

The Andinia Plan

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| Type of case | Broadcast Standards |
| Outcome | In Breach |
| Service | Islam Channel |
| Date & time | 22 February 2021, 21:00 |
| Category | Hate speech and generally accepted standards |
| Summary | This documentary programme amounted to hate speech against Jewish people. The content was also potentially offensive and not justified by the context. In breach of Rules 3.2 and 2.3 of the Broadcasting Code. |

Introduction

Islam Channel is an Islamic-focused, English language satellite television channel broadcasting a range of content to the Muslim community in the UK. Its output includes religious instruction programmes, current affairs, documentaries, and entertainment programmes, all from an Islamic perspective. The licence for Islam Channel is held by Islam Channel Ltd (“the Licensee” or “Islam Channel”).

The Andinia Plan was a one-hour documentary programme which was broadcast on 21 February 2021. It examined a conspiracy theory known as the “Andinia Plan” that alleges there is a plan to establish a Jewish state in Patagonia, the southern region of South America governed by Argentina and Chile.

Ofcom received one complaint that the programme contained antisemitic statements and views that amounted to hate speech against Jewish people.

Background

The Andinia Plan is a theory based on three paragraphs contained in a pamphlet by Zionist theorist Theodore Herzl, who in the 19th century proposed the establishment of a Jewish homeland and

suggested that it could be located in Argentina or Palestine¹. It has also been influenced by the organised immigration of European Jewish people to Argentina in the late 1800s.²

The theory first appeared in 1963 in a magazine known as “Rebellion”, which was published by the National Socialist Argentine Front (“FSNA”)³, a neo-Nazi group led by Klaus and Horst Eichmann, the sons of Nazi leader Adolf Eichmann⁴. It was also expressed in an anonymous publication entitled “El Plan Andinia o el Nuevo Estado judío” (“The Andinia Plan or the New Jewish State”) which appeared in Argentina in 1965.

Ofcom understands the theory was popularised by a far-right university professor and author Walter Beveraggi Allende who during the 1970s wrote pamphlets and articles in major Argentinian newspapers propagating the theory. In 1972 Walter Beveraggi Allende under the pseudonym of Aurelio Sallairai wrote a book entitled “Los protocolos de los Sabios de Sión y la subversión mundial” (“The Protocols of the Elders of Zion and World Subversion”) in which he alleged there was an international secret plot to establish a new Jewish state in Patagonia and argued that previous Jewish immigration to Argentina was a precursor to the plan leading to eventual Jewish control of Argentina’s economy. In subsequent versions of the theory, the presence of Israeli tourists⁵ and the purchase of land in Patagonia by “Jewish millionaires” have been cited as being relevant to the theory⁶.

Ofcom understands the conspiracy theory gained widespread popularity, especially among right-wing nationalists, and has been used as an instrument of antisemitic propaganda and to incite hatred towards the Jewish population in Argentina⁷.

A 1976 US Congressional report on human rights in Argentina⁸ describes the Andinia Plan as being “reminiscent of the infamous Protocols of the Elders of Zion”, a fraudulent document created by

¹ [Jugenstaat, Theodore Herzl, \(1896\).](#)

² Luis Roniger & Leonardo Senkman (2018) [Conspirationism, Synarchism and the long shadow of Perón in Argentina](#), Journal of Modern Jewish Studies, 17:4, 434-454
<https://www.tandfonline.com/doi/abs/10.1080/14725886.2018.1498153>.

³ [Rebellion. \(Journal, magazine, 1960s\)](#), WorldCat.org.

⁴ Luis Roniger & Leonardo Senkman (2018) [Conspirationism, Synarchism and the long shadow of Perón in Argentina](#), Journal of Modern Jewish Studies, 17:4, 434-454;
<https://www.tandfonline.com/doi/abs/10.1080/14725886.2018.1498153>.

⁵ Emmanuel Guerisoli, [Fake News, Conspiracy Theories, and New Media Plan Andinia and Anti-Semitism in Argentina](#), Public Seminar, 12 October 2019. <https://publicseminar.org/2019/10/fake-news-conspiracy-theories-and-new-media>.

⁶ [How the foreign occupation of Patagonia is advancing](#), Rebellion (rebellion.org).

⁷ [The Final Solution in Argentina](#), New York Times, published on 10 May 1981. <https://www.nytimes.com/1981/05/10/books/the-final-solution-in-argentina.html>.

⁸ Human Rights in Argentina: Hearings Before the Subcommittee on International Organizations of the Committee on International Relations, House of Representatives, Ninety-fourth Congress, Second Session, September 28 and 29, 1976

Tsarist Russia describing an alleged plan by Jewish people for global domination⁹. In recent years, the theory has resurfaced among far-right groups in Argentina and Chile and is widely shared on social media¹⁰.

The Programme

This programme investigated whether the alleged plan to create a Jewish state in the South American region of Patagonia is a conspiracy theory or based on fact. It was an expository style documentary featuring a narrator who provided a commentary to viewers accompanied by archive images and footage, and re-enactments of historical events. The programme included interviews with advocates of the theory and with representatives of Israel and the Jewish community in Argentina and Chile.

The programme looked at the Zionist movement, the writings of Theodore Herzl and the immigration of Jews into Argentina in the 19th century. It then turned to the purchase of land in Argentina and Chile by wealthy businessmen. Finally, it looked at young Israelis who travel to Patagonia.

The programme began by showing a statue and flags appearing against the sky with a red-wash effect applied to the scene. A flashing image appeared of an Israeli flag, then images of Jewish refugees, two wearing striped prison uniforms, holding an Israeli flag aboard a boat.

The narrator then introduced the programme:

“For the last several decades, a theory has been circulating that an old proposal from the end of the 19th century could be resurfacing in order to change the political map of South America”.

An image of the Star of David was shown superimposed over the top of a plaque in Spanish reading: *“PATAGONIAN SERVICIOS DE CONSULTORIA & DESARROLLO DE INVERSIONES”* (“Patagonian Consulting Services & Investment Development”).

Narrator: *“For more than 100 years, Argentina has welcomed hundreds of European Jews looking for a place to settle. The relationship between the South American nation and members of this group has strengthened over the years, and this Andean country was even considered as a potential option when the Jews decided to create their own state. The option was discarded in favour of locating Israel on Palestinian land, but according to scholars on the subject, there are indications that might signal that the proposal may be re-emerging with force in a modern-day plan that allegedly could seek to create a new Jewish state in Patagonia in the not too distant future”.*

https://play.google.com/books/reader?id=eyZy_a2b0jsC&pg=GBS.PA60&hl=en_GB

⁹ https://play.google.com/store/books/details?id=eyZy_a2b0jsC&rdid=book-eyZy_a2b0jsC&rdot=1.

¹⁰ Emmanuel Guerisoli, [Fake News, Conspiracy Theories, and New Media Plan Andinia and Anti-Semitism in Argentina](#), Public Seminar, 12 October 2019.

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The commentary was accompanied by footage and images of refugees disembarking from a boat, photo of young Theodore Herzl and maps of Israel and Palestine. Viewers were then shown clips of some of the contributors interviewed for the documentary, who were not identified until later in the programme:

Benny Schneid (later described in a caption as Executive Director of the Argentine Zionist Organization):

“When they were looking for a place to create a state for the Jewish people, the Argentine Patagonia was among the many places they considered”.

Galeb Moussa (later described in a caption as Director of the Islamic Centre, Buenos Aires):

“Here in Argentina it is well known as the Andinia Plan, that is the Zionist occupation of the Argentine Patagonia. Some say it is just anti-Israeli or antisemitic propaganda. We don’t have any irrefutable proof of the plan”.

Luis Angel D’Elia (later described in a caption as Head of the Federation of Land, Housing and Habitat, Argentina):

“I believe that there is a whiff of antisemitism behind this, but I also believe that Zionism has a more strategic objective for this region”.

Eugenio Tuma Sedan (later described in a caption as Senator of the Republic of Chile):

“There are allegations regarding the aspirations of the Zionists, that not only did they wish to occupy Palestinian territories, but they also wanted a back-up option in the south of Chile and the south of Argentina”.

Hernando Grosbaum (later described in a caption as Honorary Consul of Israel in Patagonia):

“Absolutely nobody, neither in Israel nor in any other part of the world, be they Jewish or not, would imagine the existence of another Jewish state, other than the State of Israel”.

The programme gave an explanation of Zionism, its history and origins by Jewish contributors including Gerardo Eidelstein (President of the Jewish Community, Bariloche) and Benny Schneid (Executive Director of the Argentine Zionist Organization).

The programme then identified the suggestion in the “Jugenstaat” pamphlet of 1896 that a Jewish state could be founded in Argentina or in Palestine.

The narrator provided the following explanation:

“Zion, at first, referred to the City of Jerusalem as it does in Biblical texts referring to the reign of David, which also used the same term to allude to Israel in other sites. But the concept of Zionism would not be coined until the 19th century, with the outbreak of nationalism in Europe.

Zionism argued that the Jews were beyond a religious group: a national group and therefore had a right to their own state. That is how the pioneers of Zionism began their search for a suitable site for this purpose”.

Adrian Salbuchi, Founder of the Movement For the 2nd Republic¹¹, said:

“The parents of Zionism, so to speak, were Leon Pinsker and Theodor Herzl, a Viennese lawyer, who wrote two books at the end of the 19th century. Pinsker’s book was called ‘Auto-Emancipation’ which proposed that in reality there were two states. One he described as an ideal state and the other as the practical state. The practical state was in the holy land. The ideal state was the Argentine Republic. But, more important, because he is considered the father of the Israeli homeland, is a very short book published in 1896 by Theodor Herzl, the founder of Zionism. In his work, ‘The Jewish State’, originally published in German in 1896, the title of one of the chapters says it all: ‘Palestine or Argentina?’”

Hernando Grosbaum, Honorary Consul of Israel in Patagonia, said:

“He said that in Argentina, which had so much unpopulated land, they could conceive of, by means of land purchases, a Jewish state. But this is contained in three paragraphs, which at the time didn’t even have a minimal impact on anyone. This has been forgotten and does not exist in any real terms”.

Benny Schneid, Executive Director of the Argentine Zionist Organization, said:

“There was a misunderstanding and misappropriation of the text. There are always minority groups, I don’t like to define them as antisemitic, but I would say that they don’t understand the true essence of the text. Deep down, Herzl was seeking a Charter. What does that mean? It is the international diplomatic recognition of the rights of Jewish people”.

The narrator went on to explain that:

“Herzl’s book has continued to be edited and translated all over the world. Its position has not been adopted by all sectors of the Jewish community. Various Jewish groups have continued to show their disagreement with Zionism and its founders since the very beginning [and that the rejection of the Zionist movement] can still be felt today within Jewish communities around the world”.

¹¹ According to the Salbuchi's personal website, The Second Republic Project (Proyecto Segunda República) is a sovereign governance model for Argentina and countries in the Americas independent from the “global elite's power base”. <https://salbuchi.com/>. Also see: <http://www.secondrepublicproject.com/>.

Footage was shown of Orthodox Jewish people with various placards exhibiting anti-Israel views, including a placard stating: “State of ‘Israel’ Heresy Murder and Theft www.NKUSA.org”.

The narrator went on:

“Thus, the options proposed for the location of the state dreamed of by HZL¹² lacked unanimous support in the text of his book and considered by the Jews within the synagogues as contrary to the religious teachings of Judaism, and it was clear that a division would always exist within the Jewish community...If Herzl did not have enough support within the followers of his religion, why propose Argentina as an alternative option to Palestine?”

Viewers were shown excerpts of some of the programme’s contributors who tried to answer the question:

Adrian Salbuchi, Founder of the Movement For the 2nd Republic said:

“You have to put it in the historical context of the time: Palestine was in the hands of the Turkish Ottoman Empire at the end of the 19th and early 20th centuries, so the possibility of Palestine was very, very remote. But Argentina was a possibility, and that explains why already by the end of the 19th century there was a strong wave of European Jews immigrating to Argentina, fostered by the Jewish Agency in London”.

Juan Gabriel Labake, International Analyst and Defence Lawyer in the AMIA bombing case¹³ said:

“For at least 100 years there has been an important Jewish community in Argentina. There was a significant amount of immigration from around 1900 onwards which intensified from the 1930s with the intervention of the Jewish Agency of the Rothschild Bank, which financed immigration of Jewish families to Argentina where they settled mainly in rural areas”.

Benny Schneid, Executive Director of the Argentine Zionist Organization said:

“The social fabric of Argentina was nourished by many ethnic groups and communities who arrived in the 19th century to build a just and progressive society. Such was the arrival of the Spanish community, the Italians and also my ancestors, the Jews, who mainly came due to the pogroms, the persecution they faced in Russia. They settled in Entre Rios

¹² Theodor Herzl – founder of the World Zionist Organisation in 1897.

¹³ The [AMIA bombing](https://www.washingtonpost.com/world/the-america/argentina-iran-to-investigate-94-bombing-of-jewish-center/2013/04/05/061c5354-9d2d-11e2-a941-a19bce7af755_story.html) was a suicide van bomb attack on the Asociación Mutual Israelita Argentina (AMIA; Argentine Israelite Mutual Association) building in Buenos Aires, Argentina on 18 July 1994, killing 85 people and injuring hundreds: see https://www.washingtonpost.com/world/the-america/argentina-iran-to-investigate-94-bombing-of-jewish-center/2013/04/05/061c5354-9d2d-11e2-a941-a19bce7af755_story.html.

and Santa Fe, and hence these colonies of Jews helped building our homeland”.

Juan Gabriel Labake, International Analyst and Defence Lawyer in the AMIA bombing case said:

“Later, Theodor Herzl himself attempted to buy territory from the Tsar of Russia and to buy land in Uganda. What they wanted was a national home. The first form of Zionism was not religious in any way, but was practical and pragmatic – they don't want us, we are seen as a nuisance everywhere, we are mistreated, but we have money, so it would be best to buy territory and build our own nation”.

Marcelo Isaacson, Executive Director of the Chile Jewish Community:

“When Theodor Herzl founded the Zionist movement, he said that within 50 years the state of Israel would exist. He said that it would be located in Uganda or Patagonia, but it was very hard to believe because Judaism, the Jews, have no ties to Uganda or Patagonia. Our ancestral land, our history and our origins are in Israel”.

The narrator explained that the geographical territory of Palestine, where the state of Israel is now located, was historically *“under the domain of the Turkish Ottoman Empire”* but following the defeat of the Ottoman Empire in the First World War, the area was under the control of the British Empire during which the British promised to create an independent Jewish state in the Balfour Declaration¹⁴. Benny Schneid, Executive Director Argentine Zionist Organization explained that the Balfour Declaration of 1917 is the first document which recognised the right of the Jewish people to the land of Israel.

The narrator said:

“The weight of a Hebrew tradition linked to Palestine land since the Bronze Age was enough to rule out any of the other options proposed by Herzl...once the Turkish Empire was defeated and Palestine claimed as part of the British Empire, the United Kingdom granted the Jews the long awaited space on Palestinian lands”.

Adrian Salbuchi, Founder of the Movement For the 2nd Republic, suggested:

“The Argentine project was, I wouldn't say scrapped, but kept on hold, because in reality there was no longer any urgency, and effectively in 1948 the State of Israel was created in Palestine, with which the Argentine project was apparently set aside for a long time”.

The narrator explained that:

¹⁴ See [‘Palestine World War I and after’](https://www.britannica.com/place/Palestine/World-War-I-and-after), Britannica.com. <https://www.britannica.com/place/Palestine/World-War-I-and-after>

“In spite of the fact that the Argentine option became less relevant, relations between the Argentinian Jewish people continue to grow stronger and almost three decades after the Balfour Declaration and the seating of Palestinian land to the Jewish people, Argentina continued playing an important role”.

Adrian Salbuchi, Founder of the Movement For the 2nd Republic and Juan Gabriel Labake, International Analyst and Defence Lawyer in the AMIA bombing case, were shown explaining that the government of Juan Perón¹⁵ supported the creation of Israel, and that the President of the Assembly General of the UN at the time was an Argentinian.

The programme then examined how Chile was considered as possible alternative for the creation of a new Jewish state and included the following commentary from the narrator and quotes from the contributors to this documentary.

Narrator: *“Theodore Herzl died in 1904, and although in his book he only mentioned Argentina as an alternative to Palestine, some years later in 1938, the philosopher, a military man, Joseph Otmar Hefter, wrote a pamphlet which was distributed throughout New York, in which he suggested Chile was a possible site for the establishment of a new Jewish state. Hefter’s idea was mentioned in a report entitled ‘Ports of Refuge’, which was published in the weekly Jewish World in Argentina on May the 16th, 1942, but the relationship of Chile with the Jewish people was very different”.*

The narrator added that the influence of Nazi refugees in Chile and the strong presence in the country of descendants of Palestinians *“contributed to the decision to reject turning over land to form a Jewish state”* and Chile voting at the UN against the creation of the Jewish State of Israel in 1948.

The following clips of two of the contributors were then shown, interspersed with narration:

Eugenio Tuma Sedan, Senator of the Republic of Chile:

“The incursion of the Jews in Palestine, which grew after 1948 when the United Nations decided on the partition of Palestine, despite the United Nations not owning Palestine, it belonged to the Palestinians, then leads to them stating that there will be two states, but that never happened, there was only ever one state, the occupying state. We don’t want the conflict we face in the Middle East to extend to Chile, but that doesn’t mean that we don’t have the right to tell the truth about what is happening there and the possible effects in Chile”.

Narrator: *“These fears were stoked in 1971 by economics professor at the University of Buenos Aires, Walter Beveraggi, a self-proclaimed ultra right-wing person that based on the writings of Herzl,*

¹⁵ Juan Perón was President of Argentina between 1946 and 1955 and between 1973 and 1974.
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disseminated a theory in which he allegedly involved a conspiracy to segment part of the Argentinian and Chilean Patagonia to create another Jewish state. Experts in the topic are convinced that there are reliable signs showing that the Andinia plan is already underway”.

This was accompanied by images of Theodore Herzl, Walter Beveraggi Allende and his book “El Plan Andinia” and the following statements.

Juan Gabriel Labake: *“The concrete milestones are: the book by Theodor Herzl in 1894 or 96, the organised immigration of 1930 through the Jewish Agency of the Rothschild Bank specifically, the economic contribution of the Argentine Jews to the wars of 1967 and 73, and then in 1985, there is a decisive incident according to the research that I have done. Dr Alfonsín was in power in Argentina and simultaneously in the Soviet Union the Jews denounced that they were suffering an especially intense persecution. And then Dr Alfonsín received a proposal...”.*

Adrian Salbuchi: *“The then president Alfonsín had visited the Soviet Union and had returned with a plan to promote the immigration of Jewish citizens who lived in the Soviet Union to Argentina”.*

Juan Gabriel Labake: *“I honestly don’t know who the original author of the proposal was, but he received it from the American government, to accommodate 25,000 Jewish families in Patagonia. 25,000 Jewish families was approximately 100,000 people. It was a very significant immigration for a country that had 20 million people. And it was in Patagonia”.*

Adrian Salbuchi and Juan Gabriel Labake then explained that the proposed immigration never took place, which Mr Salbuchi attributed to the fall of the Soviet Union and Mr Labake to the authorities in the Soviet Union refusing authorisation. Mr Labake stated that the existence of the plan had been described as “a fantasy” by DAIA¹⁶ but that it existed.

Juan Gabriel Labake: *“From the moment the state of Israel was created, a real international sort of treaty was signed between the State of Israel and the World Zionist Organisation to divide up tasks [A document in Spanish called, ‘Acuerdo entre Estado de Israel y la Organizacion Sionista Mundial’ was shown on the screen] and the State of Israel commits to financing the work of the World Zionist Organisation to attend to what they called the Diaspora, that is to say the Jews that are outside of Israel. Since then the role of Israel as a political driving force within the Jewish*

¹⁶ Delegación de Asociaciones Israelitas Argentinas, an umbrella organisation representing Argentinian Jews.

associations in Argentina has grown and today Israel has total control over the DAIA, the AMIA¹⁷ and the OSA, the Argentine Zionist Organisation”.¹⁸

The narrator stated that *“In Argentina there are strong foundations established by the state of Israel”* comprising DAIA and *“more than 140”* associated Jewish institutions. Benny Schneid of the Argentine Zionist Organization was featured describing his role as working with his community to strengthen the link with Israel and serving as a *“bridge”* with *“our brothers in Israel”*. Galeb Moussa, Director of the Islamic Centre in Buenos Aires, was featured describing the major Jewish organisations in Argentina as *“loyal to the state of Israel”*. The narrator then said that the *“important network deployed in Argentina is to ensure the welfare of the Jewish community, to some an indication that something is being planned, as does the fact that there is now an honorary consulate of Israel in Patagonia”*. The honorary consulate featured briefly, and the narrator continued:

“So now in addition to the notorious Zionist development being done by Israel in Argentina another of the pillars which support the theory of Andinia plan is the control of land. For more than a decade it has been proposed to Argentina that it use its territory as a form of currency”.

Adrian Salbuchi was featured describing a 2002 New York Times article. He said the paper is the *“main”* newspaper of the United States and *“intimately linked”* to the Zionist movement. He described the article as proposing that: as Argentina had ceased to pay its external debt, the secession of Patagonia could be a way of resolving the issue; and linked this to Herzl’s suggestion that the Argentinian state could profit from ceding a proportion of its territory to the Jewish community¹⁹.

The narrator then said that the press had played a *“decisive role, helping to weave together detail that, at first glance, might seem unrelated”*. There were then the following statements by the narrator, Juan Gabriel Labake and Eugenio Tuma Sedan:

Juan Gabriel Labake: *“The largest economic groups in Argentina are Jews, Elsztain’s group²⁰, a man who is protected by Mr. Brofmann²¹, the*

¹⁷ [“Asociación Mutual Israelita Argentina”](https://www.amia.org.ar/) is a Jewish Community Center located in Buenos Aires, Argentina to promote the wellbeing and development of Jewish life in Argentina: see <https://www.amia.org.ar/>.

¹⁸ [“Organización Sionista Argentina”](https://osaargentina.org.ar/), which translates to the Argentine Zionist Organisation of which the contributor Benny Schneid is the Executive Director: <https://osaargentina.org.ar/>.

¹⁹ This appears to be a reference to the article [“Some in Argentina See Secession As the Answer to Economic Peril”](#), New York Times, 27 August 2002, which was a report about a secession movement originating in Patagonia itself.

²⁰ Eduardo Sergio Elsztain is a prominent Argentine Jewish businessman who is “one of Latin America’s leading real estate developers”. He is chairman and CEO of multiple companies. See Financial Times, [“Building success in a highly volatile economy”](#), 16 February 2020.

²¹ Edgar Bronfman was a Canadian-American businessman and head of the World Jewish Congress from 1981 to 2007. [Bronfman died in 2013](#).

President of the Jewish Committee. The other group associated with them is Midling, which according to their agriculture enterprise, CRESUD²², has an estimated 480 thousand hectares of good land in the pampas. Jewish capital could be seen as simply Jewish-Argentine finance, but in the case of Elsztain, that is in the case of CRESUD, he's a world leader of the Zionist organisations".

Narrator: *"But is this data sufficient to conclude that a Zionist conspiracy exists to seize part of Patagonia and turn it into a new Jewish state?"*

Juan Gabriel Labake: *"As a lawyer I understand it to be circumstantial evidence, there is no direct proof, however our Civil Code states that when the indications are reliable, serious and concordant, they constitute evidence, and there are strong, serious and consistent indications here".*

Narrator: *"The fact that Elsztain is an important executive in the World Jewish Congress and his capital is spread throughout Patagonia is also a serious detail supports the theory of Andinia Plan, which is something that Salbuchi highlights on his website page by listing the names of the great entrepreneurs related with the Argentinian magnate. Ted Turner, founder of CNN, or Henry Paulson, the former CEO of Goldman Sachs and former Secretary of the Treasury of the US are some of the important financial connections of Eduardo Elsztain. But there is one name that stands out from the rest on the list by being the only one who has lands and interests in Patagonia. Douglas Tompkins²³. The connection of Tompkins with Elsztain connects him in the eyes of Salbuchi with Zionism, and this was precisely what caused alarm bells to go off in Chile".*

<https://www.npr.org/sections/thetwo-way/2013/12/22/256316888/edgar-m-bronfman-long-time-leader-of-world-jewish-congress-dies?t=1630511977802>

²² [CRESUD](https://www.cresud.com.ar/) is an Argentine company based in Buenos Aires mainly active in the agricultural business and produces agricultural raw materials. See <https://www.cresud.com.ar/>.

²³ Douglas Tompkins was an American businessman and conservationist who died in 2015. He was one of the founders of the outdoor clothing brand North Face and Esprit. He and his wife donated 407,000 hectares (1 million acres) of land they had bought over the years to Chile to create national parks, see: [Chile creates five national parks over 10m acres in historic act of conservation](https://www.theguardian.com/environment/2018/jan/29/chile-creates-five-national-parks-in-patagonia), Guardian 29 January 2018.

<https://www.theguardian.com/environment/2018/jan/29/chile-creates-five-national-parks-in-patagonia>. He reportedly described himself as an Episcopalian (see [Welcome to my world](https://www.theguardian.com/environment/2009/feb/12/doug-tompkins-patagonia-conservation-environment-fashion-dan-mcdougall), Observer, 15 February 2019 <https://www.theguardian.com/environment/2009/feb/12/doug-tompkins-patagonia-conservation-environment-fashion-dan-mcdougall>).

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Eugenio Tuma Sedan: *“He is an entrepreneur who has acquired titles purchased from small tenant farmers to large tracts of land both in Argentina and Chilean territory. It has been confirmed that the complaint I made in the Chamber of Deputies, has different assertions and circumstantial evidence that there is a special interest on the part of the State of Israel and of International Zionism in the south of Chile”.*

The programme then included contributions from Hernán Mladinic, Executive Director of Pumalín Park, describing Douglas Tompkins’ purchase of land in Chile, which became Pumalín Park, and the establishment of the Conservation Land Trust. He explained that the park is *“a nature sanctuary, an official category for protection from the Chilean government”* and that the ultimate goal is to donate the land to the State of Chile in the form of a National Park.

Eugenio Tuma Sedan was featured saying he is *“sceptical”* of this.

The narrator connected Mr Tompkins’ purchase of land in Chile with the writings of Theodor Herzl:

“Theodore Herzl in one of his journals, written in 1895, suggests a strategy that at first glance seems to coincide with the implementation of Tompkins’ project”.

Viewers were then shown a text in Spanish, purportedly from Theodore Herzl’s journal which was digitally typed on the screen, the English subtitles reading:

“When we occupy the territory, we must provide immediate benefits to the state receiving us. We must expropriate gently the private property in the state that we have been assigned. The whole process of expropriation such as the elimination of poverty should be carried out discreetly and wisely. We must sell only to Jews, or any exchange of real estate should be performed only between Jews”.

The narrator then posited:

“Is it a mere coincidence or are the words of Herzl the inspiration, does it constitute further evidence supporting the theory of the Andinia Plan? Tompkins’ interest in territories is not restricted to the Chilean part of Patagonia, but also spills into Argentina but there the magnate encountered officials that slowed his plans”.

Luis Ángel D’Elía, the head of Argentina’s Federation of Land, Housing and Habitat said that upon investigation they found out that Mr Tompkins had fenced off an area which included one of the most important freshwater reservoirs in the world, but that Mr Tompkins was unable to produce land title deeds to 360,000 hectares in this area. He also owned another area which Mr D’Elía described as an important freshwater reserve.

The narrator concluded that: *“perhaps we should begin to see this issue from a purely economic standpoint. Perhaps Tompkins is not interested in saving the green areas of the planet, nor in providing the Zionists with a location for a new Jewish state”*.

Luis Ángel D’Elía: *“I believe that oil and water are two strategic resources and that, just as the method of war is used to seize oil across the world, they are doing the same with water”*.

Galeb Moussa: *“What we know for sure is that year after year, Israeli army reservists visit Patagonia, both in Argentina and Chile, supposedly to unwind after their stint in the Israeli army”*.

Narrator: *“Another piece of evidence or key part for those who support the theory of the Andinia Plan is the supposed land study which numerous young Israelis participate in after leaving military service, traveling year after year to Patagonia”*.

Various contributors then explained that many young Israelis travel to Chilean and Argentine Patagonia (and to other countries) during their year of travel. Juan Gabriel Labake suggested that travel to certain places including Patagonia was funded by Israel whilst Marcelo Isaacson stated that this is a lie and the year of travel is not funded by the Israeli government or military.

Eugenio Chahuan then said, in relation to the theory:

“It is based precisely on the existence of Israeli military in both the Chilean and Argentine Patagonia, but I would say that this has no scientific basis, it’s not proof. These are just speculations, there is data and elements that might be used to develop a theory, but I am not in favour of conspiracy theories”.

The programme then included contributions from tourism workers in Patagonia describing their experiences with Israeli tourists, including cultural differences they had observed. Images of young Israeli backpackers were shown.

The narrator asked:

“The Israeli backpackers do not look any different from any other group of young hikers and although there are testimonies of people who reveal a certain discomfort in its presence, this could not incriminate them. What weighty data have been analysed then to sustain the theory that the Israeli backpackers visiting Patagonia come on a secret mission as part of the Andinia Plan?”

Adrian Salbuchi then cited a 1986 article in the newspaper “La Nacion”²⁴ and said that in an interview with a group of Israeli backpackers:

²⁴ Ofcom was not able to locate a copy of this article.
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“... they themselves say that in fact they are carrying out surveys in this and other parts of Patagonia for eventual Jewish settlements in the region, and even that it would be easier than it was to build settlements in Palestine, in the current State of Israel, because Argentina with its resources, its drinking water, its potential to produce food, etc, make it an ideal place for future Israeli settlements in the area. This has meant that a lot of people in Argentina, although it’s not yet widespread in public opinion, have taken note, and began to be on the alert, so to speak”.

There were then the following statements by the narrator and Juan Gabriel Labake:

Narrator: *“In the article, Alberto Levy, who’s running as the spokesman for a group of Israelis who were carrying out a survey in the area, stated publicly that he was working to create a Jewish colony there, with the endorsement of the Argentine authorities. He even spoke of a loan process that the Argentine government would be facilitating to assist in the founding of the colony”.*

Juan Gabriel Labake: *“They come very well equipped with the latest tents. They come in groups of five or six, with an older man. The head of the group is a member of the military. They have the latest instruments to study the topography of the area. The equipment and the tents remain there, a group comes for ten days or a week, they leave and another comes and uses the same tent and equipment, so we can seriously say that its tourism between quotation marks, organised by the State of Israel with military personnel. So, this is no fantasy, these are facts”.*

Adrian Salbuchi was then featured suggesting that Lieutenant General Fernando Roberto Bendini, the then Joint Chief of Staff of the Argentinian military, was forced to resign because he raised concerns in a private event about the presence of Israeli backpackers in Patagonia, and that this was evidence of the power of those who promote Zionist settlements in Argentina to remove the Commander in Chief of the Army or the Joint Chief of Staff of the Armed Forces²⁵.

The narrator said:

“In the opinion of the Chilean senator Eugenio Tuma Sedan, it seems that those same powers not only exert their influence in Argentina, but also in Chile, where it is strange to see how the young Israeli vacationers have more ability to enter the country than tourists of any other nationality”.

²⁵ Roberto Bendini resigned due to corruption allegations in 2008: [Lieutenant General Roberto Bendini, the head of the Army who lowered the paintings of Videla and Bignone died](#), LA NACION, 14 April 2022.
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Eugenio Tuma Sedan was featured explaining that Israeli tourists only need an identity card and no passport, visa or background checks to enter Chile, describing them as “conscripts” and “troops”, and stating: *“I think they come with the specific objective of collecting information for the Israeli intelligence service and the State of Israel”*.

The narrator said:

“The Jewish associations think that the Palestinian origin of some Chilean politicians is what causes them to think that behind these organised trips is hidden espionage plots”.

Marcelo Isaacson, Executive Director of the Chile Jewish Community, was shown summarising fears that the Israeli tourists were soldiers who come to map the area and spy as part of a larger plan to seize Patagonia, which he described as a *“tremendous fallacy”*.

The narrator added that:

“fallacy or not, as we have heard there have been considerable complaints about the young backpackers including entering restricted areas without authorisation, which have caused devastating consequences”.

He then recounted a story of a 23 year-old Israeli backpacker who was arrested on a charge of causing a devastating fire in the Torres del Paine National Park in the Chilean Patagonia. Patricio Salinas, Head of the Corporation National Forest, Puerto Natales, explained that: the individual left the path to go to the toilet; in order not to leave a trace he burned his toilet paper; and this is what started the fire. Mr Salinas described this as negligence. The narrator noted that many residents in the area felt that the charges against the young man were hasty and unjust and the hostel owners where the backpacker stayed were featured saying they did not think he was guilty.

The narrator went on to pose a question:

“And what does this great environmental catastrophe have to do with the Andinia Plan? What sense would it make to destroy the lands in which it is assumed they are interested?”

Eugenio Tuma Sedan was then shown explaining that the fire presented *“a new justification to send more troops to carry out work, that is extremely suspicious in my opinion”*.

Juan, who was described as the son of the owner of the hostel where they Israeli tourist had stayed, suggests that the fire was unplanned and accidental, and that *“unfortunately... the word Israel sells much more newspapers than if you say it was someone of a different nationality”*.

Viewers were then shown an image of an excerpt of an article by Chilean journalist, Alfredo Peña, which alleged a connection between the destruction of the forest and the Andinia Plan. The English subtitles read:

“First they burn the Patagonia through agents as this young man, and then the Chilean and Argentine governments will draw a law to protect it, to give power to landowners with large tracts of land in Patagonia, to declare that area ‘under UN protection’ and then allow the establishment of the Jewish state. As they did in Palestine”.

Adrian Salbuchi said, *“over the past 20 or 30 years, there has been what could be defined as a renewed interest in Argentine territory, notably Patagonia, which is an area very rich in natural resources”.*

Eugenio Chahuan said:

“But I would say rather than a state, perhaps there is more of a concern to ensure themselves of access to, say, water resources, and we all know that the possible conflicts in the medium term will not be over oil, but mainly over the existence of freshwater, and the largest reserves of freshwater in the world are in Patagonia”.

The narrator then put forward the current geopolitical situation and conflict in Israel as *“according to experts, a further piece of evidence supporting the theory of the Andinia Plan”*. There were then the following statements by Adrian Salbuchi and Juan Gabriel Labake:

Adrian Salbuchi: *“One puts the jigsaw puzzle together and I would say that today there’s a special danger and I believe it’s accelerated, because the State of Israel, by its own mistakes, is unfeasible as a sovereign state on its own”.*

Juan Gabriel Labake: *“The Jewish state is becoming increasingly unworkable. It’s survived for 70 years and those are almost 70 years of war. The people are tired. In recent years, the State of Israel has a negative migratory balance, more Jews are leaving Israel than are coming in. As they aren’t living well because there are bombs, because there are rockets, because there is an economic crisis, they are trying to get out of Israel. This means that little by little Israel is becoming more of a minority within the Middle East and has to rely increasingly on the arms and support of the US. And for strategic reasons, this US support is obviously waning, at least over the past four years, leading to the increasing possibility that at some point in the not too distant future, Israel will seek a second national home. This is what concerns us most”.*

The narrator then referred to Henry Kissinger, who was described as *“Secretary of State of the US during two presidential appointments and national security advisor during another”* and a *“man of German-Jewish background [who] had great influence on international politics”*. The programme showed footage of Juan Gabriel Labake quoting from a study by Kissinger – reported in a New York Post article which *“nobody denied”* – stating *“that Israel will disappear in 10 years”*.

Adrian Salbuchi then said that:

“if there was a choice to leave... the population of normal people... would surely agree that the natural place to go would be the Argentine Patagonia, Argentine and Chilean even”.

The narrator then continued:

“And the question is, would Chile or Argentina allow a Zionist incursion of the scale that those who argue for the existence of the Andinia Plan presume? Latin America is not the same as hundred years ago when Theodore Herzl wrote his book and today there is an alertness around preventing the region from becoming the backyard of any other nation, as happened in the past”.

The programme then included final comments from each of the contributors:

Galeb Moussa: *“They have their active agents in Latin America and I think they are going to try, together with the USA, to somehow unravel all of the work done to build the great Latin American homeland with the leadership of Comandante Chavez, Lula, and Nestor Kirchner”.*

Eugenio Chahuan: *“Without a doubt Latin America has become the centre of major human development, but I would say that there is still a long way to go to build a much deeper alliance between, say, the Latin American countries so that they can become something like the European Union, or NATO”.*

Eugenio Tuma Sedan: *“There have been informal talks with the authorities at various levels in Argentina and some agree that there is a question as to what is happening down there in the south. But officially I am not aware of those governments having agreed to investigate this permanent incursion by the State of Israel, because in the final analysis it is the State of Israel, that is present in the territories of the far south”.*

Hernando Grosbaum: *“The State of Israel has seven million inhabitants, and it can surely accommodate many more despite how small it is and so I would say that this is a myth”.*

Marcelo Isaacson: *“Fortunately, it hasn’t been all of them, but just a few extremists who are only interested in talking about how bad Israel is, simply to sow hatred toward Jews”.*

Benny Schneid: *“There is a message, it is not that we are good or bad, but the message is that there is still a lot to do”.*

Juan Gabriel Labake: *“There are many legends in this and stories with little credibility that have harmed the understanding of the subject. I think that has to be eliminated, it is counterproductive”.*

Galeb Moussa: *“I have no doubt that imperialism and Zionism are working together on something for Latin America”.*

Adrian Salbuchi: *“Unfortunately, we are all being educated at school and through media for short-term thinking. Those who rule the world, within which I include the Zionist movement, think long-term and know that sometimes one starts a process today that is going to end 30, 40, 50, 60 years later. It is going to be in the name of humanity, in the name of human rights, in the name of democracy, of course”.*

Benny Schneid: *“I can tell you what my desire is. I hope that the link between Argentina and Israel is strengthened for the enrichment of both countries”.*

Hernando Grosbaum: *“The relationship between Israel and Argentina is very fluid and very important”.*

Juan Gabriel Labake: *“There are objective landmarks. Clear facts that must be taken into account. If you add up all those facts on the current and near future international panorama, the alarm bells should be going off in Argentina”.*

The programme closed first with a caption showing an extract from Theodor Herzl’s book, *The Jewish State*:

“SHALL WE CHOOSE PALESTINE OR ARGENTINE? We shall take what is given us, and what is selected by Jewish public opinion. The Argentine Republic would derive considerable profit from the cession of a portion of its territory to us”.

This was followed by the words *“Plan Andinia”*.

We considered this content raised issues under the following rules of the [Broadcasting Code](#) (“the Code”):

Rule 3.2: *“Material which contains hate speech must not be included in television...programmes...except where it is justified by the context”.*

Rule 2.3: *“In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context...Such material may include...offensive language,...discriminatory treatment or language (for example on the grounds of...race, religion or belief...).*

Appropriate information should also be broadcast where it would assist in avoiding or minimising offence”.

Ofcom requested the Licensee’s comments on how this material complied with these rules.

Response

Islam Channel said that it would like to “apologise unreservedly” for having broadcast the programme. It agreed the content was “not fit for broadcast” under Rules 2.3 and 3.2 of the Code adding it regretted the programme “was broadcast in error”.

Reasons for broadcast

The Licensee said that as part of the “fundamental structural change” it had outlined to Ofcom during a separate case in September 2020²⁶, it had implemented a policy of employing staff who had broader experience of the television industry and greater awareness of regulatory matters, “in particular the requirements of Ofcom”. As part of this work, Islam Channel said it decided to employ a full-time scheduler who had many years of experience to strengthen its compliance framework.

The Licensee said that the scheduler was given full training in compliance procedures and its comprehensive system of marking programmes. However, the scheduler had a family bereavement shortly before this programme was broadcast which resulted in the scheduler “placing inappropriate programmes in the schedule for that week, which were never intended for broadcast”.

Islam Channel said that its current compliance procedures are “robust” and that it had taken “appropriate steps to prevent the broadcast of this programme” adding it was only due to the “extraordinary circumstances...that this error was able to occur”. The Licensee explained the scheduler had subsequently resigned from the position and following that, it had immediately checked the programming schedules and cleared all programmes for broadcast. However, it said “by this time the programme in question had already been broadcast”.

Islam Channel added that the circumstances surrounding the broadcast of the programme were “extremely unfortunate” and whilst it “regrets them immensely”, it “did not believe that it could have been foreseen”.

Remedial action

The Licensee said that as soon as it became aware of the complaint to Ofcom, it “took the immediate step” of broadcasting two apologies to its audience “to apologise unreservedly to them and to make clear that this programme had been broadcast in error and that the opinions in it were not endorsed by Islam Channel”. It said the apology was shown on two separate occasions to capture peak audiences and viewers who may have seen the original programme.

The Licensee provided Ofcom with a copy of the apology as broadcast and a transcript of the apology which read:

“An Apology from Islam Channel: On 22nd February at 9pm a documentary entitled The Andinia Plan was broadcast. It was an old documentary which was produced by a third party. This was shown due

²⁶ See [Sanction 130 \(19\) Islam Channel Limited](#).

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to an error by a new member of staff and should not have been broadcast. It contained material which would be considered offensive to Jewish people. We apologise unreservedly for any offence caused and would like to make it clear that Islam Channel profoundly regrets that this programme was broadcast and does not endorse any of the opinions expressed in this documentary. Islam Channel aims to promote mutual respect between different communities, faiths and cultures and would not wish to do anything to undermine this aim”.

Finally, the Licensee apologised “unreservedly for any offence caused,” and said that “Islam Channel profoundly regrets that this programme was broadcast. We do not endorse any of the opinions expressed in this documentary and do not believe that it was fit for broadcast”. As part of its mission statement, Islam Channel stated that it “champions mutual respect” which it defined as: “Championing inclusivity to promote mutual respect between different communities, faiths, and cultures”. The Licensee added it would “never knowingly do anything to undermine this aim”.

Response to Preliminary View

Islam Channel said it both acknowledged and was “in full agreement with” Ofcom's Preliminary View that this programme was in breach of Rules 3.2 and 2.3.

The Licensee said that it had originally classified this programme as not fit for broadcast, and again stressed there was “no question” of it endorsing the programme’s content. It added that was the reason the channel had broadcast an “unreserved apology” to its viewers.

The Licensee reiterated what it described as “the unique and unforeseeable circumstances” under which the programme was shown. It argued that the breaches should not be considered by Ofcom to be anything other than an “isolated error by one individual, acting in an uncharacteristic and unforeseeable manner, due to extreme stress caused by unique personal circumstances.”

Islam Channel said it had “taken all possible remedial measures available” to it including issuing a “full apology” and renewing its commitment not to broadcast the programme again. The Licensee said it had a “comprehensive system in place covering end-to-end compliance for all live and pre-recorded programming including training (from both internal and external experts), monitoring, reviewing and vetting”. It added this system is “subject to continuous review” to ensure full compliance across the channel’s output. The Licensee said in direct response to these breaches, it had “tightened things even further” by holding a weekly EPG review meeting, which brings together senior members of their production team, to serve as a final check “to minimise the risk of individual human error.”

The Licensee said an integral part of Islam Channel’s mission “is to counter racism and hate in all its forms against any community, promoting inter-faith dialogue and community cohesion.” It provided further information about Islam Channel's work in its community. This included information about its work to “deliver critical messages to the community, such as public health messages on behalf of the NHS.” It gave Ofcom details about its role during the Covid pandemic when it said it played “an important role in informing the Muslim community about the importance of the government's vaccination programme through advertising campaigns” and in various programmes. It said that Islam Channel is “relied on to play a similar role” for various public bodies it listed.

The Licensee said that it not only takes its responsibility towards the Muslim community seriously "but also its responsibility to share accurate information about Islam and Muslims with the wider community." It explained that it is "fully committed to promoting harmonious relations between diverse ethnic and faith communities" through its work both on and off air. It added it was particularly upsetting "that a genuine mistake made by one individual should have resulted in this breach" and said it felt "strongly that any further sanctions would not be appropriate in this case."

The Licensee also stated how Islam Channel has been impacted financially by the cost-of-living crisis. It said that despite "a downturn in advertising revenue" it is continuing with plans to launch a third community channel to serve "the marginalised community of Bengali-speaking Muslims".

Decision

Reflecting our duties under section 319 of the Communications Act 2003, Sections Two and Three of the Code require that generally accepted standards are applied to the content of television and radio services to provide adequate protection for members of the public from the inclusion of harmful and/or offensive material in programmes, including material containing hatred, abusive and derogatory treatment of individuals, groups, religions or communities.

Ofcom must have regard to the audience's and the broadcaster's right to freedom of expression set out in Article 10 of the European Convention on Human Rights ("ECHR"). We must also have regard to Article 9 of the ECHR, which states that everyone "has the right to freedom of thought, conscience and religion". The human right to impart information and ideas is not limited to statements deemed "correct" by authorities but extends to information and ideas that may shock, offend and disturb. Ofcom has taken account of these rights when considering the Licensee's compliance with the Code.

Ofcom has also had due regard²⁷ in the exercise of its functions to the need to eliminate unlawful discrimination, to advance equality of opportunity and to foster good relations between those who share a relevant protected characteristic, such as religion or belief, and those who do not.

In line with the right to freedom of expression, broadcasters should be able to, and can transmit programmes that include opinions that some viewers may find offensive. The Code does not seek to prevent people from being able to express views rejecting or criticising differing views or beliefs. To do so would, in our view, be a disproportionate restriction of the broadcaster's right to freedom of expression and the audience's right to receive information.

However, when broadcasting material of this nature, broadcasters must comply with the Code.

Rule 3.2

Rule 3.2 of the Code states:

"Material which contains hate speech must not be included in television...programmes...except where it is justified by the context".

We first considered whether the content in this programme constituted hate speech. The Code defines hate speech as:

²⁷ Section 149 of the Equality Act 2010.

“all forms of expression which spread, incite, promote or justify hatred based on intolerance on the grounds of disability, ethnicity, social origin, gender, sex, gender reassignment, nationality, race, religion or belief, sexual orientation, colour, genetic features, language, political or any other opinion, membership of a national minority, property, birth or age.”

As part of our consideration, we had regard to the International Holocaust Remembrance Alliance’s (“IHRA”) working definition²⁸ of antisemitism which states:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities”.

The programme

The hour-long documentary programme explored the theory that there is a secret plan to establish a second Jewish state in Patagonia, known as the “Andinia Plan”. The position taken by the programme was that doubt existed as to whether or not the theory is based on fact or is merely a conspiracy theory.

As set out above, the theory originates in a neo-Nazi publication and is widely regarded as a manifestation of antisemitism²⁹. The theory itself touches on common antisemitic tropes: stereotypical allegations about the power of Jewish people as a collective, in particular the myth of a world Jewish conspiracy; the myth about Jewish people secretly controlling international and financial institutions; and the suggestion that Jewish people are more loyal to the state of Israel than to the interests of their own nation.

The far right and antisemitic associations of the theory were acknowledged briefly in the programme itself by various speakers including the narrator. However, in each case, they were immediately followed by a statement tending to suggest that there is some foundation for the theory, as follows:

- Galeb Moussa, Director of the Islamic Centre, Buenos Aires:
“Here in Argentina it is well known as the Andinia Plan, that is the Zionist occupation of the Argentine Patagonia. Some say it is just anti-

²⁸ See: <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>. The UK Government agreed to adopt the IHRA’s working definition in December 2016.

²⁹ See e.g. A [1976 US Congressional report on human rights in Argentina](#) https://play.google.com/store/books/details?id=eyZy_a2b0jsC&rdid=book-eyZy_a2b0jsC&rdot=1; [Andinia Plan](#), antisem.eu; [International Religious Freedom Report 2004](#), US Department of State, [Argentina \(state.gov\)](#).

Israeli or antisemitic propaganda. We don't have any irrefutable proof of the plan".

- Luis Angel D'Elia, Head of the Federation of Land, Housing and Habitat, Argentina:
"I believe that there is a whiff of antisemitism behind this, but I also believe that Zionism has a more strategic objective for this region".
- The narrator:
"These fears were stoked in 1971 by economics professor at the University of Buenos Aires, Walter Beveraggi, a self-proclaimed ultra right-wing person that based on the writings of Herzl, disseminated a theory in which he allegedly involved a conspiracy to segment part of the Argentinian and Chilean Patagonia to create another Jewish state. Experts in the topic are convinced that there are reliable signs showing that Andinia plan is already underway".

The programme considered the following matters throughout the programme, which the narrator posited as evidence of the Andinia Plan theory:

- a short piece of text written by Zionist theorist Theodore Herzl in 1896, in which he suggested either Palestine or Argentina as possible locations for a Jewish state;
- historical immigration of Jewish people to Argentina, including through the *"organised immigration of 1930"*, which the programme alleges was financed by the *"Jewish Agency of the Rothschild Bank"*, and a suggestion (the maker of which acknowledges that it is described as *"a fantasy"* by DAIA³⁰) that further immigration was planned in the 1980s, which did not take place;
- alleged Israeli control over Jewish institutions in Argentina;
- ownership of land in the Chilean and Argentine regions of Patagonia by prominent businessmen. The first of these was Eduardo Elstain, who is Jewish. The second was Douglas Tompkins, who was Episcopalian³¹, but whom the narrator described as having links to *"international Zionism"* because he was said to have financial connections to Elstain;
- the presence of young Israeli tourists who travel to Patagonia following their compulsory military service. The narrator suggested that a spokesperson for a group of Israeli tourists suggested that he was *"working to create a Jewish colony with the endorsement of the Argentine authorities"* and Chilean Senator, Eugenio Tuma Sedan suggested that the Israeli tourists have the *"specific objective of collecting information for the Israeli intelligence service and the State of Israel"*;

³⁰ Delegación de Asociaciones Israelitas Argentinas, an umbrella organisation representing Argentinian Jews.

³¹ see ['Welcome to my world'](#), Observer, 15 February 2019.

<https://www.theguardian.com/environment/2009/feb/12/doug-tompkins-patagonia-conservation-environment-fashion-dan-mcdougall>

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- the fact that an Israeli tourist was found guilty of starting a wildfire in Patagonia;
- the wealth of Patagonia in terms of freshwater resources and oil; and
- the perceived geopolitical weakness of Israel.

These matters were presented throughout the programme as if they might amount to a credible case for the existence of a plan for Israel or Jewish people to seize parts of Patagonia or to gain control of them, as follows:

- The narrator:

“According to scholars on the subject, there are indications that might signal that the proposal may be re-emerging with force in a modern-day plan that allegedly could seek to create a new Jewish state in Patagonia in the not too distant future”.
- The narrator:

“Experts in the topic are convinced that there are reliable signs showing that Andinia plan is already underway”.
- A lawyer:

“As a lawyer I understand it to be circumstantial evidence, there is no direct proof, however our Civil Code states that when the indications are reliable, serious and concordant, they constitute evidence, and there are strong, serious and consistent indications here”.
- The narrator:

“Another piece of evidence or key part for those who support the theory of the Andinia Plan is the supposed land study which numerous young Israelis participate in after leaving military service, traveling year after year to Patagonia”.
- The geopolitical situation and conflict in Israel was “according to experts, a further piece of evidence supporting the theory of the Andinia Plan”.
- The last spoken words in the programme, which taken together with the presentation of Herzl’s text again, we consider audiences would have regarded as its implicit conclusion, were as follows:

“There are objective landmarks. Clear facts that must be taken into account. If you add up all those facts on the current and near future international panorama, the alarm bells should be going off in Argentina”.

Aside from some individuals who were not members of the Jewish community, who were featured rejecting the suggestion that an Israeli tourist deliberately started a fire in Patagonia, all the voices featured in the programme who clearly disputed or rejected the Andinia Plan theory were representatives of Jewish or Israeli organisations. A few individuals, who were not members of the Jewish community and who were featured in the programme, did not specifically address the point in

the extracts included in the programme. However, the majority of non-Jewish and non-Israeli voices heard in the programme expressed their belief in the likelihood either that Israel proposes to seize the territory of Patagonia outright or that it wishes to establish control over it in order to exploit its resources. Those voices alone were explicitly endorsed by the narrator of the programme who described them once as “*scholars on the subject*” and twice as “*experts*”. The narrator did not provide this endorsement of those who disputed or rejected the theory.

The treatment of the Andinia Plan theory by the contributors in the programme who were described as “*scholars*” and “*experts*” drew on common antisemitic tropes. As we set out more fully below, contributors: made stereotypical allegations about the power of Jewish people as a collective, in particular the myth of Jewish people controlling the media and financial institutions; suggested that Jewish people are more loyal to the state of Israel than to the interests of their own nations; held Jewish people or Israel collectively responsible for the real or imagined wrongdoings of individual Jews, non-Jews and non-Israelis; and attributed motives to conduct by Israelis that was not attributed to people from other nations displaying the same conduct.

These stereotypical instances included the following:

- A substantial portion of the programme was devoted to a discussion of the land purchases of Douglas Tompkins, an American who is not a member of the Jewish community, which were treated throughout the programme and by multiple contributors as evidence of the existence of the Andinia Plan merely because he was said to have some financial links with Jewish businessman Eduardo Sergio Elsztain.
- Adrian Salbuchi was shown describing the New York Times as both the “*main*” newspaper of the United States and “*intimately linked*” to the Zionist movement. He referred to a 2002 article which proposed that, as Argentina had ceased to pay its external debt, the secession of Patagonia could be a way of resolving the issue, and suggested that this was evidence of the existence of the Andinia Plan, holding Jewish people responsible for it.
- Galeb Moussa was featured describing the major Jewish organisations in Argentina as “*loyal to the state of Israel*” and Juan Gabriel Labake stated: “*today Israel has total control over the DAIA, the AMIA and the OSA, the Argentine Zionist organisation*”.
- The resignation of Lieutenant General Fernando Roberto Bendini, the then Joint Chief of Staff of the Argentinian military, was attributed by Adrian Salbuchi to the power of those who promote Zionist settlements in Argentina to remove the Commander in Chief of the Army or the Joint Chief of Staff of the Armed Forces, and not to his widely reported involvement in a corruption scandal³².

³² See e.g. [Lieutenant General Roberto Bendini died](#), the head of the Army who lowered the paintings of Videla and Bignone, LA NACION, 14 April 2022; Page/12 :: [The country :: Military, to parade before the judge](#) pagina12.com.ar, 12 August 2008; [Roberto Bendini: the military close to the Kirchners who lowered the cadres of genocidal and was accused of fraud](#) – The Chancellor (elcanciller.com), 14 April 2022.

- According to the narrator, in Eugenio Tuma Sedan’s view, *“Those same powers”* had exerted influence to secure that Israeli tourists can enter Chile without a visa, a fact that was described by the narrator as *“strange”*.
- Adrian Salbuchi expressed the view that *“Unfortunately, we are all being educated at school and through media for short-term thinking. Those who rule the world, within which I include the Zionist movement, think long-term and know that sometimes one starts a process today that is going to end 30, 40, 50, 60 years later”*.
- Multiple speakers expressed concern about Israeli travellers to Patagonia and disbelief in the stated purpose for their visit (i.e. tourism rather than on behalf of Israel).
- Multiple contributors expressed vague and unsubstantiated concerns about conspiracy and threat:
 - Luis Angel D’Elia stated: *“I believe that there is a whiff of antisemitism behind this, but I also believe that Zionism has a more strategic objective for this region”*. He later stated: *“I believe that oil and water are two strategic resources and that, just as the method of war is used to seize oil across the world, they are doing the same with water”*.
 - Eugenio Chahuan stated *“I have no doubt that imperialism and Zionism are working together on something in Latin America”*.
 - Galeb Moussa stated: *“They have their active agents in Latin America”*.

We also noted the use throughout the programme of militaristic terminology both in metaphor and in substance, including: *“force”*, *“incursion”*, *“deployed”*, and in relation to Israeli tourists in Patagonia, *“troops”*, *“conscripts”*, *“army reservists”* and *“military”* suggesting that their visit was in a military capacity (rather than simply referring to their former military service). Words were used to express doubt about their purpose i.e., it was *“supposedly to unwind after their stint in the Israeli army”* or it was for a *“supposed land study”*.

Overall, we considered that the cumulative effect of the programme was to suggest to the audience that there is credible evidence of a secret plan to establish either a new Jewish state in, or Jewish control of, Patagonia; and that this is being carried out by an international Zionist conspiracy which controls multiple front organisations. It suggested that Jewish people who campaign for closer ties between their home states and Israel do so in order to benefit Israel. We were concerned that, in presenting this conclusion to the audience, the programme relied on evidence that reflected strongly the antisemitic tropes outlined above.

We had regard to the fact that the audience for the programme was in the UK and not Argentina or Chile. We recognised that the programme topic was therefore likely to be somewhat less inflammatory for audiences outside those regions than within them. However, we considered that the theme of a world Jewish conspiracy is one which incites, promotes and justifies hatred based on antisemitism and anti-Israeli feeling across the globe, including in the UK. We therefore considered

that the programme would, on its face, be likely to spread, incite, promote or justify hatred based on intolerance on the grounds of nationality, race, religion or belief.

Context

We next considered whether there was sufficient context to justify the broadcast of hate speech in this case. Our published [Guidance Notes](#) to Rule 3.2 makes clear that there are certain genres of programming where there is likely to be editorial justification for including challenging or extreme views in keeping with audience expectations, provided there is sufficient context. However, the greater the risk the material may cause harm or offence, the greater the need for contextual justification.

In this case, we considered that the risk of the broadcast material causing harm or offence was particularly high, given the National Socialist origins of the Andinia Plan theory and the marked increase in antisemitic hate crimes recorded in the UK in recent years³³. We therefore considered that the need for contextual justification was particularly important.

In assessing whether there was any contextual justification, Ofcom must take proper account of the broadcaster's and the audience's right to freedom of expression, which includes the right to receive information, and related rights to freedom of thought, conscience, and religion.

The Code states that contextual factors relevant to Rules 3.2 of the Code may include, but are not limited to:

- the service on which the programme is broadcast and the likely size and expectations of the audience;
- the genre and editorial content of the programme;
- the extent to which sufficient challenge is provided; and
- the status of anyone featured in the material.

We therefore considered whether these or any other contextual factors were relevant to this case.

Ofcom understands Islam Channel has a focus on Islamic culture and religious teachings, serving Muslim audiences in the UK. Programming includes documentaries and current affairs programmes, and, in our view, its viewers would have expected to see a programme promoting Islamic beliefs and exploring relevant political developments. We had regard to the fact that broadcasting is a powerful medium and that broadcasters are regulated to meet generally accepted standards in relation to harm and offence. We considered viewers may expect to see criticism of Israel and of Zionism on the Islam Channel. However, we considered they would not have expected a programme to include antisemitic hate speech without careful contextualisation.

The programme was a documentary and presented itself as featuring "*experts*" and "*scholars*". It showed extracts of interviews from a range of perspectives. As such, it would be likely to be perceived

³³ See, for example page 80 onwards of "[Antisemitism - Overview of data available in the European Union 2009–2019 published in September 2020](#)" by The European Union Agency for Fundamental Rights.

See also "[Antisemitic Incidents Report 2019](#)" by the Jewish charity the Community Security Trust, which shows that the number of antisemitic hate incidents in the UK rose by 7% in 2019.

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by its audience as authoritative and objective which in Ofcom's view was likely to have increased the potentially harmful impact of the hate speech it contained.

The programme provided some challenge and context. As set out above, it acknowledged the far-right origins and antisemitic nature of the theory it was examining. However, it did so in a way which tended to suggest that the theory was substantiated.

A number of contributors representing the Jewish, Israel or Zionist perspective were shown in the programme and were given the opportunity to dispute some of the allegations made within it. In particular, in relation to Herzl's text, Hernando Grosbaum, Honorary Consul of Israel in Patagonia, was shown pointing out how little written evidence there is of any plan:

"He said that in Argentina, which had so much unpopulated land, they could conceive of, by means of land purchases, a Jewish state. But this is contained in three paragraphs, which at the time didn't even have a minimal impact on anyone. This has been forgotten and does not exist in any real terms".

Benny Schneid, Executive Director of the Argentine Zionist Organization, was shown placing the text in its historical context:

"There was a misunderstanding and misappropriation of the text. There are always minority groups, I don't like to define them as antisemitic, but I would say that they don't understand the true essence of the text. Deep down, Herzl was seeking a Charter. What does that mean? It is the international diplomatic recognition of the rights of Jewish people".

In addition, the programme acknowledged that not all Jewish people are Zionists. The narrator explained that the position of Herzl's book:

"has not been adopted by all sectors of the Jewish community. Various Jewish groups have continued to show their disagreement with Zionism and its founders since the very beginning [and that the rejection of the Zionist movement] can still be felt today within Jewish communities around the world".

Footage was shown of Orthodox Jewish people with various placards exhibiting anti-Israel views, including a placard stating: *"State of 'Israel' Heresy Murder and Theft www.NKUSA.org³⁴".*

As to the Andinia Plan more generally, Hernando Grosbaum, Honorary Consul of Israel in Patagonia, was shown dismissing the suggestion in its entirety:

"Absolutely nobody, neither in Israel nor in any other part of the world, be they Jewish or not, would imagine the existence of another Jewish state, other than the State of Israel".

However, all these statements occurred fairly early on in the programme. At approximately 10 minutes into the programme, the narrator said: *"Experts in the topic are convinced that there are*

³⁴ This is the website of Neturei Karta, an international organisation of Orthodox Jews that is anti-Zionist. *Issue 463 of Ofcom's Broadcast and On Demand Bulletin*
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reliable signs showing that Andinia Plan is already underway”, and Juan Gabriel Labake listed “concrete milestones” of the plan. From then on during the programme, the following topics were discussed by a series of supporters of the Andinia Plan theory without any challenge or context: the alleged planned mass Jewish immigration to Argentina in the 1980s; allegations that Argentinian Jewish organisations are controlled by Israel; the suggestion that Argentina was being asked to give up its territory to satisfy its international debt obligations; and allegations that the purchase of land in Patagonia by Eduardo Sergio Elsztain and organisations he controls is a part of the Andinia Plan.

In particular, all of the contributors shown disputing the Andinia Plan theory were representatives of Jewish or Israeli organisations in Argentina and Chile, and the programme’s unchallenged suggestion that all Argentinian Jewish organisations are controlled by Israel profoundly undermined the challenge they provided within the programme. In particular, Juan Gabriel Labake specifically made this allegation in respect of the “OSA” (i.e. the Argentine Zionist Organisation) of which contributor Benny Schneid is the Executive Director.

A lengthy section of the programme on purchases of land by Douglas Tompkins contained a clear statement of Mr Tompkins’ position on the purpose of the purchases (i.e. as a “*nature sanctuary*” with the goal of donating the land to Chile as a National Park) but was immediately followed by Eugenio Tuma Sedan saying he was “*sceptical*” of this and by the narrator explicitly connecting Mr Tompkins’ purchase of land in Chile with the writings of Theodor Herzl, without challenge.

The following section on Israeli travellers in Patagonia contained challenge in the form of Eugenio Chahuan stating, in relation to the theory:

“It is based precisely on the existence of Israeli military in both the Chilean and Argentine Patagonia, but I would say that this has no scientific basis, it’s not proof. These are just speculations, there is data and elements that might be used to develop a theory, but I am not in favour of conspiracy theories”.

Little challenge or context was provided for the suggestion that a 1986 newspaper article included interviews with Jewish travellers who were planning to found a “*colony*” with the approval of the Argentine Government. However, Marcelo Isaacson, Executive Director of the Chile Jewish Community was shown summarising fears that the Israeli tourists were soldiers who came to map the area and spy as part of a larger plan to seize Patagonia, which he described as a “*tremendous fallacy*”. The images of groups of young Israeli backpackers shown in the programme also provided some contextual challenge to the suggestion that they were on a military expedition.

We noted that a lengthy section on the wildfire in Patagonia, which an Israeli tourist was found guilty of starting, contained a contributor explaining that: the individual left the path to go to the toilet; in order “*not to leave a trace*” he burned his toilet paper; and this is what started the fire. This contributor described this as negligence. However, the narrator noted that many residents in the area felt that the charges against the young man were hasty and unjust and the hostel owners where he stayed were featured saying they did not think he was guilty. We also took into account that comments by Eugenio Tuma Sedan that the fire presented “*a new justification to send more troops to carry out work, that is extremely suspicious in my opinion*” were juxtaposed with a contributor saying that the fire was unplanned and accidental, and that “*unfortunately... the word Israeli sells much more*

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newspapers than if you say it was someone of a different nationality". However, viewers were then shown an image of an excerpt of an article by Chilean journalist, Alfredo Peña, which alleged a connection between the destruction of the forest and the Andinia Plan. The English subtitles read:

"First they burn the Patagonia through agents as this young man, and then the Chilean and Argentine governments will draw a law to protect it, to give power to landowners with large tracts of land in Patagonia, to declare that area 'under UN protection' and then allow the establishment of the Jewish state. As they did in Palestine".

The remaining part of the programme discussed the perceived "unworkable" nature of Israel and contained a suggestion that were Israel to collapse, Patagonia would be the obvious place for its population to go. No challenge or context was provided.

The programme closed with 12 brief appearances by those quoted earlier in the programme. Within them, the following statements by contributors representing the Jewish, Israel or Zionist perspective were included:

Hernando Grosbaum: *"The State of Israel has seven million inhabitants, and it can surely accommodate many more despite how small it is and so I would say that this is a myth".*

Marcelo Isaacson: *"Fortunately, it hasn't been all of them, but just a few extremists who are only interested in talking about how bad Israel is, simply to sow hatred toward Jews".*

Benny Schneid: *"There is a message, it is not that we are good or bad, but the message is that there is still a lot to do".*

Benny Schneid: *"I can tell you what my desire is. I hope that the link between Argentina and Israel is strengthened for the enrichment of both countries".*

Hernando Grosbaum: *"The relationship between Israel and Argentina is very fluid and very important".*

However, no direct challenge or context was provided for the following statements:

Galeb Moussa: *"They have their active agents in Latin America and I think they are going to try, together with the USA, to somehow unravel all of the work done to build the great Latin American homeland with the leadership of Comandante Chavez, Lula, and Nestor Kirchner".*

Eugenio Tuma Sedan: *"There have been informal talks with the authorities at various levels in Argentina and some agree that there is a question as to what is happening down there in the south. But officially I am not aware of those governments having agreed to investigate*

this permanent incursion by the State of Israel, because it the final analysis it is the State of Israel, that is present in the territories of the far south”.

Galeb Moussa: *“I have no doubt that imperialism and Zionism are working together on something for Latin America”.*

Adrian Salbuchi: *“Unfortunately, we are all being educated at school and through media for short-term thinking. Those who rule the world, within which I include the Zionist movement, think long-term and know that sometimes one starts a process today that is going to end 30, 40, 50, 60 years later. It is going to be in the name of humanity, in the name of human rights, in the name of democracy, of course”.*

Juan Gabriel Labake: *“There are objective landmarks. Clear facts that must be taken into account. If you add up all those facts on the current and near future international panorama, the alarm bells should be going off in Argentina”.*

As set out above, we considered that viewers would have regarded these last spoken words in the programme, taken together with the presentation of Herzl’s text again, as the implicit conclusion of the programme.

The right to freedom of expression is applicable not only to “information” or “ideas” that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb. It is open to broadcasters to include programmes which interrogate the merits of prominent conspiracy theories. However, as we set out in our guidance, the greater the risk for the material to cause harm and offence, the greater the need for contextual justification and challenge. Hate speech risks causing very significant harm and offence.

As set out above, the Andinia Plan theory originated in a neo-Nazi publication and is widely regarded as a manifestation of antisemitism³⁵. The theory itself touches on common antisemitic tropes: the myth of a world Jewish conspiracy; stereotypical allegations about the power of Jewish people as a collective, in particular the myth of Jewish people secretly controlling international and financial institutions; and the suggestion that Jewish people are more loyal to the state of Israel than to the interests of their own nation. As such, we would expect a broadcaster to be particularly vigilant that the discussion of such a conspiracy theory in a programme would not spread, incite, promote or justify hatred based on intolerance towards Jewish people in general, or Israelis.

³⁵ See e.g. A [1976 US Congressional report on human rights in Argentina](https://play.google.com/store/books/details?id=eyZy_a2b0jsC&rdid=book-eyZy_a2b0jsC&rdot=1) https://play.google.com/store/books/details?id=eyZy_a2b0jsC&rdid=book-eyZy_a2b0jsC&rdot=1; [Andinia Plan](https://www.antisem.eu/), antisem.eu; [International Religious Freedom Report 2004](https://www.state.gov/reports/international-religious-freedom-report-2004/), US Department of State, [Argentina \(state.gov\)](https://www.state.gov/).

A conspiracy theory which first appeared in an openly National Socialist publication, in relation to which no credible evidence was offered within the programme, and which reflected multiple well known antisemitic tropes, was presented as credible throughout the programme.

Key elements of the theory were presented without any substantive challenge or contextualisation, including in particular the suggestions that:

- immigration since the 20th century has been a part of a Zionist colonisation movement;
- all Jewish organisations in Argentina are controlled by Israel;
- the media in the United States was pressing for Argentina to cede land (based on a manifestly false description of the article concerned);
- land purchases made by persons other than Douglas Tompkins were made on behalf of the Zionist movement;
- Israel is a state which cannot be expected to survive; and
- the Zionist movement is amongst those who “rule the world”.

However, no content broadcast before or after the programme provided any further context or challenge.

As set out above, those endorsing the Andinia Plan theory in the programme were described as “scholars” and as “experts”, and key elements of the theory were expressed by the narrator of the programme. By contrast, almost all those shown disputing the theory were either representatives of Israel directly, or representatives of organisations which were the subject of the unchallenged and uncontextualised suggestion that they were controlled by Israel.

Notwithstanding that alternative points of view were included at various points in the programme, we did not consider that overall, sufficient context was provided to justify the broadcast of antisemitic hate speech in this programme.

We took into account the Licensee’s representations that the programme had been in error due to what it described as “unique and unforeseeable circumstances” and therefore it should not be “considered by Ofcom to be anything other than an isolated error by one individual”. It is the responsibility of licensees to ensure that programmes broadcast on their licensed services comply with the Code.

We also noted the Licensee’s representations that it did “not endorse any of the opinions expressed in this documentary and do not believe that it was fit for broadcast”. We acknowledged that it had broadcast two apologies to the audience in an attempt to remedy the breaches, although we noted this only took place after Islam Channel became aware of the complaint made to Ofcom.

We considered the steps the Licensee took to reduce the likelihood of a recurrence, including the tightening of its compliance processes. We remained very concerned that a programme of this nature which the Licensee itself said was “not fit for broadcast” had been transmitted on the Islam Channel.

Taking account of all the above factors, it was Ofcom’s Decision that this content breached Rule 3.2.

Rule 2.3

Rule 2.3 of the Code states that:

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“In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context. Such material may include...offensive language,...discriminatory treatment or language (for example on the grounds of...race, religion or belief...). Appropriate information should also be broadcast where it would assist in avoiding or minimising offence”.

This rule requires broadcasters to ensure that potentially offensive material is justified by context. Context includes, for example: the editorial content of the programme; the service in which the material is broadcast; the time of broadcast; and the likely expectation of the audience.

In assessing whether there was any contextual justification, Ofcom must take proper account of the broadcaster’s and the audience’s right to freedom of expression, which includes the right to receive information, and related rights to freedom of thought, conscience, and religion. The Code does not prohibit discussions about controversial topics, or the broadcasting of opinions that some viewers may find offensive. To do so would, in our view, be a disproportionate restriction of the broadcaster’s rights to freedom of expression and thought, conscience and religion and to the audience’s right to receive information. However, when broadcasting material of this nature, broadcasters must comply with all relevant rules of the Code to ensure that any such content does not cause unjustifiable offence.

For the reasons set out above under Rule 3.2, we considered that the content amounted to antisemitic hate speech towards Jewish people. We took the view therefore that this content would have been highly offensive to most people who do not share the antisemitic views expressed as well as highly offensive to Jewish people and the Jewish community in the UK.

Also, for the reasons set out above, we considered that the offensive statements relating to Jewish people were broadcast without appropriate information, such as a warning, explanation, challenge or context, that would have assisted in avoiding or minimising the level of potential offence.

Ofcom therefore considered that there was insufficient context to justify the material causing offence in this broadcast and it was our view that it was likely to have exceeded audience expectations. Once again, we noted the Licensee’s representations that it did “not endorse any of the opinions expressed in this documentary and do not believe that it was fit for broadcast”. We also noted that it had broadcast two apologies to the audience and the circumstances it said led to the programme’s broadcast.

However, for the reasons given above, our Decision is that the content exceeded generally accepted standards in breach of Rule 2.3.

Conclusion

The breaches of the Code resulting from the broadcast of this potentially very harmful and highly offensive antisemitic hate speech are serious.

We are therefore putting the Licensee on notice that we will consider these breaches for the imposition of a statutory sanction.

We welcomed the Licensee’s subsequent representations that it was “in full agreement with” Ofcom's Preliminary View that this programme was in breach of Rules 3.2 and 2.3. We noted the Licensee’s representations on the reasons for the breaches, the apologies subsequently broadcast, and the steps taken to prevent a recurrence. We further noted its representations on the work it does to serve its community, its commitment to promote harmony between diverse ethnic and faith communities and the impact of the cost of living crisis on the channel’s finances. We will consider these representations as part of the sanctions process.³⁶

Decision: Breaches of Rules 3.2 and 2.3

³⁶ See: Procedures for the consideration of statutory sanctions in breaches of broadcast licences
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