

**In the Matter of a Determination of Sanctions in Admitted Major Offenses under the
TENNIS ANTI-CORRUPTION PROGRAM**

Melina Ferrero
(hereinafter "Ferrero" or the "Covered Person")

- and -

International Tennis Integrity Agency
(hereinafter the "ITIA")

Anti-Corruption Hearing Officer,
Tennis Anti-Corruption Program

Diana Tesic
(hereinafter "AHO")

A. Parties:

1. The International Tennis Integrity Agency ("ITIA") is the governing body responsible for maintaining the integrity and prevention of corruption in professional tennis worldwide. It performs investigations and enforces the Tennis Anti-Corruption Program ("TACP").
2. Melina Ferrero is an Argentine professional tennis player (sometimes referred to herein as a "Ferrero", "Party"; also referred to as the "Player" or the "Covered Person"). She is a "Player" and "Covered Person" as defined in Section B.18. and B.6, respectively of the 2018 TACP.
3. Diana Tesic holds the appointment as the Anti-Corruption hearing Officer ("AHO") under the TACP.

B. Procedural History

4. On 26 January 2024, the ITIA sent a Notice of Major Offense (the “Notice”) pursuant to section G.1.a of the 2024 version of the Tennis Anti-Corruption Program (the “TACP”) to Melina Ferrero, informing her that she was being charged with 12 alleged breaches of the 2017 and 2018 TACPs contained within three charges (collectively, the “Charges”).
5. Ferrero made no request for a Hearing within the deadline specified within section G.1.e of the TACP 2024.
6. By a decision by email dated 19 February 2024 I found that Melina Ferrero was liable for the Corruption Offenses (the “Offenses”) alleged by the ITIA.
7. On 22 February 2024 the ITIA submitted their written submissions in relation to sanction.
8. Ferrero did not respond to any communications or file any submissions as to sanction.

C. Background

9. This decision on sanction award addresses the sanctions to be imposed on Melina Ferrero, an Argentinian professional tennis player, following her failure to respond to the Notice of Major Offense issued by the ITIA on 26 January 2024. Ferrero is deemed to have committed the offenses listed in the Notice as she has not engaged or participated in any capacity. This decision is made in accordance with the TACP 2024 and the ITIA Sanctioning Guidelines (“Sanctioning Guidelines”).
10. Ms Melina Ferrero has been deemed to have committed charged with 12 breaches of the TACP during matches in 2017 and 2018, encompassing the following major offenses:
 - a. 3 charges - Facilitating betting on tennis matches (Section D.1.b).
 - b. 3 charges - Contriving aspects of tennis matches (Section D.1.d).
 - c. 3 charges - Accepting money for using less than her best efforts (Section D.1.f).
 - d. 3 charges - Failing to report corrupt approaches (Section D.2.a.i).

D. ITIA Submissions

11. On 22 February 2024 the ITIA filed its sanction submissions. The ITIA has requested the imposition of a three-year ban from professional tennis and a fine of \$15,000. The rationale for this request is detailed below, structured according to the ITIA Sanctioning Guidelines.
12. The investigation into Ms Melina Ferrero’s alleged corruption offenses stemmed from Operation Belgium, a large-scale criminal investigation conducted by Belgian law enforcement authorities. The operation targeted an organized match-fixing network led by ██████████ who was eventually convicted by a Belgian Court and sentenced to five years in prison.

13. A key conduit in the ██████████ match fixing network was former professional tennis player, ██████████ ██████████ acted as an intermediary between ██████████ and various players who were recruited to manipulate match outcomes. He has since become one of the most prolific match fixers in tennis history and an independent AHO sanctioned him with a lifetime ban from tennis with a \$250,000 fine.
14. The ITIA performed forensic downloads of ██████████ mobile devices which included messages between ██████████ and ██████████ in relation to Ms Ferrero's matches.
15. In consideration of the aforementioned facts together with Ms. Ferrero's conduct, the ITIA categorizes Ferrero's offenses under Category B2:
 - a. **Culpability:** Ferrero's actions involved premeditation, as evidenced by her pre-arranged agreements with ██████████ ██████████ and planning which points to fix in addition to the planning involved in the payment arrangements. She acted in concert with ██████████ and committed the offenses in 2017 and 2018.
 - b. **Impact:** Ferrero's conduct includes multiple major TACP offenses, had a material impact on the integrity and reputation of tennis, and involved receipt of payments that were significant relative to her legitimate earnings.
16. Based on the Category B2 classification, the starting point for Ferrero's sanction is a three-year suspension. The ITIA submits that there are no aggravating or mitigating factors to adjust this starting point.
17. The ITIA found no reasons for a reduction in sanction, such as early admissions or substantial assistance to the ITIA, since Ferrero did not participate in the proceedings.
18. Given the nature and number of offenses, and referencing recent comparable cases, the ITIA recommends a fine of \$15,000. This amount is considered appropriate to act as a deterrent and to address the repayment of any sums earned through the breaches of the TACP.

E. Covered Person Submissions

19. Ms. Ferrero did not participate in this process or make any representations as to sanction.

F. APPLICABLE PROVISIONS OF THE 2024 TACP

20. Sections H.1.a and H.1.b of the 2024 TACP read as follows:

***H.1** "Except as provided in Sections F.5 and F.6, the penalty for any Corruption Offense shall be determined by the AHO in accordance with the procedures set forth in Section G, and may include:*

***H.1.a.** 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.

G. Decision

21. The ITIA acknowledged that the AHO retains full discretion in relation to the sanction imposed under the TACP and may apply or depart from the 2024 ITIA Sanctioning Guidelines (“Sanctioning Guidelines”) in accordance with the circumstances of the case. The AHO has decided that for this case she would use the Sanctioning Guidelines as the basis for determining the sanctions.
22. Melina Ferrero is deemed to have committed 12 Major Offenses over 3 matches, two of which occurred at the 2017 [REDACTED] tournament in [REDACTED] Brazil and one at the [REDACTED] \$ [REDACTED] tournament in [REDACTED] Spain. Three of those Major Offenses involved contriving aspects of her own matches. She also facilitated wagering on aspects of matches in both years. She further failed to report three corrupt approaches made to her by [REDACTED]
23. Ferrero at all times acted in concert with [REDACTED] to contrive each of her fixed matches and in so doing engaged in a pattern of corruption in 2017 and 2018. To facilitate wagering on the matches there had to be premeditation and planning of what matches would be fixed and which points within the match would be fixed so that [REDACTED] and [REDACTED] could benefit from the fixed arrangements. Moreover two of the matches were doubles matches which imply a level of coordination and co-operation between the doubles partners to execute the fix.
24. Ferrero’s conduct includes multiple major TACP offenses and had a material impact on the integrity and reputation of tennis. Her conduct undermined the integrity of the sport and justifies a strong response to deter similar conduct by other players. Based on these factors, the AHO finds that Ferrero's conduct falls under Category B1, which includes offenses involving some planning or premeditation, acting in concert with others and multiple offenses.
25. The AHO finds that no other factors are present that warrant either a reduction or uplift in Ferrero’s sanctions.
26. In respect of the fine Ferrero committed three instances of contriving aspects of her own matches. In doing so the ITIA was able to identify that Ms Ferrero received financial benefit, via nominated third party, for her involvement. Both the Guidelines and recent cases, such as that of *ITIA v Baptiste Crepatte*, provide for a minimum sanction of \$15,000 USD in the circumstances of Ferrero’s case. The AHO finds that this amount is proportionate in relation to the Charges, and in consideration that there was a financial gain, it strikes the correct balance between punishment for the breaches of the TACP and deterring any future behaviour. Therefore, the AHO finds that a fine of \$15,000 USD appropriate on terms that may be arranged with the ITIA.
27. Based on the above findings, the AHO makes the following orders:

ORDERS

- (I) Melina Ferrero, a Covered Person as defined in Section B.10. and B.27 of the TACP 2024, is deemed to have admitted all the Corruption Offenses specified in the notice of Major Offenses pursuant to the following sections of:
 - a. TACP 2017
 - i. 2 charges under Section D.1.b
 - ii. 2 charges under Section D.1.d
 - iii. 2 charge under Section D.1.f
 - iv. 2 charges under Section D.2.a.i
 - b. TACP 2018
 - i. 1 charge under Section D.1.b
 - ii. 1 charge under Section D.1.d
 - iii. 1 charge under Section D.1.f
 - iv. 1 charge under Section D.2.a.i
- (II) Pursuant to the TACP and the Guidelines, the sanctions imposed on the Covered Person for these breaches of the 2017 and 2018 are a ban from Participation in any Sanctioned Event for a period of three (3) years in accordance with Section H.
- (III) The above ordered suspension shall commence on and is effective from the date of this Decision. The period begins on the 23 July 2024 and ends on the 22 July 2027.
- (IV) Under Section H.1.a.(i) a fine of \$15,000 USD is imposed. A payment plan may be agreed between parties for payment of this fine.
- (V) This Decision shall be publicly reported in full as prescribed in Section G.4.e.
- (VI) Under Section G.4.d, this Decision is a “full, final and complete disposition of the matter and will be binding on all parties.”
- (VII) The Decision herein is appealable under Section I.1. of the 2021 TACP to the Court of Arbitration for Sport (“CAS”) in Lausanne, Switzerland. Under Section I.4 of the TACP the deadline for filing an appeal with CAS must be made within a period of “twenty business days from the date of receipt of the decision by the appealing party.

Dated at Belgrade, Serbia this 23th day of July 2023



Diana Tesic, Anti-Corruption Hearing Officer