

In the Matter of a Notice of Alleged Major Corruption Offenses under:

**TENNIS ANTI-CORRUPTION PROGRAM**

(hereinafter the “TACP”)

**Thomas Brechemier**

(hereinafter the “Player”)

**and**

**International Tennis Integrity Agency**

(hereinafter the “ITIA”)

Representing the Covered Person:

Gregory Doranges of Doranges Avocat

Representing the ITIA:

Ms Julia Lewis, ITIA Senior Legal Counsel

Anti-Corruption Hearing Officer

Mr Ian Mill KC

(hereinafter, the “AHO”)

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**DECISION ON SANCTION**

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1. On 21 November 2024, the ITIA issued a Notice of Major Offense (“the Notice”) against the Player. The Notice alleged that the Player had committed serious Corruption Offenses in relation to some 12 tennis matches which had taken place in 2017 and 2018.
2. Specifically, the Player was charged with:
  - a. contriving or attempting to contrive the outcome or any other aspect of nine matches during that period in which he had himself participated, contrary to section D.1.d of the relevant edition of the TACP; (Charge 1)
  - b. soliciting or facilitating a Player not to use his or her best efforts in two matches during that period in which he had not himself participated, contrary to section D.1.e of the relevant TACP; (Charge 2)
  - c. soliciting or facilitating another person to wager on the outcome or any other aspect of each of the above matches and one further match, contrary to section D.1.b of the relevant TACP; (Charge 3)
  - d. receiving money as a result of the contrivance of each of the matches referred to above, contrary to section D.1.f of the relevant TACP; (Charge 4)
  - e. failing to report the approaches made to him by an organised criminal network to contrive aspects of the matches referred to above, contrary to section D.2.a.i of the relevant TACP. (Charge 5)
3. The criminal network referred to in the Notice (and in paragraph 2(e) above) was said to be one at the heart of which lay an individual called Grigor Sargsyan (“Mr Sargsyan”). Criminal proceedings were brought in Belgium against Mr Sargsyan and a number of other individuals associated with him (as well as several Belgian professional tennis players) between 2021 and 2023. On 30 June 2023, they were all found guilty of multiple corruption offences related to tennis matches.
4. Following receipt of the Notice, the Player promptly and unreservedly admitted each of the five Charges. Consequently, the ambit of my role as AHO in these proceedings is to determine the appropriate sanction(s) that should apply in the circumstances.

5. The parties have assisted me with written submissions on the issue of sanction, for which I am grateful.
6. In its written submissions, the ITA:
  - a. reminds me that the potential maximum sanction for the Player, having regard to the number and nature of the Offenses which he admits having committed, is (i) permanent ineligibility from participation, (ii) a fine of US\$250,000 and (iii) disgorgement of any corrupt payments received by him;
  - b. submits, by reference to the TACP Sanctioning Guidelines issued to apply to proceedings commenced in 2024 (“the Guidelines”), that the appropriate level of sanction for the Player is:
    - i. a period of seven and a half years’ ineligibility, and
    - ii. a fine of US\$16,500, with an additional US\$38,500 suspended on the basis of there being no further breaches of the TACP committed by him during the period of ineligibility.
7. The Player made the decision in 2019 to cease participating in the sport of tennis. Presumably for that reason, he has not responded to that part of the ITIA submissions which addressed the period of ineligibility. He has, however, objected to the level of fine proposed by the ITIA by reference, in particular, to his personal financial circumstances.
8. I turn first to deal with the appropriate period of ineligibility.
9. An application of the Guidelines involves, in the first instance, ascertaining the category of the Offenses which have been committed. This in turn involves assessing both the level of culpability of the Covered Person’s actions (subdivided into categories A to C) and the level of impact which those actions have had (subdivided into categories 1 to 3). In support of its contention that the Player’s actions sit “most squarely in category A”, the ITA points to:

- a. the Player's actions as an intermediary between Mr Sargsyan and two professional tennis players and his consequent responsibility for "initiating or leading others to commit offences";
- b. the Player's action in requesting an offer from Mr Sargsyan to act as an intermediary for one of those two players, [REDACTED];
- c. the large number of matches (12) in respect of which the Player committed Corruption Offences over a 12 month period between May 2017 and May 2018.

10. In my view, this submission by the ITA fails to take into account that the behaviour relied upon in paragraph 9(a) and (b) above relates only to a relatively small proportion of those 12 matches. In relation to the remaining matches, the Player's conduct did not involve "initiating or leading others to commit offences" so much as "acting in concert with others". I have concluded that the appropriate category for the culpability of the Player's offences overall is B, albeit with elements of A.

11. As to impact, the salient issues are whether:

- a. the Player's actions should be regarded as having had merely a "material impact on the reputation and/or integrity of the sport" or a "*significant*, material impact on the reputation and/or integrity of the sport";
- b. The financial gain made by the Player from his corrupt activities is properly to be regarded as "relatively high" or merely "material".

12. As to this:

- a. I am in no doubt that the Player's conduct is properly to be regarded as having had a significant impact on the reputation and/or integrity of the sport. Although he was not a central figure in the criminal network to which I have referred above, the Player was nonetheless involved in one of the largest match-fixing scandals in the history of the sport. It is, moreover, the case that match-fixing offences (whatever their origins) are in themselves the most serious threat to the integrity of professional tennis;

- b. it is unclear what the precise level of the financial gain made by the Player from his corrupt conduct was, but it is not said to be as much as €20,000. It is pointed out by the ITIA that, whatever the precise sum, it is high relative to the Player's career earnings, which are less than €30,000. I do not regard that comparison as particularly helpful. In my view, the Player's financial gains should be categorised as "material";
  - c. overall, therefore, I regard the Player's conduct as having had an essentially category 1 impact, albeit with elements of category 2.
- 13. Viewing culpability and impact together, the category which most closely reflects the conduct of the Player is therefore B1.
- 14. The starting point for a category B1 period of ineligibility under the Guidelines is 10 years. Given that I have found there to be aspects of the Player's conduct which would suggest both a longer and a shorter ban than this, I have concluded that 10 years is, subject to what follows, the appropriate period of ineligibility for the Player.
- 15. The Guidelines at Step 3 provide for a reduction of a maximum of 25% of the otherwise applicable sanction to reflect any early admission of the Corruption Offences with which the Covered Person has been charged. Given the Player's rapid and unqualified admission of all the Charges, the ITIA invites me to apply the maximum reduction and I agree that this would be appropriate in the circumstances.
- 16. I am unaware of, nor have there been suggested to me, any further factors which might merit a reduction in the otherwise appropriate period of ineligibility for the Player.
- 17. Accordingly, my conclusion on the period of ineligibility for the Player, by reference to the Guidelines, is that it should be one of seven years and six months (as the ITIA has submitted should be the case, albeit for somewhat different reasons). The Guidelines are not binding on me. Nonetheless, the outcome of their application in the present case (as set out above) strikes me as giving rise to a proportionate result. I therefore propose to follow them in relation to the period of ineligibility to be imposed on the Player by way of sanction.

18. As to the level of any fine, the ITIA submits (as stated in paragraph 6(b)(ii) above) that I should impose one on the Player of US\$16,500, with an additional US\$38,500 suspended on the basis of there being no further breaches of the TACP committed by the Player during his period of ineligibility.
19. I agree with the ITIA that, having regard to the seriousness of the Player's conduct, it would be appropriate to levy a fine against him in addition to imposing a period of ineligibility. Given the number of matches and Offenses involved, the Guidelines would suggest a fine in the range of US\$50,000 to US\$75,000, albeit (a) that a portion of that amount may potentially be suspended in the light of admissions made, and (b) that the personal financial circumstances of the Covered Person may dictate a reduction in the level of the otherwise appropriate fine. The ITIA's submission set out above is intended by it to reflect the Guidelines.
20. The Player's principal response to this aspect of the ITIA's submissions is that, as of the beginning of this year, he will have been rendered unemployed and that he will therefore lack the means to pay a fine of the level which the ITIA proposes. The ITIA responds that (a) the Player is likely to find fresh employment in the near future and (b) it is open to agreeing a payment plan with the Player which would allow him to pay the fine over the period of his ineligibility.
21. There is something in both these points. However, viewed in the round, I have concluded that a lower fine should be imposed on the Player than that which is proposed by the ITIA, in the light of the Player's personal circumstances. In my view, an appropriate level of fine is US\$40,000, of which US\$27,500 is to be suspended conditionally.
22. Given the relatively small sums involved and the lack of certainty as to their precise amount, I do not propose to make any separate order for repayment of the financial gains which may have been made by the Player from his corrupt actions.
23. Accordingly, my Order in respect of the Player is as follows:

**ORDER**

- (1) The Player is declared ineligible from Participation in any Sanctioned Event for a period of 7 years and 6 months commencing upon the date of this Order.
- (2) A fine of US\$40,000 is imposed upon the Player, of which US\$27,500 is suspended on the condition that he commits no further breach of the TACP during the period of his ineligibility.
- (3) This Decision shall be publicly reported in full as prescribed in section G.4.d of the 2024 TACP.
- (4) This Decision is final, subject to a right of appeal to the Court of Arbitration for Sport under section I.1 of the 2024 TACP, with a deadline for filing such an appeal under section I.3 of the 2024 TACP of 20 business days from the date of receipt of this Decision by the appealing party.



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**Ian Mill KC**

**12 February 2025**