What kind of a future is there for human rights governance, especially if the transatlantic partners—the key actors behind its establishment—are in decline? Do emerging powers participate and contribute to the international liberal order regarding human rights issues and democratic governance? These are important questions that play critical roles in shaping the future of human rights governance. The emerging powers face serious domestic problems and have shortcomings in terms of human rights. The paper provides a brief introduction regarding the human rights and democracy promotion policies of transatlantic partners as a part of their foreign policy endeavours. The paper further investigates the role of the rising powers in shaping the future of the global governance in the field of human rights, specifically by looking at the extent to which they prioritize human rights and democracy in their foreign policies, in particular in comparison to the transatlantic partners. The analysis of the paper enables us to understand the failure of the West in establishing a binding, institutionalized human rights regime and the subsequent opportunity that the rising powers found to expand their foreign policy tools and develop alternative development models by prioritizing their national and economic interests instead of considering fundamental human rights and democracy.
Transatlantic Partners and the Rising Powers on Global Governance in Human Rights

Meltem Müftüler-Baç and Damla Cihangir-Tetik*

Introduction

The international political order is undergoing a transformation with the rise of new centers of power which are increasingly sceptical of some of the main pillars of the international system (Walt 2005, Kupchan 2012). The rise of “the rest” primarily the rise of five major national economies; Brazil, Russia, India, China and South Africa (BRICS) which is closely followed by a newer fast-track countries in global economy; Mexico, Indonesia, South Korea and Turkey (MISTs) is undoubtedly one of the significant developments of the twenty first century. Of these emerging powers, China deserves a special mention. As China’s stance as the leading rising power demonstrates, there is no doubt that these emerging powers’ extraordinary economic growth coupled with their increasing presence in international affairs enhance their global power and international influence (Mearsheimer 2006). Consequently, it is not surprising that the fall of “unipolar” American era debates coincide with the Western oriented international order is replaced by the rise of “the rest” arguments (Brzezinski 2012, Kupchan 2012, Nye 2011, Fontaine and Kliman 2013). The rising powers have large, rapidly growing economies and exert increasingly significant influence on regional and global affairs that distinguish them from other developing nations. In addition, all of these BRICS and MIST countries are members in the G-20. What needs to be noted that these countries are highly active not only in global economics, but also in all aspects of governance in international affairs. In line with the changing power structure, realist scholars and power transition theorists (Mearsheimer 2001 and 2006, Kupchan 2012, Brzezinski 2012) argue that American power erodes while China is on the rise, and this might enable China to reshape and change the existing liberal order established by the West under the American leadership since the end of the Second World War according to its own interests. This kind of transformation would be considered as a growing security threat by the leaders of the existing system, especially by the US as the declining hegemon, making conflict among China and the USA inevitable.

On the other hand, this kind of a doom scenario is resisted by liberal internationalists as “[t]he U.S.-Chinese power transition can be very different from those of the past because China faces an international order that is […] open, integrated, and rule-based, with wide and deep political foundations. […] Today’s Western order, in short, is hard to overturn and easy to join” (Ikenberry 2008:24). According to this vision, the rise of the “rest” therefore,

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unlike the hard core realist’s position, does not necessarily carry a contestation of the liberal international norms. As the rising powers are also rising democracies which benefit from the liberal international norms, a clash over liberal values is less likely. This is important because since the end of the WW II, the USA and the EU relied on human rights protection and democracy promotion as the significant tools to increase the number of their allies and establish the Western-oriented international order (Kupchan 2012, Walt 2005). If this is so, then an important question emerges with regards to the impact of global transformation on the global governance on human rights. The emerging powers participate fully in the existing liberal order whose rules were mainly established by the US and European states in trade, finance and economic governance (Nye 2004 and 2011). These powers also increase their military capabilities, and exercise increasing presence in global power configurations and assign great value to a multipolar order. Yet, it is doubtful whether they participate and contribute to the liberal order regarding human rights issues and democratic governance. This might be because with regards to human rights and democratization, the rising powers themselves suffer greatly. Their domestic politics are not trouble-free creating significant burden for their foreign policy endeavors. So, multiple questions emerge over human rights governance. What role did the transatlantic partnership play in constructing the main rules of human rights governance? How do the changing global balances impact these rules and norms? What role do the rising powers play in shaping human rights governance? Do they challenge the transatlantic powers or contribute to the emergence of a global system on human rights?

In order to address these questions, this paper analyses the existing “liberal order” with special attention to the transatlantic partners’ human rights protection and democracy promotion policies as a part of their foreign policies. The paper investigates the role of the rising powers in shaping the future of the global governance in the field of human rights, specifically by looking at the extent to which they prioritize human rights and democracy in their foreign policies, in particular in comparison to the transatlantic partners.

Parallel to the relative decline of the transatlantic powers (Brzezinski 2012), the emerging multipolarity in the current global governance constellations creates opportunity for the rising powers, especially for China and Russia, to expand their foreign policy tools over other developing states without emphasizing liberal values, protection of fundamental human values and democracy promotion in their foreign policies. At the same time, “rising democratic states” tend to respect liberal values in rhetoric but they also prioritize their national security, economic interests and trade relations rather than human rights and democracy promotion. This is not particularly different from the transatlantic partners’ ability to foster human rights and democracy which turned out to be more in rhetoric than reality. Yet, the rising powers still present significant challenges to the transatlantic partners’ ability to foster human rights protection and promote democracy.

This paper first analyzes the role that the transatlantic partners played in the post World War II period for the construction of a global governance scheme on human rights. Second, the paper tries to demonstrate the linkage between the changing global balances and the contestation of the basic rules and norms in human rights and democracy promotion in the recent years. The paper draws some of its empirical evidence from the Delphi exercises conducted as part of the Transworld project, as well as the in-depth interviews conducted with European officials and policy makers in Brussels in December 2013.\(^1\)

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\(^1\) Semi-structured, face-to-face interviews were conducted with 15 senior officials from EEAS, European Commission, NATO, GMF Brussels and CEPS on December 2013 in Brussels.
1. Global Governance in Human Rights: The Role of the Transatlantic Partners

A cornerstone of the current global order as established in the post World War II period is increasing role of human rights protection and democracy promotion in international relations (Nye 2011). Human rights and democratization served as transatlantic partners’ foreign policy tools towards developing states. However, the new democracies and rising powers’ increased role in the global order paves the way for contestation in the emerging multipolar system of global governance. Prior to analyzing the role of the rising powers, it is necessary to figure out existing actors and institutions regarding human rights and democracy promotion in international politics. It is also important to note that human rights and democracy promotion are separate issues in international politics, even though they are related and used as foreign policy instruments by the transatlantic partners.

Human rights concerns in international politics and global democracy promotion were included in a Western-oriented agenda under the American leadership in the Cold War period. Respect for human rights and democracy promotion are the main characteristics of transatlantic community. This is not surprising given liberty, individual freedoms, fundamental civil-political rights and peaceful resolution of conflicts are shared values for the American and the Europeans. However, even among the transatlantic partners, there are different conceptualizations of human rights. This is further verified by the key findings of Transworld Elite Survey: “The [western] elites are somewhat divided when asked to define the highest priority from a list of human rights, although some cross-national differences are likely to emerge. Civil rights are more important in the USA and in Germany, while in Italy, Poland and Greece, social rights are given priority” (Isernia and Basile 2014:46). If the transatlantic partners are not among themselves united over what constitutes as human rights, it would not be surprising to see contestation among the West and the rest.

When we look at the evolution of human rights governance in the post World War II period, we see that the transatlantic partners are the main actors behind its formulation. In building a liberal international order and constructing human rights governance, the transatlantic partners relied on international organizations (IOs) and non-governmental organizations (NGOs). These transnational organizations played crucial roles in human rights protection and democracy promotion as a part of the liberal world order. For example, the Charter of the United Nations (UN) signed in 1945 clearly spelled out the reaffirmation of faith in fundamental human rights, and the UN General Assembly in 1948 adopted the Universal Declaration of Human Rights (UDHR) which established international human rights regime. As a result, increasingly, human rights norms have become a cornerstone in many regional and international treaties. The UN has several bodies; the Human Rights Council which is an inter-governmental body that works for the protection and promotion of human rights around the world, and the Human Rights Committee which encompasses experts on human rights issues. In addition, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) serve for the expansion and protection of the first and second generations of human rights. Specifically, first generation human rights include civic and political rights in nature; such as freedom of speech, the right to a fair trial, freedom of religion and voting rights. Second generation human rights are considered fundamentally economic, social and cultural in nature. They include a right to be employed, rights to housing and health care, as well as social security and unemployment benefits. Both the first and second generation human rights are covered by the Universal Declaration of Human Rights and the ICESCR.
During the Cold War years, the transatlantic partners were the only actors that shaped international human rights system. They did so by adopting and implementing the European Convention on Human Rights and the American Convention on Human Rights; the former is enforced through the European Court of Human Rights and the latter through the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights. In line with the transatlantic partners’ example and following their steps in creating international human rights regime, IOs such as African Union (AU), the South-Asian Association for Regional Cooperation (SAARC) and the Arab League have recently started to consider human rights protection and democracy promotion in their works (Babayan and Huber 2012). There is, however, a great variance among these organizations with regards to their effectiveness.

It is without a doubt that the transatlantic partners have lead the attempts for the creation of an international human rights regime, and their efforts led to the recognition of the UN as the responsible international organization for human rights worldwide. However, the visibility of the transatlantic partners in terms of human rights seems to declining, and there is significant criticism on the UN system as it does not function well due to two main factors. First of all, the USA and the EU are accused of having double standards with regards to human rights protection and democracy promotion, since they still prioritize “security” and “stability” over human rights and democracy (Carothers 2009, Wetzel and Orbie 2012). Second, the rise of new powers and the multipolar character of global governance meant that the USA and its European partners are less likely to promote their own vision of a liberal order. This is also reflected in the key findings of the elite survey conducted in Transworld project as “the economic development of undemocratic countries is perceived as a major threat to human rights and democracy by a plurality of US and German elites, while the importance of ethnic conflicts is pointed out especially by the British elites” (Isernia and Basile 2014:46). This might be because in the newly emerging multipolar system, the rising powers such as China and Russia prefer not to emphasize human rights and democracy in their foreign policies. Their economic capabilities and military influence enables them to expand their foreign social, economic and political ties without emphasizing human rights.

On the other side of the coin, there are multiple international organizations and NGOS working for democracy promotion. The UN, the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE), Human Rights Watch, Freedom House, Transparency International, Amnesty International, and International Institute for Democracy and Electoral Assistance (IDEA) could be counted among most active and effective IOs and NGOs. They engage in multiple activities such as keeping human rights records, following elections, promoting democratization, as well as protecting expansion of freedoms and rights around the world. However, there is no doubt that the American and European human rights discourses were the most vocal as they acted as champion of a liberal order based on human rights and democracy during the Cold War years. As two of the architects of the post-war global order (Japan was the third) the USA and Europe had agreed on liberal norms and values such as the rule of law, democracy and human rights, and their global role. It is this convergence between the USA and the Europeans on the liberal norms that formed as the basis for global governance on human rights. This view was emphasized in one of the in-depth interviews we have conducted as “The Americans and the Europeans share more fundamental values [...] It would be correct to claim that Americans see their interests tied to the Europeans fundamental values, such as the rule of law, human rights. These values are more or less on the same path.” However, what made these partners capable of promoting their own liberal values was to a large extent their economic strength and military standing. A decline in these global rankings would also affect their ability to promote human rights and democracy.

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2 An in-depth, face-to-face interview with a senior official of an international think tank, Brussels, 5 December 2013.
It is important to note that the USA still ranks as the militarily most capable country in the world, and has the highest defence spending with a budget of 640 billion dollars in 2013. However, despite its leadership position, USA is followed by China and Russia which all rank higher than France, UK and Germany in SIPRI estimates. As for the future patterns, if defence spending is to be taken as the key, China and Russia spend more than France, UK, Germany and Japan. In addition, India, South Korea, Brazil and Turkey are also in the SIPRI top-15 list of countries with the highest defence spending (Perlo-Freeman and Solmirano 2014). These changing patterns of global military power coupled with economic balances might easily lead to the erosion of liberal values that the transatlantic has long stood for.

It is, therefore, not surprising to see that the rise of “the rest” does not only pose challenges for the economic power of the West and global power constellations, it also paves the way for contestation over the issues such as human rights and democracy promotion that “the West” considers itself as the main global advocate. This is reflected in the recent studies on the role of emerging powers as “autocracy promotion” (Burnell 2010, Burnell and Schlumberger 2010, Burnell and Youngs 2009, Ambrosio 2009, Puddington 2008).

The relative decline of the transatlantic partners lessens their ability to promote such values, and the rise of China and Russia with their authoritarian vision and alternative value schemes as the global power brokers would decrease the relative importance of human rights and democracy as attributes of the international system.

The transatlantic partners, the United States and the European Union have traditionally relied on political and economic development support and political conditionality as their foreign policy tools for decades in order to promote democracy and protect human rights globally. Yet, these two partners differed in their strategies. Babayan and Viviani (2013) argue that the US emphasized democracy promotion in its foreign policy, whereas the EU is more reluctant on democratization, and instead emphasized the enhancement of human rights in the third countries. Yet, the Arab Spring seems to have altered that to a certain degree with the EU increasing its efforts on democracy promotion and supporting civil society, and the American administration expanding the US’ human rights agenda (Babayan 2013, Babayan and Viviani 2013). One has to keep in mind that the US has been the leading human rights and democratization promoter of the world during the Cold War years. The US has established USAID in 1961 and the National Endowment for Democracy as its main democracy promotion instruments. In the mission statement of the State Department democracy promotion is underlined as a political purpose for the US: “Advance freedom for the benefit of the American people and the international community by helping to build and sustain a more democratic, secure, and prosperous world composed of well-governed states that respond to the needs of their people, reduce widespread poverty, and act responsibly within the international system.” (US Dept of State 2007:2).

The Europeans’ emphasis on human rights should not be surprising as this is a key foreign policy objective for the EU in its external relations (Nye 2004, Hill 1990, Manners 2002 and 2006). The EU’s normative role in its external relations is also visible in official EU documents. For example, the 2009 Lisbon Treaty stipulates that in its international affairs, the EU would be guided by and would seek to promote the values on which the Union is founded, including democracy, human rights, fundamental freedoms and the rule of law (Article III-193(1), Article I-2 and I-3) (Tocci 2008:2). It is without doubt that the EU is the most visible international actor on the issues of human rights protection and democratization. Specifically, the EU enlargement policy and the membership reward as a carrot increased its ability to bring about political change. In the last 3 decades, the EU was able to push its candidate states as well as would-be members to comply with its own human rights and democracy standards (Smith 2003, Schimmelfennig and Sedelmeier 2004, Vachudová 2005). This was emphasized in our in-depth interviews as well as “the EU has long records of human rights policy. We have
our agreements and dialogue with others and strategic partners. It is also true that we have a carrot and a stick, but some do not have. Some countries have less problem with this and just can have more aggressive foreign policy, or economic policy towards us, but this is a kind of an EU trademark that shows where we stand.\textsuperscript{3} What is unique about the EU is its emphasis on the protection of human rights and “political conditionality” in its relations with the third countries. Since the EU has the most developed system regarding the protection of human rights both internally and externally, it emerges as the key actor in human rights promotion.

However, the EU’s ability to promote democratization and to diffuse liberal norms in human rights is limited. The effectiveness of the EU’s external assistance and development policies towards the third states, which do not have membership prospective is highly suspect as these EU “partner countries are still democracy laggards, demonstrating rhetorical but not behavioral commitment to democracy” (Babayan and Viviani 2013:1). This possible link between the EU foreign and development policies, and human rights and democratization conditionality was one of the key findings of our own in-depth interviews. “We will be living in a world of where democracy might be less important than non-democracy if you look at the number of countries which are not consolidated democracies.”\textsuperscript{4} Even more surprisingly, our interviewee underlined “maybe it was not the best strategy for the EU to link human rights with its development policies, since this conditionality would push the third countries away from any agreements and cooperation with the EU. Instead, any cooperation with the EU, without any political conditionality, would automatically increase the circulation of goods, ideas, people, the level of democracy and human rights conditions in the third countries, and this would be a win-win situation that Europeans have to consider in the new era of global governance.”\textsuperscript{5}

In short, the EU contributes to the evolution of a multilateral order based on human rights and democracy with its foreign and development policies. It prioritizes political conditionality in order to provide aid, or economic and political incentives to the third states. The EU emphasizes shared values such as the rule of law, human rights protection, good governance by social and political reforms in its foreign policy programme and initiatives (Council of the EU 2003:10). This is further attested with the adoption of the EU Strategic Framework and Action Plan on Human Rights and Democracy in 2012. This plan underlines the interdependence between human rights and democracy as human rights as “universally applicable legal norms” and democracy as “a universal aspiration” with “democratic societies underpinned by human rights and the rule of law” (Council of the EU 2012:1). The EU model’s contribution to the emergence of a multilateral global order was also highlighted in our field research as such: “The European Union’s own experience in its governance ever since its inception is a success story, and constitutes a model, but not a replication, for the future of global governance. In particular because with many different member states, the EU, nonetheless, has achieved a consensus, a sort of a mapping in many, different issue areas as a result of interstate bargaining.”\textsuperscript{6}

Our interviewees also stressed as a general rule that despite the divergences between the EU member states with regards to the priorities in the EU’s foreign policy, there are no differences with regards to the universal abolishment of the death penalty, the fight against torture, the protection of human rights, freedom of belief, children and women rights and respect to any sexual orientation. On these issues, there is a general consensus that makes the EU the leader of the world which aims to expand those norms multilaterally. This is underlined in one interview as “The EU is a model for producing peace through international integration, yet the EU’s

\textsuperscript{3} An in-depth, face-to-face interview with a senior official in the EEAS, Brussels, 6 December 2013.
\textsuperscript{4} An in-depth, face-to-face interview with a senior advisor to José Barroso, former President of European Commission, Brussels, 4 December 2013.
\textsuperscript{5} Ibidem.
\textsuperscript{6} An in-depth, face-to-face interview with a senior official in the EEAS, Brussels, 5 December 2013.
development and human rights instruments in promoting democracy and the rule of law in developing countries are in need of a complete revision." This is in contrast to the USA position on human rights, as despite their role as champions of the liberal democratic order, the US and the EU have different approaches regarding human rights protection and democracy promotion. As a result, there were several disputes among the transatlantic partners on issues such as counter terrorism policies to private data collection and the sharing of this data for security measures.

The EU’s stance as a promoter of human rights suffers from the internal problems in its own member states, a case in point provided by Hungary. As a recent example illiberal speeches and anti-democratic acts of Hungarian Prime Minister Viktor Orban increase suspicions towards the EU member states’ democracy levels and their respect to first generation human rights. Orban said he wants to abandon liberal democracy in favor of an “illiberal state”, citing Russia and Turkey as examples that continue to grow economically and remain globally competitive as opposite to liberal democratic states that 2008 economic crisis hit (Simon 2014).

The transatlantic partners also faced a significant problem in terms of their image as promoter of human rights in the war against terrorism. Regarding human rights protection and democracy promotion “discrepancy of the West” argument reached its peak as a result of the American responses after the 9/11 terrorist attacks. The image of the transatlantic partners as democratic states respecting human rights suffered first with the 2002 the US-led operation to Afghanistan and with the 2003 invasion of Iraq (Burnell 2010:3). In addition, different US administrations had different modes of democracy promotion and human rights protection. While in the 1990s, President Bill Clinton made democracy promotion one of the three main pillars of his foreign policy, President George W. Bush adopted a different democracy promotion rhetoric, which is combined with military means. In contrast President Barrack Obama distanced himself completely from such commitments (Babayan 2013, Babayan and Huber 2012:3). Obama’s policy seems more cautious than his predecessors, despite his policies of democracy promotion, possibly due to domestic pressures and the increasing multipolarity in global security environment. These developments added up to a loss of credibility for the transatlantic partners with regards to their efforts for international human rights protection and democracy promotion in the rest of the world. “Credibility, finally, refers to the fact that democratization is hardly ever the only foreign policy goal of those governments who provide democracy assistance” (Burnell and Schlumberger 2010:8). This is surprising as the US has spent hundreds of millions of dollars on democracy and good governance in Egypt, but much higher on the military aid to Egypt, leading to skepticism towards the American priorities in Egypt (Bermeo 2009). Although “on average, the majority of the EU (67%) and US (74%) elites think that restrictions should be imposed on the economic relations with countries that violate human rights”, this finding seems to contradict the attitudes of the US and the EU on China, which has critical human rights conditions (Isernia and Basile 2014:51). What is more, the American or European ability to foster democracy and human rights could only succeed if the conditions in the host countries as favorable. That is because “[d]emocracy promotion can therefore only succeed if it is embedded within the overall set of foreign policies of the promoting country and if the promoting country itself adheres to the rules, norms and values it claims to want to become more widespread” (Burnell and Schlumberger 2010:8).

A case in point is the American failure in accepting the rules of the International Criminal Court, and the problems in its accession similar to – to China, India, Indonesia, and Saudi Arabia. This situation discourages other states from engaging in activities that promote human rights (Peterson and Müftüler-Baç 2014:51). As a result, at the moment the visibility of the US and the EU as well as global leaders of human rights protection and democracy

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7 An in-depth, face-to-face interview with a senior advisor to the European Commission, Brussels, 5 December 2013.
promotion is in decline and this would definitely impact the future of the global governance structures.

In short, there seems to be no certain, clear cut answer to the question of “do human rights protection and democracy promotion policies of the West work?” The answer is both “yes” and “no”, and the foremost reason for this uncertainty is the unknown rules of democratization (Gravingholt et al. 2009). This also applies to the area of human rights protection where international legal norms and rules are not specified, internationalized and applicable, even though there are some improvements regarding the creation of enforceable rules under the International Criminal Court (ICC) and International Criminal Tribunals for the former Yugoslavia and Rwanda. Despite its credibility problems and its relative decline, it is still the transatlantic partners that lead in establishment of an international human rights regime and democracy promotion internationally. Therefore, they have been instrumental in pushing other states, IOs and non-state actors towards the creation of international norms in a multilateral framework. However, this partnership might no longer able to realize these goals, as their leadership is under question and the newly emerging multilateral order now includes alternative political regimes to the Western democracy especially by the rise of China and Russia as global powers and new actors in global governance structures.

2. The Rising Powers: New Actors in Human Rights Governance

Will the rising powers contest the rules of the liberal order as laid out by the transatlantic powers? Will their presence lead to a less democratic world and increased violations of human rights in the future? The rising powers, both through their increased economic and military capabilities are vocal in their demand for reform in the global governance structure (Kupchan 2012), for example a reform in the UN Security Council (UNSC). According to Brzezinski, the UNSC with its five permanent members with exclusive veto rights does not seem so legitimate at the moment, as it does not represent the current global power constellations (Brzezinski 2012:76). Peterson and Müftüler-Baç (2014) argue that “the rise of new powers such as China, India, Russia and Brazil means that key stakeholders now contest the rules that have emerged and are sufficiently powerful to challenge existing constellations of global governance”. In those regards, the rising powers also challenge the existing global governance structures with regards to human rights. This is further complicated by the complexities of pinpointing democracies, as there are various definitions of democracy. Since there are multiple paths for democratization, no clear-cut structure of a global democracy agenda, these rising powers do not attempt to promote democracy in their foreign policies.

Given the current global security constellations, the question that remains to be seen is no longer whether wealth and power are moving away from North Atlantic democracies, but rather what kind of global political order will emerge as a consequence of this move (Ikenberry 2011). This question paves the way to assess the approaches of the rising states towards the rule of law, human rights, democracy, liberal norms and values in both their domestic and foreign politics in recently emerging global order, and how this would change the existing liberal order of the West. A comparison of the transatlantic partners and the rising powers with regards to their democratic credentials might reveal the emerging pattern. Table 1 provides this comparison through the Freedom House rankings.
### Table 1 | 2014 Freedom House Scores of the US, 28 EU Member States, BRICS and MISTs Countries

<table>
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<th>Country</th>
<th>Political Rights Score 1-7</th>
<th>Civil Liberties Score 1-7</th>
<th>Freedom Status</th>
<th>Press Freedom Score 0-100</th>
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*Source: Freedom House 2014a and 2014b.*

Since the rising powers do not constitute a monolithic bloc, there are differences between them in terms of their level of democratic development. Nonetheless, these countries share common views on national sovereignty, non-intervention, human rights and democracy. We could also evaluate the rising powers in two main categories in terms of their approaches to a global human rights agenda and democracy promotion. The
first group of rising powers, also called as "rising democracies", pays lip service to liberal norms and promotes them in their foreign policies in rhetoric, but in practice they are still reluctant to embrace a clear democracy and human rights agenda or suffer from sets of problems preventing them to become fully fledged democracies. At the same time, they experience problems with regards to the application of fundamental human rights and liberal democracy in their domestic politics. Additionally, since they prioritize their economic ties, trade relations and security interests, rather than democratic ideals, they place great emphasize on respect to national sovereignty and non-intervention in their foreign policies (Kupchan 2012). Brazil, India, South Africa and Turkey could be included in this group of rising states.

The second category of rising powers neither attaches any human rights and democracy conditionality in their foreign policy, nor is there any mention of such concerns in their foreign policy declarations. This might be largely because they also have serious human rights violations at home, and cannot be counted as functioning democracies themselves. Prime examples for this second group of states are China and Russia. It is the second group of rising powers that might present significant challenges for the future of global governance in human rights. In other words, the rising states of the 21st century create both hope and anxiety among the transatlantic partners. While "rising democracies" such as Brazil, India, South Africa and Turkey have potential to contribute to the liberal order, emerging powers such as China and Russia create an alternative human rights discourse and weaken the West's human rights and democracy promoter role (Kupchan 2012, Nye 2011).

When one looks at the impact of the transatlantic partners on democratization, it could be seen that the USA and the EU stimulated the wave of democratic change in Southern Europe in the 1980s, Latin America in the 1990s and finally in Central and Eastern Europe in 2000s (Huntington 1991, O'Donnell 1994, Smith 2003). This is because the transatlantic partners supported the transition to democracy in their former colonies in Latin America, and in Southern Europe as an integral part of their foreign policies during the Cold War period. In the post-Cold War era, the EU contributed to the transition to democracy in Central and Eastern European states through the political conditionality of its accession process. Paradoxically, the transatlantic partners' role also created adverse and unexpected affects. The process of democratic transition is far from being a smooth process, thus especially after the 1990s, it is possible to observe different states adopting different models of democracy. While some succeeded in their transition (Schimmelfennig et al. 2006), some stalled, and others fell back into authoritarianism (Diamond 2002). It became explicitly clear by the 1990s that in some countries, the democratic transition process could stall and these states could drift away from liberal democracies, and end up in a form of a political regime that is neither a democracy nor a full autocracy (Karl and Schmitter 1995). Such political regimes were labeled as “hybrid regimes” (Diamond 2002), or alternatively “competitive authoritarianism” (Levitsky and Way 2002).

These diverging paths of democratization led Huntington to argue that global waves of democratization are almost always followed by waves of reversal (Huntington 1991). Yet, neither the hybrid regimes, nor the "reverse waves" arguments could fully explain the ongoing stagnation in the democratization process in some states, and of the increasing number of autocracies and semi-autocracies in the world. Since the external factors do play a role in shaping transition to democracy (Huntington 1991), the changing global balances might be a critical factor in the recent slide into authoritarianism in some parts of the world. The rise of new powers, BRICS – and middle powers such as Mexico, Indonesia, South Korea and Turkey (MISTs) during the last two decades might present us with a key to understand the slowing down of democratization. Specifically, among BRICS, the rise of China and Russia to global powers and their impact on global politics is undeniable. To be precise, China’s unparalleled growth patterns and its rise to power presented the developing a world an alternative model of development that does not replicate the Western patterns of democracy and human rights. What is
more, it is possible that the developing countries might perceive the transatlantic partners too intrusive in their
domestic affairs, and in the light of the American involvement in Afghanistan and Iraq, treating other countries' sovereignty lightly. Given this perception of the transatlantic partners, the rising powers present a less intrusive alternative. "China's foreign policy principles with their emphasis on national sovereignty and non-interference contrast starkly with these Western practices – if maybe more in rhetoric than in actual practice" (Burnell and Schlumberger 2010:2).

This might be surprising for the transatlantic partners who view China as an autocratic regime country with severe human rights violations in its domestic politics. Chinese foreign policy is declared to be non-interventionist and based on respect for others’ national sovereignty. For example, China attempted fill the vacuum in the Middle East and North Africa in the post-Arab Spring period by its foreign aid and development policy toward those regions, it shied away from an emphasis on respect for human rights and democracy. This was a stark contrast to the transatlantic partners’ rhetoric in the region where human rights and democracy discourse was tied to the Western support and economic aid. As a result, China was warmly welcomed, especially by the African countries, who perceived China's development model without “democratization” as a suitable and achievable model for their own economic development and fight against poverty. The Chinese role in the Middle East, North Africa and the African continent has become a force for the transatlantic partners to contend with. “Chinese investment in Africa grew from USD 210 million in 2000 to 3.17 billion in 2011. Aid is an important policy instrument for China among its various engagements with Africa, and indeed Africa has been a top recipient of Chinese aid: by the end of 2009 it had received 45.7 percent of the RMB 256.29 billion cumulative foreign aid of China" (Sun 2014). There is also no doubt that this financial assistance of China provides significant opportunities for Chinese companies to operate in the region with “tied-aid”. This is an important development particularly for the European partners in the transatlantic partnership.

The EU, due to its geographical and historical ties, has always been a relatively active player in the Middle East and North Africa. However, the EU’s role is limited as it considers itself a champion of human rights, and ties improvements in human rights and democratic conditions in third countries as preconditions for its support and cooperation. Specifically, when one looks at the European aid policies, it becomes clear that both EU institutions and some EU member governments (multilateral and bilateral aid) allocate aid according to political conditions. This is a prioritization strategy, and an attempt to use political conditionality towards recipient states in their development aid policies. Towards that particular aim, the EU implements specific programmes to improve human rights conditions and promote democratization in developing countries with the support and cooperation of several NGOs and IOs, sometimes with the US and other states (European Commission 2014). Precisely because China does not have such priorities, it presents a significant challenge to the EU's ability to promote human rights through the instrument of financial aid, and economic incentives. This is a key finding in our in-depth interviews as: "The rise of China affects mostly Africans and the success of China in Africa's development is something that Europeans should not close their eyes [...] interestingly, the success of China could be a good thing for the EU, and Europe should not act to against it, but the EU needs to increase its capacity to promote its liberal values as a way of positive development in the region and to show that political and economic development can go hand in hand."

Thus, in comparison to the EU's external assistance and development policy towards developing states in the Middle East and Africa especially, China creates a potential alternative with its non-political conditionality in its development policy under the name of “non-inference” and respect for “national sovereignty” of third states.

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8 An in-depth, face-to-face interview with a senior official in the EEAS, Brussels, 6 December 2013.
Even though China fills a void left by the Western powers in Africa and contribute to the development of African countries, its lack of long-term human rights and good governance consideration might hinder Africa’s political development and weakens the liberal order and global governance structure in human rights established by the West.

To turn to the other “illiberal” rising power, Russia and its possible impact on human rights governance, the story is different than China. Russia increasingly impacts global political dynamics as recently witnessed with its involvement in Ukraine. After its initial turbulent years at the end of the Cold War, when Russia suffered both politically and economically, it achieved economic stability under Putin’s authoritarian government. Russia under Vladimir Putin and his autocratic rule became a more visible player in global politics. Despite its own domestic upheavals, economic and financial backlash as well as protest movements against authoritarianism, Russia is a significant player. The repression of any form of opposition, the harsh treatment of dissenting voices in the country such as the “Pussy Riot” case marks Russia as an “illiberal democracy,” despite the elections that are held in the country (Ambrosio 2009). The Russian stance on global governance patterns was revealed when it annexed Crimea in 2014, openly disregarding international law. Since Russia has been the traditional nemesis for the transatlantic partners, it remains to be seen how its role in global affairs will evolve. It is, however, without doubt that the Russian model is a significant challenge to the transatlantic partners, in particular because there seems to be a key difference with the way that the Russians and the transatlantic partners perceive the main tenets of the multilateral order. This view was highly visible in our in-depth interviews as “the EU is bad at developing a hegemonic action in terms of putting together all the power assets and just using them, putting them into action to pursue one objective […] Russia is such an actor with leverages to pursue one objective as seen in Ukraine and the Russians did not hesitate to use a number of instruments in Ukraine in contrast to the EU, which has respect for mutual obligations in its foreign actions.” In addition, Russian foreign policy still revolves around “security” and “trade” oriented material goals and does not have any human rights or democratization conditionality in its relations with the third states. Therefore, Russia does not contribute to the international human rights protection attempts of the West.

In short, neither China nor Russia considers human rights protection and democracy promotion as a part of their foreign policies. This might be partly tied to their own domestic troubles, as both countries heavily represses all opposition at home and severely restricts key freedoms, ranging from the right to dissent to freedom of speech. However, unlike other developing countries which also suffer from human rights violations at home, Russia and China present challenges to the liberal international order constructed by the transatlantic partners because they possess the material means-economic and military capabilities-to undermine the transatlantic partners, and to present alternative models to the developing world. It is precisely this alternative model that creates serious anxiety among the transatlantic powers. This view is reflected in one of our interviews as: “regarding human rights there is an EU trademark. Older stakeholders of the EU are happy with this but we do not know about emerging powers yet.” However, apart from China and Russia, other rising powers, such as Brazil, India, South Africa and Turkey, considered as democratic states, seem to share more common values with the US and the EU for the transnational support of human rights and democracy. What is common among those rising states is that they support international human rights protection and democratization in rhetoric but still are reluctant when it comes to practice this in their foreign policies. In addition, all of these countries also suffer from human rights violations at home, ranging from severe treatment of the lower castes in India, to gender equality problems in Turkey and India.

10 An in-depth face-to-face interview with a senior official in the EEAS, Brussels, 5 December 2013.
To turn to each of these specific countries, Brazil constitutes a different example. Brazil is a democratic regime; it has a sustained economic growth and has become active in international politics. It is an economic and political power in Latin America. However, even though it has an impressive economic growth pattern, inequality is still very high, and Brazil suffers from social riots which erupt in protestation against this inequality and large income gaps within the different fractions of society. The fragility of its political system was highlighted with the June 2013 public demonstrations for free public transportation which spread to all over Brazil in a matter of days. However, despite its chronic problems of income inequality and gaps in human development, Brazil is committed to most of the transatlantic partners’ global vision. “Brazil as one of the main emerging powers has shown a sporadic, but growing commitment to the defense of human rights and democracy in its hemisphere” (Babayan and Huber 2012:3) and operates mainly through multilateral frameworks. Brazil’s approach to human rights is visible in its own political commitments as “Brazil’s constitution lists human rights and self-determination as central principles of Brazilian foreign policy, and the country has taken some steps to support democracy and human rights abroad. […] Brazil has also pushed for the inclusion of democracy requirements within regional institutions, including the Inter-American Democratic Charter of the Organization of American States and the democracy clauses in Mercosur and UNASUR.” (Carothers and Youngs 2011:6). Having said this, it is important to note that Brazil’s own development policy does not carry preconditions on human rights and democracy, marking its difference from transatlantic powers and their emphasis on political conditionality. At the same time, since Brazil has strong bilateral relations with non-democratic countries such as China, Iran, Cuba and Venezuela, it does not want to risk the weakening of its relations with these countries by publicizing its multilateral human rights and democracy support in its foreign policy. Thus, while Brazil is committed to human rights and democratic development, its power to do so is curbed by its own internal problems and since it depends on friendly relations with the other BRIC countries—mainly China and Russia, it is less vocal on these issues. Since it does not yet have the same clout as China or Russia in global dynamics, its ability to influence third parties or threaten the transatlantic partners by doing so is limited.

To turn to India, which is among the oldest democracies of the world, and emerged as a global power recently, it is a different story. “While India has built stronger relations with the West since the fall of the Soviet Union, its foreign policy remains strongly influenced by anti-imperialism. Like Brazil, India emphasizes foreign policy autonomy and South-South cooperation. It has prioritized ties with other emerging powers and shied away from positions that would appear to place it on the side of the West against developing nations” (Carother and Youngs 2011:7-8). It is understandable that because of its security and economic concerns in its region, India prefers to sustain close ties with the developing world and therefore, although it is the most populous democracy, it is hesitant to confront dictatorships with whom it has economic ties. “India has stayed relatively silent in the face of human rights abuses in nearby Myanmar and Sri Lanka and does not publicly condemn flawed elections. It also resists voting for UN Human Rights Council resolutions regarding country-specific human rights abuses. Unlike Brazil, which lives in a much more democratic region, India has not attempted to insert democracy clauses in its regional agreements” (Carother and Youngs 2011:9). Even if India remains reluctant to put democracy and human rights promotion on its foreign policy agenda in practice, it prefers multilateral fora (Mohan 2007). One must also note that despite its democratic system, India suffers to a great extent from human rights violations across different castes and a deeply rooted gender inequality in the country. India’s own human rights violations do not make it a likely candidate for campaigning for human rights at the global fora.

Like Brazil and India, South Africa is also a regional power, a rising power, and a democratic state. South Africa plays a critical role in supporting economic development, improving governance and conflict resolution in Africa. It is important to note that “[l]ike Brazil and India, South Africa sees itself as a leader and a representative
of the developing world. It advocates for the democratization of global institutions and has prioritized South-South cooperation, particularly with other emerging powers (Carothers and Youngs 2011:10). Although South Africa represents a successful example of democratic transition with increasing respect to fundamental human rights, in its foreign policy, it is more cautious. Like other emerging powers, its growing economic ties and close political relations with neighboring countries, which have human rights violations and are democracy laggards, constrain South Africa’s efforts for international protection of human rights and democratization. Most recently South Africa stood by Zimbabwe’s nationalist leader Robert Mugabe despite his escalating human rights violations. Also, it has not consistently supported human rights in international fora. In its first Security Council term, South Africa voted against condemning Zimbabwe and Myanmar for human rights abuses and opposed the International Criminal Court’s prosecution of Sudan’s Omar al-Bashir. Its performance on the UN Human Rights Council in defense of human rights was ranked by UN Watch among the bottom three, above only China and Egypt (Carothers and Youngs 2011:11).

Our analysis has demonstrated that rising powers cannot be seen as a monolithic bloc in terms of their national politics, regime types and foreign policies. They have varied regime types, even different levels of democratization ranging from transition states to illiberal or competitive democracies, where free and relatively fair elections occur but there are serious limitations to freedom of speech, freedom of media, on the rule of law and opposition groups and parties. However, what is common among all rising powers and also important for the future of global governance in human rights, is the deep sense of unfair existing order, which has been established by transatlantic partners. Therefore, they demand for the reorganization of international organizations, international regimes, and international rules so that the emerging powers also would like to be decision makers in the future. In those circumstances, the rising powers would also like to have a greater say in global governance.

Apart from China and Russia, the rising powers that are discussed in this paper have similar responses and policies towards multilateral human rights protection framework and democracy promotion. While China and Russia prefer to distance themselves from the liberal values and international human rights order established by the West and Western institutions in their foreign policy approaches, other rising powers, which are also considered as democracies, have more common approaches with the transatlantic partners with regards to multilateral human rights governance structure. However, this does not limit their foreign policy actions. In their foreign policy actions, the rising democracies continue to emphasize respect to national sovereignty. Therefore, like the US and the EU, the rising democracies also prioritize their security and economic gains over human rights violations and democracy in their relations with third countries. “They share a strong inclination for a cautious, quiet approach toward democracy and rights outside their borders, one that generally eschews public criticism of other governments and favors working through regional institutions or other multilateral mechanisms. They are searching for new allies and trading partners abroad as they seek to expand their influence and develop their economies. This makes them especially wary of endangering commercial ties through antagonistic pressure on democracy and human rights” (Carothers and Youngs 2011:18).

Transatlantic allies have almost no common policy regarding how to respond the emerging new multilateral order regarding human rights and democracy promotion globally. Even though, they are considered as the global leaders for the multilateral push for human rights protection and democracy promotion, they lack a concrete, legitimate and multilateral framework that would shape the future structure of global governance. Even inside the EU, senior officials have different opinions concerning how the EU responds to the rising powers (especially China), which are not democracies and have severe human rights violations – while creating trade relations, developmental ties, etc. A key finding in our interviews is that the EU defends its norms and values
globally, “it is possible that some states create problems for liberal values but there is also a very positive image of the EU with its strong attachment through values [...] improving the conditions for human rights would lead to increased development levels and economies in developing countries, which also benefits the EU’s own stability and security [...] Therefore, the EU should negotiate human rights issues with China and other autocratic states that the EU cooperates.” Yet, there are limitations on this cooperation as “if we negotiate any trade and investment agreement with China, we negotiate only a trade and investment agreement. We do not condition it with human rights because we know that if we do that the Chinese would react negatively and also we know that it would not function.”

It would be possible for transatlantic partners to have different approaches, priorities and policies that would also lead different behavior concerning human rights protection and democracy promotion in the global context. Additionally, this is possible for emerging powers and other developing countries as well that they would prefer different kinds of cooperation, alignments and strategic relations, which would impact the level of their democracy or the quality of their regime type and their approaches towards international protection of human rights. However, what is crucial for the future of global governance is that there is not any institutionalized, binding structure of “BRICS” or “rising powers” in a specific issue area on which they can cooperate. This is a key criticism from the EU on the ability of the BRICS to act together as “being a regional power, regional actor depends on policy areas, a global challenge that you want to address, the type of a global governance issue you want to tackle. In some cases you should build alliances, which could be extremely fluid [...] but these emerging powers do not have a common area where they push as a strong alliance group and create international institutions that limit their actions.” It is, therefore, critical in shaping global rules and norms on human rights to act as a bloc, but precisely because the BRICS do not have this capacity; it is still the transatlantic partners and their vision on human rights and democracy that shape the global discourse. That does not mean that this vision is not challenged or undermined by the rising powers, but an alternative model is still lacking. In the absence of an alternative model, the transatlantic partnership on human rights governance is still an enduring partnership.

**Conclusion**

This paper analyzed the role of the rising powers as possible new actors in shaping the future of global governance in human rights and democracy promotion. Since emerging powers such as BRICS countries have substantial economic and military power, they challenge the existing global order established by the transatlantic partners. This paper investigated the extent to which rising powers impact the future of global governance constellations in human rights and democracy promotion.

Even though the US and the EU are still the leaders of the international human rights protection and democracy promotion policies, there is a lack of a well institutionalized human rights regime, apart from the UN Human Rights Council and UNDHR. In the absence of a binding human rights regime, the rising powers fill the vacuum by presenting alternative models of development. These alternative models present challenges to the transatlantic partners’ vision of human rights governance. China and Russia, in particular, find opportunities to expand their foreign policy tools without necessarily considering fundamental human rights and democracy. Other rising

11 An in depth, face-to-face interview with a senior official in the EEAS, Brussels, 6 December 2013.
13 An in depth, face-to-face interview with a senior official in the EEAS, Brussels, 6 December 2013.
powers, which are also democracies at least on paper, seem to share the liberal values of the West and reflect this vision in their foreign policy rhetoric, but they shy away from following these values both in their domestic politics and external relations. A key concern and limitation in shaping their actions are the possible tradeoffs involved in security and trade over human rights and democracy. It is, nonetheless, clear that the influence of the rising powers challenges the existing human rights protection and democracy promotion tools of the US and the EU. With alternative models and alternative sources of hard cash, the transatlantic partners no longer are the key players and the global promoters of human rights protection and democracy.

In order to shape the future of global governance constellations in regard to human rights protection, it is important to understand the existing concerns of both Western and rising powers. While the EU and the US are highly criticized regarding their double standards and unfairness of the existing global order by the rising powers, these emerging powers, which have human rights violations and anti-democratic practices, also do not hesitate to prioritize their national and economic interests in their external relations. Therefore, in order to expand existing liberal global governance constellations in human rights in a fair way, it is necessary to strengthen international institutions and make them attractive for the rising powers to join these institutions and become part of the international human rights regime. This is possible only if the Western oriented system would be able to offer rules, norms and institutions that benefit not only them but also rising, emerging, poor, weak, failed states as well.
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In an era of global flux, emerging powers and growing interconnectedness, transatlantic relations appear to have lost their bearings. As the international system fragments into different constellations of state and non-state powers across different policy domains, the US and the EU can no longer claim exclusive leadership in global governance. Traditional paradigms to understand the transatlantic relationship are thus wanting. A new approach is needed to pinpoint the direction transatlantic relations are taking. TRANSWORLD provides such an approach by a) ascertaining, differentiating among four policy domains (economic, security, environment, and human rights/democracy), whether transatlantic relations are drifting apart, adapting along an ad hoc cooperation-based pattern, or evolving into a different but resilient special partnership; b) assessing the role of a re-defined transatlantic relationship in the global governance architecture; c) providing tested policy recommendations on how the US and the EU could best cooperate to enhance the viability, effectiveness, and accountability of governance structures.

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