

**THE LEGALITY OF UNILATERAL SANCTIONS BY THE UNITED
STATES AND EUROPEAN UNION COUNTRIES AGAINST RUSSIA
FOR ITS INVASION TO UKRAINE IN 2022**

THESIS



ARRANGED BY :

HIRZINDA RACHMAT RINALDI SPARRINGA

STUDENT NUMBER : 18410630

LAW STUDY PROGRAM UNDERGRADUATE PROGRAM

FACULTY of LAW INTERNATIONAL PROGRAM

INDONESIAN ISLAMIC UNIVERSITY

YOGYAKARTA

2022

**THE LEGALITY OF UNILATERAL SANCTIONS BY THE UNITED STATES
AND EUROPEAN UNION COUNTRIES AGAINST RUSSIA FOR ITS
INVASION TO UKRAINE IN 2022**

THESIS

Presented as the Partial Fulfillment of the Requirements

to Obtain a Bachelor's Degree at the Faculty of Law

Universitas Islam Indonesia

Yogyakarta

By :

HIRZINDA RACHMAT RINALDI SPARRINGA

Student Number : 18410630

**INTERNATIONAL PROGRAM
UNDERGRADUATE STUDY
FACULTY OF LAW
UNIVERSITAS ISLAM INDONESIA
YOGYAKARTA**

2022



**THE LEGALITY OF UNILATERAL SANCTIONS BY THE
UNITED STATES AND EUROPEAN UNION COUNTRIES
AGAINST RUSSIA FOR ITS INVASION TO UKRAINE IN 2022**

Telah diperiksa dan disetujui Dosen Pembimbing Tugas Akhir untuk diajukan
ke depan TIM Penguji dalam Ujian Tugas Akhir / Pendaran
pada tanggal August 28, 2023



Yogyakarta, March 27, 2023
Dosen Pembimbing Tugas Akhir,

Sefriani, Prof. Dr., S.H., M.Hum.



**THE LEGALITY OF UNILATERAL SANCTIONS BY THE
UNITED STATES AND EUROPEAN UNION COUNTRIES
AGAINST RUSSIA FOR ITS INVASION TO UKRAINE IN 2022**

Telah Dipertahankan di Hadapan Tim Penguji dalam
Ujian Tugas Akhir / Pendararan
pada tanggal dan Dinyatakan LULUS

Yogyakarta, August 28, 2023

Tim Penguji

1. Ketua : Sefriani, Prof. Dr., S.H., M.Hum.
2. Anggota : Dodik Setiawan Nur Heriyanto, S.H., M.H., LL.M., Ph.D.
3. Anggota : Nandang Sutrisno, S.H., LL.M., M.Hum., Ph.D.

Tanda Tangan

Mengetahui:
Universitas Islam Indonesia
Fakultas Hukum
Dekan,



Prof. Dr. Budi Agus Riswandi, S.H., M.H.
NIK. 014100109

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

THE LEGALITY OF UNILATERAL SANCTIONS BY THE UNITED STATES AND
EUROPEAN UNION COUNTRIES AGAINST RUSSIA FOR ITS INVASION TO
UKRAINE IN 2022

Has been Examined and Approved by Language Advisor submitted before the Board of
Examiners in Final Thesis Examination

Date on

Yogyakarta, 05 January 2022

Language Advisor,



(Ima Dyah Savitri, S.S., M.A.)

NIK : 183120502

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**THE LEGALITY OF UNILATERAL SANCTIONS BY THE UNITED STATES AND
EUROPEAN UNION COUNTRIES AGAINST RUSSIA FOR ITS INVASION TO
UKRAINE IN 2022**

Defended Before the Board of Examiners on

And Declared Acceptable on

Yogyakarta, 05 January 2022

Board of Examiner

Signature

1. Chief of Examiner
2. Examiner I
3. Examiner II

International Program

Faculty of Law

Universitas Islam Indonesia

Dean,

Prof. Dr. Budi Agus Riswandi, S.H., M.Hum.

NIK: 014100109

ORIGINALITY STATEMENT

SURAT PERNYATAAN

**ORISINALITAS KARYA TULIS ILMIAH/TUGAS AKHIR MAHASISWA
FAKULTAS HUKUM UNIVERSITAS ISLAM INDONESIA**



Yang bertandatangan di bawah ini :

NAMA : Hirzinda Rachmat Rinaldi Sparringa

NIM : 18410630

Adalah benar-benar mahasiswa Fakultas Hukum Universitas Islam Indonesia yang telah melakukan penulisan Karya Tulis Ilmiah (Tugas Akhir) berupa Skripsi dengan judul :

**THE LEGALITY OF UNILATERAL SANCTIONS BY THE UNITED STATES
AND EUROPEAN UNION COUNTRIES AGAINST RUSSIA FOR ITS
INVASION TO UKRAINE IN 2022**

Karya ilmiah ini saya ajukan ke tim penguji dalam Ujian Pendadaran yang diselenggarakan oleh Fakultas Hukum Universitas Islam Indonesia.

Sehubung dengan hal tersebut dengan ini saya menyatakan :

1. Bahwa Karya Tulis Ilmiah ini adalah benar-benar hasil karya saya sendiri yang dalam penyusunannya tunduk dan patuh terhadap kaidah etika, dan norma-norma penulisan sesuai dengan ketentuan yang berlaku.

2. Bahwa saya menjamin hasil karya ilmiah ini adalah benar-benar bebas dari unsur-unsur yang dapat dikategorikan sebagai perbuatan plagiarisme.
3. Bahwa meskipun secara prinsip hak milik karya ilmiah ini adalah pada saya, namun untuk kepentingan yang bersifat akademik dan pengembanannya, saya memberikan kewenangan kepada Perpustakaan Fakultas Hukum UII untuk mempergunakan karya ilmiah saya ini.

Selanjutnya berkaitan dengan hal di atas saya anggap menerima sanksi baik administratif, akademik ataupun pidana, jika saya terbukti secara kuat telah melakukan perbuatan menyimpang dari pernyataan tersebut. Saya juga akan bersikap kooperatif untuk hadir, menjawab, membuktikan dan melakukan pembelaan terhadap hak-hak saya serta menandatangani Berita Acara terkait yang menjadi hak dan kewajiban saya, di depan Majelis atau Tim FH UII yang ditunjuk oleh pimpinan fakultas, apabila tanda-tanda plagiat disinyalir terjadi pada karya ilmiah saya ini. Demikian surat pernyataan ini saya buat dengan sebenar-benarnya dalam kondisi sehat jasmani dan rohani, dengan sadar serta tidak ada tekanan dalam bentuk dan oleh siapapun.

Yogyakarta, 10 Januari 2023

Yang membuat pernyataan,

A 10,000 Rupiah Indonesian banknote is shown next to a handwritten signature in black ink. The banknote features the Garuda Pancasila emblem and the number '10000'.

Hirzinda Rachmat Rinaldi Sparringa

CURRICULUM VITAE

1. Name : Hirzinda Rachmat Rinaldi Sparringa
2. Place of Birth : Jakarta
3. Date of Birth : February 27, 2000
4. Gender : Male
5. Email : hirzindarhs@gmail.com
6. Parents Identity
 - a. Father : Peter Richard Sparringa
Occupation : Employee
 - b. Mother : Welpirayati
Occupation : House Wife
7. Education
 - a. Elementary School : SDS Hang Tuah 6
 - b. Junior High School : SMPN 99 Jakarta
 - c. Senior High School : SMA Terpadu Krida Nusantara
 - d. University : International Program, Faculty of Law, UII
8. Organization Experience
 - a. Field Coordinator of Male Dormitory for 10th, 11th, and 12th Grade, SMA Terpadu Krida Nusantara in 2017-2018.
 - b. Head of Interest and Talent Division of SC KOMAKA in 2019-2020
 - c. Chief Executive of the SC KOMAKA School of Journalism in 2019
 - d. Member of SC KOMAKA in 2018-202.



MOTTO

“Life is hard and not easy but I am much tougher and not easy to beat.”

(Ricky Sparringa)

“Try to shoot me with all weapons, I bet you forgot I was born made of steel.”

(Ombo Getho)

“Whoever believes in one God and the hereafter, should speak what is good or remain silent.”

(Muhammad SAW)

DEDICATION

With gratitude to **Allah Subhanahu wa ta'ala**

This thesis sincerely dedicated to:

My Family, Papa and Mama who always support me, believe in me, and pray for me

My Lecturer, who patiently guide me to finish this thesis,

Prof. Dr. Sefriani, S.H., M.Hum.

All of my friends, thank you for all your support, for the memories we made, and thank you
for your prayer for me

Myself, thank you for not giving up and thriving to be better everyday

and

My Alma mater, Universitas Islam Indonesia

ACKNOWLEDGEMENT

Bismillaahirrahmaanirrahiim

Assalamu'alaikum Wr. Wb.

First of all, I want to say my highest gratitude to Allah subhanahu wata'ala., with His blessing and love to me, I can finish this thesis and end my undergraduate study in a good condition. My journey from the beginning of my study until I finished this thesis cannot be completed without assistance, support, and prayers from my family, lecturers and friends. All gratitude and thanks belongs to :

1. Mr. Prof. Fathul Wahid, .S.T., .M.Sc., .Ph.D, as the Rector of Universitas Islam Indonesia, for the permission to write this thesis.
2. Mr. Prof. Dr. Budi Agus Riswandi, S.H., M.Hum., as the Dean of Faculty of Law, Universitas Islam Indonesia, for the permission to write this thesis and for supporting me during my IISMA program.
3. Mr. Dodik Setiawan Nur Heryanto, S.H., M.H., LL.M., Ph.D., as the Head of Study Program Faculty of Law Universitas Islam Indonesia and as my Academic Advisor. Thank you for all your support and guidance during my study in IP FH UII.
4. Mrs. Dr. Aroma Elmina Martha, S.H., M.H., as the Secretary of International Program Faculty of Law Universitas Islam Indonesia. Thank you for your guidance during my study in IP FH UII.
5. Prof. Dr. Sefriani, S.H., M.Hum., My Thesis Advisor and the one who inspires me with her kindness and intelligence as I decided to choose this title as my thesis. You will always be my inspiration for my future career ahead. May Allah bless you and your family.
6. Ima Dyah Savitri, my language advisor. Thank you for your guidance in reviewing my thesis transcript.
7. Mbak Gita, Mbak Vera, and the entire staff of IP FH UII. Thanks for helping me and handling anything about the administrative procedure during my study.
8. Mama and Papa. Thank you for your endless support of me, for always having faith in me for whatever I do and take. Thank you for all your love and unlimited prayers for me. I love you with all of my heart.
9. Alhamd Fajri, Raihan Adi, Annisa Aulya, and Sausan Annisa, my best friend. Thank you for always having my back under any circumstances. I hope all the good things will always come to your life.

Table of Content

Abstract	13
Chapter I	14
Preliminary	14
A. Background Study	14
B. Problem Formulation	17
C. Research Purposes	17
D. The Benefits of Research	18
1. Theoretical Benefits	18
2. Practical Benefits	18
E. Research Originality	19
F. Research Method	28
1. Research Typology	28
2. Research Approach Method	28
2. Types and Sources of Legal Materials	29
3. Legal Material Collection Methods	30
4. Processing and Analysis of Legal Materials	30
G. Literature Review	31
i. INTERNATIONAL LAW	31
ii. INTERNATIONAL SANCTION	33
iii. UNITED NATIONS ROLE REGARDING INTERNATIONAL UNILATERAL SANCTION	34
iv. UNILATERAL SANCTIONS EVER ESTABLISHED	37
H. Operational Definition	38
I. Thesis Framework	42
Chapter II	43
Theoretical Review - Overview of The Legality of Unilateral Sanctions	43
A. Sanction in International Law	43
B. Authority and Mechanism For Imposing Sanctions in International Law	46
	12

C. Kinds of International Sanctions	48
D. The Legality of Unilateral Sanctions	49
Unilateral Sanctions Imposed By United States	51
Unilateral Sanctions Imposed By European Union	57
F. Veto Rights in United Nation	63
G. United Nation’s Capability to address the issue of Unilateral Sanctions	65
H. Impact of International Sanctions by UN and Non-UN for the International Society	68
I. International Sanction in Islamic Law	70
Chapter III	75
The Legality of Unilateral Sanctions and UN’s Actions about it	75
A. The Legality of Unilateral Sanctions Imposed by US and EU for Russia	75
The Legality of Imposing Unilateral International Sanctions that have a Negative Impact on the Civilian Population of a Country	76
B. UN’s Actions Regarding to the Unilateral Sanctions	79
Chapter IV	84
Closing	84
A. Conclusion	84
References	86

ABSTRACT

The imposition of international sanctions is a method that is often used by countries in the world to resolve a dispute peacefully. The provision of international sanctions is called unilateral sanctions, where the implementation is carried out unilaterally by the sanctioning country. Likewise with the United States and the European Union which imposed unilateral sanctions on Russia. However, the question is whether unilateral sanctions are legal under international law and what can be done by the UN through the Security Council in response to this? Through research on the legality of unilateral sanctions, this legal research aims to identify the legality of unilateral sanctions in the eyes of international law and also to identify what actions the United Nations through its Security Council can take in this regard under current international law. This research is normative legal research using a statutory, comparative, and historical approach to answer the formulation of the problem. As a result, it was found that the unilateral sanctions imposed by the United States and the European Union on Russia were legal and the United Nations through its Security Council could advise on the use of "smart sanctions". A further suggestion regarding this issue is that the United Nations can also make changes to the way the veto is used so that the dispute resolution process can run well.

Keywords: International Law, Unilateral Sanctions, Smart Sanctions, Veto Right

CHAPTER I

PRELIMINARY

A. BACKGROUND

Conflict according to language has the meaning as squabbles, disputes, and contradictions.¹ A conflict when it cannot be resolved by peaceful means can lead to armed conflict, regarding this armed conflict has been regulated in the International Humanitarian Law. Humanitarian law explains that there are two types of conflict in outline, International Armed Conflict and Non-International Armed Conflict. International Armed Conflict or hereinafter referred to as IAC is an armed conflict on an international scale and occurs between two or more countries and Non-International Armed Conflict is an armed conflict that occurs on a national scale or domestic conflict that occurs in certain countries.²

An international conflict can usually occur due to several reasons that occur between two or more countries which can be caused by several factors such as nationality, ethnicity, religion, ideology, and so on. In contrast to conflict, regarding the cause of war is still a question and has no definite answer, but there are several possibilities for a war to occur, among others, because the leader of a country is too aggressive and or other security conditions are being threatened.³ Basically, a situation can be called a war if there is an armed battle that occurs between two or more armed forces, this will cause casualties, both from the civilian side and the armed forces.

¹<https://kbbi.kemdikbud.go.id/entri/konflik> Retrieved April 3, 2022.

²Asep Darmawan, "Prinsip Pertanggungjawaban Pidana Komandan dalam Hukum Humaniter: Kumpulan Tulisan", *Jurnal Hukum*, Pusat Studi Hukum Humaniter dan HAM Fakultas Hukum Universitas Trisakti, 2005, p. 51.

³Karen Ruth Adams, *The Causes of War*, The University of Montana, 2019, p. 18.

Conflicts that occur between one country and another will usually cause various kinds of influences, ranging from influences in the aspects of the economy, education, and health. These influences can occur due to many things that are related when a country is in conflict with other countries or when there is a domestic conflict. In the economic aspect, for example, when a conflict occurs between country A and country B, the economies of the two countries will change their priorities from domestic development to funding conflict resolution efforts. When a conflict is going on, countries that know there is a war will take action to choose a side or decide to remain neutral and provide solutions and efforts to resolve the conflict. In practice in the international world, there is a legal phenomenon, namely the provision of international sanctions.

The definition of an international sanction is an action taken by a country in a certain situation and aimed at another country for reasons that have political implications. International sanctions themselves consist of two types, namely Unilateral Sanctions and Multilateral Sanctions.⁴ The types of international sanctions that exist include Diplomatic sanctions, Economic sanctions, Military sanctions, Sports sanctions, and Environmental sanctions. This study focused on unilateral sanctions. Unilateral international sanctions have a definition in the form of combining the broad definition of international sanctions with the idea of unilateralism, namely a sanction imposed by a country against a particular country by adopting the country's own ideas and initiatives to influence the direction of international relations.⁵

⁴Riady Ibnu Khaldun, "Implikasi Konflik Kudeta Militer Myanmar terhadap Sanksi Internasional", *IJPSS: Indonesian Journal of Peace and Security Studies*, Edisi No. 1, Vol. 3, 2021, p. 18.

⁵Beaucillon, "Chapter 1: An introduction to unilateral and extraterritorial sanctions: definitions, state of practice and contemporary challenges", *In the Research Handbook on Unilateral and Extraterritorial Sanctions*, Cheltenham, UK: Edward Elgar Publishing, 2021, p. 2.

In its journey, the imposition of international unilateral sanctions has often been carried out by several countries in the world, in this thesis the researcher discussed in depth and focus on the provision of international sanctions. The selection of this discussion is also based on the many international cases that are based on the imposition of unilateral sanctions by certain countries against the target country arbitrarily and actually causes misery to the living conditions of the people of the target country. The word "cases" referred to in the previous sentence referred to several international legal phenomena that occurred in the world, for example, as in the case of the United States which imposed unilateral sanctions in the form of dropping missiles into Syria on the grounds that the Syrian government had used chemical weapons against its own people, this actually caused misery to the Syrian people.⁶ In addition, there were also cases related to the imposition of unilateral sanctions that had a negative impact on the people of the target country of sanctions, namely in the case of the United States giving unilateral sanctions to the Islamic state of Iran in the form of hostility carried out by the United States unilaterally where it affected the Iranian people in developing, the right to health and education rights, and so on,⁷ which is something that should not arise from the imposition of international sanctions. This is because the imposition of international sanctions must have an output in the form of something positive and not detrimental or even to the point of suffering the people of that country. For example, what America is doing to countries in the world such as Syria⁸ and EU to Russia⁹.

⁶Mutiara, Mahendra Putra Kurnia, Rika Erawaty, "Sanksi Kepada Amerika Serikat Atas Tindakan Unilateralnya Terhadap Suriah Dengan Alasan Penggunaan Senjata Kimia", *Risalah Hukum*, No. 2, Vol. 17, 2021, p. 108.

⁷Farzaneh Dashti, Bizhan Mirzaie, Jasieh Jahanmanesh, "The United States Sanctions against the Islamic Republic of Iran; from Unilateralism to Violations of International Human Rights" *Journal of Contemporary Research on Islamic Revolution*, No. 5, Vol. 2, 2020, p. 117.

⁸Mutiara, Mahendra Putra Kurnia, Rika Erawaty, *Op. Cit.*, p. 108.

⁹ Sajjad Bagheri, Hamid Reza Akbarpour, "Reinvestigation of the West's Sanctions against Russia in the Crisis of Ukraine and Russia's Reaction", *Procedia Economics and Finance*, Vol. 36, 2016, P. 92.

Countries in the world should obey international law because basically international law has been considered binding because this law is part of natural law, namely the law that comes from God and applies to all mankind¹⁰. The international sanctions previously mentioned, in this thesis, the author discussed the legality of Unilateral International sanctions, selecting the title "The Legality of Unilateral Sanctions Carried Out By the United States and European Union Countries against Russia for its invasion of Ukraine in 2022." considered relevant and included a discussion that discussed further in this thesis.

B. PROBLEM FORMULATION

Departing from the simple explanation above, the author found several problem formulations written in the sub-chapters below, the formulation of these problems include the following.

1. How is the legality of unilateral sanctions carried out by the United States and its allies in the perspective of international law?
2. What is the UN's response regarding this matter?

C. RESEARCH PURPOSES

In general, the purpose of this study identified the legality of unilateral sanctions in the eyes of international law. In particular, this study aimed to analyze the legality of unilateral sanctions carried out by the United States and its allies in the eyes of international law and what legal actions the UN Security Council could take when unilateral sanctions brought suffering to the people.

¹⁰Sefriani, "Ketaatan Masyarakat Internasional terhadap Hukum Internasional dalam Perspektif Filsafat Hukum", *Jurnal Hukum*, NO. 3, VOL. 18, 2011, p. 412.

D. THE BENEFITS OF RESEARCH

The benefits in this study include the following :

1. Theoretical Benefits

Theoretically, this study aimed to determine whether international regulations regarding international sanctions have been implemented optimally, as well as to examine things that may and may not be done by countries that impose international sanctions. As well as knowing whether the regulations regarding the role of the United Nations have been implemented perfectly or not.

2. Practical Benefits

- a. For the United Nations, this research is expected to provide insight into what solutions can be taken in taking action and overcoming the problem of unilateral sanctions carried out by countries in the world.
- b. For the international community, this research is expected to develop knowledge and awareness of the international community regarding the imposition of international sanctions, especially unilateral sanctions.
- c. For researchers, this research is expected to be a new experience and knowledge to carry out legal development, analysis and can take a role in law enforcement in the international world in the future so that a good and just legal environment can be formed.

E. RESEARCH ORIGINALITY

Research on the legality of the unilateral sanctions imposed by the United States and the European Union on Russia in response to actions taken by Russia against Ukraine is an original research conducted to find the legality of the actions taken by the US and European Union countries which imposed international sanctions unilaterally on Russia.

The differentiation in the research conducted by this researcher lies in the research object which focuses on the actions taken by the US and the EU against Russia, as well as the approach taken by the researcher during the research process. The implementation of this research can contribute to international knowledge in terms of education and legal practice regarding the legality of unilateral sanctions.

The originality of the research explained the differences and similarities in the field of study studied between the researcher and previous researchers. This is intended to avoid repetition of the same thing. By doing the originality of the research, it would've known what sides that distinguish it and the location of the similarities between the research of the researcher and previous researchers. To make it easier to read, researcher give this in tabular form, here researchers describe the originality of this research :

No	Researcher Name and Research Title	Formulation of Problems and Conclusions of Previous Research	The Difference with This Research
1.	Sienho Yee,	Problem Formulation	This thesis focused

	<p><i>Unilateral Sanctions: Kind and Degree; Long-arm and Strongarm Jurisdiction; Real Intent and "Could-be" Intent.</i></p>	<p>a. Is the sanction action allowed or prohibited or not as a unilateral sanction, or as an action with a different name?</p> <p>b. could the action be legitimately written as another type of lawful act, almost or apparently as a kind of "defense"?</p> <p>c. Are unilateral sanctions in any category prohibited or not guaranteed by some special legal regime?</p> <p>Conclusion</p> <p>Complete justice may be too difficult, but if the standards are very respectful of the state, sanctions would've been too easy to be approved and considered valid, so the</p>	<p>on the legality of international unilateral sanctions carried out by the United States and other European Union countries in the case of the 2022 Russia and Ukraine War.</p>
--	--	---	--

		<p>collective wisdom of the world is expected to lead us all to a better future.</p>	
2.	<p>Radifan Taufiq Hanifisanto, <i>Sanksi Ekonomi sebagai Upaya Perlindungan Warga Negara dalam Pandangan Hukum Internasional (Studi Kasus Amerika Serikat - Turki 2018).</i></p>	<p>Problem Formulation</p> <p>a. Are unilateral economic sanctions imposed by the United States legal under international law?</p> <p>b. Will the unilateral economic sanctions imposed by the United States have a bad effect on Turkey's economic capacity and sovereignty?</p> <p>Conclusion</p> <p>The conclusion of this study are</p>	<p>This thesis is a case study on the imposition of unilateral economic sanctions from the United States to several countries and focused on the legality of international unilateral sanctions carried out by the United States and other European Union countries in the case of the 2022 Russia and</p>

		<p>that the United States government has violated international law through unilateral actions in imposing economic sanctions on Turkey which in turn has a bad influence on Turkey's economic condition and sovereignty.</p>	Ukraine War.
3.	<p>Mutiara, Mahendra Putra, dan Rika Erawaty, <i>Sanksi Kepada Amerika Serikat Atas Tindakan Unilateralnya Terhadap Suriah Dengan Alasan Penggunaan Senjata Kimia</i></p>	<p>Problem Formulation</p> <p>a. What is the United States' Unilateral Action Against Syria Under International Humanitarian Law?</p> <p>b. What are the sanctions against the United States for its unilateral actions against Syria on the grounds of using chemical weapons?</p>	<p>This Research to find out whether the actions taken by the US are legal in the eyes of international law and focused on the legality of international unilateral sanctions carried out by the United States and other European</p>

		<p>Conclusion</p> <p>The conclusion of this study is:</p> <p>The unilateral action taken by the United States against the Syrian state has violated international humanitarian law. Especially in the United Nations Charter Article 2 paragraph 3, 2 paragraph 4, Article 39 and Article 51. Based on the violations committed by the United States, Britain and France, the UN Security Council must issue a resolution related to sanctions imposed on the United States, Britain and France.</p>	<p>Union countries in the case of the 2022 Russia and Ukraine War.</p>
4.	<p>Fathia Firli Rahma,</p> <p><i>Peranan PBB</i></p> <p><i>Dalam</i></p> <p><i>Penyelenggaraan</i></p>	<p>Problem Formulation</p> <p>a. What are the efforts of the UN Security Council in carrying out its</p>	<p>This research is to see the role of the United Nations in the implementation</p>

	<p><i>Hukum Internasional.</i></p>	<p>functions of international peace and security?</p> <p>b. How is the arrangement for peaceful dispute resolution by the United Nations according to international law?</p> <p>Conclusion</p> <p>The efforts of the UN Security Council in carrying out the functions of international peace and security are carried out based on the principles of the United Nations Charter. In CHAPTER IV of the UN Charter, it has been explained that the resolution of disputes by the UN Security Council must be carried out by peaceful means.</p>	<p>of international law, in particular in the Security Council carrying out its duties to maintain international peace.</p>
--	---	--	---

5.	<p>Jan Nahrstedt, <i>US economic sanctions on Cuba: An analysis of the reasons for their maintenance.</i></p>	<p>Problem Formulation</p> <p>a. Why is the US economic embargo against Cuba still in place, despite its lack of effectiveness towards the stated objectives of the US government?</p> <p>Conclusion</p> <p>The economic embargo in Cuba is still ongoing because the theory of economic ineffectiveness cannot be proven and this embargo is used as a warning to other countries by the United States.</p>	<p>Research to see whether the International Sanction given by the US to Cuba is legal or illegal and focused on the legality of international unilateral sanctions carried out by the United States and other European Union countries in the case of the 2022 Russia and Ukraine War.</p>
6.	<p>Farzaneh Dashti, Bizhan Mirzaie and Jasieh Jahanmanesh, <i>The United States Sanctions against</i></p>	<p>Problem Formulation</p> <p>a. Can the sanctions imposed by America on the Islamic Republic of Iran make the US a unilateralist country?</p>	<p>This research's a case study to discover the unilateral sanctions that have been taken by the US</p>

	<p><i>the Islamic Republic of Iran; from Unilateralism to Violations of International Human Rights</i></p>	<p>b. What are the sanctions imposed by America on the Islamic Republic of Iran that are Violations of International Human Rights?</p> <p>Conclusion</p> <p>The imposition of sanctions on Iran has made the United States a unilateralist country and is a violation of human rights. This research examined and evaluated the contradictions between the sanctions and the hostile action of the US to Iran, and also the violation of International Human Right Law.</p>	<p>government that were causing misery to the citizens of the targeted countries and focused on the legality of international unilateral sanctions carried out by the United States and other European Union countries in the case of the 2022 Russia and Ukraine War.</p>
7.	<p>Dianne E. Rennack, <i>North Korea: Legislative Basis</i></p>	<p>Problem Formulation</p> <p>a. How is the legislative basis for U.S. Economic Sanctions for North</p>	<p>This thesis focused on the legality of international unilateral sanctions</p>

	<i>for U.S. Economic Sanctions</i>	<p>Korea?</p> <p>Conclusion</p> <p>The sanctions imposed by the United States in the form of economic sanctions against North Korea showed that there were independent aspects and aspects of the interrelationship between the legislature and the executive. The country's congress gave full powers to the President in the NATIONAL EMERGENCY Act and the INTERNATIONAL EMERGENCY ECONOMIC POWER Act to limit trade interactions between the US and North Korea.</p>	<p>carried out by the United States and other European Union countries in the case of the 2022 Russia and Ukraine War.</p>
8.	William H. Kaempfer and Anton D.	<p>Problem Formulation</p> <p>a. How effective is the change in the target</p>	<p>This thesis focused on the legality of international</p>

	<p>Lowenberg, <i>Unilateral Versus Multilateral International Sanctions: A Public Choice Perspective</i></p>	<p>country between unilateral and multilateral sanctions</p> <p>Conclusion</p> <p>In the economic aspect, multilateral sanctions are expected to be able to impose a greater trade effect on the target country than unilateral sanctions, but multilateral sanctions were often less effective in bringing about political results.</p>	<p>unilateral sanctions carried out by the United States and other European Union countries in the case of the 2022 Russia and Ukraine War.</p>
--	--	--	--

As mentioned in the table, previous researchers have discussed a lot about the effectiveness of sanctions imposed by the United States on certain countries, violations of human rights committed by the United States in providing international sanctions for certain countries, as well as discussions about what sanctions can be imposed by the United Nations regarding what America has done.

F. RESEARCH METHOD

1. Research Typology

This study used a Normative Legal Research typology where the research is carried out by seeing the application of regulations to concrete cases that occur. This research was conducted by looking at the rules regarding the provision of International Sanctions that applied in the international world and seeing normatively how these regulations are implemented and so on.

2. Research Approach Method

In this study, researchers used three approach methods, which included :

a. Statute Approach

This approach is carried out by reviewing all international regulations related to international sanctions and the role of the United Nations in responding to unilateral actions taken by certain countries. This statutory approach is carried out by studying the consistency/compatibility between existing International Regulations and the reality that occurred in their implementation.

b. Comparative Approach

This approach is carried out by comparing cases related to the legal problems encountered. This comparative approach would focus on the actions of the US and EU that have previously carried out and or

imposed unilateral sanctions on certain countries such as Russia, Iran, etc.

c. Historical Approach

This approach is taken in order to understand how the background of the unilateral sanctions can be imposed by looking at historical events. This approach is carried out by examining the history behind the sanctions.

2. Types and Sources of Legal Materials

a. Primary Legal Material

- i. United Nations Charter
- ii. The Hague Convention 1899
- iii. The Hague Convention 1907
- iv. The 1949 Geneva Conventions

b. Secondary Legal Material

- i. Journals dealing with international sanctions in general and unilateral sanctions in particular.
- ii. Articles dealing with international sanctions in general and unilateral sanctions in particular.
- iii. Previous research dealing with international sanctions in general and unilateral sanctions in particular.
- iv. Books dealing with international sanctions in general and unilateral sanctions in particular
- v. Papers dealing with international sanctions in general and unilateral sanctions in particular

c. Tertiary Legal Material

- i. Dictionary of International and Indonesian Law

3. Legal Material Collection Methods

Legal materials are collected through an inventory procedure and identification of laws and regulations, as well as classification and systematization of legal materials according to the research problem. Therefore, the technique of collecting legal materials used in this research is literature study.

4. Processing and Analysis of Legal Materials

The data in this study were analyzed using qualitative data analysis techniques where in the process there were several activities such as data classification, editing, and presenting the results of the analysis in narrative form and closing with the presentation of research conclusions. In this case, the research sources are obtained by using intervariation and reviewing literature studies, legislation and documents that help interpret the relevant norms. Then the research sources are processed and analyzed to answer the problems studied.

G. LITERATURE REVIEW

i. INTERNATIONAL LAW

Legal Studies has several branches of knowledge, one of which is International Law. International law has experienced many fairly

rapid developments in terms of material and implementation. International law was originally defined as a behavior and relationship that occurred between two or more countries, as the forms of international relations that occurred become increasingly complex. International law began to expand and increased which was initially only limited to behavior and relations between countries expanded to become law which also regulates the structure and behavior of an international organization as well as multinational companies and the behavior of individuals in the international community, as long as this occurs on an international scale.

Historically, International Law has existed and was formed for almost 4 centuries ago, but the basis of this law began to be found in the time of Ancient Greece and Rome. The thinkers of that era such as Aristotle, Plato, and Socrates have given several ideas related to territory, society, and things that are individual. In Greek times, the concept of city-states existed even though it was inhabited by nations with the same language. Relations between nations in Greece have been regulated by various provisions and today such provisions are called international law. The provisions in force at that time governed matters relating to war and respect for the envoys of a country. Unlike today, at the time of the Greek government, the applicable law was based on several factors such as morals, religion and law.¹¹

¹¹Boer Mauna, *Hukum Internasional Pengertian, Peranan dan Fungsi Dalam era Dinamika Global*, Alumni, Bandung, 2000, p. 5.

The words "International Law" were first introduced to the world by a legal expert who is also a British philosopher of utilitarianism named Jeremy Bentham. The word "International Law" has the same equality with the law of nations. Basically these words can be used interchangeably because they have the same equivalent, however, at this time the use of the word "International Law" is more often used.¹² International law is defined as public international law, in international law there is also private international law which regulates international business law.¹³ International Law is defined by Mochtar Kusumaatmadja as "The whole of the rules and principles of law governing relations or issues that cross state borders that are not civil in nature."¹⁴

ii. INTERNATIONAL SANCTION

International Sanction is a sanction given by a country to another country which is the target of sanctions. International sanctions are divided into two, namely international sanctions that are unilateral and multilateral. Unilateral International Sanctions are sanctions that are imposed by one country unilaterally to another country with the aim of punishing the target country of the sanctions which have been decided unilaterally by the sanctioning country. Multilateral International Sanctions are sanctions imposed by several countries to a country based on the interests of many countries other than the

¹²Jawahir Thontowi & Praniti Iskandar, *Hukum Internasional Kontemporer*, PT. Refika Aditama, Bandung, 2006, p. 2.

¹³Melda Kamil Ariadno, *Hukum Internasional Hukum Yang Hidup*, Diadit Media, Jakarta, 2007, p. 176.

¹⁴Jawahir Thontowi & Praniti Iskandar, *Op. Cit.*, p. 4.

sanctioned country which aims to punish the target country of sanctions where the imposition of these sanctions has been through joint negotiations between several countries. This sanction is given because of a violation of international norms or international law that has been agreed previously.

International sanctions have several variants, where these sanctions apply with different conditions and different types of sanctions. These international sanctions include the following:

a. Diplomatic sanctions

Diplomatic sanctions are usually sanctions in the form of reducing or eliminating diplomatic relations between countries.

b. Economic sanctions

Economic sanctions that can be given by a country to other countries. Economic sanctions are given by reducing or intercepting economic activities such as trade and banking activities.

c. Military sanctions

Military sanctions that can be given in international law are usually by providing witnesses involving military force.

d. Sports sanctions

Sports sanctions in international sanctions are usually imposed by prohibiting a certain person or team from participating in international sporting events.

e. Environmental sanctions

With the declaration of the Union Conference on the Human Environment by the international community, efforts to protect the environment on an international scale are increasing.

In imposing sanctions, countries that would impose sanctions are required to continue to obey and respect the norms that apply in international law such as the United Nations Charter and so on.

iii. UNITED NATIONS ROLE REGARDING INTERNATIONAL UNILATERAL SANCTION

The United Nations or hereinafter referred to as the United Nations is the largest international organization in the history of international cooperation in the world, in international interactions of course there will be many differences in interests, this is usually the basis of a dispute that can lead to a war . Disputes and or disputes between international countries must be resolved immediately or even become a problem that will not be resolved. The establishment of the United Nations carried out by the international community basically has the main goal of overcoming international problems related to world peace and security. international. The presence of the United Nations in the international world is expected to provide guarantees for the presence of international peace and security as well as the settlement of international disputes by peaceful means in order to maintain international stability. The resolution of disputes that can be

carried out by the United Nations is expected to be resolved peacefully. The implementation of this resolution according to international law, can be carried out by peaceful means where in this way, the parties who have the business conduct an international deliberation, and there is also a way of resolving disputes through violence.¹⁵

The United Nations has established an agency tasked with maintaining international peace and security called the Security Council. The role of the Security Council has been regulated in such a way in the United Nations Charter and stated in Article 4 paragraph 1 of the United Nations Charter which reads: "So that the United Nations can take immediate and effective action. Member States assign primary responsibility to the Security Council for the maintenance of international peace and security and agree that the Security Council in carrying out its duties shall act on behalf of member States".¹⁶

The Security Council as a council that has been pre-approved by the members of the United Nations to act as the guardian of international peace and security functions. The UN Security Council in carrying out its duties must not act arbitrarily but must follow the main principles of the United Nations.¹⁷

The principles contained in the United Nations Charter include the following:

¹⁵Ahmad Basuki, "Peran Perserikatan Bangsa-Bangsa Dalam Penyelesaian Sengketa Internasional", *Perspektif*, No.4, Vol. 7, 2003, p. 362.

¹⁶Boer Mauna, *Hukum Internasional Pengertian Peranan dan Fungsi dalam Era Dinamika Global*, PT Alumni, Bandung, 2005, p. 217.

¹⁷Cornelis Dielfie Mossie, "Legalitas Dewan Keamanan PBB Dalam Menengahi Sengketa Internasional", *SERVANDA Jurnal Ilmiah Hukum*, No.4, Vol. 2, 2007, p. 14.

- a. The principle of peaceful settlement of international disputes;
- b. The principle of not using threats or violence;
- c. The principle of responsibility for determining threats;
- d. Principles regarding armaments;
- e. Principles concerning cooperation in the field of international maintenance and security.

The Security Council has the responsibility to maintain world peace and security by following up on international disputes that occur, disputes that can be followed up by the Security Council include the following:

- a. Disputes that may endanger national peace and security;
- b. Cases that threaten the peace or or violate the peace.

In order to ensure the functioning of the security council in carrying out its duties, the United Nations has established several special articles which aim to authorize the Security Council to be able to act quickly and efficiently in preventing or stopping armed conflicts. Chapter I of the United Nations Charter Articles 1 and 2 state that Regional Organizations can create, maintain, and maintain world security and peace, especially in regional areas. CHAPTER IV of the UN Charter also provides advice on full efforts to apply the principles of peaceful dispute resolution assisted by the Security Council.¹⁸

¹⁸Imam Mulyana & Irawati Handayani, "Peran Organisasi Regional Dalam Pemeliharaan Perdamaian dan Keamanan Internasional", *Jurnal Cita Hukum*, No.2, Vol.3, 2015, p. 249.

iv. UNILATERAL SANCTIONS EVER ESTABLISHED

I. Unilateral Sanctions US - Russia

International sanctions given by the United States in the form of international policies for the Russian economy are illegal, regarding the provision of international sanctions they must pass through the security council while America goes through all these procedures because it feels as a superpower country so that it precedes domestic law rather than international law in the international world.¹⁹

II. Unilateral Sanctions US - Iran

Unilateral action by the United States against the Iranian people is a violation of international law, including International Human Rights Law. In the perspective of this violation, the United States imposes sanctions unilaterally without using the Security Council as an intermediary for dispute resolution and imposes sanctions for unproven reasons. . These sanctions also have a negative impact on Iranian society.²⁰

III. Unilateral Sanctions US - Cuba

¹⁹Xin Ping, *US sanctions the problem, not the solution*, terdapat dalam <https://www.globaltimes.cn/page/202204/1258915.shtml> Apr 10, 2022. Retrieved June 1, 2022.

²⁰ Farzaneh Dashti, Bizhan Mirzaie, Jasieh Jahanmanesh, "The United States Sanctions against the Islamic Republic of Iran; from Unilateralism to Violations of International Human Rights", *Journal of Contemporary Research on Islamic Revolution*, No. 5, Vol. 2, 2020, p. 117.

The trade sanction imposed by America on Cuba is a unilateral action by embargoing the Cuban economy. The trade sanction causes misery to the Cuban people and it is suspected that this decision is a fulfillment of the interests of a political group in the United States.²¹

H. OPERATIONAL DEFINITION

Operational definitions are explanations or understandings of concepts that function as research variables contained in the research title and/or problem formulation. The operational definition is intended so that the reader understands the legal concept and the limitations or scope of the problem referred to by the researcher, as well as being a starting point for researchers in formulating indicators of the main research variables.

a. Definition of Legality

The word Legality has the root word "legal", in the Big Indonesian Dictionary, the word "Legal" has a definition in accordance with statutory regulations or laws.²² Indonesia itself recognizes the principle of legality, which means that in essence an act cannot be considered criminal unless it has been regulated by the power of existing legislation.²³

Besides that, legality also has several different meanings according to its types. The types of legality that exist are formal

²¹Jan Nahrstedt, *US economic sanctions on Cuba: An analysis of the reasons for their maintenance*, 2021, p. 1.

²²<https://kbbi.kemdikbud.go.id/entri/legal> Retrieved June 1, 2022.

²³Pasal 1 Ayat (1) KUHP

legality and material legality. According to the Indonesian Criminal Code, formal legality is something that is considered legal or illegal in the eyes of the law when there are regulations that regulate it.²⁴ Formal legality emphasizes whether something is legal or not when there is already a law that regulates it. While material legality is a legality that is seen substantively, something is considered legal when the substance in this case is in accordance with the law that lives in society and can fulfill justice which is the purpose of the law itself.²⁵

b. Definition of Legitimacy

The use of the term "legitimacy" has various variations in the literature. In this case, legitimacy is intended to refer more to a justification for the exercise of public authority. Justification for the exercise of public authority is understood as something that has the power to make a binding decision, the decision can be general or specific.²⁶

c. Definition of International Law

International law exists in two senses, namely formal and material definitions, in its formal sense, International Law is a system in the form of legal rules whose existence regulates the status, subject, and legal position of international individuals in a relationship of international interest. The definition of International Law materially

²⁴ Sri Rahayu, "Implikasi Asas Legalitas Terhadap Penegakan Hukum dan Keadilan", Jurnal Inovatif, Vol. 7, No. 3, 2014, p. 1.

²⁵ Article 2 paragraph (1) of the Draft Criminal Code.

²⁶ <https://bit.ly/3RNYi84>, Retrieved on 8 Sep 2022.

states the essence of international law itself. International Law is a public law in the form of an objective norm and becomes an autonomous necessity of the international community.²⁷

d. Definition of Unilateral Sanctions

Unilateral international sanctions have a definition in the form of combining the broad definition of international sanctions with the idea of unilateralism, namely a sanction imposed by a country or organizations against a particular country by adopting the country's own ideas and initiatives to influence the direction of international relations.²⁸ In another discussion, unilateral sanctions are also defined as sanctions that are adopted by a country individually or collectively outside of the United Nations and are not based on resolutions issued by the United Nations Security Council.²⁹

e. Definition of United Nations

The United Nations or hereinafter referred to as the UN is an international organization that was established in 1945. The UN currently consists of 193 member countries, in carrying out its duties,

²⁷Rabeea Alqamoudi, "The concept of international law", *International Journal of Scientific and Research Publications*, No.4, Vol. 11, 2021, p. 520.

²⁸ Beaucillon, C. (2021). "Chapter 1: An introduction to unilateral and extraterritorial sanctions: definitions, state of practice and contemporary challenges". In the *Research Handbook on Unilateral and Extraterritorial Sanctions*. Cheltenham, UK: Edward Elgar Publishing, p.2

²⁹Alexandra Hofer, "Legal questions arising from non-UN sanctions and their implications: the case of US sanctions against Russia", *Journal of Conflict and Security Law*, 2017, p.1.

the UN is based on the charter that was made at the beginning of the formation of this organization.³⁰

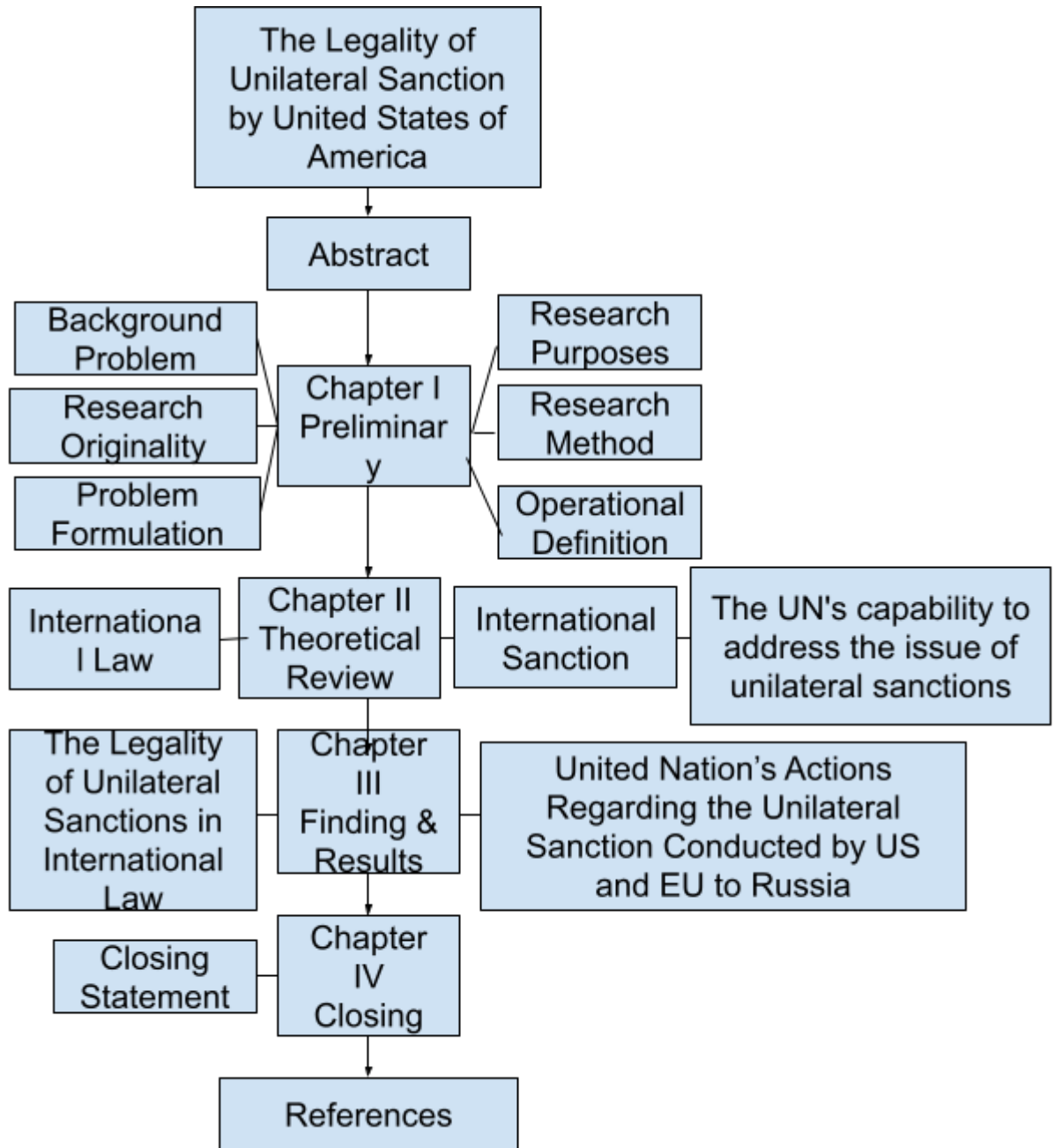
f. Definition of Security Council

The Security Council is one of six special councils established by the United Nations through the United Nations charter on October 24, 1945. The Security Council established by the United Nations has the main task of carrying out world peace, both with UN member countries and non-member countries, as long as threaten world peace³¹

³⁰ The official United Nations page "About Us" section, terdapat dalam, <https://www.un.org/en/about-us> .
Retrieved Jun 2, 2022.

³¹Security Council Report, *The UN Security Council Handbook*, 2019, p. 1.

I. THESIS FRAMEWORK



CHAPTER II

THEORETICAL REVIEW - OVERVIEW OF THE LEGALITY OF UNILATERAL SANCTIONS

A. SANCTION IN INTERNATIONAL LAW

The words “International Law” were first introduced to the world by a legal expert who is also a British philosopher of utilitarianism named Jeremy Bentham. The word “International Law” has the same equality with the law of nations. Basically these words can be used interchangeably because they have the same equivalent, however, at this time the use of the word “International Law” is more often used.³² International law is defined as public international law, in international law there is also private international law which regulates international business law.³³ International Law is defined by Mochtar Kusumaatmadja as “The whole of the rules and principles of law governing relations or issues that cross state borders that are not civil in nature.”³⁴

In the implementation of an international relationship, there will certainly be a dispute, international law recognizes a dispute resolution mechanism without armed forces and settlement using armed forces. In the way of resolving disputes without armed forces, international law has regulated in the United Nations Charter regarding this matter, where in the United Nations charter it is explained about peaceful settlement in several ways and also by carrying out an action in the form of terminating cooperation between parties and so on which is also known as known as international sanctions.³⁵

³²Jawahir Thontowi & Praniti Iskandar, *Hukum Internasional Kontemporer*, PT. Refika Aditama, Bandung, 2006, hlm 2.

³³Melda Kamil Ariadno, *Hukum Internasional Hukum Yang Hidup*, Diadit Media, Jakarta, 2007, p. 176.

³⁴Jawahir Thontowi & Praniti Iskandar, *Op. Cit.*, p. 4.

³⁵ UN Charter, Chapter VII, Article 41.

International sanction is an action taken by a country and or organizations in a certain situation and aimed at another country for reasons that have political implications.³⁶ International sanctions themselves consist of two types, namely Unilateral Sanctions and Multilateral Sanctions.³⁷ The use of international sanctions has become a popular thing used by countries in the world to resolve an international problem that occurs and as another way to resolve an armed conflict. The international community recognizes sanctions as an action whose submission is based on a country that aims to impose a policy, norm of behavior, or an international agreement to other countries to be complied with and implemented. The sanctions are usually in the form of restrictions on a country for trade or restrictions on participation in international sporting events.³⁸

International Sanction is a sanction established by a state and or an international organization to another country which is the target of sanctions. There are two kinds of sanctions in International Law, unilateral and multilateral sanctions. Unilateral International Sanctions are sanctions that are imposed by one country unilaterally to another country with the aim of punishing the target country of the sanctions which have been decided unilaterally by the sanctioning country.³⁹ Multilateral International Sanctions are sanctions imposed by several countries to a country based on the interests of many countries other than the sanctioned country which aims to punish the target country of sanctions where the imposition of these sanctions has been through joint negotiations between several countries and the

³⁶Riady Ibnu Khaldun, "Implikasi Konflik Kudeta Militer Myanmar terhadap Sanksi Internasional", IJPSS:Indonesian Journal of Peace and Security Studies, Edisi No. 1, Vol. 3, 2021, p. 18.

³⁷Riady Ibnu Khaldun, "Implikasi Konflik Kudeta Militer Myanmar terhadap Sanksi Internasional", IJPSS:Indonesian Journal of Peace and Security Studies, Edisi No. 1, Vol. 3, 2021, p. 18.

³⁸Kokabisaghi F, Miller AC, Bashar FR, "Impact of United States political sanctions on international collaborations and research in Iran", BMJ Global Health, Vol. 4 Issue 5, 2019, p. 2.

³⁹Deniz Baran, "What is the International Law on Unilateral Sanctions?: Examining the Case of Unilateral Sanctions Imposed on Russia", April 2022, available in <https://research.sharqforum.org/2022/04/22/unilateral-sanctions/>, Retrieved on July 15, 2022.

Security Council.⁴⁰ This sanction is given because of a violation of international norms or international law that has been agreed previously.

International sanctions have several variants, where these sanctions apply with different conditions and different types of sanctions, these international sanctions include the following⁴¹:

a. Diplomatic sanctions

Diplomatic sanctions are usually sanctions in the form of reducing or eliminating diplomatic relations between countries.

b. Economic sanctions

Economic sanctions that can be given by a country to other countries, these economic sanctions are given by reducing or intercepting economic activities such as trade and banking activities.⁴²

c. Military sanctions

Military sanctions that can be given in international law are usually by providing witnesses involving military force.

d. Sports sanctions

Sports sanctions in international sanctions are usually imposed by prohibiting a certain person or team from participating in international sporting events.

e. Environmental sanctions

⁴⁰Anggi Koenjaini Putri, "Analisis Sanksi Amerika Serikat Dalam Uyghur Human Rights.", available on <https://bit.ly/3zSa2dw>, retrieved on August 15, 2022.

⁴¹Riady Ibnu Khaldun, "Implikasi Konflik Kudeta Militer Myanmar terhadap Sanksi Internasional", IJPSS: Indonesian Journal of Peace and Security Studies, Edisi No. 1, Vol. 3, 2021, p. 18.

⁴²Haidar, J.I., "Sanctions and Exports Deflection: Evidence from Iran," *Paris School of Economics*, University of Paris, 2017, p.323

With the declaration of the Union Conference on the Human Environment by the international community, efforts to protect the environment on an international scale are increasing.

In imposing sanctions, countries that will impose sanctions are required to continue to obey and respect the norms that apply in international law such as the United Nations Charter and so on.

B. AUTHORITY AND MECHANISM FOR IMPOSING SANCTIONS IN INTERNATIONAL LAW

Researcher will explain the discussion on the authority and mechanism for imposing sanctions under international law through an explanation from the UN Charter sections Chapter V Researcher and Chapter VII.

In Chapter VI on Peaceful Dispute Settlement it is stated in article 33 paragraph 1 that "the parties involved in a dispute which, if it continues, can result in the threat of international peace and security, must first seek a peaceful resolution of the problem. The method referred to earlier is by negotiation, mediation, investigation, arbitration, conciliation, legal settlement through regional bodies or arrangements, or by other peaceful means of their own choosing."⁴³ In this section, the UN charter authorizes each of the parties concerned to resolve their own disputes by peaceful means, which are technically regulated in the article.

Furthermore, it is stated in article 34 that "The Security Council may investigate any dispute, or any situation which may give rise to international conflict or give rise to a dispute, to determine whether the continuance of the conflict or the situation may jeopardize the

⁴³ UN Charter, Chapter VI, Article 33.

maintenance of international peace and security.”⁴⁴ Based on the description of the article, it can be seen that the Security Council has the authority to investigate an international dispute and determine whether the continuation of the dispute can endanger international peace and security or not.

After the article regarding the authority of the Security Council, the UN charter also mentions the mechanism if the dispute resolution methods as stated in article 33 paragraph 1 chapter VI of the UN charter are not implemented. In response to this, the United Nations Charter in Chapter VII concerning Measures Relating to Threats to Peace, Violations of Peace and Acts of Aggression, states in article 41 that “The Security Council may decide what other measures than the use of force must be implemented in order for its decisions to be implemented, and may request Members of the United Nations to implement those measures. These actions include the severance of all or part of economic relations, including rail, sea, air, postal, telegraph, radio and other means of communication, as well as severance of diplomatic relations.”⁴⁵ This article discusses the actions taken by related parties under the Security Council to take actions whose purpose is to resolve a dispute. These actions include the termination of economic cooperation to the severance of diplomatic relations. In other words, this can also be referred to as international sanctions decided by the Security Council as the holder of authority.

⁴⁴ UN Charter, Chapter VI, Article 34.

⁴⁵ UN Charter, Chapter VII, Article 41.

C. KINDS OF INTERNATIONAL SANCTIONS

International sanctions have several variants, where these sanctions apply with different conditions and different types of sanctions, these international sanctions include the following⁴⁶:

a. Diplomatic sanctions

Diplomatic sanctions are usually sanctions in the form of reducing or eliminating diplomatic relations between countries.

b. Economic sanctions

Economic sanctions that can be given by a country to other countries, these economic sanctions are given by reducing or intercepting economic activities such as trade and banking activities.⁴⁷

c. Military sanctions

Military sanctions that can be given in international law are usually by providing witnesses involving military force.

d. Sports sanctions

Sports sanctions in international sanctions are usually imposed by prohibiting a certain person or team from participating in international sporting events.

e. Environmental sanctions

With the declaration of the Union Conference on the Human Environment by the international community, efforts to protect the environment on an international scale are increasing.

⁴⁶Riady Ibnu Khaldun, "Implikasi Konflik Kudeta Militer Myanmar terhadap Sanksi Internasional", IJPSS: Indonesian Journal of Peace and Security Studies, Edisi No. 1, Vol. 3, 2021, p. 18.

⁴⁷Haidar, J.I., "Sanctions and Exports Deflection: Evidence from Iran," Paris School of Economics, University of Paris, 2017, p.323

In imposing sanctions, countries that will impose sanctions are required to continue to obey and respect the norms that apply in international law such as the United Nations Charter and so on.

D. THE LEGALITY OF UNILATERAL SANCTION

The provision of international sanctions is carried out to have an effect on a country in the form of changes to the country's policies as well as actions taken by the target country which in the process of imposing these sanctions must be carried out in accordance with international legal regulations regarding the provision of sanctions decided by international court judges. This subchapter will explain about unilateral sanctions. Unilateral sanction basically is an action taken by a state or organizations outside the United Nations against another country for certain reasons such as political reasons.⁴⁸ This sanction is usually overridden by international organizations but is sometimes used to complete the punishment from the organization to the country that is given this unilateral sanction and is commonly called with additional measures in security council resolutions.⁴⁹

As previously mentioned, all actions taken by a country or international organization must be based on applicable law, as well as unilateral sanctions. Based on the analysis conducted by the authors in this study, the authors found that the imposition of unilateral sanctions is legal and does not violate international law. The basis of the previous argument is referring to the UN Charter Chapter VI in Article 33 paragraph 1 which states that "the parties involved in a dispute which, if it continues, can result in the threat of international peace and security, must first seek a peaceful resolution of the problem. The

⁴⁸ Alexandra Hofer, "Legal questions arising from non-UN sanctions and their implications: the case of US sanctions against Russia", *Journal of Conflict and Security Law*, 2017, p.1.

⁴⁹ Mahmoud Rahimi, Alireza Mohammadi Motlagh, and Ehsan Sheyban, "Unilateral Economic Sanctions in the light of International law: Unilateral Sanctions on Islamic Republic of Iran", *Management and Administrative Sciences Review*, No. 4 Vol. 3, 2014, p. 2.

method referred to earlier is by negotiation, mediation, investigation, arbitration, conciliation, legal settlement through regional bodies or arrangements, or by other peaceful means of their own choosing."⁵⁰ By this article we can see that the unilateral sanction imposed by the US and EU is legal. Chapter VI Article 33 in it mentions efforts to resolve problems peacefully where it says "or by other peaceful means of their own choosing" this refers to one of the unilateral sanctions where when an action is carried out peacefully then it is legal. In addition, customary international law also permits the use of unilateral sanctions as long as the sanctions do not violate pre-existing international agreements.⁵¹

Unilateral sanctions are permitted in customary international law because sanctions have become a state practice recognized by countries in the world. Unilateral sanctions are recognized as long as they do not violate existing agreements. An example of a pre-existing international agreement is the UN charter, the UN charter is one of the products of international agreements. Based on this, unilateral sanctions will be legal to use as long as they do not violate the international agreement by respecting the rules and principles contained in the international agreement.

In imposing unilateral sanctions, most countries consider that the reason for all unilateral sanctions has the main goal, namely to take an action that is forcing the target country to agree to make decisions made by the sanctioning country.⁵² The United States is the country with the most conspicuous predicate and the most frequent practice of using unilateral sanctions. The European Union has recently taken a different approach to implementing unilateral sanctions.⁵³

⁵⁰ UN Charter, Chapter VI, Article 33.

⁵¹ Danielle Magnifico, *The Effects of Domestic Regulation on International Trade Law as an Avenue for Change Beyond Borders*, *Asper Rev. Int'l Bus. & Trade L.*, 2016, p. 227.

⁵² Sienho Yee, "Unilateral Sanctions: Kind and Degree; Long-arm and Strongarm Jurisdiction; Real Intent and "Could-be" Intent", *Chinese Journal of International Law*, Vol 20, 2021, p. 818.

⁵³ Sienho Yee, *Op. Cit.*, p. 818.

The use of unilateral sanctions is considered more effective than multilateral sanctions where the imposition of unilateral sanctions is considered to have a greater impact than multilateral sanctions, especially in the economic aspect.⁵⁴ The argument that unilateral sanctions are more effective is based on an interest group analysis of endogenous policies. Research conducted by William H. Kaempfer and Anton D. Lowenberg concluded that multilateral sanctions, although in some cases due in part to their greater effect on trade terms, are often less effective than unilateral sanctions in bringing about the desired political outcome.⁵⁵ Their argument is also strengthened by research conducted by Navin A. Ayah and Clifton Morgan who found that the implementation of unilateral international sanctions was more effective when compared to multilateral sanctions. In the study, Navin A. Ayah and Clifton Morgan stated that "These conclusions were largely derived from the available HSE data, which demonstrated convincingly and consistently that multilateral sanctions were either less or no more effective than unilateral sanctions."

E. UNILATERAL SANCTIONS IMPOSED BY US AND EU

The following are some examples of unilateral sanctions issued by the United States and the European Union to several countries :

Unilateral Sanctions Imposed By United States

The United States is a superpower with fantastic economic power, even the finance minister Janet Yellen said in her speech that the United States was used to being the leading

⁵⁴William H. Kaempfer, Anton D. Lowenberg, *Unilateral Versus Multilateral International Sanctions: A Public Choice Perspective*, Blackwell Publishers, United States of America, 1999, p. 56.

⁵⁵ William H. Kaempfer, Anton D. Lowenberg, *Op. Cit.*, p. 55.

country in the world economy,⁵⁶ This makes the United States a brave country in imposing international sanctions on its opposing countries and usually in the economic aspect.

Currently, there are several countries that are under the influence of unilateral sanctions imposed by the United States, including Myanmar, Cuba, Iran, Sudan, Syria, and Russia⁵⁷. The researcher will discuss some of the unilateral sanctions that have been imposed by the United States.

a. Unilateral Sanction from US to Iran

February 11, 1979 was the day of the victory of the Iranian Islamic Revolution and this moment was a turning point for the transformation of Iranian society from various aspects including social, cultural, political, and economic aspects.⁵⁸ February 11, 1979 was the day of the victory of the Iranian Islamic Revolution and this moment was a turning point for the transformation of Iranian society from various aspects including social, cultural, political, and economic aspects. But this had another effect on Iranian society, namely in the years following this victory, Iran had to face unilateral sanctions imposed by the United States and other American European Allies. The economic sanctions faced by Iran that were imposed by the United States at that time included unilateral sanctions in the economic and trade fields in the form of imports of United States oil from Iran, a ban on shipments of spare parts and military weapons to the Islamic Republic of Iran, and the blocking of all Iranian assets in United States's Banks.⁵⁹

⁵⁶ Happy Amanda Amalia, "AS Tetap Adidaya Jika Agenda Ekonomi Biden Sukses", in <https://investor.id/international/258363/as-tetap-adidaya-jika-agenda-ekonomi-biden-sukses>, Retrieved on June 30, 2022.

⁵⁷ Farzaneh Dashti, *Op. Cit.*, p. 122.

⁵⁸ "Revolusi Islam Iran dan Kekalahan Hegemoni Arogansi Global", in https://parstoday.com/id/news/world-i115128-revolusi_islam_iran_dan_kekalahan_hegemoni_arogansi_global, Retrieved on July 1, 2022.

⁵⁹ Farzaneh Dashti, *Op. Cit.*, p. 124.

The imposition of unilateral economic sanctions by the United States on Iran is based on the accusations by the United States to Iran that Iran is developing nuclear weapons, the imposition of economic sanctions carried out by the United States with the aim of increasing prices and all trading activities related to Iranian oil so that it will cause a difficult conditions for business partners doing business with Iran.⁶⁰

Unilateral sanctions imposed by the US on Iran have had a very large impact, especially on the Iranian people. The imposition of unilateral sanctions by the United States made the Iranian people miserable, it was reported via electronic media that the UN Secretary General said in his report that the Iranian people deeply felt the impact of international sanctions imposed by the United States and the European Union because with the imposition of these sanctions, the Iranian people lost access to various needs including for medical needs, increasing unemployment and rising prices of goods.⁶¹

b. Unilateral Sanction from US to North Korea

North Korea is subject to unilateral economic sanctions from the United States for several reasons such as the pursuit of nuclear weapons capabilities and missile systems, the narcotics trade, as well as an undemocratic government. The imposition of these sanctions is intended to stop some of the previously mentioned things being done by the North Korean government.⁶²

⁶⁰ Adirini Pujayanti, "Sanksi Ekonomi terhadap Iran dan Dampak Internasionalnya", *Info Singkat Hubungan Internasional*, Vol. 4, No. 04, 2012, p. 6

⁶¹ "Sekjen PBB: Rakyat Iran yang Paling Menderita karena Sanksi Internasional", in <https://www.beritasatu.com/dunia/76003/sekjen-pbb-rakyat-iran-yang-paling-menderita-karena-sanksi-internasional>, Retrieved on July 11, 2022.

⁶² Dianne E. Rennack, "North Korea: Legislative Basis for U.S. Economic Sanctions", *Congressional Research Service*, No. 21, 2020, p. 1.

North Korea has received several unilateral economic sanctions from the United States, which include the following⁶³ :

- a. Trade in metal, graphite, coal or software is prohibited by the US, North Korea is also prohibited from using North Korean-flagged vessels for any transactions. The only trades allowed are food, medicine and other humanitarian goods, all of which require a license.
- b. Rejection by the United States in terms of arms sales and arms transfers by North Korea.
- c. Financial transactions are prohibited. United States citizens are prohibited from providing financial services to persons or entities subject to sanctions in this case is North Korea.
- d. North Korea is designated a money laundering country by the Treasury Department's Financial Crimes Enforcement Network (FinCEN), so banks in the United States are prohibited from providing U.S. correspondent accounts to third country banks to process transactions for North Korean financial institutions.
- e. United States investment in North Korea's mining, transportation, energy, or financial sectors is prohibited.
- f. US foreign aid has been minimal and largely confined to refugees fleeing North Korea.
- g. Assets owned by the United States are blocked for use by North Korean individuals and entities, including ships and aircraft owned by North Korea.

⁶³ Dianne E. Rennack, *Op. Cit.*, p. 5-6

- h. The assets of Kim Jong-un, the Workers' Party of Korea, banks, shipping companies, ships, state institutions, and other individuals affiliated with the North Korean state security regime in the United States will be frozen and any person or entity from the United States is prohibited from trading and or transactions with designated parties.
- i. US travel to North Korea or through North Korea requires a special validation passport issued by the State Department.

The sanctions imposed by America were supposed to have an impact on the North Korean Elite but in reality they actually hurt the North Korean civilians because it can be seen that the sanctions destroyed the general population especially women and children and it was found that 40 percent of the North Korean population was starving and desperately needed help.⁶⁴

c. Unilateral Sanction from US to Russia

At first Russia carried out a military attack on Ukraine by placing Russian troops without badges into strategic areas and infrastructure located in Crimea, then Russia seized the Crimea region after voting where Crimean citizens had voted to join Russia. With this occurrence, international sanctions have been imposed by several countries, one of which is the United States, the United States prohibits American citizens from investing in Crimea, including exporting imports to Crimea or financing transactions that occur in Crimea.⁶⁵

⁶⁴ “Sanksi atas Korea Utara Tak Berfungsi, Picu Penderitaan bagi Warga Sipil”, in <https://www.voaindonesia.com/a/sanksi-atas-korea-utara-tak-berfungsi-picu-penderitaan-bagi-warga-sipil/5152823.html>, Retrieved on July 11, 2022.

⁶⁵ L. Jan Reid, “The Effect of American and European Sanctions on Russia”, 2019. In <https://ssrn.com/abstract=3439207>, Retrieved on July 12, 2022.

Russia's actions against Ukraine also took place in 2022. Initially, on February 24, 2022, Vladimir Putin made a televised speech saying in his speech to prepare special military forces to fight Ukraine, this was based on Vladimir Putin who had long opposed relations between Ukraine and the West. and found reports that Ukraine has the possibility of entering into Nato, based on this reason Putin invaded with the aim of demilitarization and denazification. Then, Putin also carried out attacks in several parts of Ukraine including Kyiv, Mariupol, Kharkiv, Snake Island and attacked Ukrainian soldiers who refused to surrender. Furthermore, Putin continued the series of attacks until the last on March 29, 2022, Russia and Ukraine held negotiations in Turkey.⁶⁶

Demilitarization in language means the cessation of the militarization process, liberation from bondage or from military characteristics.⁶⁷ Denazification in the language means Denazification is an Allied initiative to liberate the cultural, economic, political, media and judicial life of German and Austrian people from the remnants of the Nazi National Socialist ideology.

Until now, the United States is still providing international unilateral sanctions to Russia with the total number of sanctions to date ranging from 1,194 sanctions.⁶⁸ As in previous cases such as in Iran and North Korea, the unilateral sanctions given should aim to have an impact on the government of that country but this actually attacks civilians, as happened in Russia, the sanctions imposed on the Russian government actually hurt the Russian people themselves, as evidenced by the

⁶⁶ S. Dian Andryanto, "Sebulan Rusia Serang Ukraina, Begini Kronologis Sejak 24 Februari 2022", 2022. In <https://dunia.tempo.co/read/1576379/sebulan-rusia-serang-ukraina-begini-kronologis-sejak-24-februari-2022>, Retrieved on July 12, 2022.

⁶⁷ <https://kbbi.web.id/demiliterisasi>, July 12, 2022.

⁶⁸ Reza Pahlevi, "Sudah 5.532 Sanksi Internasional Diberikan ke Rusia, Terbanyak dari AS", 2022, in <https://databoks.katadata.co.id/datapublish/2022/03/09/sudah-5532-sanksi-internasional-diberikan-ke-rusia-terbanyak-dari-as>, Retrieved on July 12, 2022.

occurrence of food shortages that are starting to be felt by the Russian people even just to meet their basic needs, the Russian people have difficulty and have to scramble to get a pack of sugar from supermarkets in Russia.⁶⁹

In addition, other impacts that are starting to be felt by the Russian people are difficulties in carrying out daily activities due to these sanctions, which include payment systems that cannot be used such as Apple Pay that does not work, restricted product purchases in supermarkets and others. . Even Apple has stopped selling its products in Russia due to the economic sanctions.⁷⁰ The delivery of spare parts for airplanes and trains from the United States also stopped as a result of these sanctions, this caused many aspects of the daily activities of Russian society to be disrupted and resulted in misery for the Russian people.

Unilateral Sanctions Imposed By European Union

The European Union is an intergovernmental and supranational organization, it is also one of the largest and most powerful multilateral organizations in the world.⁷¹ Even in its journey, the European Union has developed quite rapidly and succeeded as a multilateral organization. This can be seen from the number of countries that have joined and the scope of cooperation that can influence the European Union to become a multilateral organization that is quite successful.⁷² Before the European Union was formed, there had been cooperation between European countries. In 1965 there were several arrangements for cooperation, such

⁶⁹ Agregasi VOA, “Dampak Sanksi Internasional, Warga Rusia Mulai Rasakan Kesulitan Pangan” in <https://news.okezone.com/read/2022/03/24/18/2566839/dampak-sanksi-internasional-warga-rusia-mulai-rasakan-kesulitan-pangan>, 2022, Retrieved on July 12, 2022.

⁷⁰ Fransisca Romana, “Sanksi Internasional Kian Menyulitkan Warga Rusia”, in <https://rb.gy/gbmakn>, 2022, Retrieved on July 12, 2022.

⁷¹ Andreas Genry Tuwo, “Sejarah Uni Eropa: Dari Batu Bara ke Organisasi Besar Dunia”, 2016 in <https://www.liputan6.com/global/read/2502541/sejarah-uni-eropa-dari-batu-bara-ke-organisasi-besar-dunia>, Retrieved on July 14, 2022

⁷² *ibid*

as the European Coal and Steel Community (ECSC), European Economic Community (EEC) and European Atomic Energy Community (Euratom). Then in 1993 in the Maastricht Agreement the organization changed to the European Union.⁷³ The purpose of the formation of the European Union is as a forum for the unification of European countries in facilitating cooperation. The European Union until 2015 still has 28 member countries. The formation of this organization was initiated by Belgium, the Netherlands, Germany, Luxembourg, Italy and France or is called The Inner Six. As a strong international organization, the European Union has several times imposed international sanctions on several countries such as Iran, North Korea and Russia.

a. Unilateral Sanctions from EU to Iran

In 2012, the EU imposed several sanctions on Iran for alleged development of nuclear technology and imposed sanctions which included a ban on the purchase or import of crude oil or petroleum products from Iran, in addition the EU also froze the assets of the Central Bank of Iran.⁷⁴ In addition to the sanctions previously mentioned, the European Union has also imposed several other sanctions, such as the prohibition of Iranian citizens studying at universities in Europe from taking courses deemed relevant to the atomic program, and an embargo on goods deemed to be related to Iran's nuclear activities.⁷⁵

The imposition of these sanctions will have several impacts, namely on private commercial relations and investment flows between Iran and EU Member States, the

⁷³ Nuraeni, Deasy Silvy, & Arfin Sudirman, *Regionalisme Dalam Studi Hubungan Internasional*, Pustaka Pelajar, Yogyakarta, 2010, hal. 141.

⁷⁴ Dupont, Pierre-Emmanuel, "Countermeasures and Collective Security: The Case of the EU Sanctions Against Iran". *Journal of Conflict and Security Law*, Vol. 17, 2012. p. 10.

⁷⁵ "Sanksi Uni Eropa Terhadap Iran", in <https://www.dw.com/id/sanksi-uni-eropa-terhadap-iran/a-2932700>, 2007, Retrieved on July 14, 2022.

global and regional macroeconomic situation, and the geopolitical and security environment of the Middle East.⁷⁶

The result of the sanctions imposed by the European Union, it has an impact on Iranian civil society who should not suffer, where the purpose of imposing international sanctions is to have an impact on the Iranian government but instead makes Iranians miserable, this is proven by the rising prices of goods in Iran, there was inflation, difficulty in getting food and medicine, and rising unemployment in Iran as a result of the sanctions.⁷⁷

b. Unilateral Sanctions from EU to North Korea

Not only Iran, the European Union has also imposed several international sanctions on North Korea which in imposing these sanctions the European Union argued that North Korea had continued its missile program activities which were considered illegal. stop its missile development activities.⁷⁸ The sanctions imposed by the European Union on North Korea include a number of things such as a ban on oil exports to North Korea and the closure of investment doors to North Korea. such as computing, chemistry, mining, and refining and steel.⁷⁹

If we look further, the European Union is very sensitive to the actions of countries that have relations with the environment so that in this case the European Union even precedes the United States in imposing sanctions. The imposition of

⁷⁶ Dupont, *Op. Cit.*, p. 11.

⁷⁷ “Sekjen PBB: Rakyat Iran yang Paling Menderita karena Sanksi Internasional”, in <https://www.beritasatu.com/dunia/76003/sekjen-pbb-rakyat-iran-yang-paling-menderita-karena-sanksi-internasional>, Retrieved on July 14, 2022.

⁷⁸ Pebriansyah Ariefana, “Mengintip Sanksi Mengerikan Uni Eropa ke Korea Utara”, in <https://www.suara.com/news/2017/10/17/060100/mengintip-sanksi-mengerikan-uni-eropa-ke-korea-utara>, 2017, Retrieved on July 17, 2022

⁷⁹ Tasrief Tarmizi, “Uni Eropa Perluas Sanksi terhadap Korea Utara”, Antara, 2017, available in <https://www.antaraneews.com/berita/622771/uni-eropa-perluas-sanksi-terhadap-korea-utara>, 2017, Retrieved on July 17, 2022.

sanctions by the European Union should have a positive effect and be able to stop the activities carried out by North Korea in carrying out nuclear production.

The results of international sanctions imposed by the European Union have affected economic conditions in North Korea, but apart from the government experiencing difficulties, misery is actually felt by the people in North Korea, where there is a food shortage that causes starvation in North Korea⁸⁰ In addition, the delay in the economic lane also disrupts humanitarian activities, especially for humanitarian groups who fight for the needs of people with disabilities in North Korea.⁸¹

c. Unilateral Sanctions from EU to Russia

Not only the United States, the European Union has also imposed various kinds of international sanctions on Russia against Russia's actions in invading Ukraine, the member states of the European Union agreed to impose economic sanctions on Russia in response to Russia's annexation of Crimea in 2014, but the imposition of these sanctions has proven to be ineffective. and continued to be extended, in 2019, the European Union imposed sanctions in the form of asset freezes on several individuals in Russia.⁸²

The following are international sanctions imposed by the European Union on Russia⁸³ :

⁸⁰Muhaimin,

“<https://international.sindonews.com/read/583970/40/ekonomi-sengsara-rakyat-kim-jong-un-disuruh-makan-angsa-hitam-1635520240?showpage=all>”, 2021, Retrieved on July 17, 2022.

⁸¹ “Penyandang Disabilitas Korea Utara Berisiko Terdampak Sanksi Internasional”, in <https://www.voaindonesia.com/a/penyandang-disabilitas-korea-utara-berisiko-terdampak-sanksi-internasional/5206425.html>, 2019, Retrieved on July 17, 2022.

⁸² Horvathy, Balazs, “Diverging Narratives of Economic Sanctions: Some Observations on the EU Sanctions Against Russia”, *EU Law Journal*, Vol.3, No.2, 2018, p.2

⁸³ <https://www.sanctionsmap.eu/#/main?checked=>, Retrieved on July 17, 2022.

- a. Prohibition of export and import of weapons and weapons-making materials from Russia or to Russia.
- b. Ban on the export of dual-use goods
- c. Prohibition of buying and selling or investing.
- d. Prohibition of providing guardianship services to Russian citizens or persons residing in Russia and entities established in Russia.v
- e. prohibition of any Russian citizen or entity incorporated in Russia from participating in procurement contracts in the European Union.
- f. Prohibition of providing credit rating services and access to any subscription services in connection with credit rating activities to Russian citizens or persons residing in Russia or entities incorporated in Russia.
- g. Prohibition of selling, supplying, transferring or exporting banknotes in any official currency from Member States to Russia or to any person or entity in Russia, including the government and Central Bank of Russia, or for use in Russia.
- h. Prohibition of providing special financial messaging services to entities listed in Annex XIV of Regulation (EU) 833/2014 or to any entity incorporated in Russia whose ownership rights are owned by more than 50% of the entities listed in Annex XIV.
- i. Prohibition for any aircraft operated by Russian airlines or for any non-Russian aircraft owned or chartered, or controlled by a Russian person or entity, to take off from, land on or fly over the territory of the Union. .
- j. Operators are prohibited from broadcasting or enabling, facilitating, or contributing to broadcasting, any content by entities listed in Annex XV of Regulation (EU) 833/2014. It is also prohibited to advertise products or

services in any content produced or broadcast by the entities listed in Annex XV.

- k. Prohibition of providing accounting, auditing, bookkeeping or tax consulting services, or business and management consulting or public relations services to the Russian Government or legal entities incorporated in Russia.

In imposing these sanctions the European Union has two main objectives, namely:

- a. The general purpose of the European Union regarding the imposition of these sanctions is as an effort to put pressure on the Russian government to abandon or withdraw the policies that have caused the crisis in Ukraine, in other words any action that undermines the territorial integrity and sovereignty of the Ukrainian state so that it can endanger stability. and Ukrainian security.
- b. The next goal of imposing these sanctions is economic sanctions which are also a response given by the European Union to human rights violations committed in Ukraine and Russia's annexation of Ukraine and these international sanctions are aimed at decision makers, politicians, companies and other legal entities that can be held responsible for the occurrence of such violations.

The sanctions imposed by the European Union on Russia should have a good impact and not hurt the Russian people, but there are some things that actually hurt the Russian people, as evidenced by the occurrence of food shortages that are starting to be felt by the

Russian people even just to meet their basic needs, the Russian people have difficulty and have to struggle to get a pack of sugar from supermarkets in Russia.⁸⁴

F. VETO RIGHTS IN UNITED NATION

The veto right is a privilege possessed by the five permanent member states of the United Nations Security Council commonly referred to as "The Big Five". These countries include the United States, Russia, Britain, France, and China. Veto right is a right to cancel a draft resolution or one that has been decided by the Security Council by majority vote.⁸⁵ This veto right can be used by the five countries to reject a resolution or recommendation from the UN General Assembly so that the resolution is invalid and not implemented. This veto right will greatly affect the decision-making process at the UN Security Council.

UN Security Council Decision Making Procedures

Decision making at the United Nations can be done either by voting or not. Decisions taken without voting can be by consensus or acclamation, whether made on the advice of the chairman of the session which is "ruling" or the proposal of members without any rejection from other parties.⁸⁶ This is possible if it can really contribute to the effective and lasting resolution of existing differences.

The voting system in the United Nations can be seen in Articles 18, 19, and 27 of the United Nations Charter. The systems contained in the decision making process of the Security Council include one nation one vote and weighted voting. This system grants the five

⁸⁴ Agregasi VOA, "Dampak Sanksi Internasional, Warga Rusia Mulai Rasakan Kesulitan Pangan" in <https://news.okezone.com/read/2022/03/24/18/2566839/dampak-sanksi-internasional-warga-rusia-mulai-rasakan-kesulitan-pangan>, 2022, Retrieved on July 12, 2022.

⁸⁵ Teuku May Rudy, *Hukum Internasional 2*, Refika Aditama, Bandung, 2011, p.102.

⁸⁶ Sumaryo Suryokusumo, *Studi Kasus Hukum Organisasi Internasional*, Alumni, Bandung, 1993, p 151-152.

permanent members of the United Nations Security Council a veto in the Security Council.⁸⁷ Article 27 paragraph (3) of the United Nations Charter mentioned that "Decision of the Security Council on other matters shall be adopted by the unanimous vote of the nine members including the votes of the permanent members: provided that, in the following decisions taken in the context of Chapter VI and paragraph 3 Article 52, the disputing parties do not participate in voting."⁸⁸ Decision-making by voting in the Security Council on all matters except those of a procedural nature requires the unanimous support of the five permanent member states of the Security Council as the main condition as implied in Article 27 paragraph (3) of the United Nations Charter.⁸⁹ In this situation, if any state from the five permanent member states of the Security Council does not agree with the resolution proposal, then the decision cannot be made and will cancel the resolution, but this kind of situation will happen if the topic is non-procedural.

Furthermore, in Provisional Rules of Procedure and Related Procedural Developments of Security Council (2020) in section IX of this book concerning Decision-making and voting mentioned two kinds of matters that need a vote, procedural matters and non procedural matters.⁹⁰ This book also explained that according to Article 27 (2) and (3) of the United Nations Charter, decisions of the Council on procedural matters shall be made with the consent of the nine members of the Council. Regarding other matters, namely substantive issues or non-procedural matters, the approval of the nine members of the Council, including the approval of the five permanent members is required.

⁸⁷ Purwandito Dafa S. *"The Existence of Veto Power In The United Nation's Security Council on the Enforcement of International Human Right : Advantages and Disadvantages"*, Yogyakarta : UMY, 2021, p. 10.

⁸⁸ Article 27 paragraph (3) of the United Nations Charter

⁸⁹ *Op. Cit.*, p. 11

⁹⁰ Provisional Rules of Procedure and Related Procedural Developments of Security Council (2020), p. 140.

G. UNITED NATION'S CAPABILITY TO ADDRESS THE ISSUE OF UNILATERAL SANCTIONS

The United Nations or hereinafter referred to as the UN is the largest international organization in the history of international cooperation in the world. International interactions have resulted in many differences in interests, this is usually the basis of a dispute that can lead to a war. Disputes between international countries must be resolved immediately or even become a problem that will not be resolved. The establishment of the United Nations carried out by the international community basically has the main goal of overcoming international problems related to world peace and security. The presence of the United Nations in the international world is expected to provide guarantees for the presence of international peace and security as well as the settlement of international disputes by peaceful means in order to maintain international stability. The resolution of disputes that can be carried out by the United Nations is expected to be resolved peacefully, in its implementation according to international law, it can be carried out by peaceful means where in this way, the parties who have the business conduct an international deliberation, and there is also a way of resolving disputes through violence.⁹¹

The United Nations has established an agency tasked with maintaining international peace and security called the Security Council. The role of the Security Council has been regulated in such a way in the United Nations Charter and stated in Article 4 paragraph 1 of the United Nations Charter which reads: "So that the United Nations can take immediate and effective action. Member States assign primary responsibility to the Security Council for the

⁹¹ Ahmad Basuki, "Peran Perserikatan Bangsa-Bangsa Dalam Penyelesaian Sengketa Internasional", *Perspektif*, No.4 Vol.8, 2003, p. 361.

maintenance of international peace and security and agree that the Security Council in carrying out its duties shall act on behalf of member States”.⁹²

The Security Council as a council that has been pre-approved by the members of the United Nations to act as the guardian of international peace and security functions. The UN Security Council in carrying out its duties must not act arbitrarily but must follow the main principles of the United Nations.⁹³ The principles contained in the United Nations Charter include the following:

- a. The principle of peaceful settlement of international disputes;
- b. The principle of not using threats or violence;
- c. The principle of responsibility for determining threats;
- d. Principles regarding armaments;
- e. Principles concerning cooperation in the field of international maintenance and security.

The Security Council has the responsibility to maintain world peace and security by following up on international disputes that occur, disputes that can be followed up by the Security Council include the following:

- a. Disputes that may endanger national peace and security;
- b. Cases that threaten the peace or or violate the peace.

In order to ensure the functioning of the security council in carrying out its duties, the United Nations has established several special articles which aim to authorize the Security Council to be able to act quickly and efficiently in preventing or stopping armed conflicts.

⁹² Boer Mauna, *Hukum Internasional Pengertian Peranan dan Fungsi dalam Era Dinamika Global*, PT Alumni, Bandung, 2000, p. 217.

⁹³ Cornelis Dielfie Mossie, “Legalitas Dewan Keamanan PBB Dalam Menengahi Sengketa Internasional.”, *SERVANDA Jurnal Ilmiah Hukum*, Vol. 2 No.4, 2007, p. 14.

Chapter I of the United Nations Charter Articles 1 and 2 state that Regional Organizations can create, maintain, and maintain world security and peace, especially in regional areas. Chapter IV the UN Charter also provides advice on full efforts to apply the principles of peaceful dispute resolution assisted by the Security Council.⁹⁴

The United Nations has regulated in the United Nations charter regarding dispute resolution, but this dispute resolution must be carried out peacefully. Chapter VI of the United Nations Charter on the Peaceful Settlement of Disputes in Article 33 states that the parties involved in a dispute which if it persists can endanger international peace and security, must first seek a settlement of the dispute by negotiation, mediation, conciliation, investigation, arbitration, or other peaceful means that the parties concerned may choose by themselves.⁹⁵

In maintaining world peace and security, the United Nations through the Security Council has something called the Security Council Resolution. The UN Security Council Resolution is a decision of the Security Council in carrying out the maintenance and or restoration of international peace and security. This Security Council resolution is binding and is a reflection of international legitimacy.

However, when a country does not implement the resolution, that country will be subject to sanctions. The sanctions that mentioned before is referring to the the United Nations Charter in Chapter VII concerning Measures Relating to Threats to Peace, Violations of Peace and Acts of Aggression, in article 41, this article mentioned that when the parties didn't do the action that previously asked, the Security Council will determine the actions that can be taken by using military force.

⁹⁴Imam Mulyana & Irawati Handayani, Peran Organisasi Regional Dalam Pemeliharaan Perdamaian dan Keamanan Internasional, *Jurnal Cita Hukum*, Vol.2 No.2, 2015, p. 248.

⁹⁵ UN Charter, Chapter VI, Article 33.

H. IMPACT OF INTERNATIONAL SANCTIONS BY UN AND NON-UN FOR THE INTERNATIONAL SOCIETY

The imposition of sanctions as previously mentioned has an impact that does not necessarily produce something positive. I will provide some of the effects of international sanctions imposed through the UN as well as non-UN in this section.

Impact of UN's International Sanction

The United Nations had imposed international sanctions, for example the international sanction imposed by the UN on Iran in 2010 which was the fourth round of sanctions. As for the decision, the United Nations imposed three sanctions, which include the following⁹⁶ :

- a. Ban on trade in “sensitive nuclear materials”;
- b. Freezing of financial assets of parties involved in Iran's nuclear activities;
- c. Ban Iranian arms exports and encourage more in-depth research when it comes to Iranian banking.

With the imposition of international sanctions by the United Nations, the Iranian people are the first to feel the negative impact. This is evidenced by the increasing unemployment rate, high inflation and reduced health facilities in Iran.⁹⁷

Impact of Non-UN's International Sanction

States or International Organizations had imposed international sanctions, for example the international sanction imposed by the US on Russia. The international sanctions imposed

⁹⁶BBC News Indonesia, “Iran: sanksi PBB kesalahan besar”, available in https://www.bbc.com/indonesia/dunia/2010/06/100609_iransanctionnew, 2010, Retrieved on August 23, 2022.

⁹⁷“Sekjen PBB: Rakyat Iran yang Paling Menderita karena Sanksi Internasional”, in <https://www.beritasatu.com/dunia/76003/sekjen-pbb-rakyat-iran-yang-paling-menderita-karena-sanksi-internasional>, Retrieved on August 23, 2022.

by the US on Russia are based on Russia's wrongful action to invade Ukraine. The sanctions from the US to Russia mainly focussed on economic embargoes.⁹⁸ The international sanctions imposed by the US have even more impact on US civil society. This is evidenced by the Russian people's difficulties in carrying out daily activities due to these sanctions, which include payment systems that cannot be used such as Apple Pay that does not work, restricted product purchases in supermarkets and others. Even Apple has stopped selling its products in Russia due to the economic sanctions.⁹⁹

sanctions are appropriate or not. The analysis should include general propositions and build on evidence and experience. These include the following¹⁰⁰:

- a. The more credible the threat of sanctions, the less likely it is that sanctions will have to be imposed.
- b. The more enforceable the sanction, the greater its impact on the target actor, and thus the more likely the target actor will comply.
- c. The more dependent the target actor on a particular commodity and international trade, the more likely the target actor will comply.
- d. The more internally challenged by the regime threatened by sanctions, or which sanctions are imposed, the more likely the target will be adhered to.
- e. The more international and regional consensus around threats or sanctions are imposed, the more likely the target will be to comply.

⁹⁸Reza Pahlevi, "Sudah 5.532 Sanksi Internasional Diberikan ke Rusia, Terbanyak dari AS", 2022, <https://databoks.katadata.co.id/datapublish/2022/03/09/sudah-5532-sanksi-internasional-diberikan-ke-rusia-terbanyak-dari-as>, Retrieved on August 23, 2022.

⁹⁹Fransisca Romana, "Sanksi Internasional Kian Menyulitkan Warga Rusia", in <https://rb.gy/gbmakn>, 2022, Retrieved on August 23, 2022.

¹⁰⁰ Peter Wallenstein, *Op. Cit.*, p. 18.

I. INTERNATIONAL SANCTION IN ISLAMIC LAW

Islam recognizes the term international relations with the term fiqh dauly. Fiqh dauly is an Islamic law which regulates a country in the aspect of international relations. This Fiqh Dauly law regulates international relations in terms of territory, nationality, extradition, detainees, exiles, political prisoners, and expulsion of foreign nationals.¹⁰¹ Islam has known about international relations since 700 years ago, this is evidenced by Islam having been in power and in contact with Eastern Roman culture in Damascus, Egypt, to Andalusia.¹⁰²

The basic principles contained in Islam regarding international relations between countries, nations, can be seen from the Qur'an, Hadith, and History, the Qur'an Surah Al-Hujurat verse 13 states the following which means,

“O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted.”¹⁰³

The verse explains that Allah SWT has created humans in pairs and has tribes and nations, for that every human being must interact and know each other, and in this relationship it is necessary to have norms that regulate so that it continues to run well. The norms in question have the aim of preventing bad actions, in this case Islam emphasizes in Surah Al-Imran verse 110 which states that:

¹⁰¹Nimas Masrullail Miftahuddini Ashar, “Hukum Internasional tentang Genosida dalam Perspektif Fikih Dauly”, *AL-DAULAH: Jurnal Hukum dan Perundangan Islam*, Vol. 4, No. 1, 2014, p.

¹⁰²A.Djazuli, *Fiqh Siyasah : Implementasi Kemaslahatan Umat dalam Rambu-Rambu Syariah*, Kencana Prenada Media Group, Jakarta, 2009, p. 120.

¹⁰³ Rosmha Widiyani, “Surat Al Hujurat ayat 13: Arti, Bacaan, dan Maknanya”, 2021, available in <https://news.detik.com/berita/d-5660977/surat-al-hujurat-ayat-13-arti-bacaan-dan-maknanya>, Retrieved on July 19, 2022

“You are the best community ever raised for humanity—you encourage good(Ma’ruf), forbid evil(Munkar), and believe in Allah. Had the People of the Book believed, it would have been better for them. Some of them are faithful, but most are rebellious.”

The verse above explains that amar ma'ruf has the meaning that in the implementation of Islamic law it is intended to encourage mankind towards actions that lead to good and right goals that are desired and blessed by Allah SWT or have a social engineering function. While nahi munkar is a social control to prevent unwanted actions. It is on the basis of this principle that in Islamic law there are commands and prohibitions; mandatory and forbidden; there is a choice between doing and not doing an act which is then known as al-Ahkam al-Khamsah or the five laws, namely: obligatory, illegitimate, sunnat, makruh, and permissible.¹⁰⁴

The basic principles in Islamic law regarding relations between countries contain norms relating to several principles. In carrying out this relationship, Islam teaches several principles which include the following¹⁰⁵ :

1. Equation Principle

The principle of equality is a basic principle in international law today. Differences that exist based on race, gender, skin color, or religion are considered a violation of international law and human rights. In addition to the Qur'an Surah Al-Hujurat, verse 13 which mentions the general basic principles of brotherhood and equality, this principle of equality is more explicitly stated in the Hadith of the Prophet, as follows:

¹⁰⁴ Juhaya S. Praja, *Filsafat Hukum Islam*, PIARA Bandung, 1993, p. 117.

¹⁰⁵Wiradipradja, Endang S. "Prinsip-Prinsip Hukum Internasional dalam Islam." *Mimbar: Jurnal Sosial dan Pembangunan*, vol. 19, no. 2, 2003, p. 121

"Arabs have no advantage over non-Arabs, nor do non-Arabs have an advantage over Arabs. White people have no advantage over black people, nor do black people have an advantage over white people. You are all descendants of Adam and Adam came from the land."¹⁰⁶

Islamic law highly upholds this principle of equality, the Medina Constitution known as al-Sahifah for example is the most obvious example in the implementation of the principle of equality in Islam. Even the acceptance of the nations of the world towards Islam, among others, is due to this egalitarian principle. Islam strongly opposes the slavery of humans.¹⁰⁷

2. Principle of Freedom

This principle in a broad sense includes the freedom of individuals and communities in the state, in another sense these freedoms such as freedom of religion, association, assembly, opinion, speech and political freedom are fundamental matters of international law in the section on human rights. In Islamic law, this principle of freedom is contained in the Qur'an in several parts such as Surah Al-Baqarah verse 256, Surah Yunus verse 99, Surah Asy Shura verse 48, Surah Al-Ghasyiyah verse 21, and in Surah Al-Kafirun verse 6. Apart from the Qur'an, Islam has also demonstrated this principle of freedom in the Sunnah and in the practice of the life of the Prophet.

3. Cooperation Principle

The principle of cooperation or mutual assistance means working together to help each other among members of the community (including the

¹⁰⁶ Hadist Riwayat Baihaqi dan Bazzas

¹⁰⁷ Juhaya S. Praja, *Op. Cit.*, p. 117.

international community) in an effort to achieve mutual benefits and good. By upholding this principle, it also means that you have implemented the principle of friendship. The principle of cooperation according to the Muslims is to help each other in goodness and piety. This is explained in the Qur'an letter Al-Maidah verse 2.

4. Tolerance Principle

Islam is very tolerant and can coexist peacefully with respect to differences in views held by a person, a nation or a state, both in the socio-cultural, political, economic, and even religious fields. This tolerance is of course as long as they are not hostile to, fighting, or expelling the Muslims. If these things happen then the Muslims have the right to fight and fight them as an act of self-defense. The same provisions are also contained in international humanitarian law/war, even in the United Nations Charter, Article 51, it is stated that every member of the United Nations has the right to take countermeasures by reason of self-defense against the party who initiated the attack.

In the aspect of law violations, international law recognizes several ways of settlement, such as through peaceful means in the form of negotiations, mediation, and so on as well as through the provision of sanctions. In the law of jinayah, Islam uses Islamic laws that come from the Qur'an and Hadith, when a violation occurs, the perpetrator will be subject to the punishment contained in the Qur'an and Hadith. For example, when a country has an agreement to protect each other's territories, then one of the countries commits the theft of oil in the territory of the other country, then

according to the law of jinayah, the act is considered theft and will be subject to sanctions or punishments in accordance with what is stated in Al-Qur'an. Qur'an.¹⁰⁸

¹⁰⁸ Nimas Masrullail Miftahuddini Ashar, *Op. Cit.*, p. 16.

CHAPTER III

THE LEGALITY OF UNILATERAL SANCTIONS & UN'S ACTIONS ABOUT THE UNILATERAL SANCTIONS

A. THE LEGALITY OF UNILATERAL SANCTION IMPOSED BY UNITED STATES AND EUROPEAN UNION FOR RUSSIA

As a legal interaction, the things that are done by each country concerned with international actions must be based on International law, in other words every action taken by a country must have a legal basis and not just arbitrary actions, where in each of these legal actions would lead to legal consequences which of course would affect the changing conditions in the course of international interactions in the world.

International law as a regulatory framework that covered all international actions that can and cannot be carried out has been regulated in such a way regarding matters relating to international relations. The provision of international sanctions has been regulated by the United Nations in its regulations which described the types of sanctions that can be given by a country or international organizations to other countries. As previously explained in Chapter II of this research, Unilateral sanction is considered as legal because it is already regulated in the UN Charter which said that states, and or international organizations that are involved in certain disputes can carry out settlement efforts by peaceful means, which also referred to the legality of using unilateral sanctions. In addition, customary international law also permitted the use of unilateral sanctions as long as the sanctions didn't violate pre-existing international agreements.¹⁰⁹

¹⁰⁹ Danielle Magnifico, *The Effects of Domestic Regulation on International Trade Law as an Avenue for Change Beyond Borders*, *Asper Rev. Int'l Bus. & Trade L.*, 2016, p. 227.

As previously discussed, unilateral sanctions are legal under customary international law as long as they didn't violate pre-existing agreements. Customary international law in question is a common practice of states which is generally practiced and accepted as a law.¹¹⁰ Furthermore, the pre-existing agreement in question has in the form of an international agreement that previously existed, in this case the United Nations Charter as an example. This meant that, for example, when the unilateral sanctions issued didn't violate the UN Charter (as a pre-existing agreement), then it is legal.

UNILATERAL SANCTIONS ESTABLISHED BY UNITED STATES AND EUROPEAN UNION

As previously explained, the United States and the European Union are two international entities that quite often use the Unilateral Sanction method as a tool to resolve a problem and or to impose a certain policy on the target country,¹¹¹ For example, the unilateral sanction given by the US and EU for Iran, Russia, and North Korea which has been explained in the previous chapter of this research. In this subchapter, the researcher discussed the legality of imposing Unilateral International Sanctions.

The Legality of Imposing Unilateral International Sanctions that have a Negative Impact on the Civilian Population of a Country

International law didn't specifically regulate the prohibition for a country to impose unilateral sanctions against other countries. Even some of the concepts of self-help known as "retaliation and countermeasures" are recognized by international law.¹¹² Unilateral sanctions

¹¹⁰ <https://artsandculture.google.com/entity/m04jngv?hl=id>, Retrieved on 17 Oct 2022.

¹¹¹ Sienho Yee, Op. Cit., p. 818.

¹¹² Deniz Baran, "What is the International Law on Unilateral Sanctions?: Examining the Case of Unilateral Sanctions Imposed on Russia", April 2022, available in <https://research.sharqforum.org/2022/04/22/unilateral-sanctions/>, Retrieved on July 15, 2022.

are sanctions that are adopted by a country individually or collectively outside of the United Nations and are not based on resolutions issued by the United Nations Security Council. Sanctions adopted by the UN Security Council and are part of Chapter VII of the UN Charter are also called multilateral sanctions.¹¹³ These sanctions are the output of decisions of UN members. The UN Security Council determined whether there are threats to peace or acts of aggression that occur in accordance with Article 39 of the UN Charter and then the council used its discretion to adopt temporary measures or not to adopt such temporary measures,¹¹⁴ to permit the use of military force,¹¹⁵ or to maintain international peace without the use of military force. The United Nations' actions by maintaining international peace without resorting to military force are usually referred to as sanctions. According to Article 41 of the United Nations Charter, the sanctions imposed may include complete or partial severance of economic relations and sea, air, communication, and severance of diplomatic relations. Basically, not all sanctions adopted by the UN Security Council have a mandatory nature, but sanctions are binding on UN members and need to be implemented.¹¹⁶

The settlement of international disputes must be carried out peacefully and must not cause adverse effects, especially for civil society and has been stated in the UN Charter described in Article 33 paragraph (1), namely negotiations, investigations, mediation, conciliation, arbitration, and legal settlements through agencies or institutions. regional arrangements, or other peaceful means of their own choosing. In addition, the imposition of international sanctions by the United States and the European Union that are not through the

¹¹³Julia Schmidt, “The Legality of Unilateral Extraterritorial Sanctions under International Law”, *Journal of Conflict & Security Law*, Vol. 27 No. 1, 2022, p. 58.

¹¹⁴ art 40 UN Charter.

¹¹⁵ art 42 UN Charter.

¹¹⁶ arts 2(5), 25, 48(1) UN Charter.

United Nations can weaken the authority of the United Nations and can raise concerns about aspects of international cooperation and the rule of international law.¹¹⁷

Unilateral sanctions imposed by the United States and the European Union on Russia is a legal action. However, in international law the term "legitimacy" is also known, which has been discussed previously in this study that the concept of legitimacy in international law and political science is usually understood as something related to the justification and acceptance of political authority.¹¹⁸

In this discussion of legality, the author wanted to add a little understanding and the author's view that international law recognized what is called legitimacy. Legitimacy itself has a simple meaning as "recognized". That is, something will be said to be legitimate when it gotten recognition from certain subjects, where in this aspect of international affairs the subject is the international community. Legitimacy in international law is something that must be given more attention because something can be legal according to law but is not legitimized.

As an illustration, the unilateral sanctions imposed by the United States on Russia are considered legitimate when us look at it from the perspective of the United States government and its allies where it is recognized by them, meanwhile when looking at it from the perspective of the Russian government and its allies where it is of course not legitimized. The question that arised was how can these two points of view be able to say whether or not something is legitimized? The answer to this question is nothing but seeing where the

¹¹⁷ "Mengapa Sanksi Unilateral AS terhadap Negara lain Ilegal?", 2021, available in https://parstoday.com/id/news/world-i105190-mengapa_sanksi_unilateral_as_terhadap_negara_lain_ilegal, Retrieved on July 19, 2022.

¹¹⁸ Bodansky, Daniel, "Legitimacy in International Law and International Relations" ,2011, Available at SSRN: <https://ssrn.com/abstract=1900289> , Retrieved on 17 Sep, 2022.

legitimacy came from, whether or not something is recognized and referred to the interests of the subject.

B. UNITED NATION'S ACTIONS REGARDING TO THE UNILATERAL SANCTION

Conflict is a certainty that arises in an interaction between countries in the life of the international community today. Small-scale conflicts or disputes between countries can result in the severance of diplomatic relations, and on a larger scale. These Conflicts can not only lead to the severance of diplomatic relations but can also end in acts of armed violence or better known as war. The United Nations is the largest international organization in the world and based on this the United Nations has the responsibility to resolve disputes between countries in the world. The fulfillment of the responsibility is carried out by the United Nations through the establishment of a special council to resolve international disputes called the Security Council. The Security Council has an obligation to resolve various international disputes based on international law. Regarding this responsibility, it is clearly stated in the United Nations Charter which implicitly contained the legality that gave the Security Council to mediate a dispute and or international conflict that occurred.¹¹⁹

The unilateral sanctions imposed by the US on Iran beforehand can be a good example and implement a comparative approach in this study. When the US imposed unilateral sanctions against Iran which affected the Iranian economy and even had a negative impact on the Iranian people. The United Nations is trying to take diplomatic actions by reconciling the two countries so that tensions can be stopped.

¹¹⁹ Cornelis Dielfie Mossie, "Legalitas Dewan Keamanan PBB dalam Menengahi Sengketa Internasional", *SERVANDA Jurnal Ilmiah Hukum*, Vol. 2 No. 4, 2007, p. 11.

In this study, it has been mentioned how the international sanctions issued unilaterally by the United States and the European Union to Russia and several other countries have caused misery to the international community. Specifically the misery due to these unilateral international sanctions is felt by civilians in these countries. The suffering felt by the international community including difficulties in accessing health facilities, difficulties in accessing education, and difficulties in carrying out economic activities. In this case the security council has an obligation to respond to this because it has been clearly stated in Chapter V of the UN Charter on the Security Council in article 24 paragraph 1 which stated in it that UN Members delegated responsibility for maintaining international peace and security to the Security Council.¹²⁰ Implicitly in the article it is stated that the Security Council has the primary responsibility for maintaining international peace and security. Therefore the author can say that the actions taken by the United States and the Soviet Union in imposing unilateral international sanctions that afflicted civilians can be intervened by the Security Council and resolved by the Security Council.

The Security Council has the authority to take such steps as it deems necessary to promote and to maintain or restore international security and international peace in accordance with Chapter VII of the United Nations Charter. These actions range from economic sanctions to international military sanctions.¹²¹ To emphasize this argument, researcher can see from the functions and powers possessed by the Security Council through the UN Charter, these functions and powers include :

- a. maintain international peace and security in accordance with the principles and objectives of the United Nations;

¹²⁰ United Nations Charter, Chapter V on the Security Council, Article 24 Paragraph 1

¹²¹“Maintain International Peace and Security”, available in <https://www.un.org/en/our-work/maintain-international-peace-and-security#:~:text=Under%20Chapter%20VII%20of%20the,Operations%20and%20Special%20Political%20Missions>, Retrieved on July 20, 2022.

- b. to carry out investigations into any dispute or situation which may cause international friction and to recommend methods of adjustment to such disputes or terms of settlement;
- c. to determine whether there is a threat to the peace or an act of aggression and to recommend what action should be taken;
- d. calls on members to implement economic sanctions and other measures that do not involve the use of force to prevent or stop aggression;
- e. to take military action against the aggressor; and
- f. formulate plans for the establishment of a weapon control system.

Based on these functions and powers, it can be seen that the Security Council has a great responsibility to maintain international peace and security. The impact of miserable unilateral sanctions is certainly an obstacle for the international community to implement world peace and security. The United Nations has previously imposed sanctions on Iran, although these sanctions were not unilateral sanctions but these sanctions had a miserable effect on the Iranian people. This made the international community need a new breakthrough in the effectiveness of the imposition of international sanctions.

The United Nations sparked a concept of imposing international sanctions known as "smart sanctions".¹²² This smart sanction had the concept of imposing sanctions specifically targeting an institution or individual that was the root of an international problem. With this smart sanction, the imposition of sanctions could have limits and remain within the legal area to be implemented. For example, the United Nations has used this system of "smart sanctions" against North Korea in 2006, where the United Nations imposed sanctions in the

¹²² Deniz Baran, "What is the International Law on Unilateral Sanctions?: Examining the Case of Unilateral Sanctions Imposed on Russia", 2022, available in <https://research.sharqforum.org/2022/04/22/unilateral-sanctions/>, Retrieved on August 18, 2022.

form of freezing the assets of North Korean individuals and companies involved in the nuclear program.¹²³

International sanctions that are "smart sanctions" imposed by the United Nations on North Korea have the support of Security Council Members, Russia and China also agreed to the sanctions.¹²⁴ With this agreement, the North Korean government got the expected result, the North Korean economy became depressed because of the restrictions on economic activity provided by the United Nations. Therefore, international sanctions that were "smart sanctions" had great potential to be one way to resolve problems peacefully.

Veto Right: Obstacles to the Execution of Security Council Duties

The application of smart sanctions is one of the UN's ways in providing an alternative way of imposing sanctions. However, in this study, the countries involved are countries that have special rights at the United Nations in the form of veto rights. The power of veto is a privilege possessed by permanent members of the United Nations Security Council. This veto right in other words is a special voting right owned by the 5 permanent member states of the United Nations.

The UN Charter didn't explicitly mention the veto power but it is stated in Article 27 that all decisions of the Security Council must be adopted by the affirmative vote of the nine members including the votes of the five permanent members. In other words, if the five permanent member states didn't agree, then the resolution wouldn't be approved. However, Article 27 also mentioned the mechanism that the disputing countries are prohibited from participating in voting.¹²⁵

¹²³ Tito Hikmawan Reditya, "Jenis Sanksi Internasional dan Contoh Penerapan Terkini", available in <https://internasional.kompas.com/read/2021/10/21/174251870/jenis-sanksi-internasional-dan-contoh-penerapan-terkini?page=all>, Retrieved on September 17, 2022.

¹²⁴ Rizki Roza, "Efektivitas Sanksi PBB terhadap Korea Utara", *Info Singkat*, Vol. 9, No. 18, 2017, p. 7.

¹²⁵ Article 27 of the United Nations Charter

Because of this, when in making a decision there is a country whose interests are not fulfilled, it would use its veto to thwart the resolution. As the researcher knows, the veto right can be used by 5 permanent member states of the UN Security Council to cancel decisions, statutes, draft rules and laws, or resolutions.¹²⁶ So in researcher opinion, one way that can be used for the future for the United Nations is to change the use of veto rights. The advice that researcher would give has an image like the following, where previously the veto could be used to annul decisions, and draft resolutions, in the future, are expected to be reduced to only being used when drafting resolutions. The researcher recommended this because, article 27 of the UN Charter would be useless, stating the voting mechanism in which the disputed country's vote is not considered, but when the decision has been rendered, the country can use its veto to overturn the decision.

The power of the veto, which was originally intended as a tool for the Security Council to have adequate power, has in practice deviated from its original intent. Thus the concept of veto power places the five permanent member states of the United Nations Security Council having a higher position and/or sovereignty compared to other UN member states.

In the 2020 Provisional Rules of Procedure and Related Procedural Developments of Security Council it has been stated in section nine regarding voting and decision-making that, in accordance with article 27 paragraphs 2 and 3 that procedural decisions are decided by nine council members and in matters of other matters including non-procedural matters require the approval of the five permanent members of the Security Council. The article also explicitly stated that the disputing countries did not take part in voting. The 2020 Provisional

¹²⁶ Kompas, "Sejarah Hak Veto, Negara Pemilik Hak Veto, dan Bisakah Dihapus?", available in <https://www.kompas.com/tren/read/2022/03/12/063000165/sejarah-hak-veto-negara-pemilik-hak-veto-dan-bisakah-dihapus-?page=all>, Retrieved on 13th October, 2022.

Rules of Procedure and Related Procedural Developments of Security Council is binding rules. However, this became an obstacle when there were countries that did not agree so that the decision can be canceled, this is due to the wide use of the veto power where the veto right can be used when the decision has been made.

CHAPTER IV

CLOSING

A. CONCLUSION

The discussion on the legality of unilateral sanctions imposed by the United States and the European Union against Russia has led to two problem formulations, namely, how was the legality of unilateral sanctions and what steps can be taken by the United Nations through the Security Council to respond to it. The conclusions of the two problem formulations has been presented as follows:

1. Unilateral sanctions imposed by the United States and the European Union on Russia are legal. The answer is based on the author's findings during the research and obtained from the UN Charter in Chapter VI in article 33 paragraph 1 which stated that "the parties involved in a dispute which, if continued, result in the threat of international peace and security, must first seek a peaceful resolution of the problem. The method referred to earlier is by negotiation, mediation, investigation, arbitration, conciliation, legal settlement through regional bodies or arrangements, or by other peaceful means of their own choosing." By this article researcher can see that the unilateral sanction

imposed by the US and EU is legal. Chapter VI Article 33 in it mentioned efforts to resolve problems peacefully where it said "or by other peaceful means of their own choosing" this referred to one of the unilateral sanctions where when an action is carried out peacefully then it is legal. However, it is different when an action contains violence, because the act of resolving disputes that contained violence must go through the approval of the Security Council in accordance with Chapter VII of the United Nations Charter on dispute resolution using military force.

2. The United Nations through its security council have the responsibility to ensure the implementation of world peace and security. This would be done through a variety of actions, such as efforts to resolve international disputes peacefully or using military force. The imposition of sanctions is one way to resolve international disputes peacefully and it is a legal thing. In addition, the Security Council can also issue a resolution to provide a way to resolve a dispute. However, this is often hampered by the existence of a veto right. The veto right was often used to fulfill the interests of certain countries (one of the 5 permanent member states of the UN Security Council) so that this caused obstacles in the implementation of maintaining international peace and security. Therefore, in the future, I suggest that the United Nations change the use of the veto, which previously could be used to annul a decision and draft decision, to only be able to cancel the draft decision so that once a decision has been made, it cannot be canceled with the veto. This is also to strengthen the effectiveness of Article 27 of the United Nations Charter which stated in it the mechanism that the disputing countries would not take part in voting. The

reduction in the use of the veto is aimed at ensuring that Article 27 can be implemented properly and did not become a waste.

References

Books

- Djazuli, A., *Fiqh Siyasah : Implementasi Kemaslahatan Umat dalam Rambu-Rambu Syariah*, Kencana Prenada Media Group, Jakarta, 2009.
- Darmawan, Asep. *Prinsip Pertanggungjawaban Pidana Komandan dalam Hukum Humaniter: Kumpulan Tulisan*, Pusat Studi Hukum Humaniter dan HAM Fakultas Hukum Universitas Trisakti, 2005.
- Sri Setianingsih Suwardi, *Penyelesaian Sengketa Internasional*, Universitas Indonesia Press, Jakarta, 2006.
- Beaucillon, C. "Chapter 1: An introduction to unilateral and extraterritorial sanctions: definitions, state of practice and contemporary challenges", In the Research Handbook on Unilateral and Extraterritorial Sanctions. Cheltenham, UK: Edward Elgar Publishing, 2021.
- Kaempfer, William H. and Anton D. Lowenberg, *Unilateral Versus Multilateral International Sanctions: A Public Choice Perspective*, Blackwell Publishers, United States of America, 1999.
- Mauna, Boer. *Hukum Internasional Pengertian, Peranan dan Fungsi Dalam era Dinamika Global*, Alumni, Bandung, 2000.
- Magnifico, Danielle. *The Effects of Domestic Regulation on International Trade Law as an Avenue for Change Beyond Borders*, *Asper Rev. Int'l Bus. & Trade L*, 2016.
- Nuraeni, Deasy Silvy, & Arfin Sudirman, *Regionalisme Dalam Studi Hubungan Internasional*, Pustaka Pelajar, Yogyakarta, 2010.
- Nahrstedt, Jan. *US economic sanctions on Cuba: An analysis of the reasons for their maintenance*, Institute for International Political Economy Berlin, 2021.
- Thontowi, Jawahir & Praniti Iskandar, *Hukum Internasional Kontemporer*, PT. Refika Aditama, Bandung, 2006.
- Ariadno, Melda Kamil. *Hukum Internasional Hukum Yang Hidup*, Diadit Media, Jakarta, 2007.
- Praja, Juhaya S., *Filsafat Hukum Islam*, PIARA, Bandung, 1993.
- Rudy, Teuku May. *Hukum Internasional 2*, Refika Aditama, Bandung, 2011.
- Suryokusumo, Sumaryo, *Studi Kasus Hukum Organisasi Internasional*, Alumni, Bandung, 1993.

Journals

- Adirini Pujayanti, "Sanksi Ekonomi terhadap Iran dan Dampak Internasionalnya", *Info Singkat Hubungan Internasional*, Vol. 4, No. 04, 2012
- Ahmad Basuki, "Peran Perserikatan Bangsa-Bangsa Dalam Penyelesaian Sengketa Internasional", *Perspektif*, No. 4 Vol.8, 2003.
- Arsenius, "Sejarah Perkembangan Hukum Internasional Dari Masa Klasik Hingga Masa Modern." *Jurnal Varia Bina Civika*, no. 75, 2009.
- Bapat, Navin A. and T. Clifton Morgan, "Multilateral Versus Unilateral Sanctions Reconsidered: A Test Using New Data", *International Studies Quarterly*, No. 53, 2009.
- Cornelis Djelfie Massie, "Legalitas Dewan Keamanan PBB Dalam Menengahi Sengketa Internasional", *SERVANDA*, No. 4 Vol. 2, 2007.
- Dianne E. Rennack, "North Korea: Legislative Basis for U.S. Economic Sanctions", *Congressional Research Service*, No. 21, 2020.
- Dupont, Pierre-Emmanuel, "Countermeasures and Collective Security: The Case of the EU Sanctions Against Iran". *Journal of Conflict and Security Law*, Vol. 17, 2012.
- Farzaneh Dashti, Bizhan Mirzaie, Jasieh Jahanmanesh, "The United States Sanctions against the Islamic Republic of Iran; from Unilateralism to Violations of International Human Rights", *Journal of Contemporary Research on Islamic Revolution*, No. 5 Vol. 2, 2020.
- Horvathy, Balazs, "Diverging Narratives of Economic Sanctions: Some Observations on the EU Sanctions Against Russia", *EU Law Journal*, Vol.3, No.2, 2018.
- Imam Mulyana, Irawati Handayani, "Peran Organisasi Regional Dalam Pemeliharaan Perdamaian dan Keamanan Internasional", *Jurnal Cita Hukum*, No. 2 Vol. 2, 2015.
- Kokabisaghi F, Miller AC, Bashar FR, "Impact of United States political sanctions on international collaborations and research in Iran", *BMJ Global Health*, Vol. 4 Issue 5, 2019.
- Mutiara, Mahendra Putra Kurnia, Rika Erawaty, "Sanksi Kepada Amerika Serikat Atas Tindakan Unilateralnya Terhadap Suriah Dengan Alasan Penggunaan Senjata Kimia", *Risalah Hukum*, No. 2 Vol. 17, 2021.
- Mahmoud Rahimi, Alireza Mohammadi Motlagh, and Ehsan Sheyban, "Unilateral Economic Sanctions in the light of International law: Unilateral Sanctions on Islamic Republic of Iran", *Management and Administrative Sciences Review*, No. 4 Vol. 3, 2014.

Nimas Masrullail Miftahuddini Ashar, "Hukum Internasional tentang Genosida dalam Perspektif Fikih Dauly", *AL-DAULAH: Jurnal Hukum dan Perundangan Islam*, Vol. 4, No. 1, 2014.

Rabeea Alqamoudi, "The concept of international law", *International Journal of Scientific and Research Publications*, No.4 Vol. 11, 2021.

Riady Ibnu Khaldun, "Implikasi Konflik Kudeta Militer Myanmar terhadap Sanksi Internasional" *IJPSS: Indonesian Journal of Peace and Security Studies*, No. 1 Vol. 3, 2021.

Rizki Roza, "Efektivitas Sanksi PBB terhadap Korea Utara", *Info Singkat*, Vol. 9, No. 18, 2017.

Sajjad Bagheri, Hamid Reza Akbarpour, "Reinvestigation of the West's Sanctions against Russia in the Crisis of Ukraine and Russia's Reaction", *Procedia Economics and Finance*, Vol. 36, 2016.

Sefriani, "Ketaatan Masyarakat Internasional terhadap Hukum Internasional dalam Perspektif Filsafat Hukum", *Jurnal Hukum*, No. 3 Vol. 18, 2011.

Sienho Yee, "Unilateral Sanctions: Kind and Degree; Long-arm and Strongarm Jurisdiction; Real Intent and "Could-be" Intent", *Chinese Journal of International Law*, Vol 20, 2021.

Wiradipradja, Endang S. "Prinsip-Prinsip Hukum Internasional dalam Islam." *Mimbar: Jurnal Sosial dan Pembangunan*, vol. 19, no. 2, 2003.

Papers

Karen Ruth Adams, "The Causes of War", Paper published in Robert Denemark, ed., *The International Studies Encyclopedia*, Blackwell Publishing, 2010.

Haidar, J.I., "Sanctions and Exports Deflection: Evidence from Iran", Paper published in *The Center for Education Policy Research*, Great Britain, 2017.

Links

<https://www.un.org/en/about-us>, June 2, 2022, 16.00.

<https://kbbi.kemdikbud.go.id/entri/legal> June 1, 2022, 13.00.

<https://kbbi.web.id/demiliterisasi>, July 12, 2022.

<https://www.sanctionsmap.eu/#/main?checked=>, Retrieved on July 17, 2022.

Andreas Genry Tuwo, "Sejarah Uni Eropa: Dari Batu Bara ke Organisasi Besar Dunia", 2016 in

<https://www.liputan6.com/global/read/2502541/sejarah-uni-eropa-dari-batu-bara-ke-organisasi-besar-dunia>, Retrieved on July 14, 2022.

Anggi Koenjaini Putri, "Analisis Sanksi Amerika Serikat Dalam Uyghur Human Rights.", available on <https://bit.ly/3zSa2dw>, retrieved on August 15, 2022.

Agregasi VOA, "Dampak Sanksi Internasional, Warga Rusia Mulai Rasakan Kesulitan Pangan" in <https://news.okezone.com/read/2022/03/24/18/2566839/dampak-sanksi-internasional-warga-rusia-mulai-rasakan-kesulitan-pangan>, 2022, Retrieved on July 12, 2022.

Aswab Nanda Pratama, "Ini 30 Macam Hak Asasi Manusia Menurut PBB", 2018, in <https://internasional.kompas.com/read/2018/12/10/17055301/ini-30-macam-hak-asasi-manusia-menurut-pbb?page=all>, Retrieved on July 19, 2022.

Deniz Baran, "What is the International Law on Unilateral Sanctions?: Examining the Case of Unilateral Sanctions Imposed on Russia", April 2022, available in <https://research.sharqforum.org/2022/04/22/unilateral-sanctions/>, Retrieved on July 15, 2022.

Fransisca Romana, "Sanksi Internasional Kian Menyulitkan Warga Rusia", in <https://rb.gy/gbmakn>, 2022, Retrieved on July 12, 2022.

Tito Hikmawan Reditya, "Jenis Sanksi Internasional dan Contoh Penerapan Terkini", available in <https://internasional.kompas.com/read/2021/10/21/174251870/jenis-sanksi-internasional-dan-contoh-penerapan-terkini?page=all>, Retrieved on September 17, 2022.

Pebriansyah Ariefana, "Mengintip Sanksi Mengerikan Uni Eropa ke Korea Utara", in <https://www.suara.com/news/2017/10/17/060100/mengintip-sanksi-mengerikan-uni-eropa-ke-korea-utara>, 2017, Retrieved on July 17, 2022

"Maintain International Peace and Security", available in <https://www.un.org/en/our-work/maintain-international-peace-and-security#:~:text=Under%20Chapter%20VII%20of%20the,Operations%20and%20Special%20Political%20Missions>, Retrieved on July 20, 2022.

"Penyandang Disabilitas Korea Utara Berisiko Terdampak Sanksi Internasional", in <https://www.voaindonesia.com/a/penyandang-disabilitas-korea-utara-berisiko-terdampak-sanksi-internasional/5206425.html>, 2019, Retrieved on July 17, 2022.

"Revolusi Islam Iran dan Kekalahan Hegemoni Arogansi Global", in <https://parstoday.com/id/news/world-i115128-revolusi-islam-iran-dan-kekalahan-hegemoni-arogansi-global>, Retrieved on July 1, 2022.

"Sekjen PBB: Rakyat Iran yang Paling Menderita karena Sanksi Internasional", in <https://www.beritasatu.com/dunia/76003/sekjen-pbb-rakyat-iran-yang-paling-menderita-karena-sanksi-internasional>, Retrieved on July 11, 2022.

“Sanksi Uni Eropa Terhadap Iran”, in <https://www.dw.com/id/sanksi-uni-eropa-terhadap-iran/a-2932700>, 2007, Retrieved on July 14, 2022.

“Sanksi atas Korea Utara Tak Berfungsi, Picu Penderitaan bagi Warga Sipil”, in <https://www.voaindonesia.com/a/sanksi-atas-korea-utara-tak-berfungsi-picu-penderitaan-bagi-warga-sipil/5152823.html>, Retrieved on July 11, 2022.

S. Dian Andryanto, “Sebulan Rusia Serang Ukraina, Begini Kronologis Sejak 24 Februari 2022”, 2022. In <https://dunia.tempo.co/read/1576379/sebulan-rusia-serang-ukraina-begini-kronologis-sejak-24-februari-2022>, Retrieved on July 12, 2022.

Tasrief Tarmizi, “Uni Eropa Perluas Sanksi terhadap Korea Utara”, Antara, 2017, available in <https://www.antaraneews.com/berita/622771/uni-eropa-perluas-sanksi-terhadap-korea-utara>, 2017, Retrieved on July 17, 2022.

Xin Ping, "US sanctions the problem, not the solution", in <https://www.globaltimes.cn/page/202204/1258915.shtml>, Retrieved on June 1, 2022.

Happy Amanda Amalia, “AS Tetap Adidaya Jika Agenda Ekonomi Biden Sukses”, in <https://investor.id/international/258363/as-tetap-adidaya-jika-agenda-ekonomi-biden-sukses>, Retrieved on June 30, 2022.

L. Jan Reid, “The Effect of American and European Sanctions on Russia”, 2019. In <https://ssrn.com/abstract=3439207>, Retrieved on July 12, 2022.

Malcolm Shaw, “International Law”, Contained in <https://www.britannica.com/topic/international-law>, Retrieved on June 27, 2020.

Muhaimin, “<https://international.sindonews.com/read/583970/40/ekonomi-sengsara-rakyat-kim-jong-un-disuruh-makan-angsa-hitam-1635520240?showpage=all>”, 2021, Retrieved on July 17, 2022.

“Mengapa Sanksi Unilateral AS terhadap Negara lain Ilegal?”, 2021, available in https://parstoday.com/id/news/world-i105190-mengapa_sanksi_unilateral_as_terhadap_negara_lain_ilegal, Retrieved on July 19, 2022.

Rosmha Widiyani, “Surat Al Hujurat ayat 13: Arti, Bacaan, dan Maknanya”, 2021, available in <https://news.detik.com/berita/d-5660977/surat-al-hujurat-ayat-13-arti-bacaan-dan-maknanya>, Retrieved on July 19, 2022

Others



Asian-African Legal Consultative Organization, Unilateral Sanctions in International Law, Hague, 2013.

Security Council Report, The UN Security Council Handbook, 2019.

Hadist Riwayat Baihaqi dan Bazza tentang Persamaan.

Attachment

1. Plagiarism Free Letter

	<p>FAKULTAS HUKUM</p> <p>Gedung Fakultas Hukum Universitas Islam Indonesia Jl. Kaliurang Km 14,5 Yogyakarta 55584 T. (0274) 7070222 E. fh@uii.ac.id W. law.uoi.ac.id</p>
<p><u>SURAT KETERANGAN BEBAS PLAGIASI</u> No. : 044/Perpus-S1/20/H/II/2023 <i>Bismillaahirrahmaanirrahaim</i></p>	
<p>Yang bertanda tangan di bawah ini:</p>	
Nama	: Joko Santosa, A.Md.
NIK	: 961002136
Jabatan	: Staf Perpustakaan Referensi Fakultas Hukum UII
<p>Dengan ini menerangkan bahwa :</p>	
Nama	: Hirzinda Rachmat Rinaldi Sparringa
No Mahasiswa	: 18410630
Fakultas/Prodi	: Hukum
Judul karya ilmiah	: THE LEGALITY OF UNILATERAL SANCTIONS BY THE UNITED STATES AND EUROPEAN UNION COUNTRIES AGAINST RUSSIA FOR ITS INVASION TO UKRAINE IN 2022
<p>Karya ilmiah yang bersangkutan di atas telah melalui proses uji deteksi plagiasi dengan hasil 10.%</p>	
<p>Demikian surat keterangan ini dibuat agar dapat dipergunakan sebagaimana mestinya.</p>	
<p>Yogyakarta, <u>22 Februari 2023</u> M 2 Sya'ban 1444 H</p>	
<p>Perpustakaan Referensi FH UII</p>	
	
<p>Joko Santosa, A.Md.</p>	