



Federal Register

**Thursday,
May 29, 2003**

Part VI

The President

**Executive Order 13304—Termination of
Emergencies With Respect to Yugoslavia
and Modification of Executive Order
13219 of June 26, 2001**

Presidential Documents

Title 3—**Executive Order 13304 of May 28, 2003****The President****Termination of Emergencies With Respect to Yugoslavia and Modification of Executive Order 13219 of June 26, 2001**

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, as amended (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), 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,

I, GEORGE W. BUSH, President of the United States of America, have determined that the situations that gave rise to the declarations of national emergencies in Executive Order 12808 of May 30, 1992, and Executive Order 13088 of June 9, 1998, with respect to the former Socialist Federal Republic of Yugoslavia, have been significantly altered by the peaceful transition to democracy and other positive developments in Serbia and Montenegro (formerly the Federal Republic of Yugoslavia (Serbia and Montenegro)). Accordingly, I hereby terminate the national emergencies declared in those orders and revoke those and all related orders (Executive Orders 12810 of June 5, 1992, 12831 of January 15, 1993, 12846 of April 25, 1993, 12934 of October 25, 1994, 13121 of April 30, 1999, and 13192 of January 17, 2001). At the same time, and in order to take additional steps with respect to continuing, widespread, and illicit actions that obstruct implementation of the Ohrid Framework Agreement of 2001, relating to Macedonia, United Nations Security Council Resolution 1244 of June 10, 1999, relating to Kosovo, or the Dayton Accords or the Conclusions of the Peace Implementation Conference Council held in London on December 8–9, 1995, including the decisions or conclusions of the High Representative, the Peace Implementation Council or its Steering Board, relating to Bosnia and Herzegovina, including the harboring of individuals indicted by the International Criminal Tribunal for the former Yugoslavia, and the national emergency described and declared in Executive Order 13219 of June 26, 2001, I hereby order:

Section 1. Pursuant to section 202 of the NEA (50 U.S.C. 1622), termination of the national emergencies declared in Executive Order 12808 of May 30, 1992, and Executive Order 13088 of June 9, 1998, shall not affect any action taken or proceeding pending not finally concluded or determined as of the effective date of this order, or any action or proceeding based on any act committed prior to such date, or any rights or duties that matured or penalties that were incurred prior to such date. Pursuant to section 207 of IEEPA (50 U.S.C. 1706), I hereby determine that the continuation of prohibitions with regard to transactions involving any property blocked pursuant to Executive Orders 12808 or 13088 that continues to be blocked as of the effective date of this order is necessary on account of claims involving successor states to the former Socialist Federal Republic of Yugoslavia or other potential claimants.

Sec. 2. The Annex to Executive Order 13219 of June 26, 2001, is replaced and superseded in its entirety by the Annex to this order.

Sec. 3. (a) Section 1(a) and 1(b) of Executive Order 13219 are revised to read as follows:

“**Section 1.** (a) Except to the extent provided in section 203(b)(1), (3), and (4) of IEEPA (50 U.S.C. 1702(b)(1), (3), and (4)), and the Trade Sanctions Reform and Export Enhancement Act of 2000 (Title IX, Public Law 106–

387), 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, all property and interests in property of:

(i) the persons listed in the Annex to this order; and

(ii) persons designated by the Secretary of the Treasury, in consultation with the Secretary of State, because they are determined:

(A) to be under open indictment by the International Criminal Tribunal for the former Yugoslavia, unless circumstances warrant otherwise, or

(B) to have committed, or to pose a significant risk of committing, acts of violence that have the purpose or effect of threatening the peace in or diminishing the stability or security of any area or state in the Western Balkans region, undermining the authority, efforts, or objectives of international organizations or entities present in the region, or endangering the safety of persons participating in or providing support to the activities of those international organizations or entities, or

(C) to have actively obstructed, or pose a significant risk of actively obstructing, the Ohrid Framework Agreement of 2001 relating to Macedonia, United Nations Security Council Resolution 1244 relating to Kosovo, or the Dayton Accords or the Conclusions of the Peace Implementation Conference held in London on December 8–9, 1995, including the decisions or conclusions of the High Representative, the Peace Implementation Council or its Steering Board, relating to Bosnia and Herzegovina, or

(D) to have materially assisted in, sponsored, or provided financial, material, or technological support for, or goods or services in support of, such acts of violence or obstructionism or any person listed in or designated pursuant to this order, or

(E) to be owned or controlled by, or acting or purporting to act directly or indirectly for or on behalf of, any person listed in or designated pursuant to this order, that are or hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in.

(b) I hereby determine that the making of donations of the type specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by or to persons determined to be subject to the sanctions imposed under this order would seriously impair the ability to deal with the national emergency declared in this order, and hereby prohibit such donations as provided in paragraph (a) of this section.”

Sec. 4. New sections 7 and 8 are added to Executive Order 13219 to read as follows:

“**Sec. 7.** For those persons listed in the Annex to this order or determined to be subject to the sanctions imposed under this order who might have a constitutional presence in the United States, I have determined that, because of the ability to transfer funds or assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to this order.

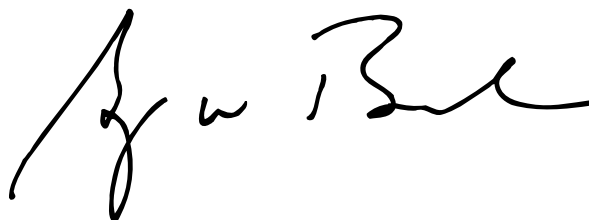
Sec. 8. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to determine, subsequent to the issuance of this order, that circumstances no longer warrant inclusion of a person in the Annex to this order and that such person is therefore no longer covered within the scope of the sanctions set forth herein. Such a determination shall become effective upon publication in the **Federal Register**.”

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 the President 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 authority to carry out the provisions of this order and, where appropriate, to advise the Secretary of the Treasury in a timely manner of the measures taken.

Sec. 6. Nothing contained in this order shall create any right or benefit or privilege, substantive or procedural, enforceable at law or in equity by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 7. This order is effective at 12:01 a.m. eastern daylight time on May 29, 2003. This order shall be transmitted to the Congress and published in the **Federal Register**.

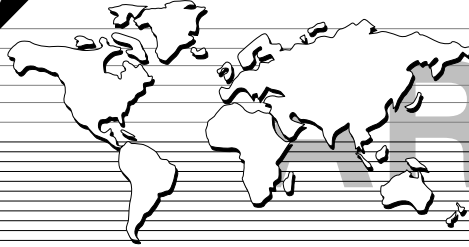
A handwritten signature in black ink, appearing to read "G. W. Bush". The signature is fluid and cursive, with a large initial "G" and a distinct "W".

THE WHITE HOUSE,
May 28, 2003.



U.S. Department of the Treasury
Office of Foreign Assets Control

YUGOSLAVIA



What You Need To Know About U.S. Sanctions

A summary involving the Federal Republic of Yugoslavia (Serbia & Montenegro) [including the amended Federal Republic of Yugoslavia (Serbia and Montenegro) Kosovo Sanctions Regulations, 31 C.F.R. Part 586, and Federal Republic of Yugoslavia Milosevic Regulations, 31 C.F.R. Part 587]

■ **INTRODUCTION** - U.S. sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) ("FRY (S&M)") date back to May 30, 1992, when the President issued the first in a series of Executive orders that collectively blocked assets and prohibited trade and other transactions involving the Governments of the Republics of Serbia and Montenegro, the former Government of the Socialist Federal Republic of Yugoslavia, the then-recently-constituted FRY (S&M), and the Bosnian Serb-controlled areas of the Republic of Bosnia and Herzegovina. These sanctions, which were implemented by regulations set forth in 31 C.F.R. Part 585, were suspended with respect to prospective transactions in 1996 after the signing of the Dayton peace agreement.

In response to the actions and policies of the Governments of the FRY (S&M) and the Republic of Serbia with respect to Kosovo, President Clinton issued Executive Order 13088 on June 9, 1998, imposing sanctions on the Government of the FRY (S&M) and the Governments of the Republics of Serbia and Montenegro. The sanctions were implemented by the "Federal Republic of Yugoslavia (Serbia and Montenegro) Kosovo Sanctions Regulations" (the "KSR") set forth in 31 C.F.R. Part 586. On April 30, 1999, the President imposed further trade restrictions in Executive Order 13121 because of the continuing human rights and humanitarian crises in Kosovo.

Following the peaceful democratic transition begun in the FRY (S&M), President Clinton issued Executive Order 13192 effective January 19, 2001, lifting prospectively the economic sanctions against the FRY (S&M), blocking the property and interests in property of specified parties, and prohibiting certain transactions or dealings involving such blocked property. The Executive Order has been implemented through amendments to the KSR and the Federal Republic of Yugoslavia (Serbia and Montenegro) Milosevic Regulations, 31 C.F.R. Part 587 ("FRY(S&M)MR")

■ **PREVIOUSLY BLOCKED PROPERTY** – Although the FRY(S&M) and KSR sanctions were lifted in 1996 and 2001, respectively, assets blocked under those programs remained blocked in order to address claims and encumbrances. As part of the U.S. Government's efforts to assist the FRY(S&M) in recovering from the effects of the Milosevic regime, OFAC has issued general licenses authorizing the unblocking of all remaining blocked property and interests in property 60 days after a December 27, 2002 publication in the *Federal Register* with the following exceptions:

- 1) property or interests in property of diplomatic and/or consular missions of the former Socialist Federal Republic of Yugoslavia,
- 2) property or interests in property of those persons who are presently subject to sanctions under either the Milosevic Regulations set forth at 31 C.F.R. Part 587 or the Western Balkans Transactions Regulations set forth at 31 C.F.R. Part 588, or who are otherwise subject to sanctions under other parts of 31 C.F.R. chapter V, and
- 3) property or interests in property of the central bank of the former Socialist Federal Republic of Yugoslavia, i.e., the National Bank of Yugoslavia, that have been blocked pursuant to 31 C.F.R. Part 585. (Property and interests in property of the National Bank of Yugoslavia blocked pursuant to 31 C.F.R. Part 586 are unblocked pursuant to the general license at 31 CFR 586.520.)

OFAC has issued general licenses, effective upon a December 27, 2002 publication in the *Federal Register*, authorizing any person or government to seek judicial or other legal process with respect to property or interests in property being unblocked. These general licenses are intended to help persons and governments, including the successor states to the former Socialist Federal Republic of Yugoslavia, to protect any rights they may have with respect to such property or interests in property.

■ **NEW TARGETS** - Transactions involving assets of persons who are targeted by Executive Order 13192 and the FRY(S&M)MR must continue to be interdicted and need to be blocked on an ongoing basis. Those parties appear as "[FRYM]" entries on OFAC's alphabetical master list of Specially Designated Nationals and Blocked Persons. These targets are designated family members, supporters and members of the regime of former President Slobodan Milosevic, as well as certain persons under open indictment by the International Criminal Tribunal for the former Yugoslavia ("ICTY"), and other specified parties. Exempt from the prohibitions imposed by the Order and the FRY(S&M)MR are certain transactions relating to personal communications, donations of articles to relieve human suffering, the importation or exportation of information or informational materials, and travel. See Section 587.206 of the FRY(S&M)MR.

outdated material from (December 27, 2002) brochure