

Administration of Barack Obama, 2012

Message to the Congress on Blocking Property of Persons Threatening the Peace, Security, or Stabilization of Burma

July 11, 2012

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order (the "order") that modifies the scope of the national emergency declared in Executive Order 13047 of May 20, 1997, as modified in scope in Executive Order 13448 of October 18, 2007, and relied upon for additional steps taken in Executive Order 13310 of July 28, 2003, Executive Order 13448 of October 18, 2007, and Executive Order 13464 of April 30, 2008, and takes additional steps with respect to that national emergency.

In Executive Order 13047, the President found that the Government of Burma committed large-scale repression of the democratic opposition in Burma after September 30, 1996, and further determined that the actions and policies of the Government of Burma constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. To address that threat and to implement section 570 of the Foreign Operations, Export Financing, and Related Appropriations Act, 1997 (Public Law 104–208), the President in Executive Order 13047 prohibited new investment in Burma. On July 28, 2003, the President issued Executive Order 13310, which contained prohibitions implementing certain provisions of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61) and blocked the property and interests in property of persons listed in the Annex to Executive Order 13310 or determined by the Secretary of the Treasury, in consultation with the Secretary of State, to meet designation criteria specified in Executive Order 13310. In Executive Order 13448, the President expanded the scope of the national emergency declared in Executive Order 13047, incorporated existing designation criteria set forth in Executive Order 13310, blocked the property and interests in property of persons listed in the Annex to Executive Order 13448, and provided additional criteria for designations of other persons. In Executive Order 13464, the President blocked the property and interests in property of persons listed in the Annex to Executive Order 13464 and provided additional criteria for designations of other persons.

While the Government of Burma has made progress towards political reform in a number of areas, including by releasing hundreds of political prisoners, pursuing ceasefire talks with several armed ethnic groups, and pursuing a substantive dialogue with the democratic opposition, this reform is fragile. I support this reform in Burma and the building of a democratic political process that will allow all of the people of Burma to be represented. However, I have found that the continued detention of political prisoners, efforts to undermine or obstruct the political reform process, efforts to undermine or obstruct the peace process with ethnic minorities, military trade with North Korea, and human rights abuses in Burma particularly in ethnic areas, effectuated by persons within and outside the Government of Burma, constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. To address this situation, the order imposes additional measures with respect to Burma.

The order provides criteria for designations of persons determined by the Secretary of the Treasury, in consultation with or at the recommendation of the Secretary of State:

- to have engaged in acts that directly or indirectly threaten the peace, security, or stability of Burma, such as actions that have the purpose or effect of undermining or obstructing the political reform process or the peace process with ethnic minorities in Burma;
- to be responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, or to have participated in, the commission of human rights abuses in Burma;
- to have, directly or indirectly, imported, exported, reexported, sold or supplied arms or related materiel from North Korea or the Government of North Korea to Burma or the Government of Burma;
- to be a senior official of an entity that has engaged in the acts described above;
- to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the acts described above or any person whose property and interests in property are blocked pursuant to the order; or
- to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order.

All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA

The White House,
July 11, 2012

NOTE: The message referred to Executive Order 13619.

Categories: Communications to Congress : Burma, blocking property of persons threatening peace, security, or stabilization, message.

Subjects: Burma : Democracy efforts; Burma : Human rights issues; Burma : Relations with North Korea; Burma : Relations with U.S.; Burma : U.S. sanctions; North Korea : Relations with Burma.

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