

ADDITIONAL STEPS WITH THE CONTINUING HUMAN
RIGHTS AND HUMANITARIAN CRISIS IN KOSOVO

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A REPORT ON DEVELOPMENTS CONCERNING THE NATIONAL
EMERGENCY WITH REGARDS TO KOSOVO AS DESCRIBED AND
DECLARED IN EXECUTIVE ORDER 13088 OF JUNE 9, 1998, PUR-
SUANT TO 50 U.S.C. 1703(c)



MAY 3, 1999.—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:

In response to the brutal ethnic cleansing campaign in Kosovo carried out by the military, police, and paramilitary forces of the Federal Republic of Yugoslavia (Serbia and Montenegro), the NATO allies have agreed to buttress NATO's military actions by tightening economic sanctions against the Milosevic regime. Pursuant to section 204(b) of the International Emergency Economic Powers Act (IEEPA) (50 U.S.C. 1703(b)), I hereby report to the Congress that, in order to implement the measures called for by NATO, I have exercised my statutory authority to take additional steps with respect to the continuing human rights and humanitarian crisis in Kosovo and the national emergency described and declared in Executive Order 13088 of June 9, 1998.

Pursuant to this authority, I have issued a new Executive order that:

Expands the assets freeze previously imposed on the assets of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro subject to U.S. jurisdiction, by removing the exemption in Executive Order 13088 for financial transactions by United States persons conducted exclusively through the domestic banking system within the Federal Republic of Yugoslavia (Serbia and Montenegro) or using bank notes or barter;

Prohibits exports or reexports, directly or indirectly, from the United States or by a United States person, wherever located, of goods, software, technology, or services to the Federal Republic of Yugoslavia (Serbia and Montenegro) or the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, or the Republic of Montenegro;

Prohibits imports, directly or indirectly, into the United States of goods, software, technology, or services from the Federal Republic of Yugoslavia (Serbia and Montenegro) or owned or controlled by the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, or the Republic of Montenegro;

Prohibits any transaction or dealing, including approving, financing, or facilitating, by a United States person, wherever located, related to trade with or to the Federal Republic of Yugoslavia (Serbia and Montenegro) or the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, or the Republic of Montenegro.

The trade-related prohibitions apply to any goods (including petroleum and petroleum products), software, technology (including technical data), or services, except to the extent excluded by section 203(b) of IEEPA (50 U.S.C. 1702(b)).

The ban on new investment by United States persons in the territory of Serbia—imposed by Executive Order 13088—continues in effect.

The Executive order provides that the Secretary of the Treasury, in consultation with the Secretary of State, shall give special consideration to the circumstances of the Government of the Republic of Montenegro. As with Executive Order 13088, an exemption from the new sanctions has been granted to Montenegro. In implementing this order, special consideration is also to be given to the humanitarian needs of refugees from Kosovo and other civilians within the Federal Republic of Yugoslavia (Serbia and Montenegro).

In keeping with my Administration's new policy to exempt commercial sales of food and medicine from sanctions regimes, the Executive order directs the Secretary of the Treasury, in consultation with the Secretary of State, to authorize commercial sales of agricultural commodities and products, medicine, and medical equipment for civilian end use in the Federal Republic of Yugoslavia (Serbia and Montenegro). Such sales are to be subject to appropriate safeguards to prevent diversion to military, paramilitary, or political use by the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, or the Republic of Montenegro.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *April 30, 1999.*

EXECUTIVE ORDER

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

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 (IEEPA) (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, WILLIAM J. CLINTON, President of the United States of America, in order to take additional steps with respect to the continuing human rights and humanitarian crisis in Kosovo and the national emergency described and declared in Executive Order 13088 of June 9, 1998, hereby order:

Section 1. Amendment to Executive Order 13088. (a) Section 1(a) of Executive Order 13088 of June 9, 1998, 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, all property and interests in property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro 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 hereby blocked.”

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

“*Sec. 2.* 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 of this order, the following are prohibited:

“(a) the exportation, reexportation, sale, or supply, directly or indirectly, from the United States, or by a United States person, wherever located, to the Federal Republic of Yugoslavia (Serbia and Montenegro) or the Government of the Federal Republic of Yugoslavia (Serbia and Monte-

negro), the Government of the Republic of Serbia, or the Government of the Republic of Montenegro, of any goods (including petroleum and petroleum products), software, technology (including technical data), or services;

“(b) the importation into the United States, directly or indirectly, of any goods, software, technology (including technical data), or services from the Federal Republic of Yugoslavia (Serbia and Montenegro) or owned or controlled by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Government of the Republic of Serbia, or the Government of the Republic of Montenegro; and

“(c) any transaction or dealing by a United States person, wherever located, in goods, software, technology (including technical data), or services, regardless of country of origin, for exportation, reexportation, sale, or supply to, or exportation from or by, the Federal Republic of Yugoslavia (Serbia and Montenegro) or the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Government of the Republic of Serbia, or the Government of the Republic of Montenegro. This prohibition includes, without limitation, purchase, sale, transport, swap, or brokerage transactions in such items, and approving, financing, insuring, facilitating, or guaranteeing any such transactions.”

(c) Section 4 of Executive Order 13088 is revised to read as follows:

“*Sec. 4.* 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.”

(d) Section 7 of Executive Order 13088 is revised to read as follows:

“*Sec. 7.* (a) The Secretary of the Treasury, in consultation with the Secretary of State, shall give special consideration to the circumstances of the Government of the Republic of Montenegro and persons located in and organized under the laws of the Republic of Montenegro in the implementation of this order.

“(b) The Secretary of the Treasury, in consultation with the Secretary of State, shall give special consideration to the humanitarian needs of refugees from Kosovo and other civilians within the Federal Republic of Yugoslavia (Serbia and Montenegro) in the implementation of this order.

“(c) The Secretary of the Treasury, in consultation with the Secretary of State, is hereby directed to authorize commercial sales of agricultural commodities and products, medicine, and medical equipment for civilian end use in the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) under appropriate safeguards to prevent diversion of military, paramilitary, or political use by the

Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Government of the Republic of Serbia, or the Government of the Republic of Montenegro.”

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 the authority of IEEPA, except as hereafter terminated, modified, or suspended by the issuing Federal agency.

Sec. 3. No rights or privileges conferred. Nothing contained in this order shall confer any substantive or procedural right or privilege on any person or organization, enforceable against the United States, its agencies or its officers.

Sec. 4. (a) Effective date. This order is effective at 12:01 a.m. eastern daylight time on May 1, 1999.

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

WILLIAM J. CLINTON.

THE WHITE HOUSE, *April 30, 1999.*

