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A GERMAN FEMINIST RESPONSE TO THE MAHSA AMINI PROTESTS IN IRAN: BALANCING NORMATIVE AND REALIST FOREIGN POLICY

Nicolas Verbeek

Advisor, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
KFIBS-Spokesperson of the IR-Theory and Foreign Policy Research Group

Introduction

The German response to the crackdown on the Mahsa Amini protests by the Iranian government has been perceived by some observers as strong, while other actors have called for more robust responses. The study employs a historical analysis guided by a neoclassical realist view to examine the German response. The study looks at the systemic logic of Germany's foreign policy actions toward Iran following the protests that erupted after the death of Mahsa Amini in September 16, 2022, and at the domestic factors that shape the current German response to the protests, namely the development of a German feminist foreign policy. Furthermore, the study takes stock of the German response following the death of Mahsa Amini and discusses the scope of future German support for the Iranian protesters. The study argues that Germany's new feminist foreign policy has produced excessive expectations regarding the country's response toward Iran in disregard of *realpolitik* interests. For this reason, the German foreign policy response to the Iranian government's crackdown on protesters was widely perceived as ambiguous. The German response will continue to be based primarily on imposing limited sanctions and diplomatic condemnations, particularly if no fundamental German *realpolitik* interests in Iran are affected in the context of further escalation by the Iranian government.

Theoretical Framework

In September 2022, nationwide protests erupted in Iran against the Iranian government. These were triggered by the death of Amini in Tehran on September 16 at the hands of Iran's morality police. Women have played a central role in the protests, with a key demand being increasing women's rights. Supreme Leader Ayatollah Ali Khamenei dismissed the widespread unrest as "riots" and a "hybrid war" launched by foreign states and dissidents abroad. The Iranian government's violent response to the protests has been widely condemned.⁽¹⁾

Some human rights activists and intellectuals in Germany and Iran have accused the German government of an insufficient response to the crackdown on Iranian protestors,⁽²⁾ while overall, a relatively strong response by Germany to Iran's human rights violations compared to the past has been noticed in the international community.⁽³⁾ In the same vein, previous research is at odds, either criticizing Germany's failure to pursue normative values in its interactions with Iran during the protests⁽⁴⁾ or condemning Germany for acting too normatively and ultimately harming German economic and security interests.⁽⁵⁾

To provide clarification, this study uses an historical analysis to examine the factors that have influenced the German response to the Iranian government's crackdown on the Iranian protests through a theoretical lens of neoclassical realism, particularly against the backdrop of a newly developing German feminist foreign policy (FFP) since 2021. The study argues that Germany's new FFP has produced excessive expectations regarding the German response toward Iran in disregard of central realpolitik interests and limited leverage. For this reason, the German response to the Iranian government's crackdown on protestors was widely perceived as ambiguous. The German response will continue to be based primarily on limited sanctions and diplomatic condemnations if no fundamental German realpolitik interests are affected in the context of further escalation by the Iranian government. This is not fundamentally inconsistent with the German FFP.

A neoclassical realist view⁽⁶⁾ recognizes the relative power distribution in the international system as the primary frame of reference for state foreign policy but views this distribution as influenced by intervening variables at the domestic policy level. Variables such as the perceptions of key decision makers, political interest groups, strategic culture and state institutions can significantly influence foreign policy decisions beyond the geopolitical constraints and opportunities offered by the international system. Such an analytical framework is well suited to evaluate the German response to the Iranian crackdown on the Iranian protests, as in the past it was assumed that German-Iranian relations were strongly shaped by realpolitik variables (security and economic interests), and now a significant change in relations (deterioration) can be observed without a fundamental change in those same variables. The answer for this change in German behavior then lies at the domestic level. The degree of changed behavior indicates the impact of these new variables at the domestic level vis-à-vis longstanding systemic factors (security

and economy in a classical state-centric sense). A crucial domestic variable shaping German foreign policy expectations toward Iran is the development of a German FFP since 2021.

First, the study analyzes the logic of Germany's foreign policy actions toward Iran until recently. Thereafter, the study sheds light on domestic factors that have particularly shaped the current German response to the Iranian protests, namely the development of a German FFP. Against this background, the study outlines the German response to the crackdown on Iranian protestors and discusses the scope of possible further German support for the protests.

The Realist Logic of German Foreign Policy Action Toward Iran

In the past, bilateral relations between Germany and Iran were primarily shaped by economic and security interests. As part of a balancing policy, Germany pursued close economic relations with Iran, while in the context of the increasing security threat posed by Iran (for example, through its nuclear weapons program) Germany attempted to follow Washington's position and exert pressure on Iran to de-escalate. With close economic relations, especially in the technological sector, Germany became the primary European trading partner of Iran, offering opportunities for the former to profit greatly economically and sell this to the outside world as a "change through trade" policy. This policy was deeply anchored until recently in German politics, that an increase in commerce, linked to effective diplomacy, would shift states toward democratization.⁽⁷⁾ However, since the Russian invasion of Ukraine, this policy seems to have failed. On the other end of the German balancing policy were attempts to exert pressure on Iran to de-escalate its increasingly aggressive behavior in the region in close cooperation with traditional Western allies like the United States. In view of Germany's relatively moderate position vis-à-vis Iran, Tehran has traditionally viewed Germany as a counterbalance to the United States (a broker between itself and the West).⁽⁸⁾ The economic and security dimensions of German-Iranian relations until recently will be briefly explored in more detail in the following section.

Economic Relations

Germany is Iran's most important trading partner in the European Union (EU). German exports to Iran climbed 12.7% from January to November 2022 to around 1.5 billion euros. That exceeded the full-year volume for 2021 of around 1.4 billion euros in times of a rigid US-led sanctions regime against Iran. Following the US withdrawal from the Iranian nuclear deal (JCPOA) in May 2018, trade between Iran and Europe fell over 78% compared to 2017 in the face of primary and secondary sanctions in the context of the US maximum pressure campaign against Iran. However, in Germany, there was a positive trend in trade with Iran in 2020 (a 6% increase to over 1.8 billion euros, approximately 1 billion euros higher than Iran's average trade volume with the EU — 700 million euros). Overall, the lower trade volume compared to previous times is mainly the outcome of Iranian trade

diversification, especially given the growing role of China during the sanctions on Iran and after the withdrawal of the United States from the JCPOA in 2018. However, German-Iranian economic relations are relatively resilient toward many international sanctions on Iran, despite the fact that the share of raw materials (especially crude oil and gas condensate) in bilateral trade fell to zero following the Trump administration's sanctions on Iran. It is important to note that raw materials are the commodities which have experienced the strictest international sanctions. Therefore, most commodities which are traded between Germany and Iran have been relatively unaffected by the sanctions, meaning that the Iranian market has suffered comparatively little loss of importance for Germany.⁽⁹⁾

Security Relations

Germany has frequently expressed its interest in making sure that Iran does not possess a nuclear bomb. Bilateral relations are shaped by this issue, affecting economic relations and creating room for regular political interactions. In July 2015, Germany was the only non-UN Security Council (UNSC) nation that signed, along with the five UNSC permanent members, the JCPOA with Iran, an agreement which effectively restricted Iran's weaponization of nuclear power. Germany, France, the UK and the EU continued to stand by the JCPOA, even after the withdrawal of the United States in 2018. Since April 2021, the European troika (Germany, the UK and France) has been engaged in negotiations with Russia, China, Iran and the United States on the latter's return to the JCPOA and a renewed commitment by Iran to fulfil its obligations under the agreement.⁽¹⁰⁾

However, Germany announced in late December 2022 that there were no reasons to resume talks on the JCPOA at this time for the following reasons: Iran's unwillingness to grant IAEA inspectors access to undeclared sites where uranium concentrations were detected; Iran's new maximalist demands in the nuclear talks; and the human rights situation in Iran after the Iranian government's harsh crackdown on Iranian protestors.⁽¹¹⁾

After the JCPOA in 2015, Germany has inclined toward balancing between Iran and Saudi Arabia, to preserve regional stability. With a renewed focus by Germany and the EU on energy and security policies in the context of the Russia-Ukraine war, Iranian support for Russia in the war and increasing Iranian human rights violations, the political potential is building up for closer German and EU cooperation with the Gulf states,⁽¹²⁾ which has so far been hamstrung mainly by Berlin's lack of interest in Iran's regional destabilizing activities and its consequent recent omission of support for countries such as Saudi Arabia in the arms industry.⁽¹³⁾

Economic and security factors shaped Germany's relationship with Iran in the last years, and until recently, relations were relatively unaffected by Iran's human rights record. However, human rights have become increasingly important for Germany, at least since 2021, which is attributable to an emerging domestic demand for a human rights-oriented foreign policy approach, culminating in the recently

published official guidelines for a German FFP. The substance of the new German FFP will be further discussed in the next section.⁽¹⁴⁾

The Domestic Logic of Germany's Foreign Policy Approach Toward Iran

The influence of various actors over domestic decision-making has shaped the German response to the Iranian protests over time, enabling a more powerful German critique of Iran. This can be explained as follows:

A Human Rights-oriented Government

The SPD party of the current German Chancellor Olaf Scholz sees itself as a party of peace that focuses on diplomacy and dialogue, civil crisis prevention and peacebuilding as well as multilateral action. Scholz has so far tended to appear reactive in terms of foreign policy. The Green Party of Germany, which is part of the German government, is committed to an active and European foreign policy for peace, human rights and climate protection, and advocates for the FFP under the strong guidance of Foreign Minister Annalena Baerbock. This commitment resulted in the German government stipulating in the coalition agreement of November 2021, "Together with our partners, we want to strengthen the rights, resources and representation of women and girls worldwide and promote social diversity in the sense of a feminist foreign policy."⁽¹⁵⁾ Germany's FFP is a human rights-based approach that focuses on human security and pays particular attention to gender issues. The protection of women, girls and marginalized groups i.e., intersectionality, (a type of feminism which focuses on understanding how a person's various social and political identities combine to create different modes of discrimination), among others, in armed conflicts, their equal participation in peace processes and consideration in budgeting are important elements of the FFP. The ambitious implementation of UN Resolution 1325 (Women, Peace and Security) is the first guideline Germany has set for itself in its new FFP, which means integrating the perspectives of women and marginalized groups into the global work for peace and security. Germany has been a strong supporter of Resolution 1325 since its adoption in 2000.⁽¹⁶⁾ In government circles, there is talk of a "3R+D" approach, the aim of which is to promote the rights, representation and resources of women and marginalized groups as well as to enhance diversity.⁽¹⁷⁾ This approach was first introduced in the context of a Swedish FFP and seeks, from an intersectional and postcolonial perspective, to (1) create equal rights and equal participation in social, economic and political processes for women and marginalized groups, (2) adequately resource the FFP and provide women and marginalized groups with equal access to resources ranging from financial, human and natural resources to intangible resources such as education and networks.

Overall, a German FFP encompasses 10 guidelines that focus on vocal and networked action for equal rights, representation and access to resources for women. Furthermore, gender equality, diversity and inclusion in German society

and the foreign service need to be strengthened. This new policy approach with a focus on human security that also incorporates socioeconomic dimensions fits well with Germany's strategic culture of military restraint and focus on civil conflict management that has been anchored in the country's political landscape since the end of World War II.

A Vocal Civil Society

Civil society is pushing the German response toward Iran. On October 22, 2022, a demonstration took place in Berlin with about 80,000 participants from all over Europe. In other German cities such as Hamburg and Stuttgart, larger protests against the Iranian government and expressing solidarity with the Iranian protesters occurred throughout the period of October 2022 to January 2023.⁽¹⁸⁾ The Iranian diaspora in Germany (about 100,000 people) and the EU has also acted as an important voice in demanding stricter German measures against the Iranian government. For example, on January 16, 2023, the Iranian diaspora urged the EU to list the IRGC as a terrorist organization at a solidarity rally in Strasbourg.⁽¹⁹⁾

Many have considered Germany's response to the protests and human rights violations in Iran to be insufficient and to not adhere to the high standards of an actual FFP. Civil society actors have demanded a complete political-economic isolation of the Iranian government. Their key demands include the following:

- Designation of the IRGC as a terrorist organization
- Declaration of Iran as a terrorist state
- No more negotiations with the Iranian government
- Freezing of diplomatic relations with Iran
- Expulsion of the Iranian ambassador to Germany
- Closure of the Iranian embassy in Berlin
- Extensive and harsher sanctions against all key members of the Iranian government and its pillars.

Given the maximalist demands by many civil society actors, German support for the Iranian protest movement as laid out in the next section has overall fallen short of civil society expectations.

Germany's Response to Escalating Violence Against Iranian Protestors

A combination of different Iranian actions is driving Germany's positioning vis-à-vis Iran: (1) Iran is suppressing the will of Iranian protesters who want freedom; (2) Iran is helping Russia [in its war against Ukraine]; and (3) Iran has refused to cooperate with the IAEA. The main driver currently, however, is the dire human rights record of the Iranian government and its crackdown on the protest movement.

Diplomatic Gestures

Baerbock and Scholz have continuously condemned the Iranian government for its crackdown on protesters and executions in the media as well as in bilateral meetings with Iranian officials. Particularly well known in Germany is the

chancellor's perspective which was made clear in a government podcast addressed to Iran's leaders in November 2022 in which he said, "What kind of government are you that shoots at its own people?"⁽²⁰⁾ On November 3 2022, Germany issued a travel warning to Iran, saying there was a real risk of German citizens being arbitrarily arrested and sentenced to long prison terms. In late November, on the initiative of Germany and Iceland, it was decided by a simple majority of 25 of the 47 member states of the United Nations Human Rights Council (UNHRC) that it would investigate the actions of Iranian security apparatuses against protesters. Iran was also excluded from the UN Commission on the Status of Women after a vote.⁽²¹⁾

In late December 2022, German Foreign Ministry Spokesperson Christofer Burger told media representatives that Germany sees no reason to revive the stalled nuclear talks given the dire human rights situation in Iran.⁽²²⁾ In early January, Germany and other Western countries (France and Norway) summoned their respective Iranian ambassadors to issue a strong objection to the execution of Iranian protestors. In a subsequent interview with reporters, Baerbock emphasized that executions will not remain without consequence and that the EU must remain united and not close its eyes to human rights violations in Iran.⁽²³⁾ The invitation of Iranian opposition figures to the Munich Security Conference (MSC) in mid-February 2023 and the exclusion of Iranian government officials sent a strong message to Tehran and reflected Berlin's solidarity with the Iranian protest movement.⁽²⁴⁾ While diplomatic gestures have been accompanied by several German and EU sanctions packages, the German government has still been repeatedly accused of reacting too late to the protests and of failing to find a response to the unprecedented events unfolding in Iran.

German and EU Sanctions Against Iran

The European states until now have not proposed a sanctions response that could embolden Iranian protestors. In mid-October 2022, the EU imposed its first sanctions package on Iran's morality police and more than a dozen other individuals and entities, including members of the Basij because of human rights violations. The following month, the EU reimposed sanctions on 31 individuals and entities in Iran, including members of the IRGC. After Iran executed the second arrested protester in December 2022, the EU imposed a third sanctions package against several individuals in the IRGC.⁽²⁵⁾ On December 23, 2022, Germany's government suspended measures designed to foster business with Iran due to the suppression of nationwide protests in the country. The suspension affects export credits and investment guarantees as well as Germany's management training and trade fair programs in Iran that opened in 2016 after the JCPOA but have remained dormant since 2019.⁽²⁶⁾

While the German focus is currently on increasing pressure on the Iranian government, the most recent central debate in the EU around elevating the IRGC to the bloc's terrorist list does not seem to move despite continued protests in the EU⁽²⁷⁾ and the European Parliament's majority decision in January 2023 to add the IRGC to the blacklist. The EU, along with the United States and the UK, imposed

further sanctions on 18 people and 19 entities (travel ban and freezing of funds) on January 23 2023.⁽²⁸⁾ On February 20 2023, the EU imposed even more sanctions on an additional 32 individuals and two entities responsible for human rights violations in Iran.⁽²⁹⁾ While voices in the German Parliament continue to call for designating the IRGC as a terrorist organization, Berlin and EU Foreign Policy Chief Josep Borrell are hesitant to designate the organization without a court decision in one of the EU member states.⁽³⁰⁾ Yet, a court decision is still pending. German Foreign Minister Annalena Baerbock stressed that the idea of designating the IRGC as a terrorist organization should not be ruled out, emphasizing that a court decision is not strictly necessary from a procedural point of view and that there is sufficient evidence for the organization's blacklisting.⁽³¹⁾ In the latest round of sanctions, the European troika decided to shut down the INSTEX (Instrument in Support of Trade Exchanges) financial mechanism on March 10, 2023. The European troika established INSTEX to reduce the impact of US sanctions, particularly on humanitarian goods. However, the mechanism was systematically blocked by Iran which never agreed to any transactions⁽¹⁾ as the Iranian government regarded INSTEX more as a symbolic gesture by the European parties to the JCPOA to make sure Iran remained committed to the deal. Tehran believes that a lack of seriousness from European governments is the main reason for the failure of INSTEX as they are fearful of facing reprisals from the United States.⁽³²⁾

Ramifications and Future Prospects

The Iranian protest movement has pushed Germany's human-rights oriented FFP into the spotlight with Berlin facing intense criticism over being a weak link and not acting firmly against the excesses of the Iranian government. While the German government recently said it had initiated fundamental changes in its Iran policy, the facts are: (1) Germany remains Iran's top trading partner in Europe, (2) a far-reaching diplomatic isolation/freezing of bilateral relations has not taken place, and (3) targeted sanctions against those responsible for human rights violations in the context of the crackdown on Iranian protestors are not comprehensive enough yet to bring about a profound weakening of the Iranian government; the designation of the IRGC as a terrorist organization would be important in achieving the latter but the decision has not yet been made.

German foreign policy within the framework of a human-rights and feminist approach has led to extreme expectations regarding the country's responses to the Iranian government's crackdown on protestors and other belligerent activities, regionally and globally. However, it is apparent that the German approach of limited sanctions and diplomatic protests or normative condemnation is rooted in tangible realist German interests: (1) A lingering fear that too much pressure on Iran could risk efforts to revive the JCPOA despite recent statements by the German government that its focus is on the human rights situation in Iran, (2) economic

(1) Iran only agreed to a single transaction in early 2020 for the export of medical goods from Europe to Iran.

interests, especially against the backdrop of the economic burden caused by the Russian invasion of Ukraine, (3) the fear that the designation of the IRGC as a terrorist organization would primarily affect the Iranian population and prevent diplomacy, and (4) no deep interest in regime change due to the instability such an event would cause.

The German emphasis on a human rights-oriented foreign policy has nurtured the false expectation that Berlin would go “all in” against the Iranian government. This has led to absurd benchmarks cited by critics of the FFP such as unlimited support for the protesters to the point of supporting them to overthrow the Iranian government.⁽³³⁾ These expectations misjudge Germany’s limited ability to influence the events in Iran and overlook the required weighing of economic and security considerations. Germany’s FFP and realist considerations are not exclusive of one another. The FFP is a long-term undertaking meant to challenge the structures of inequality while acknowledging realist considerations.

Iran is a test of German readiness to act progressively and practically over the long term. German diplomacy should be judged on whether it now begins unlocking networks and alliances for change and empowering marginalized groups at home and abroad. The country’s FFP acknowledges that change can happen from the bottom up, driven by people and places that Germany has historically disregarded.⁽³⁴⁾ Progressive change in Iran will not be a product of Germany’s FFP but of an Iranian feminist revolution, meaning that the demands for equal rights by Iranian women and other groups, which play a leading role in the cross-sectional Iranian protests, are realized. Germany can play an important, yet limited, role in this outcome.

Two future scenarios are conceivable in view of the current developments in German-Iran security relations and the human rights situation in Iran. As part of its FFP, Germany will continue to position the issue of human rights and human security in any diplomatic efforts with Iran to address the root causes of conflict and violence.

First, this means including gender-sensitive and intersectional language in the core messages sent in response to human rights violations in Iran, which has not been done consistently so far. Work on eliminating the roots of oppression in Iran, for example, can be furthered by listening even more closely to the needs of Iranian civilians and by looking at gender-disaggregated data collection and analysis to further identify sources of oppression in Iran to highlight their intersectional nature.⁽³⁵⁾

Germany will work closely in dialogue with trusted diaspora-based civil society organizations and support the documentation and verification of the countless human rights violations, with the aim of holding Iranian officials accountable and making specific and vocal human rights demands backed by targeted restrictive measures against individuals and entities to minimize the harm inflicted on women and vulnerable groups. Through a regional approach, Germany is working with countries like Iraq, Turkey and Pakistan to facilitate refuge for women and human

rights defenders and is strengthening its focus on gender equality in its foreign policy.⁽³⁶⁾

Second, in the context of rising Iranian escalation in the region as well as against Germany and the EU, a US-European consensus is growing for even tougher action against Iran based on strong security concerns, which in turn will end in a perceived spiral of escalation as the Iranian government's crisis management mostly depends on escalation. This will further isolate Iran, exacerbate its domestic crisis, and lead the Iranian government to depend even more heavily on cooperation with China and Russia.⁽³⁷⁾

The difference between the scenarios is that a consistent German FFP (scenario one) considers the impact of its actions on the vulnerable Iranian population in all its dealings and does its (limited) part to strengthen civil society. In scenario two, Germany responds ever more aggressively to Iranian escalation, with the Iranian population caught in this struggle and suffering even more than before. Germany's reluctance so far to respond even more aggressively to the Iranian government — targeting all of Iran — may not be a failure of the German FFP, but precisely the deepest expression that Germany has developed its own FFP, despite potential for improvement.

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