

Opinion – The 2025 Munich Security Conference as a Defining Moment

Written by Artur Simonyan

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<https://www.e-ir.info/2025/03/03/opinion-the-2025-munich-security-conference-as-a-defining-moment/>

ARTUR SIMONYAN, MAR 3 2025

The 2025 Munich Security Conference marked the full realization of the *Zeitenwende* – a historic turning point in international law first proclaimed by German Chancellor Olaf Scholz in 2022 and later discussed by legal scholars. While Russia's invasion of Ukraine was an undeniable rupture in the international order, redefining debates on annexation, self-determination, territorial integrity, and the principles of *jus ad bellum* and *jus in bello*, the real transformation extends far beyond the battlefield. History has shown that war may ignite legal change, but it is at the negotiating table where the architecture of international law is truly forged. More than just a high-profile diplomatic gathering, the 2025 Munich Security Conference exposed the shifting tectonics of global power and their legal ramifications. It laid bare the recalibration of the international legal order – one driven not by idealistic and utopian notions of universal principles but by raw geojuridical realities. At its core, three critical themes emerged: the reconfiguration of a multipolar world order, the legal and political dilemmas surrounding the Ukraine conflict, and the redefinition of democracy's place in global governance. As states navigate escalating geopolitical competition, shifting alliances, and the erosion of post-Cold War legal norms, the implications of these discussions extend far beyond Munich's conference halls. They signal the reshaping of international law itself, if not emergence of a new international law.

The discourse surrounding the emergence of a multipolar world order has gained significant academic and geopolitical relevance over the past decade, driven by China's rise as a geo-economic powerhouse, Russia's geopolitical resurgence, and the gradual erosion of the post-Cold War status quo. Initially, mainstream scholarly responses to this shifting paradigm focused on debates about the universality of international law as a flexible structure that can accommodate heterogeneity of interests, supported by liberal pluralism. More recent discussions, however, have moved beyond this dichotomy to critically assess the conceptual and functional distinction between international law and the rules-based international order (here, here, and here). As Dugard argues, the RBO is a system outside international law that challenges it, viewed either as a liberal order or as a framework advanced by Western states to promote their own interests. Ultimately, the RBO has been criticized by other geopolitical poles including Russia, China (here and here) and BRICS, which offer an international law-based order as an alternative to the RBO, challenging Western hegemony in the interpretation of international law. The 2025 Munich Security Conference highlighted these shifting paradigms, with the US distancing itself from the promotion of the RBO, leaving the EU to define how liberal democracies would fit into the emerging multipolar order. This shift has led to divergent views on multipolarization, particularly within the European Union, where it is often framed as a means of promoting liberal values globally, while other powers challenge this vision by advocating for an international law-based order.

The Munich Security Report explicitly characterizes China's push for a multipolar order as a "rhetorical cover for pursuing great-power competition with the US," while Russia's vision of multipolarity is described as an attempt to re-establish spheres of influence. Despite the characterizations by the Munich Security Report, Chinese officials have rejected such portrayals. The Chinese foreign minister, participating in the conference, emphasized that while China remains a beneficiary of the existing international order, states have fundamentally divergent interpretations of the rules governing that order, shaped by civilizational and historical differences. This divergence highlights a critical issue: while no actor in the multipolar world order outright rejects the universality of international law, there is

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widespread agreement that neither international law in its current form nor the RBO adequately addresses how the heterogeneity of interests can be accommodated, especially in an environment where ideological parochialism dictates the vision of key actors. For example, when discussing the BRICS vision of a multipolar world order, the report uses “BICS” rather than “BRICS,” excluding Russia from the group, which underscores the Western – particularly European – discomfort in engaging with actors who hold different positionalities on global issues.

Unsurprisingly, one of the few legal scholars referenced in the report is Carl Schmitt, whose concept of *Grossraum* (Greater Space) is used to explain Russia’s and China’s approaches to multipolarization. From this perspective, the conference highlighted the extremely tense ideological environment in which the multipolar order will be shaped, reflecting Johnson’s, Basham’s, and Thomas’ assertion that “tragedy, crisis, and scandal” are the primary modes through which world order is made and remade. These ideological tensions is bound to influence how international law of pluriversality evolves and is applied in the post-Munich conference period, with profound implications for the resolution of the Ukraine conflict and questions surrounding democracy and liberal values. The outcome of this ideological struggle may lead to an international law that oscillates between utopia and apology, where the geopolitical calculations of great powers, armed with legal doctrines centred on balance of power and permanent neutrality, dictate the extent of protection international law can offer to smaller states.

Although there was anticipation that the Munich Conference would offer basic principles regarding the U.S. administration’s approach to resolving the conflict in Ukraine, it instead brought strategic uncertainties to the forefront. Remarks by Pete Hegseth on the impossibility of Ukraine joining NATO, alongside discussions of potential territorial concessions to Russia, highlighted the fluid nature of the situation. In this context, international law played a secondary role, giving way to geopolitical considerations and economic interests, as evidenced by the US-Ukraine possible deal on rare minerals.

Fundamentally, from an international law perspective, the conference made it clear that any resolution of the Ukraine conflict under these geopolitical conditions would necessitate a significant redefinition of legal principles. However, while international law can facilitate Ukraine’s permanent neutrality – provided Ukraine retains the right to external support for defense-building – treaty-based territorial concessions to Russia without Ukraine’s consent could undermine the international legal order, which prohibits annexation, and would violate Article 52 of the Vienna Convention on the Law of Treaties. Any meaningful discussion on a prospective peace settlement between Ukraine and Russia must either incorporate legally binding spatial guarantees within a formal treaty or receive endorsement through a United Nations Security Council resolution. The absence of viable alternatives to the current spatial status quo would not only jeopardize Ukraine’s sovereignty but also erode the broader coherence of international law, as Brunk and Hakimi rightly observe:

In the absence of any alternative, the erosion of the prohibition of annexations – and with it, the broader set of norms that protect states’ territorial borders from forcible change – threatens to have negative and long-lasting consequences for many of the same peoples that such proposals are designed to protect.’

Quieta non movere!

The Redefinition of Democracy in International Law

One of the cornerstones of the post-1991 world order was the ideological triumph of liberal democracies over competing visions of global governance following the collapse of socialism. As Thomas Franck famously stated in 1991, “[d]emocracy... is on the way to becoming a global entitlement.” Since then, the United States has positioned itself at the forefront of promoting democratic values and human rights abroad. This trajectory suggested a teleological evolution away from an undemocratic international legal order – where sovereign decision-making occurred without popular consent – toward one increasingly centered on human rights and democratic legitimacy. As Tom Ginsburg argues, contemporary international law has been largely shaped by democracies. However, the rise of multipolarity has complicated this assumption. Authoritarian regimes not only replicate legal norms developed by liberal democracies but also actively contribute to the creation of alternative legal frameworks rooted in their own political systems (here and here). It is therefore unsurprising that “authoritarian international law” has emerged as a

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recognized challenge in discussions of the evolving global order, as highlighted in the Munich Conference reports.

A particularly significant development at the Munich Conference was the deepening debate within the West over the very definition of democracy. U.S. Vice President J.D. Vance's speech marked a clear attempt to separate democracy from its liberal attributes, emphasizing sovereignty over interventionist democratization efforts. This shift reflects a "Monroe Doctrine"-like approach, reinterpreting democracy as a domain reserved for sovereign states within defined regional reach rather than a universal legal entitlement. Consequently, the long-held assumption of an emerging right to democratic governance in international law appears to be giving way to a more state-centric vision, one that is increasingly detached from liberal normative assertions.

The 2025 Munich Security Conference solidified a decisive shift in international legal discourse, moving from the post-Cold War liberal order toward a framework shaped by *realpolitik*. Under the Trump administration's strategic recalibration, principles such as balance of power, spheres of influence, and selective non-intervention have gained prominence, often at the expense of democratic norms and human rights. As multipolarity reshapes global governance, international law is increasingly dictated by power dynamics rather than universal principles. The conference underscored that contested issues – NATO expansion, the South China Sea, and Arctic interests – are now negotiated through geopolitical pragmatism (apology) rather than legal idealism (utopianism). The redefinition and the contest over the meaning of democracy in Western hemisphere, particularly in U.S. rhetoric, further signals a departure from normative commitments of the 'end of history'. In the clash between idealism and strategic realism, the latter now dictates the trajectory of international law. Whether a necessary adaptation or an erosion of legitimacy, the conference marked a *Zeitenwende* in the emerging multipolar legal order.

About the author:

Artur Simonyan, PhD, is a legal scholar specializing in theory and history of international law. He was a Fellow at the KFG Berlin-Potsdam Research Group and has lectured on international law at the University of Tartu and the Johan Skytte Institute of Political Studies. His research explores the intersections of geopolitics and international legal theory, with publications in the *European Journal of International Law*, *Hague Yearbook of International Law*, and *Baltic Yearbook of International Law*.