

16 November 2020

DECISION OF THE ITF ETHICS COMMISSION

On 29 October 2020, the independent Ethics Commission of the International Tennis Federation (the **Ethics Commission**) received a letter from a member of the French Tennis Federation raising a complaint concerning the résumé of Mr Bernard Giudicelli, which was submitted in May 2019 in support of his application for election to the Board of the International Tennis Federation (the **ITF Board**) at the 2019 Annual General Meeting (**AGM**).

The complaint concerns whether Mr Giudicelli's résumé, published in the 2019 ITF AGM materials, which stated that Mr Giudicelli had a PhD in Economics, misrepresented Mr Giudicelli's qualifications. The complainant alleges that this misrepresentation is a breach of the ITF Code of Ethics (the **Code**).

The Ethics Commission has investigated this matter, including by obtaining documentation from the ITF and obtaining a statement from Mr Giudicelli, along with copies of his degree certificate. Having reviewed this information, I make the following factual findings:

- Mr Giudicelli has a Diplôme d'études supérieures spécialisées en Économie du Tourisme from the University of Aix-Marseille. I accept that the equivalent today of a Diplôme d'études supérieures spécialisées en Économie du Tourisme is a Masters degree in tourism economics. His studies in tourism economics concluded in November 1980, and he was awarded his diploma in September 1983.
- When Mr Giudicelli submitted his credentials to the ITF on 6 May 2015, he stated in English that he is a "Graduate Economist Aix-Marseille University 1980". The ITF used this information from Mr Giudicelli to prepare materials for the 2015 ITF AGM. The ITF accurately reflected Mr Giudicelli's credentials as disclosed by him in his nomination form. The English-language version of these materials described him as "1980: University Aix-Marseille Graduate Economist" while the French version described him as "1980: Université d'Aix-Marseille – Licence en économie".
- When Mr Giudicelli submitted his nomination form to the ITF on 24 May 2019, he stated again that he is a "Graduate Economist Aix-Marseille University 1980". Again, the ITF used this information to prepare materials for the 2019 ITF AGM. This time, the ITF did not accurately reflect Mr Giudicelli's credentials as disclosed by him in his nomination. The English-language version of the 2019 AGM materials described him as having a

“PHD Economics, Aix-Marseille University” and the French-language version described him as having “Doctorat en Economie, Université Aix-Marseille”.

- Prior to the publication of the 2019 AGM materials, the ITF requested Mr Giudicelli to approve the résumé to be published. Mr Giudicelli approved the résumé without requesting any corrections.

In light of the foregoing, I find that Mr Giudicelli presented his credentials honestly in the information he sent to the ITF in 2015 and 2019 but was negligent in approving the 2019 résumé prepared by the ITF which described him as having a “PHD Economics, Aix-Marseille University”. I do not however find that the approval was deliberately given to mislead and/or was dishonest. I therefore do not consider there to be sufficient evidence to establish a breach of any of the Articles of the Code.

I note that while Mr Giudicelli’s credentials indicate what would today be a Masters degree in tourism economics, rather than a graduate degree in economics, I do not consider that distinction to be material for the purposes of establishing a breach of the Code.

In accordance with Appendix 1, Article 4.1.2, I find that there is insufficient evidence to proceed with this complaint and therefore close this matter.

Finally, this Decision has been made public in accordance with Article 9.2.2 of the Code, which states that publication of a Decision by the ITF Ethics Commission is permitted “to correct inaccurate information or damaging rumours”.

Sandra Osborne QC

Chair, ITF Ethics Commission