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GRADE 1 · ESSENTIAL

The Architecture of Enablement

How Germany's institutions defy the ICJ and their own courts

A country briefing on where German institutions enable Israel's war in Gaza, and what a reader in that relationship can ask.

WHY INSTITUTIONS, NOT ONLY GOVERNMENTS

Unlawful conduct is not sustained by one government. It runs through a network of institutions that most citizens hold a direct relationship with.

International courts, including the International Court of Justice, have found that Israel's conduct in the occupied Palestinian territory violates international law. Public statements of concern have not stopped it. What sustains it is a network of arms manufacturers, banks, insurers and professional bodies that most people never vote for, but hold a relationship with as a saver, a pension holder, an insurance customer, or a professional. This briefing identifies where that relationship runs in Germany.

THE ESSENTIAL TIER

Why Germany sits in the highest tier

Largest foreign financier

Home to Allianz, the largest known non-Israeli institutional holder of Israel's wartime sovereign debt.

Continuing arms cooperation

Significant and continuing arms supply and joint production with Israel, from the F-35 fuselage to shared ventures.

Blocks coordinated EU action

A decisive role in keeping the EU-Israel Association Agreement in force, since no partial suspension can pass without Germany and Italy.

Accused at the World Court

The only Western state that another country has formally accused, at the ICJ, of complicity in genocide.

MATERIAL COMPLICITY

Germany is Israel's second-largest arms supplier

€1.5bn

Arms export licences to Israel by May 2026, up from €485mn a year earlier (ECCHR).

€735mn

New licences granted in a single quarter, the second quarter of 2026 (Bundestag).

These figures sit in direct contradiction to Germany's April 2024 statement to the ICJ, which claimed it had sharply curtailed exports and sent only a small share of weapons usable in Gaza. Supply is not the whole of it. Rheinmetall builds the centre fuselage of the F-35, some destined for Israel, and German firms run joint ventures with Israeli defence companies.

Sources: ECCHR; Bundestag disclosure; Just Security, 2025.

THE FINANCIAL LEVER

Allianz holds the largest known non-Israeli stake in Israel's war bonds

$2.6bn

Israeli wartime sovereign debt held through PIMCO by September 2025, up from about $32mn in November 2024 (Profundo).

51.8%

Of all tracked non-Israeli holdings, more than every other institution in the world combined.

PIMCO kept buying at elevated wartime interest rates while Israel fought a genocide case at the ICJ. The decision was taken in California, but accountability sits with the board of the parent company, Allianz, in Germany. Deutsche Bank is named alongside Allianz in the July 2025 UN report by Special Rapporteur Francesca Albanese.

Sources: Profundo; A/HRC/59/23.

GERMANY IN THE DOCK

The courts have not intervened

Mar 2024

Nicaragua brings the first interstate case charging a Western state with complicity in genocide. The ICJ declines provisional measures in April 2024; the case is pending.

Nov 2025

The Berlin Administrative Court dismisses the central action seeking to establish whether past shipments were lawful, holding there was no risk of repetition. Days later the government resumed exports.

The tell

Berlin obtained a written assurance from Israel that German weapons would not be used to commit genocide, a step that indicates it was aware of the risk it was insuring against.

Sources: ICJ, Nicaragua v Germany; ECCHR; Middle East Eye, 2025.

THE MANUFACTURED CONSENSUS

How support is kept active and criticism is contained

Staatsräson

Support for Israel is treated as a fixed pillar of state identity, which forecloses the debate that would be routine for any other country's policy.

An organised lobby

A communal body, advocacy groups such as ELNET and NAFFO, research operations like NGO Monitor, and Axel Springer media (BILD, WELT).

The IHRA definition

Adopted by the government and used to discipline academics, journalists and cultural institutions that criticise Israeli policy.

A narrative cascade

Standardised claims, especially targeting UNRWA, packaged to look like research and passed to members of parliament to raise.

THE CONSENT GAP

What Germans back, and what the government did

WHAT GERMANS BACK

62% believe Israel's actions in Gaza constitute genocide (YouGov, September 2025).

73% want tighter arms-export controls, including 30% who back a total ban.

74% reject standing unconditionally with Israel; favourable views have fallen to 19%.

WHAT THE GOVERNMENT DID

Suspended exports usable in Gaza (August 2025).

Lifted the suspension three months later (November 2025).

Kept case-by-case licensing intact, and the transfers resumed.

The elite doctrine is now sharply detached from the public. The one lever the government controls, it left in place.

SOLIDARITY AND ITS SUPPRESSION

Sympathy has not become collective action

766

Documented incidents of repression against activists, journalists and academics, 2019 to April 2025 (ELSC and Forensic Architecture).

~10,000

Criminal investigations estimated to have been opened over Palestine solidarity in the two years after October 2023.

Organisations have been banned outright, and UN Special Rapporteurs report a persistent pattern of police violence. Germany, the EU's most populous state, ranked just seventeenth of twenty-seven countries by population share of signatures on the citizens' initiative to suspend the EU-Israel agreement. Sympathy expressed to pollsters has not translated into comparable collective action, which is precisely why the institutional levers matter more than public opinion alone.

ENABLING ACTION

The doctrine cannot be argued away. The machinery around it can be moved.

Financial, the most workable

Allianz holds a live position it can stop rolling over or sell, one that carries a fiduciary duty to the clients whose money it is.

Export licensing

Licences run through one authority, BAFA. ECCHR is already litigating to halt them under the Arms Trade Treaty and the Geneva Conventions.

Supply-chain due diligence

The 2023 Act reaches companies, retailers and technology firms that export licensing never touches, with a complaints channel and real penalties.

Professional bodies

Ethics codes give doctors, engineers and others a basis for institutional refusal, independent of any political lobby.

A named institution with a fiduciary duty can be held accountable in a way that a government ministry defending a matter of national identity cannot.