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GOVERNANCE ALONG THE NEW SILK ROAD IN SOUTHEAST ASIA AND CENTRAL AND EASTERN EUROPE: A COMPARISON OF ASEAN, THE EU AND 17+1

Southeast Asia and Europe are key regions for the implementation of China's Belt and Road Initiative (BRI). A comparison of China's attempt to promote the BRI in both regions reveals that China acts both as a norm-setter and norm-taker. Both the Association of Southeast Asian Nations and the European Union which established distinct regional governance systems perceive China's growing ability to set norms in their region as a strategic threat. However, the 17+1 (formerly 16+1) cooperation format, established by China in Central and Eastern Europe as an umbrella for its bilateral relations, is embedded in the EU's governance system. In Southeast Asia, China cooperates with the individual governments on a bilateral base, but also utilizes the existing ASEAN infrastructure schemes. The article argues that China needs to be better included in the established international and regional governance mechanisms. It concludes that after mutual compromises of the participants and reforms the New Silk Road could function as a respected framework for multilateral collaboration that complements, but does not replace the existing governance structures and principles.

Keywords: *Belt and Road Initiative, ASEAN, European Union, 17+1, Governance*

1. Introduction

In March 2019, Italy became the very first member of the Group of Seven (G7), the leading economies of the world, and the first founding member of the European Union (EU) to formally endorse China's Belt and Road Initiative (BRI). During his visit in Rome, Xi Jinping, the Chinese President and General Secretary of the Communist Party of China, attended the signing ceremony of a Memorandum of Understanding (MOU). This agreement was not only contested by the EU and the United States (US), but also in Italy itself. The Lega party, the then junior coalition partner, claimed that it successfully reduced the number of agreements from 50 to 29 and included security provisions regarding Chinese investments in the ports of Genoa and Trieste in the MOU.¹ All in all, China and Italy signed deals worth 2.8 billion US-Dollar.² In direct response to this development, French President Emmanuel Macron invited

German Chancellor Angela Merkel and then EU Commission President Jean-Claude Juncker to attend a meeting with Xi Jinping in Paris in March 2019. Thereby Macron pressured Beijing to “respect the unity of the European Union and the values it carries in the world.”³

Questions about the potential strategic threat posed by the BRI, though, were raised much earlier – especially in the EU and the US, but also in Japan, India and Australia, to name only a few BRI-skeptics. They all raised severe concerns not only about potentially hidden motives behind the BRI, but also its opaque governance structures and operational mechanisms.⁴ The loudest wake-up call was the 99 year lease of the port of Hambantota in Sri Lanka to a Chinese consortium, raising fears of a Chinese debt trap diplomacy.⁵ Concerns over Beijing’s potential geopolitical intentions behind the New Silk Road were especially uttered in relations to China’s growing engagement in the Central and Eastern European countries (CEEC) by means of the 17+1 cooperation mechanism. Before Greece’s admission in April 2019 it was known as 16+1.

The People’s Republic of China (PRC) portrays the BRI as a win-win cooperation for all participants and complementary to existing (sub-)regional initiatives, not least promoting South–South cooperation. To judge whether the Chinese narrative or the critical Western perspective on the BRI holds more truth, this contribution will assess the governance mechanisms, i.e. norms, rules, procedures, processes and institutions, to promote the BRI in two key regions, namely Southeast Asia and Europe. In both regions exist respected regional organizations with specific governance mechanisms, namely the Association of Southeast Asian Nations (ASEAN) and the EU. Both have not yet formally endorsed the BRI, even though Beijing seems to be keen to receive an official endorsement.⁶

The first research question asks: In promoting and implementing the BRI, does Beijing create distinct governance mechanisms and norms that mainly reflect China’s strategic interests, or does it rely on the established international and regional governance systems in Southeast Asia and Europe? Assuming that for China “the issue is not merely about being and becoming a normative power, but also about being recognized as one by others”,⁷ the second research question asks: Do ASEAN and the EU view China as norm-setter or norm-taker?

Despite their different degree of cooperation the EU already reached the stage of deep integration and pooling of sovereignty in certain policy areas, ASEAN and the EU can be analytically compared. To a lesser extent, such a comparison is also possible in regard to the 17+1 format. Created in 2012 by China, it is a loose cooperation format without multilateral decision-making bodies. Instead, it provides regular forums for bi- and multilateral discussions of politicians, experts and business people to promote the BRI. Yet, the EU mode of governance directly and indirectly impacts on the 17+1 format, as twelve participants are also EU members, thus at least partly limiting the

influence of the PRC.

This contribution is theoretically grounded in governance studies. Methodologically, the analysis of the perceptions of ASEAN and the EU on the BRI is based on the examination of selected key documents of these organizations and, if applicable, their respective policies. After a brief assessment of the BRI, the article provides in chapter 3 an analysis of the concept of (global) governance and the role China plays therein. Chapter 4 addresses the two research questions, as it assesses China's relations with Southeast Asia and Europe and the existing regional mechanisms created by ASEAN and the EU as well as the China-led 17+1. Finally, the conclusion will be drawn.

2. The BRI

The BRI is designed to improve the comprehensively defined connectivity railways, roads, ports, pipelines, telecommunication and people-to-people contacts between China and the more than 120 participating countries, but also in the PRC itself. Initially known as One Belt, One Road (OBOR), the main components of the initiative are the Silk Road Economic Belt (SREB) and the 21st Century Maritime Silk Road (MSR). Together, they span from Northeast Asia to Southeast, South and Central Asia, the Middle East, Africa and Europe; the Arctic and Oceania have been recently included as well, and Latin America may also become formally a corner stone of the BRI. Motives for the promotion of the New Silk Road are domestic Chinese developmental objectives as well as strategic, foreign policy, security and economic interests.⁸ Officially, the initiative has five key priorities, namely policy coordination, infrastructure connectivity, unimpeded trade, financial integration and people-to-people bonds.⁹

Being a pet project of President Xi and integral part of the constitution of the Communist Party, it was introduced by Xi in two speeches in Astana in September 2013 and in Jakarta in October 2013. The BRI is an ambitious connectivity and economic exchange project, but does neither follow a sophisticated, long-term masterplan nor is it a fundamentally new endeavor. The BRI builds, inter alia, on the Asian Land Transport Infrastructure Development (ALTID) scheme of the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP). ALTID, in turn, is based on plans of the United Nations (UN) in the 1950s and 1960s to coordinate and improve the highway and railway infrastructure (Asian Highway and Trans-Asian Railway) in and between the different Asian corridors.¹⁰

All in all, the BRI resembles more a basket of various domestic and external policies and implementation tools. Notwithstanding this fuzzy character, it is a defining project for the success or failure of the Xi era. Whether or not it will be reformed or maintained under a new party leader

remains to be seen. Even today, there are speculations whether the Chinese propaganda may gradually downgrade the importance of the BRI. As Minxin Pei writes, “(O)ne can detect tantalizing signs that Beijing is already curtailing BRI, at least rhetorically.”¹¹ In the near future, however, this article argues the BRI will remain the key framework for China to bundle its policies towards other countries. Consequently, these foreign governments have to respond to this initiative, while at the same time the PRC is likely to adjust its policies, learning from failures of BRI projects as well as from criticism by its partners and opponents.

To implement the BRI, Beijing created a web of bilateral agreements that put China as sponsor and promoter of the initiative at the center-stage. Accepting short-term financial losses, it is nevertheless not willing to accumulate deficits in the long-run.¹² If the BRI loans cannot be repaid by a government or a company, Beijing accepts leasing deals, the Greek port of Piraeus being the most prominent example in Europe. The Chinese COSCO holds since 2016 a majority stake in the port and took over its management. The bilateral BRI instruments are flanked by multilateral mechanisms such as the Asian Infrastructure Investment Bank (AIIB), the Silk Road Fund and the 17+1. In addition, even though Beijing prefers bilateralism under the BRI frame, it seeks closer cooperation with existing regional organizations such as the EU, the Shanghai Cooperation Organization (SCO) or the Eurasian Economic Union (EEU).¹³ This combinatory approach is non-ideological and pragmatic. However, this assessment alone does not provide any indication whether Beijing deliberately relies on established governance structures or just aims to buy time, until it is powerful enough to enforce its own norms and institutions.

3. Governance: China’s Role In Regional And Global Governance

Under the BRI framework, China takes globally the lead in building roads and highways, i.e., the ‘hard infrastructure’. Furthermore, Beijing increasingly provides the ‘soft infrastructure’, i.e., the necessary governance mechanisms to coordinate and implement the BRI. Research on governance, be it on global, regional, national or sub-national level, has grown exponentially in the last decades. Consequently, there exists a broad variety of definitions. According to the Commission on Global Governance, governance can be understood as “(...) the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and co-operative action may be taken. It includes formal institutions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceived to be in their interest.”¹⁴

After the Second World War, the Western powers established a political and economic system of global governance with the UN, the Bretton Woods institutions and the General Agreement on Tariffs and Trade (GATT) at its core. The Cold War, however, severely hampered the functioning of this system. Thus, after the fall of the Iron Curtain in 1989, there were high expectations that a new era of multilateralism and regional and global governance would prevail.¹⁵ This assumption was not least illustrated by the transformation of the European Community (EC) into the stronger integrated EU in 1993 and the establishment of the World Trade Organization (WTO) in 1995. The American presidents George Bush Sr. and Bill Clinton pursued multilateral policies and aimed to strengthen the UN in the 1990s. Yet, at the same time many citizens around the globe became increasingly critical of the globalization process. Since the election of Donald Trump as president of the United States in November 2016 multilateralism came under stress. Trump, a staunch critic of international cooperation, rejected the Trans-Pacific Partnership (TPP) with eleven East Asian and Latin American states. Even though Japan, Australia and Vietnam managed to convince the remaining partners to join the trade agreement, after Washington's withdrawal there remains a vacuum in the Asia-Pacific that China is determined to fill.¹⁶ With his Indo-Pacific strategy, though, Trump returned to the traditional US hubs and spokes approach.¹⁷ The exception to this pattern was Barack Obama who sponsored multilateralism, be it through the TPP or deeper relations with ASEAN.

As Trump is not interested in providing global public goods (at least not for free for the beneficiaries), other actors have to step in. According to Mark Beeson and Fujian Li: "(O)ne thing has become increasingly clear: nothing approximating global or even regional governance is no longer possible without the participation and cooperation of China."¹⁸ In fact, "like the United States, China today frames its foreign priorities as a force for global good".¹⁹ Beijing rejects the assumption that it strives to dominate the regions along the New Silk Road with the objective of establishing a Sino-centric world order.²⁰ It emphasizes that its norms, notably the Five Principles of Peaceful Coexistence, are in line with the UN principles.²¹

Whether China is in the process of developing from a norm-taker – it benefited economically from the post-1945 order, not least mirrored in its aim of becoming a WTO member – to a norm-setter and even revisionist power is contested in the literature.²² On the one hand, Beijing is a strong supporter of multilateralism and the existing order, but on the other hand, it is also critical about its Western base. Consequently, but also contradictory, "China is the most active advocate for reforms of international institutions and global financial governance. Since 2008, Beijing has continuously reiterated its demands through the BRICS joint declarations, G20 meetings and Davos summits."²³ There by Beijing portrays itself as acting in the interest of the global South, aiming to strengthen the voice of the non-Western, less developed nations in

the international arena. The post-1945 order reflects the power relations after the end of the Second World War; rising powers like China, India, Brazil or Indonesia are not adequately represented.²⁴ A fair redistribution of voting rights in the political and financial governance institutions, though, would come at the expense of the Western nations. Though, agreeing on respective negotiations would demonstrate their willingness to accommodate the powerful new actors. Furthermore, it would enable the West to test China's claim to support with its "responsible power diplomacy"²⁵ a multilateral, rules-based international order rather than striving for hegemony.

Such tests were the negotiations about the governance rules of the AIIB, the key financial mechanism for the New Silk Road. In the bargaining processes between Chinese and European diplomats the PRC made significant concessions in the field of financial governance – an area in which China, the world's largest exporter and a global investor, yields already considerable power. The AIIB was established by Beijing in 2015. Regarded by the PRC as a global public good, the bank "serves as a vehicle for China to manifest its illustration of an ideal financial governance structure."²⁶ According to information obtained from European diplomats posted in Southeast Asia, China initially aimed to propose own norms and standards for the AIIB.²⁷ Yet, as the Europeans opposed these guidelines in their negotiations with China to join the AIIB, Beijing backed off and accepted most existing standards for sound and sustainable financial governance. Similar, at the First Belt and Road Forum in Beijing in May 2017 the Western countries demanded guarantees for transparency, sustainability and fair tendering processes under the BRI framework.²⁸ China's willingness to compromise was, *inter alia*, explained by its wish to become a responsible global citizen and a legitimate norm-setter.²⁹

Notably since the election of Donald Trump the PRC, the EU and ASEAN consent on upholding the multilateral fabric of the global financial and trade order. Yet, there is disagreement on political values that underpin global governance. Especially contested is Xi Jinping's recent eagerness to actively tout China's (authoritarian) development model which attracts, due to its undeniable socioeconomic success, many followers around the globe. This Chinese form of soft power might be an attractive blueprint for authoritarian-minded leaders, but has limited appeal for advocates of democracy and human rights, both in the West and East. Even Malaysian Prime Minister Mahathir Mohamad, traditionally critical of liberal values, dismissed the PRC as a political role model, stating that "politically, of course, we are not attracted towards a system of government that is very authoritarian."³⁰ However, there is also legitimate criticism that the West sometimes utilizes the human rights discourse to promote its own interests in global governance and more often than not pays only lip-service to these values.

4. The Existing Governance Mechanisms in Southeast Asia and Europe

In Europe the European Union and in Southeast Asia ASEAN have proven track records of providing regional public goods in the form of rules, norms and institutions. Both are multilateral and inclusive institutions and cooperate with China in multiple policy fields and in different formats. However, there exist major qualitative differences between the two organizations. The EU, the key norm-setter in Europe, is a supranational organization. It developed a complex system of multi-level governance (MLG), interlinking different territorial levels with each other, namely the European with the national and sub-national level. Furthermore, the EU created a variety of institutions, ranging from the European Commission, the European Parliament, the European Council (as representative of the interests of the member countries), the Economic and Social Committee, and the European Court of Justice. MLG thus secures the access of public and non-public advocacy groups to the system and its institutions.³¹ The European governance system is highly legalized, and the rules and agreements are in principle enforceable by the Commission and the Court.

Many decisions are made in the Council with a 'double majority' (55 percent of the EU members have to vote in favor; these countries must represent at least 65 percent of the total EU population). In vital areas such as the Common Foreign and Security Policy (CFSP) or migration policies, however, the mode of cooperation is still intergovernmental, as national interests prevail – a similarity to ASEAN. Finding a consensus has proven difficult in the external relations with Russia and China and responses to the migration crisis. It becomes more and more challenging due to increased nationalism and fears of a loss of national sovereignty and autonomous decision-making across Europe, not least illustrated by the Brexit.³² Even the ability of the Commission to act as the guardian of the treaties in order to enforce the member states' compliance with the EU rules is due to *Realpolitik* concerns under challenge. Suspending a members' voting rights due to systematic threats to the rule of law (e.g. in Hungary, Poland and Romania) is politically difficult, as a key step is the requirement of the unanimous confirmation by the head of governments in the European Council of a serious and persistent breach of key EU values. Moreover, the concept of illiberal democracy, championed by Hungary's Victor Orbán, and populist anti- or at least EU-critical movements such as the Italian Lega pose a considerable threat to the effectiveness of the EU governance mechanisms, the Union's political unity and international credibility.

Notwithstanding its inherent limitations, such a complex governance framework as in Europe does not exist in Southeast Asia. The Association was founded in 1967 by five Southeast Asian nations as a comprehensive, pro-Western and anti-Communist collaboration mechanism, but has since the early 1990s established various cooperation structures with the PRC. Even after the

deepening of collaboration after the establishment of the ASEAN Community in 2015, ASEAN deliberately remains a strictly intergovernmental organization with limited access for civil society actors. The ten ASEAN members – except Singapore all developing nations – have no intention to pool their sovereignty. The reason is the dominance of the principles of sovereignty and non-interference in (South-)East Asia. Moreover, the elites lack both the political will and “the institutional, technocratic and financial capacities to emulate the European Union.”³³

Compared to the EU, ASEAN is a much weaker norm-setter. Nevertheless, the ASEAN-specific norms, values, rules, codes and procedures (‘ASEAN Way’) and the multilateral cooperation mechanisms form the base for a distinct governance system in Southeast Asia. Through the establishment of the ASEAN Regional Forum (ARF), ASEAN plus Three (APT) and the East Asia Summit (EAS) the ASEAN norms and rules spread to the Indo-Pacific region. Characteristic for the ASEAN Way are the respect for sovereignty, non-interference, informal dialogue and consensual decision-making as well as the lack of will to enforce rules. A key criteria of governance is thus not fulfilled, but, as demonstrated, the EU can also not always enforce its decisions. Questions of the Association’s effectiveness, real influence and relevance, however, are legitimate and controversially debated in the literature.³⁴ Despite this caveat, an ASEAN-led governance system with distinct norms and rules exists in Southeast Asia.

4.1 China as norm-taker and norm-setter in Southeast Asia

An important similarity of China’s engagement with Southeast Asia and Central and Eastern Europe is that the PRC started to deepen its bilateral relations with many individual countries in these regions in the early 1990s. At this time, Beijing was because of the Tiananmen massacre in 1989 politically still isolated in the Western world. In the aftermath the relations with Southeast Asia deepened in a much quicker and more systematic manner. In the early stages of this relationship, which was not least driven by China’s good-neighborliness policy and the attempt to reduce the perceived ‘China threat’ in East Asia, Beijing shifted from a bilateral approach towards multilateralism,³⁵ exemplified by its support for the weaker partners during the Asian Financial Crisis of 1997.

China’s economic importance for the Southeast Asian countries increased dramatically since 1997, and collaboration deepened. Already a decade before the launch of the BRI in autumn 2013 cooperation in transport and infrastructure development played a major role in the Sino-ASEAN relations. Other major dimensions of the BRI such as trade, financial and economic cooperation as well as people-to-people contacts were also addressed in the respective political dialogues.³⁶

Similar to the European Union, ASEAN has not officially endorsed the BRI, only the ten member states did so in bilateral MOUs with the PRC. In bilateral communiqués with China ASEAN welcomes “further exploration of synergies” between ASEAN’s Master Plan on ASEAN Connectivity (MPAC) 2025 and the BRI;³⁷ notably the MSR is highlighted.³⁸ At these occasions it repeats the “open, inclusive, transparent and mutually beneficial manner” of collaboration.³⁹ The Association addresses the New Silk Road also in its communiqués, but only in the context of “some of the new initiatives proposed by ASEAN’s external partners to deepen engagement of our region.”⁴⁰ The mentioning of the BRI together with less ambitious US and Japanese regional initiatives deliberately diminishes its significance. A clear pattern is the emphasis on “the need to strengthen an ASEAN-centric regional architecture that is open, transparent, inclusive and rules-based.”⁴¹ This diplomatic wording is very cautious. An interpretation could be that ASEAN perceives the BRI and China’s set of norms as a threat to its regional centrality.

In order to safeguard its centrality, ASEAN needs to actively strengthen its unity. Yet, the failure of the ASEAN Foreign Ministers’ Meeting in Cambodia in 2014 due to discord on the South China Sea dispute illustrated China’s influence on the organization via certain member states.⁴² Accordingly, fears increased that ASEAN members become even more dependent by falling into a BRI debt trap. Not surprisingly, Laos and, to a lesser extent, Cambodia are the most endangered economies. 23 of the investigated 68 BRI participants were “significantly or highly vulnerable to debt distress”,⁴³ out of which eight, including Laos, were being especially exposed. Even though the politicians in the recipient countries bear the main responsibility for accepting Chinese loans, Beijing responded to the warnings of a Chinese debt trap diplomacy with issuing a debt sustainability framework for the BRI participants at the Second Belt and Road Forum in Beijing in April 2019.⁴⁴

However, it remains to be seen whether this initiative can change the mind of the skeptics. Vietnam, for instance, is not enthusiastic about the New Silk Road. Despite the Sino-Vietnamese MOU on the BRI, the Vietnamese government is reluctant to formally award projects the label BRI. The planned, yet in the public contested metro line in Hanoi “has been quietly classified as [BRI project; A.G.] by both sides.”⁴⁵ In personal talks Vietnamese civil servants highlighted economic opportunities of the BRI, but were critical about potential negative strategic implications of the initiative. Moreover, the government has to take the negative public sentiment on China into account. The plans for three special economic zones that would have de facto been controlled for 99 years by Chinese companies had to be abandoned after public protests in 2018.⁴⁶

Although the BRI is conceived as a mainly bilateral initiative within a multilateral frame, most projects are transnational in nature and thus require multilateral coordination and cooperation, e.g. the plans for a railway

connection between the Chinese Kunming and Singapore. In general, “(o)ne of the key challenges facing Asia’s regional infrastructure connectivity is weak institutions and policies”.⁴⁷ Thus standards and rules must be developed that apply for the implementation and possible arbitration on the regional or at least on sub-regional level.

Are there signs that China aims to overcome these shortcomings in the field of governance? A clear pattern in China’s infrastructure diplomacy towards Southeast Asia is that the country takes advantage of existing initiatives. There already exist tested ASEAN governance mechanisms on regional and sub-regional level. Since the 1990s, ASEAN upgrades in cooperation with the Asian Development Bank (ADB) and Japan in the Greater Mekong Subregion (GMS) the infrastructure. The GMS scheme is comparatively successful in enhancing the regional connectivity.⁴⁸ Literally, China now builds on the bridges Japan financed in the GMS.⁴⁹ In addition, China and ASEAN created collaboration formats (e.g. the China-ASEAN Connectivity Cooperation Committee, the ASEAN-China Maritime Cooperation Partnership or the ASEAN-China Maritime Cooperation Fund).

In 2019, we witnessed two opposite trends of Chinese behavior in Southeast Asia: alleged attempts of Beijing to impose its rules, but also measures to jointly develop common norms and standards. For instance, the Philippine opposition alleged that the Duterte administration agreed confidentially with Beijing on loan agreements for infrastructure projects. It claimed the government waived sovereign rights and accepted that any arbitration procedure would be under Chinese norms.⁵⁰ A counterexample is that China’s Council for the Promotion of International Trade and the Singapore International Mediation Centre signed a MOU on establishing a mediation panel, comprising “experienced mediation professionals from China, Singapore and countries involved in Belt and Road projects, who will familiarize themselves with the various jurisdictions.”⁵¹ The responsible Singaporean Minister said that the two parties could jointly develop a “new way of settling cross-border commercial disputes that better reflects Asian values and is also tailored to Asia’s needs.” He added that the talks will go on, “but the choice of arbitrators and the set of rules used will be ‘a lot more tuned to how Asians might want to do business and, more importantly, how Asians might resolve disputes’.”⁵²

The BRI may act as a catalyst for a better coordination and harmonization of infrastructure planning in Southeast Asia and between this region and China. Thereby ASEAN’s lean, but nevertheless principled governance approach could guide the governance of the New Silk Road in Southeast Asia and other regions. A completely new and specific Sino-ASEAN BRI mechanism would duplicate the existing formats. Due to the less complex policy and coordination issues related to the BRI as well as the limited administrative capacities of most BRI participants, ASEAN’s governance

method seems to be more appropriate than the highly sophisticated MLG system of the EU. Moreover, it offers an additional advantage for the PRC: “China seems to be able to live quite comfortably with an ASEAN style of diplomacy that its adherents are under no obligation to comply with, and yet which confers of fig leaf legitimacy, just from being a responsible stakeholder, to borrow a phrase.”⁵³

4.2 China as norm-taker and norm-setter in Central and Eastern Europe

In China’s relations with the EU, connectivity and infrastructure development also played a prominent role already before the launch of the BRI. However, it was only during Xi’s visit to the EU in March 2014 – the very first of a Chinese president – “that the Chinese leadership began to officially include the EU in the initiative.”⁵⁴ In China’s second Policy Paper on the EU, released one day after Xi returned from his talks with the EU leaders, the BRI was not mentioned by name. In order to deepen the bilateral Comprehensive Strategic Partnership, the focus should rest “on the three pillars of political, economic and people-to-people exchanges.”⁵⁵

Closer infrastructure cooperation between the EU and China seems especially likely under the frameworks of the EU-China Connectivity Platform (since 2015), the EU’s Trans-European Transport Network (TEN-T) programme (since 1996, reformed in 2013) and the Europe-Asia Connectivity Strategy (2018). While the EU confirms the potential benefits of a collaboration with China, it became in the last years increasingly critical of Chinese investments in Europe.⁵⁶ The stricter review mechanisms for foreign direct investments to safeguard “Europe’s security, public order and strategic interests”,⁵⁷ in force since March 2019, clearly target Chinese companies. Recently, Brussels pressured the PRC more strongly to respect international norms, environmental and social stability, transparency, open procurement and the principle of reciprocity.⁵⁸

One key reason for Brussel’s new skepticism of the PRC in general and the BRI in particular are China’s inroads to Central and Eastern Europe, a strategically vital region which has also a significant global symbolic relevance.⁵⁹ In Europe, most BRI projects are implemented in Central Eastern, Southeast Europe and the Western Balkans.⁶⁰ This diverse region is regarded as Beijing’s gateway to the more developed Western European markets. Beijing, though, is not the only potential strategic rival for the EU (and member states such as Germany and Austria) in Eastern and Southeast Europe that may deliberately cause divisions in the EU – Russia poses an even stronger strategic threat. As the visit of US Secretary of State Mike Pompeo in Hungary, Poland and Slovakia in February 2019 demonstrates, Washington also renewed its interest in Central and Eastern Europe.⁶¹ US diplomats urge its European partners “to press China to bring its global investment efforts to be

in line with accepted international standards and best practices.”⁶² Exactly this recommendation is also given at various occasions by Vietnamese diplomats to their European counterparts.⁶³

China’s bilateral relations with the CEEC further improved after the turn of the millennium and especially after the Eastern enlargement of the EU in May 2004. The latter raised the political and economic significance of Central and Eastern Europe. During the Global Financial Crisis of 2008, Chinese investments were especially welcome. In April 2012, China established a new sub-regional cooperation format in Europe, the then 16+1; since 2013 its key aim is the promotion of the BRI. Beijing chose the members, drawing a new geographical but not yet political line through Europe. For the five non-EU members on the Western Balkan (Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia) these rules, e.g. for investment and procurement standards, apply indirectly, as they need to gradually adopt them before joining the EU. Similar to ASEAN, the economic – and political – differences within this group are significant. The members are socioeconomically less developed than the Western EU countries. Except Greece (a military regime from 1967 until 1974) all EU members of the 17+1 had before their democratization a Communist system.

The 17+1 puts the founder China by design and logic at the center-stage of this cooperation format. Notwithstanding its hub and spokes logic, the 17+1 also serves as a trans-regional ‘multilateralism light’ cooperation mechanism. It “can already be regarded as a nascent sub-regional organization.”⁶⁴ The 17+1 consists of multilateral forums such as regular meetings of high ranking politicians (either President Xi or Prime Minister Li), the national coordinators and various experts as well as business people. Apart from economic cooperation, cultural, educational and tourism activities between China and the CEEC have considerably grown in the last years.⁶⁵ Nevertheless, the governance structures remain deliberately lean. A political decision was to exclude the realm of security, as this would have caused concerns from the EU and the US, but also Russia.

For the European members, the primary bilateral logic of the 17+1 is not necessarily a shortcoming. For them, the 17+1 provides a useful function as an additional platform to the annual EU-China summits to regularly meet with the top Chinese leaders, notably as this forum has less members and deals especially with Central and Eastern European interests. Within their sub-regional cooperation forum, the Visegrad Four (V4) mechanism, the Czech Republic, Hungary, Poland and Slovakia, coordinate their responses to the BRI. The same holds true for the three Baltic nations which have a similar format. So far, coordination among all seventeen European 17+1 members to counter the Chinese dominance does not exist and is unlikely to be established in the near future.

China's main BRI project in Central Eastern and Southeast Europe is a high-speed railway connection between Belgrade and Budapest, to be extended to Piraeus. The project, though, is currently on hold, as the EU investigates possible infringements of the EU's public procurement rules of the Belgrade Budapest connection.⁶⁶ To avoid such failures in the future, the 17+1 established in Bulgaria an information center where Chinese companies can learn about the rules of the Common European market. This is a practical example for China's acceptance of the EU norms.

In general, the Western Balkan countries and Bulgaria rely much more on infrastructure investment than the V4 and Slovenia.⁶⁷ For smaller countries such as Montenegro the Chinese investments and loans are significant compared to its low GDP. The planned motorway link to Serbia costs US\$1.1 billion, equal to more than a quarter of Montenegro's GDP; China's Exim Bank finances 85 per cent of the costs.⁶⁸ Beijing holds 40 per cent of Montenegro's debt.⁶⁹ The sheer size of investments, however, is sometimes misleading, if the political and/or economic elites have a vested interest in deepening the cooperation. Thus the political influence of China might be in certain countries higher than the economic data suggest. So far it has been used to prevent EU unanimity on human rights violations in China and Beijing's actions in the South China Sea, as Greece and Hungary backed the Chinese position.⁷⁰

China had, at least at the start of the 17+1, the intention to support the European integration process through promoting economic development in the less developed Eastern parts. The Chinese government was therefore taken by surprise, as the statements of high-ranking EU representatives and the communiqués became increasingly critical of Beijing's engagement. According to Emilian Kavalski, the 17+1 mechanism "has increasingly started to be seen as an indication of China's capacity to deploy its economic prowess to contest the dominant norms, rules, and arrangements promoted by the EU."⁷¹ Fears of Chinese attempts to divide Europe and undermine the EU's unity are also expressed.⁷² The PRC responded to these perceptions with its third Policy Paper on the European Union in December 2018.⁷³ Therein "China welcomes the active participation of the EU and other European countries" in building the BRI.

However, those words did not change the critical perceptions in Brussels. In its most critical communication, issued in March 2019, the EU labels China a partner, a competitor, but also a "systemic rival promoting alternative models of governance." Highlighting the need to find a common China strategy, a key recommendation is that the EU "should robustly seek more balanced and reciprocal conditions governing the economic relationship."⁷⁴ The increasingly coordinated European efforts to pressure China to respect its unity is in line with Jinghan Zeng's assessment that foreign actors "should understand and take advantage of their potential in shaping the development and local practices of the BRI given the BRI's vague nature and lack of a clear

blueprint.”⁷⁵ The common position of Macron, Merkel and Juncker towards Beijing in March 2019 also illustrates that “firm (but still diplomatic) pushback on issues of concern is less costly than some might fear.”⁷⁶

Recently the European 17+1 members became increasingly disillusioned about unfulfilled promises and more critical towards the PRC.⁷⁷ This has led, according to Jakub Jakóbski, to “(...) a convergence between what Brussels demands and what [the European 17+1 members demand from Beijing; A.G.], and as a result we see more and more emphasis to the common EU approach”⁷⁸ within 17+1. However, due to political tensions between Brussels on the one side, Hungary and Poland on the other side, coupled by EU-critical views in the Czech Republic, there is no guarantee that a unified European position can be upheld against the PRC.

5. Conclusion

The Southeast Asian and European governments cooperate more or less closely with China in implementing the New Silk Road. The respective regional organizations, though, take a more critical or at least cautious approach than most of their members, albeit they emphasize potential economic benefits of the BRI. The EU is (at least since 2019) much more outspoken about negative strategic effects of the BRI than ASEAN. Both, though, are concerned about the ability of any outside power to negatively impact on their governance system and the regional order they have established. Thus they are also wary of Beijing’s rising economic might to create economic and political dependencies of nations along the New Silk Road.

To answer the second research question first: Both ASEAN and the EU perceive China’s ability to potentially become a norm-setter in their respective region as a strategic threat. The reason for this is that both organizations see China as having the adverse power to undermine their political unity in certain policy areas and thus their ability to set or enforce norms in their very regions, notably concerning the South China Sea dispute and human rights issues.

Seemingly contradicting to this assessment is the answer to the first research question: China acts currently in Southeast Asia and Europe only in a limited manner as a norm-setter; it is still more a norm-taker, accepting the established regional frameworks. China has not imposed a governance system in Asia or Europe to implement the BRI. Even though the China-centered 17+1 format was established by Beijing, the BRI cooperation is not pursued in a normative vacuum – the EU governance mechanisms, its rules and norms, e.g. the public tender and investment screening mechanisms, impact directly or indirectly on all members, including the PRC. In addition, the 17+1 governance mechanisms are based on established international formats and standards of cooperation, not purely Chinese norms and values. Yet, the sheer fact that a non-European power created a (sub-)regional organization in Europe must be

strategically concerning for the EU.

The ASEAN member states thus far do not have a common position on the BRI. This reduces the Association's influence on shaping this initiative in Southeast Asia. A common (regional) position, though, would even for Beijing be difficult to overcome. As the negotiations about the AIIB standards demonstrated, coordinated critical responses of the European governments pose significant challenges "to China's cultivation of its normative influence."⁷⁹ As a result, the AIIB mirrors the well established international, not Chinese standards of financial governance.

In Southeast Asia, the BRI projects are conducted on the basis of China's bilateral agreements with the individual governments, which is also the logic of the 17+1 cooperation. The existing multilateral Sino-ASEAN structures seem to be a sufficient base for increased BRI collaboration. However, better coordination is required both between ASEAN and China and among the Southeast Asian nations themselves. Furthermore, the ASEAN and Chinese diplomatic norms largely overlap, thus further reducing the probability of the establishment of a China-led governance mechanism in Southeast Asia to promote the BRI.

In order to better include the rising China in the existing international and regional governance mechanisms, compromises both from the PRC and the Western nations are required. Even though human rights, social and environmental norms and values should be respected by all parties, there are many financial and practical governance structures and rules that could be reformed in the mutual interest to more adequately mirror the interest of the global South. In this sense, the BRI could develop into an initiative that reflects global rules and norms, but also values and mechanisms from different regions that are mutually accepted. The New Silk Road could then function as an internationally respected framework for multilateral collaboration in infrastructure and connectivity that complements rather than replaces the existing international and regional governance structures and principles.

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