

## AUSTRALIA AHEAD OF THE CURVE

### Australia's role in assisting developing countries and responding to global development challenges to 2025 and beyond?

#### Championing Against Impunity

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This think-piece argues that Australia's role in assisting developing countries should concentrate on countering the increasing scope for impunity enjoyed by those in authority which citizens face day by day.

Impunity and effective development are poor bed fellows. Citizens across the world, and particularly in developing countries, are dealing with processes that expand the number and type of poorly accountable sites from which power and authority are (in)directly exercised over their lives. Under such conditions, improvements in material well-being that aid can bring to those who should gain are exposed to elite capture and appropriation with little chance of redress. As a result, Australia's development investments are, at best, rendered ineffective and, at worst, deployed to buy and corrupt politics while abetting the illicit transfers of resources, exacerbating inequalities which feed social instability (Stiglitz, 2012; UN-ECA, 2013). As the Panama Papers show, beneficiary anonymity is a lucrative, thriving industry as dishonest money moves around the world, which can include or is enabled by aid allocations that 'fill the gap', reducing public pressure for a regime's answerability.

Forces feeding impunity play out at multiple levels of governing, scales of effect and time frames.

Globally, power shifts from West to East and North to South are pluralising the norms and standards of international governance away from an idealised premise of nation states being accountable to the polity – with China an attractive example for other countries to emulate. This process is abetted by the failure of many mature democratic systems to be trusted by their peoples. Elitism, insensitivity and corruption depress citizen's expectations about exercising their rights beyond the ballot box into real-life, accountable decision making. As a result, anti-establishment activists notwithstanding, pathways for citizens to hold their governments to account for positions towards and performance in conforming with international agreements – be it on trade, environment, migration, prevention of pandemics and other transnational deals – are being eroded.

In addition, the blended finance model for the implementing the Sustainable Development Goals – where private business resources are mobilized with public or philanthropic funding to cover commercial risks (Doane and Pries, 2016) – is being mirrored nationally in trends towards privatized provision of public goods and services. Public private partnerships introduce a more complicated scenario for citizens to hold public officials to account for what tax payer's get for their money.

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A similar story holds for the propensity of governments to establish 'regulators' for communications, energy, water and other potentially monopoly goods and services. Such entities are established at arm's length from political oversight as a way to limit interference which can deter investors. As a result, by their very design, holding regulators publically accountable for their decisions is made difficult yet their influence on poverty can be very significant (Maggetti, 2010).

A further impunity-supporting factor is to be found in countries – many in Africa – where both modern and customary legal systems prevail. Citizen's experience both sets of rules and authorities that can be at odds with each other. The poorer you are, the less likely it will be to gain a hold on overlaps and interpretations that those with authority (dis)agree upon. Any future prioritization of Australian aid towards Africa must take note of this factor that confuses accountability, opening up the scope for impunity.

For most people impunity is close and local. Ask women who dare not venture out alone or at night for fear of rape and indifferent or hostile policing as a norm that occasional public exposure and outcry does not alter. Ask a poor slum dweller facing eviction unless bribes are paid – often through intermediaries – to officials that is endemic and, hence, 'normal'. Ask whistle blowers whose actions, despite protective legislation, still bring personal harassment with little hope for redress. And, how about day-to-day transactions with local authorities in many countries that are staffed on the basis of patronage and the protection it provides while the patron is on power. The list of the many styles, roots and faces of impunity could go on.

The message is clear. Unless ongoing trends favouring impunity are reversed, Australia's contribution to development is more likely to be undermined than it is to gain in effectiveness and engaged public support.

Impunity is corrosive and, from a citizen's point of view as a donor tax payer or intended beneficiary, systemic and structural. Redressing this debilitating feature of development action will be a long game calling for cross-party support to prevent 'democratic disruption' of consistent effort when parties in Australia are voted in and move out of power.

To stay ahead of the curve, retaining interest, momentum and avoiding 'topic fatigue', the focus and theme of impunity should be carefully, periodically and strategically updated. For example, context by context, Australia's aid can build on successive efforts by thoughtfully tracking progress and shifting attention to different institutional types, specific population groups, (inter)national rules and agreements, etc. The point is to stay creative and reflexive not treating the countering of impunity as project or programme but as a systemic thrust that adapts as needs be.

As a **concrete step**, can the Australian government, business, civil society, academia and others join forces to champion a hash tag **#impunitymustfall**<sup>2</sup> as a rallying point for a well considered, multi-prong contribution to a serious issue undermining the credibility of aid as well as its effectiveness?

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<sup>2</sup> The 'must fall' component of a has tag has been a powerful rallying point for students in South Africa in terms of removing fees, pulling down statues of iconic figures such as Cecil Rhodes and more.

## References

- Doane, D. and Pries, G., 2016, "Blended finance may not be the work of the devil after all", *The Guardian*, 16 May 2016. <http://www.theguardian.com/global-development-professionals-network/2016/may/16/blended-finance-development-public-sector-capital-investment>
- Maggetti, M., 2010, "Legitimacy and Accountability of Regulatory Agencies: A Critical Review", *Living Reviews in Democracy*, Vol. 2. <http://www.livingreviews.org/lrd-2010-4>
- Stiglitz, J., 2012, *The Price of Inequality: How Today's Divided Society Endangers our Future*, Allen lane, London
- UN-ECA, 2013, *Track II! Stop it! Get it! Illicit Financial Flows: Report of the High Level Panel in Illicit Financial Flows from Africa*, United Nations Economic Commission from Africa, Addis Ababa.

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