§ 8 The European and German commitment to preserve and expand the rules-based, multilateral and institutionalised global cooperation and trade

I. The European Union's commitment to the rules-based international order and effective multilateral cooperation - a long-standing guideline of its foreign policy

- The EU reaffirms again and again its firm commitment
  - to the rules-based international order, grounded in the principles of the UN Charter, international law, and the universal respect for human rights
  - to effective multilateralism, with the United Nations at its core.
- This commitment is enshrined in law in art. 21(1) EU Treaty, which sets out the *principles of European foreign policy*:

> 1. The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the *rule of law*, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and *respect for the principles of the United Nations Charter and international law*.
> The Union shall seek to develop relations and build *partnerships with third countries, and international, regional or global organisations* which share the principles referred to in the first subparagraph. It shall *promote multilateral solutions* to common problems, in particular *in the framework of the United Nations*.

- The commitment appears obvious and is easy to uphold, as the EU itself is a multilateral structure, built entirely on law and the respect for the law (cf. supra, § 4 VII.1), and both its institutions and its member states are already accustomed to cooperate multilaterally in strict accordance with the law.
- The EU frequently concludes intern. treaties with third countries, also jointly with its member states (so-called mixed agreements), cooperates with intern. organisations (cf. art. 220 FEU Treaty) and is itself a member of several intern. organisations (WTO, FAO, WCO, RFMOs).
- Since the EU's commitment to rules-based multilateralism interferes with the hegemonic plans of Donald Trump and Vladimir Putin, they regard the EU as their greatest enemy.
  - Applying the classical imperialist strategy of "divide et impera" (→ Casesar) would first require destroying the EU.

II. Scepticism regarding this commitment in the Global South and the short-term attempt in March 2026 to officially shift to an interest-driven European foreign policy

- there is an uncomfortable, lively political and academic debate about the actual role of the EU and its member states
  - *Shada Islam*, Europe and the Global South. How to gain influence and credibility in a complex world, ARI 50/2024
  - *Victor Burguete; Héctor Sánchez Margalef (editors)*, The EU and the Global South: allies in a multipolar world?, CIDOB Report 13/2026 (with 10 contributions from all over the world)
  - *Reiner Brender*, In Danger of Falling Short: The EU, the Global South, and the Reform of Multilateralism, Egmont Paper 127 (2024)
  - *Obinna Onyekwena*, Climate facades and African awakening: unmasking geopolitical double standards in energy policy, Development Today 28.07.2025
  - *Amirah El-Haddad; Nora Aboushady*, Europe's Double Standards in the Face of International Law, The Current Column (IDOS) 24.06.2025
  - *Reza Nabovati*, Europe's Passive Complicity: The Silence of the European Union in the Face of Unlawful Use of Force against Iran and the Erosion of the International Legal Order, ResearchGate, 05.2026
  - *Guillaume Duval*, In today's world, is the European Union destined to abandon its values and multilateralism in its foreign policy?, Institut Jacques Delors, Blog Post 30.03.2026
- the accusation of a hypocritical, self-serving, post-colonial policy towards the Global South
  - of an arrogant, patronising know-it-all attitude
  - of taking advantage of the Global South by imposing unfavourable agreements from a position of economic dominance

- the accusation of geopolitical *double standards*
  - of focusing criticism on human rights violations one-sidedly on the Global South
  - of double standards in climate and energy policy
  - of taking humanitarian crises in the Global North (Ukraine) more seriously than in the Global South (Gaza, Sudan)
- the accusation of condoning breaches of international law by the USA
  - as long as they do not affect European interests (as the threats against Greenland)
  - proven by the EU's failure to denounce the abduction of the Venezuelan President and the war of aggression against Iran
- topic: the loss of confidence in the European Union after the *attempted official shift towards an interest-driven foreign policy* in March 2026
  - At a conference of EU ambassadors, European Commission President URSULA VON DER LEYEN called for abandoning the traditional, rules-based European foreign policy in favour of a "more realistic and interest-driven foreign policy".
  - The backlash of European lawmakers, diplomats & leading politicians accusing her of undercutting international law (and of sidelining the EU's High Representative for Foreign Affairs and Security Policy) made her soften her demand and stress "unwavering" support for the rules-based intern. order, but the damage had already been done.
  - The move raised doubts as to whether the EU is still a reliable partner that respects and defends international law even when doing so is not in its own immediate interest.
  - Actually, an interest-driven foreign policy would *not* be in the EU's interest, since "shifting from rules to interests risks undermining the EU's only real competitive advantage" (ALBERTO ALEMANNO).

III. Germany's unwavering commitment to the rules-based international order - a repeatedly declared and reaffirmed fundamental pillar of German foreign policy

- Germany also reaffirms again and again its firm commitment to the rules-based intern. order and multilateralism. This even constitutes a fundamental pillar of its foreign policy.
  - See, for example, Germany's statement in a debate on rule of law in intern. relations in the UN Security Council in 2023
  - See, for example, numerous statements made on the occasion of state visits.
  - See also numerous statements and publications of the Federal Government and the Federal Foreign Office, e.g. the Policy guidelines for the Indo-Pacific of 2020 (p. 2, 8, 11, 14 ff.)
  - The Federal Foreign Office even runs a dedicated website on the rules-based intern. order.
  - The commitment to multilateralism was especially stressed in the Federal Government's 148-page White Paper "A Multilateralism for the People" of 2022.
- Germany supports all institutions and mechanisms for international justice and dispute resolution (ICJ, ICC, ITLOS, Permanent Court of Arbitration, ECtHR etc.) and development of law (e.g. ILC)
- In the political and academic discourse, the *concept of the rules-based international order* can be *blurred*. It is often inflated by soft law and political standards (that are not legally binding) or elements of a liberal political order (that are not universally recognised). However, there is a broad consensus that the concept essentially entails
  - comprehensive and unconditional respect for the law in international relations
  - multilateral and institutionalised cooperation between states as equals, based on law (cf. § 6).

IV. Scepticism regarding this commitment in the Global South and the failure of Germany's bid for a seat on the UN Security Council in June 2026

- Germany's choice to prioritise the economic interest in cheap energy supply over the defence of international law against the Russian aggression in Ukraine
  - building a *new German-Russian gas pipeline* after Russia's unlawful occupation of Crimea
  - *continuing the large-scale import of Russian fossil fuels* after Rusia's invasion of Ukraine
  - Germany provided extensive support to Ukraine, but was unwilling to completely give up Russian fossil fuels.
- Germany's failure to defend the international law against the attacks by its ally USA
  - pressure on the European Commission to make quickly a deal with Donald Trump in the tariff dispute
  - failure to condemn the abduction of the Venezuelan President, claiming that its legal assessment was "complex"
  - failure of the Federal Government (unlike the Federal President) to condemn the war of aggression against Iran

- Germany's *one-sided support for Israel* in the Gaza conflict
  - Germany is committed to Israel's security as a German "Staatsräson" [reason of state (overriding state interest)], taking responsibility for Germany's historical crimes (→ Holocaust).
  - This commitment has *degenerated into a (quasi-) absolute loyalty* that still allows criticising Israel but demands almost unconditional, far-reaching, diplomatic & political support, even in the UN, the EU and before the ICJ.
  - This has led to a *consistent practice of downplaying Israel's violations of public international law* and human rights, even crimes against humanity and war crimes, and of blocking initiatives for sanctions. Germany also *supplies war weapons* to Israel, even though these have been used for serious human rights violations in Gaza.
  - This has triggered criticism by UN special rapporteurs, scholars, human rights organisations, the media and several states (Arabian states, Spain, Namibia; Nicaragua even filed a case before the ICJ).
  - The German society is highly polarised: While the majority recognises the suffering and the crimes on both sides, a part of society supports one-sidedly Israel (neglecting the suffering of the Palestinians) and another, often militant part supports one-sidedly the Palestinians (disregarding the 2023 massacre of 1.200 Israeli by Hamas terrorists).
- The reckoning? Germany's *failed bid for a seat on the UN Security Council* in 2026
  - Germany had been elected to the Security Council 6 times in the past, but in June 2026, the UN General Assembly preferred Portugal and Austria (with 134 to 131 to 104 votes).
  - Germany blamed Russia for the defeat, but the significant difference in the vote count cannot be explained by Russian influence alone.
  - The defeat has several reasons but surely reflects that *Germany's reputation as defender of international law is compromised* and that it is suspected to apply double standards (e.g. with regard to Israel and USA), a selective approach to international law.

V. The defence of the rules-based international order as a common vital interest of Europe, in particular Germany, and Southeast Asia

- a frequently reaffirmed shared essential interest of both parts of the world
  - see the joint statements of EU & ASEAN, EU & Vietnam, EU & Thailand and EU & Singapore; see also the corresponding statements of EU & Indonesia and EU & Timor Leste
  - see the joint statements of Germany & Indonesia, Germany & the Philippines and Germany & Singapore
- both parts of the world need *protection against the "law of the jungle"*, under which they would lose out against reckless imperial superpowers
  - in particular *protection against being caught as a pawn in the crossfire* of their geopolitical conflicts
- both parts of the world are home to a number of smaller states that are *weak on their own but may perform well under* the reliable conditions of *rules-based multilateral cooperation*
- both parts of the world are home to export-oriented trading powers that are heavily involved in the global division of labour and *rely on functioning global markets, trade routes and supply chains*

VI. The necessity to forge global alliances in order to effectively defend the rules-based international order against the hegemonic ambitions of the global "bullies"

- since the global *"bullies"* are powerful enough to impose their will on almost any other individual state or even region of the planet, but *cannot prevail against a global alliance* of defenders of the rules-based intern. order - neither militarily, nor economically, nor politically
- steps in the right direction:
  - the EU-Mercusur Partnership Agreement (EMPA), which bundles the economic power of the European and the South American markets
  - present plans for a close association of Canada with the European Union
  - efforts to strengthen the economic and political ties between East and Southeast Asia and the EU (along with its closer ties to Mercosur and Canada)
    - their combined economic power would allow them to resist political and economic pressure by the USA and China