ICTY indictee</td>
</tr>
<tr>
<td>15 Aug 1965</td>
<td></td>
</tr>
<tr>
<td>7. Bozovic, Radovan</td>
<td>ex-Managing Director, GENEX</td>
</tr>
<tr>
<td>10 Jan 1953</td>
<td></td>
</tr>
<tr>
<td>8. Budisic, Radmila</td>
<td>Gen Mgr, Legal, BB</td>
</tr>
<tr>
<td>3 Mar 1944</td>
<td>Browncourt trading</td>
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<tr>
<td>9. Bulatovic, Momir</td>
<td>ex-PM, FRY</td>
</tr>
<tr>
<td>21 Sep 1956</td>
<td></td>
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<tr>
<td>10. Ceric, Ranko</td>
<td>ICTY indictee</td>
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<tr>
<td>5 Sept 1964</td>
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<tr>
<td>Drvar</td>
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<tr>
<td>11. Cvetanovic, Ninoslav</td>
<td>General Director, Rudarsko, Also exec of Bor Mining</td>
</tr>
<tr>
<td>1940</td>
<td>Director of NIS Jugopetrol</td>
</tr>
<tr>
<td>12. Djeckovic, Milan</td>
<td>ICTY indictee</td>
</tr>
<tr>
<td>5 Oct 1937</td>
<td></td>
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<td>13. Fueter, Dragun</td>
<td></td>
</tr>
<tr>
<td>28 Mar 1956</td>
<td></td>
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<td>14. Gajic-Milosevic, Milica</td>
<td>Milosevic family</td>
</tr>
<tr>
<td>1970</td>
<td>daughter-in-law</td>
</tr>
<tr>
<td>15. Galovic, Predrag</td>
<td>GM Jugobanka AD and ex-Asst. FRY</td>
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<td></td>
<td>Minister for the Economy</td>
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<tr>
<td></td>
<td>ICTY indictee</td>
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<tr>
<td>16. Gruban, Momcilo</td>
<td>Dir of JUNKO Holding, Member, SPS Main Committee</td>
</tr>
<tr>
<td>19 June 1961</td>
<td>ICTY indictee</td>
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<tr>
<td>17. Janic, Stanisa</td>
<td></td>
</tr>
<tr>
<td>10 Mar 1948</td>
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<tr>
<td>18. Jankovic, Gojko</td>
<td></td>
</tr>
<tr>
<td>31 Oct 1954</td>
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</tr>
<tr>
<td>19. Jankovic, Tomislav</td>
<td>Galenika Board President</td>
</tr>
<tr>
<td>20. Jocic, Vladislav</td>
<td>GM, Sabacka Banka AD</td>
</tr>
<tr>
<td>21. Josic, Milan</td>
<td>GM, Loznicka Banka AD</td>
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</table>
22. Karadzic, Radovan
   Petnica, Montenegro
   19 June 1945
   ICTY indicate

23. Karic, Palmira Bogoljub
   17 Jan 1984
   Pec, Kosovo
   Businesseman, ex-Min. without Portfolio, Serbia

24. Kastes, Mihail
   29 Aug 1947
   Palanka, Vojvodina
   ex-Director, FRY Customs

25. Kitap, Dusan
   9 Apr 1943 Sabac
   Dir-Gen, Zorka

26. Kneszovio, Dusan
   23 June 1955
   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
   ex-Serbian PM

31. Marjanovic, Mirko
   27 Jul 1937
   Knin, Croatia
   Milosevic family, wife

32. Markovic, Mijarina
   10 Jul 1942
   Markovic, Momir
   Private banker, ex-deputy governor of National Bank of Yugoslavia
   (NBG), editor of Valika Srbija
   Head of RDB, chief of intelligence

33. Markovic, Vladimir
   1945 or 1947
   Intelligence
   JUL member, Gen. Dir. Merima
   Chemical

34. Markovic, Zoran
   18 Nov 1954
   Executive Director of BB
   Zagrovic

35. Mejakic, Zeljko
   2 Aug 1964
   Other ICTY indictee
   Petrov Gaj
39. Milacic, Borislav  
Minister of Finance, Serbia  
13 May 1983

40. Milanovic, Dafina  
ex-Pres., Dafiment Bank

41. Milosevic, Borislav  
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  
ex-President of FRY, 
20 Aug 1941
ICTY indictee 
Posarevac

46. Milutinovic, Milan  
President, Serbia, 
19 Dec 1942
ICTY indictee 
Belgrade

47. Mitrovic, Borislav  
ex-Sec. Gen., President's 
Secretariat

48. Mitrovic, Zeljko  
Owner of TV Pink, member, 
JUL directorate

49. Mladic, Ratko  
ICTY indictee 
12 Mar 1943

50. Nekic, Milan  
ICTY indictee 
20 July 1942

51. Ojdanic, Dragoljub  
ex-Minister of Defense, 
1 Jun 1941
ICTY indictee 
Vrnji, Cetina

52. Paunovic, Radisav  
Gen. Mgr of Izsosna Banka AD

53. Pavkovic, Nebojsa  
Chief of General Staff, Army 
10 Apr 1946

54. Pericic, 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  
ICTY indictee 
1 Jan 1961

58. Rahman, Pavle  
Gen. Mgr for Funds and Liquidity 
for Reogradanka Banka

59. Rajic, Ivica  
ICTY indictee 
5 May 1958
Johovac

- 3 -
60. Raketic, Srdjan
   8 Dec 1948
Dir. Gen., Privredna Banka, Pancevo AD
61. Ristic, Ljubisa
   8 Feb 1947
President of JUL
62. Ristic, Milorad
   11 Dec 1948
Dir. Gen., Niska Banka AD
63. Rodic, Milan
    7 Dec 1948
Member of JUL directorate,
   ex-Deputy Prime Minister,
   ICTY indictee
   Belo
64. Sainovic, Nikola
   23 Sep 1953
Dir Gen of Agrobanka AD
   Gen Mgr of PEB, Pres. JUL
   comm. for agr
   ICTY indictee
   Srbija
65. Sekulic, Zarko
   1 July 1960
Kruščko Polje
   ICTY indictee
66. Simanovic, Vojislav
   13 June 1953
Sekovac, Zivko
   ICTY indictee
67. Simic, Blagoje
   10 Mar 1969
Slovenka
68. Stankovic, Radovan
   1940
Trešnica
   ICTY indictee
69. Stankovic, Srbijanka
   1948
Jugoslavija
70. Tomasevic, Ljiljana
   1946
Nis
71. Tomasevic, Slobodan
   1938
Director of NIS Naftagas, member,
JUL directorate
   ex-Min Interior, Serbia
   ICTY indictee
72. Tomasevic, Vlastimir
   12 Feb 1958
Kragujevac, ex-Min of Energy,
   member of SPS main committee
   FRY Ambassador to China
73. Vucic, Bonka
   4 Apr 1926
Vukovic, Slobodan
   2 Jan 1940
80. Zecovic, Miodrag
   12 Feb 1941
81. Zelenovic, Dragica
   15