# « DAVIDEATH AGAINST DAVIDOFF »

How a small association put an end to tobacco sponsorship of the largest Swiss sport event

**Pascal Diethelm** 



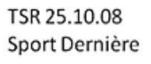
# Pictures which we no longer see... ...since 2010



# World's best tennis Basel www.davidoffswissindoors.ch











# Swiss TV News









#### Interim Report 2007

# success



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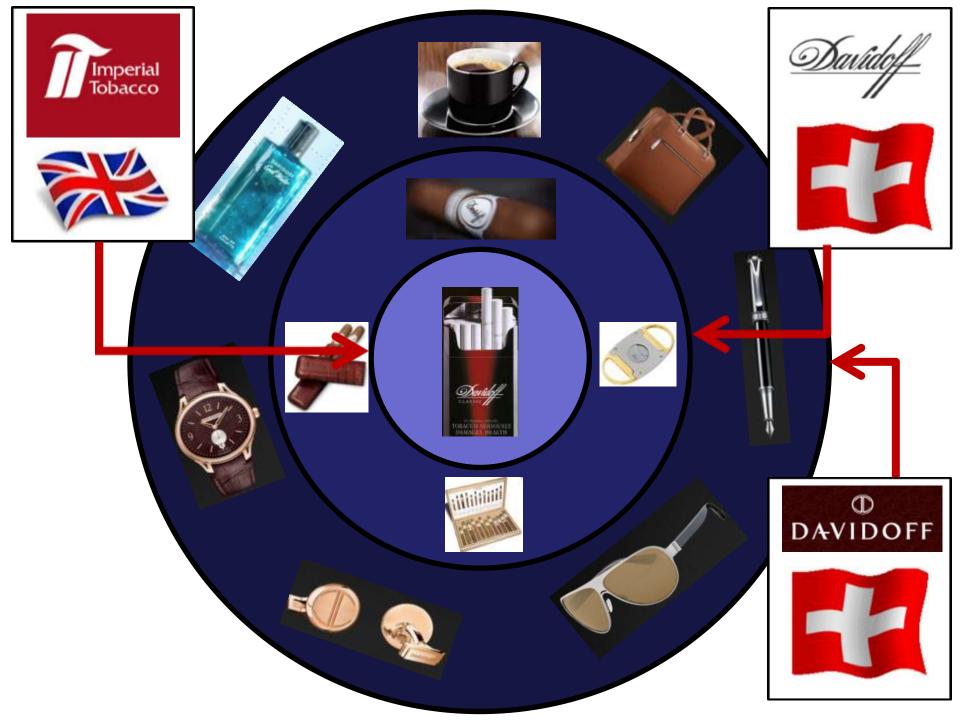
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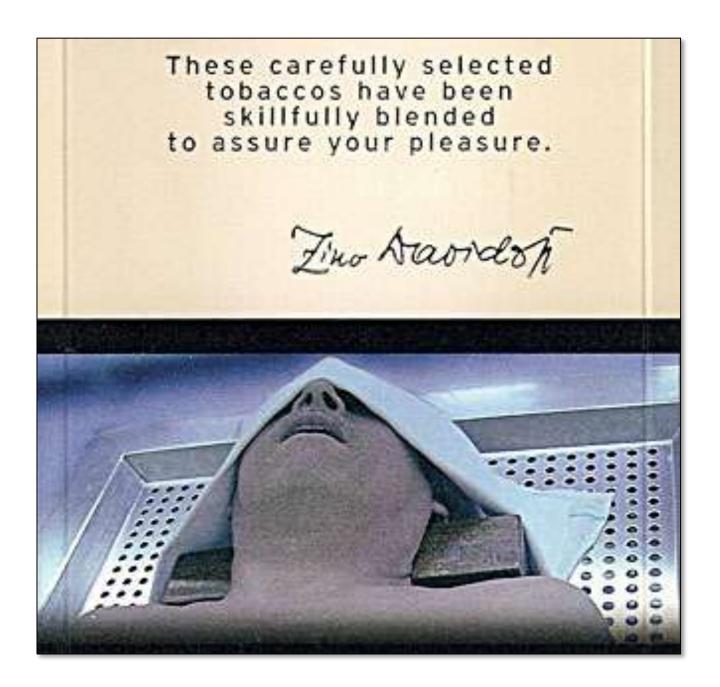












# Action by OxyRomandie

## September 2007: Petition sent to Roger Federer

The undersigned, through



global tobacco control Globalink 62 route de Frontenex 1207 Geneva, Switzerland

> Mr. Roger Federer Postfach 4103 Bottmingen Switzerland

Petition started on 24 September 2007

Dear Roger,

Roger Federer's participation at the Davidoff Swiss Indoors We note that one of the next tournaments in your 2007 tour schedule is the Davidoff Swiss

Indoors. As you most likely know, Davidoff is a cigarette trademark which is owned, since 2006, by the multinational corporation Imperial Tobacco. Their Annual Report provides information on the importance of this brand in the marketing strategy of the corporation: "Our key premium international cigarette brand Davidoff has a strong foothold in Asia and a growing presence in a number of markets worldwide." The report further indicates that "Davidoff is growing across [the Rest of the World] region with line extensions in the Middle East, Asia and Eastern Europe and

launches into Africa."

You have perhaps been told that Davidoff is also used as the brand name for non tobacco products, such as perfumes and luxury items, and probably this is the argument provided as justification by the sponsors of the Swiss Indoors. However, this is a typical instance of the well known device of trademark diversification used as a marketing technique by the tobacco industry to bypass legislation on advertising. This is very well said in a previously confidential tobacco industry report: "In the dark market environment Davidoff has invested in TMDs [trademark diversification], Direct Mailing and BTL ['below the line' marketing]. Successful Davidoff TMDs such as Cool Water and Goodlife fragrances as well as Davidoff Coffee were developed to create alibi advertising opportunities for the brand. These have made ATL ['above the line'] market communication possible even in dark markets such as Germany and Taiwan." (see http://bat.library.ucsf.edu/...). The title sponsorhip of the Swiss Indoors by Imperial Tobacco (or one of its affiliates) belongs to this dark

marketing strategy.

## (signed by)

Mr. Zaki Abdollah Dr. Gamal Abdul Hamid Pr. Theo Abelin Mr. Bassam AbiSaab Mrs. Dawn Acker Mr. Kouman Koffi Adjouman Ir. Shaari Ahmad Junid Kurt Aigner r. Jawad Al-Lawati Alaers Hugh Aldersey-Williams Issah Ali Eileen Allen Tasha Allen athryn Alley orth Alperstein i Amberin

Ministry of Health, Melaka, Malaysia Al-Amal Oncology Unit, Aden, Yemen University of Berne, Spiegel, Switzerland Globalink, Canada SOUTHLAND District Health Board, New Zealand Abotrey, Abidjan, Côte d'Ivoire Malaysia Council for Tobacco Control, Malaysia Austrian Council on Tobacco or Health, Austria Ministry of Health, Oman, Oman Brussels, Belgium United Kingdom Action for Integrated Development, Accra, Ghana Mother of a 14 year old boy, England, United Kingdom Islington Primary Care Trust, London, United Kingdom Sydney South West Area Health Service, Australia Pharmacy against Tobacco, Linköping, Sweden Development Principles NGO, Yerevan, Armenia

### With my best regards,

It is not too late for you to act: you can either cancel your participation at the Davidoff Swiss Indoors or ask that the Swiss Indoors cut all their ties with Davidoff and the tobacco industry. By taking such action, you will make an important contribution to help the children of the world, who are "tomorrow's future", to remain free of tobacco addiction.

Tobacco smoking currently kills 5 million people each year, and this figure is likely to double by 2030, with the majority of death occurring in the developing world. Every year, more than 20 millions teenagers start smoking, each one of them losing instantly five years of life expectancy. This huge public health problem does not just happen by itself. It has a well known cause: the tobacco industry. By associating your name with Davidoff, you become a part of the problem and this will inevitably tarnish your image. Given the values associated with your sport and the spirit of your splendid performances, a tennis star like you would be truly expected to be part of the solution and provide a

Given the above facts, not only is it shameful for Switzerland and the city of Basel to host the last ATP tennis tournament in the world which takes place under the banner of a cigarette brand, but it is also sad that a gigantic tennis star like you, perhaps the best player of all times, should endorse such a devious stratagem by your presence and image, which appears on all the posters of the tournament right under the Davidoff brand. This is especially deplorable when considering that you have millions of young fans, who admire you and have a cult for everything you do and like. To just give an example, Imperial Tobacco promotes the Davidoff cigarette brand in Russia and the ex-soviet countries, where your popularity is enormous among teenagers. How many will start the deadly habit because you, their idol, helped promote the Davidoff cigarette brand, spreading the message

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## 500+ signatories from worldwide public health and tobacco control community.

Dear Roger

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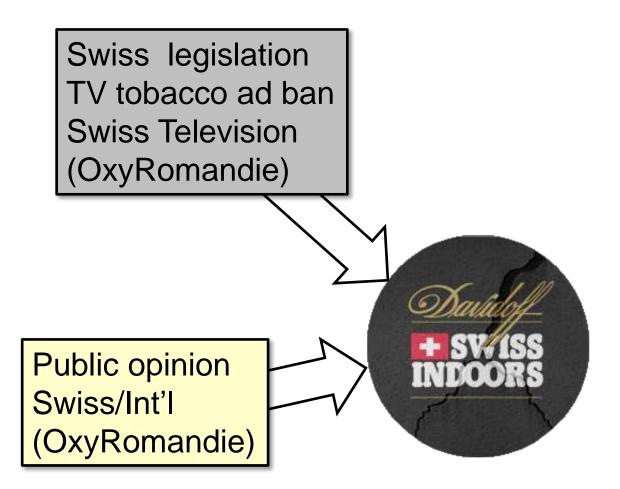
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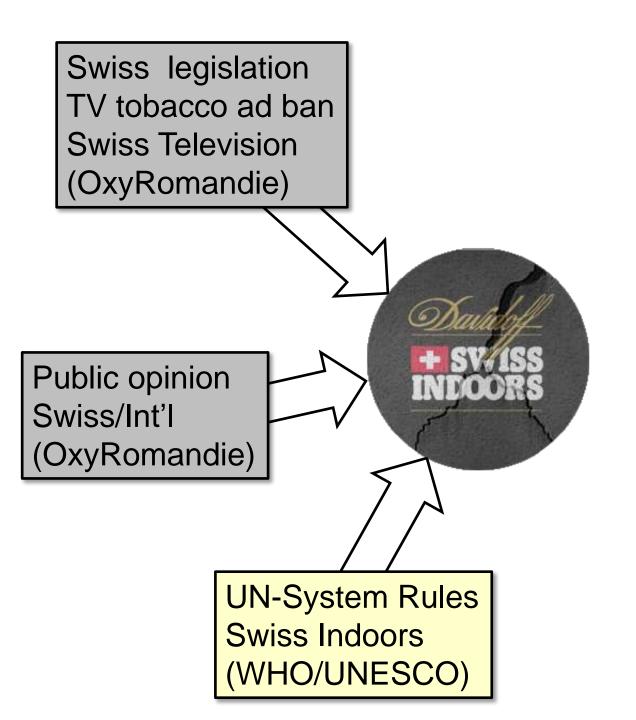


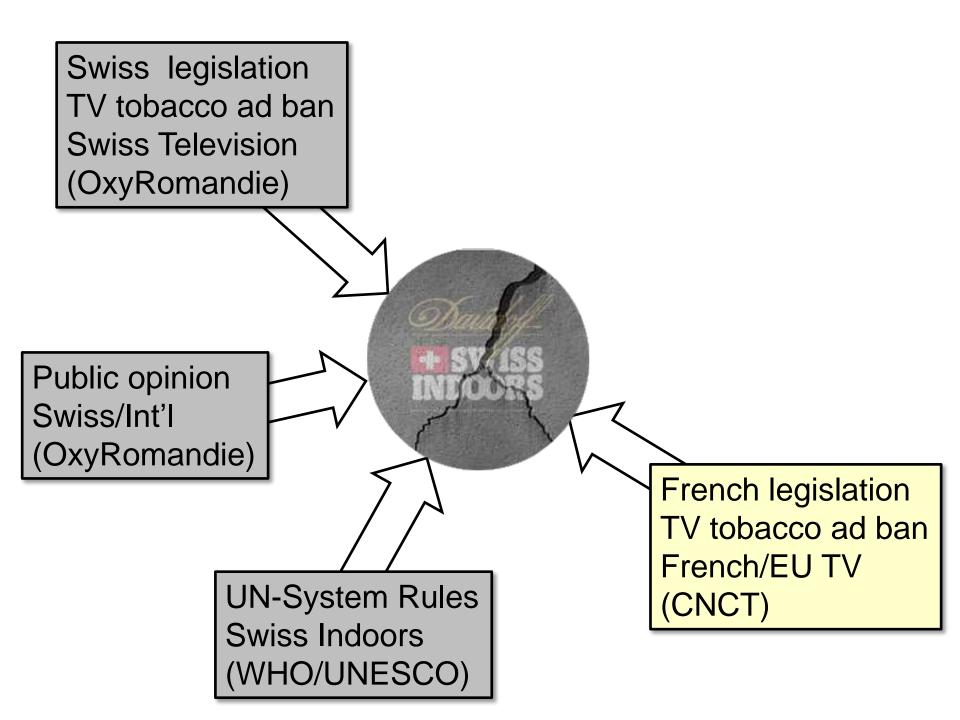
# Action by OxyRomandie

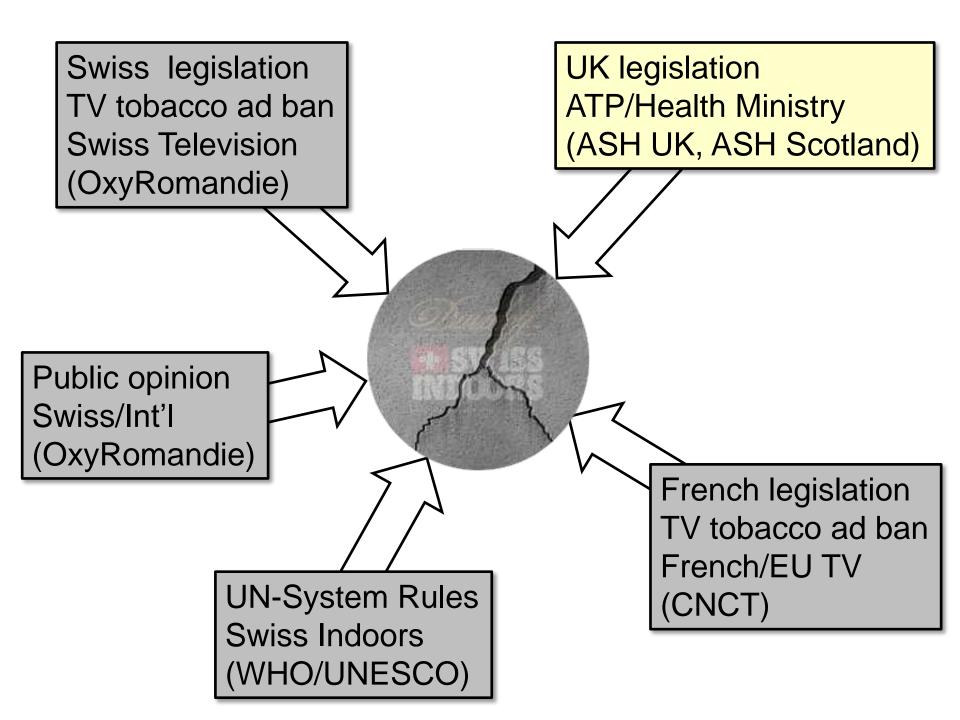
# November 2008: OxyRomandie decides to attack the problem simultaneously on several fronts

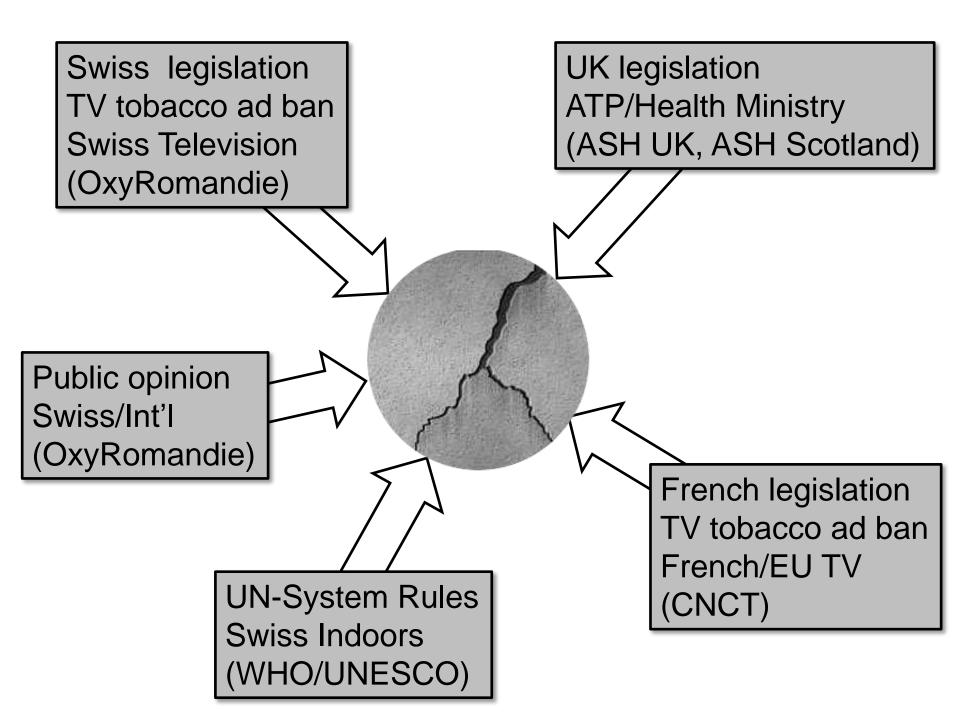




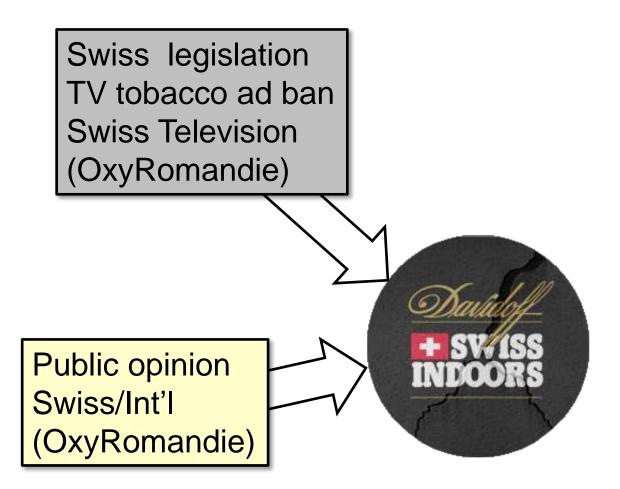












# Tribune deGenève

### 14 November 2008

# Une association antitabac s'attaque au tournoi de Bâle

Sports

#### TENNIS

**DxyRomandie denonce** la main mise d'une marque de tabac sur les Swiss Indoors. Et pose réclamation contre la TSR.

VENDREDI 14 NOVEMBRE 2008

TRIBUNE DE GENÉVE

#### REPRACE AND DR

syRomandie, qui s'occape de la prévention du tabaginne passif et de la protection des non-fumeurs, s'attaque aux Davidoff Swiss Indoors. Pour démontres, preuves à Tappui, selos elle, comment le toornoi de termis de likle est teatromentalisi-pour se transformer en une varie opération publicitaire en faveur d'une marque de tabac. Et contourner, voire refere violer is lot subse star in ablicité





#### Une anomalie

Listing On/Romandie s'inscrit dans une démarche qui remonte à 2002, anerés la ratefication de la convention cudre de TOMS dates la lutter antitabor-Une convention signée par environ 200 pays, mais pas la Suisse, qui traîne les pieds, «Les fissidoff Swiss Indoors constituent une anomalie dans le paisage tennisticue, explique le président Pascal Dietheim. Le site Internet. fallocation de son sponsor titre: tout concourt & wendre une marque de cigarettes et de cigaren, et rien d'autre. Virginia Slims, le cigarettier américain qui pornastait le circuit de termis féminin il y a une vinstaine d'amées, avait eu au moins l'élégance de mettre on garde is population contre les dangers du tabac en has de ses affiches.»

#### Agression permanente

Images de la TSR à l'appeni, Pascal Dietholm entend prouver que la marque Davidoff est surreprésentée sur le court. Et que les téléspectateurs - les plus jeunes d'entre eux en tout cas, lutars formeum peut-être - sont agresiés en permanence par les parcieaux publicitaires du sponsor titre de l'épreuve de l'AIP, +complainam-

ment filmls par la télévision-, relon OtyRomandie. Sans oublier l'inscription da parraineur inscrite sur les véteraents des juges de ligne et des ramigpromi de halles, «Or le tournai est diffasi dans sectante new dans le monde, la plupart signataires de la convention antitubac. C'est une manière de détourner

#### Le tabac uniquement

In http:/

OurRemandle s'attache aussi à démonter les rouages de l'entreprise Oettinger-Davidsiff, Histoire de prouver que ce n'est pas la branche des produits dérivés - le counditique notamment - mais irs sociétés du tabac du groupe qui promeuvent le taumoi, «Le logs des Davishoff sernité à Surisa Indoors en témaigne. Il se difforencie clairement du second, rattaché aux autres articles, poursult Pascal Dietheim. D'alleurs. qui se cache derrière la marque

Davidoff? La moltinationale Imperial Tobacon, qui l'a rachethe \$40 millions d'enros en 2006. Rt qui fait son business partout dans le monde, notamment en Afrique.»

#### Federer ne répond pas

Autre cible visée, par ricochet: Roger Federor, le joneur phase

des Sistes Indoors, «L'année passic, raconte Pascal Diethelm, uneassociation mondiale contre le tabagisetse hu a fait parvenir une pétition signée par 540 personmalités de la santé publique pour an/D meeting set distances more by tournoi, Sata aucune reaction de IS DATL-

Roger Federer. Le Bàlois distribue des médailles pour récompenser les jeunes ramasseurs de balles des Swiss Indoors commune

#### Reclamation puis plainte

A la lumière de tous ces faits, Oto Romandie va déposer - dans les quantrie-littit beures à venir time reclamation average del'autorité de médiation de la radio-télévision en s'approvant sor des articles de loi jeour encadré ci-contre). «Si on n'est pas enassure Me Roland tendu. Burkhard, avocat représentant OxyRomandle, nous tross devant l'autortté de plainte. Et au besoin instation Consell Syderal -

#### La position du tournoi

Qu'en pense Regar Bernaveshi directeur et seul propriétaire du tournoi? «Je suivrai l'évolution de cette affaire. Mais fai la conscience tranquifie, je respecte la loi. La marque Davidoff Subs indoors est protégie depuis setze ani, Davidoff n'est pas impliqué stubernerst dans le tabac, mais anni dans le constitique, les parfrans et le calé....»

### Que dit la loi sur la radio-TV?

Voici les articles de la Loi Nichirale sur la radio et la télévision sur lesqueis se fonde is réclamation #DavRomandia

E Article 4: touts smission doit respecter key droits. forutamenta.or

#### I Article 5: émissions

prelociables aux minutes Les diffusieurs veillent à cetipe les mineurs ne scient pas exposits à des émissions assosptibles de porter prejudice a loss openovisiement physicul, psychique, moral ou social, en fixant moraire de diffusion de manière. addquate ou en ocenaut d'autres mesures.

#### E Article 9: publicité et parraisage.

La publicité doit être nettement sigaros de la partie rédactionnelle du programme et claimment identifiable comme telle. Le Corneit Nidéral peut interdire les formos de publicité qui ne respectent pas ces principles ou les subordonner is dass nèglies particulières.



sanbi ... La Consell filderal peut intentive disubves messager publicitares aux firs de protéper la santé et la jeunesse.

#### Il Article 12: parrainage.

Les émissions parvanées ne doiverit pas inclor à conclure det actes juridiques concernent des biens ou des services offerts par le perrain ou par des tiers ni contenir des déclarations a caractère publicitaire concernent des biens ou des **Hervices** 

#### Article 13: protection des mineurs.

La publicité que s'adresse aux mineurs ou dans laquelle appenaissent das manauts nel that pas exploiter leur manque d'expérience ni postar attente a leur développement physiraie et psychique. Le Conseil fédéval édicte les dispositions d'essoution.

## 2 ACTUALITÉ

MARDI 3 MARS 2009



Les hirondelles font toujours le bonheur.

## Messagers du printemps surveillés

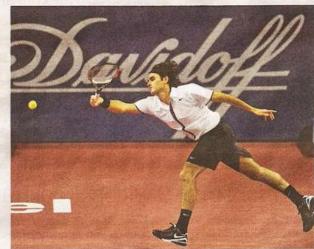
Sensibiliser les enfants à la biodiversité, c'est l'objectif de la campagne lancée par l'association de protection des oiseaux BirdLife, Elle invite les jeunes à observer le retour de la cigogne, de l'hirondelle, du coucou ou du martinet sous nos latitudes. Reportées sur Internet, les observations serviront à dresser une carte en temps réel des migrations de ces quatre espèces. www.birdlife.ch/springalive

# Les antitabac menacent les indoors de tennis de Bâle

Sponsorisé par Davidoff, le tournoi risque d'être privé de télé: une mort assurée

POLÉMIQUE. Les Davidoff Swiss Indoors sont en danger. En fin de semaine, l'association antitabac OxyRomandie déposera une plainte auprès de l'autorité chargée des litiges concernant la télévision (AIEP). Cette instance fédérale devra examiner si la retransmission des matches. avec la présence massive de logos Davidoff, est une facon de contourner la loi sur la télévision qui interdit toute promotion du tabac. Si oui, l'AIEP pourrait exiger la cessation de la retransmission du tournoi. Une médiation entre l'association et SRG SSR idée suisse n'a pas réussi à éviter le clash. Du côté de l'organisation du

tournoi, c'est l'émoi: sans TV, les sponsors s'envoleront. «C'est notre principale source de revenus. Sans eux, on ne pourra plus faire venir des joueurs de classe mondiale», assure un membre du staff.



La présence de Davidoff au bord des courts scandalise.

Avec son image sur le logo du tournoi ou au bord des courts, la présence de Davidoff n'est certes guère discrète. Mais de là à demander l'interdiction de diffuser les matches, les antitabac n'y vont-ils pas un peu fort?

«On peut bien nous traiter d'ayathollas, répond Roland Burkhard, l'avocat d'OxyRomandie, mais, selon l'OMS, la consommation de tabac est une pandémie, comme le sida!» Des propos exagérés, selon l'organisation des indoors. Elle rétorque qu'il y a peu de risques qu'un jeune achète un cigare parce qu'il a vu jouer Federer à Bâle.

SRG SSR idée suisse ne se sent, quant à elle, pas en tort. «Nous n'avons pas violé la loi», s'insurge Daniel Steiner, porte-parole. – RAPHAËL POMEY

### **EN CHIFFRES**

**711** pays reçoivent les images du tournoi de tennis de Bâle, en direct à la télévision. Les highlights, eux, sont visibles dans 192 autres nations, grâce aux images transmises par l'ATP, qui supervise l'ensemble des plus grands tournois professionnels masculins.

# 70000

spectateurs sont attendus pour suivre en direct les rencontres dans la halle St. Jakob du 31 octobre au 8 novembre 2009.

**finales** ont été remportées par Federer, ces trois dernières années. Le natif de Bâle n'est d'ailleurs pas le seul Suisse à s'être imposé en simple aux Davidoff Swiss Indoors. Jakob Hlasek l'avait précédé en 1991.

DONNEZ VOTRE AVIS!



14 November 2008

VENDREDI 14 NOVEMBRE 2008 24 HEURES

# SPORTS

# Ecran de fumée autour du tournoi de Bâle

### TENNIS

OxyRomandie dénonce la mainmise d'une marque de tabac sur les Swiss Indoors. Et pose réclamation contre la TSR.

#### BERNARD ANDRIÉ

XyRomandie, qui s'occupe de la prévention du tabagisme passif et de la protection des non-fumeurs, s'attaque aux Davidoff Swiss Indoors. Pour démontrer, selon elle, comment le tournoi de tennis de Bâle est instrumentalisé pour se transformer en une vaste opération publicitaire en faveur d'une marque de tabac. Et contourner, voire mème violer la loi suisse sur la publicité.

OxyRomandie a donc lancé des actions contre la TSR, sous la forme d'une réclamation pour publicité illégale en faveur du tabac, auprès des organisateurs des Davidoff Swiss Indoors aussi, de l'ATP et de Roger Federer lui-même. L'action OxyRomandie s'inscrit dans une démarche qui remonte à 2002. après la ratification de la convention cadre de l'OMS dans la lutte antitabac. Une convention signée par environ 200 pays, mais pas la Suisse, «Les Davidoff Swiss Indoors constituent une anomalie dans le paysage tennistique, explique le président Pascal Diethelm. Le site internet, l'allocution de son sponsor titre: tout concourt à vendre une marque de cigarettes et de cigares, et rien d'autre.»

Images de la TSR à l'appui, Pascal Diethelm entend prouver que la marque Davidoff est sur-

<image>

EMBLÉMATIQUE Tenant du titre, le Bâlois Roger Federer est le joueur phare BALE, LE 26 OCTOBRE 2008

représentée sur le court. Et que les téléspectateurs sont agressés en permanence par les panneaux publicitaires du sponsor titre de l'épreuve de l'ATP, «complaisamment filmés par la télévision», selon OxyRomandie. Sans oublier l'inscription du parraineur inscrite sur les vêtements des juges de ligne et des ramasseurs de balles.

#### Federer ne répond pas

OxyRomandie s'attache aussi à démonter les rouages de l'entreprise Oettinger-Davidoff. Histoire de prouver que ce n'est pas la branche des produits dérivés – le cosmétique notamment – mais les sociétés du tabac du groupe qui promeuvent le tournoi. «Le logo des Davidoff accolé à Swiss Indoors en témoigne. Il se différencie clairement du second, rattaché aux autres articles, poursuit Pascal Diethelm. D'ailleurs, qui se cache derrière la marque Davidoff? La multinationale Imperial Tobacco, qui l'a rachetée 540 millions d'euros en 2006.»

«L'année passée, raconte Pascal Diethelm, une association mondiale contre le tabagisme a fait parvenir à Roger Federer une pétition signée par 540 personnalités de la santé publique pour qu'il prenne ses distances avec le tournoi. Sans aucune réaction de sa part.»

A la lumière de ces faits, Oxy-Romandie va déposer une réclamation auprès de l'autorité de médiation de la radio-télévision en s'appuyant sur des articles de loi. «Si on n'est pas entendu, assure Me Roland Burkhard, avocat représentant OxyRomandie, nous irons devant l'autorité de plainte. Et au besoin jusqu'au Conseil fédéral.»

## **Tobacco Control**

### February 2009

**News Analysis** 

are available on the market in Lehanon, such as Vogue, La Femme, Vogieia Slima, as well as other size and "light" solucco products with pastal and femining. designs. The tobacco industry has been targeting women in Lebanon and elsewhere with advertisements depicting freedom, liberation, health, love, firmers, glamour and beauty. Such practices are where tohacos control policies and local grass more advicacy capacity are weak The majority of Arab countries are parties to the Framework Convention on for the protection of public policy from innerference by the tubacco industry. The people calling for equality and empowerment of Arab summer must be aware that the solution and satry makes similar and fraudulent calls for the empowerment and finadom of women through the veryimages and beamding it uses to increase

#### RIMA NARKASH

RACKET

7

American University of Bunch, Laboration (MCM/Unite educity)

#### SWITZERLAND: IMPERIAL'S TENNIS RACKET

The Swiss health group OxyRomandie has filed a complaint about the sponsorship of a major world tennis championship by

Davidoff, the premiumette brand owned According to OxyR relish using Switza tobacco control legis so they can bypas other European cour mechanism for doing-

mechanism for doing our the Davidoff Swiss Indoors, notably via television broadcasts of the tennis event, which reach approximately one billion people worldwide with repeated shots of players set against the Davidoff banner, with the collaboration of television channels such as EuroSport. Another mechanism is trademark diversification, and a line of Davidoff non-tobacco products is being marketed as a way to enhance the brand image.

Davidoff recently changed the logo for its non-tobacco products, apparently so as to be able to argue that the Davidoff nontobacco products have nothing to do with the tobacco products. However, the style of print font used for the tobacco logo and for the non-tobacco product descriptions have simply been switched around.

However, tobacco advertising is banned on television in Switzerland. So OxyRomandie has filed a complaint to the Swiss national television channel,

#### **News Analysis**

claiming that the broadcasting of the Davidoff Swiss Indoors was in breach of the law, to which the official television watchdog organisation has to provide a response within 40 days. If the answer is not satirfactory, OxyRomandie will file a complaint to the next highest level.

In response to the complaint, the main organiser and owner of the Davidoff tennis event tournament claimed that the Davidoff brand sponsoring it represented only non-tobacco products. However, in the official programme, as set on the event's website accessible in Switzerland, the link to www.davidoff. com led to a welcome to a website "exclusively dedicated to information on smokers' items and accessories by Davidoff." The same link accessed in countries such as the United Kingdom, whose tougher tobacco control law activates a country filter, leads to a rather different message: "We are sorry but due to UK legislation we are not allowed anymore [sic] to show you our website www.davidoff.com. Thank you for your understanding."

 IAL'S TENNIS
 Davidoff exemplifies the extent to which the perceived brand characteristics of a particular cigarette are almost entirely derived from proenotional activities, rather than from any intrinsic feature of the actual product. Even set
 Davidoff which found i gone from bolding nin segment in 1994 to 24 against 555's growth from the perceived transmitter than from any intrinsic feature of the actual product. Even set
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 SWITZEERLAND: IMPERIAL'S TENNIS

into the big league. Imperial recently

acquired Altadis, the company formed to

take over the former state-owned French

company SEITA and its Spanish opposite

number Tabacalera. It is now the world's

fourth largest tobacco company outside

SWITZERLAND: Imperial Tobacco appears to

and product descriptions of its cigarettes and

non-tobacco products, apparently so as to be

able to argue that the latter have nothing to do

have almost exactly switched fonts for the logo

DAVIDOFF

inviteinen produkti

with tobacco products.

8

DA OD Its WAY

Telacoo pristant



SWITZERLAND: Roger Federer as seen on one of many television broadcasts of the annual Davidoff Swiss indoor tennis championships held in Basel.

China, after Philip Morris, British American Tobacco and Japan Tobacco International. Even when owned by Reemtsma, Davidoff's success in attracting smokers with more money than wisdom was of concern to British American Tobacco (BAT), which watched its rival brand in the international super premium market segment, State Express 555, being overtaken by Davidoff. In 1998, BAT commissioned a market research report on Davidoff which found that Davidoff had gone from holding nine per cent of the segment in 1994 to 24 per cent in 1994, against 555's growth from one per cent to nine per cent in the eneriod.

and has been in Europe in tchievements, in now, after a regulations n as a Swiss herp, perhaps

Davidoff's impressive rise is set to continue apace.

#### HONG RONG, CHINA: SMOKING BAN BOOSTS BUSINESS

After years of asspense and inaction, the powerment finally announced in November that the much coticized comptions to its public places smoking han, which subjected hundreds of staff to continued explosure to emissionmental tobatto unside in many bars and other more venues, would end on 50 June 1009 Ironaudly, it appeared to do not tor health reasons-a new report on long. famage in staff at exempted senses was still an he published-but because the only rationale for the exemptions in the first place, that economic damage would result from a total, energetiona-line hum, angly daappeared when new data iterated that heapstality vessar sevence since the ban had actually gone up, and inflation that you

Tobacco Control February 2009 Vol 18 No 1

## British Medical Journal

23 October 2009

## Weak Swiss law allows tobacco

#### Zosia Kmietowicz LONDON

A Swiss antismoking campaign group is concerned that weak legislation in the country is being exploited by Imperial Tobacco to sponsor a tennis tournament and promote its brand of cigarettes and other products. The company is the fourth largest tobacco company in the world.

Switzerland is a sanctuary for the tobacco industry, said Pascal Diethelm, director of the antismoking group OxyRomandie, ahead of the Davidoff Swiss indoor tournament, which starts on 31 October as part of the Association of Tennis Professionals World Tour 500. The tournament, which is one of the last tobacco sponsored tennis events in the world, is being used by the company to intensively advertise its Davidoff brand, on court hoardings and the uniforms of staff, said Mr Diethelm.

The last time the tournament was held in Basel in 2008, the "players drowned in an advertising soup for Davidoff," he said.

He added, "At the end of the match the young ball boys and ball girls received a medal from Roger Federer in recognition of having served the cause of Davidoff so well. Each medal bore the Davidoff logo in order to make sure that these potential future smokers will know which cigarette brand to choose when they start smoking."

OxyRomandie is appealing to the federal tribunal, Switzerland's supreme court, against a raling from the Independent Complaints Authority for Radio and Television that Swiss television is allowed to show the tournament even though Swiss law bans tobacco advertising on television.

After pressure from a similar tobacco control group in France, the French based television sports channel Eurosport, which was the official international media partner of the tournament, has refused to broadcast it. Even so, the tournament is expected to be broadcast in 70 or 80 countries and to attract

[British Medical Journal (BMJ), 23 October 2009]

"Players [are] drowned in an advertising soup," said Pascal Diethelm, director of OxyRomandie

one billion people worldwide because the organisers have replaced Eurosport with the German sports channel DSF.

Unesco has also reacted after the tournament's organisers sent a press release that announced the charity as its beneficiary of corporate donations made on the basis of the

number of aces served during the round of qualifying matches on 1 November. Unesco said that it was not consulted about its participation and was not in a position to accept funds raised from an event related to the tobacco industry.

Cite this at: 849 2009;339:54270

#### Imperial Tobacco's marketing Davidoff-The Good Life

The Good Life-that is the art of living. A culture of its own that revolves around taking time, perceiving the world with all the senses in order to experience the fine nuances of pleasure. Enjoying the delightful moments in life with spirit and emotion, either for oneself or together with friends. This is a genuine lifestyle-it is Davidoff's-The Good Life. In its products the Davidoff brand unites craftsmanship, dedication and understanding. Knowledge of tradition linked to innovation and a sense of elegant. functionality is the key for the success of the Davidoff products. They are created with both care and a great love of detail. Davidoff employees are personally committed to high quality, for they-like many of their customers-have been strongly attached to the brand for many years.

From www.slavidoffswissindoors.ch/ Dettinger Davidoff-Group. 111+M52087573ab0.0.html



sponsorship of tennis tournament to go ahead

NEWS

# Earth Times (India)

29 October 2009



Home Business Entertainment Environment General Health Sports Technology W

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### Home event Basel to fete Federer with controversy raging



Posted : Thu, 29 Oct 2009 11:58:37 GMT By : dpa Category : Sports News Alerts by Email ( click here ) Sports News | Home

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Basle, Switzerland - Roger Federer's return to tennis after a fiveweek pause will be celebrated with joyous voices as his home Swiss Indoors honours the world number one local hero Monday. Arnid the a bid from anti-smoking forces to somehow get the Swiss to avoid the event sponsored by luxury good provider Davidoff, plans advanced to honour the native son in a tennis hall re-named for him last year.

The event where Federer got his start as a ballkid will stage an opening ceremony to celebrate the record 15 Grand Slam titles of the Swiss star, achieved during Wimbledon last summer.

After that, Federer will take to the court for his opening match.

Federer, who has won the last three Basle editions, will be making his return after five weeks of rest and family time with his three-month-old twins and wife Mirka at their home near Lake Zurich.

He is due to play Basle and the Paris Masters before headlining at the World Tennis Finals in London from November 22.

Organisers say the tournament's 40th edition will feature a concert by Spanish soprano Montserrat Caballé in a mix of sport and culture. the Theater Basel and the Basel Easting Orghestra.

The Catalan opera singer will be accompanied by the Opera Choir of the Theater Basel and the Basle Festival Orchestra.

A row over tobacco sponsorship at the event has turned ugly, with non-EU member Switzerland perfectly free to accept tobacco sponsorship - as was the case elsewhere in Europe until 2005.

So high was recent pressure that broadcaster Eurosport was forced to drop coverage plans under that of legal action, with a German satellite broadcaster now taking the feed.

The UN, a big part of the Swiss economy has also made its displeasure known, returning a donation from the tournament to Unesco, the UN cultural arm.

British news reports suggest that up to 500 health officials have signed a letter asking Federer to boycott the tournament which is perhaps closest to his heart.





Last Update: 0:40 (Ankara)

#### Federer Fires Up Anti-smoking Emotions

#### Sunday, 1 November 2009

As Roger Federer sets out to win his fourth consecutive Swiss Indoors title in Basel, a debate has reignited over tobacco sponsorship in sport.

The tournament, which has been sponsored by Swiss luxury brand Davidoff since 1994 and starts on Monday, is one of the last in the world to be sponsored by a tobacco company – and health campaigners aren't happy.

"First of all, linking sport and tobacco is utterly perverse," Jürg Hurter, president of Pro Aere, Switzerland's largest organisation against passive smoking, told swissinfo.ch.

"Second, the tobacco industry – who aren't idiots – try to get around tobacco promotion laws by sponsoring sporting events or by branding various products."

Pascal Diethelm, director of the anti-

smoking group OxyRomandie, said last year "players drowned in an advertising soup for Davidoff".

"At the end of the match the young ball boys and ball girls received a medal from Roger Federer in recognition of having served the cause of Davidoff so well. Each medal bore the Davidoff logo in order to make sure that these potential smokers would know which cigarette brand to choose," he said.





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#### Are the Swiss Indoors doomed?



Would it be that the Davidoff Swiss Indoors giant, in spite of its superb arrogance, is a vulnerable Achilles, and that a few determined public health advocates can easily provoke his downfall? Let us say right away that, if there are no **Davidoff** Swiss Indoors in 2010, it will not be the fault of a "bunch of anti-smoking activists" - an easy scapegoat for those who do not want to face their responsibilities. It will be because Mr. Breenwald has opted for the ostrich policy, ignoring that the world around Basel has changed since 1994.

Read more: Are the Swiss Indoors doomed?

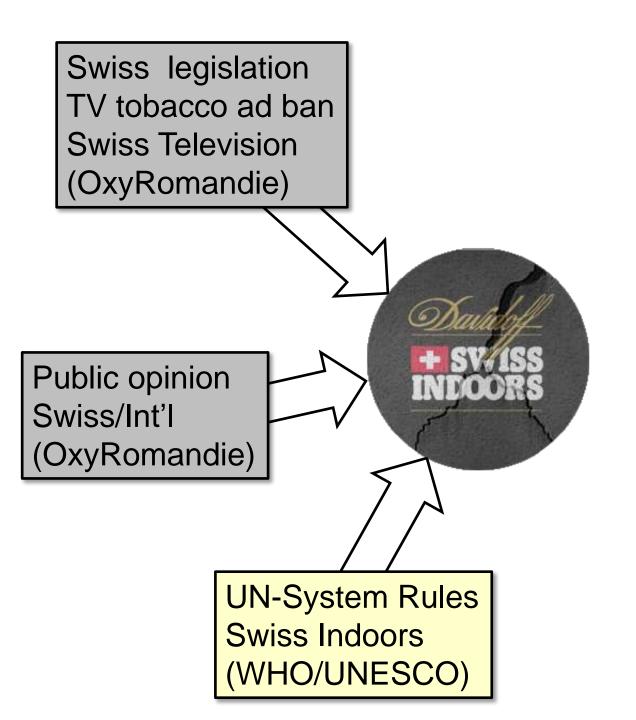
#### Imperial and Davidoff



Roger Brennwald has recently said in an interview to a Swiss newspaper (La Tribune de <u>Genève, 5 November 2009</u>): "Davidoff wants to promote an image of joy, relaxation and taste, incarnated by cigar." Cigar? How could the African teenager in Burkina Faso, who watches tennis on television, guess that the huge Davidoff logo he sees on the screen is exclusively meant to be a cigar brand - of which he has never seen a single instance - as opposed to a cigarette brand, which he can buy on every street corner in his town?

Read more: Imperial and Davidoff

#### Using tennis to sell death





	Cabinet du Directeur général La Porte-parole
United Nations Educational, Scientific and Cultural Organization	
Organisation des Nations Unles pour l'éducation, la science et la culture	
Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura	
Организация Объединенных Наций по вопросам образования, науки и культуры	
<ul> <li>منظمة الأمم المتحدة</li> <li>للتربية والعلم والثقافة</li> </ul>	22 September 2009
联合国教育、·	
科学及文化组织 .	Réf. : ODG/SP/EK/09/05
	I am referring to the tournament press release dated 19 May 2009, in which UNESCO is announced as the receiving party of the proceeds of the Davidoff Swiss Indoors' tournament.
	UNESCO was not consulted on its possible association with the Tournament. As part of the United Nations Ad Hoc Interagency Task Force on Tobacco Control established by the UN Secretary-General with the goal of intensifying a joint UN response and galvanizing the global support for tobacco control, UNESCO is not in the position to accept funds raised during a tobacco industry-related event. The Organization has advised Mrs Montserrat Caballé, UNESCO's Goodwill Ambassador, accordingly.
	I would therefore ask UNESCO's name to be removed from the communications concerning the Tournament.
	Mireille Jardin

## Tribune de Genève

#### 8 October 2009

## L'étau se resserre encore un peu plus sur les Swiss Indoors



#### LUTTE ANTITABAC

Eurosport France ne diffusera plus les images du tournoi et Montserrat Caballe, qui chantera lors de la cérémonie d'ouverture, ne le fera pas au titre d'ambassadrice de l'Unesco.

#### BERNARD ANDRIË

Dascal Diethelm ne désarme pas. Cet ancien cadre de l'Organisation mondiale de la santé n'en a pas fini avec les Davidoff Swiss Indoors, le tournoi de tennis organisé par Roger Bronnwahl à Båle (31 octobre - 8 novembre). Certes, la plainte déposée il y

a six mois par OxyRomandie auprès de l'autorité de médiation de la radio-télévision suisse - au motif que la présence massive de logos Davidoff était une façon de contourner la loi sur la télévision, qui interdit toute promotion du tabac à l'écran - vient d'être rejetée. Mais son président, Pascal Diethelm, a d'autros munitions en réserve.

#### La lutte continue

Le combat menè par OxyRomandie - association gul lutte contre le tabagiame passif - pour faire cesser use forme d'hypocrisie continue. Que reproche-t-elle aux Davidoff Swiss Indoors? La multiplication du logo du tournoi sur le court et dans l'enceinte de la Halle Saint-Jacques. Et l'agression que subissent les téléspectateurs par les panneaux publicitaires du sponsor titre, «complaisamment filmés par la télévision». Sans parler du nom du parraineur inscrit sur les vétements des juges





Montserrat Caballe et Roger Federer. Si la célébre cantatrice chantera bel et bien lors de la cérémonie d'ouverture qui précédera l'entrée en lice du Bàlois, elle ne le fera pas en tant qu'ambassadrice de l'Unesco, comme il était prévu par les organisateurs, (xevstow)

de ligne et des ramasseurs de balles.

OxyRomandie a peut-être perdu une manche. Mais pas la bataille. «Nous attendons les considérants du jugement avant de savoir si nous portons l'affaire devant le Tribunal fédéral», cordique Pascal Dietheim,

Des chiffres bimoignent de la légitimité de sa lutte. Un organe indépendant a contrôlé et chronométré le temps de présence de la marque Davidoff sur le petit écran pendant la durée du tournol. En gros, blen plus d'une heure de publicité gratuite qui, si elle était facturée, se monterait à 500 000 euros!

Désormais, OxyRomandie n'est plus seule à monter au front. Deux nouvelles sont venues apporter un peu de haume au corur de Pascal Diethelm. D'abord, la chaîne Eurosport encore mentionnée au début de l'année sur le site Internet des Davidoff Swiss Indoors comme le principal diffuseur, avec la

SRG, de l'événement - a disparu 2 novembre, lors de la cérémode la circulation. «L'allemand DSF la remplace selon de nouveaux accorda qui nous lient avec TATP», liche un membre du comité d'organisation.

Une certitude: à notre connaissance, Eurosport France a été assignée devant le Tribunal de grande instance d'Evry pour avoir violé de facon grave et réitérée la loi Evin, qui interdit la publicité sur l'alcool et le tabac à la télévision.

#### L'Unesco se fâche

Un second camouflet a été infligé aux Davidoff Swiss Indoors: il était prévu que les bénéfices de la manifestation du Business Club - le réseau de partenaires du tournoi de Bâle - qui s'est déroulée le 21 septembre, seraient intégralement reverses à l'Unesco.

La remise du chèque à Montserrat Caballe, la cantatrice ambassadrice de l'Unesco, était même prévue le lundi

nie d'ouverture. Or, cette organisation membre de l'ONU, qui n'a pas été consultée, refuse catigoriquement le chèque des Davidoff Swias Indoors et exige que la mention Unesco soit retirée de toute communication émise par les organisateurs du tournoi. Elle a aussi prévenu

#### Rappel

Il 1992: naissance de l'appellation Davidoff Swiss Indoors. marque protégée. # 2003: 192 pays, dont la Suisse, adoptent la Convention cadre de l'Organisation mondiale de la santé (OMS) pour la lutte antitabac, premier traite international de santé publique. Ce traté interdit toute promotion et parrainage du tabac, y compris de facon transfronta-

2007: une association mon-

Monsterrat Caballe qu'elle ponvalt participer à la soirée, mais à titre personnel seulement. L'étau se resserre donc un

peu plus sur les Davidoff Swiss Indoors, le dernier tournoi de tennis parrainé par l'industrie du tabac. Pour l'instant, son existence n'est pas remise en cause. Pour l'instant ...

diale de lutte contre le cancer fait parvenir une pétition signée par 540 personnalités de la santé publique au Davidoff Swiss Indoors.

I 2009: 166 pays ont ratifié la Convention cadre pour la lutte antitabac; la Suisse n'en fait pas partie.

2009: OxyRomandie dépose une plainte auprès de l'autorité de médiation de la radio-télévition paiste neur violations de plusieurs régles. Plainte rejotée.

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## UNESCO gets angry sur l'alcool et le

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Rappel Il 1992: naissance de l'appellamarque protégée.

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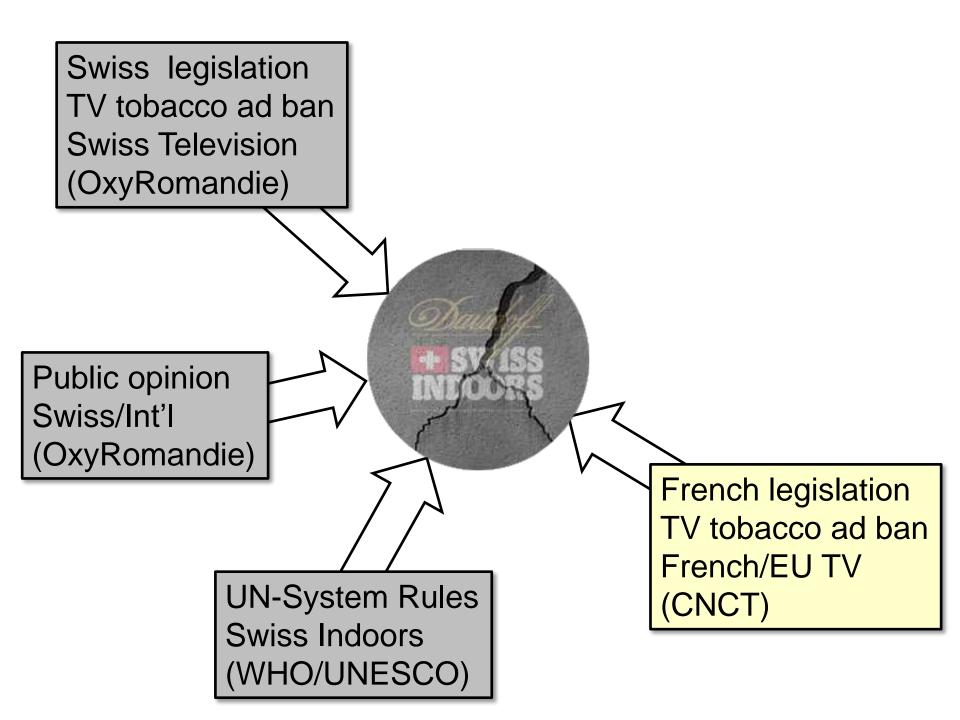
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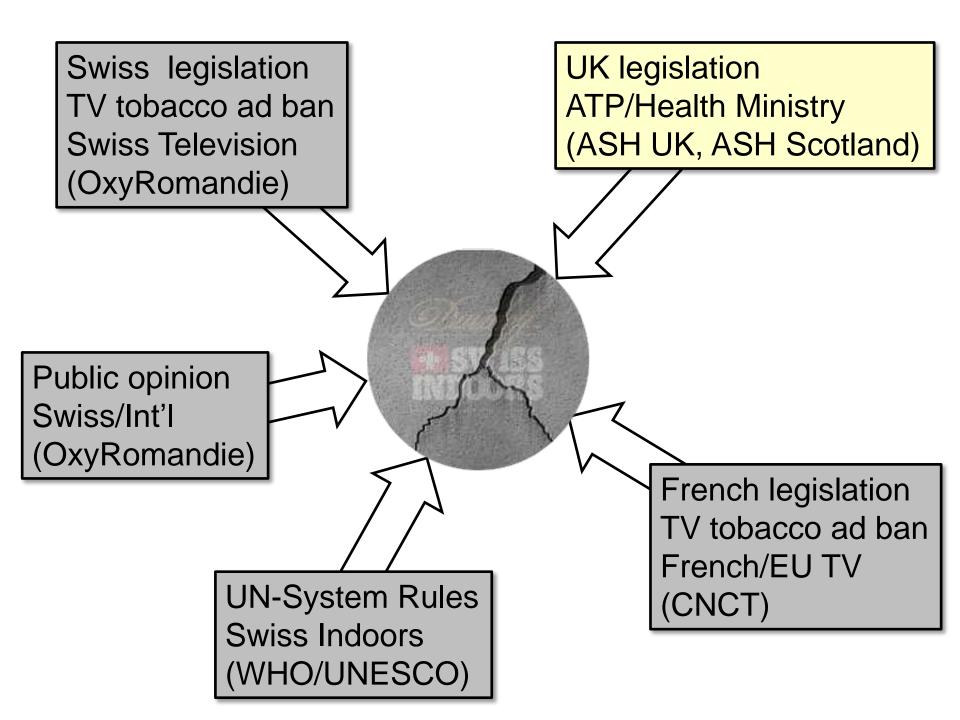
[Tribune de Genève, 8 October 2009]

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2007: une association mon-

Swiss Indoors.







#### action on smoking and health

First Floor, 144-145 Shoredlich High Street, London E1 6JE Telephone : 020 7739 5902 Fax: 020 7729 4732 email : enquiries@ash.org.uk www.aph.org.uk

Mr L Delanney Chief Executive Officer - Europe ATP Europe 74 Boulevard d'Italie Monte-Carlo Sun MC 98000 Monaco

13 November 2009

Dear Mr. Delanney

I refer to your letter of 27 October, in response to mine of 19 October 2009.

Thank you for clarifying the relationship between ATP and the ATP World tournaments. Whilst acknowledging your explanation that each of the tournaments operates as stand-alone businesses, we cannot reconcile it fully with the declarations recently made to the press by the organisers of the Basel tournament. They said that ATP manages the transmission rights of the tournaments outside the national territory and controls the choice of the broadcasting companies. For instance, Mr. Brennewald, the director of the Davidoff Swiss Indoors, told the Tribune de Genève: "I have done my best to remain loyal to Eurosport, but ATP left me absolutely no choice" (our translation), Tribune de Geneve, 5 November 2009, interview published on their website http://www.tdg.ch.

As you state in your letter, the ATP board's policy is not to accept tobacco sponsorship. Presumably this is because you believe that it is inappropriate to have such a deadly product associated with tennis. You will also be aware that such sponsorship deals are now illegal across the European Union and in many other countries of the world.

In addition to the possible breaches of UK law and the internationally agreed Framework Convention on Tobacco Control, next year's Basel tournament will breach two EU laws if it continues to be sponsored by the Davidoff tobacco brand.

The existing EU Tobacco Advertising Directive states that:

"Sponsorship of events or activities involving or taking place in several Member States or otherwise having crossborder effects shall be prohibited."

(Directive 2003/33/EC, Article 5.1)

Clearly the intention of this law is to prohibit the transmission of tobacco sponsored events into and between Member States. The televising of the Davidoff-sponsored

### Swiss Indoor tournament and transmission into EU countries would, therefore, appear

In addition, the justification for allowing tobacco sponsorship will vanish completely when the Audiovisual Media Services Directive (2007/65/EC) is fully transposed into national legislation by EU member States. This will take place on 19 December 2009. The directive prohibits product placement for tobacco products and will apply to all television programmes received in the European Union.

It should be noted that the definition of product placement introduced by this Directive covers "any form of audiovisual commercial communication consisting of the inclusion of or reference to a product, a service or the trade mark thereof so that it is featured within a programme, in return for payment or for similar consideration."

(Directive 2007/65/EC, (61) p. L 332/34)

As from 19 December 2009, EU countries will be able to take legal action to block television programmes entering their territory that contain product placement for tobacco products. The Davidoff banners in the Basel Centre Court, the Davidoff logos on the ball girls and ball boys and on the line umpires, all predominantly visible on the screen during the matches, will qualify as product placement.

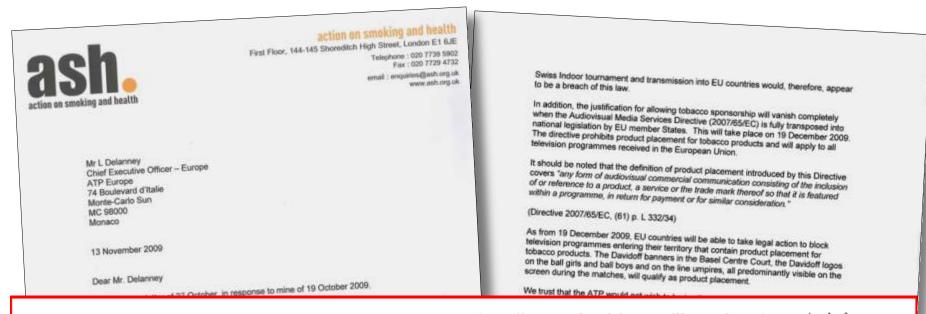
We trust that the ATP would not wish to be implicated with an illegal act and risk having the transmission of the Basel tournament blocked by EU Member States. We are aware of action already being contemplated in different countries, in addition to the action we may take here in the UK. The only way to avoid such a situation occurring would be to end the tobacco sponsorship deal and find alternative sponsors more suitable for the game of tennis.

Yours sincerely.

Annala Salla

Amanda Sandford Research Manager

or Tobacco Policy Team, Department of Health



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Amanda Sandford Research Manager

or Tobacco Policy Team, Department of Health

## Action ASH Scotland

## 16 November 2009

## ASH Scotland writes to the UK Health Minister



#### 16 November 2009

Gillian Merron MP Minister of State for Public Health Department of Health **Richmond House** 79 Whitehall London SW1A 2NS

Action on Smoking and Health Scotland 8 Frederick Street, Edinburgh EH2 2H8 Telephone: 0131 225 4725 Fax 0131 225 4759 E-mail: ashscotland@ashscotland.org.uk

www.ashscotland.org.uk

#### Dear Minister

As the Minister with responsibility for tobacco control and upholding the Framework Convention on Tobacco Control (FCTC), to which the UK is a signatory, I would like to ask you to investigate what appears to be a clear breach of Article 13.7.

A sponsorship agreement between The Association of Tennis Professionals and the Davidoff Group meant that the Swiss section of the ATP World Tour was branded the 'Davidoff Swiss Indoors' event. This has helped build the Davidoff brand through its association with this major sporting event. Both signatories to this sponsorship deal are based in the UK - the Association of Tennis Professionals and Imperial Tobacco which owns the Davidoff cigarette brand.

The sponsorship deal has exploited weak Swiss laws to allow a major sporting event to be sponsored by a tobacco company. However as that event was available to watch in the UK on satellite channels including Sky Sports, the Davidoff brand was clearly visible to anyone watching the live matches, or indeed any channel, which reported on the tournament and included stills or live action from the event within their report. Equally all reports on the event would include the word 'Davidoff'. Both are clear forms of advertising and promotion.

As you know, Article 13.7 of the FCTC states: 'Parties which have a ban on certain forms of tobacco advertising, promotion and sponsorship have the sovereign right to ban those forms of cross-border tobacco advertising. promotion and sponsorship entering their territory and to impose equal penalties as those applicable to domestic advertising, promotion and sponsorship originating from their territory in accordance with their national law.'

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Therefore I believe it is your responsibility to ensure that whilst the ATP continue this deal, which sees what appears to be the only major tennis event in the world sponsored by a tobacco company, you must ensure that it cannot

In addition, I believe the ATP and Imperial have also breached Section 10 (1) of the UK Tobacco Advertising and Promotion Act 2002 which states 'A person who is party to a sponsorship agreement is guilty of an offence if the purpose or effect of anything done as a result of the agreement is to promote a tobacco product in the United Kingdom".

As Davidoff has stated that the 'banner advertising on Centre Court reaches more than one billion people in 70 countries around the world', I think it is clear that the result of the sponsorship agreement has been to promote Davidoff cigarettes around the world in a variety of countries including the UK. Therefore the Government has a duty to act against this, and I would urge you as Minister for Public Health to report this to the appropriate authorities for

You may also be interested in the outcome of legal proceedings that we understand Oetlinger Davidoff, part of Imperial Tobacco Group Pic, recently took against OxyRomandie, a Swiss based tobacco control group. Davidoff were trying to shut down websites which OxyRomandie were using to campaign against the sponsorship deal, which used the word 'Davideath'. While English translations of the judgement are not yet available, we understand from colleagues that the judge in Basel ruled in OxyRomandie's favor, declaring that associating death with the Davidoff Swiss Indoors was legitimate. The judge went on to say that by associating the Davidoff brand with sport and tennis champions the Davidoff group was using a very pernicious advertising technique, particularly with young audiences.

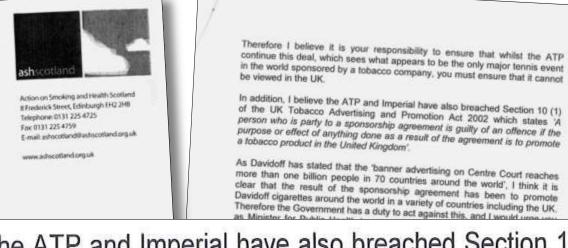
I therefore hope you will take positive action with regards to this matter and look forward to hearing from you.

Yours sincerely

Suna fuffy

Sheila Duffy Chief Executive

Cc Amanda Sandford, Research Manager, ASH in London



sulla fuff

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Sheila Duffy

Chief Executive

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16 November 2009

Gillian Merron MP

**Richmond House** 

79 Whitehall

London

Department of Health

Minister of State for Public Health

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## 6 April 2010

# ATP remove all references to Davidoff from their website

#### **Davidoff Swiss Indoors Basel**



#### From Ball Boy To Basel Champion

Roger Federer, who once served as a ball boy at the Davidoff Swiss Indoors Basel, fittingly became the first player to win three straight titles at his hometown tournament in 2008. Switzerland's leading sport event boasts an impressive list of former champions, including tennis Hall of Famers Bjorn Borg, Ivan Lendl, John McEnroe, Boris Becker, Stefan Edberg and Pete Sampras. Find a Tournament

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ATP

World's best tennis

Name: Davidoff Swiss Indoors Basel Category: ATP World Tour 500 Place: Basel, Switzerland Date: 02.11.2009-08.11.2009 Draw Size: S-32 D-16 Surface: Indoor Hard Prize Money: € 1,755,000 Ticket Hotline: +41 900 55 22 25 » Visit Official Site

#### Swiss Indoors Basel



#### From Ball Boy To Basel Champion

Roger Federer, who once served as a ball boy at the Swiss Indoors Basel, fittingly became the first player to win three straight titles at his hometown tournament in 2008. Switzerland's leading sport event boasts an impressive list of former champions, including tennis Hall of Famers Bjorn Borg, Ivan Lendl, John McEnroe, Boris Becker, Stefan Edberg and Pete Sampras. **Find a Tournament** 

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ATP

Name: Swiss Indoors Basel Category: ATP World Tour 500 Place: Basel, Switzerland Date: 01.11.2010-07.11.2010 Draw Size: S-32 D-16 Surface: Indoor Hard Prize Money:  $\in$  1,225,000 Total Financial Commitment:  $\in$  1,755,000 Ticket Hotline: +41 900552225 > Visit Official Site

## 10 August 2010



BAZ, 10.08.10

# Der Name «Davidoff» fällt weg

HAS, 10,08,10

Der Druck der Anti-Tabak-Organisationen auf die Davidoff Swiss Indoors wurde zu stark



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kommentar



**Eine Chance** für die Zukunft

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# **Eine Chance** für die Zukunft

Ein Schnitt zum 40-Jahre-Jubiläum. Roger Brennwald und sein Lebenswerk, die Swiss Indoors. Foto Keystone



Mercredi 3 novembre 2010 | Postcode 1 JA 1211 GENEVE 11 | Nº 256-44 | Fr. 2.60 (TVA 2,4% incluse) |

## Bâle: le «tournoi de Federer» victime de Romands antitabac Sports, page 17

Un détenu réclame u indemnité Champ-De Genève, page



#### SWITZERLAND: DAVIDOFF LOSES GAME, SET & MATCH

After a humiliating defeat in a law court in Basel last year (see *Tob Control* 2010;**19**:5–6), the Davidoff cigarette brand has flung down its tennis racquet and slunk off the court. As chief sponsor of the Swiss Indoors tournament, it had got massive television and other media coverage every year, linking the brand to the healthy image of sport in general, and particularly to the excitement and glamour of first class tennis.

Perhaps it had been a mistake for Davidoff to try to sue OxyRomandie, the health advocacy group which not only persistently pointed out how the sponsorship violated Swiss advertising law, but also set up what might be considered a more accurately named website, Davideath, a parody of the Davidoff event's own website. Or perhaps the Davidoff executives did not think too carefully about how their product appeared with health warnings on it: as the judge pointed out last year, death was already overwhelmingly represented on Davidoff packs—a graphic health warning photoOxyRomandie, with help from ASH UK and ASH Scotland (ATP is based in the UK), having survived a tobacco company's attempt to throttle it in the Swiss courts, had finally won through.

However, the file is sill not entirely closed. In France, the health advocacy group Comité National Contre le Tabagisme (CNCT) has launched legal proceedings against the broadcasters involved in televising the tobacco promoting tennis games, Eurosport, and Canal+ and the sponsors of the tournament, which have still to be resolved.

## **Tobacco Control** October 2010



THE THAO, TENNIS, F1



Tay vọt Ellsworth Vines từng rất nghiện thuốc lá

#### Tennis - ATP: Nói không với các nhà tài trợ thuốc lá

Thứ Năm, ngày 12/08/2010, 13:33

(The thao 24h) - Nhằm ngăn chặn tác hại của thuốc lá đối với con người, mới đây Hiệp hội các vận động viên quần vợt chuyên nghiệp (viết tắt ATP - Association of Tennis Professionals) đã quyết định chấm dứt nhận sự tài trợ của nhãn hiệu thuốc lá Davidoff tại giải Swiss Indoors...

BÓNG ĐÁ 24H LUÔN CẬP NHẬT NHANH NHẤT, 15 PHÚT SAU KHI CÁC TRẬN ĐẦU KẾT THÚC ĐÃ CÓ VIDEO CLIP BÓNG ĐÁ VÀ THỂ THAO

Mời các bạn bắm ngay để xem tin tức hàng ngày về TENNIS trên 24h. Hãy bắm đây để xem những video trận đầu hấp dẫn của các giải TENNIS

Swiss Indoors là giải đầu thường piếp điển ra tại thành phố Basel kế từ năm 1970 (năm nay được

# Tennis - ATP says no to tobacco sponsors...

ATP 500 nhưng việc Swiss Indoors được tổ chức tại quê erer (cũng luôn có sự góp mặt của nhiều tay vợt tên tuổi

ho giải đầu, những người trong BTC Swiss Indoors còn táo bạo - chấm dứt sự tài trợ của nhãn hiệu thuốc lá mg co y nghĩa trong lĩnh vực chất lượng chuyên môn của giải đấu

nhưng nó lại mang một ý nghĩa rất lớn về mặt xã hội. Dẫu biết rằng không hợp tác với Davidoff, Swiss Indoors sẽ bị thất thu một khoản tiền khá lớn nhưng trước những tác hại mà thuốc lá đang gây ra đối với con người, các nhà tố chức của thành phố Basel đã không thể làm ngơ.

## The Davidoff Swiss Indoors are dead.



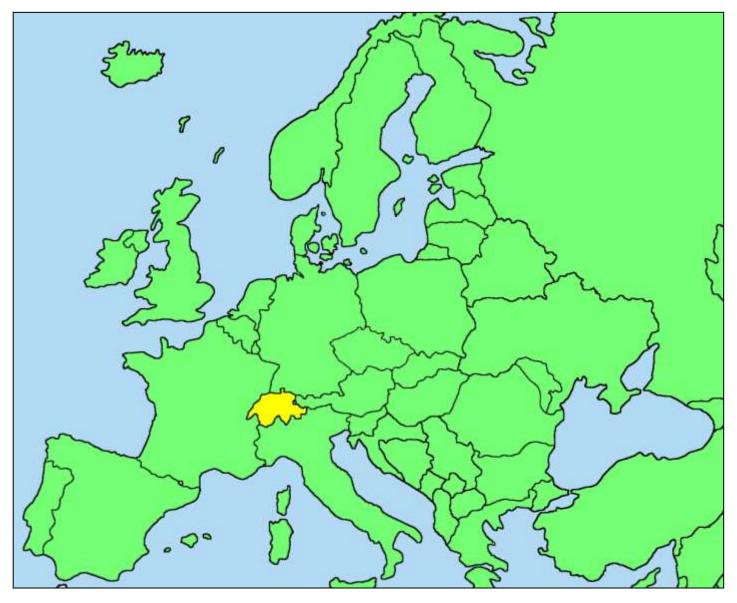
# Long live the Swiss Indoors!

## Swiss Tobacco Death Clock (31 May 2013, 01:30am)

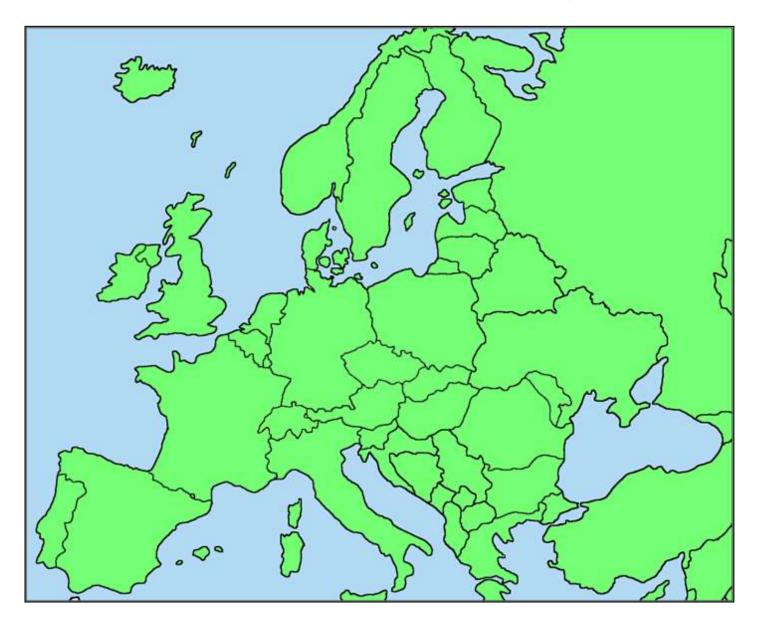


http://www.oxyromandie.ch/swiss\_deathclock

European Region (EURO) - FCTC Ratification Map (as of 31 May 2013)



## Our vision of the European region



# OxyRomandie dedicates this victory to all those who crucially contributed to it:

- ASH UK Deborah Arnott, Director Amanda Sandford, Research Manager
- ASH Scotland Sheila Duffy, Chief Executive
- CNCT (France) Yves Martinet, président Emmanuelle Béguinot, directrice
- Addiction Info Michel Graf, directeur

Suisse

OMS Douglas Bettcher, Director, TFI

## ...and to those who helped us

- Donors: ASH International (Laurent Huber, Executive Director) Jean-Charles Rielle, conseiller national Donateur anonyme, OFSP
- Lawyers: M<sup>e</sup> Roland Burkhard M<sup>e</sup> Rudolf Schaller M<sup>e</sup> Charles Poncet M<sup>e</sup> Francis Caballero (Paris)
- Journalists:\* Bernard Andrié, Tribune de Genève et 24Heures Alan Cassidy, Basler Zeitung David Simpson, Tobacco Control Zosia Kmietowicz, BMJ
  - \* by covering the issue in a professional way

## Thank you for your attention

