

Supporting global governance: A rules-based approach for a post- liberal order?

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Abstract

From “effective multilateralism” in the European Security Strategy to a “rules-based international order” in the Global Strategy, the EU has been at the forefront of supporting global governance. Yet global governance is increasingly under pressure and pundits are now regularly talking about the post-liberal order. How does the EU implement the Global Strategy with its focus on a rules-based international order against the background of Trump's "America First", the BRICS challenging the status quo, and Brexit undermining the Union's international standing? Unfortunately the EU is currently too much a bystander as the edifice of global governance is coming down.

Even within the Brussels bubble, the emergence of a "post-liberal order" is increasingly the talk of the town.¹ For the EU, the importance of this development cannot be overstated. After all, the EU itself is a product of the embedded liberalism of the post-1945 world order that has developed under American hegemony over the last seven decades. Indeed, much of EU foreign and security policy has been about projecting internal EU standards (rule of law, good governance, human rights) to the rest of the world. The European Security Strategy talked about "effective multilateralism". The EU Global Strategy emphasizes support for a "rules-based international order" as a key priority.

The challenge of the post-liberal order therefore puts constraints on the ability of the EU to implement the Global Strategy. In addition, it also puts the EU itself on the defensive. The latter is a new development. Much of the post-Cold War period was about projecting EU standards abroad, not about defending the status quo. Occasionally, the EU was described as a "post-modern actor", which meant that the EU would also need to develop security capabilities to deal with the rest of the world ("In the jungle, one must use the laws of the jungle").² Yet this also was about exerting EU influence over the rest of the world.

This article argues that for reasons of self-preservation, it is critically important that the EU makes immediately work of the ambitions of the Global Strategy. It is difficult to imagine the EU staying strong where the rest of the structure of global governance is coming down. While this objective is acknowledged in the Global Strategy with its emphasis on support for a rules-based international order, we can only conclude that the implementation has so far been weak. The EU is more of a bystander as the edifice of global governance comes down. Furthermore, the new EU leadership, taking office in the autumn, should reconsider whether the Global Strategy is, in fact, sufficient in terms of support for the rules-based global order.

When life is "solitary, poor, nasty, brutish, and short"

While discussions on the end of the American world order go some while back,³ the election of Donald Trump as US President in November 2016 sparked immediately a debate on the post-liberal order. *Foreign Affairs* dedicated the cover, and a substantial section, of its January/February 2017 issue to the topic "Out of Order? The Future of the International System".⁴ This, in turn, triggered

¹See, e.g., Anthony Dworkin and Mark Leonard, "Can Europe Save the World Order?", 24 May 2018, https://www.ecfr.eu/publications/summary/can_europe_save_the_world_order; Sven Biscop, "1919-2019: How to Make Peace Last? European Strategy and the Future of the World Order", in *Egmont Security Policy Briefs*, No. 106 (2019), <http://www.egmontinstitute.be/content/uploads/2019/01/SPB102.pdf>

²Robert Cooper, *Breaking of Nations: Order and Chaos in the Twenty-first Century*, New York: Grove Press, 2004, p. 62.

³Fareed Zakaria, *The Post-American World: And the Rise of the Rest*, London, Penguin Press, 2008; Amitav Acharya, *The End of American World Order*, Cambridge, Polity Press, 2014; G. John Ikenberry, *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order*, Princeton, Princeton University Press, 2012.

⁴*Foreign Affairs*, "Out of Order? The Future of the International System", Vol. 96, No. 1 (January/February 2017).

considerable further debate. While some argued that the current "liberal international order" is neither liberal, nor international, nor orderly,⁵ others argued that the current liberal international order runs deeper than US hegemony.⁶

While the precise depth of the crisis of the liberal international order remains to be seen,⁷ it is clear that the system of global governance is under considerable pressure. All sorts of international organizations, global governance arrangements and international agreements, which the EU cherishes or at the very least participates in and abides by, are currently under threat. The Trump administration has notably announced that it will withdraw from the Paris agreement on climate change. It has re-imposed sanctions on Iran, and the United States quit UNESCO in 2018. If the Trump administration has not yet been busy enough, it has picked a trade war with China, and sidelined the WTO. Meanwhile Donald Trump himself is said to have considered exiting NATO.⁸

At least as harmful as the direct challenge of the United States to the system of global governance is the example that it sets for other countries. Burundi quit the International Criminal Court in 2017, the Philippines will leave in March 2019, and South Africa nearly left as well. Japan is quitting the International Whaling Commission and will start commercial hunting again in July 2019. The list continues and this is powerful evidence of what the unraveling of international order looks like. While all these developments cannot be blamed on the White House, it is also clear that there are currently no hegemonic pressures to prevent them.

The Trump administration understandably takes a lot of the blame, but the challenge to the international liberal order and particularly the status quo cherished by the EU is broader. The emerging powers, particularly Brazil, Russia, India, China and South Africa (BRICS), had already in 2013 presented the international community with a whole wish list for global governance reform.⁹ While the demands of the BRICS have gone relatively quiet – despite the creation of the New Development Bank, the Asian Infrastructure Investment Bank, and the emergence of the Belt and Road Initiative – the fundamental challenge to how the EU prefers the world has not gone away. Similar things can be said about the situation in the South China Sea or the Korean Peninsula. With the recent election of Jair Bolsonaro, the EU may furthermore have lost an ally in Brazil when it comes to global governance.

⁵Niall Ferguson in Niall Ferguson and Fareed Zakaria, *Is This the End of the Liberal International Order?: The Munk Debates*, Toronto, House of Anansi Press, 2017.

⁶John Ikenberry, "The End of Liberal International Order?", in *International Affairs*, Vol. 94, No. 1 (2018), p. 7-23.

⁷*Ibid.*

⁸Julian E. Barnes and Helene Cooper, "Trump Discussed Pulling U.S. From NATO, Aides Say Amid New Concerns Over Russia", in *New York Times*, 14 January 2019, <https://www.nytimes.com/2019/01/14/us/politics/nato-president-trump.html>

⁹BRICS, "BRICS and Africa: Partnership for Development, Integration and Industrialisation", in *eThekwini Declaration*, Durban, South Africa, 27 March 2013, <http://www.brics.utoronto.ca/docs/130327-statement.html>

The EU has little to show for

While all these developments make it obviously very challenging for the EU to implement its Global Strategy with regard to multilateralism, they also show the need for real progress. So how is the EU faring? The answer is rather sobering. Rather than propping up support for global governance, the EU is largely a bystander as the edifice is coming down.

The EU's own year 2 implementation report makes rather unimpressive reading.¹⁰ It has very little of relevance to report on rules-based international order. It is largely about "meetings" which took place on marginal topics and "Good Human Rights Stories"; the implementation report even dares to mention the Paris Agreement and the International Criminal Court as a success. One area where the EU has, admittedly, actively opposed the Washington line concerns the Joint Comprehensive Plan of Action (JCPOA) with Iran. While the United States under Trump has reinstated sanctions, the EU has stuck with the agreement and Iran so far is also fulfilling its promises. That having been said, the Iran deal falls short of a "success story".

First, the unilateral sanctions imposed by the United States on Iran have extraterritorial effect and thus also affect European companies trading with Iran. For instance, they have resulted in Airbus having to cancel its contracts.¹¹ Furthermore, as a result of US pressure, the Iranian currency has all but collapsed in 2018 putting considerable pressure on the Iranian middle class. Second, the EU had to (belatedly) adopt targeted sanctions as well on Iran as a result of government-sponsored assassinations in Denmark, France and the Netherlands.¹² This shows how fragile the Iran deal – lauded as the most important achievement of the EU in years – actually is. In the most recent Council conclusions, the EU complained about Iran's behaviour, from Syria to Yemen, ballistic missiles and human rights. It notes that "existing tensions and distrust in the region should not be further exacerbated".¹³

Noteworthy is furthermore the increased emphasis in 2018 on EU support for the United Nations, and particularly for the reform effort led by Secretary General António Guterres. This included among other things a visit to Brussels. Furthermore, the EU has provided strong support for a UN headquarters reform, which materialized in January 2019. While the UN reform was sorely needed, the reforms are ultimately about management and delivery rather than a new agenda for global governance.

¹⁰EEAS, *Implementing the EU Global Strategy Year 2*, June 2018, https://eeas.europa.eu/sites/eeas/files/eugs_annual_report_year_2.pdf

¹¹Reuters, "Iran Urges EU to Press Washington on Airbus Deliveries: ISNA", 17 December 2018, <https://www.reuters.com/article/us-iran-airbus/iran-urges-eu-to-press-washington-on-airbus-deliveries-isna-idUSKBN1OG19X>

¹²Georgi Gotev, "Under Dutch and Danish Pressure, EU Hits Iran with Sanctions After Murder Plots", in *Euractiv*, 9 January 2019, <https://www.euractiv.com/section/defence-and-security/news/under-dutch-and-danish-pressure-eu-hits-iran-with-sanctions-after-murder-plots/>

¹³Council, "Iran: Council Adopts Conclusions", Press Release 65/19, 4 February 2019, <https://www.consilium.europa.eu/en/press/press-releases/2019/02/04/iran-council-adopts-conclusions/>



One of Europe's key achievements of the last years is the negotiation and re-negotiation of a series of important bilateral trade agreements (which formally fall under cooperative regional orders rather than rules-based international order).¹⁴ To a certain degree this is really against the odds. After all, trade agreements are at the heart of the international liberal order. And indeed, the EU has continued with these agreements against popular objections over CETA and TTIP. At the same time, the fact that the emphasis is now fully on bilateral agreements rather than multilateral ones highlights the challenges ahead for a truly international order based on the rule of law.

Conclusion

2019 is a critical year for the EU. With the elections of the European Parliament in May and a new college of Commissioners taking office in the fall, it is decision time. In the various European electoral programmes, it is often stated that the EU needs to collectively stand up against those forces wishing to subvert the global order, whether in the United States, Russia or elsewhere. This is quite right and underlines the importance of the Global Strategy and its implementation. At the same it is a tall order. And it is not clear that the Global Strategy itself is actually sufficient when it comes to EU support for global governance. With the elections coming up, it is important for the candidates for the Commission Presidency, and other EU top jobs, to commit to the rule-based international liberal order. They will have to do more, however, than complain about Trump or Putin. They should make clear how they will proactively support multilateralism during the next five years.

¹⁴EEAS, *Implementing the EU Global Strategy Year 2*, June 2018,
https://eeas.europa.eu/sites/eeas/files/eugs_annual_report_year_2.pdf