

***In the matter of alleged Corruption Offenses under the Tennis Anti-Corruption Program***

**The International Tennis Integrity Agency**

**-and-**

**Yannick Jankovits**

**SUMMARY**

- On 2 August 2024, the International Tennis Integrity Agency ('ITIA') issues a *Notice of Major Offense under the 2024 Tennis Anti-Corruption Program and referral to Anti-Corruption Hearing Officer* ('Notice of Major Offense') to Mr. Yannick Jankovits ('Mr. Jankovits or the Covered Person') in relation to investigations into tennis match fixing carried out by Belgian Law enforcement authorities between 2014-2018 ('the Belgian Investigation').
- Pursuant to Section G 1.a of the Tennis Anti-Corruption Program ('TACP') Mr. Jankovits accepts liability for all the Charges brought against him and waives his entitlement to a hearing in relation to the TACP Offenses detailed in the Notice of Major Offense. He seeks a reduction in the sanction proposed by the ITIA.
- Further to both parties being given an opportunity to make Submissions on Sanction, the Anti-Corruption Hearing Officer ('AHO') decides that the appropriate sanctions to impose on Mr. Jankovits pursuant to Article H.1.a of the TACP as a result of his TACP Corruption Offenses are:
  - a 2-year period of ineligibility
  - and a fine of \$28,500, of which \$21,000 is suspended so long as he does not commit or is not found to have committed any further TACP Offenses during his period of ineligibility.

**INTRODUCTION**

1. This dispute involves the ITIA and Yannick Jankovits, a former French professional tennis player.
2. On 12 June 2024, after being informed of match fixing admissions that he had made in the course of a Belgian Investigation, the ITIA sent Mr. Jankovits a Proposal for Agreed

Sanction. On 25 June 2024, Mr. Jankovits disputed the severity of the sanctions proposed by the ITIA and requested for the matter to be referred to an AHO.

3. On 2 August 2024, the ITIA charged Mr. Jankovits with various TACP Corruption Offenses. As outlined later in this decision, the Offenses relate to six professional tennis matches during 2016, 2017 and 2018. On 14 August 2024, Mr. Jankovits admitted to fixing these matches in exchange for money but has sought a ruling from an AHO on the sanction applicable to these admitted TACP Offenses.
4. Janie Soublière holds an appointment as an AHO per section F.1 of the TACP. The AHO was appointed without objection by any party to these proceedings as the independent and impartial adjudicator to decide this matter as set out in the 2024 TACP, which applies to all procedural aspects of this dispute.
5. The following is the AHO's Decision on Sanction.

## **THE PARTIES**

6. The ITIA is appointed by the Governing Bodies who participate in the TACP, namely the ATP Tour Inc., the Grand Slam Board, the International Tennis Federation (ITF) and the Women's Tennis Association Tour Inc., to administer the TACP and the actions of all Covered Persons bound thereto. The ITIA is empowered to investigate potential breaches of the TACP and to bring charges against Covered Persons where they conclude that there are sufficient grounds to do so.
7. Mr. Jankovits is a former professional tennis player from France. He reached a career-high ATP singles ranking of 226 and career-high ITF singles ranking of 60. His last recorded professional tennis tournament was between 8-14 July 2019 at the ITF M25+H Ajaccio, France. Mr. Jankovits registered for an ITF IPIN and signed the Player Welfare Declaration for every year between 2016 – 2018, thereby accepting to abide by the provisions of the TACP. He is defined as a Covered Person under all applicable versions of the TACP. The Covered Person has completed the Tennis Integrity Protection Programme ('TIPP') in 2017 and 2019. The TIPP is a mandatory ITF online educational tool that assists Covered Persons understand their responsibilities under the TACP including identifying and reporting match-fixing and corrupt approaches.

## **THE BACKGROUND TO THE NOTICE OF MAJOR OFFENSE**

8. The Corruption Offenses that Mr. Jankovits has been charged with are set out in the ITIA's Notice of Major Offense on 2 August 2024. Specifically, based on Mr. Jankovits' admissions and the evidence available to the ITIA, it concluded that Mr. Jankovits breached Sections D.1.d (contriving), D.1.f (receipt of money) and D.2.a.i (non reporting)

of the 2016, 2017 and 2018 TACP. The (now) admitted Charges comprise the following Offenses :

- Six breaches of Section D.1.d of the TACP between 2016 and 2018, by, directly or indirectly, contriving or attempting to contrive the outcome or any other aspect of any Event;
- One (global) breach of Section D.1.f of the TACP, by, directly or indirectly, soliciting or accepting any money, benefit or Consideration with the intention of negatively influencing a Player's (his own) best efforts in any Event. This breach covers money payments received relating to all the tennis matches he fixed;
- One (global) breach of Section D.2.a.i of the TACP, by failing to comply with his obligation to report to the Tennis Integrity Unit (which is now the ITIA) approaches to him to contrive the seven matches above, as well as further approaches to fix which he did not accept.

9. All these TACP breaches arise from the Belgian Investigation the background of which is as follows:

10. Between 2014 and 2018 Belgian law enforcement authorities carried out investigations into a suspected organised criminal network that authorities believed to be operating to fix tennis matches worldwide.

11. In 2020, the ITIA was granted access to certain evidence collated by the Belgian and French authorities. This included transcripts of interviews and the content of forensic downloads of mobile telephones. From the evidence collated, at the centre of the suspected organised criminal network was an individual called Grigor Sargsyan, who is also referred to as "Maestro" (or 'GS'). GS would communicate with corrupt tennis players, sometimes directly and sometimes through another individual, to make arrangements to fix professional tennis matches.

12. GS also used a network of associates to ensure that players were paid for any successful match-fixing arrangements via international money transfer companies, including MoneyGram, Skrill and Neteller or arrangements would be made in person through GS' network of associates. From the items and documents seized from GS' property by Belgian authorities, links to Mr. Jankovits were found, including several phone numbers saved as 'Janko.fr', 'JankoP.fr', and 'JankoPap.fr' and messages between Mr. Jankovits and GS discussing fixing professional tennis matches.

13. GS and several other members of the criminal network were tried in a Criminal Court in Oudenaarde, Belgium and were found guilty of multiple corruption offenses. The judgment of the Criminal Court confirmed the modus operandi as described above.
14. Mr. Jankovits was interviewed by the French police on 19 March 2019. During those interviews he was asked about his involvement with GS' organised criminal network and he admitted to fixing six of his own professional tennis matches between 2016 and 2018 because GS offered him money to do so, and that he had received around €6 000 – €8000. Evidence of such involvement arose primarily from house searches conducted in June 2018, including of GS' residence, in which four mobile phones belonging to GS were found. These devices contained thousands of messages and hundreds of images sent between GS and his associates including professional tennis players like Mr. Jankovits.
15. The Notice of Major Offense sent to Mr. Jankovits sets out the factual background giving rise to each Corruption Offense brought against him in a very useful table. The Corruption Offenses alleged by the ITIA based on Mr. Jankovits' admission are reproduced below as the AHO could not summarize the factual background any better.

#### Summary of Charges 1-6

16. Six breaches of TACP section D.1.d (Contriving) occurring in 2016, 2017 and 2018.

*“No Covered Person shall, directly or indirectly, contrive or attempt to contrive the outcome or any other aspect of any Event”*

- Mr. Jankovits stated in his interview with French police that he *“jumped at the chance when Maestro offered me money to fix matches”* and *‘I think that, all together, I have played six fixed matches between 2017 and March-April 2018.’*
- He identified the following four matches as included within the six fixed matches:
  - [REDACTED] 2016 [REDACTED], doubles with [REDACTED];
  - [REDACTED] 2017, [REDACTED] singles v [REDACTED]. He fixed the match by losing [REDACTED] and received €1 000 or €1 500 for the fix.
  - [REDACTED] 2017, [REDACTED], singles v [REDACTED]. He fixed the match by [REDACTED] and received €1 000 or €1 500 for the fix.
  - [REDACTED] 2018, [REDACTED], doubles with [REDACTED]. He fixed the match [REDACTED] set. They each received €250 for the fix.

- Each of the six matches which he admitted to having fixed was a breach of Section D.1.d TACP 2016 / 2017 / 2018.

#### Summary of Charge 7

17. Six breaches of TACP Section D.1.f (Receipt of money) occurring in 2016, 2017 and 2018.

*“No Covered Person shall, directly or indirectly, solicit or accept any money, benefit or Consideration with the intention of negatively influencing a Player’s best efforts in any Event.”*

- Mr. Jankovits received money from GS’ criminal network in return for not giving his best efforts in the six fixed matches.
- When asked ‘How much did you get in total for your fixed matches?’ he answered *“Between 6,000 and 8,000 euro, in cash.”*

#### Summary of Charge 8

18. Three breaches of TACP Section D.2.a.i. (Non-reporting) occurring in 2016, 2017 and 2018.

*“In the event any Player is approached by any person who offers or provides any type of money, benefit or Consideration to a Player to (i) influence the outcome or any other aspect of any Event, or (ii) provide Inside Information, it shall be the Player’s obligation to report such incident to the TIU as soon as possible.”*

### **APPLICABLE LAW AND JURISDICTION**

19. It is uncontested that the applicable rules are substantively the 2016, 2017 and 2018 TACP with regards to the alleged Offenses and the 2024 TACP with regards to the procedure.
20. No party has objected to the appointment of the undersigned AHO to hear this matter. She has been properly appointed and seized of the matters in dispute.
21. No other matters relating to jurisdiction or the arbitrability of these matters have been raised by any party.

## PROCEDURAL BACKGROUND BEFORE THE AHO

22. On 2 August 2024 the ITIA issued, in English and French, the Notice of Major Offense to Mr. Jankovits notifying him of the allegations and charges against him and informing him that the matter would be referred to an AHO for sanctioning.
23. Further to being appointed to settle the matter, the AHO sent the parties an AHO Ruling and Procedural Directions which *inter alia* read as follows:

*Further to the Notice of Major Offense under the 2024 Tennis Anti-Corruption Program ('Notice of Major Offense') that was issued by the ITIA to the Covered Person, Mr. Yannick Jankovits, on 2 August 2024, the undersigned Anti-Corruption Hearing Officer ('AHO') who has been appointed to hear the above captioned matter pursuant to Section F. 1.a of the 2024 Tennis Anti-Corruption Program ('TACP') hereby rules and directs the Parties as follows:*

### APPLICABLE LAW

*The applicable law for substantive elements of these proceedings is the TACP applicable at the time of the alleged and now admitted Corruption Offenses and subsidiarily, the Laws of the State of Florida without reference to the conflicts of laws principles.*

*The procedural aspects of this dispute are governed by the 2024 TACP, which is the year in which the Notice of Major Offense was served to Mr. Jankovits.*

### RULING ON ADMISSION AND ACCEPTANCE OF LIABILITY PURSUANT TO SECTION G.1.d. iii TACP

*On 14 August 2024, Mr. Jankovits responded to the Notice of Major Offense admitting his involvement in the Corruption Offenses he was charged with.*

*By virtue of his admission and pursuant to Section G 1.d.iii of the TACP, the AHO rules that Mr. Jankovits is liable for his commission of all the Corruption Offenses specified in the 2 August 2024 Notice of Major Offense.*

*As no hearing has been requested, the AHO shall order the imposition of sanctions further to both parties having been given the opportunity to file submissions on the same.*

**(...)**

24. Noting that Mr. Jankovits had already requested a one-month extension to file his submissions which was granted by the AHO, each Party was then invited to make Submissions on Sanction in accordance an established procedural calendar. Mr. Jankovits filed his submissions in a timely manner on 23 September 2024. The ITIA filed its submissions in a timely manner on 7 October 2024.

## **PARTIES' SUBMISSIONS ON SANCTION**

25. The AHO has carefully considered the totality of the Parties' written submissions. They are summarised below. Additional facts and allegations found in the Parties' submissions and evidence may be set out, where relevant, in connection with the legal discussion that follows. The AHO refers in her award only to the submissions and evidence she considers necessary to explain her reasoning.

### **I. Mr. Jankovits**

26. Mr. Jankovits is 37 years old and has been a member of the French Tennis Federation since he was 8 years old. He obtained a Coaches Certificate in France in 2007 and until 2019 devoted his time and energy into becoming a professional tennis player reaching a career-high world ranking of 226 in 2015. He has since devoted himself to being a tennis coach and is now employed full time at a tennis academy where he mainly coaches promising players.

27. Mr. Jankovits explains that during 2016-2018, at a time when he was vulnerable, he was approached several times by Grigor Sargsyan to fix some of his ITF or ATP Challenger matches in an exchange for money.

28. Mr. Jankovits submits that he saw in these proposals an opportunity to help contribute to his expenses, which his income did not always allow him to cover. He agreed on around six occasions to fix matches for Mr. Sargsyan. He admitted to the same during the Belgian Investigation and submits a transcript of the hearing report of March 2019 in support of this assertion.

29. Later, when the Public Prosecutor at the Paris Court of Appeal informed Mr. Jankovits of his intention to initiate criminal proceedings against him, Mr. Jankovits requested to appear in court on 22 April 2021 as part of a preliminary admission of guilt procedure, arguing that he had already admitted to the charges made against him at his first hearing and that the sums he had derived from the criminal acts were relatively limited. No criminal proceedings have since been initiated against him.

30. The ITIA then sent him a Proposal for Agreed Sanction on 12 June 2024 which Mr. Jankovits elected not to accept.

31. Mr. Jankovits has since confirmed that he was willing to provide substantial assistance and participate in the fight against corruption in tennis. He understands that any suspension of sanction based on his substantial assistance would only be applicable after

the AHO rules on his sanction, which he submits should be less than the one proposed by the ITIA.

32. Mr. Jankovits' submits that there are numerous factors and circumstances that justify a reduction in the sanction the ITIA has proposed. These can be summarised as follows.

- The context of economic vulnerability of tennis players, like him, in secondary circuits:
  - Players ranked higher than 250 in the world travel the world to try and make a living from their sport and improve their ranking but very often end their season in a precarious financial situation as they must pay the travel, accommodation and food costs related to their participation in international tournaments.
  - The prize money available at secondary circuit tournaments is incommensurate with that of ATP tournaments.
  - While Mr. Jankovits concedes that on the one hand, players who fall prey to corrupt approaches and fix matches to cover their costs must incur full and complete liability even if they do not reap the main gains from their offense (it is the punters who reap the main gains from the offense). They are not confined to a merely passive role and contribute to the perpetration of illicit operations.
  - On the other hand, Mr. Jankovits submits that lower-level tour players are victims of the actions of the sponsors of these organised criminal networks who take unfair advantage of their economic vulnerability for the benefit of unscrupulous punters.
  
- Mr. Jankovits' personal situation:
  - He comes from a middle-class family who did not have the money to finance his developing tennis career. His father acted as his coach.
  - In 2014 he stopped competing because of lack of resources.
  - A few years later at a tournament in Belgium, the Maestro approached him and suggested to him that he should occasionally resort to match-fixing in order to cope with the economic constraints intrinsic to the development of a tennis player's career. After hesitating, Mr. Jankovits gave into the temptation to try to reach his dreams. His criminal acts were intended simply to cover his costs in participating in tennis tournaments.
  - He submits tax assessments from 2016 and 2017 which show that his level of income was insufficient to pay taxes and highlight his precarious financial situation at the time.



- As he was travelling alone – he was isolated and vulnerable.
33. Relying on the Tennis Integrity Supervisory Board Sanctioning Guidelines (the 'Guidelines'), Mr. Jankovits submits that both his level of culpability and the impact of his Offenses on the sport are low. Specifically, he notes that he did not instigate the TACP Offenses he committed and never premediated them. Thus, there was little or no planning involved and he never sought to involve other players. Rather he was the one who was coerced and exploited by Mr. Sargsyan. And, as there are only four established matches for which he match fixed, all of which were on the secondary men's circuit, the impact of this actions on the integrity of the sport is minor.
34. He also submits that he made little or no material gain from his illicit activities as he claims to only have made *"Between 6,000 and 8,000 euros, in cash. (...) to pay for hotel rooms, food..., so only for professional expenses."*
35. As a result, he submits that his Offenses should categorize his actions under the C level of culpability and a 3 level of impact on the sport – rendering three (3) months as the starting point for his sanction under the Guidelines.
36. Mr. Jankovits also relies on the Guidelines to further underline various mitigating circumstances which should also have a bearing on a reducing the ITIA's proposed sanction. Notably his genuine remorse and cooperation with all processes: Mr. Jankovits cooperated both with the Belgian authorities and the ITIA by admitting his guilt and has expressed his willingness to provide substantial assistance. He has always been transparent and has not hesitated to exercise great diligence by acknowledging, from the outset of the various proceedings, the acts of corruption in which he was involved.
37. Mr. Jankovits also notes the historical nature of the charges (they are over 5 years old) and that since that time, his personal and professional life has undergone profound changes. He is no longer a professional tennis player and strictly works as a coach. He is now also the father of two young children which has led him to make more responsible decisions to ensure a stable and secure life for his family. The consequences of banning him as a coach could have serious repercussions on him and his family as he would not be able to accompany some of his players to their tournaments.
38. Finally, he submits that he does not represent any danger to players or to the integrity of tennis and relies on the fact that he has expressed remorse and taken full responsibility for his actions in particular by warning young players of the risks and consequences on engaging in such behaviour. Mr. Jankovits tenders various witness statements from some of the players he coaches ( [REDACTED] ) to support the fact that he is being forthright and remorseful about his past misdeeds and that he is committed to

rehabilitating himself and providing valuable information to his players about avoiding the perils of match fixing and the importance of reporting corrupt approaches. His players indicate that Mr. Jankovits' attitude is exemplary and that he is an integral part of their training team. Not having him around at tournaments will have a significant impact on them and may even force them to find another coach.

39. With regards to the principle of proportionality vis-a-vis the sanction proposed by the ITIA, Mr. Jankovits relies on various past cases where similar factual circumstances and number of Offenses existed and where Covered Persons were disciplined with lesser sanctions:

- the Arthur de Greef matter- 9 TACP violations resulting in a 3 year and 9 months ban
- the Oman Salman matter - 6 TACP violations resulting in a 3 years 7 months ban
- the Arnaud Graise matter – 12 TACP violations resulting in a 4 years and 10-month ban

40. Given the numerous mitigating circumstances here, Mr. Jankovits holds reservations as to the ITIA's proposed sanction and questions whether it is proportional to his infractions and the circumstances here. He therefore requests for the AHO to adjust the ITIA's proposed sanction downwards.

## II. ITIA

41. The ITIA sets out the factual and evidentiary background to the charges. The ITIA relies on the Covered Person's admissions and the AHO's ruling on his liability for the same.

42. The ITIA further submits that Mr. Jankovits's admissions made during his third investigation are conclusive:

*"I am a little ashamed. I have denied everything I have done. I am actually an honest person. I admit that I have made mistakes. My life is about tennis. Not just about having a career but also the rest of my life will be about tennis. I jumped at the chance when Maestro offered me money to fix matches. I communicated with him by using my pet name, Janko..."*

(...)

*"I think that, all together, I have played six fixed matches between 2017 and March-April 2018. Per year, I played two or three fixed matches, just to pay for my expenses (plane tickets, etc)."*

43. The ITIA also refers to and relies upon the Guidelines which outline a five-step process by which to determine the appropriate sanction in a particular case:
- a. Determining the category of Offense (which is split in two parts, culpability and impact)
  - b. Assessing the starting point for a sanction and where in the applicable range in which Mr. Jankovits's case falls. This includes due consideration to all applicable aggravating or mitigating factors.
  - c. Consideration of any appropriate reduction for early admission.
  - d. Consideration of any other factors which may allow a reduction in sanction, such as the provision of Substantial Assistance to the ITIA.
  - e. Assessing the amount of any applicable fine.
44. Whilst recognizing the AHO's full discretion as to whether to apply or depart from the Guidelines, the ITIA submits that the Guidelines should be followed in this case.
45. The ITIA further underlines that the Tennis Integrity Supervisory Board spent considerable time in the preparation of the Guidelines with the intention that they be used to justify an AHO's imposition of an appropriate sanction which is proportionate to the Offenses committed in any given proceedings. In line with tennis' stated 'zero tolerance for corruption policy' the Guidelines also seek to ensure that any sanction imposed as a result of a breach of the TACP can serve as a deterrent to others.

#### Step 1 - Category of Offense

46. The ITIA submits that this case falls primarily within a B2 Category, albeit with some elements of Categories A and 1.

#### *As to culpability*

47. The ITIA submits that the following are present with regard to Mr. Jankovits' culpability:
- Mr. Jankovits clearly displayed 'some planning or premeditation' (category B) and was 'acting in concert with others' (Category B), given the need for him to liaise with third parties (the Maestro and/or his intermediaries) in relation to the fixes. As Mr. Jankovits explained in his police interview, engaging in match-fixing with the Maestro required him to use a specific phone app, and a different SIM card and phone number in order to plan and conceal his activities. This necessarily amounts to a level of premeditation and means he was not acting alone.

- Mr. Jankovits committed ‘several Offenses’ (Category B), having admitted to fixing six matches, and receiving a total of between €6,000 and €8,000 for doing so. Each instance of match-fixing amounts to a breach of Section D.1.d (contriving); D.1.f (receipt of money) and D.2.a.i (failure to report). The matches Mr. Jankovits admits having fixed took place between September 2016 and March 2018, a period of a year and a half, which could be considered as ‘multiple Offenses over a protracted period of time’ (Category A).

48. The ITIA disputes Mr. Jankovits’ submission that the mitigating factor set out in Category C (‘perhaps involved through coercion, intimidation, or exploitation’) is applicable in his case. Notably, when Mr. Jankovits was asked:

*‘When you refused to go along with a suggestion of his to play a fixed match, did he threaten you to get you to accept?’*,

He replied:

*‘No, never. In fact, I refused several times because I had nothing to gain from it. But sometimes he offered me more money so that I would go along with it.’*

49. While the ITIA acknowledges the difficult financial position which players on the lower levels of the professional circuit experience, as set out by Mr. Jankovits in his submissions, these are common and, indeed, explain why most individuals who engage in match-fixing first do so. Without wishing to minimise those difficulties, they do not fall within the category of coercion or exploitation. Thus to the ITIA the appropriate culpability Category is B.

*As to impact*

50. The ITIA submits that the following criteria are present in regard to impact:

- Mr. Jankovits’ conduct involved ‘Major TACP Offenses’ (Category 1 or 2). Match-fixing (contriving, contrary to Section D.1.d) is one of the most serious forms of Offense under the TACP, and Mr. Jankovits has admitted to doing this on six occasions. Each of these instances is capable of receiving a sanction of above a six-month suspension and fine of \$10,000.
- Mr. Jankovits’ conduct results in a ‘material impact on the reputation of the sport’ (Category 2). All match-fixing Offenses damage the reputation and integrity of the sport, and Mr. Jankovits was involved in one of the largest match-fixing scandals, which has

attracted significant press attention. Furthermore, at least two of the fixed matches took place at ATP Challenger events, which sit at a higher level than ITF events, and serve as the feeder tour to top-ranked ATP tournaments. It therefore cannot be said that there is only a 'minor impact on the integrity and/or reputation of the sport.'

51. By Mr. Jankovits' admissions, he received between €6,000 and €8,000. This to the ITIA is at least 'material gain' (Category 2), even though those sums were used to pay for professional expenses. It cannot be considered that this represents 'little or no material gain'.

#### Step 2: Starting point and range of sanction

52. Given the B2 categorization above, the Guidelines provide for a starting of a 3-years suspension, with a range of 6 months to 5 years. And, given the presence of factors from the A and 1 Categories, the ITIA believes a starting point of 5 years is appropriate. The ITIA however underlines numerous mitigating factors that may assist Mr. Jankovits, notably :

- His genuine remorse and the ITIA takes note of the supporting witness statements submitted by [REDACTED] attesting to the honesty and remorse Mr. Jankovits has displayed regarding his conduct, as well as his warnings against becoming involved in sports corruption, in his role as their coach;
- His good character, exemplary conduct and demonstration of steps having been taken to address offending behaviour. The same comment above is repeated, in addition to acknowledgment of the fact that in April 2021 Mr. Jankovits sought a court appearance in France on prior recognition of guilt.

53. The ITIA thus submits that the mitigating elements justify a reduction from the starting point of 5 years down to 3 years.

54. While Mr. Jankovits has argued that the time it took for the ITIA to start these proceedings is prejudicial to him and should be taken into consideration by the AHO is issuing sanctions, the ITIA submits that these processing have been brought within the time limit specified by the TACP and that any delay is due to French Law enforcement requesting the ITIA to suspend its investigation, which it did. After Belgian criminal proceedings concluded in June 2023, and it was apparent by the end of 2023 that French criminal proceedings had not advanced, the ITIA decided to conclude its own proceedings against all remaining players within the relevant limitation period under the TACP and to provide finality for such implicated players. This resulted in the current proceedings being brought against Mr. Jankovits (among others).

### Steps 3 /4 – Early admissions and other reasons meriting a reduction

55. The ITIA agrees that Mr. Jankovits deserves significant credit for his admissions made to police and that a reduction of 25% is appropriate given that this did come at the earliest possible stage in the interview when the match-fixing allegations were first put to him. Applying the 25% reduction to the 3 years starting point (after mitigating factors were applied from five years), leaves a revised sanction of 2 years, 3 months' of ineligibility.
56. There are no other reasons that merit a further reduction in the period of ineligibility

### Step 5 – Applicable fine

57. Mr. Jankovits has admitted to match-fixing in relation to six of his own matches on behalf of GS' criminal network, in addition to receiving money from the network for doing so, and failing to report additional approaches. The fixed matches took place over a period of one and a half years, and it is unknown over what period further approaches were made. The imposition of a fine payable by Mr. Jankovits is appropriate to reflect the key aims of the TACP in reaching a reasonable and proportionate sanction which acts as an effective deterrent as well as redressing repayment of sums earned through the breaches of the TACP.
58. The ITIA submits, relying on the Fines Table in the Guidelines that the appropriate fine for 5-10 Offenses is \$25,001 - \$50,000 and that here, the appropriate fine is \$30,000 (on the basis of six fixed matches), albeit with 70% of this suspended in light of Mr. Jankovits' admissions, on condition of no further breaches of the TACP during the period of his ban.
59. The ITIA therefore submits that the appropriate fine is \$9,000, with an additional \$21,000 suspended. According to Section J.2 of the TACP, the ITIA is happy to agree a payment plan for any fine which is ordered.
60. In summary the ITIA respectfully requests the AHO to impose the following sanctions on Mr. Jankovits:
- 2 years' 3 months of ineligibility; and
  - \$9,000 fine with an additional \$21, 000 suspended on the basis of no further breaches of the TACP within the period of ineligibility.

## DELIBERATIONS

64. The sanctions which may be imposed by the AHO in relation to the Charges are set out in section H.1.a of the 2024 TACP. That section reads as follows::

*“With respect to any Player, (i) a fine of up to \$250,000 plus an amount equal to the value of any winnings or other amounts received by such Covered Person in connection with any Corruption Offense, (ii) ineligibility from Participation in any Sanctioned Events for a period of up to three years unless permitted under Section H.1.c., and (iii) with respect to any violation of Section D.1., clauses (c)-(p), Section D.2. and Section F. ineligibility from Participation in any Sanctioned Events for a maximum period of permanent ineligibility unless permitted under Section H.1.c”.*

65. The potential sanction for Mr. Jankovits under section H.1.a is a lifetime/permanent ineligibility from Sanctioned Events, a \$250,000 fine and repayment of any corrupt payments Mr. Jankovits may have received.

### ***The Period of ineligibility***

66. The case against Mr. Jankovits is grounded in uncontested evidence of the various fixes.

67. Mr. Jankovits has submitted that he was vulnerable and only agreed to fix these matches to help pay for his tennis career. The AHO accepts that he was vulnerable. It is no secret that lower-level tennis players trying to “make it” likely end up with more expenses than winnings. This is surely why Mr. Sargsyan was so successful in his enterprise – he preyed on the vulnerable.

68. As the Washington Post article submitted into evidence by the ITIA reads: (emphasis added)

*“ That’s how Sargsyan had become rich. As gambling on tennis exploded into a \$50 billion industry, he had infiltrated the sport, **paying pros (he had assiduously recruited over the years) more to lose matches, or parts of matches, than they could make by winning tournaments”.***

...

*“ The bulk of the sport’s 1,300 tournaments are far-flung and offer little prize money. Some are so small that they are held on high school courts, paying winners as little as \$2,352. And yet those same obscure matches, a long way*

*from the luster of Wimbledon, have become vehicles for billions of dollars in gambling.”*

...

*A poor player, he thought, could be a corruptible one. “It was like I put my finger on the weakness,” he said.”*

69. The Covered Person has submitted that his vulnerability can be equated to coercion, intimidation or exploitation so as to justify moving him in down to the lowest categorization of Offense under the Guidelines and the ITIA has disputed the same. On this point, the AHO favours the ITIA’s position. Mr. Jankovits was not a minor at the time, he was not coerced or exploited. He admittedly chose which matches he was willing to fix and was not intimidated into doing so. He fixed matches of his own volition and for his own benefit.
70. If the AHO were to accept Mr. Jankovits’ submission of alleged coercion and intimidation, all Covered Persons would rely on this Category C argument which is meant to protect and offer leniency to Covered Persons where they have been involved in terrifying situations which truly involve coercion, exploitation and intimidation (e.g. established physical threats to them or other Covered Persons or family members, sexual exploitation etc.). There are no such circumstances here. Again – Mr. Jankovits agreed to fix these matches of his own volition.
71. Additionally, whilst the AHO fully appreciates the situation many lower ranked players find themselves in when approached by match fixers like the Maestro, they still ultimately have a choice. Where a Covered Person is found to have made the wrong choice, the imposition of lenient sanctions would defeat not only the TACP’s efforts to circumvent recidivism but also the TACP’s efforts to deter others from being swayed by the possible windfalls of match fixing, which again, the AHO fully appreciates are often if not always considerably greater than a Covered Person’s usual earnings.
72. Conversely, as case law has established in all spheres, any sanction imposed must both be proportional to the offense and within the usual sanctions imposed in similar circumstances in order to ensure, as a matter of fairness and justice, that a certain degree of consistency be applied in the imposition of sanctions resulting from TACP Offenses.
73. The AHO is satisfied here that the sanctions that have been proposed by the ITIA in accordance with the Guidelines and those she imposes are reasonable, proportional and consistent with sanctions imposed in similar circumstances, notably in other cases arising out of the Belgian Investigation.



74. Although on 12 June 2024 the ITIA made Mr. Jankovits a proposal for an Agreed Sanction under Section F.5 of the TACP which was a period of 7 years' and 6 months of ineligibility; and \$9,000 fine with an additional \$21,000 suspended on the basis of no further breaches of the TACP within the period of ineligibility, following receipt of Mr. Jankovits' submissions on sanction (and attachments thereto), the ITIA amended its proposed sanction to a 2 years' 3 months of ineligibility; and a \$9,000 fine with an additional \$21,000 suspended.
75. The Covered Person relied on three other recent sanctions imposed on Covered Persons and argued that the ITIA's proposed sanctions were not proportional to his infraction and not commensurate to other sanctions imposed by the ITIA upon these other players involved in the same match fixing ring. However, in its submission the ITIA clarified that in fact, even though Mr. Jankovits' conduct was more serious than that of the past TACP referred to in his submissions (because of the higher number of fixed matches and longer period of involvement), the ITIA nonetheless proposed a lower sanction than that which had been imposed on the other three players. The ITIA finds its new proposal appropriate, in light of Mr. Jankovits' very early admission, co-operation, mitigating factors and evidence provided with his submissions. The AHO agrees.
76. The AHO finds on an appreciation of the facts and evidence before her that the ITIA's adjusted proposed period of ineligibility is reasonable and proportional and rounds it down to 2 years given Mr. Jankovits' genuine remorse and willingness to cooperate and educate and warn young players on the perils and pitfalls of match fixing. This period of ineligibility will be subject to further reduction should he provide substantial assistance to the ITIA as offered in his submissions.

### ***The Fine***

77. In accordance with TACP Section H.1.a., the AHO may impose a fine in addition to an amount equal to the value of any winnings or other amounts received by such Covered Person in connection with any Corruption Offense.
78. Here, on Mr. Jankovits' admission, he received between €6,000 and €8,000, which he says he used to pay for professional expenses. The ITIA does not appear to contest this amount but does not consider this amount to be of "little or no material gain". Mr. Jankovits, however, submits that in relation to other players and the Maestro himself, this amount is trivial.
79. To the AHO, this is a highly subjective determination. The AHO finds that €6,000 - €8,000 was likely a considerable amount of money for Mr. Jankovits at the time, and given his financial situation, that it is likely still considerable today.

80. By its own assessment and application of the criteria set out on the Guidelines, the ITIA has submitted that the TACP provides for a repayment of the monies earned in addition to a fine. And as envisioned by the Guidelines, the ITIA also supports the application and an offer of a 75% reduction to its proposed \$30,000 fine. The ITIA thus seeks the imposition of a \$30,000 fine, \$21,000 of which is suspended – rendering the effective Fine of \$9,000 so long as Mr. Jankovits no other TACP breaches are found during his ineligibility.
81. Mr. Jankovits on the other hand, seeks a reduced fine as a result of his precarious personal financial situation and genuine remorse and rehabilitation.
82. The AHO finds it appropriate and imperative, as provided in Section H.1.a of the TACP that Mr. Jankovits repay the monies he earned from his corrupt activities and that he be fined in addition as a proper deterrent to others. Mr. Jankovits admits he made €6,000 - €8,000 from his match fixing. Using the \$7,000 middle point of these corrupt earnings and approximately converting to USD, amounts to a \$7,500 Fine.
83. The AHO finds that this amount of \$7,500 earned by Mr. Jankovits' corrupt activities must be repaid by Mr. Jankovits and, pursuant to the Guidelines and Section H of the TACP, that it is appropriate to add a fine to this amount.
84. The AHO also finds that keeping the \$21,000 suspended fine in place, as proposed by the ITIA, results in a reasonable and proportionate outcome given the mitigating elements adduced by Mr. Jankovits and the factual circumstances of this case.
85. The AHO thus imposes a \$28,500 fine upon the Covered Person, \$7,500 of which is payable by an approved payment plan and \$21,000 of which is suspended so long as he is not found to have committed and/or does not commit further TACP breaches during his period of ineligibility.

## **ORDER**

86. Yannick Jankovits, a Covered Person as defined in the 2016, 2017 and 2018 TACP, has been found liable for Corruption Offenses in breach of the following TACP sections from 2016, 2017 and 2018:
- D.1.d (Contriving)
  - D.1.f (Receipt of money)
  - D.2.a.i (Non-reporting)

87. Pursuant to the TACP and the ITIA Sanctioning Guidelines, the sanctions imposed upon Mr. Jankovits as a result of these Corruption Offenses are:

- i. A 2-year ban from Participation, as defined in Section B.17 of the 2024 TACP, in any Sanctioned Event as prescribed in TACP Section H.1.a(ii), effective on the date of this Decision.
- ii. A \$28,500 fine as prescribed in TACP section H.1.a .(i),
  - a. \$7,500 payable to the ITIA by approved payment plan.
  - b. \$21,000 suspended so long as he does not commit further TACP Offenses during his period of ineligibility.

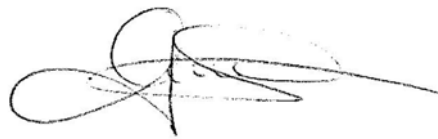
88. Pursuant to TACP Section G.4.e., this Decision on Sanction is to be publicly reported.

89. Pursuant to TACP Section G.4.d. this Decision on Sanction is a full, final, and complete disposition of this matter and is binding on all parties subject to Appeals to the Court of Arbitration for Sport.

90. This Decision can be appealed to the Court of Arbitration for Sport in Lausanne, Switzerland within twenty Business Days from the date of receipt of the decision by the appealing party.

91. The AHO retains jurisdiction to deal with ancillary matters to this dispute including any determinations in relation to substantial assistance.

Dated at Beaconsfield, Quebec this 21st day of October 2024



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Janie Soublière C. Arb. Anti-Corruption Hearing Officer