



*The second*

# STATE-OWNED ENTERPRISE ANTI-CORRUPTION DAY

*Co-hosted by the OECD and the Government of South Africa*



20 September 2022, 12:00 – 16:00 (CEST)



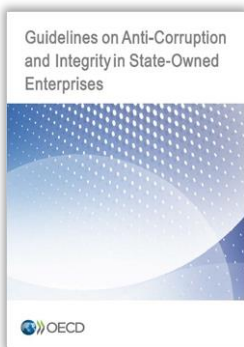
Virtual event (Zoom)

## AGENDA

Register [here](#) to watch the event live



## Context



In October 2019 the OECD held the first ever first State-Owned Enterprise (SOE) Anti-Corruption Day to celebrate the release of the 2019 adoption of the Recommendation of the Council on [Guidelines on Anti-Corruption and Integrity in State-Owned Enterprises](#) (ACI Guidelines).

A lot has changed since the SOE Anti-Corruption Day in 2019, and yet some challenges seem to persist. This year, thought leaders will look back to assess what more can be done about lingering obstacles to SOE integrity: namely, the risk of undue influence in SOEs for personal or political gain. The event will also look forward. Discussions will help prepare state owners and SOEs for the demands presented by geopolitical tensions, supply-chain restraints, the global pandemic, and urgent need to effectively address climate change, so that adaptations coincide with, and do not compromise, integrity in the SOE sector.

## Who will be there?

The Second SOE Anti-Corruption Day is a global, virtual event. It is co-hosted by the OECD and the Government of South Africa's Department of Public Enterprises, bringing together OECD and non-OECD country representatives, SOEs and private firms, business associations, academia, and civil society.

# DRAFT PROGRAMME

20 September 2022, 12:00 – 16:00 (CEST)

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11:30 – 12:00	Technical checks / logging in
12:00 – 12:15	<b>Opening remarks</b>  <b>Pravin Gordhan</b> , Minister, Department of Public Enterprises, South Africa <b>Kerri-Ann Jones</b> , Deputy Secretary General, OECD
12:15 – 14:15	<b>Addressing lingering concerns</b>  <i>This session will address a predominant and ongoing concern related to SOEs – that SOEs are susceptible to undue influence because of their proximity to representatives of state. It will explore how and why this challenge remains, and how state owners and companies can insulate SOEs from exploitation for political financing, patronage, or personal and related-party enrichment. During the expert panel, the OECD will share evidence from a new comparative study on the subject. The session will be divided into two parts.</i>
12:15 – 13:15	Part I: the state owner perspective  <u>Moderator:</u> <b>Charles Donald</b> , Chair, OECD Working Party on State-Ownership and Privatisation Practices <b>Gloria de la Fuente</b> , Chair, OECD Working Party of Senior Public Integrity Officials <b>Drago Kos</b> , Chair, OECD Working Group on Bribery in International Business Transactions <b>Marion Lesego Dawn Marole</b> , Non-Executive Director, MTN Group Ltd and Development Bank of South Africa, Member of the Presidential State-Owned Enterprises Council, South Africa
13:15 – 14:15	Part II: the company perspective  <u>Moderator:</u> <b>Mathilde Mesnard</b> , Deputy Director of the Directorate for Financial and Enterprise Affairs, OECD <b>Nicola Bonucci</b> , Partner, Litigation Department, Paul Hastings, France <b>Salvador Dahan</b> , Chief Governance and Compliance Officer, Petrobras, Brazil <b>Vongani Mugwambane</b> , Head of Investigations, South African Airways, South Africa
14:15 – 14:30	<b>15-minute break / transition</b>

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**14:30 – 15:30**

**Future-proofing efforts**

*SOEs should be adaptable to emerging challenges. The ACI Guidelines stress that SOEs should regularly monitor, re-assess, and adapt their risk management system, including to emerging and changing corruption and integrity-related risks. This panel will consider how SOEs can obtain and maintain a high standard of integrity amid the current and future challenges presented by a global context of geo-political tensions, supply shortages, the COVID-19 pandemic, and the low-carbon transition. The panel will explore innovative solutions for responding effectively to these challenges, including through the Compliance without Borders project and specific guidance for partnering with SOEs.*

Moderator: **Allan Jorgensen**, Head of the Centre for Responsible Business Conduct, OECD

**Matthieu Salomon**, Senior Governance Officer, Natural Resource Governance Institute

**Gemma Aiolfi**, Head of Compliance, Corporate Governance and Collective Action, Basel Institute on Governance

**Prof. TK Poee**, Public Policy Specialist, Wits School of Governance, former Head of the Secretariat of the Presidential State-Owned Enterprises Council, South Africa

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**15:30 – 15:45**

**Launch of the AFD/OECD e-learning course on SOE governance**

**Sara Sultan**, Senior Policy Analyst, Directorate for Financial and Enterprise Affairs, OECD

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**15:45 – 16:00**

**Closing remarks**

**Jacky Molisane**, Acting Director-General, Department of Public Enterprises, South Africa

**Nicolas Pinaud**, Deputy-Director of the Directorate for Financial and Enterprise Affairs, OECD

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# SPEAKERS

## Opening remarks



### **Pravin Gordhan**

*Minister, Department of Public Enterprises, South Africa*

Mr Pravin Gordhan is the current Minister in the Department of Public Enterprises in South Africa. This Department is mandated to perform shareholder oversight on behalf of government over seven (7) State-Owned Companies which include Transnet (rail, freight, ports and engineering); Eskom (electricity utility); Denel (advanced manufacturing and arms industry); South African Airways (SAA); South African Express (SAX), Alexkor (a diamond mining company) and South African Forestry Company Limited (SAFCOL), a timber and forestry.

Pravin Gordhan has been actively involved in the anti-apartheid struggle dating back to the 1970s and 1980s when he was an organiser in the student movement and a prominent leader in civic structures. After qualifying as a pharmacist in 1974, he worked at Durban's King Edward VIII hospital until 1981 where he was expelled by hospital administration for his involvement in resistance politics. He spent four years underground in the 1980s and became intricately involved in the South African Communist Party and African National Congress.

He played a pivotal role in South Africa's transition as an ANC participant in the multi-party talks at the Convention for a Democratic South Africa (CODESA), and as co-chair of the Transitional Executive Council. He chaired the Constitutional Committee, which had oversight over the implementation of the new Constitution that was adopted by Parliament in May 1996. He continued to serve actively as an ANC MP until March 1998 when he joined SARS as Deputy Commissioner. He was appointed as Commissioner in November 1999 where he spent a decade building SARS into a formidable tax and customs administration recognised world-wide for its efforts in enabling the South African government to collect the resources it needed for its development programmes.

In May 2009 in the midst of the global financial crisis and a world-wide recession, he was appointed as Minister of Finance and acquired a challenging task to navigate the domestic economy out of turbulence towards fiscal stability and a new growth path. In May 2014, he was appointed as Minister of Cooperative Governance and Traditional Affairs only to be re-appointed to the Finance portfolio in December 2015. He remained the Minister of Finance until he was inexplicably recalled at around midnight on 30th March 2017.

He returned to the Legislature as a Member of Parliament and became part of the Portfolio Committee on Public Enterprises. He continues to serve as member of the National Executive Committee (NEC) of the African National Congress, having been elected as a NEC member in December 2012. Mr Gordhan is passionate about democracy, racial and gender equality and working towards building a prosperous future for all in South Africa.



### **Kerri-Ann Jones**

*Deputy Secretary General, OECD*

Dr. Kerri-Ann Jones, an American national, took up her duties as Deputy Secretary-General of the OECD on 1 July 2022. Her portfolio includes Environment, Development, Science and Innovation, Statistics & Data and Public Governance.

Prior to joining the OECD she served in senior leadership positions working to advance the role of science in programs and policies. Most recently, she served as the Vice President, Research and Science, at the Pew Charitable Trusts. From 2009 -2014, she served as the US Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs (OES). In this position, she led the bureau responsible for bilateral, regional, and multilateral engagement on oceans, environment, science, space, and health, including the role of Special Representative on Avian and Pandemic Influenza. In 2014, she received the U.S. Department of State Foreign Affairs Award for Public Service.

Earlier she served in the White House Office of Science and Technology Policy (OSTP), where she was appointed Associate Director for National Security and International Affairs and served on the National Security Council. During that appointment she served for a period as Acting Director of OSTP. She has also served as Director of the Office of International Science and Engineering at the National Science Foundation (NSF) and held positions with the U.S. Agency for International Development (USAID) and the National Institutes of Health (NIH).

Dr. Jones obtained her Ph.D. from the Department of Molecular Biophysics and Biochemistry at Yale University. She holds a bachelor's degree in chemistry from Barnard College, Columbia University. Her advisory work includes serving on the WHO Advisory Group for Pandemic Influenza Preparedness. She is a Fellow of the

## Part I: the state owner perspective



### **Charles Donald (moderator)**

*Chair, OECD Working Party on State Ownership and Privatisation Practices*

Charles chairs the OECD's Working Party on State Ownership and Privatisation Practices, the policy forum to promote improved corporate governance of state-owned enterprises. Charles was appointed Chief Executive of UK Government Investments (UKGI) in March 2020, having joined the company in May 2018 as Head of the Financial Institutions Group.

Prior to that, he spent his career in investment banking working in both corporate advisory and equity research. He joined UKGI from Credit Suisse where he was Vice Chairman of UK Advisory & Corporate Broking having previously been Co-Head of UK Investment Banking. Charles is a Non-Executive Director at the UK Infrastructure Bank and also heads the Government's Corporate Finance Profession. In addition he serves as a Trustee on the Board of Helo for Heroes, the charity that supports wounded veterans.



### **Gloria de la Fuente**

*Chair, OECD Working Party of Senior Public Integrity Official*

Gloria de la Fuente is the chair for the OECD Working Party of Senior Public Integrity Officials (SPIO). She is also a member of the Board of the Council for Transparency of Chile (which she chaired between October 2020 and April 2022), an academic at the School of Government of the Pontifical Catholic University of Chile (PUC) and a permanent columnist in different Chilean media. She is a political scientist from the PUC and PhD in Social Sciences from the University of Chile.



### **Drago Kos**

*Chair, OECD Working Group on Bribery in International Business Transactions*

Drago Kos is currently the Chair of the OECD Working Group on Bribery in International Business Transactions. Between 2011 and 2015 he used to be International Commissioner and Chair of the Joint Independent Anti-Corruption Monitoring and Evaluation Committee (MEC) in Afghanistan. Between 2003 and 2011 he was the Chairman of the Council of Europe's Group of States against Corruption (GRECO). In his own country, Slovenia, Drago Kos was the first Chairman on the Commission for the Prevention of Corruption in the period from 2004 to 2010. He was also a FIFA/UEFA referee and he still is a FIFA/UEFA referee observer.



### **Dawn Marole**

*Non-Executive Director, MTN Group Ltd and Development Bank of South Africa, Member of the Presidential State-Owned Enterprises Council, South Africa*

Dawn's career has predominantly been in the financial services sector. She presently serves on the boards of listed and unlisted companies within the private sector. In addition, Dawn formed part of the Presidential Review Committee for State-Owned Enterprises and is currently the executive chairperson of Executive Magic. As founder and president of the Business Women's Association, she is training black female entrepreneurs – an unprecedented endeavour in a historically divided nation.

## Part II: the company perspective



### **Mathilde Mesnard (moderator)**

*Deputy Director, OECD Directorate for Financial and Enterprise Affairs (DAF)*

Mathilde's current portfolio at the OECD covers financial markets, sustainable finance, corporate governance, and responsible business conduct. She is also the OECD Deputy-Deputy for the G20 and G7 Finance Tracks. Previously, she was the coordinator of the New Approaches to Economic Challenges (NAEC) Initiative and Senior Advisor to the OECD Secretary-General. While working in the Corporate Affairs Division of DAF earlier in her career, Mathilde developed the OECD Guidelines on corporate governance of SOEs.

Ms. Mesnard holds a degree in Philosophy, a Master's Degree in Finance from the Ecole Supérieure de Commerce de Paris (ESCP), an MBA from Drexel University, and a PhD in Economics from the École des Hautes Études en Sciences Sociales (EHESS).



### **Nicola Bonucci**

*Partner, Litigation Department, Paul Hastings, France*

Nicola Bonucci is a Partner in the Global Trade and Investigations & White Collar Defense practices at Paul Hastings, based in the Paris office.

Prior to joining Paul Hastings, Nicola served as the Director for Legal Affairs for the Organization for Economic Cooperation and Development (OECD). He has been one of the most prominent international voices in anti-corruption and anti-bribery, having led the OECD's efforts in this area for more than two decades. In advising clients, Nicola draws on his international experience with compliance programs, investigations, and anti-corruption issues across various legal systems, as well as his deep knowledge of intergovernmental and multilateral processes.



### **Salvador Dahan**

*Chief Governance and Compliance Officer, Petrobras, Brazil*

Salvador Dahan has a Bachelor of Law from Mackenzie University, with an MBA in Business Security Management from FECAP and a post-graduate degree in Business and Community Leadership from INSPER/SP. He has 22 years of experience in the Compliance, Risk and Governance areas, having worked in large multinational companies, having held executive positions at Procter & Gamble, Gerdau Group and Nissan Motors. In this last company, he was invited to work in Japan as Nissan's General Manager, with global scope of action for the areas of Risk, Compliance and Privacy. In May 2021, he took over the Governance and Compliance Board at Petrobras.



### **Vongani Mugwambane**

*Head of Investigations, South African Airways, South Africa*

The Head of Investigations at SAA, Adv. Mugwambane's career spans over 23 years with experience ranging from civil and criminal litigation, criminal and labour related investigations to financial and asset forfeiture investigations.

He has worked for law enforcement agencies such as the former Directorate for Special Operations (known as the Scorpions) which resided within the National Prosecuting Authority, Asset Forfeiture Unit and the Directorate for Priority Crimes Investigations (the Hawks).

Adv. Mugwambane holds an LLB degree and an advanced diploma in Fraud Examination. 23 years ago he received training as an investigator by the London Metropolitan Police, Scotland yard. He currently oversees all investigations at SAA and also assist with legal advisory. He is also the Interim Deputy Information Officer.

## Part III: future-proofing efforts



### **Allan Jorgensen (moderator)**

*Head of the Centre for Responsible Business Conduct, OECD*

Allan Jorgensen leads the work of the OECD to develop and promote global standards for responsible business through international cooperation, public policy development and global supply chains.

Allan has two decades of experience working on sustainable business and finance in both the private and public sectors. Prior to joining the OECD he was Head of Sustainable Trade at global logistics giant A.P. Moller-Maersk where he led the company's work on inclusive trade and responsible business practices. Prior to this, he served as Head of Human Rights and Business at the Danish Institute for Human Rights, working with multinationals, governments, multilateral bodies and civil society organisations to promote responsible and sustainable business. He served for a number of years on the sustainability advisory board of the Investment Fund for Developing



### **Matthieu Salomon**

*Senior Governance Officer, Natural Resource Governance Institute*

Matthieu has worked on governance and anticorruption issues for more than 15 years, including more than 10 years based in Southeast Asia. Before NRGi, he worked in particular for Vietnam's Towards Transparency (TI official Vietnamese affiliate) and for the Embassy of Sweden/SIDA in Hanoi.

At NRGi, between 2012 and 2017 Matthieu oversaw a three-year USAID-funded partnership project on extractive industry governance in Southeast-Asia; and led NRGi's new program in Myanmar. After, based in Paris, he has continued to support NRGi's work on anticorruption, EITI and civil society partnerships, in Francophone Africa, the Middle East and North Africa. Matthieu is now leading NRGi's work on anticorruption.



### **Gemma Aiolfi**

*Head of Compliance, Corporate Governance & Collective Action at the Basel Institute on Governance*

Gemma Aiolfi is Head of Compliance, Corporate Governance & Collective Action at the Basel Institute on Governance.

Previous positions include: Legal Counsel, Integrity Department ABB AG headquarters, Global Head of Anti-Corruption at UBS, AG, and working for Prof. Mark Pieth, former Chairman of OECD Working Group on Bribery. Ms Aiolfi graduated in law from the London School of Economics, & Stockholm University (LLM) and qualified as a barrister. She is a co-chair on the member Ethics and Compliance Switzerland, and is a member of the OECD's Steering Committee on Trust in Business.



### **TK Poee (PhD)**

*Public Policy Specialist, Wits School of Governance, former Head of the Secretariat of the Presidential State-Owned Enterprises Council, South Africa*

TK Poee is a senior lecture at the Witwatersrand School of Governance, focusing on Public Policy areas like (1) Local Economic Development (2) Law and Development (3) Scenario Planning and Thinking (4) Failure Analysis. Over the last ten years, he has lectured and consulted for various institutions like the North West University's Government Studies Programme, the University of KwaZulu-Natal, Gordon Institute of Business Science and the Thabo Mbeki African Leadership Institute.

Before joining academia, he worked in various government institutions as a Public Policy consultant. He currently assists the Presidential State-owned Enterprise Council Secretariat in various roles.



## Closing remarks



### **Nicolas Pinaud**

*Deputy Director, OECD Directorate for Financial and Enterprise Affairs (DAF)*

Mr Nicolas Pinaud is Deputy Director of the Directorate for Financial and Enterprise Affairs of the OECD since 3 January 2022. He leads the infrastructure work across DAF and is responsible for the policy areas of anti corruption, consumer finance, insurance and pensions.

Mr Pinaud is an experienced OECD official, who took up his functions as OECD Sherpa to the G7 and the G20 on 1 July 2020. Prior to that, he served as Head, and Deputy Head of the Sherpa Office and Global Governance Unit. He has also worked in the Development Centre on issues of North–South and South-South macroeconomic interdependence; on the development of financial markets in emerging market economies; and was part of the team responsible for the yearly African Economic Outlook report. He was also instrumental in developing the OECD-sponsored Emerging Markets Network (EmNet). Prior to joining the OECD in 2002, Nicolas started his career as a country-risk analyst at Société Générale Group. Between 2007 and 2010, he was seconded to the cabinet of the French Minister of Employment.

Mr Pinaud is a French national. He graduated from the École Normale Supérieure d'Ulm (Paris). He holds a Masters' degree in Development Economics, a Masters' degree in Political Science and a Masters' degree in History from the University of Paris-1-Sorbonne.



### **Jacky Molisane**

*Acting Director-General, Department of Public Enterprises, South Africa*

Ms Jacqueline (Jacky) Molisane is currently the Acting Director-General of the Department of Public Enterprises. Ms Molisane holds a BA Honours in Economics (majoring in Monetary, International and Developmental Economics) and a Diploma in Financial Markets and Instruments. In her previous role, as the Deputy Director-General for Financial Assessment and Investment Support, she was responsible for the funding requirements of State-Owned Enterprises (SOEs) within the DPE portfolio.

She served on the board of Eskom and Special Economic Zone (SEZ) Advisory Board, and also served on the National Empowerment Fund (NEF) as a Trustee and Chairperson of the Investment Committee of the Board. Previously, she was the Chief Director: Financial Analysis and Transactions in the Energy and Broadband Unit in the Department, focusing on providing strategic advice on SOE performance and securing the necessary funds for SOEs. She formed an integral part of the team tasked with securing funding for Eskom from international financial institutions such as the World Bank and the African Development Bank.

Ms Molisane also has 10 years of private sector experience in financial services, specialising in Investment Banking. She spent seven years working for local and international investment banks specialising in stockbroking, with a particular focus on equities trading and portfolio management. The last three years were spent honing and broadening her skills base in the private equity and structured finance arena.

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