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Envisioning Peace in a Time of War

The New School of Multilateralism

Ten Essays

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The Given

The Crumbling Edifice of Global Peace

Michael Reiterer

*"World peace cannot be safeguarded
without the making of creative efforts proportionate
to the dangers which threaten it."*

(Robert Schuman)

Introduction

Writing about peace in times of war signals that preventive diplomacy, early warning systems and deterrence failed – disappointing as it is for diplomacy, it has to change gear to crisis management and peace building. It will be a new peace – a peace presumably built of power, having gone through the cycle of end of history, détente, appeasement, back to military might and deterrence.

In working on this chapter, I have come across three particularly staggering multilateral efforts which confirm that the heydays of the rule of law, the Liberal International Order (LIO), are under duress or even over:

- the 1994 Memorandum on Security Assurances in connection with Ukraine's accession to the Treaty on the Non-proliferation of Nuclear Weapons¹,
- the 2022 Joint Declaration on the International Relations Entering a New Era and the Global Sustainable Development² by Russia and China,
- the 1990 Paris Charter for a New Europe³ which outlined the post-Soviet order in Europe based on the respect for human rights and the rule of law.

1 <https://treaties.un.org/doc/Publication/UNTS/Volume%203007/Part/volume-3007-I-52241.pdf>, accessed 15 June 2022.

2 <http://en.kremlin.ru/supplement/5770>, accessed 15 June 2022.

3 <https://www.osce.org/files/f/documents/0/6/39516.pdf>, accessed 15 June 2022.

All these documents can be read in conjunction with the Versailles Declaration of the European Council of 10–11 March 2022⁴ outlining the position of the EU's heads of state and government in response to Russia's aggression.

First, to recall that in light of the ongoing war in the Ukraine, that in 1994, Russia, the UK and the US, gave a (soft) guarantee of the Ukraine's sovereignty and independence in order to motivate the Ukraine to surrender the Soviet nuclear arms which happened to be on its territory and to accede to the Treaty of Non-Proliferation of Nuclear Weapons as a non-nuclear-weapon state.

- In particular, they confirmed:
- to respect the independence and sovereignty and the existing borders of Ukraine,
 - to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine, and that none of their weapons will ever be used against Ukraine except in self-defence or otherwise in accordance with the Charter of the United Nations,
 - to refrain from economic coercion designed to subordinate to their own interest the exercise by Ukraine of the rights inherent in its sovereignty and thus to secure advantages of any kind,
 - to provide assistance to Ukraine, as a non-nuclear-weapon state party to the Treaty of Non-Proliferation of Nuclear Weapons, if Ukraine should become a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used,
 - reaffirm their commitment not to use nuclear weapons against any non-nuclear-weapon state party to the Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an attack on themselves, their territories or dependent territories, their armed forces, or their allies, by such a state in association or alliance with a nuclear weapons state.

Twenty-eight years later, these elaborate guarantees were not worth the paper written on. At the time, they were an incentive for the Ukraine to hand-over the stock of nuclear weapons it had "inherited" from the Soviet Union. Apparently, they were not really meant to be a hard security guarantee with one of the guarantors turning into an aggressor who even does not exclude the use of nuclear arms against a non-nuclear state amounting to a double breach of the guarantee. At the time, the Ukraine reluctantly acquiesced recognising the distribution of real power. It also sold its only aircraft carrier to China which went into service after adaptations and modifications as China's first carrier Liaoning. However, this did not give rise to any favours by China which refused to condemn the Russian invasion although it abstained in the UN Security Council.

⁴ <https://www.consilium.europa.eu/media/54773/20220311-versailles-declaration-en.pdf>, accessed 15 June 2022.

To add insult to injury, Russia had committed a few days before the invasion of the Ukraine started, at the eve of the 2022 Beijing Olympics, in a *Joint Declaration on the International Relations Entering a New Era and the Global Sustainable Development* with China to call upon – others only as it turned out – “to build dialogue and mutual trust, strengthen mutual understanding, champion such universal human values as peace, development, equality, justice, democracy and freedom, respect the rights of peoples to independently determine the development paths of their countries and the sovereignty and the security and development interests of States, to protect the United Nations-driven international architecture and the international law-based world order”.

“The sides (e.g., Russia and China) reaffirm their strong mutual support for the protection of their core interests, state sovereignty and territorial integrity, and oppose interference by external forces in their internal affairs.” Tragically, these interests seem to apply exclusively to the two sides only and not to “others”, like the Ukraine.

While the guarantee of the sovereignty of the Ukraine was given in the post-Helsinki context when trust in the LJO, treaties, rule of law and multilateralism was high, the tide has changed ever since: the “sides” are between them responsible for the 2014 annexation of the Crimea, the artificial island building in the South China Sea, disrespecting the United Nations Law of the Sea, disregard for the agreed status of Hongkong, the non-application of fundamental human rights instruments they are parties to – all that on top of the war of aggression against a sovereign member of the UN.

Unlike in the case of *Kuwait 1990* when the UN-Security Council authorised joint action to evict Iraqi troops, the nuclear power Russia even hinting at the use of its nuclear arms, demonstrated (again) the weakness of the UN system, when the interests of a veto-power are at stake.

The *Second Iraqi war in 2003* with the US and the UK as veto-powers involved, was also in breach of international law as not authorised by the UNSC. *Georgia and Syria* were further steppingstones in the unravelling of a law-based order to which the West contributed too.

Law Enforcement Remains the Weak Point Internationally

China chose to ignore the result of the arbitration on the South China Sea in 2016 based on the UN Convention on the Law of the Seas. The proceedings were initiated by the Philippines and confirmed the lack of any legal basis for most Chinese claims. Under political pressure from China the victorious complainant down-played its success – a policy the newly elected Philippine President Marcos Jr. most likely will continue. An attempt by the Ukraine to seize the International Court of Justice in 2017 because of the annexation of the Crimean Peninsula

marked the beginning of a legal marathon but not a remedy which could prevent the worst, war.

Lessons for Dictatorships

The case of the Ukraine confirms again that *holding on to nuclear weapons* can be crucial for the security of a state or a ruling class, like in the case of Libya where Colonel Ghaddafi had renounced nuclear weapons. The North Korean leader Kim Jong-un studied the Libyan case carefully; he obviously drew the conclusion that it is in his interest to continue the development of nuclear and missiles technology and resist denuclearisation. Thereby he is following the South Asian script of becoming a de facto nuclear power like India and Pakistan to which the West acquiesced.

This raises the stakes of *nuclear proliferation* further: Japan and South Korea could consider either going nuclear themselves or allowing the stationing of US nuclear war heads on their territory. Thus, the text books on nuclear deterrence get a new lease on life.

Ukraine is again the worrying example, where deterrence prevents the US and NATO to engage militarily to avoid a nuclear war with the nuclear power Russia. In turn, the support by NATO, US and EU for the Ukraine did not deter Russia to start an illegal and so far, conventional war. While this could be read as positive for nuclear deterrence, it is catastrophic for the reliance on law and the rule of law as a guarantor for peace.

Nationalism Strives

Nationalism, the poison of the multilateral system, weakens the respect for a rules-based order. 'America First' was its incarnation, leading to January 6, the storm of the symbol of US democracy, the Capitol in Washington.

Withdrawing from the Paris Agreement, the Transatlantic Pacific Partnership, the WHO during a pandemic are just a few examples which stand for the "might is right" attitude. Rules determining state behaviour or the ruthless pursuit of national interest were weakened or eliminated. The return of geopolitics opens the door to force on a large scale which one had hoped to have rendered impossible through the UN Charter.

All these elements impact negatively on *international cooperation*, which is necessary to fight climate change and pandemics, increase cyber security, re-invigorate the international trading system and foster global governance. The ultimate result of cooperation in these areas has to be an agreement on which all signatories can rely. In the interest of mankind may be a big word, but in the case of climate change and environmental protection it is certainly not an exaggeration.

A new and worrying entrant in the security equation are the doubts about the democratic resilience and reliability of the *United States*. The creator and promoter of the LJO has turned into a weak link of democratic support for a stable and secure international environment based on law, rules and regulations. Even if a Trump II presidency can be avoided, Trumpism will survive for some time, not least because of the split of the US society and political establishment endangering the foundations on which the United States was built and has served as an example for long.

Unfortunately, the EU also shows signs of weakness: Confronted with the weakening of its ideological and values-based foundation, internal divisions fracturing the society occur too. Extremes on both sides of the spectrum get traction to the detriment of the centre. The EU needs to defend its *raison d'être*, peace built on law, solidarity and integration. Realising these goals requires strategic responsibility in the civil-political sector and is as important as in the military-strategic realm in order to provide stability, security and peace.

Without this *internal cohesion*, the EU will not be an institution which protects and masters these challenges. The 2015 refugees and migration crises were a yellow card in this respect. The responses in 2021 and 2022 to the Biela-Russian blackmail in weaponizing refugees and the Ukrainian refugees were much better and coherent, although they revealed a certain double standard in dealing with refugees according to their origin, religion and race. This included the unacceptable treatment of Asians and Africans, either students or workers, fleeing the Ukraine at the outbreak of the war, with negative political consequences (Bomassi 2022; Pietromarchi 2022). While this inconsistency should not be used in the present circumstances to reduce empathy and engagement, the issue is clearly inscribed in a future collective to-do-list.

Time is on the Russian side: solidarity with Ukrainian refugees will decrease, right-wing parties will fuel the argument that refugees get better treatment than nationals, arguments which even if fake fall potentially on fertile ground leading to tensions and endangering peace.

An all-out Attack by Russia on the LJO

New is also the fundamental nature of the attack on the LJO by Russia: the attack on the Ukraine amounts to an all-out attack on seven decades of the post-World War II order, built on the graves of 66 million people!

Staggering questions:

- How to rebuild and repair the LJO, or how to build an alternative order if there is no longer a common basis or just a selective basis for limited functional cooperation?

- Can functional cooperation in selected areas where interests overlap form a platform strong enough to deliver the results needed on a global scale?

The planers, the “sides”, of this new Sino-Russian order attempt to eliminate the principles and values they do not share, such as democracy and all the values this term embodies. Russian interference in the elections in the US, the UK and allegedly in the Brexit referendum aims at discrediting the democratic political system, is part of systemic rivalry and attempts to weaken the others, the “West”. Financing anti-establishment forces like far-right parties to weaken the establishment is an intrusive tactic below the level of blatant interference in domestic affairs. The poisoning of critiques, labelled “foes”, abroad is part of this process with a double goal: It sends the message to domestic critiques that nobody is safe anywhere; and to the country where the plot is played out, that it is not able to protect citizens, which in turn undermines the trust into the political system through spreading insecurity.

Challenges for the European Union

Brexit and the talk about illiberal democracy, the Belt and Road Initiative and the 17+1 process, accompanied by strategic investments in the economies of democracies are few examples of anti-democratic success in this rivalry. Successes, however, which were facilitated by the lack of rigorous countermeasures.

A widening disconnect between politicians and their electorate, the lack of common goal and narrative, open the door for propaganda supported by fake news and subversion.

Hoping for the best and looking the other way without engaging intellectually and developing a new combative narrative is the best way to lose in a systemic competition. Taking up the challenge is necessary, especially in terms of communication. The joint Sino-Russian statement of the “sides” demonstrates a specific danger – using familiar terms while assigning them a different meaning which leads to a deceptive and smoothening language, lowering the bar of attention of the addressee.

Therefore, a rethink and countermeasures, like investment screening in the EU or the Global Gateway initiative to foster investment also beyond the Indo-Pacific, was initiated.

The Issue of Leadership in the EU

The present crisis hits the EU in a leadership transition: Chancellor Merkel in retirement, her successor slowly adapting. Emmanuel Macron, will continue to try

to lead with a step ahead of his new German partner, although he is weakened by the loss of the absolute majority in parliament.

However, the Eastern and Baltic members of the EU, whose criticism and warning of the Russian bear have not been taken seriously all the time, could demand a greater say as a consequence of the Russian use of force in the Ukraine. This could turn into an incentive for Poland to cooperate with the EU more closely in recognising the importance of the rule of law and correcting quickly the laws reducing the independence of its judiciary. This provides a chance for Poland to assume a stronger role as a regional leader which in turn would enhance its own security vis-à-vis Russia. The Visegrad cooperation fell victim to Russia through Hungarian reluctance to give up its cosy relationship with Russia, or rather between the two leaders, Victor Orban and Vladimir Putin.

The crisis underlines, that there is the need for all member states, whether large or small – in the global context all member states are small – to recognise that only a united Europe which includes the United Kingdom and the EFTA countries, can remain the master in its own house and aspire for a (limited) global leadership.

The EU's Strategic Compass⁵ should help to forge a common understanding and risk evaluation leading to common actions. This “all-in” or Team Europe approach has to include the interaction and mutual support of the various EU-institutions which sometimes confront each other in a competitive or turf-war manner. Unfortunately, the top layers of leadership are not exempt from this although the institutional set up with the High Representative also serving as Vice President of the European Commission should alleviate the tensions.

The natural tension between the European Commission and the member states represented in the Council often adds a strong personal element to the detriment of efficiency (“Chair Gate” in Ankara). Having moved the top foreign policy decisions from the Foreign Affairs Council in effect to the heads of state or government, is another politicising element: these top politicians have been chosen nationally for their political acumen, not for their foreign policy expertise.

The EU's Need to Rethink its Neighbourhood and Enlargement Policies

While the granting of candidate status to the Ukraine (and Moldova) serves to boost morale of the resistance and reform forces respectively, it aims at clarifying to Russia that the vocation of the country is in Europe and that the Soviet era and its spheres of influence are gone. It has been confirmed that the Ukraine is part of the often-mentioned European family; however, the granting of candidate status

⁵ https://www.eeas.europa.eu/eeas/strategic-compass-security-and-defence-1_en, accessed 15 June 2022.

is only the first step in a most likely decade(s)-long process. There is no fast-track to membership and others are in line too or waiting to get in line like Bosnia and Herzegovina. Georgia needs more homework done which the people request in a massive turn out. Realism is necessary to prevent wrong expectations and ensuing frustration.

Thus, Pandora's Box is open and it includes discussing the appropriateness of the EU neighbourhood and enlargement policies.

The *Eastern Partnership* which never got really off the ground was the first victim as it lost its functions under the Russian onslaught. Its diverse members, Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova, and Ukraine had little in common; neither Georgia, nor Moldova nor the Ukraine could be stabilised or strengthened solely through this partnership in view of Russian threats or strengthened to be able to leave the Russian orbit.

Playing with *membership* or "membership perspective" (remember the eternal candidate Turkey) while knowing that it is far away or even unlikely in reality is counterproductive and ruins EU credibility. Starting finally in July 2022 with accession negotiations with Albania and North Macedonia was prompted by the Ukrainian case.

President Emmanuel Macron picked up on this sentiment in proposing a "*European Political Community*" (Politico 2022), a sort of participation in key areas of the EU but without membership. This proposal is still short of details but seems to be inspired by a mix of Sarkozy's Union of the Mediterranean (Reiterer 2009), the mentioned Eastern Partnership, various association agreements, a Europe of concentric circles etc. While Macron refers to the Ukraine, Moldova and Georgia as potential candidates, they are not the only ones. Including the UK as a participant in the European Political Community appears rather counterproductive, given its state of development and its strained relationship with the EU over the implementation of the Brexit agreement. Participating in the Community could allow the UK the kind of cherry picking the EU wants to avoid; the same would apply to Switzerland.

The *European Economic Area* with Norway, Liechtenstein and Iceland has a better balance of rights and duties and could serve to some degree as a source of inspiration, as we have learned that economic integration does not necessarily lead to political stability or convergence of values, as China and Russia demonstrate.

Step-by-step starting with the internal market, participation in the regional and structural funds could be a start according to Wieser, Lehne and Schweisgut (2022). Further steps would hinge on progress in meeting EU standards, which in turn would necessitate institutional adaptations of the EU. Therefore, the EU leaders would have to show more flexibility and exercise leadership in order to achieve these politically complicated treaty changes without delays and without using them as bargaining chips for their own unrelated interests. Such a differ-

entiated membership, fewer obligations but correspondingly fewer rights, eventually leaving aside those sectors where unanimity is necessary, might also add some dynamic to the stalled accession processes with the Western Balkan states.

Can the EU Claim Global Leadership While the Own House is Not Only Not in Order But Burning?

Before dealing with the main issue, the external, foreign policy dimension, it is necessary to recall the internal order, the European house. The disrespect for the rule of law has shaken the EU internally – Poland and Hungary are the prime examples but others are not immune either. Challenging the predominance of the EU law is challenging the very essence of the EU. Misappropriation of EU funds is not a sport, but a crime. Lack of solidarity takes out the oil of the EU machinery.

Foreign policy starts at home – blocking decisions in linking unrelated issues is blackmail, not strengthening one but weakening all. The sixth sanction package of the EU on Russia showed the limits of cohesion. Unfortunately, it was not the first time that some EU member states put their solidarity outside the Union to earn or maintain favours not in line with the values they proclaim to adhere to. This contributes to the "Age of Unpeace" (Leonard 2021, 229), to insecurity not to peace and security.

Turning to the external dimension

The war in the Ukraine is actually the second, not the first war in Europe after World War II, the aftermath of the breaking up of Yugoslavia including the genocide of Srebrenica, the yearlong siege of Sarajevo, often fall under the table to keep the conscience light. The track record of success of EU policies in the Middle East, Libya, Syria, Lebanon, Georgia, Armenia and Nagorno-Karabakh and the handling of the Arab Spring and Turkey, not to mention the annexation of the Crimean Peninsula or interventions afar in Mali, do not convincingly support the EU's quest for a global role as (military) security provider.

While the EU initially was not intended to be a foreign policy actor, each treaty change, and in particular the Maastricht and Lisbon Treaties, changed its character gradually into this direction. However, the foundation is still based on economic strength, not least in the minds of many member states. The change of mind sets is gradual. As usual in the EU's history, crises function as catalysts and accelerators, as the COVID-19 pandemic and the Russian aggression demonstrate once more.

Having moved from *soft* to *smart* to *hard* power remains a big step which also needs close cooperation with NATO. With the dream of relying primarily on or even only on economic means to build peace shattered, an effective common

security and defence policy has become an urgent task with previous red lines to burn and taboos to break.

Nevertheless, there remains the *key questions to be answered*, how much complementarity to NATO, how much (open strategic) autonomy, or as I prefer, “strategic responsibility” to shoulder? Like all important things in life, security and peace come with a price tag, conveniently forgotten in Europe for a long time under the US security umbrella while using defence spending for domestic industrial policy. On aggregate the EU member states are the second largest spender on military equipment. Smart spending can go a long way but is not sufficient, within or outside NATO, to face up to the new realities.

However, it is crucial for this discussion not to let the pendulum swing entirely into the military direction. The EU needs to continue pursuing its comprehensive, values-based approach to security, democracy and human rights, fighting climate change, economic and financial stability, a health infrastructure which can handle waves of pandemics, protecting critical infrastructure remain important features. Without their pursuance and implementation there will not be a secure world either.

Focussing on this side of security while not neglecting the military one in supporting NATO is the more realistic approach to foreign and security policy for the EU. Therefore, the *partnership of the EU with NATO* will get closer. This is helped by the fact that currently *new security doctrines* are under preparation by NATO for the 2022 Madrid meeting and the pivotal partner in Asia, Japan⁶.

The EU has just published its *Strategic Compass*, its first security doctrine including an action plan. While it needs further refinement and development, its implementation or not-implementation will be the test-case for member states, which they better do not miss.

For once, the institutional set up of the EU could be an advantage: the European diplomatic service, the European External Action Service (EEAS), combines in its structure foreign policy and military planning – nationally often split between the ministry of foreign affairs and the ministry of defence. This integrated approach should facilitate a Par-European approach, under the condition that member states are committed as this policy area is part of the inter-governmental cooperation with little perspective to change any time soon, although it would be highly desirable.

Some Specific Country Perspectives

The profoundness of change in the security environment becomes clear with *Finland*⁷ and *Sweden* joining NATO – a volte-face after decades of neutrality or neutralism. The same goes for *Denmark* which revised quickly through a referendum its opt-out from the EU’s security and defence policy.

On a different level, *Germany* changed policies to a degree unexpected by many. Given the profoundness of the change of a nation still conscious of the catastrophe caused by the Nazi regime, some slow-downs and partial reversals in the policymaking are understandable as long as the direction is kept. Furthermore, recognising mistakes is always painful: the re-orientation of a foreign economic policy which favoured and relied on Russia and China at the cost of becoming not only dependent but also open to blackmail, is difficult and costly. The same applies to the reorientation of supply and production lines to render European, not only the German, economies more resilient.

Austria since 1955 permanently neutral needs to develop a new, active security strategy within the EU parameters which translates into engagement and not merely repeating the mantra of the importance and value of permanent neutrality (which in itself is no protection). In an open letter to the President of the Republic, 70 personalities, i.e. the editor of this book, deplore that “the status quo of (Austrian) security policy is not only unsustainable, but dangerous for our country.” Developing a new security doctrine needs to be based on a discussion without blinders has to cover all options, “neutrality and non-alignment, a deeper EU defence policy or Austria’s entry into NATO” (Open letter 2022).

In Focus: Energy Policy

A key element is the reform of the *energy policy*, dictated primarily by the geography of resources. While natural resource like oil and gas are to a large extent in the hands of autocratic regimes – which did not bother the West as long as there were no interruptions or too obvious cartel policies – *renewable energies* can be created and implemented largely by the West. However, this will not be cost free and the mistakes and the negligence of the past haunt the present and the foreseeable future. Collective procurement, like in the case of vaccines and now also foreseen for military equipment, may also contribute to a new energy order with more state involvement than in the past.

⁶ See below.

⁷ “NATO membership would strengthen Finland’s security. As a member of NATO, Finland would strengthen the entire defence alliance. Finland must apply for NATO membership without delay”, Joint statement by the President of the Republic and Prime Minister of Finland on Finland’s NATO membership, 12 May 2022, <https://valtioneuvosto.fi/en/-/10616/joint-statement-by-the-president-of-the-republic-and-prime-minister-of-finland-on-finland-s-nato-membership>, accessed 15 June 2022.

Energy is linked to CO₂ and *climate change*, which pose serious and for a long time under-estimated security threats. These challenges need to be met collectively and quickly to maintain peace as they have the potential to threaten peace: fights for and over water, arable land, as well as climate refugees or migrants may serve as illustrations. The effects of the war in the Ukraine on international food security offer a preview, how serious the situation can become within a short time span.

Need for UN Reform Demonstrated Once More for Building and Maintaining Peace

The need to reform the UN and in particular the UN-Security Council, the role of veto powers is really no news, but always becomes louder when the failure is obvious to everybody, like in the case of the Russian aggression of the Ukraine. While the action taken by the UN-General Assembly and the de facto expulsion of Russia from the Human Rights Council were promising signs of resilience, UN reform in times of crisis is always less likely than in times of low tensions. Many lose patience as the Big Five can block reform: UN.2 e.g. re-founding the UN in a new mould thereby correcting past mistakes has become an option.

This does not diminish the harm done to the rule of law and multilateralism which should have the UN as its focal point. As these are the main ingredients of the LIO the question remains whether it has been damaged beyond repair and if so, whether the only remedy is to enter the spiral of an arms race which we had hoped to have overcome.

A return to the status quo ante appears impossible – too many achievements of the last seven decades were shattered in a short time. Repair would need some new constructions, some revision of structures and institutions, the Bretton Woods institutions in addition to rendering the whole UN system more effective. COVID-19 had already demonstrated that the global health governance is weak. The same applies to fighting climate change which despite its burning nature has been submerged already twice: first, by the COVID-19 pandemic and now a second time, by the energy shortages created by the war in the Ukraine which could lead to an at least temporary return of coal.

The world economy cannot be shielded from the effects of unforeseen or even foreseeable shocks – financial crises endanger the world economy and less capital can be spent on realising the goals of Agenda 2030, the SDGs which increases discrepancies among nations and within nations, again strong contributors to the “Age of Unpeace” and instability.

New challenges in need of new governance structures remain largely untended on the global level: rendering information reliable in reducing misinformation and fake news, cybersecurity and a space regime are just three prominent examples which impact strongly on preserving peace.

Pacifism – Whom the Bell Tolls?

Pacifism⁸ was the dominating political sentiment in Germany after World War II, not least as part of guilt because of the catastrophe the Nazi regime brought to the world. Similarly, Japan – bolstered by Article 9 of its peace constitution – frowned pacifism with Hiroshima and Nagasaki as altars of the “never again” comparable to the military cemeteries in Europe, particularly in France, Belgium and Germany.

However, the brutal and illegal war started by Russia changed German public opinion. Like in the 1990s when Germany intervened with NATO in Serbia, German foreign policy was and is – surprisingly – lead by the Green Party, Joschka Fischer and Annalena Baerbock respectively, at these crucial moments.

Japan in turn feels threatened by the ever more assertive China and the growing arsenal of nuclear missiles of North Korea. Political turnarounds in both countries lead to an increase in military spending in both countries, rekindles the discussion of the change of the Japanese constitution and will lead to changes in the Japanese security outlook to meet the new threats. Peace remains the goal, the military toolbox, however, is no longer taboo to serve this purpose.

Joschka Fischer has been clear in 2022: “The concern about the threat through Russia forces the EU to change into a geopolitical actor with a robust military deterrence”⁹.

The Case of Japan

While Japan was harbouring doubts that it can continue to preserve its security “trusting in the justice and faith of peace-loving peoples of the world” in an increasingly volatile neighbourhood with an ever more assertive China pressuring Taiwan and militarising the South China Sea while continuing to claim the Senkaku/Diaoyu islands; an ever growing North Korean nuclear and missiles capability; the violation of the sovereignty of the Ukraine by one aggressor and the failure of the International Community represented by the UN to pre-empt and act, caused PM Fumio Kishida to embrace the policy of former PM Shinzo Abe

⁸ “Pacifism is the theory that peaceful rather than violent or belligerent relations should govern human intercourse and that arbitration, surrender, or migration should be used to resolve disputes.”, in: Internet Encyclopedia of Philosophy, <https://iep.utm.edu/pacifism/>, accessed 10 May 2022.

⁹ Die Sorge vor der Bedrohung durch Russland zwingt die EU, sich zu wandeln: in: *ein geopolitischer Akteur mit starker militärischer Abschreckungsfähigkeit*, Joschka Fischer (2022), in: *Der Kalte Krieg ist zurück in Europa*, Der Standard, 9 May 2022, 19, https://www.e-pages.dk/derstandard/1577/article/1584205/19/2/render?token=08be09995df402214bec6820556616ad&v1_platform=ios&v1_app_id=at.derstandard.epaper&v1_app_version=10.5.1, accessed 15 June 2022.

to re-orient Japan's national security policy. This will remain the legacy of Abe Shinzo, tragically assassinated in 2022 while on the campaign trail.

Trust in the Japanese army, still called "Self Defence Forces" (SDF) as the constitution outlaws maintaining a 'war potential', appeals now to the majority of the Japanese people. This includes security operations and defence beyond the soft tasks of disaster and medical assistance and participation in peace related operations abroad. Although the right to self-defence is recognised, a revision of the constitution which clarifies the constitutionality of the SDF is warranted and seems to gain cross-party support while the population still needs to be convinced.

Essential for the perseverance of the Ukraine is the unwavering willingness to defend the country which in turn triggers support from others even without an alliance-based obligation. The difference between President Zelensky staying at Kiev and becoming a main actor in the propaganda war and the Afghan President Ghani fleeing within hours of the attack on Kabul is telling and decisive.

Like in Germany but also within the EU, guaranteeing peace through military preparedness and strength becomes the new Japanese doctrine. Increasing the military budget above the unofficial 1 percent of GDP ceiling as well as envisioning changes in the three key security policy documents, the National Security Strategy (NSS), National Defense Program Guidelines (NDPG) and the Medium-Term Defense Force Buildup Program (MTDP), shall serve to "drastically strengthen Japan's defence capabilities" as Japanese defence minister Nobuo Kishi put it¹⁰. Moving from the ability to intercept missiles to the building up of a capability to counterstrike enemy bases would be another significant move for Japan. Combined with the strengthening of the alliance with US and entering into new ones like with the United Kingdom, signifies a strong shift of Japan's security policy.

The 28th EU-Japan Summit held on 12 May 2022 in-person confirmed the undertaking of joint efforts to strengthen the rule of law, increase security, restore peace and solve conflicts by peaceful means, work together in digital technologies which are key to security, diversify supply chains to foster resilience and security, cooperate in identifying infrastructure projects to jointly realise in drawing on the EU's Global Gateway Strategy¹¹.

PM Kishida active diplomacy when recently travelling to Indonesia and Vietnam to drum up support for sanctioning Russia to end the war and support the Ukraine, confirms that Japan takes on an important role in the security policy beyond the traditional economic policy.

¹⁰ "LDP (Liberal Democratic Party) proposal heralds big changes for Japan's security policies", Japan Times, 27 April 2022, <https://www.japantimes.co.jp/news/2022/04/27/national/japan-strike-capability-budget-proposal/>, accessed 15 June 2022.

¹¹ <https://www.consilium.europa.eu/de/press/press-releases/2022/05/12/joint-statement-eu-japan-summit-2022/>, accessed 15 June 2022.

Concerning the latter, Japan had taken the lead in preserving the Trans-Pacific Partnership (TPP) which was in danger of unravelling when President Trump withdrew from this US (Obama) project. The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) helped to avoid too big a vacuum for China to fill after it effectively took control of the originally ASEAN driven Regional Comprehensive Economic Partnership (RCEP). Japan also works with the US to put some flesh on the bones on the so far ill-defined US project of an Indo-Pacific Economic Framework (see also Tchakarova in this volume). This shows Japan's comprehensive approach to security, also pursued by the EU.

However, the EU risks to lose influence (Reiterer 2022) in the important competition for standard-setting through regional trade agreements as it is fully preoccupied with the war at its borders. While this is understandable, a global player must be able and willing to face up to more challenges at a time. In publishing the *Indo-Pacific* and then the *Global Gateway* strategies the EU has created this claim. In order not to lose credibility from the outset, the Union will have to deliver on them.

The lessons learned from the war in the Ukraine are not limited to Taiwan and China, but also Japan and the US as well as EU. The above-mentioned need to be prepared for an invasion in order to put up effective resistance is essential: without resistance no external support. Okinawa, geographically close to Taiwan and home to the bulk of US forces stationed in Japan, would play a decisive role if the US were to intervene in support of Taiwan (or South Korea). This would implicate Japan in the conflict logistically and most likely militarily as the bases and SDF stationed there would need protection.

Taiwan in Danger?

In order to keep the costs for a potential Chinese invasion as high as possible and at best make it unattractive and unacceptable to the Chinese public, an effective defence force in terms of motivated soldiers in sufficient number, well trained with the best available modern equipment is necessary, as well as assured international support to raise the costs for China through effective sanctions.

This would dovetail with China's interest to keep its economy at a growth path, which is already difficult in times of COVID-19. The effects of the war in the Ukraine and the self-inflicted economic drawbacks caused by shut-downs because of the zero-tolerance COVID-19 policy showed the vulnerability of the Chinese economy. Chinese leaderships have been aware that providing prosperity is part of its contract with the Chinese people which the Chinese Communist Party has to honour to preserve its legitimacy.

Furthermore, also the Chinese elite, political and economic, is vulnerable to sanctions as they are well connected abroad. Likewise, many large Chinese companies which are far better globalised and connected than the Russian ones. This

speaks for the continuation of the status quo in striving for “peaceful” unification of Taiwan with the mainland.

The Taiwanese defend their own identity and democratic political system against and in contrast with mainland China’s Communist party system. This makes the conflict part of the competition of autocratic and democratic approaches to government. In standing up to a Chinese invasion, Taiwanese are expected to fight back hard, making use of their knowledge of the terrain and officially strive for independence. Furthermore, a repetition of a civil war would even be worse than the fratricide in the Ukraine between Russians and Ukrainians who had in the end successfully fought together against Nazi-Germany.

Continued supplies of weapons and intelligence by outside forces plays an important role in the war in the Ukraine which China would also have to factor in any cost-calculations of a forceful invasion. President Biden’s confirmation that the US would intervene militarily to protect Taiwan in case of an attack, reverses decade-long US-policy of “strategic ambiguity”. While this could be a lesson learned from the Ukraine, where non-intervention was publicly declared, this new policy could also cause the war it wants to deter if China were to test US resolve which it doubts.

The Wolf-warrior diplomacy China practiced in the COVID-19 crisis is also an indication that China, like Russia, would lose the propaganda battle over the invasion, an important deterrent in today’s global media landscape.

Cutting Russia off from the supply of high-end Taiwanese semiconductors is significant as Taiwan is a world leader in their production, gauging support in Asia against Russia’s invasion and getting as many Asian countries, like Japan, South Korea, Singapore joining the sanction regime is part of Taiwan’s insurance policy: the higher the costs for an invasion, the less likely China will be attempted. This proposition might work better in the case of China compared to Russia as China’s economy is not only ten times larger than the Russian one, but more diversified and depending on the participation in the world economy as it is part of the global value and productions chains. The professed goal of President Xi to reduce this dependency and increase the resilience of the Chinese economy (Made in China 2025) is certainly worrying in the long run. Short and medium-term, China would be harder hit by sanctions than Russia, as it is much more integrated in global production and supply chain; it also depends on European and US export markets.

There are some similarities in the behaviour of Russia and China, “the sides”: China’s disrespect for United Nations Convention of the Law of the Sea (UNCLOS) may be regarded as a sort of parallel political strain to Russia’s territorial claims to the Crimean Peninsula and the Ukraine in general. Russia claims the Ukraine as historical part of Russia; China claims Taiwan and China and Taiwan have overlapping territorial claims in the South China Sea. Taiwan becoming formally part of China would facilitate China access to technology developed by

Taiwan such as high-tech semiconductors. It would also increase Chinese claims in the South China Sea and put China in a better position to control essential shipping lanes and push back the US Indo-Pacific navy.

Peace in the region, already strained by the breach of legal obligations to guarantee Hong Kong’s one country-two systems transition, North Korea’s de facto nuclearization and development of missiles technology, the Sino-Indian border conflict and the perennial conflict between India and Pakistan, not to mention Afghanistan, would be further strained.

The Indo-Pacific – a Strategy to Implement

Implementing the Indo-Pacific and the Global Gateway will be the litmus test for the EU in order to contribute to global peace and security – retreating to (larger) Europe only would equal giving up the ideal of becoming a global player, and a contributor to peace in cooperation with partners. The mentioned 2022 in-person summit with Japan was a good start, not combining it with the inauguration of the new South Korean President Yoon Suk-yeol, however, a missed opportunity. President Biden’s week-long visits to South Korea and Japan, including a QUAD summit in Tokyo and the announcement of the Indo-Pacific Economic Framework meant to show that despite the war in the Ukraine the US pivot² to Asia remains in place and China the main competitor and focus. The bar for the EU to demonstrate its engagement remains high.

The EU strives in cooperation with partners for a “peaceful and thriving Indo-Pacific region”¹². The Strategy recalls monitoring the Aceh Peace process in 2005 with ASEAN partners, points to the EU naval operation EUNAVFOR Somalia – Operation Atalanta in the Indian Ocean, as well as EUTM Mozambique as part of 18 civilian and military missions worldwide. A successful summit with ASEAN at the end of 2022 will be crucial.

The 2018 policy, *Enhancing Security Cooperation in and with Asia (ESWA)*¹³, needs new elan and direction to be implemented after a COVID-19 caused slowdown, as it covers important policy fields, like *counterterrorism, cybersecurity, maritime security and crisis management*.

Indo-Pacific partners will be invited to further contribute to the Common Security and Defence Policy of the European Union (CSDP) missions and operations for peace and stability and EU will support Indo-Pacific partners’ efforts to develop their own peacekeeping capacity.

¹² https://www.eeas.europa.eu/sites/default/files/inlinecommunication_2021_24_1_en.pdf, accessed 15 June 2022.

¹³ <https://www.consilium.europa.eu/media/35456/st09265-re01-en18.pdf>, accessed 26 June 2022.

Enhanced naval deployments by member states are envisioned as part of the EU Coordinated Maritime Presences (CMP), to involve regional partners to establish Maritime Areas of Interest in the Indo-Pacific. Extending the Critical Maritime Routes in the Indian Ocean (CRIMARIO) capacity-building project to the Southern Pacific and increase synergies with like-minded partners is a further project.

New security challenges like cyber security, counterterrorism, nuclear safety and non-proliferation of nuclear, chemical and biological weapons are important for peace building and need urgently the transition from declaratory to operational terms.

The *Global Gateway* has enlarged the ambit of the Indo-Pacific Strategy geographically, in adding in particular Africa; financially, the European financial institutions shall get involved with an enlarged mandate and solicit leveraging of the private sector of 300 bn euro. Changes necessary because of the impact of Russia's war of aggression and its future treatment still need to be factored in and will impact on the revised toolbox.

Envisioning Peace

Envisioning peace needs a new approach, but not in the sense of the Sino-Russian new era which is not only confrontational but has actually led within a few days to a hot and not only a new cold war. Envisioning peace is Asia needs to include a peace treaty for the Korean Peninsula to replace the cease-fire and one for Japan and Russia.

There is *first* the fundamental question, whether the *Liberal International Order* is in a temporary crisis, which can be overcome with joint efforts, or is it doomed and needs replacement? This includes the systemic competition between autocratic and democratic regimes about efficiency and the future role of multilateralism. While the focal point of multilateralism, the UN, is clearly weakened, on the positive side, all contesters and problematic actors remain members of multiple international organizations, albeit with the clear intention to use them for their interests and to create new ones if this is not possible. This also applies to China as a revisionist power (e.g. Shanghai Cooperation Organisation, Asian Infrastructure Investment Bank, BRICS, ...). Its claims are sometimes justified like the requested increase of IMF voting rights given the size of China's economy, or not justified when it comes to violations of human rights (Universal Declaration) and law of the sea (UNCLOS), ratified by China.

Second, the change of the policy measures used by the EU in content and intensity in response to the Russian aggression against Ukraine: implementing fierce and spiralling sanctions compared to the ones already in use against Russia or other countries like North Korea; financing of war efforts by the Ukraine including the delivery of heavy and lethal weapons; fighting resolutely against fake news and cyber-attacks; significantly increasing of defence spending; reduc-

ing contacts with Russia including expulsion of Russian nationals from sports and cultural events – to name a few examples.

A few months ago, these measures would *not* have qualified as measures to foster peace and hardly be accepted by the European populace. The mentioned fundamental attack on the system of values, the brutality of the actions and their indiscriminate application against civilians in breach of humanitarian law, lead to the conclusion, that there is a need to stop President Putin in order to contain the aggression and prepare the ground for peace. The premise, if Putin stops the war, there is peace; if Zelensky stops fighting, there is no Ukraine anymore, contributes to this policy position which aims at re-establishing peace. Putin's destabilisation policy includes the weaponization of food (cereals, fertiliser) as well as migrants and refugees, potentially fleeing because of hunger. This hybrid form of warfare enlarges the conflict zone considerably as least developed countries in Africa, the Middle East but also Asia are endangered by spiralling food prices or shortages.

While the EU, the US and NATO refrain for good reasons from risking a potentially nuclear World War III – the US better had practised "constructive ambiguity" like for decades in the case of Taiwan instead of assuring President Putin of not intervening militarily in the Ukraine – George Washington's saying can serve as a deterrence: "Real men despise battle but will never run from it."

Envisioning peace without rewarding the aggressor through land grabbing is a difficult task. Sustainable peace is not only about saving face, but primarily about justice. World War I taught us that an unjust peace carries the seeds of the next war. The same applies to "non-peace" as demonstrated with the annexation of the Crimean Peninsula by Russia.

Diplomacy and envisioning peace must look ahead when hostilities cease. In order to have a basis for talks separating the Russian people from their leadership could help if reality penetrates the tightly controlled public domain. Vladimir Putin who used to be part of the International Community, including the G8 and held regular summits with the EU and European leaders, has slandered his trust and turned into the international villain, many would like to be seen at the International Criminal Court and not as future interlocutor for negotiations. However, he would not be the first and sadly also not the last tyrant who remains in power thereby precluding an alternative. Furthermore, President John Kennedy's warning reflecting on the Cuban missiles crisis comes to mind when nuclear powers are involved, as one "must avert those confrontations which bring an adversary to a choice of either a humiliating retreat or a nuclear war." Thus, drawing on the experience of ending the Soviet war in Afghanistan, in building Putin a gilded bridge, "to end (a) failing war(s) with a modicum of dignity, but nevertheless in clear defeat" (Tierney 2022), is the task of diplomacy.

Therefore, the "creative efforts proportionate to the dangers which threaten peace" leading to a new order with a new equilibrium between soft and hard se-

cunity, will require global efforts as the globalized system is in need of reform to deliver future peace. The EU has to make a contribution to envisioning peace in drawing on its experience and professed continuing commitment to its founding principles and values. Russia, is more of a European problem, while aspiring and assertive China is more of an Asian¹⁴ and US problem as part of the great power competition, but both are global problems at the same time.

Drawing up a plan for peace, carefully considering how to avoid rewarding Russia for two aggressions against the Ukraine, will be crucial. Therefore, the victim and not the aggressor should choose the moment to stop fighting and the conditions to accept a ceasefire. However, time might be on the side of the aggressor who can draw out a war easier than democratic governments. In light of energy and food crises, exploding prices and inflationary pressure, the latter will have to deal with Ukraine fatigue supporting peace over justice (Krastev and Leonard 2022).

Putin has already failed with his professed goal of the aggression: NATO will be strengthened not only in the minds of the people of its members, but also in size and strength when Finland and Sweden join, a further complication in envisioning peace talks and finding an appropriate role for Russia in the future regional and global order.

There is also a need to address systemic issues which create tensions and undermine peace: COVID-19 served as a catalyst to a de-globalization which was supported by calls for resilience of production and supply chains under the catchwords of re-shoring, strategic autonomy or sovereignty. There is need for managing such a process to avoid it turns into protectionism and a new form of beggar-my-neighbour policy. It is also necessary to channel revisionist energy into reform and not destruction – the policy fields of energy, finance, distribution and production services are high on the agenda. Global challenges, like climate change, ideally play in a separate league, above the level of geopolitics and unhindered by tensions, in the interest of mankind.

The trend to multilateral or plurilateral agreements weakens multilateralism; the reluctance to enter into free trade agreements which are normally better called economic partnership agreements in particular by the US which prefers sectoral coverage like labour and environmental standards, cross-border regulation of flows, securitisation of supply chains (cf. the Indo-Pacific Economic Frame-

work), supports this trend. However, also the EU has difficulties getting free trade agreements accepted, as the cases of MERCOSUR, the EU-Canada Trade Agreement (CETA) and the FTA with Singapore have shown. The recently concluded FTA with New Zealand points into the right direction, but needs ratification.

Framework agreements short of free trade agreements could also be used to avoid scrutiny whether they are in conformity with WTO rules on FTAs. This would further weaken the multilateral trading order fostering regionalisation (on top of RCEP, CPTPP, ASEAN-related FTAs) and facilitate the weaponization of trade which ultimately leads to protectionism, welfare losses and tensions threatening peace.

Therefore, there is a need for a networked diplomacy, bringing together the various agreements and partnerships to render them mutually supportive and the trade related ones in line with WTO. The EU pursuing FTAs as well as connectivity and digital partnerships could and should take the lead to achieve this goal which will require at the end providing a multilateral platform and an updated toolbox.

Having just finished a year of reflection on the Future of Europe, European leaders will have to take bold measures, including changes to the treaties of the EU, addressing the problems and explain them to their citizens – the times of glossing over or trying to sweep problems under the carpet and take some cosmetic steps only are over. For an institution built on soft power, envisioning peace through power is a challenge which cannot be dodged.

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¹⁴ In this respect it is significant that the "Regional Security Outlook 2022", by the Council for Security Cooperation in the Asia Pacific (CSCAP), published end of 2021 contains an important Annex with "Selected Comments on the Rules-Based Order", while the various contributions take widely different views, especially "What (and Whose) Rules-Based Order (RBO)" – the problem clearly was already in the air although more with a Chinese than Russian perspective. <http://www.cscap.org/index.php?mac=News,cntnt01,detail,0&cntnt01articled=59&cntnt01origid=51&cntnt01returnid=31>, accessed 15 June 2022.

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