

Ordine internazionale e diritti umani

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La Global Magnitski Act de los Estados Unidos: Sanciones Internacionales contra Corrupción y Violaciones Graves de los Derechos Humanos

The international legal scene has been enriched in recent times with a sanctions act, i.e. the Global Magnitski Act (GMA), passed by the United States Congress in 2016 and which combines the fight against corruption and against serious violations of human rights. The GMA has made a big impression and has already generated a considerable amount of practice and enforcement activities. It has also been the subject of increasing attention outside the US and has even served as a model for foreign legislators. In this paper we make a succinct presentation of this legal instrument. An introductory section reminds the reader of the multiple ways in which the United States addresses the abovementioned problems: corruption and violations of human rights. The following section describes the GMA and its contents in a synthetic way, as well as provides a summary of the main milestones of its practical application, up to the present time. In the third section, we provide an assessment of the GMA, highlighting both its positive aspects and those that could be open to discussion. Next, we show other similar legal instruments that can be seen as GMA's reflections at the comparative level. The conclusions see the GMA in a favorable light, provided it is always considered as a complement and not a substitute for the already existing mechanisms to fight against the abovementioned problems.