



Case Report

1	Case Number	0060/15
2	Advertiser	Comparethemarket.com.au
3	Product	Insurance
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	11/03/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Nationality

DESCRIPTION OF THE ADVERTISEMENT

The Battle of Fearlessness commercial opens with the well-known comparethemeerkat.com.au character “Aleksandr Orlov” expressing his frustration that Australians do not know the difference between comparethemeerkat.com.au and comparethemarket.com.au.

He decides to narrate a story about his great-grandfather Vitaly, saying “if you still not know the difference, here is where I’m coming from”. The next scene opens on a meerkat in army uniform standing in a snowy battle ground. You hear Aleksandr narrating, “long ago, my great-granddaddy Vitaly was captain in the Russian meerkat home guard”. The meerkat is brought a silver-platter, which contains a scorpion presented on a block of ice. As the meerkat leans in to sniff the scorpion, another meerkat runs up announcing “Sir, mongoose army, in the valley”.

The scene then cuts to the mongoose army charging forward, followed by the meerkat army. We then see a montage of Vitaly’s face, explosions and clashing flags, and we hear Aleksandr narrating, “the battle lasts through the night until...” Sergei then appears in the scene, carrying his master through the battle ground. As the camera pans out, we hear Aleksandr saying, “the mongoose hoard ran away, and Vitale was awarded the purple claw”. Vitaly then berates Sergei, saying “put me down”.

We then cut back to Aleksandr who snaps his story book shut, and is sitting next to his great-granddaddy’s purple claw and home guard uniform. Aleksandr then says “he did not go through all that to get you cheap car insurance.”

Aleksandr then pops up wearing Vitaly's home guard uniform and points to signs for comparethemeerkat.com.au and comparethemarket.com.au, saying "for hero meerkats comparethemeerkat.com.au, for good car insurance deal comparethemarket.com.au. Simple!"

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

The television commercial depicts Russian meerkats.

I find the commercial offensive, demeaning, racist and mock my Russian ethnicity and family background. it depicts my ethnic group as cute, irrelevant, stupid, cowardly and lazy. this ad creates and perpetuates this myth.

Furthermore my name sake was a Russian war hero from the Japanese-Russian war in the same time period as the commercial and it indirectly mocks him.

I feel the commercial used my ethnic group to mock, instead of using a sub-Saharan African ethnic group would be politically incorrect, if they used the correct local where meerkats come from [sic].

Due to this commercial I find it hard for my primary school to express their Russian ethnicity/heritage and I fear they will be mocked and humiliated.

This commercial is causing my family harm, please stop.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

With respect to the complainant's personal views, Compare the Market strongly refutes any allegations that the commercial is racist or demeaning, or that it breaches section 2.1 of the Code.

The Practice Note to the Code defines "discrimination" as "unfair or less favourable treatment", and "vilification" as "humiliates, intimidates, incites hatred, contempt or ridicule". In no way does the commercial portray Russians in an unfair light, nor does it convey a message that they should receive unfavourable treatment. It also certainly does not attempt to humiliate, ridicule or incite contempt for Russians.

At the outset of our response, we'd like to mention that since this commercial first aired in the UK in April 2010, it hasn't received a single complaint in regards to discrimination or other ethical issues. The UK has a much larger Russian community than Australia and no-one has ever accused the commercial of being demeaning to Russians. Neither have any parallels been drawn between the fictitious meerkat-mongoose battle and the Japanese-Russian war.

The complainant alleges that the commercial depicts his ethnic group as "cute, irrelevant, stupid, cowardly and lazy". Admittedly, the meerkats are cute but this has nothing to do with their Russian ethnicity. With regards to the complainant's description of the commercial portraying Russians as "irrelevant, stupid, cowardly and lazy", in actual fact the commercial

depicts the complete opposite. The Russian meerkats ultimately win the battle due to their bravery, valour and fearlessness, leading to Great-Granddaddy Vitale being awarded a “Purple Claw” for his bravery. This is a reference to the Purple Heart war medal, which is a United States military decoration awarded to brave soldiers who are wounded or killed while serving.

The complainant references that his “name sake was a Russian war hero from the Japanese-Russian war in the same time period as the commercial.” No time period is alluded to during the commercial, and there is absolutely no suggestion that this fictitious battle is supposed to represent the Japanese-Russian war. Any resemblance to an actual historical event is purely coincidental. In the fictional history developed as background to Aleksandr Orlov (the meerkat), meerkats and mongooses are mortal enemies; this is supposed to be humorous as they are from the same species family. During the development and production of this commercial, the Japanese-Russian war wasn’t ever discussed. On this point, it’s also worth pointing out that very few people in the UK or Australia are taught about this particular war, or indeed ever come across any mention of it during their lives.

It is regrettable that the complainant feels the commercial “indirectly mocks” his “name sake who was a Russian war hero”, but again, we’d like to emphasise that in no way does the commercial portray Russians in an unfair light, or look to mock or ridicule their history. This commercial aired in the UK, which has a much larger Russian community, and no discrimination complaints were ever made. This is also the first complaint we’ve received in Australia, which we believe indicates that the complainant has read far too much into the creativity and back story of the commercial.

The commercial in question, is the second part of a trilogy. The first instalment, named Journey of Courageousness, explained how the meerkats - who as the complainant rightly points out are traditionally found in Africa - came to live in Russia. The fictitious meerkat history developed to support the meerkat campaign, explains how the meerkats and mongooses fled Africa after the grub famine, and then fought battles for supremacy in the mountains outside of Moscow. The commercial merely re-enacts one of these battles.

When the meerkats were created, it wasn’t their accent or ethnicity that was supposed to be comical, it was the meerkats themselves. It’s the silly situations they find themselves in, and the aristocratic antics of Aleksandr and his hapless sidekick Sergei. The meerkats have been delighting the nation over the past couple of years and have a strong Australian fan base. We receive compliments on a daily basis on our innovative and engaging advertising campaign through our call centre, as well as across social media.

With over 100,000 fans on Facebook alone, we receive hundreds of likes and/or comments on every post. Following the launch of the commercial in question, we monitored the feedback and not one single comment was negative or indicated that people thought the commercial was offensive in any way.

We’ve listed a few comments about the commercial below for the Advertising Standards Bureau’s information:

- *“Fabulous story Aleksander - looking forwards to part 3.”*
- *“Sensational. This just keeps getting better”*

- *“Love a Kat in uniform!!!!”*
- *“Love them “Russian” meerkats”*
- *“Maybe you and Sergei will be nominates for Academy Award gongs. You main actor and Sergei for supporting role, of course.”*

Finally, we’d like to point out that the team at Compare the Market is made up of a wide range of nationalities, including some originating from Russia. They are big fans of the meerkats and do not find our commercial offensive in any way.

Sections 2.2 to 2.6 of the Code

As per the Advertising Standard Board’s request, we have addressed all parts of Section 2 of the Code in our response, and would like to note that the commercial does not:

- *Employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people (Section 2.2);*
- *Present or portray violence that is not justifiable in the context of the product or service advertised (Section 2.3);*
- *Depict sex, sexuality or nudity (Section 2.4);*
- *Contain language which is inappropriate to the circumstances (Section 2.5);*
- *Depict material that is contrary to Prevailing Community Standards on health and safety (Section 2.6).*

Conclusion

In conclusion, while we regret that the complainant has taken personal offence to the commercial, for the reasons set out above, we do not believe that there has been any breach of the AANA Code. We value the role of the Advertising Standards Bureau and appreciate that it is obligated to follow up on complaints raised, however, we believe in this instance the complaint is unfounded and completely unrepresentative of public opinion, and therefore should be dismissed.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant's concern that the advertisement is offensive, demeaning and racist towards people from Russia.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted that this advertisement features a meerkat explaining the difference between comparethameerkat.com.au and comparethemarket.com.au.

The Board noted the complainant's concern that by using a Russian meerkat called Aleksander the advertisement is offensive to people from Russia.

The Board noted the advertiser's response that Aleksander the meerkat is a well-known character from the [comparethemarket](http://comparethemarket.com.au) advertisements and that whilst he speaks with a Russian accent and declares his Russian heritage the focus is not on his nationality but the situations he, and his ancestors, get in to. The Board considered that there is no suggestion that the meerkat, or Russians in general, should be thought less of because of their nationality.

The Board noted that no specific time period or war is alluded to in the advertisement and the use of meerkats fighting mongooses highlights the fictitious nature of the battle. The Board noted the complainant's concerns that Aleksander is the name of their relative but considered that Aleksander is a common name, not only in Russia, and that the depiction of the battle is not intended to replicate the battle between Russia and Japan. The Board considered that the complainant's interpretation of the advertisement is an interpretation unlikely to be shared by the broader community.

The Board noted that the meerkats are portrayed as victorious and brave in the advertisement and considered that overall the advertisement does not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of their nationality.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.

