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Sanctions' Double-Edged Sword: Decoding the Legal Foundations and Human Rights Outcome of Global Measures against Russian Citizens


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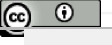
This research paper delves into the intricate relationship between international sanctions and the human security landscape of Russian citizens, illuminating the often-overlooked consequences of these measures. It offers a critical examination of the legal frameworks that underpin such sanctions, assessing their intended objectives against the backdrop of real-world effectiveness and ethical dilemmas. The paper rigorously analyses the international legal instruments employed by sanctioning entities like the UN and EU, questioning the legitimacy of their justifications. The findings suggest that, while aimed at promoting international peace and security, these sanctions may inadvertently erode the very human security which they purport to protect. The research offers innovative policy recommendations aimed at mitigating the adverse effects of sanctions on the populace, advocating for a balanced approach that upholds accountability without compromising the welfare of ordinary citizens.

Keywords: Global Sanctions, Human Security, Russian Populace, Legal Impact, Human Rights, International Regulations, Geopolitical Challenges

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Sanctions' Double-Edged Sword Decoding Legal Foundations Human Rights Outcome Global Measures against Russian Citizens

Introduction

In response to Russia’s actions in Ukraine, international sanctions have emerged as a significant instrument in global politics. This research paper investigates the legal justifications and its ethical implications for imposing sanctions on Russian citizens and evaluates their human rights implications. Numerous countries and international organisations, including the United States, European Union, and United Nations, have implemented sanctions against Russia. These measures encompass a wide range of economic restrictions, as well as targeted sanctions on specific individuals and entities. Although sanctions are intended to influence state behaviour and encourage adherence to international norms, their impact on civilian populations raises significant legal and ethical concerns. The paper will try to evaluate potential sanctions’ constraints in accordance with human rights obligations and proportionality principles[i].The evaluation of the human rights implications of sanctions on Russian citizens will be a primary objective[ii]. The paper will examine the potential violations of civil and political rights. It will also investigate the arguments that collective punishment is the result of broad sanctions. This research endeavours to contribute to the discourse on the ethics and effectiveness of sanctions as a foreign policy instrument by critically analysing both the legal justifications and human rights implications.

01. Legal Justifications for Sanctions on Russia

- **International Law and the Use of Sanctions:**The UN Charter’s Chapter VII, which gives the authority to the Security Council to impose sanctions to uphold global peace and security, serves as the main source of legal authority for international sanctions[iii]. Sanctions can be imposed by the EU to further its foreign policy goals under the Common Foreign and Security Policy[iv]. The International Covenant on Economic, Social, and Cultural Rights is one of the pertinent international treaties and conventions that offer a framework for safeguarding human rights when sanctions are in place[v].

- 01. ▪ **Legal Justifications for Sanctions on Russia:**Usually, allegations of violations against international law—like the annexation of Crimea and the intervention in Ukraine—are used as justification for imposing sanctions on Russia. The specific international legal provisions listed below in table 1, are used to support these sanctions:

Table 1

The UN Charter	The International Covenant on Civil and Political Rights	The Geneva Conventions
Article 2(4) of the UN Charter prohibits the use of force against the territorial integrity and political independence of states. Russia’s annexation of Crimea and its intervention in Ukraine are seen as violations of this principle[vi].	This treaty prohibits arbitrary deprivation of life, torture, and other cruel, inhuman, or degrading treatment or punishment. Russia’s actions in Ukraine have been accused of violating these provisions[vii].	These conventions protect civilians and prisoners of war during armed conflict. Russia’s actions in Ukraine have been accused of violating these conventions, particularly regarding the treatment of civilians and prisoners of war[viii].

Russia has claimed that the sanctions against it are illegal under international law, casting doubt on their validity. They claim that the sanctions violate their sovereignty and interfere with their ability to grow economically, even though the UN Security Council did not approve of them. They also contend that there has been insufficient due process and that the penalties disproportionately affect common people, resulting in hardship and suffering. Although Russia has made these arguments, the international community mainly disagrees with them, claiming that the sanctions are lawful responses to Russia’s illegal invasion of Ukraine that also target the Russian military and government. Due to the sanctions’ lack of UN Security Council authorization, Russia has claimed that they are unlawful. According to Russia, the sanctions have a disproportionately negative effect on common Russian citizens, leading to hardship and suffering. Because the sanctions are not open to judicial review or other legal challenges, Russia claims that they were imposed without following the proper procedures. They contend that because the sanctions are a reaction to Russia’s unlawful invasion of Ukraine, they are legal under international law. Additionally, they argue

Sanctions' Double-Edged Sword Decoding Legal Foundations Human Rights Outcome Global Measures against Russian Citizens

;13(01)58Sanctions' Double-Edged Sword Decoding Legal Foundations Human Rights Outcome Global Measures against Russian Citizens

That any effects on common people are accidental and that the sanctions are intended only for the Russian military and government.

2.1. Ethical Implications of Legal Justifications:

The use of sanctions as a tool for foreign policy has complicated and has wide-ranging ethical implications. Sanctions may have unforeseen effects in addition to their intended goal of promoting security and peace. Although the goal of the sanctions against Russia following its invasion of Ukraine was to put pressure on the Kremlin to put an end to the conflict, the effects on common Russian citizens have been severe and disproportionate. The Russian economy has been severely damaged by the sanctions, making it more difficult for citizens to obtain needs like food, medicine, and clean water. Increased poverty, starvation, and even fatalities have resulted from this, particularly for those who are already struggling. Moreover, the penalties have made the already-existing disparities worse. The poor and marginalized in Russia have been left to suffer the most from the financial crisis, while the rich and powerful have managed to evade the sanctions. This has led to a cycle of deprivation and further established social disparities. These unexpected repercussions have significant ethical implications. Sanctions may be an essential weapon in some circumstances, but it's important to weigh their potential to violate human rights and worsen already-existing inequality. Sanctions must be applied carefully, considering the effects on civilians, to guarantee that their intended objectives are met without resulting in excessive suffering[ix].

Despite being put in place to put pressure on the Kremlin to end the conflict, the sanctions imposed on Russia after its invasion of Ukraine have also had unforeseen consequences. These repercussions include a rise in discontent and instability within Russia, a threat to democratic institutions and the rule of law, and an increase in human rights abuses. Russia's resentment of the West has been fuelled by a sense of nationalism and victimization brought about by the sanctions. This has strengthened President Putin's and his allies' hand, making it more challenging to resolve the conflict peacefully.

In addition, the sanctions have caused economic hardship and social unrest in Russia

By disturbing the country's economy. Because of the atmosphere of nervousness and uncertainty this has produced, it is easy for the government to repress dissent and silence critics. The sanctions have also made Russia's democratic institutions and rule of law weaker. Further undermining democratic freedoms, the government has used the sanctions as an excuse to crack down on civil society organizations and independent media. T

Hese elements working together have produced a toxic environment in Russia that makes human rights abuses more likely to happen. This covers the repression of free speech, torture, and arbitrary arrests. Although the sanctions were meant to have a positive effect, they have had unexpected consequences that have increased the complexity and danger of the situation in Russia[x].

Sanctions against Russia in retaliation for its invasion of Ukraine present difficult issues with justice and accountability. Sanctions are meant to make states answerable for their actions, but the way they were applied in this instance has raised questions about their legitimacy and effectiveness. Some argue that to hold Russia responsible for its aggression and violations of human rights, sanctions are an essential instrument. They highlight the fact that Russia has suffered major economic losses because of the sanctions, compelling the government to re-evaluate its course of action[xi].

Others counter that rather than being a means of achieving justice, sanctions are being used as a tool of political pressure or retaliation. They highlight the fact that the sanctions have exacerbated already-existing social and economic inequality by having a disproportionate effect on common Russian citizens. The inherent conflict between the objectives of justice and accountability is brought to light by this discussion. Sanctions are a useful instrument for making states answerable, but they must be applied carefully and with consideration for any unintended consequences. Sanctions as a political pressure or retaliation tool can damage international institutions' credibility and the legitimacy of the international legal system. The present situation in Ukraine highlights the necessity for a nuanced approach to sanctions, one that strikes a balance

Sanctions' Double-Edged Sword Decoding Legal Foundations Human Rights Outcome Global Measures against Russian Citizens

Between the demands of accountability and the necessity to uphold human rights and advance peace[xii].

2024;13(01)59Sanctions' Double-Edged Sword Decoding Legal Foundations Human Rights Outcome Global Measures against Russian Citizens

2. Human Rights Impact:

The imposition of sanctions in Russia has resulted in adverse consequences on human rights, including limitations on freedom of speech and assembly, the repression of opposition and civil society, and the possibility of infringements on due process and the principles of legal governance.

The sanctions imposed on Russia in response to its invasion of Ukraine have resulted in a climate characterised by fear and repression, which has led to limitations on freedom of expression and assembly. This has exacerbated the challenges faced by journalists, activists, and opposition politicians in their efforts to scrutinise the government or mobilise demonstrations. The Russian government has utilised the sanctions as a justification to suppress opposition, citing concerns regarding national security. Recent legislation has been enacted to make it illegal to defame the military or disseminate inaccurate information regarding the war. These laws have been employed to stifle dissenting voices regarding the war and to repress autonomous media outlets.

Authorities have apprehended journalists and accused them of disseminating "misleading information," forcing autonomous media organizations to shut down or cease operations. They have specifically targeted activists and opposition politicians, leading to numerous arrests and imprisonments for their political activities. The stringent measures taken to suppress freedom of speech and assembly in Russia have instilled a pervasive atmosphere of apprehension, rendering it increasingly arduous for individuals to articulate their opinions or engage in civic activities. The situation has had a significant impact on Russian citizens' human rights, diminishing their ability to exercise their fundamental liberties.

The sanctions imposed on Russia in response to its invasion of Ukraine have given the government an opportunity to further stifle dissent and civil society. The government's ongoing crackdown has

been further intensified by the imposition of sanctions, leading to increased efforts to silence critics and curtail the activities of independent organisations. The government has invoked the imposition of sanctions as a rationale for enacting

new legislation that deems it unlawful to discredit the military or disseminate false information pertaining to the war. These laws have been employed to specifically target journalists, activists, and opposition politicians who express criticism towards the government or the war endeavour. Autonomous media organisations have been forcibly shut down or compelled to cease operations, while journalists have been apprehended and accused of disseminating "misleading information." Activists and opposition politicians have been specifically targeted, resulting in numerous cases of arrest and imprisonment due to their political endeavours.

The government has utilised the sanctions as a justification to curtail the operations of autonomous organisations, such as NGOs and human rights groups. Allegations of being "foreign agents" or engaging in "undesirable activities" have forced many of these organizations to shut down or operate under strict limitations. The stifling of opposition and civic organisations has engendered an atmosphere of apprehension in Russia, rendering it arduous for individuals to articulate their opinions or engage in societal affairs. The situation has had a significant impact on Russian citizens' human rights, diminishing their ability to exercise their fundamental liberties.

In addition, the government has utilised the sanctions as a justification to curtail the operations of autonomous entities, such as non-governmental organisations and advocacy groups focused on human rights. These organisations have faced allegations of being "foreign agents" or participating in "undesirable activities," resulting in many of them being compelled to shut down or operate under stringent limitations. The stifling of opposition and the curbing of civil society has engendered an atmosphere of apprehension in Russia, rendering it increasingly arduous for individuals to articulate their opinions or engage in civic activities. The situation has greatly affected the human rights of Russian citizens, diminishing their capacity to exercise their fundamental liberties.

The imposition of sanctions has already resulted in

Sanctions' Double-Edged Sword Decoding Legal Foundations Human Rights Outcome Global Measures against Russian Citizens

Opposition suppression and an increase in information regulation. This trend has the potential to intensify, resulting in a greater deterioration of the rule of law and a decrease in regard for human rights. The possibility of breaching due process and the rule of law is a significant

2024;13(01)60Sanctions' Double-Edged Sword Decoding Legal Foundations Human Rights Outcome Global Measures against Russian Citizens

Worry, as it weakens the fundamental tenets of a fair and democratic society. We must closely monitor the situation and hold the Russian government accountable for its actions.

The sanctions imposed on Russia in response to its invasion of Ukraine have disproportionately affected vulnerable demographics, including children, women, and minority populations. The sanctions have greatly affected these groups, who frequently depend more on government services and social safety nets. The imposition of sanctions has precipitated a downturn in the Russian economy, leading to a curtailment of government allocation towards vital sectors such as healthcare, education, and social welfare initiatives. This has exacerbated the difficulties faced by marginalised populations in accessing these services, thereby increasing their vulnerability to poverty, food insecurity, and limited access to essential resources.

Moreover, the sanctions have generated a state of apprehension and unpredictability, which can intensify pre-existing weaknesses. During periods of economic hardship and social unrest, women and children are particularly vulnerable to domestic violence and exploitation. The sanctions have additionally posed challenges for Russia in obtaining international assistance, which has historically been crucial in providing support to vulnerable populations. This exacerbates the scarcity of resources to meet the needs of these populations. The effect of sanctions on vulnerable populations is an intricate and multifaceted matter. Although the sanctions are designed to exert pressure on the Russian government, they inadvertently have a disproportionate impact on individuals who are already marginalised and disadvantaged.

03. Conclusion and policy

International sanctions imposed on Russian citizens in response to Russia's actions in Ukraine result in a complex interplay of human rights impacts

And legal justifications. The implementation of sanctions, while intended to enforce international norms and encourage adherence to global standards, raises substantial ethical and legal concerns. A variety of international legal frameworks, including the Geneva Conventions, the International Covenant on Civil and Political Rights, and the UN Charter, legally justify sanctions against Russia. The primary justification for these sanctions is the allegation that Russia has violated international law, particularly

In relation to the annexation of Crimea and its intervention in Ukraine.

The sanctions' human rights implications are equally alarming. The Russian government has employed the sanctions as a pretext to further restrict freedom of speech and assembly, suppress dissent, and repress civil society organisations. The implementation of new legislation aims to silence critics and independent media, leading to the arrest and imprisonment of journalists, activists, and opposition figures. Furthermore, the sanctions have affected vulnerable groups, such as children, women, and minorities, in a disproportionate manner. The economic downturn resulting from sanctions has resulted in a decrease in government spending on essential services such as healthcare, education, and social welfare programs, which has further marginalized these already highly vulnerable populations.

In summary, the implementation of international sanctions on Russian citizens may have legal justifications that are based on responses to perceived violations of international law; however, it has resulted in substantial human rights challenges. The tension between the intended objectives of sanctions and their actual effects on civilian populations underscores the necessity of a more nuanced approach to international pressure tactics. Future sanctions regimes must carefully evaluate and mitigate potential human rights violations, guarantee proportionality, and endeavour to reduce unintended consequences for vulnerable populations. Ultimately, the international community must persist in its efforts to maintain the delicate equilibrium between safeguarding the fundamental rights of all individuals and enforcing global norms, even in the presence of geopolitical conflicts.

04. Policy Recommendations

Sanctions' Double-Edged Sword Decoding Legal Foundations Human Rights Outcome Global Measures against Russian Citizens

The examination of the legal justifications and human rights implications of international sanctions on Russian citizens demonstrates a multifaceted relationship between humanitarian concerns and geopolitical objectives. Although sanctions are essential for the enforcement of international norms, their implementation presents substantial ethical and practical obstacles. To resolve these concerns, we suggest the subsequent policy recommendations:

01. Smart Sanctions with a Specific Focus: Introduce more precise, "smart" sanctions that

2024;13(01)61Sanctions' Double-Edged Sword Decoding Legal Foundations Human Rights Outcome Global Measures against Russian Citizens

01. concentrate on specific individuals, entities, and sectors that are directly associated with the Russian government's actions in Ukraine. This method can reduce collateral damage to ordinary citizens while simultaneously maintaining pressure on decision-makers.

02. Human Rights Impact Assessments: Perform consistent, impartial human rights impact assessments of sanctions regimes to detect and alleviate unintended consequences for vulnerable populations. These evaluations should serve as a basis for ongoing modifications to sanctions policies.

03. Humanitarian Exemptions: Need to expand and streamline humanitarian exemptions to ensure the continuous availability of essential goods, services, and medical supplies for Russian civilians. This should encompass explicit guidelines for financial institutions and companies to facilitate humanitarian transactions without fear of penalties.

04. Digital Rights Protections: Recognize the internet's essential role in the provision of information, education, and global connections, and include specific provisions to safeguard Russian citizens' digital rights and internet access.

05. Civil Society Support: Establish mechanisms to provide support to independent civil society organisations, human rights defenders, and journalists in Russia, ensuring that they can continue their work in the face of sanctions-related obstacles.

06. Time-Bound Sanctions:

01. Establish time-bound sanctions with explicit criteria for their removal, which will allow for de-escalation and motivate the Russian government to adopt more constructive behaviour.

02. Multilateral Coordination: Improve coordination among sanctioning countries to harmonize approaches, close loopholes, and increase sanctions' overall effectiveness while reducing unintended impacts on civilians.

03. Transparency and Communication: Strengthen the transparency and communication with the Russian public about the objectives, scope, and impact of sanctions. This will help to dispel misinformation and establish that the purpose of sanctions is not to penalize ordinary citizens.

01. Alternative Dispute Resolution: Create an international mediation mechanism to resolve disputes that arise from the implementation of sanctions, allowing affected parties to seek redress and adjustments as needed.

02. Economic Diversification Support: Provide targeted assistance for economic diversification initiatives in Russia that benefit civilians and reduce reliance on sanctioned sectors, possibly through conditional relief programs.

Implementing these recommendations can help the international community strive for a more balanced approach to sanctions that upholds accountability for the Russian government's actions while minimizing harm to ordinary Russian citizens. This sophisticated approach has the potential to improve the legitimacy and efficacy of sanctions as a foreign policy instrument while also more closely aligning with international human rights standards.

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Sanctions' Double-Edged Sword Decoding Legal Foundations Human Rights Outcome Global Measures against Russian Citizens

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