



EU INDIVIDUAL SANCTIONS IN THE CONTEXT OF RUSSIA-UKRAINE WAR AND HUMAN RIGHTS: LIGHTS AND SHADOWS AFTER CJEU'S EARLIEST DECISIONS

In order to react to Ukraine's unlawful invasion by Russia, European Union institutions have adopted several sanctions through different sets of provisions in the context of the Common Foreign and Security Policy (CFSP). European sanctions' goals are manifold, even if the most important one is to hamper Ukraine's territorial integrity violation, by weakening Russian economy. In this perspective, individual restrictive measures have been adopted in order to affect Russian oligarchs who can economically support war initiatives. In spite of this valuable purpose, these measures can nonetheless be aimed to disproportionately undermine fundamental human rights, such as freedom of expression and the right to property, which have been, indeed, the object of recent decisions rendered by the European Union Court of Justice. While freedom of expression's restrictions seem to be legally applied, as they are consistent with requirements settled by the European Union Court of Justice and the European Court of Human Rights, the same conclusion can not be reached with regard to the right to property. Asset freezings are not always correctly justified by the allegation of reasons supporting the involvement of the single person in Ukraine's invasion. Thus, since this lacuna is widespread, it can be argued that EU restrictive measures are only formally targeted, while they are sometimes substantially directed to indiscriminately affect Russian people.