



## Bank protection mafia demands impunity for 'bail-in' agents

By Elisa Barwick

A new paper from the creators of bank "bail-in" demands "operational independence" for resolution authorities that wield the mechanism to save collapsing banks. Bail-in was introduced after the 2008 global financial crisis and is one element of the so-called resolution process to keep dying banks alive. It legalised the confiscation by regulatory agencies of lower-tier investments and bank deposits that are not guaranteed by government insurance schemes. Those agencies are manned by unelected technocrats—now the global financial watchdog wants to give them more authority to intervene in a crisis, and immunity for any missteps.

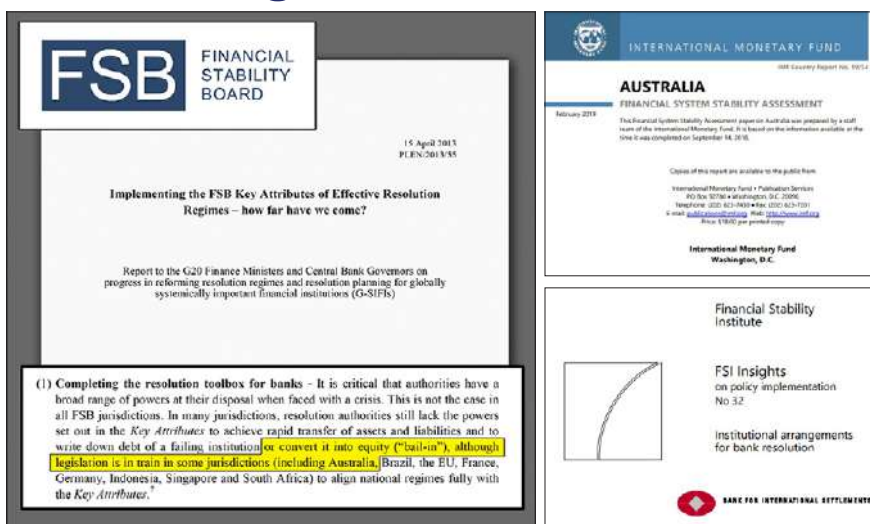
A report, "Institutional arrangements for bank resolution", released 7 May by the Bank for International Settlements (BIS), reviewed institutional arrangements for conducting "resolutions" of failing banks in 16 jurisdictions. It was produced by the BIS-housed Financial Stability Institute (FSI), whose mandate is to assist banking supervisors of member nations to protect global financial stability.

The framework for bank bail-in for all G20 member nations, including Australia, was laid out in BIS agency the Financial Stability Board's 2011 *Key Attributes of Effective Resolution Regimes for Financial Institutions*. In its report, the FSI specifies that, "Core to those principles is the expectation that resolution authorities *should have the necessary operational independence* to carry out their functions, and that mechanisms are in place to control any conflicts of interest that arise between resolution and other functions carried out by the authority." (Emphasis added.)

The "conflict of interest" concern relates to resolution authorities operating under the same roof as either the central bank (which may be a creditor of the failing bank) or prudential regulation authority (which regulates the bank), or in some cases the administrators of deposit guarantee schemes. The diverging aims of these agencies could affect the decision to put a bank into resolution or not. To resolve potential conflicts the report recommends "clear mandates, alignment of objectives and separate governance and decision-making procedures", with the "explicit mandate for resolution, ideally set out in statute", i.e. in law. Legal or structural separation between resolution agencies and other functions such as bank supervision is encouraged to ensure the operational independence of the resolution function. These measures support "independent policy development and decision-making for resolution-related issues".

In Australia's case—one of the 16 nations surveyed—the Australian Prudential Regulation Authority (APRA) hosts the resolution authority. A Resolution Team within APRA operates within the directorate responsible for policy and advice. "This is separate from the directorate responsible for bank supervision", reports the FSI.

(As well as supervising the banks—which it does in cosy



Reports dictating confiscation of our savings in a new crash: The Citizens Party discovered in 2013 that Australia was pursuing compliance with the IMF's "Key Attributes"; the IMF's 2019 Financial System Stability Assessment of Australia; and the new report from the BIS's Financial Stability Institute. Photos: Screenshots

consultation with them—APRA is also the agency responsible for activating the Financial Claims Scheme to protect deposits in the event of a financial crisis. Given its dual mandate to protect depositors at the same time as protecting financial stability, a conflict of interest must be assumed. This is particularly acute because if a bank goes into resolution and deposits are taken, the FCS does not kick in automatically—APRA must make the call to activate it. According to APRA, however, the FCS is only activated "when an institution fails", whereas bail-in is a mechanism to keep the bank functioning. The report does not take up this matter.)

### Undue political influence

In a section titled "Independence of resolution functions from undue political influence", the FSI takes up a subject which was specifically raised by the International Monetary Fund in its February 2019 *Financial System Stability Assessment for Australia*. That document demanded Australia move beyond the back door "bail-in" scheme passed in 2018, and enact a full, statutory bail-in regime that explicitly includes seizing deposits. As reported in a 4 March 2019 Citizens Party Media Release, "IMF demands end of democracy in Australia's banking system, full 'bail-in'", the IMF demanded three major changes regarding APRA:

1. A clarification of APRA's responsibilities, which currently are stated as "the protection of the depositors" of the banks and "the promotion of financial system stability in Australia", to reflect the fact that "financial stability" is the primary objective, ahead of depositor protection;

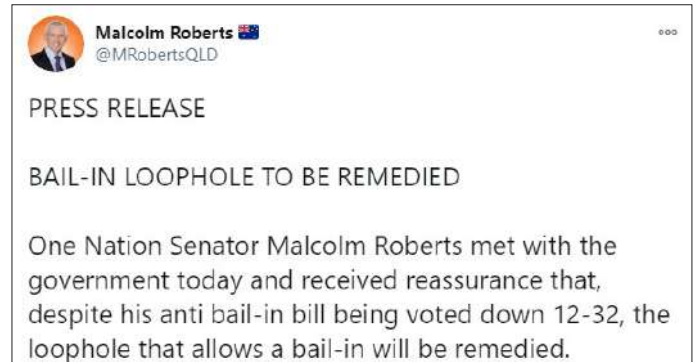
2. An end to the Treasurer being able to direct APRA, and to the current requirement that APRA obtain the consent of the Treasurer to implement certain measures in a resolution;

3. An end to Parliament being able to disallow an APRA prudential standard, a democratic safeguard which the IMF insist "weakens" APRA in terms of its ability to enforce measures to achieve financial stability.

The FSI report notes that in a number of countries the

approval of a government minister “is required for use of resolutions tools that may have fiscal implications”. This includes Australia, where “ministerial approval is needed for resolution strategies that require large public expenditure (e.g., using standing appropriation to fund government recapitalisation), or where the financial claims scheme is activated”. The report notes that in most cases, however, bank resolutions cannot be changed or amended by ministerial review—their role is a mere rubber stamp—and that it is highly unlikely a resolution recommendation would be rejected, according to the authorities interviewed. In Norway, where the minister of finance has more power than in other jurisdictions—it is he who decides if and when a bank is failing or likely to fail, the pronouncement which precipitates bail-in—“This arrangement could be seen to undermine the independence of the resolution authority in the execution of its resolution function”, the report asserts. In the case of Ireland, review by the High Court is required to approve a bank resolution; however even this, the FSB reports, is a rubber-stamp review. Such judicial review is highly uncommon.

The report adds that “Most authorities in the sample do not have specific evaluation or transparency procedures for their resolution responsibilities.” They could face increased scrutiny, however, after the fact, the FSI offers: “For example, in the event of the resolution of a significant bank a Royal Commission enquiry would be expected in Australia and Canada.” The resolution authority itself is not even compelled to publish details of its resolution processes, if its activities fall under the authority of the supervisory authority (or central bank) that houses it; “Nevertheless, the authorities interviewed noted the importance of public transparency in the event of an actual resolution, to prevent market panic and ensure that stakeholders are appropriately informed.” This is outright lies and propaganda! In Europe the public have been deliberately kept in the dark during and ahead of bail-ins. The European Union even introduced a “pre-resolution moratorium tool” allowing regulators to freeze



MPs including One Nation’s Malcolm Roberts are serious about forcing changes to the bail-in law, as seen in this 2 Dec. 2020 tweet.

customer accounts, including guaranteed deposits, ahead of a bail-in—because the mere threat of bail-in would trigger bank runs. (“EU set to steal guaranteed deposits for bail-in”, AAS, 11 Sept. 2019.)

The autonomy and independence of local resolution agencies also depends on “appropriate legal protection for resolution authorities, their staff and any agents”, for any actions or omissions made in good faith, the document spells out. In some jurisdictions the protections afforded are the highest available under the law, given that “staff dealing with resolution actions may be at a heightened risk of legal challenge given the consequences and sums of money potentially involved in their decisions”!

This discussion reflects the incompatibility of policies like bail-in, with democracy—because elected governments would be unlikely to confiscate their constituents’ bank savings, as it would destroy their chances to win future elections. In Australia, there is a democratic backlash against bail-in. Contrary to the IMF’s aforementioned wishes, anti-bail-in forces in the Australian parliament are continuing to push the government to amend the existing bail-in law, which it pledged to re-examine in November 2020 after One Nation Senator Malcolm Roberts’s bill to explicitly exclude deposits from bail-in came up for a vote.

## Refocusing the debt debate

By *Elisa Barwick*

Instead of simply obsessing over how to repay the debt currently racking up at record rates, it is time to acknowledge the flawed economic theories that got us here. We need to consider a funding model that encapsulates the means to extinguish incurred debt and doesn’t leave us beholden to private, offshore investors and bankers.

If the government issues new debt through a national bank to invest in productive economic ventures, or for infrastructure that benefits productive enterprise, it assures a new income flow—from the generated jobs and activity from building the project and from the economic contribution of the finished venture—a portion of which can be allocated to debt repayment.

However, if the government continues to rely on the same old budget deficit funded by tax receipts from an economy that has not grown or fundamentally changed, income from government enterprises and assets (or the sale thereof), and bond issues marketed to largely foreign investors, debt reduction will not be achieved. It is akin to trying to harvest crop stubble without having planted anything new. Matters are made worse, in addition, if credit for business and industry is left in the hands of private banks, heavily reliant on offshore wholesale borrowing, and which prefer to invest in mortgages or other forms of speculation that earn

them a higher, shorter-term return and against which they can hold less capital.

In other words, governments have to direct credit into the right areas, under the right conditions, in order to create the means for it to be repaid. Consider a debate which has broken out in Scotland, which demonstrates that these issues are the same for any nation on the planet.

The newly formed Scottish Banking and Finance group, constituted by activists from pro-independence movements, is proposing a complete, top-down redesign of the financial system of Scotland. The new system would be completely oriented to the real economy as opposed to financial markets, which the group specifies is the only way to secure a truly independent Scotland with its own currency and banking system.

In addition to the dire financial situation, the Scots are reacting to decades of being dictated to by the supranational European Union (EU), and pine to restore their own national currency and commence their own issuance of credit and their own sovereign development initiatives. They are also, like many nations, lamenting the prioritisation of finance over the real economy. The discussion of government direction of credit is therefore one that is erupting worldwide, with rising support for national infrastructure banks, postal banking and other forms of public banking, as this



news service has been reporting.

The Scottish group is calling for a Scottish national currency—a people's not bankers' currency; a new central bank; new monetary and fiscal policy tools; a new regulator; and a National Investment Bank with subsidiaries such as an Energy Bank and Agriculture Bank to specialise in creating credit to expand national productive capacity. It is agitating for a national conversation on the need for an entirely new banking framework.

A series of articles published between March and May by *The National* newspaper, written by Scottish Banking and Finance Group convenor Jim Osborne, demand the diversification of the banking sector with a variety of new financial institutions, including state-owned banks, more regional and local banks, and mutual finance institutions such as credit unions. Private commercial banks are still encouraged, but as Osborne points out, right now *all* credit creation is delegated to this monopoly, which operates for financial gain not national benefit. Private banks pursue the easiest routes to profit, so are attracted to financial asset and property speculation and avoid capital investments in business ventures that require more care.

This reality demonstrates why the post-2008 quantitative easing didn't work, wrote Osborne: "QE doesn't work because banks will not provide money for investment in productive activity when they do not believe they can make profit for shareholders by investing in business. Instead they just buy new financial assets which they think will generate bigger profits for them. As a result ... the prices of financial assets have soared. It is a speculative financial bubble—the kind of bubble which caused the GFC in the first place."

In one of his articles, titled, "How we know austerity is a purely political choice made at Westminster", Osborne recorded the devastating results of decades of austerity dictated by governments demanding "debts must be repaid", while ignoring the fact that those debts came from bailing out the banks, not the people. Austerity—budget cuts to services, welfare, restriction of credit, etc.—dictates that the people pay it back while the banks continue on their merry, money-making way.

Osborne spells out a different kind of credit creation—an alternative to QE that would work. "A government with its own currency and central bank can create whatever money is needed to support economic activity. There is no universal law of nature which says that a government must delegate money creation to private banks—it is a political choice and a product of the history of the UK banking system. It is a bankers' currency and it can be changed if there is the will to do so. ...

"All this is unnecessary—it is the result of political choices. It is the result of tolerating a bankers' currency. We have a choice and we can choose to design a people's currency and a people's banking and financial system."

### Fostering real wealth

The movement advocates reversal of the financialisation of the economy, which reduces everything to a



National banking proposals such as the Citizens Party has promoted for decades are popping up in Scotland.

financial focus and undermines "the real purpose of our economy". In response to a letter to the editor in the emerging debate, Osborne wrote, "financial markets have lost all relevance to the real economy".

A number of other themes drawn out in the series are relevant for Australia and other nations.

Pension funds, says Osborne, must be redeployed from investment in financial speculation into national development for wealth creation. Pension funds represent large pools of capital that belong to the nation and must be protected to assure the future retirement of citizens. That future can't be assured without the investment in the real economy which is found wanting and which pension funds could supply. Currently they flow into risky speculative activity, "stoking financial bubbles and financial crashes" rather than "genuine wealth creation".

Osborne noted that the 2008 global financial crisis revealed the crucial role of the state, by showing that "only the financial firepower and legitimacy of the state can resolve serious financial crises when they happen". One way or the other the state is "a pivotal player in any financial system", so it should play a decisive role from the start. It can oversee private banking functions and decide on the degree of autonomy different segments are awarded. "How much freedom is provided to finance is a political choice, not an inviolable law of nature", he stressed.

A greater role for governments in directing the allocation of capital is urged. Top priorities for growth must be identified, and funding made available for deployment of the necessary human and physical resources to get the job done. Osborne calls this "a model for a mixed economy—a 'directed economy', not a planned economy. Strategic capital allocation cannot be left to 'free markets'." If private banks won't lend, national or state banks will.

A reinvigorated banking system is needed to adequately provide for citizens, to safely store their savings, make payments, access loans, etc. Post office savings banks, which "once provided important community banking services", are afforded a key role by Osborne. Only a new banking system, dedicated to reviving production and suppressing speculation, will allow us to grow the economy and get on top of the mountain of debt.

# 'Green steel' is a job-destroying fantasy

By Melissa Harrison

Anglo-Indian steel magnate Sanjeev Gupta was hailed as the “saviour of steel” before the collapse of his financier, Greensill Capital, revealed his international steelworks acquisition spree was funded by a mountain of unsustainable debt. Greensill’s demise also exposed Gupta’s drive to decarbonise heavy industry under his flagship “Greensteel” initiative—by converting steelworks into glorified scrap recyclers or by planning to use prohibitively expensive hydrogen instead of coal to produce primary steel—as a Potemkin village, with a façade of economic viability that was entirely dependent on Greensill’s now failed financial alchemy. Gupta’s Greensteel has jeopardised nationally important steelworks, such as at Whyalla in South Australia.<sup>1</sup> It was the first wave of a juggernaut pushed by multinational corporate giants, global financiers and international institutions hell-bent on pursuing “green industrial revolution” policies which demand billions of dollars from taxpayers while de-industrialising the global economy.

## Greensteel goes global

With Greensill’s financing, Sanjeev Gupta, head of the Gupta Family Group (GFG) Alliance, was able to significantly advance a Greensteel/decarbonisation agenda despite doubts over the unproven technology. The realisation that the investment he attracted was a house of cards, and not so-called “smart money”, should force a re-evaluation of the legitimacy of his Greensteel agenda, but will it? Gupta was particularly favoured by British royal Prince Charles, a high-profile campaigner for decarbonisation under the auspices of climate-change activism. In February 2018 Prince Charles formally reignited an iconic furnace at a GFG-affiliated steel mill in South Yorkshire, giving high praise to Gupta, who was appointed an official ambassador for Prince Charles’s Industrial Cadets program shortly afterward. Two months later, Charles appointed Gupta his official ambassador for the Australian expansion of the program, which receives funding from Gupta’s GFG Alliance. Gupta’s campaign to decarbonise the steel industry aligned with Prince Charles’s own interests. In a September 2020 keynote speech at the World Economic Forum’s (WEF) Sustainable Development Impact Summit, Prince Charles demanded an international “Marshall Plan” to accelerate worldwide decarbonisation. The Prince launched his “Terra Carta” manifesto in January 2021, which called for “[c]arbon-neutral construction and infrastructure”, including “greening steel”.

Charles is patron of the Prince of Wales’s Corporate Leaders Group on Climate Change, which helped to found and lead the “We Mean Business Coalition” (WMB)—a global non-profit organisation founded in 2014 which involves nearly 2,000 multinational corporations, representing a total US\$24.8 trillion market capitalisation, “committing to bold climate action”. WMB organised a 13 April 2021 open letter to US President Joe Biden, signed by US corporate giants including Apple, Facebook, Amazon, McDonald’s, Google, Nike and Starbucks, which “gave the administration the strong backing from the private sector to ensure its climate plans are bold enough to tackle the escalating climate crisis”, according to a 22 April 2021 WMB media release. The Biden Administration’s increased emissions-reductions targets and radical climate policies—which introduce alarming national security and “green imperialism” elements to its climate-change

agenda<sup>2</sup>—were announced shortly afterward. WMB crowed that “[c]orporate America has helped to achieve a historic victory for climate ambition in the USA”, which would “unlock a wave of investment from the private sector.... Companies and investors at the forefront of this seismic shift are already benefiting with growth opportunities and new markets.”

In January 2021, the World Economic Forum announced We Mean Business as one of four core partners of WEF’s “Mission Possible Partnership” (MPP), a coalition of public and private partners aiming to decarbonise the global economy. MPP intends to operate as the “command centre” for accelerating global decarbonisation of heavy industry and transport, aiming to “propel a committed community of CEOs from carbon-intensive industries, together with their financiers, customers and suppliers, to agree—and more importantly, to act—on the essential decisions required for decarbonising industry and transport in this decade.” Within five years, MPP aims to expand its “net-zero climate action agreements” into additional sectors, potentially including food and agriculture, an alarming proposition that would prevent or even reverse technological developments in agriculture and might thus put global food production in jeopardy. MPP’s “Net-Zero Steel Initiative” intends to mobilise steel industry leaders to present “an ambitious, unified front when engaging policy-makers and stimulating demand for low-CO<sub>2</sub> steel products”. Another MPP core partner, the Energy Transitions Commission, includes influential “Commissioners” representing steel giants Arcelor-Mittal and Tata Sons.

## Green finance

In a December 2020 report, “The Paris effect: how the climate agreement is reshaping the global economy”, European think tank SYSTEMIQ predicted a 23 per cent decline in global steel production between now and 2100 under the emission-reducing “Paris Effect”, during which time production of primary steel would shrink by 38 per cent, while (usually lower-grade) recycled steel would grow to nearly half of the market. SYSTEMIQ posited that a “market tipping point” would be reached “when a carbon price is introduced and/or a differentiated market emerges that offers a premium for low-carbon steel”.

This type of analysis serves to convince the public that agendas like Greensteel are the right track, but SYSTEMIQ is far from objective—the think tank is a “knowledge partner” of the MPP and was founded by a WEF strategic advisor and former McKinsey boss, Martin Stuchtey. SYSTEMIQ’s Affiliate Partner, Lord Adair Turner, is a former chair of the UK’s financial regulator, the Financial Services Authority, which oversaw the implosion of the British banking system in 2008. Turner’s financial connections proved useful when on 16 July 2018, SYSTEMIQ announced it had partnered with the City of London and UK government to create the Green Finance Institute, an organisation advised by powerful UK banks and financial institutions, which would “champion sustainable finance in the UK and abroad”. According to SYSTEMIQ, “London is currently a world-leading centre for green finance, with nearly 80 green bonds raising more than US\$24 billion across seven currencies. The Global Commission on the Economy and Climate Change estimates around US\$93 trillion of global infrastructure investment between 2015 and 2030 will need to be green in order

1. “Gupta fiasco shows Greensteel is de-industrialisation by stealth”, AAS, 19 May 2021.

2. Jonathan Tennenbaum, “Biden eyes new era of green imperialism”, (asiatimes.com), 2 Mar. 2021.



to meet climate-change commitments. The green bond market grew by 78 per cent between 2016 to 2017, to US\$155 billion in issuances.”

Billionaires, bankers and multinational corporations have zealously promoted WEF-led “green industrial revolution” policies—fronting as environmental do-gooders to demand billions in public funding to support green technology and finance initiatives. In a 20 January 2020 interview with Bloomberg at WEF’s Davos meeting, Philipp Hildebrand, vice-chair of US\$10 trillion investment giant BlackRock, said “climate risk” presented the “opportunity” of “a major shift ... a fundamental re-shaping of finance that will entail significant re-allocation of capital”, which BlackRock is both directing and participating in.<sup>3</sup> In a 23 September 2019 speech for the Bank of England, central bank governor-turned UN Special Envoy on Climate Action and Finance, Mark Carney, warned that “[f]irms that align their business models to the transition to a net-zero world will be rewarded handsomely. Those that fail to adapt will cease to exist.”

### Hydrogen markets replace vital industries

Carney’s warning is now a reality for companies that operate in “carbon-intensive” industries such as manufacturing, mining, steel, transport, and energy, which are exposed to punishing carbon tariffs and damaged by “green” government policies. Decarbonisation is displacing productive industries, creating an artificial, policy-induced market for expensive and inefficient “low-carbon” products like Gupta’s hydrogen-processed Greensteel.

The WEF and its “green” cohorts tout hydrogen energy as the solution to its global decarbonisation strategy, but it requires billions of dollars in public funding to make it commercially attractive. (While public funding *per se* is not a yardstick to determine a technology’s viability, it does show that hydrogen is not a leap forward from current technologies in terms of efficiency and cost, which would make it an attractive investment.) The international Hydrogen Council is partnered with WEF and Mission Innovation, a multilateral organisation to which Australia belongs, which connects national energy ministers with the private sector and “international actors” to bring “clean energy technologies to market”.

The Hydrogen Council’s members are CEOs of banks, financial institutions and multinational corporations which are “supporting massive scale-up of hydrogen solutions to help decarbonise sectors including transport, buildings and heavy industry”.<sup>4</sup> The fossil fuel sector doesn’t appear threatened by hydrogen—the Hydrogen Council’s members, which represent over US\$26.5 trillion in total revenue and almost six million jobs, include energy giants such as Coalition Steering Member Saudi Aramco, BP, Chevron, and Shell, and mining giants Woodside and Fortescue Metals Group.

The Council’s February 2021 report, “Hydrogen Insights”, says “[s]trong government commitment to deep decarbonisation, backed by financial support, regulation and clear hydrogen strategies and targets, has triggered unprecedented momentum in the hydrogen industry. ... Governments have already pledged more than US\$70 billion and included new capacity targets and sector-level regulation to support these hydrogen initiatives.” The Hydrogen Council expects that “[i]f all projects come to fruition, total investments will exceed US\$300 billion in hydrogen spending through 2030—the equivalent of 1.4 per cent of global energy funding.”

3. “Financial oligarchy cuts finance for coal”, AAS, 17 Mar. 2021.

4. Press release, Hydrogen Council, (hydrogencouncil.com), 15 Jan. 2020.

### Bad news for Australian jobs

“Start with steel”, a May 2020 report published by Australian think tank the Grattan Institute (GI), states that “the world will need large volumes of decarbonised ore-based steel over coming decades”. It recommends “an Australian green steel industry could help to resolve Australia’s climate conundrum—the tension between the interests of carbon-intensive regions and the broader national interest on climate action”. The report acknowledges Australia’s nearly 100,000 “carbon workers”—so called because they work in high-paying carbon-intensive industries “such as coal mining, oil and gas extraction, fossil fuel electricity generation, cement manufacture, and ‘integrated steel-making’ using blast and basic oxygen furnaces”—will be significantly impacted by decarbonisation policies.

GI notes challenges in shifting to “green steel”. For example, high wages in the Pilbara region make the cost of producing green steel too high, and many Pilbara iron ores are not suited to green steel processing due to their chemical composition; GI acknowledges hydrogen-based green steel production is “too expensive today, and not yet proven at commercial scale”. Nonetheless, GI claims green steel could “create the tens of thousands of jobs needed to give hope for a smooth transition”; but its optimistic scenario of replacing just over half of the carbon workers’ jobs in the coal fields of central Queensland and NSW’s Hunter Valley is highly implausible, as it is dependent on Australia increasing our share of global steel production by over 2,200 per cent!

A 2019 report from the Council of Australian Governments (COAG) Energy Council, “Australia’s National Hydrogen Strategy”, declares decarbonising heavy transport and heavy industry is “an urgent challenge”, claiming “[an] Australian hydrogen industry could generate thousands of jobs, many of them in regional areas. It could add billions of dollars to GDP over coming decades”—referring to scenarios modelled in a 2019 government-commissioned report by Deloitte, “Australian and Global Hydrogen Demand Growth Scenario Analysis”. However, Deloitte’s report acknowledges a cost to the existing economy, noting that as an expanding hydrogen sector “diverts capital and natural resources (which it uses intensively) from other sectors (such as agriculture, mining and manufacturing), these sectors slow”. Deloitte’s models reveal that by 2050, in an “Energy of the future” scenario—which COAG describes as Australia leading the global market for hydrogen, assumed by then to have become the internationally dominant fuel for importers, industry, transport and heating—Australia’s agriculture, mining, transport and construction sectors experience *negative* employment impacts, with heavy manufacturing jobs declining by 18 per cent. By contrast, jobs in services (financial, business, trade) increase, with government jobs skyrocketing by over 27 per cent (business as usual to anyone familiar with Australia’s economy over the past three decades).

The hype around green steel and hydrogen doesn’t match the reality. Far from being the saviour of steel, Sanjeev Gupta’s Greensteel relied on now-failed financial alchemy. An examination of the assumptions behind predictions of success for this technology reveals implausible scenarios, exorbitant costs and massive de-industrialisation; by the time the scenarios prove to be baseless, the damage will have been done to tens of thousands of Australian jobs in productive industries such as manufacturing, mining and agriculture. Governments are not responsible to the predatory financiers lining up for billions in “net-zero” handouts from governments; they are responsible to the people, who rely on industries for their livelihoods and living standards.