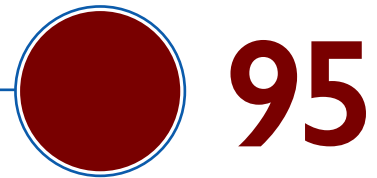


# Switzerland



## Summary of Findings

### 1. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

Switzerland signed the WHO FCTC in 2004, and, nearly 20 years later, it still has not ratified it. Switzerland has no formal rules against the participation of the tobacco industry (TI) in public health policy setting or allowing key government officials to represent TI interests in policy discussions. Moreover, because the Swiss governments invite the TI to comment on draft policies and legislation, the industry's position is well represented and influences the policymaking process, allowing them to water down and stifle effective tobacco control measures. Due to the absence of adequate barriers to industry participation, deeply interconnected networks of TI representatives in federal and cantonal parliaments continue to allow a powerful pro-industry lobby to sway decision-makers.

### 2. INDUSTRY CSR ACTIVITIES

The Swiss federal government has no policies in place to prevent federal departments, or individual civil servants, from forming partnerships with the TI, or from accepting sponsorship offers. This is particularly problematic with federal governmental bodies playing into the corporate social responsibility (CSR) tactics of the TI, and public cultural institutions accepting its sponsorship, in turn legitimizing the TI as a socially and sustainable actor. Moreover, government and industry collaborations give the tobacco industry access to policy making networks, which fosters the already deeply rooted tobacco lobby in Switzerland.

### 3. BENEFITS TO THE INDUSTRY

By failing to ratify the WHO FCTC, Switzerland's minimal and non-encompassing federal tobacco control laws benefit the TI greatly, allowing it to use the country as a political playground and a marketing laboratory. A major victory of the TI is the freeze on taxation of tobacco products since 2013, at a level which is far below the level recommended by the WHO (60% in Switzerland vs. 75% recommended by WHO). Currently the TI has virtually no constraint in the way it markets its products in Switzerland, making them particularly attractive to young people. Even the recently drafted law to ban tobacco advertising directed at minors is limited in scope and is not WHO FCTC-compliant. This regulatory vacuum is exploited by the tobacco and e-cigarette industry to flood Switzerland with new products, whether heated tobacco products, a large range of e-cigarettes, as well as snus (since 2019) and nicotine pouches.

### 4. UNNECESSARY INTERACTION

Government officials of all levels participate in regular meetings or other social activities that are attended by, organized, or at least partially sponsored by the TI. These regular meetings, or events between various officials and industry representatives fosters close-knit relationships and give the TI and its affiliates access to political decision-makers. The persistent interactions also normalize the TI's presence throughout Swiss political networks.



## 5. TRANSPARENCY

There is no law or reliable system in place that requires the government to publicly disclose meetings, or interactions with, as well as contributions from the TI, and vice versa. Minutes of related meetings are not published either. Between 2021 and 2023, several TI related meetings and interactions with government officials took place that were not strictly necessary. As a result, collaborations with the TI can be conducted without disclosure.

## 6. CONFLICT OF INTEREST

At the federal level, Switzerland has no national legislation for prohibiting any type of contributions from the TI to political candidates, parties, or campaigns, or to require full disclosure of such contributions. It is the only country in the Council of Europe that has not passed legislation to regulate political funding.

The connections between people active in the political field and the TI are often complex and difficult to follow, as they are generally not made public. Multiple government

officials are now part of the TI network; such as Gregor Rutz, National Councilor, Philipp Kutter, National Councilor, Christophe Berdat, former general secretary of the Swiss Liberal Party (neo-liberal, conservative), Thomas Borer, former Swiss ambassador, and Caroline de Buman, former head of the secretariat of the Federal Procurement Conference. There are also former TI employees who later moved to state administration such as Andreane Jordan Meier and Ursula Oesterle.

## 7. PREVENTIVE MEASURES

Switzerland fares very poorly in the domain of preventive measures. The Swiss government has not put in place any policies, nor is it in the process of developing any, that require the disclosure of records of interaction with the TI. Neither has it adopted or formulated a code of conduct when dealing with TI representatives, or a policy requiring the TI to periodically submit information on various political and marketing measures. There is also no program to consistently raise awareness about article 5.3 guidelines within government departments.

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# Recommendations

1. Limit political interactions with the TI.
2. Require full disclosure of all interactions with the TI at all levels of government in a systematic and transparent manner.
3. Prevent incentives or privileges for the TI.
4. Exclude the TI from participating in public health policy development.