



LEGAL BASIS FOR INTERSTATE COOPERATION IN CONDITIONS OF SANCTION PRESSURE

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Annotation: this article was co-authored, and according to it, the meaning of sanctions in the national legal system and the application of sanctions in international law and the name of the countries where sanctions are applied in the international arena are highlighted. Also, the history of sanctions and the purpose of their application are given.

Key words: sanctions, UN, types of sanctions, regulation of sanctions, UN Charter, international law.

Although the term sanction is not enshrined in the Charter of the United Nations, other documents of the organization, as well as in other sources of international law, "sanctions" are specific coercive measures provided for in the sources of international law. At the same time, the restriction of the possibility of using sanctions for political purposes by the subjects of international law determined the purpose of using sanctions.

We know that sanctions are just one way of trying to influence the internal politics of the country. Whether it's a nuclear program, military action, or inciting unrest, state leaders can be called to "educate" through a series of sanctions. Also, in terms of legal theory, sanctions are a financial punishment of the state for economic crimes committed in the domestic law of the country.

The main goal of sanctions is to awaken the forces that have the ability to ensure the stability of the existing political regime, but are not interested in the political crisis that has arisen, and encourage them to put pressure on the leadership. **From**



the point of view of law, in the modern world, strict implementation of universally recognized principles and norms of international law by all countries is of particular importance. Today, there is a greater need than ever to effectively respond to various threats and violations of international law, to increase the role of not only political, but also legal means of ensuring international law and the established order. In this regard, measures of influence (sanctions) taken by states or international organizations against delinquent states that have violated the norms of international law play an important role.

It is noteworthy that the consistent development of international law requires mutually agreed and coordinated actions from all subjects of international law. In the modern international legal system, the legal bases and limits of the use of coercive measures by international organizations and states in interstate relations are determined by strict sources of international law, which in turn limits the blind use of coercive measures in a number of ways. In many ways, the international legal regulation of sanctions served as a necessary measure in the general context of the legal side after the Second World War, as well as in connection with the threat of a nuclear nature of the newly emerging conflict.

At the universal level, coercion in international law as a response to an act contrary to international law (in the form of sanctions or countermeasures) or in accordance with **Article 51** of the UN Charter, the right to self-defense has been firmly established by the **UN Charter**.

Sanctions play a key role in ensuring stable peace, stable functioning of the system of international relations against various threats and aggressions. The main task of sanctions is to ensure the maintenance of global peace and stability. In this regard, sanctions are considered mandatory for all subjects of international law [1].

In legal dictionaries, the term "sanction" refers to a system of military, economic and political coercive measures applied to a country that violates international agreements.

An international sanction is a foreign policy measure, the purpose of which is to maintain or restore peace, international security, democracy or the rule of law, respect for human rights or international law, and international law.

International sanctions are based on the resolution of the UN Security Council (based on Article 41 of Chapter VII of the UN Charter), the decisions of the Council of the European Union (based on Article 29 of the Treaty on the European Union) or on the basis of laws adopted in the national legislation of the states (for example, the Republic of Estonia's "International Sanctions Article 7 of the Law on "is applied".



In general, the use of sanctions goes back to the history of the ancient world. That is, it was first used in the 5th century BC. In it, the Athenian naval alliance imposed sanctions against the city of Megara, which was part of the opposition Peloponnesian alliance (the alliances were part of the famous confrontation between Athens and Sparta that went down in history as the War). As a result megarans.

He asked Sparta for help. After that, a big war started. After that, the Athenian Union, which imposed sanctions, was destroyed.

The institution of sanctions as a category of international law developed simultaneously with international law. Until the emergence of the League of Nations as a universal organization in international law, "sanctions" were used as measures of economic influence, that is, the term "sanction" was not used. The term sanction was first mentioned in the text of the Treaty of Versailles in 1919. Part VII of this treaty stipulated punishment for the German Emperor Wilhelm II and his supporters for violating "international morals and the sacred force of treaties", as well as for "acts contrary to customs and the laws of war". As you can see, the sanctions in the document refer only to criminal liability of a person. Also, the forms of responsibility and coercive measures of some states were provided for in other provisions of the Treaty of Versailles.

Today, the term UN sanctions is used in two senses:

- any measures taken by the Security Council under Part VII of the UN Charter;
- measures taken only in accordance with Article 41 of the UN Charter (only they include non-military coercive measures).

The UN Security Council is a permanent body of the United Nations, which is primarily responsible for ensuring international peace and security in accordance with Article 24 of the UN Charter.

UN sanctions are a system of non-military, mainly economic, coercive measures, the decision to apply them to a country that violates peace and security, international rules, by the UN Security Council based on Article 41 of the UN Charter. relatively accepted. The purpose of applying UN sanctions is to stop such a violation and to ensure that the offending state fulfills its obligations arising from legal relations of responsibility. Sanctions were introduced based on the resolution of the UN Security Council.

HISTORY OF UN SANCTIONS: The history of UN sanctions can be divided into the following periods:

- sanctions in 1945–1990;
- The period of comprehensive sanctions from 1990 to 1998;



-Transition to targeted sanctions from 1998 to the present day.

TYPES OF SANCTIONS IN INTERNATIONAL LAW: Today, both in legal literature and in politics, great attention is paid to the issue of types of sanctions. At the same time, in order to avoid confusion, the problems of clearly defining each type of sanction are urgent. It should be noted that the institution of sanctions developed simultaneously with the development of international law, as well as its types.

We consider a measure of influence applied to a country that violates its international obligations or norms of international law as a sanction, that is, an international sanction. Examples of such sanctions include boycotts, embargoes, reprisals, retorts, and others. In international law, "international sanctions" are political and economic decisions that are part of the diplomatic efforts of states, multilateral or regional organizations to protect national security interests of states or organizations, or protect international law, threats to international peace and security. These decisions mainly involve the temporary application of economic, trade, diplomatic, cultural or other restrictions (sanctions) that are lifted when security concerns no longer apply or new threats emerge. [2].

According to Chapter VII of the United Nations Charter, only the UN Security Council has the authority to impose sanctions (Article 41) which must be enforced by the international community (Article 2.2) by all UN member states. Sanctions serve as the most powerful peaceful tool of the international community to prevent or eliminate threats to international peace and security. Sanctions do not include the use of military force. However, if sanctions do not lead to a diplomatic solution to the conflict, the use of force may be specifically authorized by the Security Council under Article 42.

United Nations sanctions should not be confused with unilateral sanctions imposed by individual countries to secure their strategic interests. Usually intended as strong economic coercion, measures used under unilateral sanctions may take the form of coercive diplomatic action, economic warfare, or the initiation of war.

There are several types of sanctions in international law:

- Economic sanctions—typically trade bans, perhaps limited to specific sectors such as arms, or with some exceptions (such as food and medicine).
- Diplomatic sanctions — reducing or removing diplomatic ties, such as embassies.
- Military sanctions - military intervention



- Sports sanctions prevent the participation of the people and teams of one country in international events.

- Environmental Sanctions — Since the announcement of the United Nations Conference on the Human Environment, international efforts to protect the environment have gradually increased.

Economic sanctions differ from trade sanctions, which are imposed for purely economic reasons, and usually involve tariff restrictions or similar measures, rather than bans on trade.

In fact, the UN is an organization with extensive powers in the application of sanctions [4]. It has the right to suspend economic relations, communications by rail, sea and air, mail, telegraph, radio or other means, sever diplomatic relations, and apply sanctions such as military measures. The application of all these measures can be mandatory only on the basis of the decision of the UN Security Council and only in cases where the peace is threatened or an act of aggression has occurred. Due to the growing experience and changing political environment at the UN, there is a certain tendency to recognize that some of the opportunities in the field under study belong to this Organization. Condemning decisions of the UN General Assembly are being adopted as a measure of moral and political influence on the offender, although the UN Charter does not envisage the use of similar measures as a sanction. Such decisions may also have certain legal consequences, if they include non-recognition of results achieved by force or threat of its use.

The experience of the UN in applying sanctions shows how important it is. The apartheid regimes in Southern Rhodesia and South Africa were largely curbed by UN sanctions. In our opinion, in the coming years, chapter V II of the UN Charter entitled "Actions against threats to peace, violations of peace and stability and acts of aggression" will be enriched with a completely new content.

In this sense, the experience of applying sanctions against Iraq for its attack on Kuwait in 1990 is instructive. This was the first experience of large-scale sanctions in the post-conflict period. The first resolution of the UN Security Council was adopted on the day of the aggression. The use of armed forces against Iraq made it possible to quickly end the aggression. At the same time, a number of shortcomings in this area have also become apparent. The use of armed forces was led not by the UN, but by a group of countries, and even the application of purely economic sanctions caused many countries to suffer serious material losses. This puts on the agenda the problem of distributing the relevant material burden as fairly as possible by compensating the damage of the country that has suffered relatively more.



As the political regime in Russia appears to depend on the rule of a single individual, Russian rule is not seen on par with Amin's regime in Africa. In order to properly understand the situation with the Russians, we turn to the concept of electoral authoritarianism. That is, the head of the regime relies not only on the power of a narrow coalition, but also on the trust of the people to maintain power.

If the previous anti-Russian sanctions damaged the interests of certain individuals, the damage caused by the redistribution of the forces of various social groups was compensated. If the new sanctions have a negative impact on trade relations, its negative consequences will surely reach the common people. Because of this, the government can provide compensation to certain social groups or citizens who are in a mood of protest. The observed decrease in real income of the population is not only due to the long-lasting sanctions, but also the economic crisis, the weakening of the ruble and the drop in oil prices.

If indexation of the pension occurs as part of the pension reform, it will be possible to buy the loyalty of large social groups. In this case, curbing repression is an important condition. In addition, Russia has been under the influence of various sanctions for a long time, that is, it can be said that the regime was able to adapt itself to some restrictions and prohibitions. Therefore, the effectiveness of sanctions will decrease.

In this case, the country will return to the conditions at the starting point when the sanctions were introduced.

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