

FOR IMMEDIATE RELEASE

FIFPRO EUROPE: LEGAL CLAIM AGAINST FIFA

- **FIFPRO member unions have submitted a legal claim against FIFA about the International Match Calendar**
- **The claim was filed at the Brussels Court of Commerce today on behalf of English and French player unions**
- **The claim asks the court to refer four questions to the European Court of Justice for a preliminary ruling**

Brussels – 13 June 2024 – **FIFPRO Europe member unions have today submitted a legal claim against FIFA, challenging the legality of FIFA's decisions to unilaterally set the International Match Calendar and, in particular, the decision to create and schedule the FIFA Club World Cup 2025.**

Player unions believe that these decisions violate the rights of players and their unions under the EU Charter of Fundamental Rights while also potentially violating EU competition law.

The English Professional Footballers Association (PFA) and the Union Nationale des Footballeurs Professionnels (French player union) are, with the support of FIFPRO Europe, asking the Brussels Court of Commerce to refer the case to the European Court of Justice (ECJ) with four questions for a preliminary ruling.

The EU Charter of Fundamental Rights guarantees workers and their trade unions various fundamental rights. These include the prohibition of forced or compulsory labour, freedom of work, the right to negotiate and conclude collective agreements, the right to healthy working conditions and the right to an annual period of paid leave. These rights are covered under Articles 5, 15, 28 and 31 of the Charter.

Players and their unions have consistently highlighted the current football calendar as overloaded and unworkable.

However, FIFA, as highlighted in recent representations by international unions and leagues, have failed to meaningfully engage or negotiate and have unilaterally continued a programme of competition expansion despite the opposition of player unions. This has included the decision to proceed with a newly expanded FIFA Club World Cup.

The new tournament will see 32 clubs and their players have to take part in this new competition in the United States from mid-June to mid-July 2025. Once preparation periods and travel are included, the tournament is likely to create up to six weeks of additional work to be added to an already crowded schedule.

The role of FIFPRO Europe and its members is not to favour or oppose one competition over another. However, in the wider context of the global football calendar, the new FIFA Club World Cup is seen by players and unions as representing a tipping point.

For the players most in demand for both club matches and national team competitions, the right to a guaranteed annual break has become virtually non-existent, with the FIFA Club World Cup 2025 being held during the only period of the year theoretically available to players to take such breaks.

Player unions believe that such decisions by FIFA are in breach of the EU Charter of Fundamental Rights (CFREU), without any serious justification. Ultimately, player unions believe the aim of this new competition is to increase the wealth and power of football's global governing body, with no proper regard for the impact on the players involved or on other stakeholders within professional football.

Furthermore, player unions believe that, in the light of the [ECJ's 'European Super League' ruling](#), such unilateral and discretionary decisions – which are not the result of clear, objective, transparent, non-discriminatory and democratic legal frameworks – constitute 'restrictions of competition by object' within the meaning of Article 101 TFEU.

FIFA finds it normal to unilaterally and abusively occupy an area which – in modern and open governance – naturally falls within the remit of the social partners and therefore of the negotiation of collective agreements between player unions and employer organisations.

FIFPRO Europe's member unions are asking the Brussels Court of Commerce to refer this crucial matter to the European Court of Justice by way of four questions for a preliminary ruling, the substance of which can be summarised as follows:

Does FIFA, by unilaterally and discretionarily imposing an International Match Calendar, and, more specifically, a new competition entitled 'FIFA Club World Cup 2025', infringe the rights that workers and trade unions derive from the CFREU and EU competition law? More specifically, does the unilateral imposition of such decisions on the players violate the right enshrined in Article 28 of the CFREU for those players to collectively bargain their terms and conditions of employment, via their trade unions?

Relevant to this case is the 'Diarra v FIFA' case, in which the ECJ is due to hand down a ruling within the next months. FIFPRO Europe (which joined the procedure alongside Lassana Diarra) maintains that the regulation of the professional football labour market must result from collective agreements between social partners and not from FIFA's unilateral imposition of a 'transfer system' that is fundamentally incompatible with freedom of work and human dignity.

David Terrier, President of FIFPRO Europe, said: "Since all attempts at dialogue have failed, it is now up to us to ensure that the fundamental rights of players are fully respected by taking the matter to the European courts and thus to the ECJ. It's not a question of stigmatising a particular competition, but of denouncing both the underlying problem and the straw that broke the camel's back."

FIFPRO Europe's member unions are represented before the Brussels Court of Commerce by the law firm [Dupont-Hissel](#).

The claim asks the Belgian Court to refer four questions to the European Court of Justice for a preliminary ruling. The four questions relate to:

- Whether the rights guaranteed to workers and their trade unions by the EU Charter of Rights, in particular Articles 5, 15, 28 and 31, prohibit FIFA scheduling the Club World Cup 2025 at a time that has traditionally represented the 'window' when players would take an annual break, and against the formal representations of player/worker unions.
- Whether the unilateral imposition of such decisions on players infringes the rights under Article 28 of the Charter for those players to collectively bargain over their terms and conditions of employment.
- Whether the right to healthy working conditions, guaranteed by Article 28, is violated by FIFA's decision to impose significant additional workload via the Club World Cup 2025.
- Whether FIFA's unilateral decisions with regard to the International Match Calendar and the Club World Cup 2025 give rise to "restrictions of competition" pursuant to article 101 TFEU.

Notes to editors:

Attached to this email, in French (in the original text from the writ of the summons), and in English (a working translation), please find the complete text of these 4 questions.

For further information, please contact FIFPRO Director of Communications Alejandro Varsky a.varsky@fifpro.org