

Toronto Transit Commission (TTC) Rejects Ads Concerning the “Disappearance of Palestine”

Blatant Violation of International Law

By [Prof Michael Keefer](#)

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On October 21, 2013, the Toronto Star reported that the Toronto Transit Commission had decided to reject ads submitted by Canadians for Justice and Peace in the Middle East (CJPME).

A principal features of the ads is a sequence of four maps (which closely resemble the maps provided in the Wikipedia article on Palestine, and those which have appeared in similar transit ads in cities including Boston and Vancouver).

These maps show the accelerating disappearance since 1947 of land held by Muslim and Christian Palestinians in historic Palestine.

According to CJPME, after draft designs were sent to the TTC in June 2013, the transit company and ad agencies tried in various ways “to prevent the ads from being posted. Designs were ‘lost,’ employees told to ‘drop the ads,’ emails and calls ignored.”¹

In September, a letter from CJPME’s legal counsel, noting a 2009 Supreme Court of Canada ruling that forbade transit authorities from blocking political ads, demanded that the TTC respect CJPME’s right to post these ads.²

In announcing the TTC’s rejection of the ads, spokesperson Brad Ross is reported to have given reasons that reflect a sad level of ignorance. According to Ross, CJPME’s ad copy indicates that the process of Palestinian dispossession has involved unfairness and illegality. However, he said, “There is no finding in our legal opinion of illegality around loss of land under international law ... no court, no tribunal has ruled on loss of land being illegal.”³

This claim is false and misleading.

The July 9, 2004 ruling of the International Court of Justice on Israel’s so-called Separation (or Apartheid) Wall has a direct bearing on the ongoing Israeli appropriation of Palestinian land. Recalling that the UN Security Council “described Israel’s policy of establishing settlements in [the Occupied Palestinian Territory] as a flagrant violation of the Fourth Geneva Convention,” the Court found that Israeli settlements on occupied land, which by now have a population of some 600,000 people, “have been established in breach of international law.”⁴

In regard to Israel's occupation regime and the related destruction of private property, restrictions on freedom of movement, and confiscation of land and of water resources, the Court found Israel to be in contravention of Article 2, paragraph 4 of the UN Charter and General Assembly resolution 2625 (XXV), which make the acquisition of territory by force illegal; as well as the Hague Regulations of 1907, the Fourth Geneva Convention, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and repeated UN Security Council resolutions.⁵ Does this not suggest unfairness, as well as illegality?

It is no less absurd of Mr. Ross to suggest that honest and non-inflammatory statements of historical fact may lead to the incitement of hatred. The real fear of opponents of CJPME's ads is that Canadians may become aware that our own government has been supporting and facilitating intolerable Israeli policies of land theft and colonization. They are afraid that Canadians, acting out of common decency, will instead take a stand against injustice and oppression.

A version of this short text was sent to the Toronto Star on October 21, 2013 as a letter to the editor, but ignored.

Michael Keefer is Professor Emeritus in the School of English and Theatre Studies, University of Guelph.

Notes

1 See "Please express your disagreement with the TTC decision: More Info," CJPME, <http://archive.constantcontact.com/fs146/1101893905212/archive/1115382118381.html>.

2 Ibid.

3 Tess Kalinowski, "TTC rejects controversial Middle East ad campaign," Toronto Star (21 October 2013), http://www.torontostar.com/news/gta/2013/10/21/ttc_rejects_controversial_middle_east_ad_campaign.html. See also Ali abunimah, "Toronto transit bans 'Disappearing Palestine' ad claiming risk of anti-Jewish violence," The Electronic Intifada (24 October 2013), <http://electronicintifada.net/blogs/ali-abunimah/toronto-transit-bans-disappearing-palestine-ad-claiming-risk-anti-jewish-violence>.

4 "Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory," International Court of Justice (9 July 2004), <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6>.

5 Ibid.

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