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

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

NOTIFICATION THAT THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) AND THE BOSNIAN SERBS EMERGENCY IS TO CONTINUE IN EFFECT BEYOND MAY 30, 1996, PURSUANT TO 50 U.S.C. 1622(d)

MAY 29, 1996.—Referred to the Committee on International Relations and ordered to be printed

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THE WHITE HOUSE,
Washington, May 24, 1996.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: 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 the Republic of Bosnia and Herzegovina, is to continue in effect beyond May 30, 1996.

The circumstances that led to the declaration on May 30, 1992, of a national emergency and to the expansion of that emergency on October 25, 1994, have not been resolved. On November 22, 1995, the United Nations Security Council adopted Resolution 1022, immediately and indefinitely suspending economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) in view of the General Framework Agreement for Peace in Bosnia and Herzegovina (the "Peace Agreement") initialed by the Presidents of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Bosnia and Herzegovina, and the Republic of Croatia in Dayton, Ohio, on November 21, 1995, and signed by the parties in Paris on December 14, 1995. On December 27, 1995, I issued Presidential Determination No. 96–7, directing the Secretary of the Treasury to suspend the application of sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro). These sanctions were suspended on January 16, 1996. Sanctions imposed on the Bosnian Serbs were subsequently suspended on May 10, 1996.

These suspended sanctions will not be terminated, however, until the Peace Agreement has been fully implemented through the occurrence of free and fair elections in the Republic of Bosnia and Herzegovina, and provided that the Bosnian Serb forces have continued to respect the zones of separation as provided in the Peace Agreement. Assets blocked pursuant to the sanctions also remain blocked until claims and encumbrances involving those assets can be addressed. Until the peace process is fully implemented, 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 deter-

mined that it is necessary to maintain in force the broad authorities necessary to reimpose economic pressure on the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnia Serb forces and the authorities in the territory that they control if either fail significantly to meet their obligations under the Peace Agreement.

Sincerely,

WILLIAM J. CLINTON.

NOTICE

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

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. On April 25, 1993, I issued Executive Order 12846, blocking the property and interests in property of all commercial, industrial, or public utility undertakings or entities organized or located in the Federal Republic of Yugoslavia (Serbia and Montenegro), and prohibiting trade-related transactions by United States persons involving those areas of the Republic of Bosnia and Herzegovina controlled by Bosnian Serb forces and the United Nations Protected Areas in the Republic of Croatia. On October 25, 1994, because of the actions and policies of the Bosnian Serbs, I expanded the scope of the national emergency to block the property of the Bosnian Serb forces and the authorities in the territory that they control within the Republic of Bosnia and Herzegovina, as well as the property of any entity organized or located in, or controlled by any person in, or resident in, those areas.

On December 27, 1995, I issued Presidential Determination No. 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 initialled by the parties in Dayton, Ohio, 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

the Republic of Bosnia and Herzegovina were subsequently suspended prospectively, effective May 10, 1996, also in conformity with the Peace Agreement and Resolution.

In the last year, substantial progress has been achieved to bring about a settlement on the conflict in the former Yugoslavia acceptable to the parties. Before agreeing to the sanctions suspension, the United States insisted on a credible reimposition mechanism to ensure the full implementation of the Peace Agreement. Thus, Resolution 1022 provides a mechanism to reimpose the sanctions if the Federal Republic of Yugoslavia or the Bosnian Serb authorities fail significantly to meet their obligations under the Peace Agreement. It also provides that sanctions will not be terminated until after the first free and fair elections occur in the Republic of Bosnia and Herzegovina, as provided for in the Peace Agreement, and provided that the Bosnian Serb forces have continued to respect the zones of separation as provided in the Peace Agreement. The Resolution also provides for the continued blocking of assets potentially subject to conflicting claims and encumbrances, including the claims of the other successor states of the former Yugoslavia, until provision is made to address them.

Because the resolution of the crisis and conflict in the former Yugoslavia that resulted from the actions and policies of the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), and of the Bosnian Serb forces and the authorities in the territory that they control, will not be complete until such time as the Peace Agreement is implemented fully and the terms of Resolution 1022 have been met, the national emergency declared on May 30, 1992, as expanded in scope on October 25, 1994, and the measures adopted pursuant thereto to deal with that emergency must continue beyond May 30, 1996.

Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serb forces and those areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 24, 1996.*

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