

# **ASA Adjudication on The Palestinian Mission UK**

## **The Palestinian Mission UK**

5 Galena Road  
Hammersmith  
London  
W6 0LT

### **Date:**

7 December 2011

### **Media:**

Internet (on own site)

### **Sector:**

Non-commercial

### **Number of complaints:**

6

### **Complaint Ref:**

A11-159337

### **Ad**

A website for the Palestinian Diplomatic Mission to the UK featured an interactive map under the heading "Discover Palestine". The map was coloured red at the top, green in the middle and black at the bottom and represented the whole of Israel, in addition to the West Bank and the Gaza Strip. Clicking on certain parts of the map identified various cities and linked to tourist information about these cities.

### **Issue**

1. Six complainants objected that the map misleadingly implied that the entire area represented by the map was Palestine and that the state of Israel did not exist.
2. One complainant objected that the website misleadingly implied that Haifa was part of Palestine.

3. Three complainants objected that the website misleadingly implied that Jaffa was part of Palestine because they asserted that it was wholly inside Israel and run by its own civilian government.

4. Two complainants objected that the website misleadingly implied that Jerusalem was part of Palestine because they asserted that the status of the city was disputed.

5. Two complainants objected that the website misleadingly implied that Hebron was in Palestine because they asserted that the status of the city was disputed and that a significant part of it was under full Israeli control and not readily accessible to tourists from areas controlled by the Palestinian Authority.

6. Two complainants objected that the website misleadingly implied that Bethlehem was part of Palestine because they asserted that it was under full Israeli control and that its status was disputed.

## **CAP Code (Edition 12)**

### **3.13.3**

#### **Response**

The Palestinian Embassy UK said that they had changed the website. They said that they titled the map "Palestine in 1948" and stated that it therefore depicted historical Palestine. In addition they said that the colour coding had been changed to clearly demarcate Israel from the Palestinian territories.

They said that the map was interactive and visitors to the website could click on it to access information about cities and tourist sites that were "internationally recognised".

They stated that Bethlehem and Hebron were within the West Bank and that this was also within the 1967 borders, which they said were internationally recognised as Palestinian Territories.

#### **Assessment**

The ASA noted the response received from The Palestinian Embassy UK. We noted the amended map that they submitted. However, we investigated

whether the marketing, as it appeared when accessed by the complainants, breached the Code.

#### 1. Upheld

The ASA noted that the website featured a map that included all of Israel, in addition to the West Bank and the Gaza Strip. We noted that the map was coloured red, green and black, the colours of the Palestinian flag. We noted that clicking on particular areas of the map linked to tourist information. We noted that these links provided historical, cultural and commercial information aimed at tourists. We also noted that neither the information provided via these links nor the information surrounding the map itself referred to the State of Israel. We considered that the average consumer would infer from the map and the linked information that the total area represented by the map was the Occupied Palestinian Territories. Because this was not the case we concluded that the website was misleading.

On this point the ad breached CAP Code (Edition 12) rules 3.1 and 3.3 (Misleading advertising).

#### 2. & 3. Upheld

We noted that information about Jaffa and Haifa was provided in sections of the website aimed at promoting tourism. We noted that, according to the UK Foreign and Commonwealth Office (FCO), Jaffa and Haifa were in Israel. We considered that the website implied that the cities were in the Occupied Palestinian Territories. Because we understood that they were not, we concluded that the website was misleading.

On this point the ad breached CAP Code (Edition 12) rules 3.1 and 3.3 (Misleading advertising).

#### 4. Upheld

We noted that the website also provided information on Jerusalem and the various historical and cultural sites in Jerusalem likely to be of interest to tourists. We noted that the status of Jerusalem was in dispute. We noted that this section of the website made no reference to East or West Jerusalem or the fact that the status of the city was the subject of much

international dispute. We considered that the website implied that the entire city was part of the Occupied Palestinian Territories. Because we understood that that was not the case, we concluded that the website was misleading.

On this point the ad breached CAP Code (Edition 12) rules 3.1 and 3.3 (Misleading advertising).

## 5. Upheld

We noted that Hebron was one of the cities referred to on the website through the tourism links. We noted that the website stated "The old town of Hebron is one of the oldest towns in Palestine". We noted that Hebron was in the West Bank and that the FCO considered it part of the Occupied Palestinian Territories. We also noted that, under certain agreements between the Palestinian Authority and Israel, part of the city was under full Israeli control and movement around parts of the city was restricted and subject to checkpoints.

We noted that rule 3.3 of the Code stated that "Marketing communications must not mislead the consumer by omitting material information" and "Material information is information that the consumer needs to make informed decisions in relation to a product". We considered that the particular nature of the security arrangements in Hebron and the restrictions on travelling into and within the city was material information likely to affect the decision of a consumer to visit the area as a tourist. Although we considered that implying that Hebron was part of the Occupied Palestinian Territories was accurate and not misleading, because the website omitted material information regarding the promotion of Hebron as a tourist destination, we concluded that it had breached the Code in this regard.

On this point the ad breached CAP Code (Edition 12) rules 3.1 and 3.3 (Misleading advertising).

## 6. Upheld

We noted that Bethlehem was one of the cities referred to on the website through the tourism links. We noted that Bethlehem was in the West Bank and was considered a part of the Occupied Palestinian Territories by the

FCO. We noted that entry and exit of Bethlehem from the rest of the West Bank was subject to Israeli checkpoints. We noted that Palestinians were prevented from entering some sites, such as Rachel's Tomb without a permit, and Israeli citizens could not enter Bethlehem without a permit. We also noted that although the website provided information on Rachel's Tomb, this site was only directly accessible from Jerusalem. We noted that the website made no reference to these facts.

We noted that rule 3.3 of the Code stated that "Marketing communications must not mislead the consumer by omitting material information" and "Material information is information that the consumer needs to make informed decisions in relation to a product". We considered that the movement restrictions in Bethlehem were material information likely to affect the decision of a consumer to visit the area as a tourist. Although we considered implying that Bethlehem was part of the Occupied Palestinian Territories was accurate and not misleading, because the website omitted material information regarding the promotion of Bethlehem as a tourist destination, we concluded that it had breached the Code in this regard.

On this point the ad breached CAP Code (Edition 12) rules 3.1 and 3.3 (Misleading advertising).

### **Action**

The ad must not appear again in its current form.

[https://www.asa.org.uk/ASA-action/Adjudications/2011/12/The-Palestinian-Mission-UK/SHP\\_ADJ\\_159337.aspx](https://www.asa.org.uk/ASA-action/Adjudications/2011/12/The-Palestinian-Mission-UK/SHP_ADJ_159337.aspx)