

Russia's Constitutional Amendments. Domestic Law Takes Precedence over International Law

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The recent amendments to the Russian Constitution confirm that domestic document's precedence over international law, and while Russia still respects the latter, it won't ever let it be exploited for "lawfare" like in the Yukos case.

The Russian people overwhelmingly voted over the summer for a series of amendments to their constitution, one of the most important of which confirmed that domestic document's precedence over international law. These changes were [signed into law](#) by President Putin in early December, much to the chagrin of the so-called "international community", which is essentially a euphemism used by the Mainstream Media to refer to the West. They fearmongered that this makes Russia even more of a "[rogue regime](#)" than ever before despite the US itself and a growing number of countries across the world recently realizing the wisdom of not submitting their sovereignty to the will of unelected bureaucrats across the world.

International law is obviously imperfect, but its noble intent is to regulate international competition in order to reduce the risk of kinetic conflicts between UN member states. Russia has always supported this principle because it aspires to make International Relations as predictable as possible, which in turn makes disputes more manageable. It never supported international law being exploited for "lawfare" — the weaponization of legal means to achieve political and strategic ends — which is why it was compelled to codify this into the Russian Constitution with the full support of the vast majority of the population via their democratic referendum on this and other related issues.

Shortly after President Putin signed those amendments into law, Foreign Minister Lavrov [confidently declared](#) that

"Russia will always put its national interests first, and it will honestly and equally settle those national interests with any other country on the basis of international law, but they won't be overshadowed."

In other words, he was basically saying "Russia First", and there's nothing wrong with that for the earlier explained reasons. This is especially relevant nowadays as Russia seeks to defend itself from a vicious onslaught of "lawfare" over the years-old [\\$50 billion Yukos case](#) after a prior decision to annul the Permanent Court of Arbitration's (PCA) decision was overturned by a Dutch appeals court in February 2020.

In early December, coincidentally right before President Putin signed the discussed amendments into law, the Dutch Supreme Court [rejected Russia's request to suspend enforcement of that record-breaking case](#). This opens up the door for a heated legal battle

in early 2021, which Russia's Minister of Justice [predicted](#) will make it "a challenging year". Nevertheless, Russia will [do its utmost](#) to "fight off any attempts to seize our property in any country of the world" as part of this [Hybrid War](#) "lawfare" operation. Moscow, while acknowledging the importance of the PCA for regulating international disputes, insists that the entire process has been politicized and has thus lost its legitimacy.

This stance is in alignment with Russia's domestic and international interests, which finally converged in the legal sense following the promulgation of the constitutional amendment placing the constitution above international law. While it might seem controversial to some, it's a very sensible position for any country to hold since it aims to preserve the purest principles of international law. These, for however imperfect they are as was previously acknowledged in this analysis, refer to the intent to be as objective as possible when managing disputes of whatever nature they may be, which regrettably isn't the case when it comes to Yukos. Had the entire process been impartial, then Russia would have likely accepted the PCA's ruling.

Russia therefore has every right to defend not only its own interests in both the domestic and international domains, but also those related to international law since this principle has been exploited for strategic purposes by its adversaries. Almost counterintuitively, by putting its own interests first in this sense, Russia is actually putting the entire international community's first as well. Without taking a strong stand in support of the purest principle of international law, this concept will continue to be weaponized for "lawfare" purposes. Trump's supporters claimed that he had similar intentions, which was true to an extent, but he in practice sought to simply rework the rules in America's favor to facilitate its further "lawfare" operations against others.

Russia, on the other hand, doesn't wage "lawfare" against anyone. Instead, it regards the use of international legal instruments as means to solely defend oneself, not carry out acts of aggression. Even so, it's expected that Moscow's defense of its sovereign interests as well as the international community's legal ones will continue to be misportrayed as so-called "rogue behavior" that's supposedly "in violation of international norms". This false perception will in turn be exploited as the pretext for escalating the ongoing Hybrid War on Russia by perhaps pushing for the seizure of some of its foreign assets in the name of "enforcing its compliance" with the politicized Yukos ruling. Should that come to pass, then Russia's relations with the West will get even worse.

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