

German politics

Berlin seeks to deport EU citizens over pro-Palestinian protests

Irish, Polish and US activists appeal rulings based on events at university sit-in against Israeli offensive in Gaza



Police clash with pro-Palestinian protesters in October last year © Middle East Images/AFP/Getty Images

Laura Pitel in Berlin

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Berlin immigration authorities have ordered three EU citizens and an American to leave Germany over accusations of antisemitism and support for terrorism after they protested against Israel's offensive in Gaza, according to a lawyer representing two of the quartet.

The four activists — two from Ireland, one from Poland and one from the US — claimed that the German capital's officials were “weaponising migration law” after being informed they must depart by April 21 or face deportation over allegations including chanting pro-Palestinian slogans.

The group said in a joint statement on Tuesday that their expulsion was part of an attempt to “silence pro-Palestinian voices and political dissent”.

They compared their treatment to the Trump administration's handling of activists such as [Mahmoud Khalil](#), a Syrian-born Columbia University graduate and US green card holder who has been detained and threatened with deportation for taking part in pro-Palestinian demonstrations.

Alexander Gorski, a criminal defence and migration lawyer representing two of the

Berlin protesters, said he had never previously seen a deportation case that invoked the [concept of *Staatsräson*](#) — the idea that the security of Israel is a central part of Germany’s national interest — as part of the grounds for their decision.

“They are basically arguing that, due to the German *Staatsräson*, it requires the most severe action that German migration law knows,” he said. “I’ve never before seen such a political wording [as the grounds for deportation].”

Berlin’s department for the interior and sport, which is responsible for the city’s immigration office, confirmed it had notified the four activists that their residency permits had been terminated.

It said the move was in connection with protests at Berlin’s Free University in October 2024, when “a violent, masked group of individuals” entered the building and caused “significant property damage, including graffiti”. It said criminal proceedings were ongoing, but did not specify whether these charges applied to the four people asked to leave the country.

Gorksi said it remained unclear exactly what the four were accused of doing at that time.

“The police claimed that our clients participated in the effort to occupy the university,” he said. “However, the police have not handed over the file to the state prosecutor. We have not been granted access to the files.”

The Berlin city government declined to provide further information, citing data protection.

Gorski said it was not the first time German authorities had used migration law as “a tool of repression against social movements”. He said he had observed a pattern since Hamas’s October 7 2023 attacks on Israel, in which the Palestinian militants killed 1,200 people and took 250 hostage, according to Israeli authorities.

Gorski said he had encountered more than a dozen cases of Palestinians and other Arabs whose refugee status or residency was revoked because of participation in pro-Palestinian rallies or social media posts deemed to support terrorism.

Investigative news outlet The Intercept, which first [reported the case](#), said two of the four people were also accused of grabbing the arms of police officers or other protesters in a bid to prevent arrests during the sit-ins.

In other instances, it said, they were accused of chanting slogans such as “Free

Palestine” and “From the river to the sea, Palestine will be free”, a slogan referring to the river Jordan and Mediterranean that is understood by many Jews as supporting armed violence and calling for the elimination of the state of Israel.

Many supporters of the Palestinian cause argue it refers to ending the Israeli occupation of Palestinian territories.

Gorski said these slogans had been unjustly interpreted as indirect support for Hamas, which is considered a terrorist group by the US, EU and Israel.

Only one of the accusations — the claim that the 29-year-old Irish citizen Shane O’Brien called a police officer a “fascist” — has been brought before a criminal court. O’Brien was acquitted. None of the four has any prior convictions.

Authorities are basing their decision, which is being appealed by the protesters, on a provision allowing foreign nationals to be deported if they present a danger to society.

The Berlin city government said: “Any criminal convictions will be taken into account in the respective assessment. However, they do not constitute a prerequisite for the imposition of appropriate measures.”

Thomas Oberhäuser, chair of the German Bar Association’s committee on migration law, said the EU citizens would have a good chance of winning their appeal given the right to freedom of movement within the bloc.

“It’s very difficult to expel EU citizens,” said Oberhäuser, who is not involved in the case. “Saying something that is not in accordance with our ideas about preventing antisemitism is not enough.”

The case is the latest instance of [tensions](#) in Germany sparked by Hamas’s October 7 attacks and the subsequent Israeli assault on Gaza that has killed more than 50,000 Palestinians, according to health authorities in the strip.

Europe’s most populous nation sees itself as having a special responsibility towards Israel and Jewish people given the murder of 6mn Jews by the Nazis during the second world war.

German political leaders have voiced alarm at a sharp rise in the number of reported cases of antisemitism after October 7. But as they seek to counter that trend, critics have accused them of unconditional support for the Israeli government and oppressing freedom of speech at home.

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