

**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITE EUROPEEN DES DROITS SOCIAUX**

**DECISION ON ADMISSIBILITY
16 March 2026**

National Union of Professional Footballers (UNFP) v. France
Complaint No. 247/2025

The European Committee of Social Rights, a committee of independent experts established under Article 25 of the European Social Charter (“the Committee”), during its 354th session, in the following composition:

George THEODOSIS, Vice-President
Kristine DUPATE, General Rapporteur
Karin Møhl LARSEN
Yusuf BALCI
Mario VINKOVIĆ
Miriam KULLMANN
Carmen SALCEDO BELTRÁN
Franz MARHOLD
Alla FEDOROVA
Grega STRBAN
Olivier DE SCHUTTER
Kristina KOLDINSKÁ
Carmen-Constantina NENU

Assisted by Henrik KRISTENSEN, Executive Secretary,

Having regard to the complaint registered on 1 July 2025 as number 247/2025, lodged by the National Union of Professional Footballers (UNFP) against France and signed by its President, David Terrier, requesting the Committee to find that the situation in France is not in conformity with Articles 2, 3, 6, 7 and 11 of the Revised European Social Charter ("the Charter");

Having regard to the documents appended to the complaint;

Having regard to the observations on the admissibility of the complaint of the Government of France ("the Government") registered on 19 September 2025;

Having regard to the response from UNFP to the Government's observations, registered on 31 October 2025;

Having regard to the Charter, and in particular to Articles 2, 3, 6, 7 and 11 which read as follows:

Article 2 – The right to just conditions of work

Part I: "All workers have the right to just conditions of work."

Part II: "With a view to ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

1 to provide for reasonable daily and weekly working hours, the working week to be progressively reduced to the extent that the increase of productivity and other relevant factors permit;

2 to provide for public holidays with pay;

3 to provide for a minimum of four weeks' annual holiday with pay;

4 to eliminate risks in inherently dangerous or unhealthy occupations, and where it has not yet been possible to eliminate or reduce sufficiently these risks, to provide for either a reduction of working hours or additional paid holidays for workers engaged in such occupations;

5 to ensure a weekly rest period which shall, as far as possible, coincide with the day recognised by tradition or custom in the country or region concerned as a day of rest;

6 to ensure that workers are informed in written form, as soon as possible, and in any event not later than two months after the date of commencing their employment, of the essential aspects of the contract or employment relationship;

7 to ensure that workers performing night work benefit from measures which take account of the special nature of the work."

Article 3 – The right to safe and healthy working conditions

Part I: "All workers have the right to safe and healthy working conditions."

Part II: "With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake, in consultation with employers' and workers' organisations:

1 to formulate, implement and periodically review a coherent national policy on occupational safety, occupational health and the working environment. The primary aim of this policy shall be to improve occupational safety and health and to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, particularly by minimising the causes of hazards inherent in the working environment;

2 to issue safety and health regulations;

3 to provide for the enforcement of such regulations by measures of supervision;

4 to promote the progressive development of occupational health services for all workers with essentially preventive and advisory functions.”

Article 6 – The right to bargain collectively

Part I: “All workers and employers have the right to bargain collectively.”

Part II: “With a view to ensuring the effective exercise of the right to bargain collectively, the Parties undertake:

1 to promote joint consultation between workers and employers;

2 to promote, where necessary and appropriate, machinery for voluntary negotiations between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements;

3 to promote the establishment and use of appropriate machinery for conciliation and voluntary arbitration for the settlement of labour disputes;

and recognise:

4 the right of workers and employers to collective action in cases of conflicts of interest, including the right to strike, subject to obligations that might arise out of collective agreements previously entered into.”

Article 7 – The right of children and young persons to protection

Part I: “Children and young persons have the right to a special protection against the physical and moral hazards to which they are exposed.”

Part II: “With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

1 to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education;

2 to provide that the minimum age of admission to employment shall be 18 years with respect to prescribed occupations regarded as dangerous or unhealthy;

3 to provide that persons who are still subject to compulsory education shall not be employed in such work as would deprive them of the full benefit of their education;

4 to provide that the working hours of persons under 18 years of age shall be limited in accordance with the needs of their development, and particularly with their need for vocational training;

5 to recognise the right of young workers and apprentices to a fair wage or other appropriate allowances;

6 to provide that the time spent by young persons in vocational training during the normal working hours with the consent of the employer shall be treated as forming part of the working day;

7 to provide that employed persons of under 18 years of age shall be entitled to a minimum of four weeks' annual holiday with pay;

8 to provide that persons under 18 years of age shall not be employed in night work with the exception of certain occupations provided for by national laws or regulations;

9 to provide that persons under 18 years of age employed in occupations prescribed by national laws or regulations shall be subject to regular medical control;

10 to ensure special protection against physical and moral dangers to which children and young persons are exposed, and particularly against those resulting directly or indirectly from their work.”

Article 11 – The right to protection of health

Part I: “Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.”

Part II: With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organisations, to take appropriate measures designed *inter alia*:

1. to remove as far as possible the causes of ill-health;
2. to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health;
3. to prevent as far as possible epidemic, endemic and other diseases, as well as accidents.”

Having regard to the Additional Protocol to the European Social Charter providing for a system of collective complaints (“the Protocol”);

Having regard to the Rules of the Committee adopted by the Committee on 29 March 2004 at its 201st session and last revised on 11 September 2024 at its 343rd session (“the Rules”);

Having deliberated on 16 March 2026;

Delivers the following decision, adopted on the above-mentioned date:

1. UNFP alleges violations of Articles 2, 3, 6, 7 and 11 of the Charter on the basis that, although national regulations and case law expressly recognise professional footballers as ‘workers’ and make them subject to the provisions of the Labour Code, France does not ensure that professional footballers, and in particular minor professional footballers, benefit from the minimum guarantees afforded to workers. They assert this with regard to minimum guarantees in terms of just working conditions, working hours, weekly rest, annual leave, prevention of risks to their health and safety, and collective bargaining. UNFP asserts further that France does not protect professional footballers’ health, in violation of the aforementioned provisions of the Charter.
2. In its observations, the Government recognises that UNFP is a representative trade union and an organisation entitled to bring collective complaints before the Committee within the meaning of Article 1 of the Protocol. The Government acknowledges that the present collective complaint has been lodged in accordance with the formal requirements laid down in the Protocol.
3. The Government asserts that the complaint should be declared inadmissible on the ground that UNFP does not clearly explain how France has failed to implement the

Charter provisions invoked, and instead challenges actions attributable to private or foreign actors (such as football clubs, the French Football Federation (FFF), the Professional Football League (LFP), Union of European Football Associations (UEFA), or International Federation of Association Football (FIFA)), over which the State has no direct control. The Government argues that an adequate legal framework already exists in French law concerning working hours and prevention of risks to health and safety of the workers and that the alleged shortcomings concern its application by private bodies, which cannot engage the State's responsibility in terms of the Charter. The Government underlines that nothing prevents football players from taking legal action against their club or the French Football Federation if they believe that the latter are not complying with the rules laid down by French law.

4. In its response, UNFP states that the Government improperly seeks to anticipate the examination of the merits by arguing that the alleged violations are insufficiently substantiated or attributable to private or international actors. It further submits that the State cannot meet its obligations by relying exclusively on legal provisions or on delegations of authority to absolve itself of responsibility, as it remains bound to ensure the effective enjoyment of Charter rights in practice, which UNFP sufficiently calls into question. According to UNFP, even if the State did not take any active part in the alleged violation as an operator, it may still be held liable for failure to put an end to the violation in its capacity as a regulator. UNFP emphasises that it alleges that France has not taken action to ensure practical compliance with the Charter provisions invoked.

THE LAW

As to the admissibility conditions set out in the Protocol and the Committee's Rules

5. The Committee notes that, in accordance with Article 4 of the Protocol, which France ratified on 7 May 1999 and which entered into force for France on 1 July 1999, the complaint has been submitted in writing and concerns Articles 2, 3, 6, 7 and 11 of the Charter, provisions accepted by France when it ratified the treaty on 7 May 1999. France has been bound by these provisions since the treaty entered into force for it on 1 July 1999.

6. The Committee also notes that UNFP is a trade union founded in 1961, governed by French labour law, whose statutory purpose is the collective and individual defence of professional footballers' rights and working conditions, including men, women and minors (Articles 1-4 of the Statute of UNFP). UNFP represents approximately 95% of professional footballers active in France. The Committee notes from UNFP's submissions, which were not contested by the Government, that for the 2024-2025 season, 1,226 professional footballers playing in Ligue 1, Ligue 2 or National Ligue joined UNFP, representing 94.89% of professional footballers in these three leagues.

7. The Committee further notes that UNFP is a signatory to the Charter of Professional Football and actively participates in its drafting, application and amendment. This Charter governs the working conditions of professional footballers and plays a central role in regulating their employment and working conditions in

France. The Committee further observes that several members of UNFP sit on the national joint committee for the national collective agreement for the football industry, established under Article 67 of the Charter of Professional Football, whose function is to adopt amendments to and provide interpretations of the national collective agreement for the football industry. The Committee also notes UNFP's submission that the *Cour de cassation* has recognised the Charter of Professional Football as having the status of a collective agreement (*Cour de cassation, chambre sociale*, 12 December 2012, No. 11-14.823). These developments, according to UNFP, confirm UNFP's role in defending the working conditions of professional footballers within the meaning of the Protocol.

8. Consequently, on the basis of all the information at its disposal, the Committee considers that UNFP is a representative trade union for the purposes of the collective complaints procedure.

9. The Committee notes that the grounds of the complaint are indicated, detailing in what respect UNFP considers that France has not ensured the satisfactory application of the Charter. It therefore considers that the complaint meets the requirements of Article 4 of the Protocol and is admissible in this respect.

10. The Committee further notes that the complaint is signed by David Terrier, the President of UNFP who is entitled to represent the complainant organisation under Article 15.1 of its Statutes. The Committee therefore considers that the complaint complies with Rule 23 of its Rules in this respect.

As to the Government's objection on admissibility

11. In response to the Government's objection concerning its responsibility for the acts and omissions attributable to private or foreign actors, the Committee emphasises that the state is responsible for enforcing the rights embodied in the Charter within its jurisdiction. The Committee is therefore competent to consider the complainant's allegations of violations. The extent of the Government's responsibilities, whether in the capacity as an operator or in that of a regulator will, as necessary, be examined in the proceedings on the merits of the complaint (see, *Marangopoulos Foundation for Human Rights v. Greece*, Complaint No. 30/2005, Decision on admissibility of 10 October 2005, §14).

12. For these reasons, the Committee, on the basis of the report presented by George THEODOSIS, and without prejudice to its decision on the merits of the complaint,

UNANIMOUSLY DECLARES THE COMPLAINT ADMISSIBLE

Pursuant to Article 7§1 of the Protocol, requests the Executive Secretary to notify the complainant organisation and the Respondent State of the present decision, to transmit it to the parties to the Protocol and the States having submitted a declaration pursuant to Article D§2 of the Charter, and to publish it on the Council of Europe's Internet site.

Invites the Government to make written submissions on the merits of the complaint by 26 May 2026.

Invites UNFP to submit a response to the Government's submissions by a deadline which the Committee shall determine.

Invites the Parties to the Protocol and the States having submitted a declaration pursuant to Article D§2 of the Charter to notify by 26 May 2026 any observations they may wish to submit.

In application of Article 7§2 of the Protocol, invites the international organisations of employers or workers mentioned in Article 27§2 of the Charter to make observations by 26 May 2026.



George THEODOSIS
Vice-President
Rapporteur



Henrik KRISTENSEN
Executive Secretary