

Executive Order 12934—Blocking Property and Additional Measures With Respect to the Bosnian Serb-Controlled Areas of the Republic of Bosnia and Herzegovina

October 25, 1994

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.*), 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), and section 301 of title 3, United States Code, in view of United Nations Security Council Resolution 942 of September 23, 1994, and in order to take additional steps with respect to the crisis in the former Yugoslavia, I hereby expand the scope of the national emergency declared in Executive Order No. 12808 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 control, including their refusal to accept the proposed territorial settlement of the conflict in the Republic of Bosnia and Herzegovina.

I, William J. Clinton, President of the United States of America, hereby order:

Section 1. Notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, except to the extent provided in regulations, orders, directives, or licenses, which may hereafter be issued pursuant to this order, all property and interests in property of: (a) the Bosnian Serb military and paramilitary forces and the authorities in those areas of the Republic of Bosnia and Herzegovina under the control of those forces;

(b) any entity, including any commercial, industrial, or public utility undertaking, organized or located in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces;

(c) any entity, wherever organized or located, which is owned or controlled directly or indirectly by any person in, or resident in, those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces;

(d) any person acting for or on behalf of any person included within the scope of paragraph (a), (b), or (c) of this section; that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, including their overseas branches, are blocked.

Sec. 2. Notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, except to the extent provided in regulations, orders, directives, or licenses, which may hereafter be issued pursuant to this order: (a) the provision or exportation of services to those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, or to any person for the purpose of any business carried on in those areas, either from the United States or by a United States person, is prohibited; and

(b) No vessel registered in the United States or owned or controlled by a United States person, other than a United States naval vessel, may enter the riverine ports of those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces.

Sec. 3. Any transaction by any 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.

Sec. 4. 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 the International Emergency Economic Powers Act and the United Nations Participation Act of 1945, as amended, as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate the authority set forth in this

order to other officers and agencies of the United States Government, all agencies of which are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

Sec. 5. Nothing in this order shall apply to activities related to the United Nations Protection Force, the International Conference on the Former Yugoslavia, or the European Community Monitoring Missions.

Sec. 6. For the purposes of this order:

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

(b) The term "entity" means a corporation, partnership, association, or other organization;

(c) The term "United States person" is as defined in section 5 of Executive Order No. 12810.

Sec. 7. Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 8. (a) This order shall take effect at 11:59 p.m. eastern daylight time on October 25, 1994.

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

William J. Clinton

The White House,
October 25, 1994.

[Filed with the Office of the Federal Register,
4:57 p.m., October 25, 1994]

NOTE: This Executive order was published in the *Federal Register* on October 27.

**Letter to Congressional Leaders on
Additional Measures Against the
Federal Republic of Yugoslavia
(Serbia and Montenegro)**

October 25, 1994

Dear Mr. Speaker: (Dear Mr. President:)

On May 30, 1992, pursuant to the International Emergency Economic Powers Act

(IEEPA), 50 U.S.C. 1701 *et seq.*, and the National Emergencies Act (NEA), 50 U.S.C. 1601 *et seq.*, President Bush exercised his statutory authority to issue Executive Order No. 12808, declaring a national emergency with respect to the actions and policies of the Governments of Serbia and Montenegro and blocking Yugoslav Government property.

On June 5, 1992, pursuant to the above authorities, as well as section 1114 of the Federal Aviation Act (49 U.S.C. App. 1514), and section 5 of the United Nations Participation Act of 1945, as amended (UNPA), (22 U.S.C. 287c), the President exercised his statutory authority to issue Executive Order No. 12810, blocking property of, and prohibiting transactions with, the Federal Republic of Yugoslavia (Serbia and Montenegro). This latter action was taken to ensure that the economic measures taken by the United States with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) conform to United Nations Security Council Resolution 757 of May 30, 1992.

On January 15, 1993, President Bush exercised his statutory authority under IEEPA, the UNPA, and the NEA to issue Executive Order No. 12831 to impose additional economic measures with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) in accordance with United Nations Security Council Resolutions 757 of May 30, 1992, and 787 of November 16, 1992. Those additional measures prohibited transactions related to transshipments through the Federal Republic of Yugoslavia (Serbia and Montenegro), as well as transactions related to vessels owned or controlled by persons or entities in the Federal Republic of Yugoslavia (Serbia and Montenegro).

On April 25, 1993, I exercised my statutory authority under IEEPA, the UNPA, and the NEA to issue Executive Order No. 12846 to impose additional economic measures with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) in accordance with United Nations Security Council Resolutions 757 of May 30, 1992, 787 of November 16, 1992, and 820 of April 17, 1993. These additional measures blocked the property of businesses in the Federal Republic of Yugoslavia; charged owners or operators of property blocked under Executive Orders Nos. 12808,