

Original Paper

Hard Law Hegemony and Soft Law Resistance: The Proof of Illegality of Western Sanctions against Russia and the Reconstruction of the International Law System

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Abstracts

Since the outbreak of the Russian-Ukrainian conflict in 2022, Western countries led by the United States have constructed an unprecedented multi-level sanctions system against Russia. This paper deconstructs the hard law tools (e.g., secondary sanctions legislation) and soft law instruments (e.g., commercial boycott campaigns) in sanctions through the dichotomy theory of soft and hard law in international law. For example, in the context of the failure of the UN Security Council mechanism, Western countries have turned to rely on non-traditional means of sanctions implementation, such as domestic legislation (e.g., the International Emergency Economic Powers Act) and club-like alliances (e.g., the G7 oil price cap). This legal practice has objectively resulted in a threefold alienation: first, the extension of long-arm jurisdiction from the commercial sphere to the realm of sovereign immunity; second, the formation of "quasi-legal" market expulsions through transnational corporate pressure; and third, the distortion of the political instrumentalization of international soft law mechanisms, such as sports and culture. This paper will take a case study approach to prove that the West's "long-arm jurisdiction" of domestic law disguised as international hard law is essentially a hegemonic expansion of rule-making power. Based on this, this paper will explore the possible solution paths to reshape the balanced pattern of pluralism, fairness and justice in international law.

Keywords

public international law, hard law, soft law, international sanctions, sanctions against Russia, Russia-Ukraine conflict

1. Introduction

The G7's decision to transfer the proceeds of Russian sovereign assets to Ukraine in 2023 signaled the evolution of Western sanctions against Russia from ad hoc measures to systematic lawfare. The freezing of \$300 billion in foreign exchange reserves on the grounds of "special military action" lacks the authorization of Chapter VII of the UN Charter and violates the principle of sovereign property immunity established by the 1961 Vienna Convention on Diplomatic Relations. The more far-reaching effect is that the U.S. and Europe have transformed their market monopoly status into rule-making power through "quasi-judicial measures" such as the removal of the SWIFT system and the energy price limit, resulting in the alienation of international law from "interstate law" to "bloc instruments" (Koskeniemi, 2024). This paper explains Western sanctions tactics at three levels: 1) at the normative level, by packaging domestic laws such as the International Emergency Economic Powers Act (IEEPA) as 'universal jurisdiction'; 2) at the implementation level, by utilizing financial infrastructures to enforce compliance by third countries; and 3) at the discursive level, by constructing the legitimacy of sanctions as a moral obligation to protect human rights. This trinity of mechanisms exposes the structural risk of hard law tools being hijacked by hegemonic forces. Russia's countermeasure practices, on the other hand, provide new samples of soft law resistance: 1) establishing a parallel import system through the Decree on Special Measures for Foreign Trade; 2) signing local currency settlement agreements with Iran, India, and other countries to form an alternative soft law network; and 3) suing Ukraine for violating the Genocide Convention at the International Court of Justice to realize legal countermeasures. These cases provide realistic possibilities for reconstructing a non-Western-centered international law order.

Therefore, the main contents of this paper are: 1) to demonstrate the hard law instrumentalization of secondary sanctions and the camouflage of their nature; 2) to analyze the illegality of the treaty on sovereign asset freezing; 3) to deconstruct the violent nature of the soft law of the SWIFT exclusion; 4) to assess the value of institutional innovation of the countermeasures; and 5) to put forward the path of reconstruction of the international law of pluralism based on the "diversity of civilizations". This paper does not discuss the justice of the Russian-Ukrainian conflict and the legitimacy of Russia's military action against Ukraine, but only analyzes the non-legitimacy of the sovereign intervention of the Western countries led by the United States in the form of international sanctions against Russia from the perspectives of hard law and soft law, as well as the conformity of such a way with the Charter of the United Nations and other internationally recognized procedural justice in international law.

2. Methodology

Unlike the traditional sources of international law, which are international treaties, international customs and general principles of law, as well as the "hard law" derived therefrom, the so-called "soft law" can be the provisions and norms of a certain level of law, as well as the consensus or documents in other fields, and the central mystery of soft law is the fact that it is the most important source of international law. The central mystery of soft law is the fact that states opt for something more than a complete absence

of commitment, but something less than full-blown international law. international law (Guzman, A. T., & Meyer, T. L, 2010). In contrast to harsh, formalized texts and practices, soft law looks for effective alternatives that do not require complex procedures for acceptance, approval, extension, to the more formalized texts and practices, soft law can be a consensus or document in other areas (Демин, А. В, 2017). Soft law is often considered to be non-binding compared to the established norms of the traditional international law system. However, in actual interstate diplomacy and interaction, soft law often becomes a powerful tool for intervention and sanctions by some countries. In the reality of international relations, it is not uncommon for international law to go beyond the "strict".

Soft law, liberalism and market agendas combine a commitment to promoting market objectives with an instrumental preference for soft law instruments. Hard law, on the other hand, is constantly being instrumentalized - for example, Security Council sanctions (e.g., Resolution 1718 against the DPRK) require a dynamic assessment of humanitarian impacts and a mechanism for lifting them, whereas U.S. sub-sanctions, which have no time limits or avenues of redress, undermine the authority and balance of UN sanctions. The construction of a strict hard law governance model is a rather long process. From the multiple rounds of negotiations that form the draft treaty to the review and approval of countries after the text is signed, the procedural cost of the formal entry into force of the treaty is huge. The process of constructing the multilateral trading system has also been historically arduous, for example, from the General Agreement on Tariffs and Trade in 1947 to the establishment of the World Trade Organization in 1994, it took the international community nearly 50 years to formally change the nature of the Interim Agreement on Tariff Concessions (IATC), which ultimately led to the hard law governance model of the multilateral trading system (History of the Multilateral Trading System, 2022). As a result, soft law has largely become a shortcut for unilateralist hegemonic states to carry out targeted sanctions, and this disregard for specific provisions of international law and bypassing of the United Nations system of international law undoubtedly facilitates unilateral sanctions. The specific manifestations of the hard and soft laws of sanctions against Russia are described below.

2.1 Deviation from and Instrumentalization of Hard Law

According to Article 2(4) of the Charter of the United Nations, which prohibits the use of force, and Article 41, which provides for the exclusive right to impose sanctions the Security Council, as the core security organ of the United Nations, is the only multilateral decision-making platform authorized to adopt resolutions to impose international sanctions (United Nations, 1945). The United States and Europe have circumvented the Security Council's voting procedures by unilaterally initiating coercive measures, including financial blockades, trade restrictions and technological embargoes, which not only lack the legitimacy of international law, but also directly impact the authority of the United Nations collective security mechanism. On the one hand, the United States uses the hegemony of the United States dollar and its technological superiority to exercise "long-armed jurisdiction"; on the other hand, it hollows out the functions of the Security Council, rendering the system of authorization of sanctions established by Articles 39-42 of the Charter of the United Nations null and void. Through empirical analysis (United

Nations Charter, Chapter VII), its study points out that of the 37 sanctions imposed by the United States and Europe on Russia since 2022, only two have been recognized by the Security Council after the fact, fully confirming the essence of "extrajudicial privileges".

The principle of sovereign equality established in Article 2 of the Charter of the United Nations clearly prohibits any form of economic coercion. The European Union's energy embargo against Russia has comprehensively cut off Russia's oil and gas imports through the sixth round of the sanctions program, while the United States has used its sub-sanctions mechanism to freeze \$300 billion in assets of Russia's central bank and has threatened to sanction third-country trade with Russia. This systematic denial of the right to control resources goes beyond reasonable countermeasures and constitutes structural interference in economic sovereignty. The important jurisprudence established by the International Court of Justice in its 1986 judgment in *Nicaragua v. United States* demonstrates that coercion of a State to change its policies through economic means is prohibited by the Declaration of Principles of International Law (European council, 2022). The current Western sanctions not only fully reproduce the characteristics of "economic pressure as a substitute for military aggression" recognized in that case, but also exponentially magnify the effectiveness of coercion through the use of modern financial instruments, highlighting the profound contradiction between the mechanism for implementing international law and hegemonic practices.

For a long time, Russia's resource-oriented development model has made its economy highly dependent on foreign exports; at the same time, similar to traditional resource countries, the Russian economy is also facing the "resource curse" - that is, the development of domestic manufacturing industry is relatively backward, and some of the manufacturing products are highly dependent on external markets. The degree of dependence on external markets is high. Due to the massive export of oil, natural gas and other energy resources, Russia has accumulated a large number of reserve assets as the representative of the foreign currency assets, and the export of foreign trade itself requires a large number of foreign currency transactions and settlements, so the Western countries in the choice of sanctioning tools in this regard will naturally be aimed at the Russian financial payment system. Russia's energy, minerals and food trade is highly dependent on foreign currency payment and settlement and investment and financing system, its dependence on the dollar, the euro and other major international currencies is high. In response to these weaknesses, the United States and other Western countries have taken the following sanctions against Russia:

(i) Depriving Russia of WTO Most Favored Nation (MFN) treatment: MFN treatment of the World Trade Organization (WTO) refers to the fact that all benefits, preferences, privileges and immunities granted to a third country or region by a country or region that is a member of the organization shall apply automatically and unconditionally to another country or region. Since its accession to the WTO in 2012, Russia has enjoyed MFN treatment from other member states in the areas of trade and intellectual property rights, which has played an important role in promoting its trade development.²⁰²² At the beginning of the outbreak of the Russian-Ukrainian conflict in 2022, the U.S., Europe, and many other

countries canceled the MFN treatment for Russia, and the cost of Russia's import and export trade was significantly elevated.

(ii) Strict import and export controls on Russia: Russia encounters strict import and export restrictions. The trade dependence between Russia and the EU is high.²⁰²⁴ At the end of March, the EU had imposed 13 rounds of sanctions on Russia after the Russian-Ukrainian conflict.²⁰²⁵ The EU had imposed 13 rounds of sanctions on Russia after the Russian-Ukrainian conflict. On the export side, the EU prohibits the export to Russia of cutting-edge technology (quantum computers, advanced semiconductors, electronic equipment and software), specified types of machinery and transportation facilities, crude oil refining goods and technologies, energy-related machinery and equipment, aeronautical and space goods and technologies, nautical and navigational goods and broadcasting and communication technologies, dual-use goods, luxury goods, civilian firearms, chemicals, lithium batteries and thermostats. In addition to goods, the EU also prohibits the provision to Russia of services such as accounting, auditing, IT consulting, legal counseling, architectural and engineering work, research and public surveys. In terms of imports, the EU prohibits the import of crude oil, refined gasoline products, coal and other solid fossil energy, steel, steel products and iron ore, gold and diamonds, cement, asphalt, wood, paper, synthetic rubber and plastics, seafood, alcohol, cigarettes and cosmetics from Russia. Despite its high dependence on Russian energy, the EU has included crude oil and natural gas in its sanctions and joined the U.S.-sponsored price limits on exported crude oil.

(iii) Freezing of Russia's overseas assets: the EU mainly uses a list of restrictive measures to freeze Russia's overseas assets, and the main measures include freezing funds and economic resources owned or controlled by sanctioned individuals or subjects, prohibiting the access to, transfer, and sale of funds such as cash, checks, bank deposits, stocks, shares, etc., and strictly forbidding the sale and lease of all kinds of tangible or intangible assets such as real estate, etc. At the end of March 2024, the EU added 1,706 individuals and 419 entities from Russia to a list of restrictive sanctions covering top Russian government officials, business oligarchs, and companies in key industries such as military, aviation, finance, manufacturing, and telecommunications. Russia surpassed Syria as the country with the largest number of subjects subject to restrictive sanctions imposed by the EU.

2.2 Flexible Operation and Interpretation of Soft Law

In the perspective of international law, the core of the effectiveness of soft law lies in its compliance with the rational value of international law. Legal effect is embedded in the legal norms of the ability to have an effect on the object of legal adjustment, the source of which lies in the subject's self-consciousness of the provisions of the law. This self-consciousness may have two meanings: first, the parties actively and consciously comply with the rules; second, the adjudicator is convinced of the intrinsic value of the rules so as to be applied, if the parties can not consciously comply with the rules applied by the legal adjudicator so as to produce the subject of the passive self-consciousness of the provisions of the law, but this application depends on the adjudicator whether or not by the rules of the intrinsic value of the persuasion (Anna Veneziano, 2013).

Thus, analyzing the EU sanctions against Russia in this way, it can be seen that the existence of the Protection of Essential Interests and Security Clause does not mean that the EU sanctions against Russia are in accordance with international law:

- (1) There is no act of international law that authorizes the EU to recognize the violation of international law by another state and to apply measures of responsibility against such a state.
- (2) Existing international law does not deprive States or integration associations of the right to apply protective restrictive measures of an economic nature, including ensuring their security. With regard to the situation under consideration, there is no immediate threat to the security of the EU. In addition, the EU countries themselves are actively involved in the Ukrainian conflict and, therefore, are responsible for the worsening of the crisis.
- (3) The nature of the EU restrictive measures, in particular those adopted in 2022, makes it possible to conclude that a significant part of them go beyond the complete or partial suspension or reduction of economic and financial relations. These measures are designed to inflict maximum economic and political damage on the Russian Federation. This is a clear violation of EU law and existing principles of international law. In this regard, it is more likely that the restrictive measures adopted in 2022 will not be of an economic nature, but rather of a punitive nature. Furthermore, measures such as the freezing of the assets of the Russian Federation and its individuals and legal entities, and their possible subsequent revocation, are clearly in conflict with fundamental principles of modern law.

The European Union's restrictive measures are sanctions in nature, as they are a punitive instrument, but they are not sanctions from a legal point of view, as they are unilateral restrictive measures taken in accordance with the internal law of the European Union. This is despite the fact that, in their view, they are in conformity with the norms of international law, including WTO law, and do not exclude the possibility of applying measures of an economic nature against other States for security reasons. The restrictive measures of the European Union against the Russian Federation cannot be said to be in full conformity with the norms of international law and the law of the European Union itself, and the legality of every sanction of the European Union needs to be checked on an individual basis of compliance with international law and commitments.

Regardless of the nature of the assessment of the actions of the Russian Federation in the framework of its military operations on the territory of Ukraine, most of the EU's anti-Russian economic sanctions are not in accordance with international law and are inherently unjustified and counterproductive. They are the least effective means of securing peace (Voynikov, V. V, 2022).

In response Russia's resistance at the soft law level has:

First, since the launch of Western sanctions in 2014, Russia has been systematically implementing an import substitution policy to reduce its dependence on the U.S., Europe, and other countries. In August 2015, Russia set up a new government commission on import substitution and put forward a detailed import substitution program, initially comprising more than 2,000 projects in 19 areas, which has already achieved significant results in the fields of military industry, foodstuffs, pharmaceuticals, and agriculture.

After nine years of development, Russia's import substitution policy system has been basically formed, is a combination of two types of mandatory import substitution and export-oriented import substitution. After being controlled by the U.S. and Europe, Russia has continued to deepen its import substitution policy, which mainly includes adjusting the overall mechanism, accelerating the revision of the industry plan, and introducing a series of supporting measures and so on. Currently, Russia's import substitution policy has changed from a temporary stress response under economic sanctions to a systematic "strategic initiative". According to a survey conducted by the Central Bank of Russia at the end of 2022, 30% of companies stated that they had completely solved the import problems caused by Western export controls (Карлова и др, 2023). In April 2024, the Higher University of Economics of Russia analyzed the addition of import-substituting companies in Russia, of which the highest share was in the field of manufacturing of computers, electronics and electrical equipment, which is mostly the focus of U.S.-European export controls on Russia. In addition, in March 2022, Russia adopted Federal Law No. 46-FZ, which legalized parallel importation of goods (World Intellectual Property Organization, 2022). Parallel importation is the act of importation into a country by an importer of products legally placed on the market in another country or region without the consent or authorization of the owner of intellectual property rights. Previously prohibited in Russia, the law eliminated civil, administrative and criminal liability for parallel imports. This practice is also aimed at alleviating the problem of insufficient supply of imported products in Russia.

Second, in response to a series of sanctions imposed by the U.S., Europe, and other Western countries in the Crimea incident, Russia enacted the Law on Measures Against Unfriendly Acts of the U.S. and Other Countries (Countermeasures) in June 2018, which authorizes the government to take countermeasures against countries and regions deemed to be "unfriendly" to Russia. The list of countermeasures includes import and export restrictions, suspension or termination of international cooperation, and privatization of state assets. In April 2021, Russia issued the Presidential Decree on Countermeasures against Unfriendly Acts of Foreign Countries, and in May of that year announced the first list of unfriendly countries and regions, which included only the United States and the Czech Republic. After the outbreak of the Russian-Ukrainian conflict, Russia reissued the list of unfriendly countries and regions in March 2022, including the United States, EU member states, Japan, South Korea, Australia and 48 other countries, and banned the export of more than 200 kinds of products to these countries, covering specific telecommunications, medical, automotive, electrical, electronic and agricultural products. Agricultural products (Newsweek, 2022). Russia's restrictions on exports to "unfriendly countries and regions" have led to a sharp rise in international oil, grain and mineral prices, while its revenues from energy and resource exports have remained high.

In addition, in the context of the Russian-Ukrainian conflict, Russia's trade ties with friendly and neutral countries have become closer, especially with China, India and Turkey, where trade cooperation has increased significantly. Russia exports large quantities of primary products such as agricultural products, timber, energy and minerals to these countries, while importing large quantities of manufactured goods

such as commodities for daily use, transportation vehicles and electromechanical equipment from them. This restructuring of trade relations has enabled Russia to maintain its competitiveness in the global economy and has also helped to promote deeper economic and trade cooperation among developing countries at the level of the Global South and the BRICS countries. In addition, Russia is actively participating in the Chinese-led CPIS payment and settlement system to replace SWIFT, which was kicked out by Western sanctions. So far, the Chinese alternative to SWIFT has attracted only a limited number of users. However, these numbers are growing rapidly. For example, a Nikkei survey shows an 80% increase in CIPS-based payment settlements between 2017 and 2018, especially from US-sanctioned countries such as Russia and Turkey, as well as those involved in the Belt and Road Initiative. May 2021 to 1.189 participants (Nölke, A, 2022). In addition, alternative systems are being used in an economic region that is now growing much faster than the traditional global economic centers covered by SWIFT.

The impact of the Russian-Ukrainian conflict is not limited to European countries; like many Western countries, the UK is facing continuing inflationary pressures, with prices rising at the fastest rate in thirty years. Although Russia is an important natural gas exporter to many European countries, but its impact on the United Kingdom is very different - the impact of soaring global oil prices also affect the United Kingdom, triggering a lot of uncertainty. As Russia and Ukraine are both major producers of wheat and other major agricultural products, soaring food prices are more worrying to the public, and increased inflation or will bring more pressure on British families and business budgets. Although the UK produces 90% of the world's wheat, farmers may have to pay more for fertilizer - one of the country's main exports from Russia (Mbah, R. E. & Wasum, D. F, 2022).

Jurisdictional immunity of states and their property is one of the key principles of international law, which means that the state, government organs, state representatives and property of one state enjoy immunity from the jurisdiction of another state. The United Nations Convention on Jurisdictional Immunities of States and Their Property, adopted by the General Assembly of the United Nations in 2004, aims to regulate such immunities (United Nations Convention on Jurisdictional Immunities of States and Their Property, 2004). Although the Convention has not yet entered into force, its contents have become a generally recognized rule of customary international law. The United States is not a signatory to the Convention, in matters relating to foreign sovereignty and property immunity, the United States is mainly based on its domestic law, that is, the "Foreign Sovereign Immunities Act" adopted in 1976. But in principle, the principle of immunity, the United States sovereign immunity is still taken with the same limited immunity principle of the Convention, and in a number of cases involving the assets of the central bank of other countries in the assets of the central bank of the central bank of the interpretation of a lenient, clear that the assets of the central bank enjoys immunity from measures of constraints, these jurisprudence for the security of foreign central banks in the United States of America's property to provide a legal safeguard, and at the same time also help to protect the dollar's dominant position in the international currency. At present, the Federal Reserve Bank of New York holds 250 foreign central

banks up to 3 trillion U.S. dollars in international reserves, the U.S. central bank assets of the existing jurisprudence so that foreign central banks have the confidence to continue to take the United States as the first choice of foreign exchange reserves, so as to safeguard the dominant role of the dollar in the international reserve currency.

Two days after the outbreak of the Russian-Ukrainian conflict, the G-7 reached a U.S.-led agreement to freeze Russia's foreign exchange reserves, issuing a "Joint Statement on Further Restrictive Economic Measures," the second of which proposed "restrictive measures to prevent the Russian central bank from deploying its international reserves in a manner that undermines the effectiveness of our Sanctions effect to prevent the Central Bank of Russia from deploying its international reserves in a manner that undermines the effect of our sanctions" (Joint Statement on further restrictive economic measures, 2022), although did not use the expression "freezing Russian foreign exchange reserves", and did not cite clear legal provisions, but the act of restricting the transaction in fact achieved the effect of freezing the foreign exchange reserves of Russia. This is the first time that the United States will expand the scope of financial sanctions to a country's foreign exchange reserves, but this kind of sanctions to limit the Russian central bank foreign exchange reserves transactions obviously does not have the basis of legality. At the level of international law, the practice of freezing foreign exchange reserves is in serious conflict with the international customary law of the sovereign immunity of the state. "Immunity Convention" Article 21 provides for a specific type of property exempted from compulsory measures, including "the property of the Central Bank of the country or other monetary authorities", and foreign exchange reserves as the central bank held by the country's official reserves, obviously also belongs to the national property, should be entitled to state sovereignty. property and should enjoy the sovereign immunity of the State.

In addition, Russia and the EU have reached specific agreements on freight and passenger transit in their Joint Declaration of April 11, 2002,¹³ as well as in their Joint Declaration of April 27, 2004, on the enlargement of the EU.¹⁴ These declarations, although they involve acts of soft law, specify the specific legal procedures to be followed by the parties. It is important to note in particular that restrictive measures in the field of air transportation - including bans on the supply of aircraft and other aviation equipment, and bans on the use of airspace - must be filed separately. The 1944 Chicago Convention on International Civil Aviation provides that in exceptional cases (such as national emergency or when required by public safety), temporary restrictions or prohibitions may be imposed on flights within the entire territory (Article 9). However, the Convention is based on the principle of non-discrimination, i.e., the rules for the entry and departure of airplanes shall be the same for all Contracting States (Articles 9, 11) (United Nations - Treaty Series, 1948). Therefore, such practices also constitute a violation of existing norms of international law. In addition, measures to prohibit the use of airspace and to restrict the supply of aircraft and spare parts not only jeopardize flight safety and aviation security, but also lead to longer flight times and increased fuel consumption, thus exacerbating the negative impact on the environment...

The EU's restrictive measures are essentially sanctions, as they are punitive in nature. However, from a legal point of view, they do not constitute sanctions, as they are unilateral restrictive measures taken on

the basis of EU internal law. Although the norms of international law (including WTO rules) do not exclude the possibility of imposing economic sanctions against other countries on the basis of security considerations, the EU restrictive measures against the Russian Federation are not in accordance with the principles of international law and are contrary to the EU's own legal norms. The legality of each EU sanction needs to be examined on a case-by-case basis for compliance with international law and EU commitments. Regardless of the assessment of Russia's behavior in the framework of military operations, most of the EU's anti-Russian economic sanctions are not in accordance with international law and are inherently unjustified and counterproductive. Sanctions in their current form, coupled with the continuous supply of arms before and after the war, ultimately proved to be the least effective means of preserving peace.

3. Conclusion

Sanctions against Russia in the Russia-Ukraine conflict reveal structural flaws in the governance paradigm of international law: (1) The hegemonic dissolution of the rigidity of hard law procedures. The exclusive power of the Security Council to impose sanctions under Article 41 of the United Nations Charter has been hollowed out by unilateral measures by the United States and Europe, exposing the unidirectional failure of the hard law enforcement mechanism for hegemonic states. The United States through the International Emergency Economic Powers Act (IEEPA) domestic law disguised as "universal jurisdiction", so that the WTO most-favored-nation treatment (GATT Article 1) and other hard law rules reduced to selective tools. (2) The hijacking of the flexible space of soft law by force, such as the SWIFT exclusion and the G7 oil price cap, and other "club-type sanctions", which take advantage of the market monopoly to implement quasi-judicial coercion, and alienate the soft law into a "treaty without treaty". Non-political sanctions such as the banning of international sports organizations and the interruption of academic exchanges have exposed the systemic risk of the autonomy of soft law mechanisms being politically instrumentalized.

In this regard, Russia's counter-attacks include: (1) the struggle for the right to interpret treaties as a hard law defense. Invoking Article 2(7) of the UN Charter: arguing that energy policy belongs to the realm of internal affairs, and countering the EU embargo; ICJ litigation strategy: suing Ukraine for violating the Convention on the Prevention and Punishment of the Crime of Genocide, and constructing a narrative of legal hedging. (2) Alternative networks of soft law countermeasures constructing financial decoupling: establishing the SPFS payment system (covering 20 countries), signing a local currency settlement agreement with China and India, deepening CPIS cooperation, and weakening SWIFT dependence; trade reconstruction: passing Federal Law No. 46-FZ to legalize parallel imports and form a Eurasian Economic Union-SCO supply chain; and rule creation: promote the BRICS dispute settlement mechanism and formulate a template for the Anti-Sanctions Measures Law for developing countries to invoke.

In the future, international law must break through three dilemmas: (1) decentralized governance: recognizing the "quasi hard law" status of regional mechanisms (such as ASEAN and AU) and balancing the monopoly of the Security Council; (2) ethical boundaries of soft law: formulating a non-political code of conduct and limiting sanctions in areas such as culture and sports; (3) the development of a "soft law" and "soft law". (2) soft law ethical boundaries: formulating a non-political code of conduct and limiting the abuse of sanctions in areas such as culture and sports; (3) hard law defense mechanism: amending relevant international conventions and treaties to include central bank assets in the scope of mandatory exemptions. The ultimate goal is to realize the promise of the UN Charter's Preamble through a pluralistic and balanced order: at the normative level, to curb Western-centric interpretations with the civilized context clause of Article 31 of the Vienna Convention on the Law of Treaties (Vienna Convention on the Law of Treaties 1969, p. 331); at the practical level, to reconfigure rule-making power through the "Global South" technological standards alliance (e.g., Russia's GLONASS); and at the value level, to restore the right of rule-making through the value-adding alliance. At the practical level, through the "Global South" technical standards alliance (e.g., the Russian GLONASS navigation system), to reconfigure the right to make rules; and at the value level, to reaffirm that "sovereign equality" is not only a formal equality, but also a substantive respect for different civilizational governance models.

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- and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air and sea transport. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations. "https://legal.un.org/repertory/art41.shtml.
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