



Football Association of the Czech Republic

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WC 1934 Italy – 2nd place • WC 1962 Chile – 2nd place • EURO 1976 Yugoslavia – 1st place • OG 1980 SSSR – 1st place • EURO 1980 Italy – 3rd place • EURO 1996 England – 2nd place • EURO 2000 U21 Italy – 2nd place • EURO 2002 U21 Switzerland – 1st place • EURO 2004 Portugal – 3rd place • EURO 2012 Poland – Quarterfinal

UEFA

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RE: TERMINATION OF COLLABORATION WITH THE CZECH ASSOCIATION OF FOOTBALL PLAYERS

I. Recapitulation of mutual collaboration with respect to new transfer regulations

1. General introduction (retrospective of previous 30 months)

The Football Association of the Czech Republic (FA) has recently introduced several projects, which intend to increase the quality of football environment in the Czech Republic. Since 2014 has the FA systematically decreased the administrative demands that lie on the shoulders of its member clubs and has focused fully on the development of the youth football in the Czech Republic. The work of the FACR's secretariat has been also awarded on international level, namely the FA obtained the UEFA Grassroots award for the project "My first goal" and the UEFA Hattrick award for the project of "Football (R)evolution".

One would assume that projects like these and other do establish a broad room for mutual collaboration between the FA and the Czech Association of Football players (CAFP). This room hasn't really been properly used recently. In the previous 30 months the CAFP showed its interest in mutual collaboration just twice. First case was the social dialogue regarding the minimum requirements on professional contracts, which are given by UEFA regulations anyway, the other was the curious approach of CAFP regarding the FACR's new transfer regulations.

2. Transfer regulations (retrospective of previous 9 months)

Despite of genuine pursuit of transparency and open approach to the preparations of the new FA's transfer regulations (the substance of the new regulations was published on December 15, 2015, but the first information on the preparation works were published on October 19, 2015), the CAFP didn't show their interest in this regard until March 2016 when FACR received their written remarks to the concrete draft of the regulations published on February 23, 2016 (Draft). These mentioned remarks (total of 4 remarks) of CAFP were composed of just and only 4 simple sentences. Moreover, they lacked



any kind of reasoning, not to mention any kind of constructive suggestions. In the same time, they strongly indicated to deep misunderstanding and elementary lack of knowledge of the Draft. Regardless of what was just said, FACR wrote up an extensive answer to these remarks (Answer), where tries to almost trivially explain grounds of the player's rights to transfer, including the status of the player after expiration of his professional contract and where expressly emphasizes that players after the expiration of their contract are so called free players and are entitled to carry out a transfer without a compensation needed to be paid.

The content of the Answer was inexplicably absolutely ignored by the CAFP as far as its next steps are concerned, which can be demonstrated by follow-up medial activities of its chairwoman, which are full of misleading and inaccurate claims. It is also needed to be stressed that players were informed by the CAFP in this false fashion during the CAFP members meeting on March 23 too. The CAFP there informed the players about its view on the Draft in light of their management's own inaccurate opinion and in compilation with lack of understanding of the Draft on side of CAFP and arguably with other goals pursued by the CAFP the result was simple – the player were provided with false information. Thus, the CAFP's management did not inform the players about the Draft but about what did they think about it or wanted them to think about it and that led to unprecedented mislead of the players. It needs to be also pointed out that this approach is just another example of peculiar cooperation considering that CAFP did not even invite a FA's representative to its members meeting and therefore didn't give FA an opportunity to outline a different view on the transfer regulations. If CAFP had done it, the players wouldn't have been confused and insecure in terms of what is awaiting them as far as the transfer regulations are concerned and CAFP wouldn't have had to deal with these concerns, which were caused by those false information, that CAFP had the players provided with. It is appalling that CAFP had never verified their understanding of the draft with a representative of FACR (CAFP did so after all the events described in this letter on May 24).

Instead of any rational form of collaboration, the CAFP's management chose different approach as far as the key object of its critics is concerned. Without any effort being made to get to know the reality and spread it among the players, the CAFP subsequently submitted a petition signed by around 400 professional players in the end of April. The content of the petition indicates following. Firstly, there is absolute evidence of misunderstanding of the fact that the players after expiration of their respective contracts have a different status than standard amateur players. Secondly, the petition reflects fully the opinion of CAFP's management which was not able to or not willing to understand what is the status of the players after expiration of their contracts and how is distinguished from the status of standard amateur players. The CAFP's management refused to leave its incorrect view and moreover continued to spread it systematically, even though they were repeatedly informed about their mistake by the FACR's secretariat. In light of the above said there it is no surprise that the petition fully reflects the previous remarks of CAFP and there is no doubt the players were persuaded by the CAFP's management to sign it. Therefore, it is evident where the petition came from but on the other hand it is obvious that the players weren't aware of the fact that the provisions regarding the compensations system in amateur football doesn't concern them at all. If the CAFP's management wasn't aware of this fact, it can be denoted as simply sad; if the CAFP's management was aware of the reality and in spite of that was proceeding against the FA in this evidently militant manner, it is sad even more.

The inability to "know the ropes" of the Draft and abovementioned confusion of professional players as well as strong need to explain the issue to the players were the reasons behind workshops organised by FACR for professional players in the beginning of May. The FA asked the CAFP to cooperate in this matter. Another example of completely peculiar approach to the cooperation can be demonstrated by the fact, that CAFP posted the information about the workshops on its website in article called "We

handed over petition and require changes of the transfer regulations" where the information was accompanied with personal quote of the chairwoman who considered the workshops to be insufficient. What is more interesting is the fact that the information didn't include where and when the workshops were to take place. This could hardly substitute the so needed addressed information to those who would had taken part in the workshops. In this matter the chairwoman conveyed to the general secretary of the FA that "...you can invite your members on your workshops without our participation."

Despite this ostentatious lack of interest of the CAFP's management in any substantive cooperation, the FA invited the CAFP's chairwoman to the General meeting of the FA. There could have been the matter discussed once again. Though there was no reaction to this invitation.

Instead of that the CAFP's management arranged a meeting with representatives of the FA, despite one of its members took part in abovementioned workshops. The proposal to arrange the meeting was accompanied with query that was very hard to believe, namely which provision of the transfer regulations grants the player the right to transfer for free after the expiration of his contract. This documents incredible and elementary ignorance of what was in the previous period of time the object of CAFP's theatrical medial appearances – the Draft. An interest in mutual cooperation was declared by the CAFP's representatives during this meeting that took place on May 23 by promise of invitation to oncoming CAFP's members meeting where also the FA's representatives should have provided the professional players with information on the new transfer regulations. Until this day there was no invitation delivered to the FA even though it was promised to be made on May 27 the latest.

3. Partial conclusions I

To finish this part, certain conclusions can be surely made out of the abovementioned. Firstly, we believe the long-term peculiar approach of the CAFP was demonstrated. Secondly, if there is a concrete impulse to cooperation (namely especially the works on the transfer regulations), the CAFP's management shows deep misunderstanding of the issue, which, thanks to its inexplicably long persistence, evokes that it is not misunderstanding after all, and CAFP completes it with belligerent public attacks, that of course have tendencies to question the credibility of the FA.

II. Misleading activities of the CAFP's management towards players, mystification regarding their rights and serious discrediting of the FA's name

1. Misleading of players

The abovementioned workshops clearly proved that the players were evidently misled while signing the petition by the false information they were provided with by the CAFP. The misleading informing doesn't concern just the transfer regulations though but can be found also in other areas. The CAFP has several inaccurate information published even on its own website (e.g. the term the representation contract between a player and an intermediary can be concluded for, the system of the decision-making bodies within the FA etc.) that are capable to seriously mislead the players.

This shows the educational environment within the CAFP towards (professional) players is absolutely insufficient. Therefore, the FA has established consulting hours *pro bono* for the (professional) players.

It seems to be very probable that at least from the beginning will be these consulting hours designed to eliminate the misleading information the players were provided with by the CAFP.

2. Probable mystification regarding player's rights

The misleading information provided by the CAFP's representatives have much more fatal consequences than just those arising from false information on the website. Several professional players have recently contacted the FA claiming that the CAFP's representatives persuaded them, that they have to be represented by attorney (while this attorney's services are provided often by no one else but the chairwoman of the CAFP) before the Board of Arbitrators and the Arbitration Committee. The FA's regulations of course do not contain any provision that would make this claim correct. Not to mention that such provision would represent unnecessary prolongation of disputes as well as player's costs, neither of which is in interest of the FA, especially with regard to common simplicity of disputes brought before the abovementioned decision-making bodies.

Even bigger astonishment is evoked by another related claim of the players. They are reportedly being persuaded that they are not allowed to be present before the FA's bodies when they take the advantage of being represented by attorney. Such impossibility or even prohibition of such right is of course complete nonsense.

In this context it needs to be remarked that the abovementioned players do not wish to unveil their identity. They justify that by fear from potential consequences. Such apprehension is according to the FA's opinion baseless, on the other hand can be understood and of course fully respected.

On one hand this means the FA doesn't have tangible evidences to support the correctness of the abovementioned claims of players. On the other hand, the explicitness of these claims excludes the possibility of simple misunderstanding between CAFP representatives and the players and thus the question why would the players make something like this up arises. It is needed to be taken into account that it is true that the players are represented in most of the cases and in the same time they are basically never present in person.

3. Serious discrediting of the FA's name

Following-up the above described process of the new transfer regulations preparations the FA was provided with information about another behaviour of CAFP's representatives, this time completely intolerable. One of the professional member clubs contacted the FA with information that its players are contacted by CAFP via SMS, where CAFP proclaims, that the petition of players had brought changes in the Draft. It needs to be emphasised that the status of the players after the expiration of their professional contract, i.e. that they are entitled to carry out a free transfer, was clear from the very beginning of the preparations and had not changed even slightly during the time.

Ahoj kluci,

Předtím, než odjete na dovolenou, bych vám chtěl ještě jednou podekovat za odvahu a trpělivost. Díky vaší petici se pohnuly ledy. Přestože FACR teď tvrdí, že doslo k nepochopení koncepce, nebyť vás, nový Přestupní rad by určitě vypadal jinak. V tuto chvíli vám s jistotou můžeme říct, že hráči nad 23 let, kterým k 30. červnu končí profesionální smlouva, mohou přestoupit do nového klubu zdarma. Je ale ještě potřeba doladit nějaké detaily, aby nedocházelo ke zneužívání mezer v řadě ze strany klubu v některých konkrétních situacích.

"Hi boys, before you leave for the vacation, I'd like to thank you once again for the courage and patience. Thanks to your petition the ices have moved. Even though the FA now claims there was a misunderstanding of the conception, if there wasn't for you, the transfer regulations would have certainly looked differently. At this moment we can inform you that the players above 23, whose contracts expire on June 30 can transfer to a new club for free. Though some details need to be cleared up so there are no loopholes to be used by clubs in some concrete situations."

In this regard it needs to be stated that this practise of CAFP is absolutely damnable and can't be perceived differently than as a total lapse of CAFP (respectively of its management). The FA is of course willing to condone that CAFP "is strutting in borrowed plumes". What can't be condoned is the fact that the CAFP's management is trying to make the impression that the FA is trying to act against the professional players.

4. Partial conclusions II

The abovementioned behaviour of the CAFP demonstrates two dimensions of its approach towards the collaboration with the FA and FA's members. First of all, the CAFP apparently doesn't care what information provide the professional players with. On contrary whenever it is suitable from its standpoint the CAFP provide the players with misleading, sometimes even mendacious, untrue information. This is absolutely unacceptable for the FA; the professional players are also its members. Secondly, the CAFP representatives do not try to find any ways how to cooperate with the FA but moreover they do not hesitate to flagrantly damage the name of the FA in order to improve its own name. This establishes unprecedented interference to the mutual relations and therefore also incontrovertible disruption of mutual trust.

III. Memorandum on collaboration between the FA and the CAFP and its violation

On October 6, 2011, the FA and the CAFP concluded a memorandum on collaboration (Memorandum). The Memorandum is based on basic principles of mutual collaboration, which includes common negotiation as well common responsibility for the development of the Czech professional football.

From the above said results that the CAFP violates the essentials of the Memorandum. The FA can neither furthermore cooperate with a subject that acts like that, nor to carry the joint responsibility for the development of the Czech professional football. For this reasons no future mutual collaboration is feasible. In addition, the behaviour of the CAFP is only underlined by the lack of transparency, e.g. no Statutes of the CAFP are disclosed in the public register, one can thus only assume what is hidden in this document.

Finally, the most important thing must be remarked. The FA is aware of the consequences from this termination of collaboration with the CAFP. Though, as it was already referred to above, the FA is able and willing to compensate the inabilities of the CAFP on the national level in relation to individuals – players (organisation of workshops, consulting hours etc.). The FA is however ready to carry also the responsibility for the long-term project on the international level as well, especially as far as the introduction of the employment contracts in the Czech Republic are concerned. Hereby we are happy to express our conviction that in accordance to the development of the negotiations with the state departments we expect the implementation of the employment contract by the end of 2016.

Sincerely yours,

Miroslav Pelta
President



Rudolf Řepka
General Secretary

