



Swiss association
for tobacco control



Switzerland
Tobacco Industry Interference
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Methodology

The report is based on a questionnaire developed by the Southeast Asia Tobacco Control Alliance. There are 20 questions based on the Article 5.3 guidelines. Information used in this report is obtained from the public domain only. A scoring system is applied to make the assessment. The score ranges from 0 - 5, where 5 indicates highest level of industry interference, and 1 is low or no interference. Hence the lower the score, the better for the country. The 0 score indicates absence of evidence or not applicable. Where multiple pieces of evidence are found, the score applied reflects an average. Non-Parties to the WHO FCTC apply a score of '0' to Question 4. The total score of non-parties is divided by 95 X 100 to obtain the total score. The score was obtained by consensus among the four authors. The report includes information on incidents from April 2021 to March 2023, but also includes incidents prior to April 2021 that still have relevance today.

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Foreword

Switzerland, a nation synonymous with precision, neutrality, and a commitment to human rights, finds itself at an unprecedented crossroads in public health. At the heart of this crisis lies the expansive influence of the tobacco industry, which has stealthily woven itself into the very fabric of our nation's policies and political narratives.

It is with an immense sense of duty that we present the Tobacco Industry Interference Index Report for Switzerland. This report is not just an analysis; it is a clarion call, urging us to recognise and rectify a dangerous nexus between corporate interests and national policies. The presence of industry behemoths, including Philip Morris International, British American Tobacco, and Japan Tobacco International has masterminded a network of relationships, strategies, and narratives that have consistently challenged our nation's public health objectives.

Our investigative journey has uncovered intricate interactions between industry and governance, conflicts of interest, and a conspicuous absence of protective measures. For every revelation in this report, there's an underlying reminder of the lives at stake – a staggering 14% of Swiss deaths can be attributed to tobacco. Moreover, the environment we cherish is under duress, with tobacco's environmental footprint often overlooked.

However, this document isn't just an expose. It's a roadmap, offering Switzerland tangible solutions and actions to reclaim its public health narrative from the clutches of an industry that profits from harm. While we may have faltered in fully embracing the WHO's Framework Convention on Tobacco Control so far, it's never too late to start. This report's recommendations serve as a torchbearer, guiding Switzerland towards re-establishing its commitment to its citizens' health and environmental well-being.

In closing, let this GTI report serve as more than just a document. Let it be the impetus for change, the catalyst that galvanises our nation into action, ensuring that public health triumphs over corporate agendas. As we move forward, may we always remember our duty to our people, our environment, and the core values that Switzerland holds dear.

Sincerely,



Laurence Fehlmann Rielle
President of Swiss association for tobacco control
Swiss National Councillor since 2015

Abbreviations

AT Switzerland	Swiss Association for Tobacco Control
BIG	Basel Institute on Governance
BAT	British American Tobacco
CSR	Corporate Social Responsibility
EPFL	École Polytechnique Fédérale de Lausanne
ETH Zurich	Swiss Federal Institute of Technology in Zürich
FDFA	Federal Department of Foreign Affairs
FOCBS	Federal Office for Customs and Border Security
FOEN	Federal Office for the Environment
FOIR	Freedom of Information Requests
FOPH	Federal Office of Public Health
IGSU	Association for a Clean Environment and a Better Quality of Life (Interessengemeinschaft für eine saubere Umwelt und für mehr Lebensqualität)
JTI	Japan Tobacco International
KPMG	KPMG International Limited
NGO	Non-Governmental Organization
OASI	Old age and survivors' insurance
PMI	Philip Morris International
SGV/USAM	Swiss Trade Association (Schweizerischen Gewerbeverbandes SGV/Union des arts et métiers USAM)
SNSF	Swiss National Science Foundation
SOTA	Cooperative Society for the Purchase of Indigenous Tobacco (Einkaufsgenossenschaft für Inlandtabak)
WHO	World Health Organization
WHO FCTC	World Health Organization Framework Convention on Tobacco Control

Executive Summary

The tobacco industry in Switzerland has a long history of undermining prevention efforts. The Global Tobacco Index acts as a watchdog, detailing how the industry's stealth tactics and influential lobbying undermine tobacco control measures, resulting in severe consequences for both public health and the environment within the country.

This report spotlights the industry's entrenched influence on Switzerland's health policies, creating a vicious cycle where corporate gain overshadows public health. Switzerland, hosting major tobacco corporations like Philip Morris International, British American Tobacco, and Japan Tobacco International, has been lenient, enabling these corporations to execute strategies that range from political manipulation to concealing the harms of tobacco. These practices have perpetuated health issues, stagnated policy development, and sustained high smoking rates. Alarming, tobacco accounts for approximately 14% of Switzerland's total deaths. Although Switzerland signed the WHO's Framework Convention on Tobacco Control (FCTC), its failure to ratify the agreement has allowed the industry to thrive.

Key Findings

The report covers seven pivotal indicators that expose the tobacco industry's significant hold on Swiss policymaking:

1. Industry Participation in Policy Development:

The Swiss government's lack of barriers against tobacco industry participation in policy making has allowed it to influence legislation, watering down and stifling tobacco control measures.

2. Industry CSR Activities:

Lack of policies preventing partnerships with the tobacco industry enables corporate social responsibility (CSR) tactics, legitimising the industry and allowing it to influence policy-making networks.

3. Benefits to the Industry:

Switzerland's failure to ratify the FCTC, freeze on taxation, and loose regulations have greatly benefited the tobacco industry, making Switzerland a political playground and marketing laboratory.

4. Unnecessary Interaction:

Persistent interactions between government officials and the tobacco industry foster close-knit relationships, normalising the industry's presence in political networks.

5. Transparency:

A lack of transparency requirements obscures government-tobacco industry relationships, creating opportunities for undisclosed collaborations.

6. Conflict of Interest:

The absence of national regulation regarding contributions from the tobacco industry to political candidates enables complex and often concealed connections between the industry and Swiss politicians.

7. Preventive Measures:

Switzerland's lack of preventive measures against the tobacco industry further exacerbates the problem, with no policies in place to require disclosure or establish conduct guidelines.

Recommendations

The Swiss government must recognize the inherent conflict between public health and the production, marketing, and sale of tobacco products. To that end, the report offers actionable recommendations that must be adopted to address the health and environmental implications of tobacco. These involve:

1. Limit political interactions with the tobacco industry.
2. Enforce transparent disclosure of all interactions with the industry.
3. Remove incentives for the tobacco industry.
4. Exclude the tobacco industry from policy development.

Switzerland as a whole will have to implement a comprehensive national tobacco control strategy aligned with WHO FCTC. Support of NGO's and projects that ensure FCTC ratification to shift the status quo will be crucial.

Closing Statements

The undue influence of the tobacco industry on Switzerland's health policies and societal fabric is an urgent concern. This report showcases the alarming extent of the industry's grip and advocates for significant policy, transparency, and regulatory reforms. A unified front comprising the government, NGOs, and public health advocates is vital. By implementing robust policies, transparent disclosure, and a comprehensive tobacco control strategy, Switzerland can address this health crisis, mitigate the influence of the tobacco industry, and prioritise the well-being of its citizens and environment.

Background and Introduction

“Doubt is our product since it is the best means of competing with the ‘body of fact’ that exists in the mind of the general public. It is also the means of establishing a controversy.”

This was stated in a document labelled as “confidential” in the archives of a tobacco company, which were made public by order of a US court.¹ For nearly a century the tobacco industry has been concealing its knowledge about the harmful effects of their tobacco products on public health. Despite accumulating scientific evidence, the tobacco industry has been successful in undermining tobacco control efforts employing covert lobbying tactics to deceive the public of the fact that tobacco is one of the most important causes for non-communicable diseases and mortality.² In Switzerland, this is no different, where the tobacco industry has exploited the weak tobacco control policies to establish a cruel cycle with political, legal and public relations strategies ensuring that tobacco policies remain ineffective.

Tobacco Industry and Smoking Prevalence Rates in Switzerland

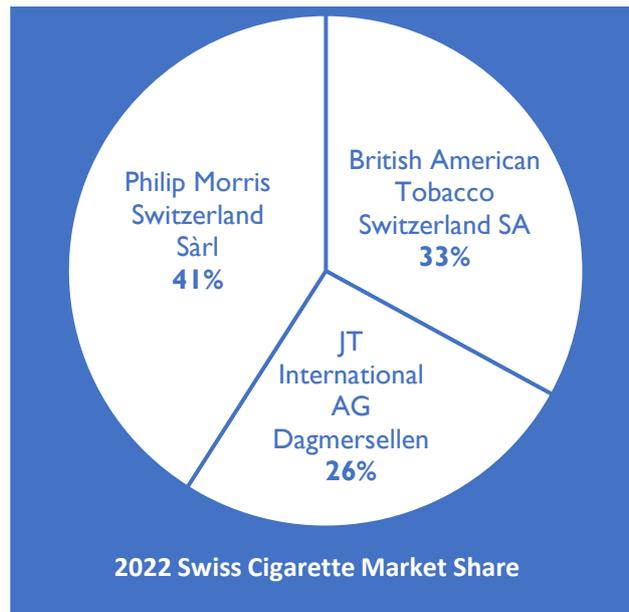
In a strictly confidential, strategic brief prepared by the PR agency Burson-Marsteller for Philip Morris in 1990 for the EEMA (EEFTA – European Free Trade Association, Eastern, Europe, Middle East, Africa) region, they wrote:

“A kind of social war – albeit hidden – seems to be raging in Switzerland, war that smokers are in danger of losing unless the industry comes forward with ammunitions which allows social harmony to be recreated.”²

Lee and Glantz (2001) published this in a report outlining the tobacco industry’s successful efforts to control tobacco policy development in Switzerland.² Since then, progress in tobacco control has been scant, as it has been largely hampered by the powerful tobacco lobby network that permeates Swiss politics. For example, in the 2021 Tobacco Control Scale, Switzerland remained on the second-to-last place (36th out of 37th).³ Additionally, nearly 20 years after signing the Framework Convention on Tobacco Control (FCTC) of the World Health Organisation (WHO), Switzerland still has not ratified it.

Three of the biggest tobacco multinationals are based in Switzerland. Philip Morris International (PMI) has its worldwide Operations Center in the western city of Lausanne and its center for research and development in Neuchâtel. Japan Tobacco International (JTI) has its global headquarters in Geneva. British American Tobacco (BAT) has a strong presence in Lausanne, as well as international and national offices in the canton of Jura. Each multinational has a tobacco factory in Switzerland: BAT in Boncourt (JU), JTI in Dagmersellen (LU) and PMI in Neuchâtel (NE).

At the end of the 20th Century, PMI and BAT had gradually acquired or ousted local tobacco companies, resulting in the two companies sharing over 90% of the cigarette market in Switzerland. In 1999, Japan Tobacco acquired R.J. Reynolds International, which had its headquarters in Geneva, and renamed it Japan Tobacco International. Data from 2022 showed that the cigarette market share at the time was: PMI: 41%, BAT: 33%, JTI: 26%.^{4,5} For heated tobacco products, PMI's IQOS held 100% of the market share in 2022, but BAT's Glo's presence has begun to grow in 2023.



Tobacco is one of the leading causes of death in Switzerland, being responsible for at least 14% of all deaths per year.⁶ Based on official estimates, in 2017, tobacco smoking rates in Switzerland were at 27% in the population. This was likely an underestimation.⁷ The smoking rate amongst youth (15 to 24 year olds) was at 31%.⁸ Moreover, due to the lack of any effective national e-cigarette policies, e-cigarette use is increasing rapidly among Switzerland's youth. The 2023 HBSC survey of schoolchildren (Health Behaviour in School-aged-Children) showed that more than one out of every three 15-year-olds in Switzerland had used at least one tobacco or nicotine product in the 30 days preceding the survey, most often in the form of e-cigarettes.⁹

As in many countries, the tobacco industry in Switzerland prevents and delays developments in public health policies that may harm their interests. It creeps into regulatory discussions, sways decision makers, and employs numerous lobbyists to challenge proposed tobacco control measures.¹⁰ As outlined in the findings of this year's Tobacco Industry Interference Index of Switzerland, the tobacco lobby has far and deep reaching tentacles into various governmental networks. Often, the lines between policy maker and tobacco industry representative become difficult to identify. Both the Swiss parliament and government place the interests of the tobacco industry above the interest of public health.

In 1999, as part of a preparatory stage in the elaboration of the FCTC, Dr. Gro Harlem Brundtland, then Director-General of WHO, appointed Dr. Thomas Zeltner, who was the director of the Swiss Federal Office of Public Health. His mandate was to lead a group of experts and investigate how the tobacco industry had undermined WHO's tobacco control activities. Dr. Zeltner's report was damning for the industry. He concluded it with the following remark:

“At the most fundamental level, this inquiry confirms that tobacco use is unlike other threats to global health. Infectious diseases do not employ multinational public

relations firms. There are no front groups to promote the spread of cholera. Mosquitoes have no lobbyists. The evidence presented here suggests that tobacco is a case unto itself, and that reversing its burden on global health will be not only about understanding addiction and curing disease, but, just as importantly, about overcoming a determined and powerful industry. If this inquiry contributes to that understanding, the committee of experts will have succeeded in its work.”¹¹

Unfortunately, as the present report shows, almost a quarter of a century later, that understanding has not yet reached a majority of political decision makers in Dr. Zeltner’s own country.

As said by WHO Director-General Dr Tedros Adhanom Ghebreyesus:

“If tobacco was a virus, it would long ago have been called a pandemic, and the world would marshal every resource to stop it. But instead, it’s a multi-billion-dollar business that profits from death and disease, imposes huge costs on health systems, and takes a massive economic toll in lost productivity.”¹²

Summary Findings

I 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 in public health policy setting or allowing key government officials to represent tobacco industry interests in policy discussions. Moreover, because the Swiss governments invites the tobacco industry to comment on draft policies and legislation, the industry's position is well represented and influences the policy making 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 tobacco industry 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 which prevent federal departments, individual civil servants, or federal research institutions to form partnerships with the tobacco industry, or from accepting sponsorship offers. This is particularly problematic with federal governmental bodies playing into the corporate social responsibility (CSR) tactics of the tobacco industry, and public cultural institutions accepting its sponsorship, in turn legitimizing the tobacco industry as a socially and sustainable actor. Moreover, government and industry collaborations give the tobacco industry access to policy making networks, which in turn fosters the already deeply rooted tobacco lobby in Switzerland.

3 BENEFITS TO THE INDUSTRY

By failing to ratify the FCTC, Switzerland's minimal and non-encompassing federal tobacco control laws benefit the tobacco industry greatly, allowing it to use the country as a political playground and a marketing laboratory. For example, a major victory of the tobacco industry 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 tobacco industry has virtually no constraint in the way it markets its products in Switzerland, making them particularly attractive to young people. Even the recently draft law to ban tobacco advertising directed at minors is limited in scope and is not 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, organised, or at least partially sponsored by the tobacco industry. These regular meetings, or events between various officials and industry representatives fosters close-knit relationships and give the tobacco industry representatives access to political decision-makers. Moreover, the persistent interactions normalise the tobacco industry'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 tobacco industry, and vice versa. Minutes of related meetings are not published either. Even so, between 2021 and 2023, several tobacco industry related meetings and interactions with government officials took place that were not strictly necessary. As a result, collaborations with the tobacco industry may be made, and individuals are not required to disclose any affiliations they may have with the tobacco industry.

6 CONFLICT OF INTEREST

At the federal level, Switzerland has no national legislation for prohibiting any type of contributions from the tobacco industry to political candidates, parties, or campaigns, or to require full disclosure of such contributions. Until 2022, Switzerland was the only country in the Council of Europe that had not passed legislation to regulate political funding. The connections between people active in the political field and the tobacco industry are often complex and difficult to follow, as they are generally not made public. Even so, various government officials, parliamentarians or administration officials, now part of the tobacco industry network could be found, 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 tobacco industry 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 tobacco industry. Neither has it adopted or formulated a code of conduct, with standards, when dealing with tobacco industry representatives, or a policy requiring the tobacco industry to periodically submit information on various political, and marketing measures. There are also no programmes to consistently raise awareness about article 5.3 guidelines within government departments.

Recommendations

It is inherently incompatible with public health and the UN's 2030 Agenda, as well as the Sustainable Development Goals, to produce, market, and sell tobacco products. The tobacco industry, both in Switzerland and globally, employs covert and subtle strategies to undermine scientific research, public health initiatives, and tobacco control policies. With their well-organized lobbying network and significant financial resources, they ensure their interests remain unimpeded. Aware of their lack of credibility, the tobacco industry operates discreetly, seeking support from other actors, including politicians and seemingly socially responsible or sustainable organisations. In Switzerland, they have skillfully exploited the Swiss tradition of consensus democracy, using the process of political debate, and public consulting to water down or stop tobacco control measures. The weak tobacco control policies and the ability of the tobacco industry in keeping debates about tobacco away from public health attests to the industry's success. The rising presence of the e-cigarette industry adds further cause for concern. It is vital for Switzerland to maintain a public discourse that recognizes the health and environmental implications of tobacco. Open discussions and awareness of the tactics employed by the tobacco industry within the political realm are crucial in limiting their influence. Public health advocates in Switzerland should consider adopting long-term strategic approaches, including engaging professional lobbyists, public relations experts, and public policy specialists, drawing from successful counterstrategies employed in other countries. The government and key NGOs must continuously highlight the harmful effects of the tobacco industry on public health and the environment. Collaborative efforts between governmental and non-governmental entities will be pivotal, particularly NGO support as stated by article 4.7 of the FCTC will be essential to the implementation of the Article 5.3 guidelines. Key policy measures should include:

- Limiting political interactions with the tobacco industry.
- Requiring full disclosure of all interactions with the industry at all levels of government in a systematic and transparent manner.
- Preventing incentives or privileges for the tobacco industry.
- Excluding the tobacco industry from participating in public health policy development.

Moreover, Switzerland must adopt a comprehensive national tobacco control strategy, outlining the full implementation of the WHO FCTC. The current national public health strategies on non-communicable disease, and on addiction are too general and fail to take into consideration the weight of tobacco consumption on public health and the influence of the tobacco industry. The support of projects relevant to Article 5.3 of the FCTC, by the Tobacco Prevention Fund in Switzerland, is crucial to promoting a status-quo shift. Particularly the use of the guidelines for the implementation of Article 5.3 of the Convention will have an overarching impact on Switzerland.¹³

Switzerland

Tobacco Industry Interference Index 2023 Results and Findings

	0	1	2	3	4	5
INDICATOR 1: Level of Industry Participation in Policy-Development						
I. The government ⁱ accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry or any entity or person working to further its interests ⁱⁱ in setting or implementing public health policies in relation to tobacco control ⁱⁱⁱ (Rec 3.4)						5
<p>Switzerland has no formal rules against the participation of the tobacco industry in public health policy.</p> <p>A. The Swiss government endorses tobacco industry interests and puts them above public health objectives</p> <p>On 13 October 2021, the Federal Council decided that the popular initiative “Children and adolescents free from tobacco advertising” would be put to the vote on 13 February 2022.¹ The initiative required that tobacco advertising be banned wherever children and adolescents would be exposed to it, such as in newspapers, on posters, the internet, in cinemas, in kiosks or at open events. This limited ban falls short of the more comprehensive ban already in force in many countries, for example in the European Union (EU), the UK, in Canada, and in Australia, with the EU having introduced a wide ban on tobacco advertising and sponsorship in media in 2003.¹⁴⁻¹⁶ Nevertheless, The Swiss Federal Council (Government) and the Swiss Federal Assembly (parliament) stated that “the initiative goes too far” and considered that the Law on tobacco products adopted by parliament on October 1st 2021 was sufficient as an “indirect counterproposal” to the popular initiative, thus favouring tobacco industry interests over the health of Swiss youth.¹⁷</p> <p>In a press release on 9 December 2021, the Federal Council publicized an overview of their counter proposal, stating that while they do want to protect youth from the harmful effects of tobacco consumption, they would also want to continue allowing advertising at kiosks, in the press or on the internet, as well as sponsoring of national events, “thus also taking into account the concerns of the private sector and businesses.”^{17 18} In its message to Parliament, the government also expressed “its willingness to restrict advertising to an extent acceptable to the tobacco industry”.¹⁹ The Swiss Federal Council and parliament in effect continued to endorse tobacco industry interests in a national vote, thereby sacrificing public health.</p> <p>B. Parliamentarians endorse tobacco industry interests</p> <p>The Swiss Federal Assembly consists of two chambers: The National Council represents the people and the Council of States represents the Cantons (States) in the development of new policies and laws. The Federal Assembly is based on a principle of “militia service” where MPs are semi-</p>						

ⁱ The term “government” refers to any public official whether or not acting within the scope of authority as long as cloaked with such authority or holding out to another as having such authority

ⁱⁱ The term, “tobacco industry” includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

ⁱⁱⁱ “Offer of assistance” may include draft legislation, technical input, recommendations, oversees study tour

professional and most of them continue to spend more than a third of their working time in another job (either as employees, independents, or paid members of company boards). Those activities are not considered a conflict of interest in Switzerland. **There are also no rules against the participation of the tobacco industry in policy making.** People working for tobacco companies can be elected as members of the Federal Assembly without having to resign from their job. Currently, several individuals representing the tobacco industry sit in both chambers of parliament. For instance, Gregor Rutz, a member of the National Council of Switzerland since 2012, is also the salaried president of the Swiss Tobacco Trade Association (also called Swiss Tobacco). He has openly stated that he is committed to maintaining Switzerland as an attractive business location, supporting low taxes and opposing “unnecessary laws”.²⁰ He is a dedicated promoter of tobacco industry interests. The association which he chairs, Swiss Tobacco, is the umbrella organisation of companies and organisations in the Swiss wholesale and retail tobacco trade; it represents their interests in political, economic and social matters.^{21 22} As long as individuals working to further tobacco industry interests form key parts of parliament, the Swiss government as a whole continues to endorse and collaborate with the tobacco industry in setting or implementing public health policies, particularly in relation to tobacco control.

C. Tobacco Lobbyists in the Federal and cantonal parliaments

Lobbying or the representation of narrow social, sectorial, or corporate interests by members of parliament themselves is an integral part of the Swiss “militia” style parliament and the country’s system of direct democracy. Swiss parliamentarians will often be offered to sit on boards and advisory bodies or retained as freelance consultants by corporations or interest groups, for which they will also frequently be remunerated. This is not only legal in Switzerland but even built into the system and seen as a vital and legitimate part of the legislative process. Elected members of parliament are under a limited obligation to disclose the interests they may be representing (i.e. professional activities, membership of a company’s board), but **many potential conflicts such as paid consultancy mandates need not be disclosed.**²³ This lack of transparency in the Swiss system is criticized by anti-lobbying organisations.²⁴

Hannes Germann has been a member of the Council of States since September 2002, representing the Swiss Peoples Party (German: Schweizerische Volkspartei, SVP), a national-conservative, right-wing populist political party in Switzerland.²⁵ An article on 21 January 2022 from the digital, investigative journalism magazine Republik, showed that the tobacco industry network in the National Council and the Council of States is extensive.²⁶ For example, each member of parliament is issued two access badges to the parliament building. These badges give permanent access to the restricted areas of the building including the chamber lobbies. Hannes Germann gave one of his badges to the lobbyist Renate Hotz, who has had a mandate from BAT since 2007.^{26 27} Renate Hotz does not lobby alone of course, and the article further lists Susanne Brunner, who sits on Zurich’s municipal council for the SVP and has represented the interests of PMI since 2019, or National Council member Philippe Nantermod of the Radical Liberal Party (FDP/PLR) [neo-liberal, conservative] who has given one of his coveted access badges to Martin Kuonen, managing director of Swiss Cigarette, the front group for the three tobacco multinationals (BAT, JTI and PMI) in Switzerland.²⁷⁻²⁹ Alois Gmür, National Council member since 2011 is a member of the Business Alliance for a Moderate Prevention Policy (Allianz der Wirtschaft für eine massvolle Präventionspolitik, AWMP), seen as one of the largest and most loyal allies of the tobacco industry in Switzerland (see #3).³⁰ Martin Kuonen also holds the position of tobacco expert on the

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<p>advertising self-regulatory Commission for Fairness (Schweizerische Lauterkeitskommission). Since 1992, the Commission for Fairness has had a voluntary, non-binding, self-regulatory agreement with Swiss Cigarette, BAT, JTI and PMI.³¹ The agreement was updated in 2005 and 2018. The president of the Commission, National Councillor Philipp Kutter, also sat in the committee opposing the people’s initiative “Children and adolescents free from tobacco advertising.”³² Kutter described the initiative as “a disproportionate encroachment on the constitutionally guaranteed economic freedom and freedom of information.”³³ These interconnected networks of tobacco industry representatives in the Federal and cantonal parliaments show the deep-rooted involvement of the industry in policy making. The often-complex webs of interactions allow the tobacco industry to collaborate with key political players to influence public health policies. Without any effective policies preventing such interactions or direct influences, the government essentially not only turns a blind eye, but even endorses tobacco industry involvement in policy making.</p> <p>While the Transparency act does require some meetings to be disclosed, no rules apply to members of parliament and any additional information is difficult to provide, as there are no rules in Switzerland requiring government officials to pro-actively disclose meetings with tobacco industry representatives and any related meeting notes for the record.</p>						
<p>2. The government accepts, supports or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)</p>						5
<p>A. At the national level</p> <p>Switzerland has not ratified the WHO FCTC and openly supports the contribution from various actors to the drafting of policies and legislation, including from the tobacco industry. For example, the Swiss federal government engages with tobacco companies and their affiliated groups through the federal consultation process (<i>Vernehmlassungsverfahren</i>) which are held to inform public policy.</p> <p>In the cover letter accompanying their response, both Swiss Cigarette and Swiss Tobacco mention they were specifically invited by the government to respond to a consultation on the amendment of the Federal Tobacco Tax Act (Swiss Tobacco: “In a letter dated 17 December 2021, the Swiss Tobacco Trade Association was invited to comment on the amendment of the Tobacco Tax Act (TabStG) as part of the consultation process. We thank you very much for this.”)³⁴ The multinationals (BAT, JTI and PMI), as well as SwissTabac, the umbrella organisation for the country’s tobacco growers also responded separately. Economiesuisse, the top economic trade association of Switzerland, submitted a response as well, fully endorsing the statements by Swiss Cigarette and PMI, a member of the association (“For the rest, we refer to the detailed statements of our member organisations Swiss Cigarette and Philip Morris Switzerland.”). They end their letter by stating that “In the interest of efficient, risk-based health protection and in view of the importance of the tobacco industry for the national economy, public revenues and the innovative strength of Switzerland, we ask you to give the industry assessments the appropriate priority when finalising the law.”³⁴ Numerous other tobacco companies and tobacco retailers, as well as e-cigarette companies sent official responses to the law consultation. The common line of the responses was opposition to increasing taxation on tobacco and nicotine products.</p>						

In 2022, once again, both Swiss Cigarette and Swiss Tobacco were invited to comment on the partial revision of the federal tobacco products law.³⁵ (Example Swiss Cigarette: “In a letter dated 31 August 2022, Swiss Cigarette was invited to participate in the consultation on the partial revision of the Federal tobacco products law (TabPG).”).³⁶ This instance, BAT, JTI and SwissTabac were also specifically invited to provide their comments (Example JTI: “In a letter dated 31 August 2022, we were invited to comment on the partial revision of the Federal tobacco products law (TabPG).”).³⁶. A total of 17 tobacco companies and tobacco retailers voiced their opinions. In their responses, the tobacco industry rejects any move towards a total ban on tobacco advertisements. The e-cigarette industry was involved as well, with 14 e-cigarette companies or retailers participating in the consultation. The Federal Council must now consider the comments made to the draft bill submitted to the consultation process and then submit the resulting bill to the Federal Assembly for debate and approval.³⁷

Federal consultations are constitutionally required and open to the public not only for review but also for comment. Public notice must be given and invitations to participate should be sent to the cantonal governments, the political parties represented in the Federal Assembly, national umbrella organisations for the municipalities and regions as well as for the economic sectors, and any further interest groups relevant to the bill under consultation. The procedure is transparent: both the list of invited organisations and the respondents’ submissions are published on the website of the Federal Chancellery. Although the consultation and the responses are transparent (completely exposing the political position of stakeholders to their opponents), the way the submissions are evaluated by the Federal Council is totally opaque. Nevertheless, by actively inviting representatives of the tobacco industry to participate in the consultation process on issues relevant to tobacco control laws, the federal bodies commit themselves to consider their views, allowing the tobacco industry to influence the outcome. Consultations are led by the relevant federal department. For example, the consultations for the amendment of the Tobacco Tax Act starting in 2021 were led by the Federal Department of Finance, while the consultations for the partial revision of the federal tobacco products law were led by the Federal Department of Home Affairs. In evaluating stakeholder answers collected during the consultation process, the FDHA, to which the Federal Office of Public Health is attached, tends to give greater weight to public health considerations, whereas the FDF appears to limit itself to only economic and fiscal considerations. **These federal consultations highlight the deeply rooted presence the tobacco industry has in the current system of public health policies drafting in Switzerland.** The government not only accepts industry input, but even requests their positions on policies that affect them. While supporters of this system may argue that it is inherent to an apparently true liberal democracy, it is evident that this same system also raises strong barriers to adequate public health policy making. Currently there are no discussions being held to prevent the tobacco industry itself from participating in federal policy consultations, and it is unlikely that such discussions will occur in the foreseeable future (until the WHO FCTC is ratified).

3. The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. (Rec 4.8)						5
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The tobacco industry perspective is well represented in the policy process. It is customary to invite financially strong organisations, such as tobacco companies, to consult on policy drafts (as described in #2).

Government officials and tobacco industry representatives have also been found to sit in industry bodies such as multi-sectoral boards, advisory groups, or corporate unions, where they set out, amongst others, policy and lobbying goals. Although not created by the federal government and without a statutory role in policy making, these industry bodies are politically influential and seen as key parties to policy making. Governments at all levels will regularly and directly engage with these on policy matters.

Fenaco:

Fenaco is an agricultural cooperative federation in Switzerland. They are governed by 19 board members, among them Fabrice Bersier, the president of SwissTabac and Leo Müller, a member of the National Council. Fenaco's annual report 2021 states that the board members hold monthly meetings, amongst others, where they take "decisions on business that falls within its area of responsibility."³⁸

SGV/USAM:

The Swiss Trade Association (Schweizerischen Gewerbeverbandes SGV/Union des arts et métiers USAM) has been the largest and most loyal ally of the tobacco industry in Switzerland for decades and its political arm for intervening in Swiss public health policy. Its president, vice-presidents and several board directors are members of parliament. The SGV/USAM hold several events where they discuss various political topics, with invitees including politicians and even members of Government such as Federal Councillor Karin Keller-Sutter, as well as tobacco industry representatives. Amongst their partners in their latest bi-annual trade congress in 2022, where they set the strategic guidelines for economic policies, was Philip Morris.³⁹ In 2008, SGV/USAM has created the Alliance of Economic Circles for a Moderate Prevention Policy (AWMP/AEPM) "in response to the FOPH[Federal Office of Public Health]'s new programmes on tobacco, health and food."⁴⁰ The Alliance includes among its regular members JTI and the Swiss Tobacco Trade Community, while its supporting members include Swiss Cigarette and IG Freiheit, a free-market think tank chaired by the president of the Swiss Tobacco Trade Community and whose members are all, except one, current or former members of the Swiss parliament.⁴¹

Economiesuisse:

Economiesuisse, the Federation of Swiss Business, is committed to "maintaining Switzerland as a strong business location [...] based on liberal free market principles."⁴² Their work predominantly lies in influencing politics, applying different approaches throughout the political cycle in Switzerland, including public affairs, outreach and lobbying.⁴³ It is in the organisation of Economiesuisse that the complex partnerships between the government and the tobacco industry become most apparent.⁴⁴

⁴⁵ Key individuals sit on the Economiesuisse board:

- Brenda Ponsignon, Head of Corporate and Public Affairs BAT, representative of Swiss Cigarette, as well as board member of SOTA (see #7).
- Magdalena Martullo-Blocher, National Councillor
- Francois Thoenen, Director Corporate Affairs, Member of the Managing Board PMI, Delegate PMI Management SA

Sitting on the Managing Director's Committee of Economiesuisse one finds:

- Martin Kuonen, Director of Swiss Cigarette, who also has a lobbying access badge to the Swiss parliament (see #1)
- Dr. Regine Sauter, National Councillor

Martin Kuonen is also employed as director of the Swiss German branch of the political lobbying group Centre Patronal Suisse. In their annual 2022 report, Centre Patronal includes Swiss Cigarette on the list of associations they serve. Moreover, Centre Patronal go on to state that they are represented in numerous bodies, including the Federal conciliation body for the settlement of collective labour disputes ("Office fédéral de conciliation en matière de conflits collectifs du travail"), as well as numerous cantonal commissions in the canton of Vaud.⁴⁶

Economiesuisse is thus a key example of both high-level government officials and tobacco representatives sitting together in the same decision-making bodies.

SwissTabac:

The government has also been found to sit with and advise, or receive advice from SwissTabac, which is the umbrella organisation for the country's tobacco growers. The organisation is responsible for organising the production of tobacco in Switzerland, as well as for the professional protection of its members. The president of SwissTabac's board of directors is Francis Egger, who is also the vice director of the Swiss Farmers' Union, as well as listed as a member of the Agricultural Research Council, an advisory agency of the Federal Office for Agriculture, which in turn is subordinate to the Federal Department of Economic Affairs, Education and Research.^{47 48} Francis Egger also has a parliamentary access badge given to him by FDP/PLR National Councillor Jacques Bourgeois from the Canton Fribourg.⁴⁹

In a project of the Federal Office for Agriculture ("*Bekämpfungsstrategien gegen das Erdmandelgras*"), SwissTabac is also listed as a project partner, along with Agroscope, the Swiss Federal Centre of Excellence for Agriculture Research, which is also affiliated with the Federal Office for Agriculture, and AGRIDEA.⁵⁰ AGRIDEA in turn is the agricultural advisory centre for cantonal agricultural agencies in Switzerland and Agroscope, as well as SwissTabac are counted among their close-working partners.⁵¹ "Support for tobacco production" is itemized as one of the main fields of action in AGRIDEA's 2022 Activity Programme.⁵² **This complex web of interconnected links between governmental bodies, tobacco industry representatives, and advisory groups further highlights the widespread and continuous relations with the tobacco industry in Switzerland.** It is clear, in this instance, that multiple governmental bodies, such as Agroscope and the Federal Office for Agriculture, are either advising the tobacco industry or closely collaborating with them. One notable result is that SwissTabac's influence on tobacco control policy is reinforced by this close partnership with government bodies (as seen in #2).

SwissTabac has also entered into an agreement with SOTA (see #7) "for good agricultural practices" and for their 2021 annual assembly invited the president of Unitab, the European association of tobacco growers, who gave a presentation on the future prospects for the European tobacco industry.⁵³ Unitab is financially supported by the tobacco industry and has lobbied both against the WHO FCTC, as well as against the EU Tobacco Products Directive.⁵⁴

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<p>digitalswitzerland: digitalswitzerland is a Swiss-wide, cross-industry initiative with more than 240 association members. Amongst their many members one finds PMI, Coop, Fenaco along with a couple members of the National Council and representatives of Swiss universities (see #10) in their executive committee and steering committee.⁵⁵</p>						
<p>4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG)^{iv} (Rec 4.9 & 8.3) For non-COP year, follow the previous score of COP year. For non-Parties, apply a score of '0'</p>	0					
<p>Switzerland signed the WHO FCTC on 25 June, 2004 but is one of a few countries (7 out of the 180 signatories) that have not yet ratified it.⁵⁶ The government say it still wishes to have it ratified, once the law will be compatible, that is to say after the implementation of the popular initiative “Children and adolescents free from tobacco advertising”, which was accepted in a national vote in 2022. It is currently unclear when the popular initiative will be implemented into the law and whether the law will be FCTC-compliant.</p>						
<p>INDICATOR 2: Industry CSR activities</p>						
<p>5. A. Government agencies or their officials endorse, support, form partnerships with or participates in activities of the tobacco industry described as “socially responsible” or “sustainable”. For example, environmental programs. (Rec 6.2) B. The government (its agencies and officials) receives CSR contributions^v (monetary or otherwise, including CSR contributions) from the tobacco industry or those working to further its interests during the pandemic. (Rec 6.4) <i>NOTE: exclude enforcement activities as this is covered in another question</i></p>						5
<p>A. Federal Government The Swiss Federal government has no policies in place which prevent federal departments from forming partnerships with the tobacco industry, or accepting sponsorship offers. Following the Dubai World Expo 2020 scandal, the Federal Department of Foreign Affairs (FDFA) introduced their own rule, to specifically prevent the FDFA from participating in, or forming sponsorship deals with the tobacco industry.⁵⁷⁻⁵⁹ However, this internal rule is neither legally binding nor applicable outside of the department. The lack of a clear policy prohibiting any sort of partnership with the tobacco industry allows the tobacco industry to co-opt governmental agencies in tactics that further their interests. As stated in the guidelines of the WHO FCTC, anything less than a</p>						

^{iv} Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

^v political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

comprehensive ban on sponsorships, partnerships or tobacco advertising allows for subtle loopholes to which the tobacco industry may allocate more resources.⁵⁶ In the Swiss system of government, rather than talking about loopholes, one could say that it is an open field for tobacco industry interference, with few restraints.

Voluntary agreement

In 1992, one year before the vote on the “twin initiatives” aimed at banning tobacco and alcohol advertising, the tobacco companies (mainly BAT, PMI and RJ Reynolds Tobacco – now JTI) entered into a voluntary, non-binding, self-regulatory agreement with the Commission for Fairness (itself a voluntary, non-binding, self-regulatory organisation set up by the advertising industry and chaired by a member of parliament).⁶⁰ The agreement was updated in 2005 and 2018. Its declared goal is to ensure that tobacco products “be marketed responsibly and appropriate measures be taken to ensure that the promotion and dissemination of these products are directed to adult smokers, not minors, and meet the information needs of adults to exercise their free choice”.⁶¹ Besides the non-binding and rarely (if ever) enforced nature of the agreement, the implementation mechanism creates an exception for complaints that invoke the agreement: unlike the other complaints handled by the Commission for Fairness, they are not published on the Commission website, but are referred to Swiss Cigarette, the trade association of BAT, JTI and PMI. If the Commission for Fairness decide that a complaint is well-founded, it is transmitted to Swiss Cigarette, where the matter is retried in a closed session among tobacco companies, and the decision remains confidential. The worst that can happen is that the offending company (BAT, JTI or PMI) be condemned to pay a fine to Swiss Cigarette, i.e. companies paying a fine to themselves! This self-regulation mechanism has been described as “a fraud” by the president of OxyRomandie, when he summarized what happened to 15 complaints the association had filed before the Commission for Fairness.⁶² This is a typical example of self-regulation tactics, whereby the industry’s adoption of voluntary marketing protocols and youth education programmes avert any effective regulations.⁶³ Such voluntary marketing codes are known to be ineffective and the agreement between Swiss Cigarette and the Commission for Fairness is no exception.⁶⁴ The government of Vaud can be cited saying “The current situation, as well as the experience of other countries, shows that these measures are not very effective.”⁶⁵ It allows tobacco companies to escape the complaints and decisions from the Commission when they relate to tobacco (while others are published, although anonymously).⁶⁶ **The voluntary marketing agreement allows the tobacco multinationals to present themselves as socially responsible and so benefit from a high degree of support from the Swiss government and parliament.** In spite of its well-known limitations, the voluntary marketing agreement between Swiss Cigarette and the Commission for Fairness is recognized by policy makers as a legitimate and effective measure. State Councillor Olivier François declared on television: “Tobacco suppliers, the companies that work with us, have signed an agreement, the Loyalty Commission agreement, and they apply it. It's not just PM, it's also BAT and the third company that do it. So these are responsible companies, working with responsible people in our country, and they are implementing their promises, and that's important.”⁶⁷

Social responsibility partnerships

The Association for a Clean Environment and a Better Quality of Life (Interessengemeinschaft für eine saubere Umwelt und für mehr Lebensqualität IGSU), founded in 2007, states amongst its missions “campaigning against littering and for a clean Switzerland.”⁶⁸ Its activities include awareness-raising in public areas, and schools, and organising the national Clean-Up-Day. Amongst its

institutional partners is the Federal Office for the Environment (FOEN). Other prominent partners advertised on their website (and often in media) include Swiss Cigarette, JTI, and COOP, one of Switzerland's largest retail companies, itself owning and selling several domestic tobacco brands.⁶⁹ IGSU does not publish transparent yearly reports describing the sources of its financing, though we have indications that its main financing source has been JTI since 2007. In essence, the IGSU represents the interests of consumer-related businesses and serves as a corporate social responsibility project for the participating companies.

For the Clean-Up-Day in the Summer of 2022, the IGSU carried out several awareness campaigns with posters in public spaces. Passers-by in various cities were able to sign the statement "Litter belongs in the bin. We stick to it." and thus declare their support for a clean environment and against littering. In Zurich, Bern, Basel, Lucerne, Geneva, and Lugano, several hundred people took part in the campaigns. The posters were marked with the JTI logo (see picture below).⁶⁸ The lack of transparency on the internal finances of the IGSU make it difficult to understand in which direction financial flows were taking place, as well impossible to know of any meetings that may have taken place between partners and institutional departments, such as the FOEN. Nevertheless, the IGSU states that the national Clean-Up-Day was predominantly supported by the FOEN, thus demonstrating that the FOEN must have been aware of JTI's involvement. As a result, **not only does the FOEN legitimise JTI as a player in environmental programmes in Switzerland by allowing JTI to advertise themselves within the national Clean-Up-Day action, but they even become complicit in JTI's CSR activities.**

Unfortunately, FOEN's collaboration with the tobacco industry doesn't end there. In meeting notes shared with the Swiss Association for Tobacco Control (AT Switzerland) in March 2023, the FOEN is shown to be engaging with numerous tobacco industry representatives. Dated 11 November 2022 and titled "results of the roundtable on littering of tobacco products", the meeting notes show a long participant list with Jan-Philip Seger, Engagement Manager at BAT, Andrea Hausmann, Corporate Affairs & Communications Manager at JTI, Caroline de Buman, Senior Manager Corporate Affairs at PMI, Martin Kuonen, managing director at Swiss Cigarette, Christophe Berdat, Manager fiscal affairs and sustainability at PMI, and Thomas Bähler, managing director of Swiss Tobacco.⁷⁰ Tobacco retailer company Denner, representatives from the IGSU, and the Canton of Basel-City also participated in the roundtable. Representatives from the FOEN, including a division chief, were listed as the moderators and organisers. The presence of an IGSU representative further supports the notion that for the organisation of the national clean-up-day, the FOEN were aware of the tobacco industry's involvement.

The programme of the meeting notes goes on to mention that previous meetings had already been held, and future meetings already planned throughout the year. An item on the agenda of the meeting in question was dedicated to discussing "next steps / Roadmap", where the roundtable participants develop a plan for a large media campaign on cigarette littering. Further details from the meeting notes reveal that the IGSU was to submit an offer to the FOEN by end of 2022. These documents thus indicate that the FOEN has formed a direct partnership with nearly all tobacco company players in Switzerland, with the aim to launch a nationwide awareness campaign addressing cigarette littering. Among their possible awareness raising messages, they list "Dispose of cigarette butts correctly, because nature is not an ashtray". This slogan is lifted from the greenwashing campaign launched by Swiss Cigarette in 2021 called "Lara Green" and suggests the FOEN will be

involved in a revival or expansion of that tobacco industry CSR campaign, in effect further normalising smoking and shifting responsibility to consumers.⁷¹ While the extent of the financial contributions of the tobacco companies remains unclear, this close collaboration between the FOEN and various big tobacco companies highlights the wide open playing field the tobacco industry enjoys in Switzerland, largely due to a lack in tobacco control policies that could provide clear guidelines to help government officials to avoid such industry partnerships.

As is known in the tobacco control field, the tobacco industry has a long history of using diverse tactics to enhance its reputation. CSR activities allow the industry to restore its credibility, educate opinion leaders, partner with influential NGOs and, above all, create opportunities to meet political decision-makers. In this way, the tobacco companies are able to acquire useful allies who have direct channels of communication with other government officials and policy-makers, who can help make the industry appear as an important part of promoting the sustainable development goals or regulatory efforts.¹⁰ These efforts have created a vicious cycle giving the tobacco industry access to policy-making networks through collaborations with government agencies and enabling them to put up multiple barriers to achieving effective tobacco control policies in Switzerland. These barriers in turn guarantee the tobacco industry's unfettered licence to operate.

Clearly, the FOEN plays into the industry's greenwashing tactics. Rather than hold accountable the tobacco industry itself, ultimately responsible for the environmental destruction caused by the inadequate disposal of cigarette butts, the FOEN sides with the industry by placing the responsibility on the shoulders of consumers.^{72 73} Far more effective policies such as cigarette packaging anti-littering messages, extended producer liability schemes and environmental taxes serving to incentivise the tobacco industry, or even a European Strategy for Plastics in a Circular Economy inspired ban on single-use plastics, are wilfully and systematically ignored by the federal authorities.¹²
⁷⁴ **The close collaboration on environmental protection policy making between federal authorities and the tobacco industry must be regarded as a significant factor in the lack of effective environmental protection policy in Switzerland.**

A March 2023 freedom of information request to the FOEN by the Swiss Association for Tobacco Control (AT Switzerland) has provided evidence that the FOEN cooperation with the tobacco industry is not recent. Between 2008 and 2017, 8 round tables on the topic of littering were organised with the participation of the tobacco industry.



Two young passers-by engaging with an IGSU awareness-raising poster on national clean-up-day, with JTI's logo (see red encircled).

The Basel Institute on Governance (BIG) presents itself as “an independent not-for-profit competence centre working around the world to strengthen governance and counter corruption”.⁷⁵ One of BIG’s projects (“Collective Action”) is a “collaborative approach to address corruption challenges and raise standards of integrity and fair competition in business”. Through its “Green Corruption” project, BIG is engaged in “a multi-disciplinary initiative that targets environmental degradation using anti-corruption and governance tools”.⁷⁶

On its website, BIG states that they “actively participate in the Swiss Government’s interdepartmental working group on corruption which, among other things, looks at anti-corruption strategy in Switzerland.”⁷⁵ Furthermore, BIG indicates that it is “an Associated Institute of the University of Basel”, adding “Through this special arrangement we enjoy close collaboration with the University’s faculties and research groups.”⁷⁵ Reading its Code of Ethics, in which BIG says it is “committed to the highest standards of ethical conduct in all its dealings and activities”, one could presume that the institute has kept the tobacco industry at arm’s length (in the same way the UN Global Compact has).⁷⁶ Unfortunately, this is far from the case. First, BIG has among its board members Domenico Scala, the chairman of the board of tobacco company Oettinger Davidoff AG (cigar manufacturer and owner of the Davidoff cigarette trademark sold worldwide – and specially in Africa - by Imperial Brands).^{77 78} Since 2017, the year the UN Global Compact delisted tobacco companies, BIG has accepted substantial funding from Philip Morris as recipient of the second funding round of the PMI IMPACT programme.^{79 80} In its most recent 2021 annual report, BIG refers to a “major two-year PMI Impact-funded project that helped kick-start our Green Corruption programme in 2019”.⁸¹ Training courses currently available on BIG’s website are funded by Philip

Morris. They deal with wildlife crime^{65g,65h} and forest crime and illegal timber trade,⁶⁵ⁱ which is ironic for a company whose trade is responsible for a substantial percentage of worldwide deforestation.^{82–85}

B. Local Government

The Grand Théâtre de Genève is the largest cultural institution of French-speaking Switzerland. It is a statutory public institution funded mainly by the City of Geneva and the Canton of Geneva. It accepts private donations and counts JTI amongst its “greatest patrons”.⁸⁶

The Museum of Modern and Contemporary art of Geneva, MAMCO, is a public foundation also funded by the City of Geneva and the Canton of Geneva as well as by private donors and its Friends' Association (“Amis de la MAMCO”). JTI here is named as one of its “main sponsors”, at the same level as the Canton of Geneva and the City of Geneva. The former CEO of JTI, Pierre de Labouchere, also sat on the foundation’s Council till his death in March of 2023.^{87 88}

On 4 November 2021, JTI published a press release in which they revealed that for the 50th anniversary of their production site in the village of Dagmersellen, Lucerne, they had donated a bee garden to the municipality of just under 6'000 inhabitants (see also #7). The headquarters for JTI Switzerland and a cigarette manufacturing facility are located in this village. The press release highlights the “strong ties between JTI and the region” and lauds the partnership between JTI and Dagmersellen as a “success story.”⁸⁹ In the past, the municipality of Dagmersellen has received other significant contributions, including a Kneipp hydrotherapy facility, a wing to the community centre, the Arche-Saal, an organ for a chapel, and the renovation of their sports hall, including a new fitness room, with the equipment being co-financed by JTI.⁹⁰

Through its Foundation, located in the canton of Jura, BAT financially supports local charities, such as Caritas Jura, Caritas Vaud, and the Foundation “Les Castors” for persons with disabilities, all of which also have close partnerships with public authorities and public social institutions.⁹¹

Philip Morris is also listed as a corporate partner of the fine arts museum in Lausanne (Musée Cantonal des Beaux-Arts), reportedly donated CHF 390,000 (around USD 400,000) towards its construction and CHF 50,000 (more than USD 50,000) for running costs.^{92–94}

These kinds of donations are used by tobacco companies as reputation management tools with which they try to subtly re-normalise themselves and their products. When tobacco companies receive recognition from such organisations or cultural institutions, the public tends to associate (often subconsciously) their products with creativity, sophistication, and cultural or social advancement, distracting attention away from their devastating health, social, and environmental effects.⁹⁴ It is also a way for them to get fully integrated into the local social fabric and create a network of contacts with local decision-makers and politicians who often hold key positions on the boards of cultural institutions.

For World Clean-up Day, PMI collaborated with the city of Lausanne. On their website they state that “Supported by staff from the municipal cleaning service of the city of Lausanne, [PMI] employees made pedestrians in the Lausanne city centre aware of the problem of discarded waste left on public streets - also known as littering. The volunteers collected the discarded litter and reminded the

public of the important role that each individual can play [...].”⁹⁵ Here again, an emphasis is put on individual responsibility.

In July 2020, PMI launched its “Our World Is Not an Ashtray” global initiative, with a dedicated website (worldnoashtray.com).^{96 97} In the accompanying press release, Jens Rupp, PMI’s Head of Environmental Sustainability, explained: “too many cigarette butts are littered, ending up in the natural environment. By working with experts to better understand how to nudge smokers to more responsible disposal habits, launching general population education programs, and *cooperating with governments and local authorities* to ensure there is an adequate waste disposal infrastructure, we can reduce the plastic litter associated with our products.”⁹⁷ In their press release, PMI state that they are working with three companies, Carto, Cortexia (a Swiss company) and Litterati “to implement a data-driven approach and assess the prevalence of cigarette butt litter across the globe; identify litter hotspots; and, monitor the impact of anti-littering activities.”^{97 98}

On its “Not an Ashtray” website, PMI mentions the Swiss cities of Geneva and Châtel-St-Denis as examples where Cortexia intervened.⁹⁹ For its part, Cortexia includes a video of PMI’s Jens Rupp on its website, together with “testimonies” by officials from the Swiss cities of Basel, Geneva, and Zürich.^{100 101} Notably, Mauro Lorenzi, Head of the City of Geneva Roads Department, refers to Cortexia as the “project leader”. Under heading “They Trust Us”, Cortexia lists other Swiss cities (Carouge, Lausanne, Dietikon) together with cities in France and in the Netherlands.¹⁰¹ In 2021, the Geospatial World Forum, which took place in Amsterdam, rewarded PMI, Carto, Cortexia and Litterati with the “Excellence in Environmental Protection Award” for their “Our World Is Not an Ashtray” campaign.¹⁰² The governmental Swiss Innovation Agency, Innosuisse, has announced that Cortexia was selected in April 2023 to receive funding within the framework of the “Swiss Accelerator”, which is “aimed at individual start-ups and SMEs that are carrying out innovation projects with above-average innovation potential” to help them “commercialise new and innovative products and services quickly and effectively”.¹⁰³ The funding could be up to 2.5 million CHF.¹⁰⁴ Innosuisse has also given SwissTabac and the School of Engineering and Management of the Canton of Vaud (Haute Ecole d'Ingénierie et de Gest du Canton de Vaud) CHF 15,000 in funding for an engineering project on tobacco leaf wrapping.¹⁰⁵

INDICATOR 3: Benefits to the Tobacco Industry

6. The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g. 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1)						5
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Switzerland has not ratified the WHO FCTC, which has greatly benefited the tobacco industry, as minimal and non-encompassing federal tobacco control laws act as a playground for the industry.

A. Freeze on taxation of tobacco products

A major victory for the tobacco industry is a 2013 freeze on taxation levels of tobacco products at a level far below the level recommended by the WHO (60% in Switzerland vs. 75% recommended by WHO).^{106 107} Taxation of tobacco products is determined by a law dating back to 1969. Although taxation is known as the most effective of tobacco prevention measures, this public health principle has never been applied to tobacco taxation in Switzerland. The law gives the government some

leeway for tax increases, provided this does not exceed a specified limit. The limit was attained with the last tax increase in 2013 (increasing the price of the most sold cigarette pack by 0.10 CHF).¹⁰⁸ The government initially considered adding to a revision of the tobacco taxation law a provision that would allow it to raise the taxation limit above 60%. However, faced with opposition from the pro-tobacco lobby expressed during the consultation process, it decided to abandon the provision, resulting in what is in effect a tax freeze. This has greatly benefitted the tobacco industry's efforts to maximize profitability, allowing it to increase the cigarettes prices regularly without affecting demand.¹⁰⁹ Then president of the Economic Affairs and Taxation Committee of the National Council, Dominique de Buman reported on the debate that took place in the committee on tobacco taxation as follows: "Opinions were divided on the relinquishing by the Federal Council of its powers to increase tobacco taxes. In fact, the Federal Council had exhausted these powers conferred by the law in force, to increase the price of a pack of cigarettes within a range fixed by said law. It had to ask parliament to renew its powers in this matter. [...] the Federal Council finally decided not to do so, based on the results of the consultation process. The high price of a pack of cigarettes was becoming a deterrent to consumption, as the statistics show".¹¹⁰ In effect, the publicly stated reason for dropping the tax increase was the risk of diminishing tax receipts. This was obviously just a pretext, as the 60% level leaves a wide margin for taxation increases before reaching the tipping point where both tax revenues and the number of smokers decrease. In reality, the industry feared that even a slight increase in taxation would directly reduce their profits. The freeze is still in force today, with no prospect of a change in the foreseeable future. **One can say that the lobbying efforts of the tobacco industry have been successful at indefinitely postponing future tax increases and at making certain that public health considerations are excluded from the tobacco taxation debate.** It is ironic that what ostensibly guided the decision to freeze taxation of cigarettes was the concern that further tax increases could be so effective a tobacco prevention tool as to significantly deter consumption.

B. Regulatory status quo

The regulatory status quo on tobacco control policies in Switzerland, will likely persist for several years, to the sole benefit of the tobacco industry. Currently, the tobacco industry knows virtually no constraints to the way it markets its products in Switzerland. The grossly ineffective and illusory voluntary marketing code makes these products particularly attractive to young people (see #5). This regulatory vacuum is further exploited by the tobacco and/or e-cigarette industry to flood Switzerland with new products, whether heated tobacco products, a large range of e-cigarettes, including new disposable e-cigarettes, as well as nicotine pouches with high concentrations of nicotine, and snus.¹¹¹ Regarding the latter, their sale was banned in 1995 on public health grounds, just as it was in the EU, where the ban remains in place (with the exception of Sweden). At that time, the aim was to prevent a new and in Switzerland still unknown tobacco product from coming onto the market and addicting new consumers. However, in November 2019, the Federal Tribunal, Switzerland's supreme court, ruled against the ban, making it possible to sell snus in Switzerland without constraints. In its ruling, the Federal Supreme Court took the view that article 5 of the Tobacco Products Ordinance, which prohibits the sale of snus, lacks a statutory basis.¹¹² Switzerland thus took a step back in terms of implementing tobacco control legislations. Snus currently remains available on the Swiss market and there are no discussions taking place to reintroduce a snus ban. Moreover, the new Tobacco Products Act does not regulate where tobacco companies can advertise, which helps to maintain the status quo. The public are aware of this too, otherwise they would not have voted in favour for the popular initiative "Children and adolescents without

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tobacco.” How and when the popular initiative will be introduced into the law is not yet clear and is likely to take a few years.						
7. The government gives privileges, incentives, tax exemptions or benefits to the tobacco industry (Rec 7.3)						5
<p>A. Swiss Tobacco Farmers receive Financial Support</p> <p>In 2021, 134 Swiss farmers grew tobacco on some 400 hectares.¹¹³ Since growing tobacco, a labour intensive tropical plant unsuited to Swiss climate, is not economically viable in Switzerland, the Swiss government has introduced a subsidy system linked to the Swiss tobacco Tax. This subsidy is financed by levy of 0.3% on each tobacco product sold in Switzerland, amounting to a total yearly levy of around 13 million CHF. This levy represents on average 2.6 centimes CHF per pack of 20 cigarettes, and 1.7 CHF per kilogram of fine- cut tobacco.^{114–116}</p> <p>Every year, Swiss farmers receive approximately 40,000 CHF (about €40,100) per hectare of planted tobacco from the “Finanzierungsfonds Inlandtabak”, or Swiss Tobacco Finance Fund. (An earmarked tobacco levy exactly equal to the levy which supports the Swiss Tobacco Finance Fund, goes into the Tobacco Prevention Fund, created to fund tobacco prevention projects.) At the centre of this system of subsidies stands the Cooperative Society for the Purchase of Indigenous Tobacco, “Einkaufsgenossenschaft für Inlandtabak”, (SOTA), which is under the supervision of the Federal Office for Customs and Border Security (FOCBS).^{117 118} Every year, SOTA buys the entire Swiss tobacco harvest directly from the farmers and sells it to the three big cigarette manufacturers in the country, PMI, BAT and JTI. The purchase and wholesale prices are determined by a federal ordinance.¹¹⁹ Tobacco leaves are grouped in three classes of quality and are purchased from the farmers at 17.40 CHF/kg, 12.70 CHF/kg and 5.50 CHF/kg based on their classification. Using the same classification, the tobacco leaves are then sold to manufacturers at 4.50 CHF/kg, 3.70CHF/kg, and 1.00 CHF/kg, i.e. between 3 to 5 times less than the purchase price. In other words, Swiss tobacco farmers receive at least three times as much for their goods as is paid on the world market for tobacco of the “best” quality. Tobacco growing in Switzerland is therefore only possible through a sophisticated subsidy support system established by the Swiss government.^{119–121}</p> <p>The slow decline of tobacco farmers in Switzerland to 134 in 2021, down from 357 in 2001, despite significant financial subsidies, proves tobacco cultivation in Switzerland is simply not viable in the long run.¹¹³ Even the former secretary general and current technical director of the SOTA, Gernot-Viktor Alber, has stated that “Without this structure, Swiss tobacco cultivation would already no longer exist today.”^{118 122} Nevertheless, supporters of the subsidy system state that tobacco cultivation is “an ancient Swiss tradition” worthy of public support. The government thus continues to allow the provision of 40,000 CHF per hectare of tobacco to rescue 134 tobacco farmers, while it could make better use of this money to protect its population from the harms of smoking.</p> <p>In other words, the government, through the SOTA, directly supports with tax money an industry whose products are amongst the most important causes of non-communicable diseases, reduced quality of life and premature mortality. In a sense, the government also supports these tobacco products themselves.^{118 123–125}</p> <p>B. Lack of e-cigarette policies</p>						

Until 2024, Switzerland lacks effective federal e-cigarette policies. E-cigarettes, are governed by the Federal Foodstuffs Act (FSA) in combination with the “Cassis de Dijon” principle, according to which a product can be legally sold in Switzerland if it meets the technical requirements of an EU or EEA member state and is legally marketed in an EU or EEA member state. In accordance with EU Directive of 2014/40/EU article 20, the relevant technical requirements for closed e-cigarette systems (disposable or pods) is the maximum quantity of 20mg/ml of nicotine and the maximum volume of 2ml. The directive also require a specific health warning, instructions on use, information on adverse effects, and the publication of a list of all ingredients contained in the product, in descending order of weight.¹²⁶ However, many products do not meet these requirements and the directive does not forbid specific chemical components in e-liquids, and practically anything can be put on the market without any pre-market controls, authorisations, or need for registry. Post-market chemical controls on chemicals components are virtually non-existent.

Switzerland imposes no legal requirements for e-cigarettes at the federal level to protect public health. Specifically, neither the age of consumers to whom e-cigarettes may be sold is federally regulated, nor are there any federal advertising restrictions. E-cigarettes are also not covered by provisions in the Federal law on the protection against passive smoking. Federal consultations have been held on possible expansion of tobacco taxation to e-cigarettes, yet the government has largely followed the input of the tobacco and e-cigarette industry in the development of this policy (see #1), essentially giving the industry privileges it should not have. Moreover, the Law on tobacco taxation enacting this policy is expected to only come into force in 2024 and is expected to be at best very weak, allowing the e-cigarette industry to continue to benefit from an unregulated market where their products may be sold and advertised freely. To protect their youth, some cantons have introduced their own more restrictive rules on e-cigarettes.^{116 127–129}

C. Partnership between JTI and Dagmersellen, Lucerne

As part of the 50th anniversary for their production site in Dagmersellen, Lucerne, JTI published a magazine in 2021 in which one chapter was dedicated to a “Dialogue with Mayor Markus Riedweg”.^{90 130} One of the interview questions referred to current interactions with JTI, to which Markus Riedweg replied that “...We always work together when it comes to the framework conditions that we can influence within the scope of municipal autonomy.”⁹⁰ Throughout the interview, Riedweg celebrates the successful partnership between the municipality of Dagmersellen and JTI. In his answers, Riedweg indicates that the municipality frequently collaborates with JTI, and that the company received privileges and benefits when the municipality was able to do so. In answer to a question on how the municipality of Dagmersellen can contribute to JTI’s continued success for the next 50 years, Markus Riedweg states: “Within our competencies, we will continue to try to offer JTI the best possible framework conditions. If JTI wants to change the space or structure, we will work to make sure that this is made possible.” Riedweg goes on saying that the reason cigarettes are still produced in Switzerland “has to do with the good framework conditions at the national level [including] the option of also producing stronger tobacco products as well as a liberal labour market.”⁹⁰

This close partnership that Riedweg describes in his interview highlights the partnerships that the tobacco industry maintains with various levels of government in Switzerland. Moreover, due to the importance of the tax it receives from JTI, the municipality of

Dagmersellen, appears to be in a situation of dependence. These close relationships between governments and tobacco companies allow the industry to benefit from such “good” framework conditions.

D. Tobacco giants in the list of investments of the state pension fund

The Federal Social Insurance Office (FSIO) is responsible for the old-age and survivors’ insurance (OASI) (“Alters- und Hinterlassenenversicherung”, AHV/AVS).¹³¹ The OASI is the compulsory social pension insurance in Switzerland, forming the first pillar of the Swiss three-pillar system covering basic needs in old age. Funds for the OASI come mainly from contributions of insured persons and employers, from federal government contributions, and from consumers through a share of the VAT. The assets of the OASI are managed by the federal institution Compenswiss. Funds not needed to pay out benefits are kept as a reserve and may be invested in shares, bonds, real estate and gold to ensure a return on reserve money over time.¹³²

On 17 January, and 1 February 2023, French-speaking newspapers Tribune de Genève and 24 heures published articles revealing that all three transnational tobacco companies, BAT, JTI, and PMI are present in the list of Compenswiss investments.^{133 134} As quoted in the 24 heures article, Claudia Künzli of the Swiss Lung Association, “Tobacco kills millions of people every year and the industry still employs children in its factories in developing countries. Our pension funds should ban these investments. It’s a question of values.”¹³⁴ Tobacco use claims an estimated 9500 lives in Switzerland every year, accounting for 14% of all deaths.¹³⁵ **Using taxpayer and pension contributions to invest in the tobacco industry for the benefit of Swiss retirement pensions, is paradoxical.** Publica, the federal public employee’s pension fund, which managed more than CHF 44 billion in assets at the end of 2021, also invests in shares in tobacco companies.^{134 136} Member of the National Council Ursula Schneider Schüttel submitted a parliamentary motion in March 2022 and called for Publica’s investments in tobacco to be stopped. However, the Federal Council did not listen to her request: According to them, it is not within the competence of the Federal Council to make investment decisions for the Federal Publica Pension Fund.^{137 138}

Claudia Künzli from the Swiss Lung Association turned to Compenswiss (early 2023) and Publica (October 2022) and asked them to stop investing in tobacco. Their response: Financial investors are not the right people to solve social problems.¹³⁸ According to Compenswiss and Publica, tobacco is a legal product and investing in this industry does not violate their normative values. This even though the tobacco industry violates human rights (child labour, working conditions, poor pay etc) in various countries and is fundamentally unsustainable. It is this deep-rooted support for the tobacco industry in Switzerland that stands in the way of an adequate tobacco control policy. Actors such as Compenswiss and Publica are playing a role in the normalisation of tobacco among the general public. People are turning away from the real damage caused by the industry, and the tobacco companies themselves are seen as legitimate voices to be heard when it comes to health, trade and other policies. These two phenomena harm public health.¹³⁹ One example that contrasts sharply with Switzerland: Norway’s state pension fund has excluded investments in the tobacco industry since 2010, for ethical reasons.¹⁴⁰

INDICATOR 4: Forms of Unnecessary Interaction

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8. Top level government officials (such as President/ Prime Minister or Minister ^{vi}) meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organised by the tobacco companies or those furthering its interests. (Rec 2.1)						5

Numerous government officials meet or foster relations with tobacco companies. The presence of high-level government officials at board meetings of Fenaco, or at the bi-annual SGV/USAM trade conference 2022, where Federal Councilor Karin Keller-Sutter attended, and PMI was the conference partner are prime examples (see #3).

Economiesuisse states that “We conduct an open, constructive, and solution-oriented dialog with our members, with the federal administration, the members of the federal parliament, with the governments of the confederation and the cantons, and with the public. We engage in regular exchanges of views with all parties and economically relevant groups and with society at large.”⁴² In light of our comments to #3, it becomes apparent that **Economiesuisse is a vehicle for fostering relations between government officials and the tobacco industry**. An example of this is seen in the public consultations taking place for the revision of the Tobacco Tax Act in 2021, where Economiesuisse not only fully endorsed the statements of both Swiss Cigarette and PMI but also coordinated their own statements with them (see #2).

As part of the chapter “Dialogue with Mayor Markus Riedweg” in JTI’s 50th anniversary magazine, JTI state that “Markus Riedweg is the youngest in a long line of mayors who have maintained positive relations with JTI.”⁹⁰ The interview described across several pages Markus Riedweg’s experiences growing up in Dagmersellen, working when he was younger at the JTI production factory just as his uncle did, “from the very beginning”.⁹⁰ JTI went on to ask Riedweg “You’re also busy with JTI at a political level. What has been your experience in this regard?” to which Riedweg responded: “It’s all good. We know each other and are in regular contact. Even when there are changes in management positions, we always try to get to know each other again as quickly as possible. Meetings have recently been held with the new general manager and the new factory director. We’ve enjoyed a good exchange. If there is an issue, be it from JTI or the municipality, people will call or send each other an email and usually meet up. Last year, there were also joint video conferences. It’s important to know each other.”

In June 2021, PMI received a carbon neutrality “certification” for their facility in Neuchâtel. This facility, called the “Cube” because of its peculiar architecture, hosts a large research centre employing some 980 researchers as well as production units mostly for Heated Tobacco Products. The “certification” method applied by the private certifying company “myclimate” lacks transparency and is thought to be used for greenwashing.¹⁴¹ The criteria and procedure of this certification are not available, and we don’t know how much PMI paid for this. The “certification” was delivered during a public ceremony hosted in the “Cube” in the presence of some of the highest elected officials and representatives of the canton of Neuchâtel. Canton level executive members are considered ministers in the Swiss Federal System. State councillors Alain Ribaux and Laurent Favre, both members of the cantonal executive, Neuchatel municipal councillors Violaine Blétry-de Montmollin and Mauro Moruzzi, members of the municipal executive, as well as three of Neuchâtel’s

^{vi} Includes immediate members of the families of the high-level officials

six representatives in the Federal Assembly, Green Party member Céline Vara and Philippe Bauer and Damien Cottier from the Radical Liberal Party (FDP/PLR), were present.¹⁴²

It was particularly troubling to see the participation of ministers and parliamentarians, as well as Green Party members, in a greenwashing activity for one of the world’s largest tobacco multinationals, a company with a huge carbon footprint and which sells a product that ends up being the most littered item on Earth.¹⁴³ Such supporting acts by government officials helps to legitimise the industry’s CSR and sustainability marketing methods, while spreading misinformation on one of the most polluting industries on Earth. Green Party member Céline Vara declared on that occasion “Those kinds of activities are necessary, and other companies in the Canton of Neuchatel should take inspiration by them”.¹⁴²

9. The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors. (including monetary contribution for these activities) (Rec 4.3)		1					
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No such agreements are known. This question is not relevant for Switzerland, and when being compared with other countries, this question should be disregarded from the total, as with question 4.

10. The government accepts, supports, endorses, or enters into partnerships or non-binding agreements with the tobacco industry or any entity working to further its interests. (Rec 3.1) <i>NOTE: This must <u>not</u> involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions.</i>						5	
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The government has on several occasions supported or endorsed tobacco industry interests.

A. Federal Level

At a media conference on 9 December 2021, Federal Councillor Alain Berset announced the official position of the Swiss Government, which rejected the popular initiative “Children and adolescents free from tobacco advertising”. Alain Berset is known to be a strong supporter of more stringent tobacco control laws, but the Federal Council works on the principle of collegiality and Federal Councillors are expected to publicly support the decisions and positions taken by the Government’s majority regardless of their personal opinions on the matter.

National Councillors Damien Cottier and Mike Egger, echoing the sentiment of the Government’s majority, stated that the tobacco advertisements themselves are an important component of the Swiss economy. Mike Egger added that “adults are responsible for their own health and should also decide for themselves which legal stimulants they consume.”¹⁴⁴

B. Partnerships between government, universities, research institutes and the industry

Public institutions, such as universities, have also established partnerships with tobacco companies. On 23 February 2023, the Swiss Federal Institute of Technology in Zürich (ETH Zürich) announced the publication of a new study on their “News & Events” web page, under the headline “Where do

toxins from tobacco attack DNA?”. The announcement noted that the study was funded by both the tobacco company PMI and the Swiss National Science Foundation (SNSF).¹⁴⁵ The study investigated how certain chemical substances can modify DNA, with a focus on benzopyrene, which, as the abstract says, is “a ubiquitous environmental carcinogen” found in high concentrations in tobacco smoke.¹⁴⁶ Benzopyrene is a polycyclic aromatic hydrocarbon and the result of incomplete combustion of organic matter at temperatures between 300 °C (572 °F) and 600 °C (1,112 °F). The fact that it is a major cause of lung cancer is well established in scientific literature.¹⁴⁷ When read carefully, both the study and the news article on the ETH News & Events web page stress that benzopyrene is mainly observed in tobacco smoking, or is “produced when tobacco is burned.”¹⁴⁶

As is generally the case in the public health domain, tobacco control experts are confronted with the implications of language and choice of words. Recently, the tobacco marketplace has become increasingly diversified, with tobacco industry marketing claiming their “new products” are “smoke-free” and less harmful than cigarettes. Tobacco multinationals such as PMI and JTI, use terms like “reduced-risk products”, “emerging and novel”, and “smoke-free” in their communications, thereby implying substantive improvements over older products (cigarettes) associated with disease and death.¹⁴⁸

Two fundamental problems with the ETH study are evident. Firstly, of the article’s authors, three are employees of PMI (Julia Hoeng, Nicolas Sierro, Nikolai V. Ivanov). All three are also among the six that “designed and supervised the study.” Of particular concern is the unknown extent to which they may have controlled the narrative of the study to support the aims of their employer. Evidence is a social construct and the role of framing, problem definition, and choice of language influence risk communication. **The tobacco industry has a long history and a clear strategy of funding research that favours their commercial interest.**¹⁴⁹ The second problem is PMI’s financing of the study and the size and proportion of PMI’s funding in relation to the funding provided by the SNSF (Grant numbers 185020, 186332). The news article on the ETH web page stated that “The company also helped finance the research. Additional funding for this study came from the Swiss National Science Foundation.”¹⁴⁵ By clearly highlighting PMI’s involvement, the ETH page provides an advertising platform for PMI and allows PMI to exploit for its own communication purposes their collaboration with a prestigious Swiss university. The SNSF is a private foundation with a federal mandate to promote and fund research. A key partner of the SNSF is the Swiss Agency for Development and Cooperation (SDC), a branch of the FDFA. The ETH Zurich is a public corporation directly funded and under the control of the Swiss Confederation, therefore it must also be considered as a federal body.¹⁵⁰

In March 2023, AT Switzerland filed an official complaint to the president of the SNSF, raising ethical concerns about co-funding research with the tobacco industry, requesting further information such as the number of research projects funded in collaboration with the tobacco industry, and asking what ethical policies guide such collaborations. A month later, the SNSF president responded in a letter stating that the principal investigator of the mentioned studies had not given any indications of a planned collaboration with or co-funding from PMI nor had they informed the SNSF of any involvement of PMI employees in the project. The SNSF has strict regulations safeguarding the values of research freedom and research independence. Due to the strong suspicion of a breach of these regulations, the SNSF is investigating this case. Finally, the SNSF president intends to introduce further ethical guidelines and strengthen the SNSF’s response to ethical issues.¹⁵¹ As clearly stated

in the 2004 report of the University of Geneva following the infamous Ragnar Rylander affair, “The tobacco industry cannot be considered a credible partner in independent scientific research.”^{152 153}

Swiss Institute of Bioinformatics (SIB):

The SIB is a federation of bioinformatics research and service groups from the major Swiss schools of higher education and renowned Swiss research institutes.¹⁵⁴ 63% of SIB funding comes from government sources, with 41% of those contributions (CHF 11.4 million) from the State Secretariat for Education, Research and Innovation (SERI).¹⁵⁵ According to their website, “SIB’s Management and support teams are funded by the Swiss government as well as through the provision of internal services.”¹⁵⁶ Among their partners one finds all prestigious Swiss universities, as well as Agroscope (see #3).¹⁵⁴

The Foundation Council of the SIB is the highest authority in the institute, with supervisory powers and responsibilities including changes to SIB statutes, the nomination of Group Leaders, and the approval of the annual budget and financial report. Among the Council members is the president Simone de Montmollin, also Member of the National Council, and founding member Prof. Manuel Peitsch, Chief Scientific Officer Research at PMI.¹⁵⁷

Unfortunately, such collaborations between governmental bodies, academic research institutions and the industry undeservedly confer scientific credibility and visibility to PMI, and also serve to legitimize further interactions with the tobacco industry. **The tobacco industry has a long history of influencing and distorting science, with one of their main tactics to undermine health policies identified as producing and disseminating misleading research and information.** As written by Briggs and Vallone (2022), “The tobacco industry is once again infiltrating scientific spaces and presenting a direct threat to the vital work of unbiased tobacco control scientists. With the popular introduction of e-cigarettes and other new nicotine products, the tobacco industry has remade itself into a self-proclaimed concerned corporate entity—and one that will go to great lengths to prop up their new products while opposing credible scientific findings.”¹⁵⁸

C. Cantonal Level

JTI is a partner in the canton of Lucerne’s Economic Development Network (Wirtschaftsförderung Luzern). It is organised on public-private partnership models and according to its web page, “all Lucerne municipalities as well as network partners from business and industry are financially and ideally committed to a growing business and residential location in Lucerne”.¹⁵⁹ It is worth noting that Lucerne hosts a large cigarette factory belonging to JTI in the municipality of Dagmersellen.

INDICATOR 5: Transparency

<p>11. The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. (Rec 2.2)</p>						<p>5</p>
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There is no law in place that requires the government to proactively disclose meetings or interactions with the tobacco industry. Federal and cantonal transparency laws provide for limited disclosure through freedom of information requests.

Cases that became public include the government not disclosing its meetings between the FOEN and tobacco industry companies PMI, BAT, JTI, Swiss Cigarette, and Swiss Tobacco (see #5), the board member meetings of Fenaco, or the meetings for the bi-annual SGV/USAM trade conference 2022 where high level government officials were present (see #3).

On 19 December 2022, a Swiss parliamentarian forwarded to the Swiss Association of Tobacco Control an invitation e-mail from PMI addressed to all French speaking federal MPs.¹⁶⁰ In the e-mail, titled “Invitation | 8 February 2023 | The Swiss tobacco industry – quo vadis? An exchange with Philip Morris and SwissTabac”, PMI and SwissTabac state “The Swiss tobacco industry is facing a constantly changing economic and regulatory context. The announcement of the closure of the tobacco product production site in the canton of Jura, the evolution of agricultural practices and the increasing restrictions on the marketing of tobacco products are all challenges facing the industry. Philip Morris Switzerland, in collaboration with SwissTabac, invites you to visit the site, listen to the experts and discuss the subject on Wednesday 8 February 2023, from 3.15 pm to 7 pm, at PMIs’ research and development centre, the Cube, in Neuchâtel.” The discussions were to be followed with an aperitif dinner.¹⁶⁰ The programme included a tour of the site, followed by a long list of presentations by:

- Michel Heitzmann, president of the SOTA,
- Fabrice Bersier, president of SwissTabac,
- Francis Egger, vice director of the Swiss Farmers’ Union, and secretary general of SwissTabac,
- Francois Thoenen, director external affairs Philip Morris Switzerland,
- Jean-Christophe Britt, Head Scientific & Regulatory Affairs Philip Morris Suisse.

The topics to be discussed during this meeting were: Swiss tobacco production, the PMI “vision”, the alternatives to the traditional cigarettes, and most telling, it was clearly stated that they wished to discuss the “political dossier”.

The agenda of this meeting was also leaked to journalists who then started to ask questions about it. Once PMI caught wind of this, they cancelled the event. Instead, they held a closed meeting with a smaller group of members of the Federal Assembly, several bilateral meetings with individual members, as well as dinner events during the spring parliamentary session.

These interactions between elected representatives and the tobacco industry were not strictly necessary, no minutes taken during the meetings were publicly disclosed, and the meetings appear to have, or were intended to take place on private properties.

These kinds of hidden lobby activities are particularly noteworthy, because the Federal Assembly is starting to discuss the crucial issue of a revision of the Tobacco Taxation Act, where the industry has a fundamental interest in maintaining the status quo.

Cantonal Freedom of Information Requests:

To ascertain the formal links the Tobacco Industry entertains with local governments in Switzerland, we sent freedom of information requests (FOIR) pertaining to meetings, collaborations, sponsoring or agreements with the tobacco industry since 2021 to local governments. Most cantons have enacted FOI legislation which applies to all levels of local government within the canton. Of the twenty-six cantons, only two have yet to enact FOI legislation. Tax secrecy legislation excludes

Information related to taxes from FOIR. Local governments were chosen according to the presence of tobacco industry actors in their jurisdictions, indicating a higher probability of industry links. JTI is present in the cantons of Geneva and Lucerne as well as the municipalities of Geneva and Dagmersellen LU. PMI is present in the cantons of Neuchâtel and Vaud as well as the municipalities of Lausanne VD and Neuchâtel. BAT is present in the Canton of Jura. FOIR were sent to cantonal chanceries as well as those authorities deemed most likely to be targeted by the tobacco industry, viz authorities whose writs cover economic affairs, health, culture, sports, environment, infrastructure, and development. We sent FOIR only to the general secretariats of municipal governments. Given the statutory exclusion, we excluded questions regarding tax advantages.

In total, thirty-five standardized FOIR were sent out by e-mail requesting any information or documents pertaining to any agreements, contracts, partnerships, or other accords entered or any meetings held with the tobacco industry as well as any sponsorships, or donations received since January 1, 2021. The FOIR included any autonomous entities under the authority's jurisdiction.

Twenty answers were received to date. One was a refusal on the grounds that, in the absence of FOI legislation in the canton of Lucerne, no right to information exists. Two from the same canton were nevertheless fully answered.

In total fourteen authorities answered having no agreements with the tobacco industry and eight had had no meetings. Six declared having had meetings; Five declared having had informal meetings for which no minutes were kept, and one authority stated they had formal meetings on labour issues covered by privacy legislation.

Authorities for the canton of Jura and the municipality of Lausanne characterized the meetings they had as standard practice with any business or industry active within their jurisdiction. The canton of Neuchatel stated that they hold an annual meeting with "a company active in the tobacco industry, for which no meeting notes are recorded." The City of Lausanne kept no minutes of its regular meetings, notably lunches, with the tobacco industry. The municipality of Geneva's answer denied any relations with the tobacco industry but omitted the known fact two municipal council representatives sat on the board of a JTI financed child-care institution. Eight authorities would not answer for autonomous entities under their jurisdiction referring any FOIR be directed to the entities themselves.

These FOIR suggest that the tobacco industry tends to avoid formal agreements or meetings and seems to enjoy informal dealings with local governments in Switzerland. This would be in keeping with similar informal practices of tobacco industry lobbyists described elsewhere in this report. Whether FOI legislation is a factor is unknown.

We were not able to send FOIR follow ups to autonomous entities meaning that a large part of state activity, often delegated to autonomous entities in Switzerland, was not included here. We know of many autonomous cultural and environmental institutions, such as the Grand-Théâtre or the MAMCO in Geneva, which are directly funded by the tobacco industry. The answer from the municipality of Geneva overlooking close relations with the tobacco industry through a shared social institution might also suggest authorities are not able to adequately answer FOI requests and more aggressive follow up may be required.

12. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists. (Rec 5.3)						5
<p>While some general rules on disclosure exists, it is not specific to tobacco and has loopholes that can be exploited.</p> <p>Article 11 of the Federal Act on the Federal Assembly states: “On assuming office and at the start of every year, each assembly member must inform his or her office in writing about his or her:</p> <ul style="list-style-type: none"> a. professional activities; if the assembly member is an employee, they must give information about their position and their employer; b. further activities on management or supervisory committees as well as advisory committees and similar bodies of Swiss and foreign business undertakings, institutions and foundations under private and public law; c. activities as a consultant or as a specialist adviser to federal agencies; d. permanent management or consultancy activities on behalf of Swiss or foreign interest groups; e. participation in committees or other organs of the Confederation. <p>In the case of activities listed in paragraph letters b–e, the assembly member shall declare whether the activity is voluntary or paid.</p> <p>The Parliamentary Services maintain a public register containing the information provided by assembly members.”^{161–163}</p> <p>This rule is a measure to ensure that the public is aware of how the affiliations of parliament members may influence their decisions. The rule applies to all affiliations and not just tobacco industry specific affiliations. Additionally, this measure is limited to members of the Federal Assembly. It does not apply to governmental officials. The rule also specifically lists the situations to which it applies, limiting itself to specific kinds of potential conflicts of interest, allowing for some large loopholes.</p> <p>For instance, owning a large portfolio of tobacco stocks does not need to be declared; management and consultancy functions on behalf of Swiss or foreign interest groups need be declared only if they are “permanent”, etc. Finally, this is an honour system: there are no penalties for omissions or misleading declarations. Easily ignored, the rule cannot be considered reliable. Therefore, there exists no effective rule requiring policy makers to disclose their ties to tobacco industry entities or to individuals, including lobbyists, acting on their behalf, and no such policy is currently being developed.</p>						
INDICATOR 6: Conflict of Interest						
13. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. (Rec 4.11) / Never 5 Yes						5

At the federal level, Switzerland has no national legislation for prohibiting any type of contributions from the tobacco industry to political candidates, parties, or campaigns, nor 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. Only a few cantons have adopted their own legislation.¹⁶⁴ Schaffhausen for example accepted an initiative in 2020 for “transparency in the financing of political parties.” The initiative demands that parties publish their campaign budgets for elections and votes, as well as the names of individuals and companies that give them more than 3000 CHF per year.¹⁶⁵

The issue of funding was particularly visible during the campaign for the initiative “Children without tobacco” launched by a coalition of public health organisations wanting more robust tobacco controls and better protection for children. After collecting more than 100’000 signatures, the coalition forced a vote on a new constitutional article banning tobacco advertisements that could reach children. On 13 February 2022, the proposed constitutional modification was accepted by 57% of the popular vote. The coalition in favour of the initiative operated on a budget of about CHF 1 million, which is considered rather low for such a national campaign. The opponents of the initiative had much deeper pockets and AT Switzerland estimates their budget was at least over CHF 6 million. The no campaign was consequently both more present and visible. Christophe Berdat, the speaker of PMI, refused to disclose the amount his company injected in the no campaign.¹⁶⁶ According to estimates by AT Switzerland, the large majority of the campaign funding against the initiative came directly from the tobacco industry.

14. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)								5
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The connections between people active in the political field and the tobacco industry are often complex and difficult to follow, as they are generally not made public. Several government officials now part of the tobacco industry could be found, however.

While not a government official, Christophe Berdat, is an influential member and former general secretary of the Swiss Radical Liberal Party (FDP/PLR). He initially moved to BAT in 2002, and is Manager for Public and Regulatory Affairs at PMI since 2016.¹⁶⁷

Caroline de Buman was the former head of the secretariat of the Federal Procurement Conference (BKB/ “Sekretariat der Beschaffungskonferenz des Bundes”). The BKB is the strategic body of the Federal Administration for the areas of goods and services procurement. In particular, it performs tasks in relation to the development of federal public procurement, sustainability, policy, and education.¹⁶⁸ Additionally, she was also a district court associate judge in the canton of Fribourg for more than 10 years. Since August 2018, she has been active at PMI as Senior Manager Corporate Affairs. In her LinkedIn About section, she states “For the past 15 years, I have been initiating and leading projects for associations, institutions and governments, coordinating and consolidating the interests of various stakeholders from the private and public sector.”¹⁶⁹

Thomas Borer, previously a Swiss ambassador, now runs a consultancy firm, with JUUL being one of his clients.¹⁷⁰

Professor Claude Jeanrenaud, a former member of the Federal Commission on Smoking Prevention,

published by Transparency Switzerland suggests that the true number of connections in the Federal Assembly is much higher.

These interconnected links between members of parliament and tobacco industry bodies highlight the influence they have on public health policy making.

SOTA:

The network of SOTA, which is under the supervision of the FOCBS and supports the Swiss tobacco cultivation system, has close links with the tobacco industry. Didier Saner, director general of the SOTA until 2021 also worked in the finance department of BAT.¹⁷⁹ The current technical director Gernot-Viktor Alber has frequently collaborated with the tobacco industry, conducting agricultural tobacco research with, or supported by BAT and PMI.¹⁸⁰⁻¹⁸² The board members of SOTA also have direct links to the industry, with Christian Kölliker both a board member and actively employed by JTI for the past 27 years, and Brenda Ponsignon employed by BAT (see #3).

B. Local government

Until February 2023, Andreane Jordan Meier was active at the canton of Vaud as Director of the Department for the Promotion of the Economy and Innovation. She used to be Corporate Regulatory Affairs Manager at BAT.¹⁸³ In an article published by the newspaper Le Temps, Andreane Meier was described as a former tobacco industry lobbyist.¹⁸⁴ The canton of Vaud has a strong tobacco industry presence, with both BAT's and PMI's global operational headquarters located in the western city of Lausanne.¹⁸⁵ Incidentally, in the canton of Vaud, the response to the federal consultation on tobacco products and e-cigarettes were managed by Andreane Jordan Meier and the Department of Economy, rather than by the health department.¹⁸⁶ According to the canton of Vaud press release, Meier has decided to pursue her career in the private sector.¹⁸⁷

INDICATOR 7: Preventive Measures

16. The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. (Rec 5.1)						5
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The Swiss government has not put any policies or programmes in place, and neither is it developing such policies or programmes.

17. The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. (Rec 4.2); <i>1 for whole of government code; 2 for Yes but partial if only MOH</i>						5
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The Swiss government has neither adopted or formulated a code of conduct, prescribing standards with which they should comply when dealing with the tobacco and/or e-cigarette industry, or their representatives.

18. The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share,						5
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marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities. (5.2)									
The Swiss government has no such requirement, measure, and is not in the process of developing such a programme.									
19. The government has a program / system/ plan to consistently ^{vii} raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)									5
The Swiss government has no such programme, system, or plan.									
20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)									4
<p>The Federal Law on the personnel of the Confederation forbids federal employees from demanding, receiving or accepting a promise, on their behalf or on the behalf of others, of a gift or any other advantage in the performance of their duties (art. 21 para. 4 BPG). Article 93 of the Ordinance on the Personnel of the Confederation clarifies that gifts or benefits which exceed a market value of 200 CHF are prohibited.</p> <p>Any federal employees involved in a procurement or decision-making process are prohibited from accepting even minor and socially customary benefits (which do not exceed a market value of 200 CHF), if:</p> <ol style="list-style-type: none"> 1. The advantage is offered by: <ol style="list-style-type: none"> a. An actual, or potential supplier, or provider b. A person involved in, or affected by a decision-making process, or 2. A connection between the granting of the advantage and the procurement or decision-making process cannot be excluded. <p>Furthermore, article 93 further states that if employees are unable to refuse a gift on the grounds of courtesy, they shall hand it over to the competent authority in accordance with Article 2. Moreover, acceptance on grounds of courtesy must be in the overall interest of the Confederation and the acceptance and any utilisation of such gifts shall be made by the competent office in accordance with article 2 for the benefit of the Swiss Confederation.¹⁸⁸</p> <p>The acceptance of gifts and benefits by employees of cantonal governments are governed by their own legislation and will be similar in nature to federal legislation. It must be noted that these rules are not applicable to members of the legislatures, such as National Councillors or Councillors of State, who can be employed by private companies or have their own businesses.</p>									

^{vii} For purposes of this question, “consistently” means: a. Each time the FCTC is discussed, 5.3 is explained. AND b. Whenever the opportunity arises such when the tobacco industry intervention is discovered or reported.

The provisions of the Swiss criminal code punishing bribery (notably article 322^{sexies}) may also apply to parliamentarians if the advantage is provided in order that they carry out their official duties. In other words: a public official can be found guilty of accepting an advantage regardless of whether or not the person who granted the advantage can be found guilty of granting an advantage.¹⁸⁹

There are no explicit rules excluding government officials or elected representatives from accepting assistance from third parties such as draft policy documents or expert advice. Study travel falls under the acceptance of an advantage as per above.

TOTAL SCORE	90
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Annex: Sources of Information

	MAIN MULTINATIONAL TOBACCO COMPANIES	COMPANIES REGISTERED	CANTON	CIGARETTE MARKET SHARE (2015)	SOURCE
I	British American Tobacco	AD Tabacs International SA	JU	38.8%	WIPO Global Brand Database
		American-Cigarette Company (Overseas) Limited	JU		WIPO Global Brand Database
		Rothmans of Pall Mall Limited	JU		https://www.dnb.com/business-directory/company-profiles.american-cigarette-company_%28overseas%29_limited.897535fd098ffa961b188c000bc38cb4.html
		British American Tobacco Switzerland SA	JU		http://www.bat.ch/ https://www.davidoff-cigarettes.ch/ https://www.gauloises.ch/ https://www.epok.ch/ https://www.kent.ch/ https://www.luckystrike.ch/ https://www.parisienne.ch/
		Nicoventures Communications (Switzerland) SA	JU		https://www.govype.ch/

		BAT Switzerland Vending SA	JU		http://www.batvending.ch/
		Intertab SA	FR		
		Fonds social de British American Tobacco Switzerland SA	JU		
		Fondation British American Tobacco Switzerland	JU		http://www.bat.ch/group/sites/BAT_A4KKEC.nsf/vwPagesWebLi ve/DOA2THQR
2	Japan Tobacco International	JT International SA	GE	17.8%	https://www.jti.com/
		JT International AG Dagmersellen	LU		https://www.camel.ch/ https://www.winston.ch/ https://logicvapes.ch/
		The JTI Foundation	LU		http://jtifoundation.org/
3	Philip Morris International	Philip Morris Products SA	NE	43.4%	https://www.pmi.com/ https://www.marlboro.ch/ https://www.chesterfield.ch/ https://ch.iqos.com/
		Philip Morris Brands Sàrl	NE		-

	PMI Engineering SA	NE		
	Philip Morris Investments Sàrl	NE		
	Philip Morris World Trade Sàrl	VD		
	Philip Morris Exports Sàrl	VD		
	Philip Morris Services India Sàrl	VD		
	Philip Morris Taiwan SA	VD		
	Philip Morris Holdings Sàrl	VD		
	Philip Morris Finance SA	VD		
	Philip Morris International Services Sàrl	VD		
	Philip Morris SA	VD		

4	Swedish Match	Swedish Match Switzerland AG	ZG	0%	
		Swedish Match Treasury Switzerland AG	LU		
5	Oettinger Davidoff	Oettinger Davidoff Holding AG	BS	0%	http://oettingerdavidoff.com/
		Oettinger Davidoff AG	BS		
		Davidoff & Cie SA	GE		https://twitter.com/davidoffgeneva
		A. Dürr & Co. AG	BS		https://de.davidoffgeneva.ch/

	TOP MEDIA/ NEWSPAPERS	Type (Print/Online)	URL
1	Aargauer Zeitung	Print+Online	https://www.aargauerzeitung.ch/
2	20 Minuten, 20 Minutes and 20 Minuti	Print+Online	https://www.20min.ch/
3	Neue Zürcher Zeitung (NZZ)	Print+Online	https://www.nzz.ch/
4	Swiss Broadcasting Corporation <ul style="list-style-type: none"> • Schweizer Radio Fernsehen (German) • Radio Télévision Suisse (French) 	Air+TV+Online	https://www.srf.ch/ https://www.rts.ch/ https://www.rsi.ch/ https://www.swissinfo.ch/eng

	<ul style="list-style-type: none"> Radiotelevisione Svizzera (Italian) SWI swissinfo.ch (English, among other languages) 		
5	Le Temps	Print+Online	https://www.letemps.ch/
6	Tagesanzeiger	Print+Online	https://www.tagesanzeiger.ch/

	MAIN TOBACCO INDUSTRY ALLIES/ FRONT GROUPS	TYPE (FRONT GROUP, LOBBY GROUP, INDIVIDUAL)	SOURCE
1	Eliminating Child Labour in Tobacco-Growing (ECLT) Foundation	Front group. Swiss foundation created in 2001 and based in Geneva, Switzerland. ECLT is a member of the UN Global Compact and holds special consultative status with the UN Economic and Social Council. It is a front group which the tobacco industry fully finances and controls. The International Labour Organization terminated all partnership agreement with ECLT in October 2019, considering it was part of the tobacco industry.	https://ge.ch/hrcintapp/externalCompanyReport.action?companyOfsUId=CHE-109.569.011 https://ge.ch/hrcintapp/rdfisFile?id=14073632200000066031012 https://www.eclt.org/en https://tobaccotactics.org/wiki/eclt/
2	International Network of Nicotine Consumer Organisations (INNCO)	Front group. In 2019, INNCO described itself as a global coalition of non-profit consumer advocate organisations and stated that its aim was to “represent consumers of low-risk, alternative nicotine products and to promote tobacco harm reduction (THR) on the global stage”.	https://tobaccotactics.org/wiki/international-network-of-nicotine-consumer-organisations-innco/ https://innco.org/
3	Swiss Cigarette	Affiliate. Association of the three largest tobacco multinationals operating in Switzerland (BAT, JTI and PMI). According to its statutes, the association has the following goals: a) to defend its members’ rights and interests in the free manufacture, marketing and communication of their products to adult consumers; b) to draw up rules concerning advertising and promotion and to ensure that they are respected by its members, in order to promote responsible marketing;	http://www.swiss-cigarette.ch/ Statutes of Swiss Cigarette with Arbitration Convention: https://www.oxysuisse.ch/files/public/docs/20090701-swiss-cigarette-statuts-avec-convention-d-arbitrage.pdf Self-regulation agreement: https://www.oxysuisse.ch/files/public/docs/20180201-accord-autoreglementation.pdf

		<p>c) to initiate and/or support initiatives aimed at the prevention of tobacco use among young people;</p> <p>d) to act on behalf of its members as a representative to the authorities and to national public and private organisations.</p> <p>One of association's main purposes is to promote voluntary regulations, notably of advertising, to prevent legislation that would implement strict, FCTC-compatible regulations.</p>	
4	SwissTabac	<p>Affiliate. SwissTabac is a cooperative which is the umbrella organisation of the country's tobacco growers. The cooperative is responsible for the organisation of production in terms of quality and quantity, as well as for the professional protection of its members.</p>	https://www.swisstabac.ch/
5	Vereinigung des schweizerischen Tabakwarenhandels / Communauté du commerce suisse en tabacs (Swiss Tobacco Trade Community)	<p>Affiliate. Association of companies and organisations in the Swiss wholesale and retail tobacco trade. It represents their interests vis-à-vis the authorities, the tobacco industry and the public and is particularly committed to strengthening and maintaining the private economic liberal order. They claim to advocate for a moderate and reasonable regulation of tobacco products.</p>	https://www.swiss-tobacco.ch/
6	Verein Schweizerischer Rauchtobak-Fabrikanten VSRF / Association suisse des fabricants de tabac à fumer (Swiss Association of Smoking Tobacco Manufacturers)	<p>Affiliates. Associations whose members are two Swiss tobacco manufacturers, Burger & Söhne and Villiger.</p> <p>Affiliate, with the same president and located at the same address (in Reinach/AG).</p>	
7	Verband Schweizerischer Zigarrenfabrikanten VSZ / Association suisse des fabricants de cigares (Swiss Association of Cigar Manufacturers)		
8	Allianz der Wirtschaft für eine massvolle Präventionspolitik (AWMP) / Alliance des milieux	<p>Front group. The Alliance has been created under the aegis of the Swiss Trade Federation (Schweizerischen Gewerbeverbandes sgv/Union des arts et métiers - Usam), which</p>	https://www.awmp.ch/home

	économiques pour une politique de prévention modérée (AEPM) (Business alliance for a moderate prevention policy)	has been for the last 30 years the largest and most loyal ally of the tobacco industry in Switzerland, and its political arm for intervening in Swiss health prevention policy (its president is a member of the National Council). Recognizing that sgv/Usam's "main strength was their strong organisational network at the cantonal level, in all cantons", the trade organisation, "one of the key politico/economic top associations", was chosen by the tobacco industry to lead the coalition against tobacco prevention regulation, which has been formalized as the AWMP/AEPM alliance. The Alliance includes among its regular members JTI and the Swiss Tobacco Trade Community, while its supporting members include Swiss Cigarette and the Swiss People's Party (SVP/UDC), the national-conservative right-wing populist party which has the highest representation in the Swiss parliament.	
9	IG Freiheit/ Communauté d'intérêts Priorité Liberté (Community of interest Freedom First)	Front group. This think-tank is chaired by the president of the Swiss Tobacco Trade Community. Its members are all, except one, current or former members of the Swiss parliament. It presents itself as "a non-partisan interest group [that] wants to defend citizens' freedom rights against increasing state paternalism." Adding that "It publicly denounces the state's regulatory frenzy and appeals to the self-responsibility of each individual. It fights the enactment of unnecessary laws, bans and regulations - at national, cantonal and local level." And, as such, serves well the interests of the tobacco industry.	https://www.freiheit-liberte.ch/home.html

	Government Agencies	Specify if more than one office is involved in this function:	SOURCE
I	Office of the President	Alain Berset	https://www.admin.ch/gov/en/start/federal-presidency/presidential-year-2021.html

2	Cabinet and/or National Assembly (Policy makers)	Ignazio Cassis, Karin Keller-Sutter, Viola Amherd, Albert Rösti, Elisabeth Baume-Schneider (each responsible for a different agency domain)	https://www.admin.ch/gov/en/start/federal-council/members-of-the-federal-council.html
3	Agriculture / National Tobacco Board	Federal Office for Agriculture (FOAG)	https://www.blw.admin.ch/blw/en/home.html
4	Customs	Federal Customs Administration (FCA)	https://www.ezv.admin.ch/ezv/fr/home/infos-pour-entreprises/impots-et-redevances/importation-en-suisse/impot-sur-le-tabac.html
5	Education	Federal Department of Economic Affairs, Education and Research (EAER)	https://www.admin.ch/gov/en/start/departments/departement-of-economic-affairs-education-research-eaer.html
6	Environment	Federal Office for the Environment (FOEN)	https://www.bafu.admin.ch/bafu/en/home.html
7	Finance/ Revenue/ Investments/ Excise	Federal Customs Administration (FCA)	https://www.ezv.admin.ch/ezv/fr/home/infos-pour-entreprises/impots-et-redevances/importation-en-suisse/impot-sur-le-tabac.html
8	Health	Federal Office of Public Health (FOPH)	https://www.bag.admin.ch/bag/en/home.html
9	Labour	Swiss Labour Force Survey (SLFS)	https://www.bfs.admin.ch/bfs/en/home/statistics/work-income/surveys/slfs.html
10	Trade and Industry/ Investments	Federal Customs Administration (FCA)	https://www.ezv.admin.ch/ezv/en/home.html

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