



# Overwhelmed: Germany's Israel Policy after October 7<sup>th</sup>

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## ► Key Takeaways

■ German-Israel policy has long rested on two guiding principles—historical responsibility toward Israel and a commitment to universalist norms—whose tension was managed, but never resolved, through the framework of the two-state solution.

■ The attacks of October 7<sup>th</sup> and the subsequent Gaza war did not create this tension, but fundamentally altered the conditions under which it could be managed, effectively overwhelming the established policy framework.

■ The result has been a pattern of oscillation, deferral, and selective emphasis—visible across in shifting arms deliveries, ambivalent positions on international legal proceedings, the two-state solution, and Germany's response to regional escalation.

■ As a result, Germany increasingly maintains its commitments at a declaratory level, avoiding decisions that would clarify how these identity-based principles apply in practice.

## Introduction

Few countries have been as profoundly affected by the attacks of October 7<sup>th</sup> and the subsequent Gaza war as Germany. This is not merely a political controversy. It reflects a deeper structural problem: German-Israel policy has long rested on two guiding principles—a particular historical responsibility toward Israel derived from the Holocaust, and a firm commitment to universalist norms, above all international law and human rights. Tensions between these principles were long managed through a shared political horizon, most notably the two-state solution—a framework the events of October 7<sup>th</sup> have profoundly shaken. What has emerged in its place is a pattern of oscillation, selective emphasis, and the postponement of difficult decisions—visible across arms deliveries, international legal proceedings, and responses to regional escalation.<sup>1</sup>

## Germany's Israel policy: A primer

German policy on Israel has long been structured around two guiding principles embedded in the Federal Republic's post-war identity. On the one hand, there is a particular commitment to Israel derived from the Holocaust, often framed as *Staatsräson*: Israel's security forms part of Germany's *raison d'état*. As Chancellor Angela Merkel (Christian Democratic Union of Germany, CDU) put it in 2008, "Every federal government and every chancellor before me has been committed to Germany's special historical responsibility for Israel's security. This historical responsibility is part of my country's *raison d'état*."<sup>2</sup>

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### Israel's security forms part of Germany's *raison d'état*

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This relationship has also been reflexive: Israel became not only an object of foreign policy, but a reference point for Germany's political self-understanding. In 2018, former Social Democratic Party of Germany (SPD) chairman Martin Schulz stated: "With the existence of Israel and the recognition of its security, our country symbolizes a definitive departure from the crimes and the mindset of the criminals who plunged our country and the world into misery. (...) In protecting Israel, we protect ourselves from the demons of our own people's past."<sup>3</sup>

On the other hand, German foreign policy is firmly anchored in universalist norms—above all international law and human rights—which are themselves prominently enshrined in the *Grundgesetz* (Fundamental Law). German governments have consistently emphasized that their policy toward Israel is embedded in this broader

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1. P. Lintl, "Ontologische Dissonanz: Die deutsche Überforderung mit dem Israeldiskurs seit dem 07.10." [Ontological dissonance: Germany's struggle with the Israel debate since October 7], *GWP-Gesellschaft. Wirtschaft. Politik*, No. 74, 2025.

2. Speech of Bundeskanzlerin Dr. Angela Merkel in front of the Knesset, March 18, 2008, in Jerusalem, available at: [www.bundesregierung.de](http://www.bundesregierung.de).

3. "29<sup>th</sup> Session", German Bundestag, April 26, 2018, sections 2621 and 2632, available at: <http://dserver.bundestag.de>.

commitment. This also enabled criticism of Israeli policies, including on settlements and Palestinian political rights.

Since the 1990s, the two-state solution served as the central framework through which both the particular and the universalist pillars could be maintained simultaneously: it structured German policy around the assumption that Israel's security, the occupation and settlement question, and Palestinian political rights could be reconciled.

However, this framework came under increasing strain. As then Foreign Minister Frank-Walter Steinmeier put it in 2013, the Israeli government had “neglected to do much that would have brought us closer to a two-state solution and thus lasting peace”.<sup>4</sup> Similarly, the German government declared in 2017 that its trust in Israel's commitment to a two-state solution had been “profoundly shaken.”<sup>5</sup> As a result, the tension between the two elements did not diminish but intensified: the attempt to uphold both simultaneously became more demanding and narrowed the space for a stable reconciliation.

## Germany's Israel policy after October 7<sup>th</sup>

The developments since October 7<sup>th</sup> have overwhelmed the established model of German-Israel policy. The attack by Hamas and the subsequent Gaza war did not create the underlying tension between historical responsibility and universalist norms, but fundamentally altered the conditions under which it could be managed.

The terrorist attacks by Hamas triggered shock and solidarity with Israel in Germany. Political leaders across the spectrum emphasized Germany's historical responsibility and underscored that there could be no ambiguity in standing by Israel after October 7<sup>th</sup>. The attacks were widely interpreted in Israel not merely as an act of terrorism, but as a challenge to the country's very existence—a framing that resonated strongly in German political discourse and, in parts of the public debate, evoked echoes of the Holocaust. Foreign Minister Annalena Baerbock declared in Israel that “these days, we are all Israelis.” Chancellor Olaf Scholz assured that there was only one place for Germany, and that was at Israel's side.

Within months, the situation became more complex. Israel launched a military campaign against Hamas, but after more than two years of war, well over 70,000 deaths, and widespread destruction, serious doubts arose about Israel's conduct. Allegations of violations of international humanitarian law and even of genocide entered both international and German domestic debate. Against the backdrop of Germany's longstanding and articulated commitment to international law and human rights, the Government faced pressure to respond to these developments.

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4. W. Sonne, *Staatsräson? Wie Deutschland für Israels Sicherheit haftet* [Reasons of state?: How Germany is responsible for Israel's security], Berlin: Ullstein Buchverlage, 2013, p. 220.

5. “The German Government on the Bill Legalizing Outposts Which Was Passed in the Knesset Yesterday”, German Federal Foreign Office, February 7, 2017, available at: [www.auswaertiges-amt.de](http://www.auswaertiges-amt.de).

These developments exposed practical and political difficulties for German policy. Positions emphasizing solidarity with Israel could, or could be perceived to, conflict with international legal obligations and humanitarian considerations. Conversely, calls for legal accountability or criticism of Israeli actions could be read as contradicting Germany's historical responsibility toward Israel.

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## Whatever course the government adopts, it risks violating long-standing convictions

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Germany thus faced a situation in which the two central pillars of its Israel policy—indeed, of its very identity—could be perceived as undermining one another, producing a situation of dissonance: whatever course the government adopts, it risks violating long-standing convictions.

The implications are visible in concrete policy decisions. German policy toward Israel and the war has been marked by hesitation, oscillation, and selective emphasis reflecting the absence of a coherent framework capable of integrating these commitments.

## Weapons deliveries to Israel

For decades, German weapon deliveries to Israel were guided by the premise “what floats, is ok,” insinuating that submarines and ships are predominantly defensive.<sup>6</sup> Thus, while Germany also supplied various forms of military equipment and components (such as engines), most of its exports consisted of submarines. This framework allowed Germany to support Israel militarily while largely containing potential tensions with its commitment to international law, as such systems could be framed as defensive in nature and not used in the occupied territories. This changed after October, when Germany sent significant quantities of ammunition, anti-tank missiles, tank engines and other equipment.<sup>7</sup>

As the destructiveness of the war became evident, these deliveries came under increasing scrutiny, with growing international criticism and court cases against Israel at the International Court of Justice, including Nicaragua suing Germany for complicity in genocide. As concerns about the legality of Israel's conduct intensified, the political justification for continued arms deliveries became more contested. After February 2024, there was a *de facto* weapons embargo—though never formally declared, with Israeli requests remaining “pending.”<sup>8</sup>

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6. W. Sonne, *Israel und wir. Geschichte einer besonderen Beziehung* [Israel and us: The story of a special relationship], Munich: C.H. Beck, 2024, pp. 128-146.

7. H. Pfeiffer and M. Goldmann, “Political and Legal Assessment of German Arms Deliveries to Israel Since 7 October 2023”, Max Planck Institute for Comparative Public Law and International Law (MPIL), *Research Paper*, No. 2025-15, August 13, 2025, available at: <https://papers.ssrn.com>.

8. K. Biermann et al., “Rüstungsexport nach Israel: Welche Verantwortung trägt Deutschland?” [Arms exports to Israel: What responsibility does Germany bear?], *Die Zeit*, August 14, 2025, available at: [www.zeit.de](http://www.zeit.de).

Over time, this generated significant political pressure—both from the then oppositional Christian Democratic Union/Christian Social Union (CDU/CSU) and from within the governing coalition, particularly the Free Democratic Party (FDP). The climax came during a special parliamentary session marking the second anniversary of the Hamas attack on Israel, where these parties exerted considerable pressure on the SPD and the Greens for failing, in their view, to live up to Germany's responsibility. The FDP speaker, Wolfgang Kubicki, argued that “our *Staatsräson* [is] being trampled underfoot.”<sup>9</sup> Florian Hahn (CSU) stated that “this is the opposite of German *Staatsräson*.” He called the “constant insinuations that Israel is not complying with international law (...as) unbearable.”<sup>10</sup> This pressure led to renewed arms transfers, accompanied by demands for assurances that Israel would comply with international law.

Soon after, the government fell and a new governing coalition led by the conservative CDU/CSU faction and the SPD as a smaller partner took over. Yet, in a move that surprised many observers, it was the CDU Chancellor Merz who announced on August 8, 2025, an official weapons embargo for systems that could be used in the Gaza War. This was against the backdrop of a complete Israeli siege on Gaza, a war that seemed to have lost its goals, widespread rejection of the war in public opinion (80%)<sup>11</sup> and mounting international pressure on Germany to react to Israel's conduct, especially from within the European Union (EU).

This, in turn, not only took his own party by surprise but also triggered harsh reactions from within it. Several leading political figures, including heads of federal states and prominent members of Parliament, criticized the decision sharply. Maybe the harshest came from a Member of Parliament and head of the CDU youth organization, Johannes Winkel, who wrote on Twitter: “Israel is doing the dirty work for us, starting today without German weapons.”<sup>12</sup>

The chancellor stood by his decision—especially against the backdrop that the EU was demanding even more far-reaching sanctions—but the government lifted the embargo almost immediately after the 20-points plan announced by the President Donald Trump.

Overall, German arms policy since October 7<sup>th</sup> has been marked by oscillation rather than coherence, as shifting between support, restrictions, and embargo reflects the tension between commitments to Israel's security and international law.

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9. “Plenarprotokoll 20/193”, German Bundestag 193<sup>rd</sup> Session, *Stenographic Report*, German Bundestag, October 16, 2024, available at: <https://dserver.bundestag.de>.

10. *Ibid.*

11. “Geteiltes Echo auf verschärfte Grenzkontrollen” [Mixed reactions to stricter border controls], *ZDFheute*, May 23, 2025, available at: [www.zdfheute.de](http://www.zdfheute.de).

12. J. Winkel, Post on X, August 8, 2025, available at: <https://x.com>.

## The dispute over the courts: *raison d'état* versus international law

Similarly, the proceedings against Israel before international courts have become a central arena of tension for Germany. A lawsuit for genocide has been filed before the International Court of Justice (ICJ), and the International Criminal Court (ICC) has issued arrest warrants against Prime Minister Benjamin Netanyahu and former Defense Minister Yoav Gallant for war crimes and crimes against humanity. Unlike in the case of arms deliveries, the issue here is not policy implementation, but Germany's commitment to the international legal order itself.

The arrest warrant issued in November 2024 triggered an intense debate, bringing the tension between the two pillars of Germany's Israel policy to the fore. Opinion pieces argued that reasons of state must prevail; others countered that international law must be Germany's *raison d'état*, applying equally to all.<sup>13</sup>

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The discussion also revealed how Germany's “lessons from the past” are themselves contested. Robin Alexander, deputy editor-in-chief of the conservative daily *Die Welt*, emphasized in a talk show on November 28, 2024, that German politicians are ill-equipped to say: “Our lesson from the Nuremberg Trials, i.e., the legal reappraisal of the Holocaust, is to arrest the Israeli Prime Minister.”<sup>14</sup> In contrast, Michael Barenboim, dean of the Barenboim-Said Academy in Berlin, emphasized the following day at the Federal Press Conference that, especially against the backdrop of its history, Germany has a “historical responsibility” to “stand up for international law” more than others.<sup>15</sup> These opposing positions illustrate that both principles—historical responsibility and the primacy of international law—are invoked as lessons drawn from the same historical experience, yet point in different political directions.

These arrest warrants, therefore, pose an acute challenge for Germany, not least given its strong support for the ICC. At the same time, many critics in the political arena emphasized that it was inconceivable that an Israeli Prime Minister would be arrested on German soil, without, however, saying that Germany would not enforce this arrest warrant if Netanyahu were to visit. The then candidate for the chancellery, Merz, nevertheless claimed that Germany would find a legal way to invite Netanyahu, despite the arrest

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13. P. Lintl, “Staatsräson. Eine deutsche Debatte” [Reasons of state: A German debate], in: W. Benz (ed.), *Erinnerungsdefizite und Denkverbote im Palästina-Konflikt* [Memory deficits and taboos in the Palestinian conflict], Berlin: Metropol, 2025, pp. 217–246, available at: [www.swp-berlin.org](http://www.swp-berlin.org).

14. “Markus Lanz”, ZDF Talk Show, November 28, 2024, segment starting at 21:57, available at: [www.zdf.de](http://www.zdf.de).

15. “Haftbefehl gegen Netanjahu, Deutschlands Rolle & das Völkerrecht | BPK 29. November 2024” [Arrest warrant for Netanyahu, Germany's role, and international law | BPK November 29, 2024], Federal Press Conference, Youtube, November 29, 2024, segment starting at 37:42, available at: [www.youtube.com](http://www.youtube.com).

warrant—to which almost the entirety of Germany's international law scholars responded with an open letter arguing that this would not be legally possible.<sup>16</sup> Merz did not repeat this position after being elected Chancellor.

Perhaps the clearest expression of this tension was found in the official government statement of the time: on the one hand, it stated that Germany was the ICC's biggest supporter; on the other hand, it emphasized Germany's historical responsibility towards Israel. For this reason, it said, Germany would “carefully examine” the next steps but would not take any further position at this stage.<sup>17</sup> This formulation postpones rather than resolves the conflict. Not surprisingly, this examination has remained inconclusive since November 2024.

These developments point to a broader pattern of dissonance: Germany affirms commitments which are mutually contradictory, yet refrains from articulating how this contradiction is to be resolved, instead deferring a definitive stance into an indeterminate future.

## The two-state solution and the erosion of a strategic framework

The Gaza war has also affected German policy toward the conflict and its envisaged resolution. The two-state solution served not only as a political objective, but also as a way of reconciling Germany's commitment to Israel's security with its adherence to international law and its support for Palestinian self-determination.

However, this framework had already come under strain in the decade prior to October 7<sup>th</sup>. Settlement expansion, the political division between Hamas and the Palestinian Authority, and the stagnation of the peace process all contributed to growing doubts about the viability of a two-state solution. As a result, it increasingly lost its function as a realistic policy horizon and remained primarily a normative reference point.

Since the Hamas attack on Israel on October 7, 2023, these tensions have intensified. The war in Gaza and the deteriorating situation in the West Bank have further reduced the plausibility of a negotiated settlement. German policy, however, has shown limited adaptation.

German officials have indeed repeatedly criticized developments that undermine the two-state framework, including settlement expansion, settler violence, and even annexation plans.<sup>18</sup> Yet this disapproval rarely translates into concrete policy measures, and Germany

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16. S. Klenner and R. Müller, “77 Völkerrechtler: Haftbefehl gegen Netanjahu beachten” [77 international law experts: Comply with the arrest warrant against Netanyahu], *Frankfurter Allgemeine Zeitung*, March 20, 2025, available at: [www.faz.net](http://www.faz.net). Published in English, available at: <https://verfassungsblog.de>.

17. Statement by the Federal Government on the Decision of the International Criminal Court, *Press Release 293*, Federal Government of Germany, November 22, 2024, available at: [www.bundesregierung.de](http://www.bundesregierung.de).

18. F. Merz, Post on X, April 13, 2026, available at: <https://x.com>.

has also resisted more consequential steps at the European level. This suggests an awareness of changing realities on the ground, coupled with a preference to avoid policies that could be perceived as punitive, thus conflicting with Germany's historical responsibility. At the same time, this reluctance is not absolute: declarations made by government spokespersons have indicated a willingness to sanction radical settlers within the EU framework.<sup>19</sup> Clear limits remain, however, when EU High Representative Kaja Kallas proposed a broader package of sanctions in response to the Gaza war, it was rejected prominently by CDU/CSU faction leader Jens Spahn, who argued that such measures would recall the Nazi boycott slogan "We will no longer buy from Jews."<sup>20</sup>

Another example is the issue of recognizing a Palestinian state. While countries such as the United Kingdom and France have considered recognition as a way of reinforcing the two-state framework, Germany maintains that recognition should come only at the end of a negotiated process. In the complete absence of such a process, this position reinforces the disjunction between normative commitment and political feasibility.

A similar pattern appears in Germany's response to the advisory opinion of the International Court of Justice. Both Federal Governments under Scholz and Merz reaffirmed their support for Palestinian self-determination and Germany's special responsibility toward Israel in a statement stressing that they take the Court's findings seriously and "take them into account in [their] actions."<sup>21</sup> However, there is little evidence that this—particularly the assessment that the occupation itself is in violation of international law—translates into policy. There is no evidence that this interpretation has had a discernible impact on Germany's concrete approach toward Israel or the occupied territories. If anything, there are indications of a reverse trend. For instance, the current coalition agreement between CDU/CSU and SPD omits, unlike earlier agreements, an explicit characterization of settlement construction as a violation of international law—precisely because of the October 7 attack, as one parliamentarian explained.<sup>22</sup>

Germany has thus struggled to translate the two-state solution goal into concrete policy steps—not least because such steps risk being perceived as incompatible with its historical responsibility toward Israel. Meanwhile, remaining largely declaratory, it risks effectively acquiescing in the very deterioration it officially opposes.

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19. Statements by the Federal Foreign Office at the government press conference on March 23, 2026, available at: [www.auswaertiges-amt.de](http://www.auswaertiges-amt.de).

20. "CDU-Fraktionschef Spahn: Keine deutschen Sanktionen pauschal gegen Israel" [CDU parliamentary group leader Spahn: No blanket German sanctions against Israel], *Stern*, September 28, 2025, available at: [www.stern.de](http://www.stern.de).

21. "Schriftliche Fragen mit den in der Woche vom 23. Juni 2025 eingegangenen Antworten der Bundesregierung" [Written questions with the responses received from the Federal Government during the week of June 23, 2025], German Bundestag, *Drucksache 21/664*, June 27, 2025, p. 38, available at: <https://dserv.bundestag.de>.

22. "Markus Lanz", ZDF Talk Show, Youtube, May 1, 2025, segment starting at approximately 21:30, available at: [www.youtube.com](http://www.youtube.com).

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## Germany has struggled to translate the two-state solution goal into concrete policy steps

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## Regional escalation and external pressures: the case of the Iran war

The conflict between Israel, the United States, and Iran, which escalated into open warfare in early 2025, provides a further illustration of the pattern that has characterized German policy since October 7<sup>th</sup>. The case is distinctive in one important respect: the underlying tension between Germany's two guiding principles was amplified by its dependence on the United States, whose administration under President Trump openly dismissed international legal constraints as a meaningful framework.<sup>23</sup>

The initial German response was cautious. A joint E3 statement emphasized that Germany, France, and the United Kingdom were not party to the conflict and called for a negotiated resolution.<sup>24</sup> However, within days, Chancellor Friedrich Merz described Israeli and U.S. war aims as a shared interest with Germany and stated that this was not the moment for “lecturing allies” on international law.<sup>25</sup> When asked about alleged violations, he questioned the adequacy of international law as a framework, arguing that decades of negotiations had failed to prevent Iran's nuclear advances and that there might come a point “that is too late.” At the same time, he insisted that international law was “not a model in decline,” while leaving open how to proceed when legal frameworks “reach their limits.”<sup>26</sup>

As the conflict progressed and its economic consequences became more tangible—most notably through the closure of the Strait of Hormuz—the government's position shifted. Merz acknowledged that a prolonged war would not be in Germany's interest and indicated that Germany would not participate militarily. SPD ministers went further, describing the conflict as “not our war”.

These shifts exposed divergences within the governing coalition. SPD representatives—including President Steinmeier<sup>27</sup>—foregrounded the primacy of international law, while CDU/CSU figures often emphasized Israel's security interests and questioned the relevance of legal constraints.

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International law  
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23. D. Sanger et al., “Trump Lays Out a Vision of Power Restrained Only by ‘My Own Morality’”, *The New York Times*, January 8, 2026, available at: [www.nytimes.com](http://www.nytimes.com).

24. “Joint E3 Leaders' Statement on Iran”, Press release, Federal Government of Germany/UK Government/Government of France, February 28, 2026, available at: [www.gov.uk](http://www.gov.uk).

25. “Pressestatement von Bundeskanzler Merz zur Lage im Nahen Osten – Iranerinnen und Iraner haben eine bessere Zukunft verdient” [Statement by Chancellor Merz on the situation in the Middle East – The Iranian people deserve a better future], Federal Government of Germany, March 2, 2026, available at: [www.bundesregierung.de](http://www.bundesregierung.de).

26. “Interview mit Kanzler Merz: ‘Es kann auch einen Zeitpunkt geben, der zu spät ist’” [Interview with Chancellor Merz: “There may come a time when it's too late”], *Tagesschau*, March 3, 2026, available at: [www.tagesschau.de](http://www.tagesschau.de).

27. Speech marking the 75th anniversary of the Federal Foreign Office. F.-W. Steinmeier, “Militärische Stärke und außenpolitische Klugheit gehören zusammen” [Military strength and wise foreign policy go hand in hand], Der Bundespräsident, March 24, 2026, available at: [www.bundespraesident.de](http://www.bundespraesident.de).

Following the ceasefire, Merz invoked “fundamental principles of international law,” a formulation that stood in tension with his earlier statements. This return to universalist language after its partial suspension reflects the oscillatory pattern observed across the other cases in this paper. Yet the tensions did not subside. When Merz publicly questioned whether the United States had a convincing strategy, the response from Washington was sharp. The exchange illustrated that even after the ceasefire, Germany had not found a stable position—and that the transatlantic relationship itself had become an additional source of constraint, limiting Germany’s ability to articulate an independent stance without immediate political cost.

## Conclusion

The four cases examined in this paper reveal a consistent pattern. Germany’s simultaneous commitments to Israel’s security and to universalist norms proved difficult to translate into coherent policy, producing oscillation, deferral, and selective emphasis. This tension became increasingly visible across the cases examined.

This trajectory points to a deeper structural problem. Germany’s predicament is not only one of balancing competing commitments, but also of accounting for Israel’s agency when its policies challenge Germany’s normative framework. To this day, it remains unresolved how historical responsibility relates to Israel’s actions when these diverge from Germany’s universalist norms. This difficulty is reinforced by the asymmetry of its two central pillars: historical responsibility is open-ended yet existentially charged, whereas international law presents itself as neutral but constrains political discretion. As these logics come into tension, neither can be easily specified or adjusted without undermining the coherence of the overall policy.

Beyond policy coordination, the tension begins to unsettle the standards by which Israeli actions are morally assessed and, consequently, politically and epistemically interpreted. What emerges is not only a persistent dilemma between commitments, but a gradual destabilization of the criteria of judgment themselves.

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