



Germany

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EXECUTIVE SUMMARY

Human rights and democracy have been core values of German foreign policy since the foundation of the Federal Republic in 1949. Germany predominantly draws on civic and peaceful means to promote human rights and democracy. Its substantial democracy aid is determined in part by recipient countries’ level of governance.

German governments have sometimes hesitated to demand democratization in authoritarian regimes, tending to criticize electoral fraud where democracy has already taken root. In general, German governments have tried to consistently link their democracy promotion strategies with the foreign policy of the European Union (EU). The country’s political foundations also play a significant role in democracy promotion. Similar to other major European countries, democracy promotion is restricted in cases where economic interests are dominant, as in relationships with China or Russia.

Introduction ¹

Germany derives moral authority to support democracy and human rights from its own historical experience after World War II. As a result of the support of the Marshall Plan, West Germany underwent a democratization process, and after the fall of the Berlin Wall, a united Germany embraced the promotion of democracy and human rights as an element of its long-term foreign policy goals. At the same time, Germany has been hesitant to intervene in other nations’ affairs because of its role as the aggressor during the war. Indeed, West Germany’s *Ostpolitik* (“Eastern policy”) toward Eastern Europe—arguably its most significant Cold War foreign policy initiative—was aimed less at the encouragement of democracy than at peace and rapprochement. In particular, *Ostpolitik* did not pursue democratization in East Germany. Today, Germany’s hesitant approach to Russia can be partly explained by the legacy of this noninterventionist history.

All German governments, irrespective of their political party affiliation, have committed themselves to the principles of human rights. While democracy is also a foreign policy priority, German governments have not given it the same emphasis as human rights.²

German support for democracy and human rights is implemented through a heterogeneous set of government ministries, state aid agencies, and civil society organizations. Germany has an especially rich community of nongovernmental organizations (NGOs) and think tanks, often at least partly state-funded, that contribute to democracy promo-

About this project

This project analyzes support by 11 democratic powers for democracy and human rights during the period June 2012–May 2014.

About the authors

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tion initiatives. Political foundations such as the Konrad-Adenauer-Stiftung and the Friedrich-Ebert-Stiftung are distinctive actors in German democracy promotion. Originally founded to promote democracy through civic education in West Germany after World War II, they have since broadened their mandate and conduct numerous projects abroad. While political foundations are ideologically linked to the political parties represented in parliament, their financial support is derived from the government and is independent from the parties.

Internationally, Germany's most important point of reference is the European Union (EU). The EU influences and in some cases determines Germany's foreign policy, and Germany frequently influences EU policies. In contrast to other, more interventionist nations such as the United States or the United Kingdom, Germany has been particularly reluctant to use military means for removing repressive regimes.

Given its high commitment to multilateralism, Germany declined membership in the Community of Democracies in 2000, as it perceived the group to be a coalition to circumvent UN authority in order to justify interventions in third countries. At the same time, Germany has strengthened its engagement in the UN Human Rights Council during its membership since 2012, and the government has announced its candidacy for the council's presidency.³ While Germany has had a strong voting record since 2013 on joint statements in the council that are country specific, it has not taken the lead to bring unaddressed, critical situations to the council's attention.⁴

Geographically, Germany gives support to all regions, with recent focus on developments in Germany's eastern and southern neighborhoods. Germany tends to focus its democracy support on those countries where political liberalization has already gained a foothold, placing less emphasis on comparatively stable authoritarian regimes.

In 2014, Foreign Minister Frank-Walter Steinmeier initiated the reform project "Review 2014," which addresses the role of military engagement in Germany's foreign policy. Initial policy recommendations of this process are expected at the end of 2014.

Foreign Policy Objectives

Human rights and democracy have been core values of German foreign policy since the foundation of the

Federal Republic of Germany in 1949, though during the Cold War they were secondary in importance to strategic considerations. Germany pursues a value-oriented foreign policy based on the principle of peace. Inviolability of human rights—in Germany and other countries—is anchored in the German constitution (*Grundgesetz*).⁵ Moreover, the peaceful support of both democracy and human rights is strongly backed by public opinion: large majorities (almost 80 percent) of the public support promoting human rights and democracy elsewhere as long as this does not involve military means.⁶

German foreign policy is mainly formulated and implemented through the Federal Foreign Office, while the Federal Ministry for Economic Cooperation and Development (BMZ) is responsible for the country's development cooperation. Official documents often do not explicitly refer to democracy as a policy objective in relations with individual countries, but rather as an overarching goal. They also often refer to democratic principles such as civil society participation, civil rights, and political liberties while framing democratization as a long-term process that must be nurtured by the respective society.⁷ A strong emphasis on supporting the rule of law links the country's human rights approach with its aim of supporting democracy.

Nevertheless, the goal of strengthening democracy often competes with other German interests and is sometimes soft-pedaled in relationships with more stable autocracies such as China, Russia, Rwanda, and Saudi Arabia. For instance, China and Germany have had an ongoing dialogue about the rule of law since 2000,⁸ but this engagement does not explicitly involve a value-oriented stand on human rights and democracy. Pursuit of economic interests is not the only motive for the deemphasis of democracy in bilateral relations: Germany at times refrains from criticizing authoritarian countries when it seeks partners to address global problems such as climate change or poverty.

In general, continuity has shaped German foreign policy. Since the conservative-liberal government came to power in 2009, Germany has aimed its diplomacy at strengthening its role as a human rights defender in international forums, especially in the UN Human Rights Council. Germany usually draws on civic, nonmilitary means to defend human rights. However, after the military coup in Mali in 2012 and the outbreak of civil war in the Central African Republic in 2013, the government of Angela Merkel

launched a debate over military interventionism that goes beyond North Atlantic Treaty Organization (NATO) obligations for the sake of global security, human rights, and democracy. An expansion of Germany's traditionally limited military role draws only partial support among the public. While 66 percent agree that peace and freedom should be top priorities and support for human rights a main task of German foreign policy, only 37 percent believe that Germany should take more responsibility in international crises. In contrast, more than 80 percent supports the engagement of German troops to stop genocide and provide humanitarian aid.⁹

Development Assistance and Trade

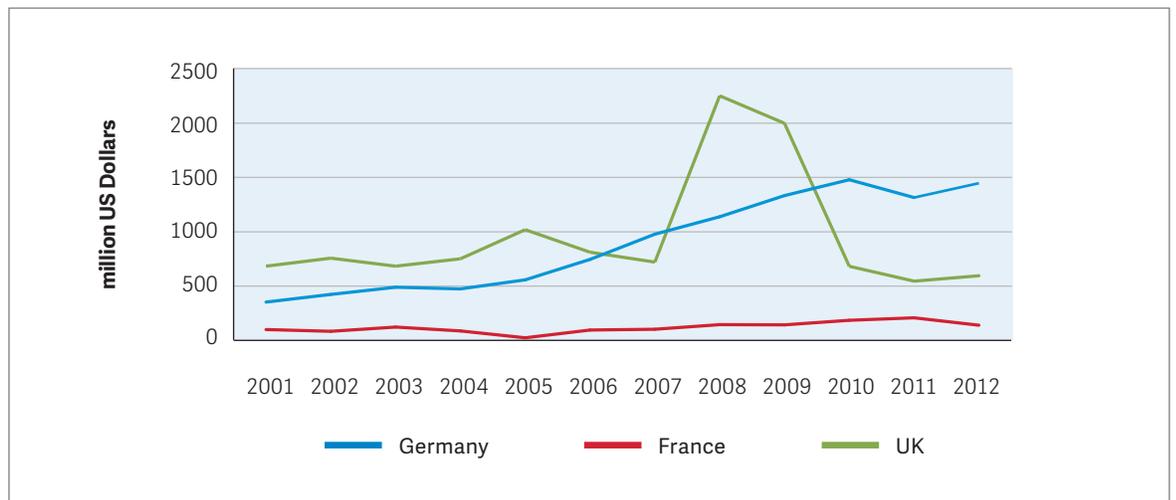
In its 2013 Development Policy White Paper, the BMZ highlighted human rights and democracy as the basis for development cooperation and emphasized its commitment to democracy support and a human rights-based approach to development assistance.¹⁰ Germany is not only Europe's largest bilateral provider of democracy aid but also among the few major donor countries that have explicitly named democracy support as a foreign aid objective.

Germany's official development assistance includes resources distributed through bilateral state-owned agencies such as the German Agency for International Cooperation (GIZ) and the KfW Development Bank; NGOs such as the political foundations; and multilateral institutions such as the UN Development Programme (UNDP), EU institutions, and the UN Democracy Fund. Most of Germany's bilateral

aid for improving democratic governance and state modernization is channeled through the GIZ. While the good governance programs it implements often do not explicitly aim at democracy promotion, they are intended to strengthen transparent and democratically accountable state institutions, and often include aspects of local governance and decentralization. Democratic participation and civil society comprise the largest part of German governance support (€312 million [\$403 million] in 2012), followed by public sector management (€212 million [\$274 million] in 2012), and legal and judicial development (€166 million [\$214 million] in 2012).¹¹ Crosscutting issues such as transparent and accountable governance in water management or the rights of women in local politics are often not reported as democracy assistance or human rights support, making them difficult to capture.

Germany has had a steadily growing financial commitment to democracy and human rights policies during the last decade. According to Organisation for Economic Co-operation and Development (OECD) aid statistics (see Figure), Germany spent more than \$1.4 billion to support "civil society and governments" in 2012, which is equivalent to support for democracy and human rights; general aid to development is not included. Afghanistan is by far the largest recipient of aid to good governance (€278 million [\$359 million] in 2012), followed by sub-Saharan African countries such as Ghana (€ 26 million [\$33.5 million]) and Tanzania (€21 million [\$27 million]).¹²

Figure: German support to democracy and human rights (2001–2012)



*Figures are commitments in constant millions of 2012 USD.

Source: OECD Aid Statistics 2014; Database of the Creditor Reporting System.

The Federal Foreign Office spends only €24 million (\$31 million) per year on small-scale projects, a figure that was complemented during the Arab spring with “transformational partnerships” that have had a budget of around €30 million (\$39 million) per year since 2012.¹³ Both types of foreign ministry funding go toward microprojects on topics including human rights, civil society, and free media. In addition, the foreign ministry supports the German Institute for Human Rights (*Deutsches Institut für Menschenrechte*), which monitors German human rights policies.¹⁴

In order to allocate aid according to the principles of democracy and human rights, BMZ has systematically analyzed the governance situation in its partner countries on an annual basis since 2006. Empirical evidence has shown that a developing country’s level of democracy plays a statistically significant role in the allocation of aid and whether it becomes a partner country for development assistance.¹⁵ German governments have argued in favor of this standard-based allocation, and tend to sanction the violation of basic democracy principles with a reduction or suspension of bilateral aid flows. For example, Germany cut budget support to Uganda in 2012 because of apparent government involvement in a corruption scandal as well as legislation that discriminates against lesbian, gay, bisexual, and transgender (LGBT) individuals.

However, Germany’s policy has not been without problems of consistency. Similar to other donors, Germany provides large amounts of foreign aid to countries that have been identified as not free by Freedom House and where there has been no significant trend toward political liberalization, such as Cambodia, Vietnam, and Uzbekistan. Ethiopia and Rwanda are examples where the pursuit of economic development has outweighed democratic objectives.

The German government frequently assesses its efforts to promote and protect human rights in Germany and abroad, publishing its activities in a public, biannual report.¹⁶ While GIZ and other implementing agencies as well as political foundations regularly evaluate parts of their individual programs, neither the foreign ministry nor the BMZ has so far issued an overarching evaluation of Germany’s efforts in the field of democracy support.

The EU Commission is responsible for formulating and implementing trade policies, thus constraining Germany’s ability to use trade policy as an instru-

ment for supporting democracy. Current debates about German arms exports to the Kurds in Iraq and Saudi Arabia illustrate the conflict between trade interests and democracy support.

Elections

Broadly speaking, German governments tend to criticize electoral fraud in democratized or partly free countries as an attempt to halt democratic decay. German governments also have raised concerns with regard to potential electoral outcomes when radical organizations were likely to win or have won power. The primary example of this is the Arab world, where German officials worried that Islamist groups such as the Muslim Brotherhood or Hamas might not respect basic principles once elected. However, Germany has been supporting democratic governance in the Palestinian territories.

In general, Germany has applied sanctions inconsistently in response to electoral fraud and manipulation. Moreover, German governments have tended to avoid open criticism of manipulated elections in authoritarian countries. In Central Asia—a geostrategically important, neighboring region dominated by authoritarian regimes—German criticism of electoral manipulation has been modest, particularly in Uzbekistan, where the German air force operates a key base.

Electoral observers sent by the German government are embedded in official missions of the Organization for Security and Co-operation in Europe (OSCE) and the EU institutions. Germany relies on a government-controlled institute to train international personnel (the Center for International Peace Operations), including electoral observers.¹⁷ In 2013, Germany participated in electoral observation missions in 10 countries with 165 electoral observers.¹⁸ The foreign ministry and the BMZ provide additional technical support for democratic elections when requested by partner countries. Political foundations are also important actors in supporting free and fair elections, through training in electoral procedures and in establishing democratic internal party procedures.

Disruptions of Democratic Processes

In most cases, Germany has openly criticized and condemned coups against democratic regimes. For example, the coup against democratically elected president Amadou Toumani Touré of Mali in 2012 led to massive criticism by the German government

and the suspension of aid disbursements until democracy was restored in 2013.¹⁹ However, Germany is less willing to publicly criticize the steady decay of democratic structures and behavior (for example persistent or increasing levels of corruption, shrinking space for civil society, or the expansion of executive power).

Democratic deterioration in Ukraine has been a concern of the German government since Ukrainian president Viktor Yanukovych obstructed a trade agreement between Ukraine and the EU in 2013. During the Ukrainian Revolution in early 2014, Foreign Minister Steinmeier signaled support to the transitional government, and Germany also provided emergency assistance. Germany's policy toward Ukraine is embedded in the EU framework and relies on the OSCE. Given Russia's high importance for German energy, security, and trade, Germany has long opted for a consensus-oriented solution to address Russia's unilateral intervention in the Ukraine. [Editor's note: Germany finally agreed to EU sanctions in July 2014.]

When the military ousted democratically elected Egyptian president Mohamed Morsi in July 2013, Germany was critical, stopping arms exports and freezing aid. Foreign Minister Guido Westerwelle demanded freedom of religion and pluralism.

Most debates about and changes in German policy formulation in the last two years have been connected to liberalization of authoritarian rule. In particular, the short-lived democratic prospects in North Africa and parts of the Arab world triggered discussions about developing better concepts of democracy promotion in authoritarian regimes and the need to react quickly to breakdowns of autocracy. As a consequence, support to individuals and movements in third countries has become more prominent in German policy formulation.

The EU criticized the Hungarian government's repeated, profound changes to the constitution after 2011 because they were not deemed compatible with the European values enshrined in the Lisbon Treaty.²⁰ However, EU collective action against the government's dubious respect of the Hungarian constitution was not possible due to diverging political interests among member states. German reactions to democratic challenges among EU members are bound by EU norms and regulations. Germany took a clear stance by criticizing the Hungarian government, but it declined to apply economic sanctions.

Gross Human Rights Violations

Germany supports and defends the Responsibility to Protect in global politics and forums such as the UN. The country recently launched technical and administrative initiatives intended to facilitate the implementation of this norm. For example, in 2012 Germany granted financial support to the UN Secretary General's annual report on the Responsibility to Protect and established a National Focal Point, which is intended to enable a whole-government approach.²¹

Germany supports military interventions to impede gross human rights violations only through multilateral engagement based on a mandate of the UN or NATO. For instance, Germany has contributed personnel and financing to UN peacekeeping missions (e.g., South Sudan, Democratic Republic of Congo) and has deployed troops or contributed material under the auspices of NATO (e.g., Afghanistan). It also indirectly supports multilateral military actions by granting substantial financial support to the African Peace and Security Architecture of the African Union, whose African Standby Force is intended to prevent and resolve conflicts on the African continent. However, despite its substantial advancements, this body is still not fully functional.

Backed by public opinion, Germany has objected to intervention in situations perceived to be too complex and requiring substantial financial and human commitments. The most prominent examples are Germany's position in the Libyan crisis of 2011 and the ongoing Syrian war. In both cases Germany emphasized the Responsibility to Protect and organized talks with the opposition on its territory, but was reluctant to support an international intervention. This policy might be changing in cases with less political relevance for Germany. A sign in this direction is German support to the French-led military missions to Mali (2013) and the Central African Republic (2014).

Overall, programs to proactively support the protection of human rights in third countries seem to be weak as compared to foreign policy rhetoric. The foreign ministry spends only €4 million (\$5.2 million) on microprojects and supports the UN Office of the High Commissioner for Human Rights with €5 million (\$6.5 million).²² Germany prioritizes preventive action and programs over ad hoc humanitarian assistance. Compared to other large donors, Germany's humanitarian assistance makes up only a small share of its official development assistance

(less than 5 percent).²³ Germany also offers the possibility of gaining asylum as an instrument of emergency response. In addition, in 2000 Germany created a national human rights institution to monitor human rights policies in Germany and abroad and to provide research on various human rights topics.²⁴ Germany aims to support the establishment of this institutional model in other countries, with Azerbaijan as a pilot country.

Civil Liberties

Beyond diplomatic encouragement, Germany's support to free and peaceful civil society is primarily channeled through its political foundations, sometimes through church-based NGOs, and partly through its foreign aid agencies. While they mostly do not cooperate directly with civil society organizations, state aid agencies aim at strengthening relations between state and society through capacity development in public institutions in order to enable them to act in a more transparent and rule-based manner, and by supporting human rights ombudsmen.

With regard to support for free expression and a free press, Germany depends on the state-owned media broadcaster Deutsche Welle (DW), which receives state funds not only for disseminating information about Germany but also for providing neutral information about politics worldwide and for promoting free media in developing countries. Beyond its broadcasting activities, DW also provides training to journalists from developing countries and promotes free new social media through small-scale projects.

The political foundations actively train political civil society groups and attempt to provide sheltered spaces for civil society activities. They also alert the German government about cases of less visible restrictions on civil liberties and crackdowns on political activists. Recently, these foundations have expressed increasing concern about NGO laws in developing countries that attempt to restrict freedom of expression and assembly, as well as the possibilities for cooperation between domestic and foreign organizations. On several recent occasions, German political foundations have faced serious hostility and restrictions under authoritarian or semiauthoritarian governments for cooperating with political activists, opposition groups, or politically active NGOs. For instance, the Konrad-Adenauer-Stiftung and other

international NGOs faced serious reprisals from the Egyptian government between 2011 and 2013. This culminated in a prison sentence in an Egyptian court after the foundation and some of its officials were found guilty on politically motivated charges. For similar reasons, the two biggest political foundations as well as other German NGOs faced repercussions in Russia during 2012 and 2013. The German government issued criticisms in both the Egyptian and Russian cases. In 2012, the Heinrich-Böll-Stiftung closed its office in Ethiopia because ongoing restrictions of human rights and democratic development made it impossible to continue its work with civil society.

Marginalized Communities

Freedom of religion and belief has become a higher German priority since the Arab Spring, and particularly in response to the rise of the Muslim Brotherhood. The current Christian Democratic majority in the government emphasizes the need to protect Christian minorities. For instance, it condemned violence against Christian communities in Egypt in recent years. In addition, the German government has initiated interreligious dialogue.

The German government has made a strong rhetorical commitment to promoting minority rights. This was especially true from 2009 to 2013, when the foreign and development ministers belonged to the liberal party, which traditionally emphasizes civil liberties. A global trend toward limiting the rights of LGBT people in various countries has caused a shift in the focus of German policy. In several instances—including in Russia—Germany has publicly condemned antigay laws.

Improving the situation for women is an important theme in German foreign aid and diplomacy. Germany pursues a preventive approach and also lobbies for international norms against the violation of women's rights. All bilateral aid programs are required to include at least an indirect gender component. Specific programs also directly support gender equality in public institutions and women's role in politics and society. Germany has taken a particularly strong stand with regard to the fight against female genital mutilation in developing countries.

However, the German government has not responded thoroughly to violations of ethnic minority rights in the absence of serious human rights violations

that attract the attention of the domestic public. For instance, the government has not officially criticized the continuous Chinese governmental discrimination against the indigenous Uighur minority. Prior to her official visit to China in July 2014, German chancellor Merkel emphasized that economic development and human rights must go hand in hand, but that she would not openly criticize China's Uighur policy. This pragmatic approach is likely due to the intensifying economic relationship between the countries.²⁵

ENDNOTES

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