

The “specificity of sport” is an expression that now forms part of our vocabulary. It is currently quoted as one of the characteristics of the sporting occupation, as witnessed by article 165 of the Treaty of Lisbon, which states: “The Union shall contribute to the promotion of European sporting issues, **while taking account of the specific nature of sport**, ... .” But what specificities are actually in question here?

Those who have a very broad conception of specificity prefer to believe that it is sport itself, in all of its dimensions, that is specific. From that, they conclude that all of the relations existing in sport, labour relations in particular, are affected thereby. For that reason, these partisans call for the status of the professional footballer to be governed by special rules that differ from the law applicable to all workers in general.

Now, although there is no doubt that **the organization of competitions is based on specific rules** established by the national and international sports authorities, the specificity of the exercise of a footballer’s profession is in contrast under debate.

In fact, when an employment contract ties a professional footballer to his employer, a club, he resembles **an employee like any other**: like any employee, he is legally subordinated to his employer and receives remuneration in return for the service he provides. Admittedly, he is the employee of a club, but professional **clubs are genuine enterprises** today, a status claimed, moreover, by the clubs themselves. The time has gone by when clubs were constituted in the sole form of not-for-profit associations. They are at present commercial companies, able to pay dividends, be quoted on the stock exchange, and remunerate their executives. These clubs can be bought and then sold to the highest bidder by financial groups, for reasons that have nothing to do with the sport itself. In reality, **there is a profound cleavage between two worlds**: that of **amateur football**, largely dominated by clubs that are associations, most of whose players are not paid, run in collaboration with many voluntary workers, and that of **professional football**, frequently described as the “football business”.

These two worlds are undoubtedly united by the fact that they practise one and the same discipline, which is why the sports regulations enacted by the federations are applicable to both of them. But, as soon as a labour relationship is involved, the rules that are naturally applicable are no longer sports rules, whose ambit is quite other, but indeed labour rules. It is important, of course, to “take account” of the interference between the necessities of the organization of sport and the sports workforce, which justifies a certain number of adaptations. But these adaptations can only result by common consent. This agreement between the partners concerned has a name, **social dialogue**, which alone will enable the establishment of adapted and jointly accepted rules, which must consequently be consecrated and promoted.

## PRACTICAL INFORMATION

*Registrations will be recorded on receipt of the registration form, subject to the availability of places.*



### Location and address of the Colloquium

#### Auditorium Paris Centre Marceau

12, avenue Marceau, 75008 Paris

Tél. : 01 44 43 50 00

#### Access:

Métro : **Alma Marceau** (line 9)

R.E.R. : **Pont de l'Alma** (line C)

Bus : **Number 42, 63, 72, 80, 92**

Motorway : **Ring road, departing Porte Maillot or Porte Dauphine**

*Car park Alma-Georges V (1 minute walking distance, 300 metres)*

*Capacity: 384 places opposite 19, avenue George V*

*Car park Étoile Marceau (10 minutes walking distance, 610 metres)*

*Capacity: 503 places opposite 82, avenue Marceau*



# THE SPECIFICITY OF THE PROFESSION OF FOOTBALLER IN EUROPE MYTHS AND REALITIES

In the Auditorium Paris Centre Marceau



# PROGRAM

FRIDAY 22 OCTOBER

9:00 – 9:45: *Reception of participants*

10:00 – 10:45: *Opening of the Colloquium*

*The social status of the professional footballer:  
Historical evolution and current situation*

**Philippe PIAT**

*President of UNFP and of FIFPro*

THE PROFESSIONAL FOOTBALLER, AN EMPLOYEE LIKE ANY OTHER?

10:45 – 11:15: *The professional footballer and European social law*

**Roger BLANPAIN** y **Frank HENDRICKX**

*Professors in law at the University of Louvain (Belgium)*

11:15 – 11:45: *The professional footballer and French labour law*

**Philippe FLORES**

*Deputy Judge at the Cour de cassation (final court of appeal)*

THE EMPLOYING CLUB, A COMPANY LIKE ANY OTHER?

11:45 – 12:30: *The economics and legal transformations  
of the professional clubs*

**Economics transformations: Ruud H. KONING**

*Professor of economy in the University of Groningen (Netherlands)*

**Legal transformations: Vincent THOMAS**

*Senior Lecturer at the University of Bourgogne,  
Member of the LDS (Laboratoire de Droit du Sport)*

12:30 – 13:00: *General discussion*

13:00 – 14:30: *Buffet lunch\**

# PROGRAM

THE SPECIFICITY OF SPORT, WHAT DOES IT MEAN?

14:30 – 15:00: *The specificity of the organization of football:  
Extent and limits of federal power*

**Gérald SIMON**

*Senior Lecturer at the University of Bourgogne, Director of LDS*

15:00 – 15:30: *The specificity of sport according to the Lisbon Treaty:  
Analysis and significance*

**Richard PARISH**

*Lecturer in law of the sport at the University of Edge Hill*

## Round table

15:30 – 17:00: *The impact of the specificity of sport on the status of the  
professional footballer*

**Participants :**

- **Pedro VELASQUEZ:** Deputy head of the unity sport - European Commission
- **Wil VAN MEGEN:** Lawyer FIFPro
- **Michele COLUCCI:** Professor in Sports Law at Tilburg University -
- **Gianni INFANTINO:** Secretary General - UEFA
- **Michele CENTENARO:** Secretary General - ECA
- **Emanuel MEDEIROS:** Chief Executive Officer

17h00 – 18h00: *General discussion*

18h00: *Cocktails*

\* Lunches provided both days

# PROGRAM

SATURDAY 23 OCTOBER

THE SPECIFICITY OF SPORT  
AS A COMPONENT OF SOCIAL DIALOGUE

8:30 – 9:00: *Reception of participants*

9:15 – 10:00: *Meaning and significance of social dialogue in  
(present-day) football*

**David JACOTOT**

*Senior Lecturer at the University of Bourgogne, Member of the LDS*

## Round table

10:00 – 11:15: *The construction of the social dialogue*

**Participants :**

- **Omar ONGARO:** Department Head of the status of the player - FIFA
- **Alex PHILLIPS:** Responsible for the professional football
- **Jean-Paul TRICART:** European Commission (under reserve)
- **Mads ØLAND:** President of the Danish syndicate (Spillerforenigen) and Responsible of social dialogue FIFPro Europe
- **Frédéric THIRIEZ:** President of LFP
- **Michele CENTENARO:** Secretary General - ECA

11:15 – 12:00: *Social dialogue and the specificity of sport:  
The point of view of the Community Judge*

**Marko ILESIC**

*Judge at the European Court of Justice (ECJ)*

12:00 – 12:30: *Conclusion of the Colloquium*

**Theo VAN SEGGELEN**

*Secretary General of FIFPro*

12:30 – 14:30: *Buffet lunch\**