

Chapter 5

Germany's Indo-Pacific Turn: Towards a Contribution to the Rules-Based Order?



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Abstract Germany has shown significant interest in the Indo-Pacific region since around 2020, when it published policy guidelines focused on this region. In that context, one of Berlin's professed objectives has been to contribute to the rules-based international order. Whereas its policy was dominated by economic and trade issues in the past, Berlin has shifted more attention to security issues. The deployment of a frigate to the Indo-Pacific in 2021–2022 underlined the Federal Republic's growing interest in the region, although it is questionable as to what extent it contributed to the rules-based order. Germany's Indo-Pacific policy goes beyond this deployment, however, covering a broad range of issues encapsulated by a whole-of-government approach. Disaggregating the concept of liberal international order into the three major elements—security order, economic order, and human rights order—this chapter shows that Germany's policy reflects support for all three dimensions in the region. Nevertheless, Berlin will need continued refinement of its approach, such as determining the extent of policy cooperation with Washington or engagement with multilateral frameworks in the region.

European interest in the Indo-Pacific has grown over recent years, with Germany among the countries at the forefront of this trend. The Federal Republic was the second European country after France to issue policy guidelines on this region in September 2020, two months before the Netherlands followed suit. Those three countries furthermore served as driving forces behind the process that led to the announcement of the European Union's Indo-Pacific Strategy in September 2021. As a sign of its growing engagement, the Federal Republic deployed a frigate to the region between August 2021 and February 2022, the first time in almost two decades that one of its warship cruised the Indo-Pacific. In the summer of 2022, the German Air Force also deployed to the Indo-Pacific, taking part in multinational exercises in Australia.

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In this context, one of the professed objectives of German policy in the region is to contribute to the rules-based order founded on multilateral cooperation and international law, reflecting a realization that the existing order is increasingly weakened and imperiled. The Indo-Pacific deserves particular attention as the decisive region where “the shape of tomorrow’s international order will be decided,” according to then-Foreign Minister Heiko Maas in the September 2020 policy guidelines.¹

The Federal Republic undoubtedly has a strong incentive to defend the existing liberal international order, on which its post-war freedom and prosperity have depended. Against that background, a number of academics have voiced expectations in recent years for Germany—along with Japan as another major beneficiary of the existing order—to contribute more to upholding the central features of that order, especially as U.S. willingness to serve as the bedrock of liberal internationalism has weakened.² To avoid alienating countries that are unsupportive of liberal norms such as democracy or human rights, German decision-makers and policy documents generally employ the term rules-based order rather than liberal international order.

This contribution provides an overview of Germany’s Indo-Pacific policy turn and its characteristics, assessing the extent to which the country has shown an inclination to contribute to the rules-based order. It also considers the sustainability of German engagement, reflecting the impact of the change in Federal government in December 2021 and the Russian invasion of Ukraine launched in February 2022.

Shifting Interest in the Indo-Pacific

Identifying itself as a continental power focused on Europe, Germany has for long viewed the Indo-Pacific region from a somewhat detached position. By comparison, France and the United Kingdom have deeper historical links as well as overseas territories that shape their respective approaches.³ At least until recently, Germany pursued mainly economic opportunities in this region, whereas political and security-related issues did not feature high on the agenda. This one-sided pursuit of commercial interests was epitomized by Chancellor Angela Merkel’s China policy between 2005 and 2021, when Berlin appeared slow to adapt to Beijing’s growing international assertiveness and authoritarianism, especially under President Xi Jinping.

Nevertheless, towards the end of Merkel’s chancellorship, German optimism about China eroded noticeably in light of Beijing’s human rights abuses, its “wolf warrior” diplomacy and disinformation campaigns, as well as its open dismissal of international rules as happened after the 2016 South China Sea arbitration ruling. Chinese international conduct increasingly cast doubts about the long-standing notion in German foreign policy of “Wandel durch Handel” or “change through

¹ Federal Government/Foreign Ministry (2020).

² Ikenberry (2022), Krauss and Maull (2020), Daalder and Linsdsay (2018).

³ On France and U.K., see for example, Nouwens and Mohan (2021). See also Céline Pajon’s contribution in this volume.

trade,” which was based on the assumption that authoritarian regimes can be socialized into the existing order through economic engagement that would lead to political transformation. That expectation was fully discredited by Russia's invasion of Ukraine in February 2022.⁴

The publication of Germany's Indo-Pacific guidelines signified a reevaluation of the importance of the entire region. The document seeks to formulate a more holistic approach to the unfolding dynamics across policy areas, shifting attention away from China by diversifying and deepening relations with other partners in the region. Given that the Federal Republic conducts about 20 percent of its total trade in goods with the region, it has a paramount interest in preserving peace and stability.⁵ Beyond economic considerations, Germany's shifting attention to the Indo-Pacific signifies an acknowledgement of the challenges posed to the existing rules-based order by China's international assertiveness. At the same time, Berlin is concerned about the deepening Sino-American rivalry, fearing the emergence of bipolarity with sharp dividing lines that will undermine prospects for global economic and political cooperation, leading to a fragmented world order.

Botched Start: Germany's Indo-Pacific Deployment in 2021–2022

The Indo-Pacific deployment of the frigate “Bayern” in 2021–22 was the first clear signal of German presence and interest in the region following the guidelines' publication. As a training and presence mission that did not require a parliamentary mandate, the voyage was primarily political in nature. The ship's voyage was intended to revive Germany's relationships in the region and provide impetus for closer military and diplomatic consultations. On this count, the deployment was successful. Another objective, however, was to contribute to the maintenance of the rules-based international order.⁶ The mission only did justice to that aspiration to a limited extent.

The Federal Government repeatedly cited the frigate's role in monitoring United Nations sanctions against North Korea as a concrete contribution to order in the region. According to insiders, the frigate indeed successfully collected information on the activities of a number of ships, reporting these to the Enforcement Coordination Cell (ECC) in Japan, which coordinates the monitoring of UN sanctions.⁷ Nevertheless, sanctions monitoring was likely not the top priority for the entire period of four weeks in which the German ship officially contributed to the mission, as it also took part in a large-scale drill called “Annual Exercise 2021,” hosted by Japan in

⁴ Lars Klingbeil, co-leader of the Social Democratic Party, that is at the forefront of the three-party coalition government under Olaf Scholz, declared in April 2022 that this notion had failed. See Kinkartz (2022)

⁵ Federal Government/Foreign Ministry, “Policy Guidelines for the Indo-Pacific,” 9.

⁶ See for example, Federal Foreign Ministry (2022).

⁷ Interview with insider in Tokyo, November 2022.

the Philippine Sea, and made a port call in South Korea during this time. Therefore, it is unclear how extensive the operative benefit of the frigate's information collection was for the UN surveillance mission.

The Federal Republic also failed to take a clear stance on China's extensive maritime claims in the South China Sea, which Berlin had previously rejected with reference to international law. In traversing the South China Sea, the Bayern stayed on the common international shipping routes and refrained (as far as is publicly known) from any military drills, such as helicopter take-off and landing. This conduct could even be read as recognizing Chinese claims. According to the UN Convention on the Law of the Sea (UNCLOS), merchant ships and warships only have the right to "innocent passage" through other countries' territorial seas. They must move along the shortest routes—and thus along the common trade routes—and warships must not carry out military exercises. By contrast, ships at high sea have almost unlimited freedom of movement and are allowed to hold drills. By sticking to the narrow code of conduct of "innocent passage," the German ship missed the chance to take a clear stand against China's illegal territorial claims.

Initially, the plan had been for the frigate to make a port call in Shanghai. Had this happened, Germany's position would have appeared even less clear.⁸ A stop in China before the Bayern's passage through the South China Sea would have looked like a request for permission and thus reinforced the perception that Germany respects Beijing's claims. The purpose of the proposed visit, according to then Defense Minister Annegret Kramp-Karrenbauer, had been to keep dialogue open with China, in line with Germany's "inclusive" approach, which seeks to engage all actors.⁹ In the end, however, the Chinese leadership rejected the port call, pointing to a lack of trust between the two countries.

Beyond the Frigate: Contributing to the Rules-Based Order

The frigate's deployment highlighted a need for Germany to reflect and refine its approach in order to make a meaningful contribution to the rules-based order in the Indo-Pacific. For the government of Chancellor Olaf Scholz, which came into office in December 2021, the policy guidelines on the Indo-Pacific continue to serve as orientation. This was underlined in the federal government's two-year progress report on Indo-Pacific policy issued in September 2022, which explicitly "reaffirms" the policy guidelines.¹⁰ That report also underlined Germany's goal to "preserve the rules-based international order, strengthen international law and multilateral structures and prevent conflicts." Since the first publication of Indo-Pacific Policy Guidelines, Berlin has overall made a strong push to diversify its relations with regional countries

⁸ See also Kundnani and Tsuruoka (2021).

⁹ Federal Ministry of Defense (2022).

¹⁰ See Federal Government of Germany (2022).

other than China, for example by pursuing new consultation formats, engaging with more frequent high-level visits, or initiating concrete cooperation.

Representing a whole-of-government approach, the guidelines comprehensively cover various policy fields and thus offer insights into Germany's engagement beyond the frigate's deployment. If one disaggregates the concept of liberal international order into the three major elements, that is, security order, economic order and human rights order, then German policy reflects support for all three dimensions in the Indo-Pacific.¹¹

In the security area, Germany has and will continue to contribute through rhetorical backing for international rules and principles. Berlin has already supported critical statements on China's conduct in the South and East China Seas in the G7 framework as well as in a joint note verbale to the UN in September 2020 together with France and the U.K. The Federal Republic also pursues some small-scale projects in the area of security, such as training ministerial staff and government officials in Southeast Asia and South Asia on the interpretation and implementation of UNCLOS. Furthermore, Germany started a pilot project with the Philippine coastguard in June 2022 to improve the country's maritime resilience by providing two reconnaissance drones and relevant training for operators.¹²

Despite thinly stretched military resources after decades of fiscal austerity, Germany is also making efforts to deploy Bundeswehr assets to the region more regularly. In its Air Force deployment in 2022, Berlin sent six Eurofighters and seven other transport and tanker aircraft to the Indo-Pacific, taking part in two Australian multilateral exercises called Pitch Black and Kakadu.¹³ According to the Inspector of the Air Force Ingo Gerhartz, Germany sought to demonstrate that it could fulfill its alliance commitments on NATO's eastern flank amid the Russian war on Ukraine, while simultaneously mobilizing aircraft to the Indo-Pacific within less than 24 h.¹⁴ Germany is also making plans for further deployments to the region by the Ground Forces in 2023 and by the Maritime forces in 2024. The main purpose is to deepen security cooperation with regional partners and foster interoperability, thereby signaling the importance Germany attaches to the region. Privately, officials also admit that Germany seeks to contribute to deterring China from actions that would destabilize the region.¹⁵ Overall, Germany will still have to continue to weigh deployments to the Indo-Pacific carefully, given that the Russian war on Ukraine demands a concentration of resources in Europe.¹⁶

¹¹ On the three dimensions, also see Kundnani (2017).

¹² Federal Government of Germany (2022).

¹³ For further details, see Bundeswehr (2022).

¹⁴ Ingo Gerhartz called this ability to mobilize in two region the new "level of ambition" that Germany has after the "Zeitenwende" or change of era, that was proclaimed by Chancellor Olaf Scholz in February 2022. See Gerhartz (2022).

¹⁵ Personal conversations with security-related officials, November 2022.

¹⁶ The increased funding for the Bundeswehr announced by Chancellor Scholz in February 2022 will have an impact in the medium term at the earliest.

In the economic area, the EU is in the lead as it has exclusive competence in trade matters. Nevertheless, German support for EU negotiations in pursuit of free trade agreements (FTAs) in the Indo-Pacific region is important, given the country's status as the largest economy of the bloc and Berlin's close political ties with the European Commission's trade negotiation team.¹⁷ Berlin sees the EU's high-quality trade agreements with Japan, New Zealand, South Korea, Singapore and Vietnam as important tools to stand up for the principle of free trade, to codify rules and standards, and to resist protectionism, while also providing a means to reduce dependencies on products from a single market. Therefore, it "strongly supports the European Union's proactive trade policy, which aims to strengthen the multilateral trade system with the WTO at its center," according to the Indo-Pacific policy guidelines.¹⁸ The two-year progress report on Indo-Pacific policy in September 2022 specifically mentioned Berlin's support for negotiations by the European Commission for FTAs with Australia, India and Indonesia. Nevertheless, German officials also admit that such negotiations by the EU can be cumbersome and time-consuming, and therefore more pragmatism may be required on Europe's part to ensure continued progress in some cases.¹⁹ Germany also supports the EU's initiatives to foster connectivity and develop infrastructure in the Indo-Pacific, seeing it as another tool to promote coherent regulations, standards and procedures.

Germany's push for the finalization of the EU's long-delayed Comprehensive Agreement on Investment (CAI) with China in December 2020 during its EU Council presidency was controversial, however. Proponents of the agreement argued that it would help increase legal certainty, improve market access and establish fair conditions for engagement by European companies, effectively binding China more closely to a rules-based trade order.²⁰ For critics, the agreement reflected Chancellor Merkel's economic opportunism and a lack of willingness to consult with the incoming U.S. President Joe Biden's administration.²¹ In the spring of 2021, the agreement's ratification was put on ice however, due to EU-China frictions over Chinese human rights violations in the Xinjiang region.

In its December 2021 coalition agreement, the government under Chancellor Olaf Scholz recognized that the agreement could not be finalized "for a number of reasons."²² At the same time, Berlin has also asserted its intention to intensify efforts for diversification to reduce strong economic dependencies on China, pointing out that Russia's war on Ukraine proved the need for such a move.²³ Nevertheless, Chancellor Scholz's visit to Beijing in November 2022, just days after the conclusion of the 20th Chinese Communist Party Congress, and in the company of a business delegation (though smaller than under previous Chancellor Angela Merkel), cast

¹⁷ On the political ties to the trade team in the European Commission, see von der Burchard (2022).

¹⁸ Federal Government/Foreign Ministry, "Policy Guidelines for the Indo-Pacific," 47.

¹⁹ Personal conversations with trade-related officials.

²⁰ Hilpert (2021).

²¹ See for example, Le Corre (2021).

²² Federal Government (2022).

²³ See for example, Welle (2022).

doubts in the minds of many observer's on his resolve to approach China in a different and more critical way.

In the human rights area, Berlin pursues a two-pronged approach in the Indo-Pacific region²⁴: It approaches countries that do not adequately protect political and civil rights with open and critical exchange at the bilateral or multilateral level (e.g., EU or UN) on the one hand, and it supports and promotes civil society on the other. In particular, Germany's financial support for vulnerable societal groups in the Indo-Pacific region has increased recently, with 2022 seeing a doubling of funding compared to the previous year, providing 1.8 million Euro.²⁵ Given their country's Holocaust history, German policymakers generally feel a special responsibility to defend democracy and human rights.²⁶

Chancellor Merkel's human rights policy vis-à-vis China has received mixed reviews, but overall, she was arguably more outspoken about human rights abuses than other European leaders, including French President Emmanuel Macron.²⁷ During her Chancellorship, she hosted the Dalai Lama in Berlin and successfully pushed Beijing to allow the widow of Nobel peace prize winner Liu Xiaobo to leave China. The Federal Republic also promotes a common European approach to human rights. During Germany's Council presidency, the EU adopted a new human rights sanctions regime in 2020, which was subsequently used to sanction Chinese actors responsible for abuses in Xinjiang. Berlin furthermore passed a law in the summer of 2021, which requires German companies to ensure human rights compliance along their supply chains.²⁸ These moves show that Berlin is more willing to reconsider the previous compartmentalization of human rights policy and economic engagement, especially vis-à-vis China. The three-party coalition government under Chancellor Scholz has also emphasized its intention to pursue a "values-based" foreign policy that focuses on human rights.²⁹ In his November 2022 visit to Beijing, Scholz indeed clearly addressed the human rights situation in China, emphasizing that this constituted no interference into a country's internal affairs because of the universal nature of human rights.³⁰

Overall, Germany still needs to make efforts to refine its Indo-Pacific approach and its contribution to a rules-based order, tackling a number of difficult questions. One issue is the extent of cooperation with Washington. Europeans in general are uncomfortable with a bipolar frame pitting the U.S. against China, or democracies against autocracies. However, support for liberal internationalism and opposition to Chinese policies inevitably brings Germans and Europeans closer to the United

²⁴ Federal Government/ Foreign Ministry, "Policy Guidelines for the Indo-Pacific," 42.

²⁵ Federal Government of Germany (2022).

²⁶ Kinzelbach and Mohan (2016).

²⁷ Barkin (2021).

²⁸ Federal Ministry for Economic Cooperation and Development (2022).

²⁹ SPD and Bündnis 90/Die Grünen und FDP, "Mehr Fortschritt Wagen—Bündnis Für Freiheit, Gerechtigkeit Und Nachhaltigkeit: Koalitionsvertrag 2021–2025," accessed April 28, 2022, https://www.spd.de/fileadmin/Dokumente/Koalitionsvertrag/Koalitionsvertrag_2021–2025.pdf, 113.

³⁰ See, Deutsche Vertretungen (2022).

States. Berlin also has to reflect further on its “inclusive” approach and how it wants to translate that into practice. With its deployment of the frigate, Germany failed to act as a clear advocate for the rules-based order, rather glossing over critical regional issues by referring to inclusivity. Berlin needs to delineate a more principled stance on questions related to the international order, while also seeking opportunities for dialogue with China. Another issue that Germany must consider is its approach to minilateral cooperation in the Indo-Pacific. So far, Berlin has focused on inclusive, formal institutions like the Association of Southeast Asian Nations (ASEAN) as key pillars that support the regional order. However, cooperation through less formal and ad-hoc minilateralism has proliferated in the Indo-Pacific. While minilaterals may have disadvantages such as the risk of fragmented approaches, they tend to be more effective than inclusive formal institutions in responding to regional needs.

Conclusion

Germany has signaled its resolve to engage the Indo-Pacific region more deeply and comprehensively, but there is still uncertainty in many respects about how to make a constructive contribution to regional stability and the rules-based order and how to balance different policy objectives. The coalition government under Chancellor Scholz has vowed to continue moving forward with the Indo-Pacific policy framework set out by the Merkel government. Against that background, Japan—as a key Indo-Pacific partner for Germany with shared norms and values—should seek to deepen cooperation and share its views and reflections on regional dynamics. During his visit to Tokyo in 2018, then German Foreign Minister Heiko Maas suggested that the two countries can pool their strengths and work with others, aiming to become “rule shapers” that help to design and enhance the international order.³¹ Given their status as middle powers, the two countries together can devise new foreign and security policy strategies aimed at contributing to the order that both depend on so fundamentally. They can also help to coopt a wider coalition of states willing to cooperate in this endeavor. The first-ever government consultations that were held between Germany and Japan in March 2023 offered an opportunity to begin discussions on this endeavor.

The Russian invasion in Ukraine is far from over, so assessments about its effect on global as well as German politics can only be preliminary. To some extent, German policymakers may perceive the need to concentrate attention and resources on European affairs. However, the war has also served as a powerful reminder of the importance of defending the global rules-based order to ensure international security and stability of the intricate links between the European and Indo-Pacific security orders. Policymakers in Berlin are not only deeply rattled by Russia’s conduct, but also disappointed about China’s refusal to clearly condemn the invasion and stand up

³¹ Federal Foreign Ministry (2022).

for the principle of sovereignty. China's reaction underlines that it would be short-sighted for Berlin to focus only on the European theater and neglect Indo-Pacific affairs. With political resolve, the current crisis can serve as a long-term impetus to solidify cooperation between like-minded countries in Europe and the Indo-Pacific, and shape a common agenda for the rules-based order.

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