

## For a Plan B in Iran Policy

### Summary

The German government and the EU have so far focused their Iran policy strongly on the nuclear agreement with Iran. This had two goals: Effective containment of Iran's nuclear program and a change in the behavior of its political leadership.

It is now becoming increasingly clear that neither objective is being achieved. Iran is no longer complying with the terms of the agreement, and there is no longer any doubt that Iran's nuclear program has a military character. The hoped-for behavioral change of the Islamic Republic of Iran has also failed to materialize. For example, Iran has not used the funds released by the JCPOA to peacefully reconstruct the country. Rather, the more than \$100 billion have been used by Tehran to fund hegemonic aspirations and terrorist militias in the region.

A diplomatic approach must not become an end in itself. The goal must remain to prevent a nuclear arming of the Iranian regime in any case. A nuclear bomb in the hands of the Islamic Republic of Iran would have catastrophic consequences. The Islamic Republic of Iran is an ideological state whose constitution and policies are shaped by an antisemitic, anti-Zionist, jihadist, anti-American and anti-Western ideology.

In the name of this doctrine, the Iranian regime pursues its expansionist policy against the neighboring Arab states and Israel. The destruction of the Jewish state of Israel is the Islamic Republic's state doctrine, which none of its leaders has ever questioned. Tehran wages war and terror against its Arab neighbors in the name of this apocalyptic ultimate goal. On this basis, Iran has massively destabilized its neighboring countries, especially since 2015, leading to significant problems that also directly affect Europe and Germany with the wave of refugees in 2015.

Because of its ideological priorities, the Iranian regime is also unable to offer its own population sustainable economic development prospects. The country is characterized by mismanagement and corruption, impoverishment due to unpaid wages, and failure in the face of climate problems and the Corona crisis. The human rights situation remains catastrophic. Iran is one of the countries with the most executions in the world.

A solution to all these problems - nuclear program, terror in the region and the massive human rights violations - is only possible with a democratic Iran. Support for human rights and democratic aspirations in Iran are therefore in the German and European interest and should be made a priority in foreign policy.

The rulers of the Islamic Republic have no democratic legitimacy from the population. This is also shown by the mass protests that flare up again and again, despite the strongest repression, as well as the low voter turnout in the 2021 presidential elections staged by the regime, which can be understood as a referendum against the system of the Islamic Republic as a whole.

**Against this backdrop, the German government and the EU must initiate a 180-degree turn in their Iran policy:** Pressure must be exerted in order to contain the dangers posed by the nuclear program as well as the expansion in the region. In doing so, close coordination with Israel and other countries in the region directly affected by Iran's expansionist ambitions is of utmost importance. Germany and the EU should work with these governments on a new strategy to decisively prevent further steps in the Iranian nuclear program and push back the regime's influence in the region. Above all, however, the German government must also - in its own interest - stand by the democratic opposition in Iran and in exile and actively support it.

## Recommendations

- Iran's violations of the nuclear agreement (JCPOA) and the Nuclear Non-Proliferation Treaty must not remain without consequences. In light of the massive violations, the snap-back sanctions mechanism provided for in the nuclear agreement must be used. The German government can and should initiate this.
- Cooperation with all partners in the region threatened by Iranian expansion. Support for Israel and those Arab governments that seek a settlement with Israel and thus stand for an end of the Middle East conflict.
- Increased sanctions pressure at all levels and in every regional arena against Iranian aggression in the region (Yemen, Iraq, Syria, Lebanon). This includes isolating and sanctioning Iran's terrorist cooperators and listing these groups on all relevant terror lists.
- The German government should openly and publicly support the Iranian democracy movement in Iran and in exile.
- Consistent prosecution of human rights crimes committed in Iran in the Federal Republic of Germany. Support for human rights in Iran should be made a priority in foreign policy.
- Consistent containment of the Islamic Republic's activities in Germany and Europe by ending cooperation with associations controlled from Iran as well as expulsion of Iranian agents.

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## For a new Iran Policy - the results of the JCPOA

In recent years, Germany's Iran policy has been dominated by the debates surrounding Iran's nuclear program and the agreement that was concluded in 2015, the JCPOA (Joint Comprehensive Plan of Action). The goal was not only to curb the nuclear program, but also to bring about a "behavioral change." Cooperation with the West was to supposed to change the country from within and make it a "constructive partner" in the region.<sup>1</sup>

Neither goal has been achieved. First, the Islamic Republic of Iran is in increasingly clear violation of the nuclear agreement. Observers assume that Iran is already in the process of a so-called "breakout" before the eyes of the world.<sup>2</sup> Second, no behavior-change has taken place: Iran has not used the funds released through the JCPOA to peacefully build the country or invested them in the country's infrastructure and economy.<sup>3</sup>

Instead, Tehran has used the funds freed up by the nuclear agreement – more than \$100 billion – to finance its hegemonic aspirations in the region. The regime's allies in Lebanon, Gaza, Syria, Iraq, and Yemen are primarily military and terrorist actors. Iranian influence leads to a permanent destabilization of the affected countries and the entire region and will trigger further waves of refugees, which will in turn affect Europe's societies.

Immediately after the conclusion of the nuclear agreement in the summer of 2015, the Iranian regime went on the offensive within the region.<sup>4</sup> This development took place before President Trump's election and the U.S. withdrawal from the nuclear agreement, and it shows very clearly that the Iranian regime cannot be a partner in the region. The JCPOA has had a disastrous regional and international impact:

- **Israel:** Iran has deployed troops in Syria and threatens Israel from three sides, directly or through proxies: From Syria, from Lebanon, and from the Gaza Strip. The Islamic Republic of Iran remains committed to its goal of destroying the Jewish state of Israel. This is proven by the constant threats of annihilation from its political and military leadership. It is a mistake to not take them seriously. However, Iran also uses military and terrorist means against Israel through proxies. The most recent rocket war of Hamas and Palestinian Jihad against Israel in May 2021 would not have been possible without the massive weapons and financial support of the Islamic Republic, as the leaders of the terrorist organizations themselves confirm.<sup>5</sup>
- **Syria:** Just days after the Iran deal was signed, Qassem Soleimani, commander of the "Quds Brigades" responsible for terrorist operations abroad, traveled to Moscow to negotiate joint Russian-Iranian action to support and rescue Syrian dictator Assad.<sup>6</sup> Russia's direct intervention in the Syrian war since the fall of 2015 dramatically exacerbated the situation in the civil war. The actions of the Iranian-Russian axis have been the main reason for the refugee crisis since 2015, with dramatic consequences for the region and European societies.

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<sup>1</sup> This was formulated, for example, by Foreign Minister Frank-Walter Steinmeier at the Bertelsmann Forum on February 15, 2016, [http://www.auswaertiges-amt.de/DE/Infoservice/Presse/Reden/2016/160215-BM\\_Bertelsmann\\_Forum.html](http://www.auswaertiges-amt.de/DE/Infoservice/Presse/Reden/2016/160215-BM_Bertelsmann_Forum.html). Cf. also <https://www.auswaertiges-amt.de/de/newsroom/-/273250>.

<sup>2</sup> David Albright et al: "Iran's Recent, Irreversible Nuclear Advances", ISIS-Report September 22, 2021, [https://isis-online.org/uploads/isis-reports/documents/Irans\\_Recent\\_Nuclear\\_Advances\\_Sept\\_22\\_2021\\_Final.pdf](https://isis-online.org/uploads/isis-reports/documents/Irans_Recent_Nuclear_Advances_Sept_22_2021_Final.pdf), p. 10.

<sup>3</sup> <https://www.npr.org/sections/parallels/2015/07/16/423562391/lifting-sanctions-will-release-100-billion-to-iran-then-what?t=1616104253037> and <https://www.wsj.com/articles/u-s-sent-cash-to-iran-as-americans-were-freed-1470181874>

<sup>4</sup> Cf. Guido Steinberg: „Die Achse des Widerstands“, July 2, 2021, <https://www.swp-berlin.org/publikation/die-achse-des-widerstands>

<sup>5</sup> <https://www.memri.org/tv/palestinian-isalmic-jihad-official-ramez-halabi-rockets-use-strike-tyl-qasem-soleimani-iran-support> and <https://news.yahoo.com/hamas-leader-thanks-iran-supplying-004650498.html>

<sup>6</sup> „How Iranian general plotted out Syrian assault in Moscow“, Reuters October 6, 2015, <https://www.reuters.com/article/us-mideast-crisis-syria-soleimani-insigh-idUSKCN0S02BV20151006>

- **Yemen:** In Yemen, too, the Islamic Republic's support of the Houthi rebels is substantially to blame for the humanitarian catastrophe there. The Houthi proxies of the Iranian regime further escalated the situation immediately after the first advances of the new U.S. administration.<sup>7</sup>
- **Iraq and Lebanon:** Iran has built up armed and terrorist groups in Iraq (Asa'ib Ahl al-Haqq, Kata'ib Hezbollah, etc.) and Hezbollah in Lebanon. Protests against this influence from Tehran have been mounting repeatedly, especially since 2019. The pro-Iranian militias are terrorizing civil society in Iraq and Lebanon, which is fighting against the influence of the Iranian regime and the corruption and mismanagement associated with it.
- **European Union:** The countries in the EU that have in the past pursued a cooperative course toward Tehran became the focus of intensified espionage and terrorist activities by the Iranian regime after the conclusion of the JCPOA. The countries affected include the Netherlands, France, Denmark and Germany.<sup>8</sup>
- **Human rights in Iran:** It's impossible to speak of an easing of the human rights situation in Iran after the conclusion of the nuclear agreement. Iran still has the highest execution rates in the world relative to its population. The brutal suppression of protest waves in 2017, 2018 and 2019, the decades-long prison sentences for anti-headscarf activists, repression against civil society activists and ethnic and religious minorities are just several samples of the dramatic human rights situation in Iran.
- **Hostage-taking:** In other areas as well, the Islamic Republic of Iran is showing that it is unwilling to abide by diplomatic procedure. Since 2015, the Iranian regime has held at least 30 people with dual citizenship as state hostages, using them as bargaining chips to force concessions and free agents and terrorists.<sup>9</sup>

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<sup>7</sup> Jonathan Spyer: "Events in Yemen are an indicator of broader regional dynamics", Jerusalem Post, February 25, 2021, <https://www.jpost.com/middle-east/events-in-yemen-are-an-indicator-of-broader-regional-dynamics-660248>

<sup>8</sup> Mideast Freedom Forum Berlin: "Iranian Terrorist Activities in Europe and Countermeasures," March 2019., [https://www.mideastfreedomforum.org/fileadmin/editors\\_de/Texte/Kurzinfo-Iran-Terroristische-Anschlaege-in-Europa-01.pdf](https://www.mideastfreedomforum.org/fileadmin/editors_de/Texte/Kurzinfo-Iran-Terroristische-Anschlaege-in-Europa-01.pdf)

<sup>9</sup> The International Observatory of Human Rights: „Iran's high stakes game of hostage diplomacy", January 29, 2021 <https://observatoryihr.org/iohr-tv/irans-high-stakes-game-of-hostage-diplomacy/>.

## Preventing a Nuclear Weaponization of Iran

That a return to the nuclear agreement can prevent Iranian nuclear weaponization appears increasingly unlikely. Iran is making irreversible progress in its nuclear program, and takes steps that reveal its goal of nuclear weaponization. Moreover, Iran has blocked further negotiations for months, obstructed inspections by the International Atomic Energy Agency (IAEA), and failed to answer open questions. In almost all material respects, Iran is in violation of its obligations under the JCPOA and the Nuclear Non-Proliferation Treaty:

- **Inspections:** As of February 2021, the IAEA can no longer conduct independent inspections in Iran and no longer has access to data recorded by surveillance cameras. This has severely limited the IAEA's ability to monitor and assess the nuclear program. In addition, Iran is not answering open IAEA questions related to undeclared uranium particles found at four sites whose whereabouts are unclear.<sup>10</sup> IAEA director Rafael Grossi therefore declared as early as May 2021 that his organization could no longer confirm a peaceful nature of the program.<sup>11</sup>
- **Uranium enrichment:** The JCPOA allows a maximum quantity of 300 kg; Iran is only allowed to enrich uranium up to 3.67% purity. Iran has now exceeded the maximum amount many times over. Significant amounts of uranium have been enriched to 20% and 60%.<sup>12</sup> The debate often fails to take into account that even uranium which has been enriched to 60% can be used in a nuclear weapon, even though 90% is preferred. Enriching uranium to 60% is a highly provocative, dangerous step.
- **The "breakout" time,** the time Iran needs to produce enough highly enriched material for a bomb, was supposed to be stretched to a year by the JCPOA. Observers assume that Iran is already practicing "breakout" now.<sup>13</sup>
- **Uranium metal** is needed for the warhead of a nuclear weapon; its production is therefore considered by observers to be a clear indication of military intentions and is prohibited under the JCPOA.<sup>14</sup> In December 2020, Iran announced it would produce uranium metal, and the IAEA has confirmed the production. While uranium enrichment can be reversed, this is virtually impossible for research and development advances toward the bomb. Observers rate these and other violations of the agreement as irreversible.<sup>15</sup> Going back to the old agreement of 2015 would therefore be a weaker treaty.
- **Faster centrifuges:** The JCPOA limits the number of centrifuges and does not allow modern centrifuges. In August 2019, Iran announced it would no longer abide by these restrictions. Iran is also working on an underground centrifuge facility in the mountains near the Natanz enrichment plant.<sup>16</sup>

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<sup>10</sup> David Albright et al: „Analysis of IAEA Iran Verification and Monitoring Report - May 2021“, June 7, 2021, <https://isis-online.org/isis-reports/detail/analysis-of-iaea-iran-verification-and-monitoring-report-may-2021>.

<sup>11</sup> Rafael Grossi: "NPT Safeguards Agreement with the Islamic Republic of Iran", May 31, 2021, <https://www.iaea.org/sites/default/files/21/06/gov2021-29.pdf>. Iran has committed to applying the Additional Protocol to the Nuclear Non-Proliferation Treaty, which allows for comprehensive inspections by the IAEA. To date, however, the Iranian parliament has not ratified the Additional Protocol. Cf. IAEA Status List v. Sept. 15, 2021: <https://www.iaea.org/sites/default/files/20/01/sg-ap-status.pdf>. Rather, in December 2020, the Iranian Parliament passed a law providing for the expulsion of IAEA inspectors.

<sup>12</sup> IAEA: "Verification and monitoring in the Islamic Republic of Iran in light of United Nations Security Council resolution 2231 (2015)", September 7, 2021, <https://www.iaea.org/sites/default/files/21/09/gov2021-39.pdf>.

<sup>13</sup> David Albright et al: "Iran's Recent, Irreversible Nuclear Advances", ISIS-Report September 22, 2021, [https://isis-online.org/uploads/isis-reports/documents/Irans\\_Recent\\_Nuclear\\_Advances\\_Sept\\_22\\_2021\\_Final.pdf](https://isis-online.org/uploads/isis-reports/documents/Irans_Recent_Nuclear_Advances_Sept_22_2021_Final.pdf), p. 10.

<sup>14</sup> „Schwerwiegende Sorgen“ über nukleare Aktivitäten Irans“, FAZ July 7, 2021, <https://www.faz.net/aktuell/politik/ausland/schwerwiegende-sorgen-ueber-nukleare-aktivitaeten-irans-17426417.html>

<sup>15</sup> <https://isis-online.org/isis-reports/detail/irans-recent-irreversible-nuclear-advances>

<sup>16</sup> David Albright et al: "Update on Natanz: Construction Progresses Towards Large-scale Tunnel Complex", January 11, 2021, <https://isis-online.org/isis-reports/detail/update-on-natanz-construction-progresses-towards-large-scale-tunnel-complex/8>

- **Plutonium reactor in Arak:** The JCPOA stipulates that the research reactor in Arak must be modified to make it unsuitable for the production of weapons-grade plutonium. An international working group, which includes a German consulting firm, is overseeing the conversion. In 2017, the head of Iran's Atomic Energy Agency, Salehi, stated that Iran had never carried out the prescribed destruction of the core of the Arak plutonium reactor.<sup>17</sup> Today's status of the problem is unknown to the public, IAEA does not report on it, international observers are alarmed.<sup>18</sup>
- **Military dimensions:** As early as the early 2000s, Iran was working on a military nuclear weapons project, the "Amad" plan. In early 2018, Israeli intelligence managed to secure comprehensive documentation of the project. The goal of the Amad project was to produce five nuclear weapons by 2004 and to build an industrial complex capable of producing additional nuclear weapons. Observers believe that the Amad project was not completely dismantled in 2003, but merely modified.<sup>19</sup>

The Islamic Republic continues to expand its nuclear program, violating its obligations under the Nuclear Non-Proliferation Treaty and limiting inspections. Time is playing into the hands of the Iranian regime. **A "business as usual" approach to the nuclear negotiations carries the risk of an imminent breakout.** In that case, the international public could face the prospect of an Iranian nuclear weapons test in the foreseeable future, and it would be too late to prevent an Iranian nuclear weapon. A "business as usual" approach would also **damage the integrity of the IAEA and thus the international policy of nuclear nonproliferation.** If Iran's violations continue to be ignored, the EU and U.S. risk damaging not only the integrity of the IAEA, but also the Nuclear Non-Proliferation Treaty. Doing so would set dangerous precedents.

**Simply going back to the JCPOA is not an option.** Most importantly, the expiration dates ("sunset clauses") agreed to in the agreement allow Iran's nuclear program to continue even under the scrutiny of UN inspectors in such a way that the path to a nuclear arsenal would be open when all restrictions expire in 2031. Some of the sanctions provided for in the JCPOA have already been removed. The JCPOA does not mean a sustained prevention of a nuclear weapons capability for Iran, but rather its legalization in the next few years.<sup>20</sup>

**In view of the massive violations of the nuclear agreement, the goal must be the dismantling of all pillars of the nuclear program and an immediate halt to uranium enrichment.**

<sup>17</sup> <https://www.memri.org/reports/head-irans-atomic-energy-organization-only-external-pipelines-arak-reactor-were-filled>

<sup>18</sup> Andrea Stricker: "Biden Administration Should Ascertain the Status of Iran's Arak Reactor", May 5, 2021, <https://www.fdd.org/analysis/2021/05/05/status-of-irans-arak-reactor/>, cf. also David Albright et al: "Analysis of IAEA Iran Verification and Monitoring Report - May 2021", June 7, 2021, <https://isis-online.org/isis-reports/detail/analysis-of-iaea-iran-verification-and-monitoring-report-may-2021>.

<sup>19</sup> Cf. David Albright et al: "Highlights of Iran's Perilous Pursuit of Nuclear Weapons", April 24, 2021, <https://isis-online.org/isis-reports/detail/highlights-of-irans-perilous-pursuit-of-nuclear-weapons/> and in German Matthias Küntzel: „Iran: Fünf Atombomben für 100 Millionen Dollar“ May 15 and 17, 2021, <http://www.matthiaskuentzel.de/contents/iran-fuenf-atombomben-fuer-100-millionen-dollar>.

<sup>20</sup> <https://aipac.org.app.box.com/s/cao0u0echjmcord2p5l4ejvt2p5eyty3>, <https://www.npr.org/2015/04/07/397933577/transcript-president-obamas-full-npr-interview-on-iran-nuclear-deal?t=1622206085263>.

## Recommendations

- In view of the Islamic Republic's massive violations, **the German government, in cooperation with Great Britain and France, should use the "snap back" mechanism provided for in the nuclear agreement as soon as possible.** A formal complaint to the UN Security Council will be the first step of a procedure that can lead to the reimposition of UN sanctions against Iran. If no UN Security Council resolution is reached within 30 days, UN sanctions against Iran automatically snap-back into effect.<sup>21</sup>
- Whatever political negotiation strategies are still to be attempted, it must be clear that their price **must never be a renewed perspective legalization of Iran's nuclear weapons capability.**
- Against the background of Tehran's rapid nuclear armament, it is possible that the USA or Israel will feel compelled to take military action against the nuclear program. In this regard, there have also been recent signs of a change of mind in political circles in the Federal Republic. For example, a position paper of the Federal Academy for Security states: "In extreme cases, a necessary consequence of this definition of interests could be [for the German government] to support a military strike by the U.S. and/or Israel against Iran, should this become necessary in order to prevent the country from becoming nuclear-armed. A clearer formulation of this interest could also serve to increase pressure on Iran, which in recent years has too often sought to foment discord between Europe and the United States."<sup>22</sup>

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<sup>21</sup> Cf. Paragraph 37, sentence 2, JCPOA. Cf. Wissenschaftlicher Dienst des Bundestages: "Streitschlichtungsmechanismus des Nuklearabkommens mit dem Iran", January 15, 2020, <https://www.bundestag.de/resource/blob/685102/6bbfd26c90e2bc462b4b6ec9186b7e6e/WD-2-003-20-pdf-data.pdf>

<sup>22</sup> Guido Steinberg: „Kalter Krieg im Nahen Osten: Der iranisch-saudische Konflikt dominiert die Region“ 1/2021, <https://www.baks.bund.de/de/arbeitspapiere/2021/kalter-krieg-im-nahen-osten-der-iranisch-saudische-konflikt-dominiert-die-region>



## Human rights and support for the Iranian democracy movement

Since the existence of the Islamic Republic of Iran, the human rights situation in the country has been catastrophic. The human rights of Iranian citizens are violated on a daily basis. The entire private and social life is deeply burdened by repressive measures.<sup>23</sup> Only individual cases occasionally receive international attention, such as the execution of the well-known athlete Navid Afkari in the summer of 2020 or the hunger strike of political prisoner Nasrin Sotoudeh. Tens of thousands of other fates go unnoticed despite the efforts of human rights organizations.

Iran is the country with the most executions per capita. The Islamic Republic's legal system is based on Sharia law and, on this basis, is characterized by massive restrictions on rights for women and non-Muslims. There is no freedom of assembly, expression or the press in Iran, and human rights of Iranian citizens are massively violated in everyday life. Religious, ethnic and sexual minorities continue to be oppressed, women experience extensive discrimination, and minors have hardly any legal protection, despite the Iranian regime's ratification of the UN Convention on the Rights of the Child.

The Islamic Republic has always responded to protests with violence and torture, and there have been waves of executions in every decade. In the summer of 1988, supreme religious leader Ayatollah Khomeini issued a death fatwa against imprisoned political prisoners. Most affected were members of the opposition People's Mujahideen as well as leftist groups. Thousands were killed within a few weeks.<sup>24</sup> In 2019, mass protests were brutally put down, ignited by high gasoline prices and the poor economic situation. According to the Reuters news agency, 1,500 people were killed. At least 7,000 people were detained; many face torture and the death penalty.<sup>25</sup>

Numerous women activists are in prison for peacefully protesting for equal rights, some receiving decades-long sentences. The draconian sentences against Nasrin Sotoudeh and Narges Mohammadi made headlines. The latter is to receive 80 lashes in the near future. She announced that she would resist arrest and flogging.<sup>26</sup>

After the inauguration of President Rohani, who is considered a "moderate" in Germany, in 2013, the human rights situation did not ease at all; on the contrary, it worsened. The number of executions and arbitrary arrests rose sharply. Due to rampant corruption and poor governance Iran became the worst-hit country in the region during the covid pandemic. Nevertheless, the regime rejected Western offers of aid for ideological reasons. By banning the use of vaccines from Western countries, the regime is responsible for the deaths of thousands of people.<sup>27</sup>

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<sup>23</sup> The UN Special Rapporteur also explicitly points this out:

<https://www.ohchr.org/EN/HRBodies/SP/CountriesMandates/IR/Pages/SRIran.aspx>

<sup>24</sup> Laut Mohammad Nourizad, einem ehemaligen Vertrauten des geistlichen Führers Khamenei, beläuft sich ihre Zahl auf 33.000. <http://iraniansforum.com/eu/morder-der-uber-33-000-iranischen-politischen-gefangenen-1988-an-der-macht/>

<sup>25</sup> Reuters Report, December 23, 2019, <https://www.reuters.com/video/watch/idRCV007MZA>; Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman, January 11, 2021 <https://undocs.org/en/A/hrc/46/50>

<sup>26</sup> <https://www.auswaertiges-amt.de/de/newsroom/-/2462840>; cf. Narges Mohammadis declaration of Instagram, September 27, 2021, <https://www.instagram.com/p/CUVAggErHL5/>.

<sup>27</sup> <https://www.rferl.org/a/iran-bans-western-coronavirus-vaccines/31043739.html>

Although it is generally true that the human rights situation in Iran has always been catastrophic, the situation could become even worse in the future under the new president, Ebrahim Raisi. Raisi is responsible for the execution of thousands of opposition members and is on the U.S. sanctions list for his human rights abuses. He was a member of the "death committee" appointed by Khomeini to interrogate and select execution candidates in 1988.<sup>28</sup> As recently as July 2020, Raisi boasted of his actions on Iranian state television, stating that the prisoners deserved no mercy.<sup>29</sup> Raisi is hated by large parts of the population because of his responsibility for the regime's mass murders. Amnesty International is calling for a legal prosecution of his crimes at the international level.<sup>30</sup>

At the national and EU level, human rights must move to the center of Iran policy. This conviction is shared in principle in the German parliament, and various parties introduced motions to this effect in the Bundestag.<sup>31</sup> In December 2020, the European Council introduced for the first time a global sanctions regime in the field of human rights, a kind of European "Magnitsky Act". With this, the EU has given itself a framework to take targeted action against individuals, organizations and institutions responsible for serious human rights violations. Restrictive measures include a travel ban and the freezing of funds.

This development is to be welcomed without reservation. However, it is important to also implement these measures consistently, to expand them and to act at the national level if a European solution is difficult to achieve because of the European principle of unanimity. Sweden or the Netherlands are already working on national laws.<sup>32</sup>

### **Recommendations: The federal government and the Bundestag should:**

- Publicly and firmly condemn any violation of human rights in Iran.
- Respond to executions and torture of opposition members with immediate sanctions against those responsible, especially using entry bans and freezing of funds.
- Openly stand alongside Iranian civil society, especially the women's rights movement.
- Empower the protesting population in Iran through public statements of support.
- Support the establishment of an international commission of inquiry to investigate the 1998 mass executions, as called for by the UN Special Rapporteur and human rights organizations. This includes investigating the role of the current President Raisi.

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<sup>28</sup> Amnesty International: „Iran: Blood-soaked secrets: Why Iran's 1988 prison massacres are ongoing crimes against humanity", December 4, 2018, p. 15, <https://www.amnesty.org/en/documents/mde13/9421/2018/en/>

<sup>29</sup> <https://www.mena-watch.com/kronzeuge-gegen-die-islamische-republik/> and <https://townhall.com/columnists/faridehgoudarzi/2021/05/20/mass-murderer-for-president-n2589764>

<sup>30</sup> Amnesty International : Ebrahim Raisi must be investigated for crimes against humanity, September 6, 2021, <https://www.amnesty.org/en/latest/press-release/2021/06/iran-ebrahim-raisi-must-be-investigated-for-crimes-against-humanity/>

<sup>31</sup> Request FDP and Greens, <https://www.bundestag.de/dokumente/textarchiv/2020/kw41-de-menschenrechtsverletzungen-iran-796010>; Request CDU and SPD <https://dip21.bundestag.de/dip21/btd/19/237/1923702.pdf>

<sup>32</sup> <https://dip21.bundestag.de/dip21/btd/19/246/1924677.pdf>; <https://www.bundestag.de/presse/hib/792530-792530>.

## Terrorism and Ideological Extremism

Since the implementation of the JCPOA, we have seen an increase of terrorist attacks or assassination attempts by Iranian intelligence services or Hezbollah, which is controlled from Tehran, in Europe and Germany. In particular, Jewish, Israeli and Iranians in exile are targets of the Iranian regime.<sup>33</sup> The Iranian regime's terrorist activities on European soil have significantly increased rather than decreased since the supposed easing of tensions brought about by the JCPOA.

The history of the Islamist regime features a long list of murders of political opponents abroad. Between 1979 and 2011, at least 162 members of the opposition were murdered by the Islamic Republic's agents abroad, according to the "Iran Human Rights Documentation Center".<sup>34</sup> Four Kurdish-Iranian members of the opposition were shot dead by a team of Iranian and Hezbollah operatives at Berlin's Mykonos restaurant in 1992. A Berlin court named top Iranian government officials responsible in 1997.<sup>35</sup>

In 2018, an explosive attack on a meeting of the opposition "National Council of Resistance of Iran" in Paris was foiled at the last minute. The attack would have been one of the largest terrorist attacks in European history.<sup>36</sup> Members of the Bundestag, such as Martin Patzelt (CDU), also took part in the planned meeting. The act was organized by Assadollah Assadi, a diplomat accredited to the Iranian Embassy in Vienna. In February 2021, he was sentenced to 20 years in prison in a court in Antwerp, Belgium. The conviction shows that Iranian state institutions in Europe pose a massive threat to Europe's internal security.<sup>37</sup>

Kidnappings to Iran also occur. One example was the founder of the well-known opposition platform "Amad News," Ruhollah Zam, who lived in France. He was abducted to Iran in 2019 during a trip to Iraq and executed in Iran in 2020. German-Iranian Jamshid Sharmahd was abducted to Iran during a stay in Dubai and is apparently being used as a hostage there to extort concessions from the German government.<sup>38</sup>

At least 20 dual nationals are currently being held as hostages in Iran. They are being held on trumped-up charges in order to extort concessions. Among them are at least five people with German and Iranian citizenship.<sup>39</sup> One is the German-Iranian retired architect Nahid Taghavi, who was recently sentenced to ten years in prison. Taghavi traveled to Iran in 2020 for private reasons.<sup>40</sup> There is particular concern for the life of Ahmad Reza Jalali, a Swedish-Iranian medical doctor who has been sentenced to death.<sup>41</sup> The attempt to kidnap prominent activist Masih Alinejad from New York caused a stir as well.<sup>42</sup>

**With its policy of hostage-taking, the Islamic Republic has consistently flouted international norms since its founding in 1979. The essence of this policy is terror, not "hostage diplomacy".**

<sup>33</sup> <https://www.verfassungsschutz.de/embed/vsbericht-2019.pdf>

<sup>34</sup> <https://iranhrdc.org/no-safe-haven-irans-global-assassination-campaign/>

<sup>35</sup> <http://www.iranhrdc.org/english/publications/reports/3150-murder-at-mykonos-anatomy-of-a-political-assassination.html?p=18#Judgement>

<sup>36</sup> "Iran envoy drops appeal to jail in Belgium, no prisoner swap seen", Reuters May 5, 2021, <https://www.reuters.com/world/iran-envoy-drops-appeal-prison-belgium-over-bomb-plot-2021-05-05/>

<sup>37</sup> <https://www.spiegel.de/politik/ausland/belgien-gericht-verurteilt-iranischen-diplomaten-zu-20-jahren-haft-a-f7805a6b-3b85-44d2-873f-7e9640150904>

<sup>38</sup> „Entführt in den Iran“, Deutsche Welle, August 7, 2020, <https://www.dw.com/de/entf%C3%BChrt-in-den-iran/a-54489682>, cf. Interview with Omid Nouripour, November 8, 2020, <https://www.dw.com/de/nouripour-iran-h%C3%A4lt-deutsche-als-politische-geiseln-fest/a-55524577>

<sup>39</sup> This was the result of a question by MOP Omid Nouripour to the German government in Nov. 2020, cf. <https://www.welt.de/politik/ausland/article219425910/Politische-Gefangene-Deutsche-im-Iran-zunehmend-im-Fadenkreuz.html>

<sup>40</sup> <https://www.amnesty.de/informieren/aktuell/iran-nahid-taghavi-interview-mit-tochter-mariam-claren>

<sup>41</sup> <https://iranhr.net/en/articles/4508/> and <https://iranhr.net/en/articles/4671/>

<sup>42</sup> <https://www.bbc.com/news/world-us-canada-57830677>

**Attacks against Jewish and Israeli targets:** There is a long list of terrorist attacks by the Islamic Republic of Iran abroad. That these are not only anti-Israeli but also antisemitic in character was demonstrated by the terrorist attack on the AMIA Jewish community center in Buenos Aires (Argentina) in 1994. Two members of the incumbent Iranian cabinet are still wanted by Interpol today for their involvement in this attack. They are responsible for the murder of 85 people and thus for one of the largest antisemitic attacks in post-war history.<sup>43</sup>

Iranian intelligence services also spy on Jews, Israelis and targets identified as "Zionist" in Germany. In March 2017, an agent of Iran's MOIS intelligence service was convicted in Berlin of spying on the former SPD defense commissioner and president of the German-Israeli Society, with the aim of assassinating him if the nuclear conflict escalated.<sup>44</sup> In January 2018, the Federal Prosecutor's Office ordered house searches of 10 Iranian agents who were alleged to have spied on Jewish and Israeli targets in Germany on behalf of an Iranian intelligence service. The intelligence agency's activities were aimed at spying on targets for potential attacks against Western objects, security sources said.<sup>45</sup>

The German government can limit the effects of this policy by placing greater restrictions on the Iranian regime's political, religious, and intelligence activities in this country. A hard line is years overdue. This includes refraining from contacts with representatives of the Islamic Center Hamburg (IZH) and other proxies of the Islamic Republic in Germany and Europe. According to Hamburg's State Office for the Protection of the Constitution, approximately 30 Hezbollah supporters frequent the IZH.<sup>46</sup> The mastermind of the thwarted attack in Paris, Assadollah Assadi, also visited the Islamic Center.<sup>47</sup> Iranian institutions such as the IZH must not continue to be courted. Instead, the IZH should be excluded from the Hamburg state treaty with religious associations. There should be a ban on associations who violate international understanding like the IZH.

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<sup>43</sup> They are Ahmad Vahidi and Mohsen Rezaei. In 2006, an Argentine judge found Hezbollah terrorist Imad Fayeze Moughnieh, now deceased, and other Iranian officials - such as Akbar Hashemi Rafsanjani, Ali Fallahian, Ali Akbar Velayati, Mohsen Rezaei, Mohsen Rabbani, Ahmad Reza Ashgari, and Ahmad Vahidi - directly responsible for planning the bombing of the AMIA community center in Buenos Aires. In 2007, Interpol issued arrest warrants for all those linked to the bombing. These arrest warrants are still valid. Cf. Karmel Melamed: Where's the outrage over the Jew-killers in Iran's new Cabinet?, in: JNS September 26, 2021, <https://www.jns.org/opinion/wheres-the-outrage-over-the-jew-killers-in-irans-new-cabinet/>, here in German: <https://www.audiatur-online.ch/2021/09/27/wo-bleibt-die-empoeerung-ueber-die-moerder-in-irans-neuer-regierung/>

<sup>44</sup> <https://www.welt.de/politik/deutschland/article163464624/SPD-Politiker-wirft-Iran-Mordkomplott-vor.html>

<sup>45</sup> "Nach Razzia gegen Mullah-Agenten", Bild, January 17, 2018,

<https://www.bild.de/politik/inland/nachrichtendienste-iran/razzien-bei-iranischen-agenten-54498494.bild.html>

<sup>46</sup> Cf. for example, the Hamburg Report on the Protection of the Constitution 2020, p.74-82,

<https://www.hamburg.de/contentblob/14991526/486483537cdace5edbf264e635e3b38f/data/vsb-2020-online.pdf>.

<sup>47</sup> „Agent im Auftrag des Iran?“, Tagesschau, January 21, 2021, <https://www.tagesschau.de/investigativ/ndr-wdr/iran-terrorismus-europa-103.html>.

## Recommendations

- All persons involved in hostage-taking and terrorist activities must be prosecuted in Germany / the EU or must be banned from entering the country. Their assets must be frozen.
- Iranian embassy personnel must be expelled in response to threats to the security of Germany and other European states.
- Iranian diplomatic and cultural institutions are retreats for terrorist actors such as Hezbollah. They must be closed when there is any danger.
- Ban the Quds March in Germany: The regime also acts with expansionist intent by spreading its Islamist and antisemitic ideology. Its most open field of action is the annual "Al Quds Day" which promotes the aim of the destruction of Israel in Berlin and other European cities.<sup>48</sup>
- Associations controlled from Iran should be isolated and not courted under any circumstances. The Islamic Center Hamburg must be excluded from Hamburg's state treaty with religious associations and a ban on the association must be considered because it violates international understanding.

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<sup>48</sup> Cf. Mideast Freedom Forum Berlin: "Der Al Quds-Tag als antisemitische Mobilisierung der Islamischen Republik Iran und als Gefährdung der Sicherheit in Deutschland," May 2020, [https://archiv.mideastfreedomforum.org/fileadmin/editors\\_de/Texte/MFFB\\_-\\_Fuer\\_ein\\_Verbot\\_des\\_AI\\_Quds\\_Tages.pdf](https://archiv.mideastfreedomforum.org/fileadmin/editors_de/Texte/MFFB_-_Fuer_ein_Verbot_des_AI_Quds_Tages.pdf). The Scientific Service of the Bundestag cites a violation of the principle of international understanding as a criterion for legal prohibition measures, cf. "Rechtliche Handhabe gegen salafistische Bestrebungen in Deutschland," 2014, p. 10, <https://www.bundestag.de/resource/blob/406352/56314c0ebaa8af3f0ded702878565653/wd-3-178-14-pdf-data.pdf>

## A new middle East

While the Iranian regime threatens and terrorizes its own people, its Arab neighbors, and Israel, as well as Western targets, remarkable new developments are taking place among the regime's regional opponents.<sup>49</sup>

Only a short time ago, it would have been hard to imagine Arab states such as the United Arab Emirates, Bahrain, Sudan and Morocco making public their relations to Israel. Some have had relations clandestinely for some time. Now they are celebrating diplomatic normalization and barely veiling that the Islamic Republic of Iran is a common adversary.<sup>50</sup>

The so-called "Abraham Accords" are not the only dramatic development in the region, however. In contrast to the cold peace between Israel and Egypt and Jordan, the current initiatives are met with sympathy and interest in the respective Arab populations, business relations and direct flights have been established.<sup>51</sup> In the Kurdish part of Iraq, more than 300 prominent representatives also recently called for the establishment of friendly relations with Israel.<sup>52</sup>

Among Iranian Opposition members in Iran and abroad, the Israel taboo has long been broken.<sup>53</sup> Several Iranian athletes have risked their careers, freedom and lives in recent years to compete with Israelis despite the regime's antisemitic boycott bans.<sup>54</sup>

The situation in the Middle East is changing rapidly and dramatically. A clear front is emerging ever more sharply: moderate states of the Arab world, Israel and the democratic forces in Iran and in exile on the one hand, and on the other the Islamic Republic and its Islamist and despotic allies, who, in the name of the antisemitic madness of destroying Israel, are covering the entire region with war and terror.

The political forces in the Middle East advocating the fight against fundamentalist extremism and antisemitism and for peaceful conflict resolution expect strong and clear signals of support from the West. In their own interest, German politicians should resolutely support these forces and work with them to push back the terrorist obstructionism coming from Tehran.

The ongoing mass protests in Iran show the regime's total lack of legitimacy. Due to the lack of popular support, the June 2021 elections can be seen as a referendum against the Islamic Republic as a whole. As much as it is to be hoped that the Iranian democracy movement will prevail, it is unlikely that it can do so on its own. In an open letter to the new U.S. President Joe Biden in February 2021, 38 activists from Iran called for maintaining maximum political, diplomatic, and financial pressure on the regime and for clear Western advocacy for human rights in Iran and the release of all political prisoners. With this open letter, they risked their freedom and their lives.<sup>55</sup>

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<sup>49</sup> Cf. Jörg Rensmann, The Abraham Accords: A Paradigm Shift and the German Response, April 2021, <https://www.mena-watch.com/abraham-abkommen-deutsche-reaktionen-1/>.

<sup>50</sup> <https://www.wsj.com/articles/peace-shalom-salaam-11600127046>

<sup>51</sup> <https://english.alarabiya.net/News/gulf/2021/03/12/Israel-relations-UAE-announces-10-billion-investment-fund-for-Israel-across-multiple-sectors>

<sup>52</sup> „Over 300 prominent Iraqis publicly call for full peace with Israel“, Times of Israel, September 24, 2021, <https://www.timesofisrael.com/250-prominent-iraqis-publicly-call-for-full-peace-with-israel/>

<sup>53</sup> The regime's anti-Israeli and anti-Semitic orientation has long been criticized by opposition figures. Cf. Iranian-American Forum, "Iranian regime's anti-Semitism and crusade against Israel, <https://www.youtube.com/watch?v=cGq7QI4qniM>

<sup>54</sup> <https://www.dw.com/de/saeid-mollaie-in-israel-die-iraner-sind-stolz-auf-ihn/a-56643189>; <https://www.reuters.com/article/us-iran-chess-idUSKBN1YS16E>

<sup>55</sup> Open Letter to the Honorable Joseph R. Biden, President of the United States of America, February 1, 2021, <https://im-media.voltron.voanews.com/Drupal/01live-201/documents/2021-02/Open%20Letter%20to%20the%20Honorable%20Joseph%20R.%20Biden%20President%20of%20the%20United%20States%20of%20America%202021Feb.pdf>

**All liberal democracies must understand that the defeat of the democratic movement in Iran is a direct threat to their own existence.** The nuclear conflict can only be seriously resolved if this regime, with its anti-Western and antisemitic ideology, is dismantled.

The defense of democratic aspirations in Iran must therefore urgently be made a foreign policy priority. To this end, it would be necessary to establish a global action forum of democracies where they can coordinate their actions in this regard.

**Ali Khamenei and the regime must understand that the murder of members of the opposition would have the most severe political and economic consequences.** The sanctions measures envisaged by the EU so far are not sufficient for this.

### **Recommendations**

- Openly and publicly approaching countries of the Abraham Accords (UAE, Bahrain, Morocco, Israel, etc.) to promote a new security architecture for the Middle East. Only close cooperation with Israel and its new regional partners, all of which are affected by the threats from Tehran, offers a long-term perspective for a solution.
- Support for the democratic forces in Iran, whose victory against the Islamic Republic system can be the only lasting solution to the nuclear conflict.
- The German government and the Bundestag should publicly meet members of the Iranian opposition. They should organize a high-profile public human rights conference with the Iranian opposition and institutionalize contacts with democratic opponents of the regime.
- Iran's armed cooperation partners should be isolated and sanctioned as much as possible. The Hezbollah ban should be pushed forward at the EU level. Iran's Revolutionary Guards and other terrorist partners in the region should be included on all relevant terrorism lists.

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