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Legal opinion criticizes Russia-related EU sanctions / Do EU sanctions go too far?

1st European Legal Debate "Are EU sanctions going too far?"

Brussels (ots) -

Two internationally active criminal lawyers examined the EU Russia-related sanctions regime. While they support sanctions in principle, they discovered weaknesses that call the sanctions' effectiveness into question. In their expert opinion, Dr Anna Oehmichen (Germany) and Salomé Lemasson (France) deliver their verdict: Vague terminology, lack of transparency for criteria and standards of proof, little uniformity and on top of that, the EU Court of Human Rights (ECtHR) is dangling over the sanctions like the sword of Damocles. During a legal conference in Brussels on 23 March 2023, and based on the results of the legal opinion, legal experts from various disciplines, political scientists, representatives of the business community and EU administrators will discuss and develop proposals for improvements.

With the beginning of Russia's war against Ukraine, Brussels put together one sanctions package after another within a very short time. Administrators compiled lists of individuals and companies supposedly supporting Putin and his war. In addition to asset freeze measures, the EU implemented significant economic restrictions. However, after a year, unsightly fractures in the hastily cobbled-together edifice of EU sanctions are beginning to show.

Dr Anna Oehmichen and Salomé Lemasson are experts in transnational criminal law, and it was precisely this view that they examined the current sanctions regime. In their legal opinion (Title: "Are EU sanctions going too far? A critical assessment"), they point out the legal and operational deficiencies of the sanctions: They lack coherence, the terminology is often too vague, and there is a lack of transparency for criteria and standards of proof. Both criminal lawyers conclude that the EU sanctions must be critically reviewed, especially in light of the limits evidenced after one year of implementation.

Both legal experts have marked some of the sanctions regime's fractures and pointed out the consequences should the sanctions edifice collapse if the ECtHR would rule that asset freeze measures against designated persons could potentially be of the view that the restrictive measures are, in effect, criminal sanctions.

Similarly, more European voices call for enhanced judicial scrutiny over EU sanctions. Just recently, 16 European defence Lawyers published an open Letter to the EU Commission expressing their concerns "that in the context of sanctions imposed in relation to Russia, due process is being seriously undermined."

The legal conference "Are EU sanctions going too far? A critical assessment" by the 1st European Debate Forum will be held on 23 March 2023, from 10:00 am to 06:00 pm at the Steigenberger Wiltcher Hotel in Brussels. Attendance is free of charge.

Further information on the conference please check: www.european-legal-debate.eu

Registration under registration@european-legal-debate.eu

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