



EUROPEAN COMMISSION
DG Employment, Social Affairs and Inclusion

Employment and Social Legislation, Social Dialogue
Social dialogue, Industrial Relations

Brussels, 19 February 2015

Sectoral Social Dialogue Committee on Professional Football

Minutes of the Working Group Meeting "Respect of contracts"

3 February 2015

1. Adoption of the agenda and of the minutes of last meeting

The meeting was chaired by Mr Grafström (UEFA). The agenda was adopted. The minutes of the 02 September 2014 working group meeting were adopted.

2. Implementation plan of PFSC WG recommendations

A substantial discussion on this item was not possible.

Wouter Lambrecht (ECA) stated that up until the ECA saw the latest press statement from FIFPro they had the impression that the negotiations on the FIFA Regulations on the Status and Transfer of Players and overdue payables in particular were moving forward. FIFA introducing a new article 12bis into the Regulation to improve compliance with contractual obligations and to ensure that, where compliance cannot be achieved, sanctions are imposed quicker was considered by the ECA a step forward in an unavoidably long process. He saw this step as not sufficiently valued by FIFPro.

While acknowledging that negotiations were difficult and further compromises would need to be made also Jair Bertoni (EPFL) disapproved the behaviour of FIFPro, to bluntly state in their press-release from 30 January 2015 that negotiations had failed. Both, Wouter Lambrecht and Jair Bertoni stressed that they were also very much against the existence of overdue payables and that in this respect ECA's/EPFL's interests do not differ from the interests of FIFPro, namely to improve compliance.

The employers considered the breakdown of negotiations in contradiction with statements made around the FIFA Player Status Committee Working Group meeting, where they had understood that FIFPro had agreed to further discussion. While repeatedly disapproving the attitude, Wouter Lambrecht stated that the doors of ECA are open for further discussions. Jair Bertoni (EPFL) agreed to this approach. Both clarified however, that the central questions of these negotiations needed to be resolved at a higher level and that they were not mandated to do so during this meeting.

On behalf of FIFPro it was stated that the stated halt of the negotiation was the result of a much longer process than the described procedure within FIFA. The concerns of FIFPro about the transfer system had been voiced for many years. The current transfer system and licensing procedures did not provide players with effective rights and instruments for

players to protect themselves and take action in case of breach of contracts, in particular overdue payments, by clubs. Therefore FIFPro believed that agreement on four principled points had to be reached, before other demands from both sides about the amendment of the transfer system were negotiated. These are: 1) A player has just cause to terminate his contract after 30 days of non-payment by his employer and a reasonable notice-period. 2) A player under these circumstances would receive compensation in the amount of the residual value of his contract. 3) A player whose contract is terminated due to a breach of contract by the club would be eligible to seek new employment also outside the transfer windows. 4) That these principles were introduced as binding regulations on international and national level. The commitment of the FIFPro Division Europe membership expressed during a recent General Assembly in Athens was uniform and firm. As no agreement was to be found on these points, which served to protect the basic rights of a player to his contract, the negotiations had come to a halt from FIFPro's perspective.

ECA and EPFL expressed that under the given circumstances they would not be in a position to adopt the recommendations developed in this group.

Following this exchange of views the session ended.

Participants 3/2/2015

<p>Employers (4 ♂, 0 ♀)</p> <p><u>ECA</u></p> <p><u>EPFL</u></p>	<p>Workers (4 ♂, 0 ♀)</p> <p><u>FIFPro</u></p>
<p>European Commission (0 ♂, 1 ♀)</p>	<p>UEFA (1 ♂, 0 ♀)</p>