

REVIEWER'S REPORT

Manuscript No.: IJAR- 54162

Date: 03/10/2025

Title: COMPLIANCE AND THE MAGNITSKY ACT: BRAZILIAN PROGNOSIS AFTER THE SANCTIONS ON JUDGE ALEXANDRE DE MORAES

Recommendation:

Accept

Rating	Excel.	Good	Fair	Poor
Originality		√		
Techno. Quality			√	
Clarity			√	
Significance			√	

Reviewer Name: Dr Abdul Haseeb Mir

Date: 03/10/2025

Reviewer's Comment

This article offers an important and timely contribution to the scholarship on international sanctions and compliance. It highlights the transformative potential of the Magnitsky framework, especially in its extension to a democratic judiciary, and raises vital questions about sovereignty, legitimacy, and the future of governance in Brazil. With some refinements—particularly deeper engagement with the controversies surrounding such sanctions and further elaboration of long-term Brazilian implications—the article is well suited for publication.

Detailed Review Report

The article “Compliance and the Magnitsky Act: Brazilian Prognosis after the Sanctions on Judge Alexandre de Moraes” presents a highly topical and provocative analysis of international sanctions, human rights accountability, and domestic governance in Brazil. It is structured around a narrative literature review that seeks to situate the Magnitsky Act within global debates while applying its implications to the specific case of a sitting Brazilian Supreme Court Justice, Alexandre de Moraes.

The paper's originality lies in its decision to use the sanctioning of Moraes as a case study, which is particularly significant given that Magnitsky sanctions are more commonly associated with authoritarian regimes such as Russia, Venezuela, or Nicaragua. By extending the discussion to a democratic state and

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its judiciary, the authors highlight how international accountability frameworks may unsettle institutional balances even in established democracies. This approach adds an important dimension to the scholarly debate on the scope, legitimacy, and consequences of targeted sanctions.

Methodologically, the article adopts a narrative literature review, synthesizing academic sources, NGO reports, and legal documents. While the choice of this methodology is justified, it has limitations: the reliance on secondary sources makes the analysis more interpretative than empirical. Nonetheless, the wide range of references from international law, political science, and economics strengthens the interdisciplinary quality of the study.

The analysis of sanctions' mechanisms and impacts is compelling. The paper convincingly explains how Magnitsky sanctions differ from traditional state-level sanctions by targeting individuals through asset freezes, visa bans, and reputational stigmatization. The exploration of economic consequences, psychological effects, and symbolic dimensions—such as the so-called “Magnitsky Syndrome”—enriches the understanding of sanctions as not merely financial but also profoundly social and political tools.

When applied to the Brazilian case, the arguments are especially striking. The sanctioning of a Supreme Court Justice raises unprecedented legal and political questions. Economically, it signals to global investors that even top judicial elites are subject to scrutiny, which may both reassure those concerned with corruption and unsettle those wary of political instability. Politically and diplomatically, it exacerbates Brazil's institutional crises and creates friction in its relationship with the United States and Europe. Legally, it foregrounds questions about due process, proportionality, and compliance risks for Brazilian corporations associated with sanctioned figures. These observations position the article within broader debates about sovereignty and selective enforcement, noting that critics often view Magnitsky measures as political tools that can undermine national autonomy.

The paper's greatest strength is its ability to connect the abstract legal mechanisms of Magnitsky sanctions with concrete implications for Brazil's political, judicial, and economic future. However, it would benefit from greater critical distance in its treatment of the Moraes case.

From a stylistic perspective, the article is clear, logically structured, and interdisciplinary in scope. Nonetheless, certain sections, which could be expanded to synthesize the broader theoretical and practical implications more forcefully.

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1. Since the paper relies on a narrative literature review, include a short reflection on the limitations of interpretative rather than empirical analysis.
2. Provide a more balanced discussion of the criticisms of Magnitsky sanctions, including concerns about due process, proportionality, and selective enforcement.
3. Extend the "Future Perspectives" section to analyze long-term institutional consequences in Brazil, such as possible judicial reforms, compliance adaptations, and shifts in foreign policy.
4. Present the sanction not just as a fact but also as a subject of legal and political debate, noting the controversies it has sparked in Brazil and internationally.
5. Reduce repetition of descriptive results in the body and discussion sections to sharpen the analytical focus.
6. Synthesize the broader theoretical lessons more explicitly; emphasizing how this case reshapes understandings of sanctions in democratic systems.
7. Refine certain passages for conciseness and academic tone, ensuring smooth transitions between sections

Recommendation

Accept Post inclusion of the above suggested details.