

PROTOCOLLO D'INTESA FRA FIFA E FIFPRO

MEMORANDUM OF UNDERSTANDING

Recognising the position of the Fédération Internationale de Football Association as the governing body of world football and also recognising the Fédération Internationale des Footballleurs Professionnels as the sole organisation representing professional footballers' unions around the world.

Considering their common interest in football as well as its development in harmony with those involved in it and with respect for the values of the sport.

Motivated by the quest for solutions to the challenges currently facing the various parties in football, whether FIFA, the confédérations, associations, leagues, clubs or players.

Convinced of the need to find, within the football family, these solutions as well as structures and mechanisms to allow crucial dialogue between all these parties.

Persuaded that only global solutions can offer a response to the challenges and threats that the growing universality of football brings to bear on the values of football,

the Fédération Internationale de Football Association (FIFA)

and

the Fédération Internationale des Footballleurs Professionnels (FIFPro)

agree as follows.

- 1) **PRINCIPLES OF THIS MEMORANDUM OF UNDERSTANDING**
- 1.1 FIFA and FIFPro, both institutions with a global profile, mutually recognise each other and resolve to reinforce their cooperation and dialogue on the major issues in football today.
- 1.2 This cooperation shall be based on the following shared values:
 - The universality of football as a tool for bringing people together, based on the principles of equality, solidarity, non-discrimination and fraternity for all,
 - The integrity of football competitions and protection of their unpredictable character by means of an code of ethics and defence against external influences (financial, commercial, political) that could endanger the fundamental values of the sport.
 - Preservation of the football pyramid and the link between amateur and professional football while taking into account the special requirements of the latter.
- 1.3 More specifically, concerning professional football, FIFA and FIFPro reaffirm their commitment to:

- The balance between club and international football, both of which are indispensable and interdependent, offering vitality to a healthy professional sector in solidarity with all levels of football. Furthermore, the expansion of football around the world while respecting the rhythm of development in each country and on each of the continents where the game is played,
 - Seek solutions to the major issues in football by all those involved (players, clubs, leagues, Fédérations, confédérations and FIFA) within legitimate structures, favouring consultation and resolving disputes within a football framework and making use of methods of social dialogue such as collective agreements,
 - The balance between national and international legislation, particularly with regard to the right to work, and taking into account the specific characteristics of football as well as the autonomy of the governing bodies of the sport.
 - The prevalence of employment legislation over all matters relating to the contractual relationships between clubs and professional footballers, taking into account the specificity of sport and the methods of resolving differences within a football framework on the basis of fair representation.
- 2) OBJECTIVES OF THE COOPERATION
- 2.1 FIFA and FIFPro propose that programmes be established to address special issues of global importance, determined by common agreement, and including - but not limited to - the following:
- The fight against doping and defence of the principle of “individual case management” in doping matters,
 - Considerations on the use of artificial pitches and their potential for the development of football,
 - FIFA’s coordinated international match calendar,
 - The fight against racism in football.
- 2.2 In respect of the modernisation of football structures and the reinforcement of internal mechanisms within football for the resolution of conflict, FIFPro supports the proposals of the Task Force “For the Good of the Game”, advocating the implementation of arbitration procedures and dispute resolution chambers by associations, operating on the bases defined by FIFA in circular no. 1010.
- 2.3 In respect of player contracts, FIFA and FIFPro agree to adopt an obligatory FIFA regulation of global scope to define minimum contract conditions, in particular for those associations that do not have collective agreements, on the basis of the agreement reached in discussions between FIFPro and EPFL under the auspices of UEFA.
- 2.4 With regard to the FIFA Regulations for the Status and Transfer of Players, FIFPro henceforth approves and formally recognises the principles of this document as amended in 2005.
- FIFA and FIFPro propose the following improvements to the Regulations

for the Status and Transfer of Players:

- Improved control of the mid-season transfer windows in order to preserve the integrity of competitions,
- Seek a mechanism for the appointment of “judges” to the FIFA Dispute Resolution Chamber that combines the objectives of ensuring that the parties have free choice, providing for the training of chamber members and preserving jurisprudence. The agendas of chamber meetings should be automatically sent to the general secretariat of FIFPro in advance.
- Establish a mechanism for the appointment of the chairman of the Dispute Resolution Chamber and guarantee his/her independence as defined by the principles of the agreement with the European Commission dated 5 March 2001,
- Ensure that the Dispute Resolution Chamber automatically meets in the week following the end of a transfer period in order to examine any disputes that may have arisen from decisions to issue International Transfer Certificates,
- Undertake not to amend the current international scale of training compensation that replaced the articles in the regulations mentioned above relating to the methods of calculation, unless agreed by the parties,
- In the event that an amendment of the Regulations for the Status and Transfer of Players, becomes necessary, undertake to engage in prior negotiation with the interested parties, including FIFPro, and not proceed to implementation without the consent of these parties,
- Reinforce dialogue on the issue of interaction between the “international law” of football and national law in order to avoid the reoccurrence of conflicts of competence.

2.5 With respect to the subject of player availability for national team matches and competitions, FIFPro reaffirms that selection by a national team represents the peak of a player’s career and that this “right” shall not and should not be jeopardised in any way whatsoever.

FIFPro supports FIFA in its efforts to find solutions to the issue of player insurance and indeed for the definition of a symbolic, nominal fixed compensation.

2.6 In respect of the “specificity of sport”, FIFA and FIFPro agree to recognise that sporting activity cannot be confined to its economic dimension, or otherwise it would lose its values, and that the specificity of sport should be protected within the European Union and the rest of the world.

Providing it does not have the objective of reducing footballers’ rights in terms of employment legislation, the specificity of sport must be recognised through dialogue, consultation and negotiation between the partners (clubs/employers on the one hand and players/employees on the other) and the football institutions. In this respect, FIFA and FIFPro have already agreed on the following:

- Measures against the multiple ownership of clubs,
- Provisions for the protection of youth players,
- Protection of national teams by FIFA introducing, over several seasons, the 6+5 system regarding eligibility for national teams,
- Centralised sale of television rights and protection of the existing solidarity mechanisms when the sale of these rights is conducted in an individual manner,
- Systems for club licences and appraising the management of licensed clubs,
- Measures aimed at controlling betting and its influence on matches and competitions,
- Regulations to govern the activities of certain football professions and reinforce transparency in football.

2.7 FIFA and FIFPro wish to cooperate in order to reinforce the professionalisation of football structures around the world, in particular at Fédération level, and to support the development of national competitions in developing countries within the framework of FIFA programmes, including the “Win in Africa with Africa” initiative.

2.8 FIFA and FIFPro will examine the possibility of cooperating in respect of the FIFA World Player Gala.

3) COOPERATION STRUCTURES

3.1 FIFA and FIFPro shall organise regular working meetings, with a minimum of three meetings a year, to be devoted to the development and implementation of cooperation initiatives. These meetings shall be chaired by the Presidents of the two Fédérations.

3.2 Each Fédération shall invite the other to attend its congress as an observer.

3.3 FIFPro welcomes the creation of the Task Force “For the Good of the Game” by the FIFA Congress in Marrakech in September 2005. FIFPro also welcomes the opportunity to participate in the various working groups of this task force, which, for the first time, has brought all the different parties involved in football together around the same table.

3.4 FIFA undertakes to reinforce the process of dialogue between those involved in football, including by establishing any necessary new structures under its auspices.

4) APPLICATION AND REVISION OF THIS MEMORANDUM OF UNDERSTANDING

The parties shall apply this memorandum of understanding as follows.

4.1 FIFA and FIFPro will promote this memorandum of understanding within their organisations and with their own respective members.

4.2 External communications by the two Fédérations shall reflect both the spirit and the letter of this memorandum of understanding.

4.3 This memorandum of understanding has been agreed for an undetermined period of time but may be cancelled at any time by either party by issuing

written notice three months in advance.

- 4.4 The two Fédérations shall proceed to a joint evaluation of the application of this memorandum of understanding two years after its signing.

This memorandum of understanding has been drawn up in English, French, Spanish and German. The English version is the authoritative version.

Barcelona, 2 November 2006

For FIFA
President
Joseph S. Blatter

For the FIFPro
President
Philippe Piat