OVERVIEW OF THE IMPLEMENTATION OF THE EUROPEAN SPORTS CHARTER (ESC) IN

SWITZERLAND

Enlarged Partial Agreement on Sport
epas
Accord partiel élargi sur le sport

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE



TOTAL POPULATION: **approx. 9 million**

PER CAPITA GDP (CHF): **93.000**

MAIN SPORT PRIORITIES

TARGET/ AUDIENCE | CAREER | ETHICS | INCLUSION | NON-DISCRIMINATION | GENDER EQUALITY | SUSTAINABILITY | FACILITIES | EVENTS | WELL-BEING | ORGANISATION | OTHER

FUNDING

SOURCES OF FUNDING

- ✓ State/public authorities
- ✓ Local authorities (cantons and municipalities)
- ✗ Taxes/tax exemptions
- ✗ Betting
- ✓ Lotteries
- ✗ International funding
- ✓ Other: clubs and federations (membership fees, licences, ticket sales, services and voluntary work) and the private sector (sponsorship, partnerships, television rights and donations)

ENTITIES FUNDED

- ▸ Sports federations
- ▸ Sports clubs
- ▸ Top-level athletes
- ▸ Other: Youth+Sport programme

- ✗ Public/private financial partnerships
- ✗ Solidarity mechanisms

STAKEHOLDERS DIALOGUE AND CO-ORDINATION OF SPORT POLICIES

✓ National plan for sport – Promotion of sport and physical activity in Switzerland 2040

PUBLIC AUTHORITIES

- ▸ No dedicated platform for the promotion of overall sport policy: the **Federal Office of Sport (OFSPO)** carries out this task, also in collaboration with the cantons.

THE SPORTS MOVEMENT

- ▸ **Co-ordination** through other formal and informal meetings, involving the ministers responsible for sport, health, tourism, education and the economy, the directors-general for the same areas except the economy, the anti-doping agency, the sport integrity agency, sport event organisers, gym and sport clubs, the professional sport league, the sports movement, municipalities, and NGOs and civil society active in sport.
- ▸ **Prioritised topics:** high-performance and professional sport; overall population and sport for all; physical education and school sport; physical activity and health; combating violence, racism, xenophobia and intolerance; sports integrity and ethics; social inclusion and equality, diversity, inclusion and accessibility; grassroots sports; non-discrimination and social justice; safeguarding children and vulnerable adults; gender equality; sustainability at sport events and in sport; sustainable, inclusive and accessible sports facilities; sport body leadership, culture and governance.
- ▸ **Volunteering support:** recognition / validation of experience for sports organisations, regular volunteers and event volunteers.

CORPORATE AND PROFESSIONAL SECTOR

- ▸ No specific **engagement platform** with the corporate and professional sector; the State Secretariat for Economic Affairs (SECO) is the contact point for complaints under the OECD Guidelines, including against international federations based in Switzerland.
- ▸ **Media dialogue** through regular meetings.
- ▸ Press freedom is guaranteed in Switzerland; protection of **media freedom** lies outside the remit of the authorities responsible for sport.

SWITZERLAND

A NOTABLE PRACTICE

Creation of Swiss Sport Integrity

Swiss Sport Integrity was set up on the initiative of the Minister for Sport to bring together, in a single body, the fight against doping and the fight against mistreatment and abuse in sport.

ESC Articles 6, 8 – Human rights and integrity

VALUES-BASED SPORT ESC ARTICLES 6, 7, 8, 9

Human Rights

- **General legislation** applies to sport; the **Swiss Olympic Ethics Charter** is in place.
- The sport movement and the professional and corporate sport sectors are **required to commit** to international human rights and **human rights due diligence**.
- Participation in **multi-stakeholder platforms** to prevent and respond to human rights violations in sport.
- Measures to protect human rights at **sports events**: legislation, regular dialogue with sports organisations and specific funding criteria.
- Promotion of **gender equality** through the **"All In Plus"** EU–Council of Europe joint project, mandatory gender quotas in the governing bodies of sport-related organisations, dissemination of best practices, legislation, regular dialogue with sports organisations, specific funding criteria, reporting mechanisms for gender-based violence and training for sports movement actors.
- **Zero-tolerance policy against violence and discrimination** through sport-specific and general measures that also apply to sport: implementation of the Council of Europe Convention on an Integrated Safety, Security and Service Approach (CETS No. 218, signed and ratified) and of the cantonal Concordat establishing measures against violence at sports events, legislation, regular dialogue with sports organisations and specific funding criteria.

Integrity

- **Competitive integrity** through fair-play awareness campaigns, dissemination of good practices on fair play, fair-play educational programmes and inclusion of fair play in the school curriculum.
- **Manipulation of competitions:** stakeholder co-operation, training, education and awareness raising, national and international information exchange, regulation of the sports betting market and action against illegal betting, a legal framework with criminal, administrative and disciplinary sanctions, and international co-operation. CETS No. 215 signed and ratified.
- **Doping:** stakeholder co-operation, training, education and awareness raising, information sharing on convicted athletes, national and international information exchange, action against the distribution and sale of doping substances, a WADA-accredited national anti-doping organisation, and international co-operation. Anti-Doping Convention (ETS No. 135) and its Additional Protocol (ETS No. 188) signed and ratified.
- **Organisational integrity** through general legislation, regulation or agreements, specific legislation defining the rights and obligations of all sports organisations receiving public funds, and mechanisms to supervise sports organisations.
- No **whistle-blower protection** in sport through reporting systems by the sport authority.

Sustainability

- A concept provides that **sport events** must be sustainable in order to receive financial support.
- **Sporting goods industry** (present in the country): no measures by the sport authority; general legislation, regulation or agreements applicable to the sector.
- No mechanisms to ensure that the public and private **owners of sports facilities** avoid potential damage.

Education

- Sport is used for education through the **physical education programme**, **campaigns promoting values** such as truth, co-operation, respect, solidarity, tolerance and mutual aid, training and education, and schools.



SWITZERLAND

SPORT FOR ALL ESC ARTICLES 10, 11, 12



- ✗ **LEGAL BASIS ENSURING THE RIGHT TO SPORT FOR ALL**
  ➜ No right to sport as such; the Confederation encourages the practice of sport – Article 68 of the Federal Constitution and the Federal Act on the Promotion of Sport and Physical Activity (LESp)
- ✓ **PROVISIONS TO ENSURE ALL COMMUNITY MEMBERS CAN TAKE PART IN SPORT**
  ➜ Federal Office of Sport promotion areas: elite sport, popular sport, young talent, diversity (access to sport for everyone living in Switzerland), school sport, sports facilities and spaces for physical activity, and major sports events
- ✓ **APPROPRIATE TIME SLOTS FOR STUDENTS TO ACCESS SPORT**
  ➜ Mandatory PE, optional PE; school sport, under cantonal responsibility
- ✓ **MECHANISMS TO ENSURE PE TEACHERS HAVE APPROPRIATE QUALIFICATIONS**
  ➜ Mandatory diploma-awarding training to access sport careers; mandatory diploma-awarding continuing training
- ✗ **MECHANISMS TO ENSURE CO-OPERATION IN USE OF FACILITIES BETWEEN SCHOOLS AND SPORTS CLUBS**

SPORT FOR ALL ESC ARTICLES 13, 14



- ✓ **SUPPORT FOR TOP-LEVEL ATHLETES**
  ➜ Legislation, scholarships, special conditions at school or work, programmes to identify and follow up potential talents, coach training specific to top-level sport; for student athletes: special regime for school absences, special mechanism to follow all subjects, school schedules reconciling school and sport; no mechanisms for the transition to a post-sport career
- ✓ **MECHANISMS TO ENSURE SPORT IS MANAGED BY COMPETENT, WELL-GOVERNED BODIES**
  ➜ General legislation, regulation or agreements; specific legislation defining the rights and obligations of all sports organisations receiving public funds; supervision mechanisms
- ✗ **MECHANISMS TO GUARANTEE RIGHTS AND WORKING CONDITIONS OF SPORTS PROFESSIONALS**
  ➜ The same legislation applies as for other workers

MEANS ESC ARTICLES 15, 16, 17, 18

- ✗ **MECHANISMS TO ENSURE THAT FACILITIES AND SPORTS ACTIVITIES ARE ACCESSIBLE FOR ALL**
  ➜ Sports facilities of national importance must meet certain conditions to receive support from the Confederation
- ✗ **MECHANISMS TO EMPOWER EVENT ORGANISERS AND SPORTS FACILITIES OWNERS TO FULFIL THEIR SAFETY AND SECURITY OBLIGATIONS**
  ➜ Covered by other legislation, notably building regulations
- ✓ **ENCOURAGE THE DEVELOPMENT OF APPROPRIATE TRAINING COURSES LEADING TO QUALIFICATIONS IN SPORT**
  ➜ Legislation; the Federal Higher School of Sport Macolin (HEFSM), which offers bachelor's and master's programmes in sport
- ✓ **ENSURING SPORTS LEADERS ARE QUALIFIED IN VALUES, INTEGRITY AND HUMAN RIGHTS**
  ➜ Training and education, certification of sports clubs' management systems and services

RESEARCH AND CO-OPERATION

- ✓ **PUBLIC FUNDING FOR SCIENTIFIC RESEARCH IN SPORT**
  ➜ Public funding, partnerships (universities, sports organisations, public authorities)
- ✓ **PUBLIC AUTHORITIES COLLECT AND DISSEMINATE RELEVANT SPORTS DATA**
  ➜ Sports organisations' reports, national monitoring systems, partnerships with universities
- ✗ **PUBLIC/PRIVATE FINANCIAL PARTNERSHIPS**
  ➜ Outside the remit of sport policy; the Federal Office of Sport supports measures in this direction, such as a reduced VAT rate for sport

INTERNATIONAL CO-OPERATION

- ▸ **MEMORANDA OF UNDERSTANDING**
- ▸ **EDUCATIONAL PROGRAMMES**
- ▸ **CO-OPERATION WITH THE COUNCIL OF EUROPE, THE EU, UNESCO, THE FRANCOPHONIE, THE IOC AND INTERNATIONAL SPORTS FEDERATIONS**

INTERNATIONAL ORGANISATIONS

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

ORGANISATION INTERNATIONALE DE LA FRANCOPHONIE

UNESCO

UN INSTITUTIONS

Ministry responsible for Sport: Federal Office of Sport (OFSPO)