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Antisemitic Hate Campaign against Israel: The Al-Quds Day in Frankfurt

International Al-Quds Day (Jerusalem Day) was in 1979 by Iranian revolutionary leader Ayatollah Khomeini as an anti-Zionist day of struggle for the "liberation of Jerusalem" and marks the annual propagandistic climax of the global hate campaign against Israel. The aim is to incite hatred against so-called "Zionist enemies". Antisemitic threats of annihilation against the Israeli nation state are explicitly articulated.

Dated on the last Friday of the fasting month of Ramadan, in the spirit of the Islamist Iran's state doctrine has mobilized people worldwide to take part in decidedly anti-Israel protests. The guiding principle here is the attempt to convince people of the Muslim faith in particular of the "religious duty" to fight against Israel and to spread Israel-related anti-Semitism worldwide.

The central enemy of this propaganda campaign, which deliberately incites hatred and international hostility towards Israel, is "Zionism". The enemy attributions expressed there are intended - with the help of racist attributions and antisemitic dehumanizations - to legitimize, prepare and glorify anti-Israel hate crimes. This is because Israel is constantly denigrated by the Iranian leadership as a "satanic" enemy and absolute evil. The antisemitic characterization of Israel as a "virus" that brings death and a "cancer" to be eradicated accompanies the active support of anti-Israeli acts of violence that are ruthlessly committed by terrorist armies (such as Hezbollah, Hamas and Islamic Jihad) in the name of the "resistance", which is mainly led by the Iranian "Al-Quds" brigades.¹

On the occasion of Al-Quds Day 2020, the current revolutionary leader Khamenei described the "struggle to liberate Palestine" as "jihad in the spirit of God". In this openly jihadist call for violence to completely and ultimately "liberate" all of "Palestine" (quote: "from the river to the sea"), the anti-Israeli will to annihilation, which ideologically motivates the regime's aggressive policy of expansion and terror, is repeatedly and unmistakably expressed. Peaceful coexistence in the sense of a two-state solution is systematically denied by Iranian state propaganda. After all, according to Khamenei in his Al-Quds speech, the "Zionist regime" is a "deadly cancer" that must be "uprooted and destroyed".²

In view of these repeated statements, the campaign for International Al-Quds Day must be seen as a propagandistic declaration of war by the Iranian leadership against Israel.

Al-Quds Day in Frankfurt: art of Iran's International Hate Campaign

In Germany, there is open sympathy for the anti-Israeli aims of the Iranian leadership, which are openly articulated on Al-Quds Day in particular. The Islamic Center Hamburg (IZH), which has since been banned, played a formative role in this throughout Germany. The State Office for the Protection of the Constitution (LfV) in Hesse also wrote that "the long-standing influence of the IZH was verifiable". In addition to the direct activities of the IZH in Frankfurt mentioned in the 2021 report on the protection of the constitution, the Islamic Center Ehlibeyt e.V. from Offenbach, which has continued its activities unabated since the IZH was banned, is also responsible for this. The Offenbach association is a member of the Iranian-dominated "Islamic Community of Shiite Communities Germany e.V." (IGS), which was founded on the premises of the IZH in 2009, and has been the organizer of Al-Quds Day-related gatherings and marches in Frankfurt for many years. ³

Until his death in 2019, Muhammad Avci was the spiritual and organizational head of the German-Dutch Ehlibeyt network and the associated Islamic Center Ehlibeyt e.V. in Offenbach. The state funeral for Avci in Iran, who was buried in 2019 in Mashad with the blessing of Supreme Leader Ayatollah Khamenei, at which the regime's most important clerics were present and for which the revolutionary leader's foreign policy advisor published an obituary, shows how closely the organizational network of the Frankfurt Al-Quds Day worked with the establishment of the Islamic Republic of Iran. ⁴

The annual Al-Quds demonstrations have been taking place in Frankfurt am Main since 2015 and have been monitored by the Hessian Office for the Protection of the Constitution ever since. The authority reports on the participation of extremist groups in these events and their ideological character. "The LfV Hessen warns against the Frankfurt Al-Quds demonstrations as an openly visible sign of Israel-related anti-Semitism. Anyone who organizes or participates in such an event shows solidarity with the Iranian regime's efforts to destroy the state of Israel." ⁵

The Frankfurt Al-Quds demonstration in 2024 was successfully advertised by its organizers as a "large-scale demonstration for Gaza" in line with broader anti-Israeli mobilizations since the antisemitic massacre by Hamas on 7 October 2023. However, the well-known character of the event as a central event for networks loyal to the regime of the Islamic Republic of Iran hardly changed: likenesses of the Iranian revolutionary leaders Khomeini and Khamenei were once again presented and the news channel Fars News, which has close ties to the Iranian Revolutionary Guards (IRGC), and the Iranian state broadcaster Press TV were present. A closing speech by the organizing network spoke in Turkish of "the Zionists" as bloodthirsty and greedy "world eaters" who would exploit the riches of the world and the work of the people, who would drive humanity from massacre to massacre and manipulate the peoples. ⁶

Talk of "the Zionists" is a well-known code of detour communication used in anti-Semitism research to mark Jews. In combination with traditional tropes of antisemitic conspiracy myths, it is clearly an anti-Jewish agitation with semantic and structural proximity to that of the National Socialists, which could constitute a criminal offense of incitement to hatred

The campaign also jeopardizes the security of Jewish and Israeli institutions and communities in Germany. This is because any gathering that makes recognizable reference to the international Al-Quds campaign and adopts its content is directed against a religious group and a group defined by its ethnic origin, against which it incites hatred. This means that public safety and public peace are also at risk in Frankfurt. The city of Frankfurt should therefore ban the assembly on the basis of the Freedom of Assembly Act.

Appendix: Supplementary legal information

Such gatherings in Frankfurt are also to be feared for "Al-Quds Day" 2025, which falls on March 28 this year, or in the vicinity of this date. The trivialization of Islamist terror and the dissemination of anti-Israeli positions as part of an internationally recognizable hate campaign orchestrated by Iran should not be allowed to take place in Frankfurt. Decisive action is therefore needed from politicians and the administration:

- The Hessian Freedom of Assembly Act allows assemblies to be banned if there is an immediate threat to public safety (Section 14 (2) sentence 1 HVersFG). With regard to the existing assessment of the Hessian State Office for the Protection of the Constitution, a ban should be obtained with the support of politicians and the administration.
- If a complete ban on Quds Day is not legally enforceable, preventative measures should be taken: The police should carry out comprehensive video documentation to preserve evidence. In addition, inciting slogans, extremist symbols and routes in the vicinity of Jewish institutions must be prohibited. The presence of officers who speak Turkish, Arabic and Persian at the entire gathering is essential for enforcement.
- Law enforcement authorities should work towards the consistent punishment of antisemitic incitement and calls for violence at an early stage. Close cooperation with the public prosecutor's office can speed up proceedings and send clear signals against hate crimes.
- In addition to legal measures, a clear political stance against Quds Day is needed. The City of Frankfurt should work in close cooperation with Jewish communities and civil society initiatives to actively combat antisemitic ideologies and strengthen educational programs to raise awareness.

In this appendix, we would like to explain why we believe that a ban is not only legally permissible, but also necessary

According to Section 14 (2) HVersVG, a ban on assembly requires an immediate threat to public safety, and restrictions or conditions may not be sufficient. Public safety includes the inviolability of the objective legal order, in particular criminal laws and bans on associations. With regard to the Al-Quds Day gatherings, criminal offences of expression are to be expected, in particular inciting slogans and statements (§ 130 StGB), the approval of criminal acts, in particular the approval of the crime of aggression (§ 140 StGB in conjunction with § 138 para. 1 no. 5 StGB) as well as the dissemination of propaganda material of terrorist organizations (§ 86 StGB).

Incitement to hatred, § 130 StGB

Following statements made at past rallies for Al-Quds Day in Frankfurt, there is a fear of criminal incitement to hatred again this year. At Quds Day 2024 in Frankfurt, "Zionists" were described as bloodthirsty and greedy "world eaters" who would exploit the riches of the world and the labor of the people, drive humanity from massacre to massacre and manipulate the peoples. In 2023, Ismail Avci gave a speech in which he propagated that "the Zionists" were using the media to play people off against each other and thus assert their right to further "enslave humanity."⁷

It is recognized in case law that these statements constitute a criminal offence of incitement to hatred because "Zionists" is used here as a mere cipher for "the Jews" according to its objective meaning and obviously "the Jews" are meant and not a (political or religious) current of Zionism.⁸ From the point of view of the group of recipients and according to objective

interpretation, classic antisemitic, inciting statements are hidden under the code "Zionists", but the recipients of the statement are nevertheless unmistakably informed that by no means only people with Zionist convictions are meant, but "the Jews".⁹

Approval of the crime of aggression, § 140 StGB

Insofar as endorsements and/or positive references are made to the genocidal massacre by Hamas on October 7, 2023 and the war of aggression against Israel launched by Hamas in violation of international law, for example as a "legitimate liberation struggle" or in a similar form, which is to be feared in view of past "pro-Palestinian" demonstrations, the criminal offense of Section 140 StGB would also be fulfilled.¹⁰

Distribution of propaganda material of terrorist organizations, § 86 StGB

The criminal offence of disseminating propaganda material of terrorist organizations (Section 86 StGB) was also fulfilled at past gatherings for Al-Quds Day: At the Al-Quds Day gathering in Frankfurt 2024, a song by the Shiite Lebanese band "AL-ISRAA" about the "liberation" of Jerusalem was played, with Hezbollah fighters being heroized in the accompanying music video. This song was also used as the official anthem for Al-Quds Day by Hezbollah's propaganda channel "Al-Ahed News". The song is therefore a propaganda tool of a terrorist organization which, through its glorification of Hezbollah and the terror it perpetrates, is directed against the idea of international understanding, glorifies war in particular and also propagates racial and ethnic hatred through its open anti-Semitism.¹¹ In addition, although taking sides with the Islamic regime in Iran is not prohibited, Iran finances and equips two terrorist organizations that are banned in Germany: Hezbollah and Hamas. A positive reference to the Islamic regime and its glorification can therefore be understood as support or at least approval of these organizations, which is also prohibited.

Disguise as a "pro-Palestinian" demonstration

This assessment is not contradicted by the fact that some of the gatherings for Al-Quds Day, as in Frankfurt in 2024, are registered as "pro-Palestinian" demonstrations (title at the time: "Stop the extermination of Palestine! Large demo for Gaza") and thus disguise their actual content. The (self-)designation of the assembly is not decisive for the assessment under assembly law, but rather the slogans and objectives propagated during the assembly and the criminal offences committed. A misleading name therefore does no harm. The close temporal proximity to Al-Quds Day as well as the objectives propagated there, the chanted slogans and the pictures carried with them already indicate that these are assemblies for Al-Quds Day.¹² As already mentioned, last year large images of the Islamic revolutionary leaders Khomeini and Khamenei as well as the network founder Muhammed Avci were positioned in the front row of the demonstration procession. There is no connection to the registered theme of the rally, but this staging makes sense against the backdrop of Al-Quds Day.

Immediate threat to public safety

Public safety would also be directly endangered by an assembly on the occasion of Al-Quds Day. A direct threat requires a high probability of a threat to the protected legal interests, in this case public safety. This threat prognosis must be based on a sufficient factual basis, whereby past events with a comparable group of participants, location, organizers and/or content can be used as the basis for the threat prognosis.¹³ This means that past gatherings for Al-Quds Day in Frankfurt in recent years can be used as the basis for a risk forecast.¹⁴ As has been shown, there have already been many threats to public safety at these gatherings. It can therefore be assumed with a high degree of probability that public safety will also be impaired at this year's gatherings for Al-Quds Day, which is why the requirements for a ban on gatherings are met.¹⁵

Analyses of the actors, organizational structures and content of the "Al-Quds" events:

- Emil Mink: The Quds Day in Frankfurt and the Ehlibeyt Network within the IGS, https://www.mideastfreedomforum.org/fileadmin/editors_de/Broschueren/MEFF-Broschuere-PDF.pdf
- Emil Mink: "The regime supporters' partial double strategy for Quds Day in Frankfurt 2024", <https://www.mideastfreedomforum.org/veroeffentlichungen/broschueren/auswertung-quds-tag-ffm-2024>
- Mideast Freedom Forum Berlin (May 2020): Al Quds Day as an antisemitic mobilization of the Islamic Republic of Iran and as a threat to security in Germany: [https://mideastfreedomforum.org/fileadmin/editors_de/Texte/MFFB - Fuer ein Verbot des Al Quds Tages.pdf](https://mideastfreedomforum.org/fileadmin/editors_de/Texte/MFFB_-_Fuer_ein_Verbot_des_Al_Quds_Tages.pdf)
- democ. Center for Democratic Dissent (13.05.2021): Digital and on the streets: The anti-semitic Al-Quds Day in Germany 2021: <https://democ.de/artikel/der-antisemitische-al-quds-tag-in-deutschland-2021-digital-und-auf-der-strasse/>

Mideast Freedom Forum Berlin e.V.
P.O. Box 2 77 48
10130 Berlin
Tel. 030 - 209 95 852
info@mideastfreedomforum.org
www.mideastfreedomforum.org

German-Israeli Society e.V.
Frankfurt am Main working group
P.O. Box 10 32 13
60102 Frankfurt am Main
frankfurt@digev.de
<https://frankfurt.deutsch-israelische-gesellschaft.de/>

¹ Guido Steinberg of the *German Institute for International and Security Affairs* characterizes the role of the Al-Quds Army as follows: "The mission of the Quds Corps is (...) to identify and build up ideological and military allies for the "Axis of Resistance" and to support them in the long term with advice, training, leadership and money." In this sense, the "Quds Corps" is not only a "military unit", but also "a hybrid structure that uses military-terrorist, intelligence and political means." Cf. <https://www.>

² Cf. <https://english.khamenei.ir/news/7570/The-virus-of-Zionism-wont-last-long-and-will-be-eliminated>.

³ Hessian report on the protection of the constitution 2021, p. 234-235.

⁴ Cf. Emil Mink: The Quds Day in Frankfurt and the Ehlibeyt Network within the IGS, https://www.mideastfreedomforum.org/fileadmin/editors_de/Broschueren/MEFF-Broschuere-PDF.pdf, pp. 18-21 and pp. 34-35.

⁵ <https://ifv.hessen.de/publikationen/aktuelles-und-analysen/al-quds-demonstration>

⁶ Emil Mink: "The regime supporters' partial double strategy for Quds Day in Frankfurt 2024".

⁷ Cf. footnote 4, p. 23.

⁸ LG Essen, BeckRS 2015, 128694, para. 7 et seq., Münchener Kommentar StGB/Schäfer/Anstötz, § 130 para. 34; see also *Liebscher/Pietrzyk/Lagodinsky/Steinitz*, NJOZ 2020, 897, 898 et seq. on the coding of antisemitic statements and how they are dealt with in criminal law.

⁹ See OLG Frankfurt a.M., BeckRS 2022, 38210; OLG Karlsruhe, NStZ-RR, 2020, 310.

¹⁰ OVG Kassel, BeckRS 2023, 28074 with examples also from Frankfurt; see also *Hahne*, NVwZ 2023, 1793, 1795.

¹¹ For these requirements, see Münchener Kommentar StGB/Anstötz, § 86 para. 11.

¹² See OVG Berlin-Brandenburg, NJ 2022, 278.

¹³ VG Berlin, NJ 2022, 279, 280.

¹⁴ BVerfG, NJW 2010, 141, marginal no.; OVG Kassel, BeckRS 2023, 28074.

¹⁵ See also OVG Kassel, BeckRS 2023, 28074 on a similar situation.