Politicians say Agenda 21 is a dead, irrelevant, non-binding UN declaration.....which they have been implementing around Australia for 20 years, but which should not be misused by Councils!

Are they telling the truth?

Senator Ian Macdonald

“We want to make sure that the Commonwealth has recently commissioned the development of a new how-to-do it manual for local councils....”

Local Agenda 21 the Commonwealth has recently commissioned the development of a new how-to-do it manual for Local Councils.......

Greg Hunt, Shadow Minister for Climate Action, Environment and Heritage

“It is a 20 year old non binding declaration... i had never heard of the issue, heard it raised by Ministers, MP's or constituents until 19 years after the thing was apparently signed...... it has no impact on us and should not be misused by others to justify local council decisions it is a dead, irrelevant declaration”

Why continue to waste public funds to produce an instruction manual for an unenforceable dead agreement?

Kyam Maher, SA Labor MP, & ALP Secretary

“The Hon. Ann Bressington has been making quite a name for herself recently...... From her Agenda 21 conspiracy, which seems to hold that scientists and policy makers across the world are secretly involved in an elaborate conspiracy to control all aspects of our lives.”

Now, in an astonishing turnaround, the Queensland Liberal National Party, recognising the threat to freedom posed by the UN Agenda 21 program, has passed a resolution to incorporate opposition to Agenda 21 into official LNP policy. This is a breakthrough in Australia, where many politicians still prefer to avoid discussing the UN policy they have been covertly implementing for 20 years.
EXECUTIVE SUMMARY

Currently moves to outlaw the UN Agenda 21 program are flourishing because of the threat this program poses to democracy, human rights, and national sovereignty. These concerns however, are often ridiculed as ‘conspiracy claims’ by many who support anti-Australian UN driven global campaigns such as Agenda 21. Apart from labelling critics as ‘conspiracy theorists’, Agenda 21 supporters have so far completely failed to disprove the substance of Agenda 21 criticisms.

This paper examines the arguments of those who support global campaigns such as Agenda 21, and their campaign to demonise AG21 critics as ‘conspiracy theorists’. These AG21 criticisms, and their validity, are summarised below.

1. AG21, which is a foreign program, insidiously and pervasively infiltrates and influences national and sub-national laws in countries around the world.
   This claim is confirmed, AG21 supporters being completely unable to counter the extensive evidence and legal precedents upon which this claim is based. Supporters of AG21 typically endorse global solutions and imported undemocratic anti-Australian sustainability programs and reject democratic Australian solutions.

2. Agenda 21 erodes or diminishes national sovereignty.
   This claim is confirmed as surrendering control to a foreign agency such as the UN clearly, by definition, involves a progressive loss of autonomy. Supporters of AG21 typically endorse global solutions and imported undemocratic anti-Australian sustainability programs and reject Australian solutions.

3. Agenda 21 erodes or diminishes fundamental human rights, especially private property rights.
   This claim is confirmed, AG21 supporters being completely unable to counter the extensive evidence, including legislative changes, upon which this claim is based. It is vitally important to note that the myriad of repressive Council land use restrictions being imposed around Australia are a symptom of ongoing and increasing undemocratic UN interference in the lives of ordinary Australians.

4. Agenda 21 is fundamentally undemocratic as it is implemented covertly as embedded or unofficial policy and is consistently removed from the electoral agenda.
   This claim is confirmed, even Australian politicians admitting that AG21 is being consistently implemented while being excluded from official policy. Australian politicians are seen to be responding here to dictates from the UN which suggest sustainability policy must be continuous, bipartisan, and must not be interrupted by change of government.

ICLEI, as an instigator and global promoter of AG21, is at the forefront of the fight to counter criticisms of this program. Like others who support AG21 however, ICLEI’s assertions are not backed up by any evidence whatsoever and have been completely discredited. Furthermore, for all ICLEI’s proactive campaigning about AG21 and sustainability, ICLEI is completely silent about reforms to strengthen private property
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rights and national sovereignty. ICLEI’s reforms all seem to be in a direction which diminishes private property rights and national sovereignty and disenfranchises voters. Although ICLEI claims, in their support of AG21, “ICLEI’s philosophy has always been that local democracy is key”, they conspicuously avoid outlining their plans to strengthen local democracy. They have absolutely no credibility in this regard.

It is clear that even supporters of Agenda 21 regard this program as being ‘on the nose’ hence the various attempts to disguise the program by changing the name. Suggestions by ICLEI that so called ‘sustainability programs’ are not traceable to AG21 are without foundation. The evidence is unequivocal. National and sub-national sustainability programs, such as are being implemented within Australia, are firmly rooted in Agenda 21 or its principles. To deny this simple fact raises serious questions about integrity.

Given the serious and far reaching negative effects of implementation of Agenda 21 upon ordinary Australians, the reasons why politicians display a hypersensitivity to any mention of this program are abundantly clear. Undemocratic UN interference in Australia after all, could hardly be expected to be popular. This is compounded by the fact that this UN interference has had bipartisan support in Australia, by all three levels of government, for twenty years. In keeping with this longstanding disenfranchisement of Australian voters, the political popularity of demonising Australians rather than criticising the (UN) instigator of Agenda 21 or giving Australians a democratic choice, is hardly surprising.

Genuine sustainability is based upon freedom, democracy, independence, and truth, subjects that are conspicuously avoided by Agenda 21.

AUTHOR’S DECLARATION

Like all responsible Australians, the author has genuine concerns about environmental problems. The author agrees with sustainability initiatives in principle, subject to clear protection of property rights and defining of methodology, end goals, and costs. The author is however, diametrically opposed to the political exploitation of environmental/sustainability concerns and the exporting of control of claimed sustainability initiatives, &/or alleged climate mitigation measures, to undemocratic foreign agencies such as the UN. The author also acknowledges that science has yet to demonstrate that Australians can control climate and sea level, either by market mechanisms or any other mechanism, and therefore rejects the need for politically inspired wealth redistribution policies disguised as environmental initiatives or supposed mitigation measures. The author notes that the importing of foreign ‘solutions’ for Australia’s environmental problems has been forced upon Australians without any debate or democratic choice regarding alternative Australian solutions.

The author also rejects the undemocratic ecocentric rewriting of our legal system, and/or transferring of private property rights to the environment and people who do not yet exist, to effectively remove such rights from real Australians. The author supports genuine scientifically based environmental initiatives which foster genuine sustainability by supporting traditional Australian values, independence, democracy, individual rights, and freedom.
THE PROGRAM THE POLLIES PREFER NOT TO PUBLICISE

Many consider Agenda 21, which was born at the Rio Earth Summit in 1992 and has been implemented around Australia for twenty years, to be a planet saving program and a panacea for environmental problems. In fact, according to Maurice Strong, Rio Conference Secretary and instigator of Agenda 21:

“We’ve got to ensure that we understand that the security of our planet is at risk. This is the greatest security challenge we have ever faced in our history.”

But Agenda 21 is not just a planet saving program, it is also intended to provide solutions for poverty and promote social equity. “Agenda 21:

- Is the blueprint for sustainability in the 21st century.
- Provides options for combating the deterioration of land, air and water, whilst conserving habitats and their diversity.
- Deals with poverty, over consumption, health and education.
- Promotes roles for all. Everyone – governments, business, trade unions, scientists, teachers, indigenous people and youth – have roles to play in achieving sustainable development and should be involved in the decision making processes.
- Encourages the reduction of environmentally and socially detrimental processes, but within a framework which allows economic success.”

Ros Kelly, then Environment Minister in the Keating government, introduced Agenda 21 to Australia on 26th May 1993 in Parliament:

“Let me start by outlining the action we have already taken in Australia to give effect to the two conventions and to agenda 21. Along with 153 other countries, we signed the climate change convention in Rio. Although called a framework convention, indicating that there is much left to negotiate and agree, the climate change convention represents the end of a phase of global consensus building and education on the rationale and need for action on greenhouse gas emissions. The convention will enter into force and become legally binding on parties 90 days after it has been ratified by 50 countries. Australia ratified the convention in December 1992 and is one of 19 countries so far to have done so. Our expectation is that the convention will achieve the necessary 50 ratifications in 1994........ Agenda 21 is a truly massive document—40 chapters covering matters as diverse as poverty, population, technology transfer, consumption patterns, forests, freshwater, pollution avoidance, trans boundary air pollution, and radioactive waste. It is a blueprint or set of guidelines, not just for individual countries but, importantly, for the entire United Nations system as well as for individuals and organisations of every size and type. Australia contributed significantly to its preparation and negotiations. ...... The recommendations of agenda 21 cover a wide range of issues and responsibilities for implementation, cutting across virtually every Commonwealth and State government agency as well as local government and the non-government sector. ...... My department has the responsibility for the overall coordination of the domestic follow-up of agenda 21, although other agencies will have a more direct implementation task. The General Assembly then looked at agenda 21 as the principle action document from UNCED and identified a number of issues or recommendations requiring immediate action. It took action to establish a commission for sustainable development as a senior body within the UN system. The establishment of the commission was a centrepiece of agenda 21. The commission has been formally established and will now meet annually in June. The main role of the commission will be to monitor the implementation of agenda 21. Countries are expected to provide reports on their own efforts and the operational agencies of the UN system, such as the UN development program, the Food and Agriculture Organisation and the UN...
Ros Kelly made the following vital points in the above address.

- Agenda 21 is a “massive document” or “blueprint” which will enable control of all organisations and individuals within Australia and around the world.

- This control of Australians will be implemented undemocratically by the United Nations, especially through their division, the Commission on Sustainable Development.

- The Commonwealth assumes full responsibility for controlling the national implementation of Agenda 21, as required by the United Nations.

- Agenda 21 will be implemented under the 1992 Intergovernmental Agreement on the Environment and the National Strategy for Ecologically Sustainable Development (ESD).

- Agenda 21 was expected to be legally binding after ratification by 50 countries, which was expected to occur in 1994 (verified by Senator Christabel Charmarette, 16th March 1994).

Subsequently, Christine Gallus, Liberal member for Hawker, responded to Ros Kelly’s address:

“In her speech today, the Minister for the Environment, Sport and Territories (Mrs Kelly) addressed the responses the Government has taken to give effect to these two conventions and to agenda 21 .......... The Minister is confident that the Government can meet the obligations that agenda 21 places on Australia through the arrangements established under the 1992 intergovernmental agreement on the environment. By abolishing the cabinet committee on sustainable development, the Prime Minister (Mr Keating) has cast some doubt on the genuineness of his commitment to the ESD process. The Minister indicated that she believed Australia’s only ESD strategy is already seen as something of a model in implementing the recommendations of agenda 21...... The Minister mentions using the IGAE and ESD policy as mechanisms to implement agenda 21 .”

Agenda 21 clearly seems to be a program with which every sensible person would love to be associated, especially those in the public eye, such as politicians. Strangely however, rather than acknowledge or sing the praises of this 20 year old bipartisan policy initiative, many politicians, like the mainstream media in Australia, which completely ignores Agenda 21, go to extraordinary lengths to avoid discussing it at all, creating a very clear perception of deliberate political deception about Agenda 21. According to Alex Newman:

“While the average Australian citizen is unaware of Agenda 21 and its true implications, not so the various levels of Government, Federal, State, and Local.......So, as signed up members of the Agenda 21 initiative you would think that our politicians, both State and Federal, plus our local governments would know all about it. Well, you may think so, but try getting any information about Agenda 21, or ‘sustainable development’, from your local member or from your Shire Council and you will be confronted by a stone wall. Ask your Shire Council if it is a signatory to Agenda 21 or “Sustainable Development” and you will likely be treated like a leper.”

It is odd, given all the warm and fuzzy claims made in support of Agenda 21, that Australian politicians have opted not to publicise this program and preferred to implement it as an
embedded or undeclared policy, and in so doing remove it from the electoral agenda and prevent the people from having a democratic say.

But given all the wonderful claims about the advantages of Agenda 21, why would those who seek to promote and implement AG21 seek to conceal it, pretend it is not being implemented, or even claim it is a conspiracy? And why indeed, have politicians been so unanimous, over the 20 year implementation of AG21, in concluding that this planet saving program is not a potential vote winner and therefore must be excluded from the electoral agenda at all levels and by all parties?

These are indeed vital questions and they must be answered.

Perhaps the answer is linked to the views of others who have a diametrically opposed viewpoint regarding Agenda 21, and see it as a threat to freedom and national sovereignty.

In fact, because of its fundamentally undemocratic regressive nature & the threat it poses to basic human rights, especially property rights, Agenda 21 is being outlawed across America (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22). These increasing moves to ban Agenda 21 have been criticised by those promoting the program as being the result of nothing more than a crazy conspiracy theory (23, 24, 25, 26, 27, 28, 29), although it must be noted that supporters of Agenda 21 seem unable to address the substance of AG21 criticisms.

So who is correct? Is Agenda 21 a planet saving program and a panacea for social and environmental problems? If so, why are politicians and the mainstream media so reluctant to publicly promote or endorse it? Or, on the other hand, are claims about AG21 posing a threat to democracy, human rights, and national sovereignty correct? Is this the reason the mainstream media prefer to ignore it and politicians prefer to exclude it from the electoral agenda and pretend it is not being implemented?

One organisation at the forefront of the role to promote Agenda 21 is ICLEI, the International Council for Local Environmental Initiatives. In fact, ICLEI has been responsible for the formulation, promotion, and implementation of Agenda 21 all around the world as noted in the ICLEI Agenda 21 Implementation Survey of 1997. ICLEI is therefore also at the forefront of countering the various negative claims about Agenda 21.

ICLEI Seeks to Counter ‘Conspiracy’ Theories and the Outlawing of Agenda 21

Implementation of Agenda 21 or Local Agenda 21 (LA21) at the local council level is promoted by ICLEI, the International Council for Local Environmental Initiatives, the name now being changed to Local Governments for Sustainability. In fact, Section 7.21 of Agenda 21, specifically recommends involvement with ICLEI, which is hardly surprising since ICLEI was responsible for preparing the local council section of AG21 as outlined in their Preparing for Tomorrow 2010 – 2015 strategy. According to Maurice Strong in the Local Agenda 21 Planning Guide, “The task of mobilizing & technically supporting Local Agenda 21 planning in these communities has been led by the International Council for Local Environmental Initiatives (ICLEI) & national associations of local government.” International campaigns of ICLEI include the “Cities for Climate Protection Campaign & the Local Agenda 21 Initiative.” So ICLEI was the instigator and driving force behind the global LA21 campaign in local councils as confirmed by Darryl Low Choy.

The conspiracy claims, and the flourishing moves to outlaw Agenda 21, have become so important to ICLEI that they have established a special page on their USA web site in an attempt to counter such claims.
It is instructive to examine their arguments.

According to ICLEI USA:

“Setting the Record Straight About ICLEI

In light of conspiracy theories circulated about ICLEI and Agenda 21, read on to get the facts about our organization, its international role, Agenda 21, and the United Nations.

1. Agenda 21 is Not a Treaty & is Not Legally Binding - According to ICLEI USA:

“What is Agenda 21? ......Agenda 21 is not a treaty or legally binding document......In other words, it isn’t being forced on anybody, anywhere, by any organization......”.

Greg Hunt, currently the Shadow Minister for Climate Action, Environment and Heritage in the Liberal Party of Australia also agrees that Agenda 21 has no basis in law. According to Greg:

“It is a 20 year old non-binding declaration” and it is a “dead, irrelevant declaration.”

It is odd indeed that governments and local councils throughout the world are spending billions of dollars implementing a “dead, irrelevant declaration” which is not “being forced on anybody, anywhere, by any organization.”

In regard to the enforceability of AG 21, both Greg Hunt, even in spite of his background as a lawyer, and ICLEI, strangely avoid mentioning three vitally important points. Firstly, though AG21 is not presently a legally binding agreement, there is a strong moral imperative or convention that participating countries are bound by the provisions of international agreements. Secondly, many countries enforce international agreements by enshrining the various principles of the agreements within their own national or sub-national legislation. Thirdly, international agreements are commonly considered to be part of an ongoing process which ultimately results in enforceable global laws. Let us consider these three aspects.

- Moral obligation to comply with international agreements.

Though not enforced by hard law, there is considerable pressure to comply with the requirements of international agreements or soft law, as is noted by Matthias Goldmann in “We Need to Cut Off the Head of the King: Past, Present, and Future Approaches to International Soft Law”:

“the ramifications of non-binding international rules, generically referred to as ‘soft law’, are well understood. Soft law may evidence the formation of customary law, guide the interpretation of treaties, authorize action by international organizations, and give rise to duties of good faith such as a duty to consider”.

Whether bound by moral obligations, “good faith”, economic pressures or market mechanisms, compliance with proliferating international agreements may be ensured by many non-legal mechanisms. Clearly it is completely invalid to argue that international agreements are of no significance because they lack the backing of hard law. According to Greens Senator Ian Cohen, NSW Parliament, 21st October 1997:
“Agenda 21, a program of action for sustainable development worldwide, stands as a comprehensive blueprint for action to be taken globally from now into the twenty-first century by governments, United Nations organisations, development agencies, non-governmental organisations, and independent sector groups in every area where human activity impacts on the environment. While the agreements lack the force of international law, the adoption of the texts carries with it a strong moral obligation to ensure their full implementation. Therefore, it can be argued that Australia, and hence New South Wales, is under a strong moral obligation to ensure their full implementation. In fact, some of the obligations set out in Agenda 21 and the Rio declaration have found their way into national law; namely, the Intergovernmental Agreement on the Environment, which is annexed to the National Environment Protection Council (New South Wales) Act 1995.”

In “An Overview of Enforcement and Compliance Mechanisms in International Environmental Agreements”, Hajost and Shea note that a range of formal and informal compliance mechanisms are commonly used:

Before turning to the formal panoply of tools for facilitating compliance with international environmental agreements, it is worth noting the informal means that states use to seek compliance from other parties to agreements. These means include inform, persuasion, and consultation, as well as what has been termed the “mobilization of shame” – the public identification and dissemination of specific acts of noncompliance or questionable compliance. States generally prefer to settle their differences through dialogue and quiet diplomacy, and usually resort to more formal and public means only after all other methods fail. Compliance mechanisms such as reporting requirements can come into play as forms of reparations.

As noted by Hajost and Shea, one popular mechanism of ensuring compliance is the monitoring of progress by building definite reporting requirements into the agreement:

“International environmental agreements generally incorporate reporting requirements which affect specific aspects of the agreement’s implementation including the collection of data, record keeping, and other activities, such as the reporting of national legislative actions previously discussed. In general, reports are prepared and submitted by states at specified internals and in a specified format for distribution to other parties. Not only does the information provide assurances as to the compliance statues of states, it promotes future effective implementation by virtue of access to an expanding database.”

This mechanism has been very popular and effective in Australia due to the monitoring of Agenda 21 implementation by the UN and Australia’s willingness to use extensive public resources to compile and submit regular detailed reports. As noted by Richard Gardner:

“The new "high-level" Commission on Sustainable Development that Rio recommended is supposed to ensure that countries and international organizations like the World Bank will carry out their responsibilities in the Agenda 21 program.”

In fact, according to the ICLEI Agenda 21 Implementation Survey of 1997, two essential criteria for defining an Agenda 21 process include:

“It must establish a monitoring and reporting framework”, and,

“It must establish indicators to monitor progress.”
Agenda 21 is therefore a UN program which requires, as one of its core features, compulsory reporting and monitoring to permit effective control by the UN.

As I have pointed out elsewhere:

“Agenda 21 is a UN designed and monitored program. Australia has been surrendering control to a foreign power for 20 years as the Australian Government has been required to complete regular extensive AG21 compliance or implementation reports for the United Nations Commission on Sustainable Development or CSD (192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213).”

Although also not necessarily backed by enforceable hard law, pressures are also applied to ensure compliance with formal international treaties, as is confirmed by the IUCN Environmental Law Programme (2010) Draft International Covenant on Environment and Development:

“In the Pulp Mills judgment of April 20, 2010, the International Court of Justice recalled that, according to customary international law as reflected in Article 26 of the 1969 Vienna Convention on the Law of Treaties, “[e]very treaty in force is binding upon the parties to it and must be performed by them in good faith”. That norm applies to all obligations established by a treaty, including procedural obligations which are essential to co-operation between States.”

According to Ms. Annebeth Rosenboom, Chief of the UN Treaty Section Office of Legal Affairs (33, 34), in an Overview of International Treaty Law, United Nations, international agreements or treaties provide the foundation of international law (32). UN Secretary General Ban Ki-Moon states (32):

“Together, by participating in the international treaty framework, we can succeed in advancing our mission of building a global society based on respect for the rule of law.”

Further, according to Jane Stratton in “International Law”, 69th edition of Hot Topics Legal Issues in Plain Language:

“Treaties are binding – the principle of pacta sunt servanda (from Latin, meaning ‘agreements are to be kept’ or ‘treaties are binding’) asserts that:

> when treaties are properly concluded, they are binding on the parties, and must be performed by them in good faith;
> the obligations created by a treaty are binding in respect of a State’s entire territory;
> a State cannot use inconsistency with domestic law as an excuse for failing to comply with the terms of a treaty.

**Reservations to treaties** – once a treaty comes into force, a State cannot decide which parts of a treaty it chooses to be bound by. However, upon signing a treaty, a State may lodge a formal reservation to it which may modify the scope of the legal obligation owed by that State under the treaty.”

The enforceability of treaties is further confirmed by Chris McGrath in “Synopsis of the Queensland Environmental Legal System”,

“Article 38 of the Statute of the International Court of Justice recognises four sources of international law of which the two principal ones are:

- custom (the general practice of nations based on a belief of being legally bound);
- treaties / conventions (formal agreements between nations).

McGrath summarises, “by far the greater source of international legal obligations is treaty law.”

Clearly there are numerous means by which compliance with international agreements or treaties are ‘enforced’. Suggestions by those whose responsibility it is to know the facts, that international agreements are of no significance because they have no basis in law, raise serious questions regarding integrity or incompetence.

- Enforcing international agreements by enshrining the principles within domestic legislation

Secondly, countries such as Australia enforce AG21 by enshrining its various principles (ie. biodiversity, ecocentrism, native vegetation, endangered species etc) into local laws (30, 31). In their study, “An Overview of Enforcement and Compliance Mechanisms in International Environmental Agreements”, Hajost and Shea note that incorporation into domestic law is frequently a requirement of international agreements:

“parties to international agreements are bound by general international law to carry out their treaty obligations, which include the adoption of appropriate and necessary domestic legal measures. This helps to assure other parties that each state has taken the required domestic steps to review and implement obligations. Many agreements contain explicit language obligating states to adopt national legislation aimed at preventing and punishing violations of the agreement.”

According to Chris McGrath in “Synopsis of the Queensland Environmental Legal System”:

“International considerations may also influence the Queensland environmental legal system through international debate and policy documents (sometimes called “soft law”) such as Agenda 21 and The Earth Charter forming the basis for government policy.......... The Queensland Parliament has enacted over 30 pieces of legislation that directly regulate activities impacting on the environment...... The Sustainable Planning Act 2009 (Qld) (SPA) recently replaced the Integrated Planning Act 1997 (Qld) (IPA) as Queensland’s principal planning legislation....... SPA is a complex piece of legislation but a conceptual structure of it is shown in Figure 4. Its overarching purpose is “ecological sustainability”

Chapter 2 of The Environmental Law Handbook, a publication of the Environmental Defenders Office of Tasmania, also highlights the fact that international agreements are commonly a source of domestic legislation:

“Australia is signatory to over 90 international environmental agreements, (on issues such as World Heritage, climate change, protection of wetlands and endangered species, marine pollution, and biodiversity). To give effect to these treaties, the Commonwealth has put into effect a range of national Acts and agreements to attempt nationwide compliance.”

In Victoria also, environmental laws are proliferating under the guise of sustainability. According to the Victorian Department of Sustainability and the Environment:
Victoria is signatory to several national agreements and strategies including: Intergovernmental Agreement on the Environment (IGAE); National Strategy for Ecologically Sustainable Development; National Strategy for the Conservation of Australia's Biological Diversity; and the National Strategy for the Conservation of Threatened Species and Communities in Danger of Extinction.

The incorporation of the principles of Ecologically Sustainable Development, as outlined by Agenda 21, into New South Wales Law, has been discussed by Nicola Pain and Sarah Wright in “The Rise of Environmental Law in New South Wales and Federally: Perspectives from the Past and Issues for the Future”. Interestingly, the core principles of NSW sustainability legislation happen to be the same as the core principles of Agenda 21:

“A number of environmental statutes in NSW refer to the concept of ecologically sustainable development (ESD). For example, its encouragement is one of the objects of the EP&A Act, although there is no definition of the term provided in that Act. The Intergovernmental Agreement on the Environment requires all signatories to implement the core principles of ESD in policy and decision-making. The core principles are:

• The precautionary principle
• Intergenerational equity
• Conservation of biological diversity and ecological integrity
• Improved valuation, pricing and incentive mechanisms including ‘polluter pays’.”

The incorporation of the provisions of Agenda 21 or sustainability into Australian or State laws has been considered in detail by Justice Preston, Chief Justice of the Land and Environment Court of New South Wales, in the following three papers:

- **The Role of the Judiciary in Promoting Sustainable Development: The Experience of Asia and the Pacific** - A Paper Presented to the Kenya National Judicial Colloquium on Environmental Law Mombasa, Kenya, 10-13 January 2006

- **Ecologically Sustainable Development in the Courts in Australia and Asia** - A paper presented to a seminar on environmental law organised by Buddle Findlay, Lawyers Wellington, New Zealand, 28 August 2006


Justice Preston details the history of sustainable development and Agenda 21, which was agreed to at the United Nations Conference on Environment and Development (UNCED) in 1992, and their inclusion in Australian laws through two guiding documents developed by the Australian government, the Intergovernmental Agreement on the Environment, and the National Strategy for Ecologically Sustainable Development:

“Agenda 21, a programme of action for sustainable development worldwide, was adopted unanimously at UNCED. Together with the Rio Declaration, and the Statement of Forest Principles, they fulfil the mandate given to UNCED by the United Nations General Assembly when, in 1989, it called for a global meeting ‘to devise integrated strategies that would halt and reverse the negative impact of human behaviours on the physical environment and promote environmentally sustainable economic development in all countries’…………..
In partial fulfilment of its promise entered into upon signing the various instruments at **UNCED**, Australia finalised the **National Strategy for Ecologically Sustainable Development (National ESD Strategy)**. The **National ESD Strategy** was launched in December 1992 and has been adopted by the Commonwealth and each of the States and Territories in Australia. The **National ESD Strategy** is a form of intergovernmental agreement which records the public policy commitment of each of the governments and their agencies to implement the measures agreed to in the Strategy. It includes as appendices a summary of the **Intergovernmental Agreement on the Environment**, the **Rio Declaration on Environment and Development** and a guide to **Agenda 21**. In a sense, there has been an incorporation of these national and international instruments as policies of each of the governments of the Commonwealth, and the States and Territories.

The underlying philosophy driving Agenda 21 and the rewriting of our legal system is based upon **ecocentrism**, or the transferring of property rights from humans to plants, animals, or the environment. Justice Preston explains in a recent speech entitled *‘Internalising Ecocentrism in Environmental Law’*:

“Ecocentrism involves taking a nature-centred rather than a human-centred approach, where the earth is valued not as a commodity belonging to us but a community to which we belong. Development of an earth jurisprudence requires the internalisation of ecocentrism in environmental law…….. An increasing recognition of the first law of ecology – that everything is connected to everything else - and that the Earth’s ecosystem is, in a sense, a spaceship, may necessitate more sweeping positive obligations on landowners…….. The Australian National Strategy of Ecologically Sustainable Development defines the concept as “development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.” Statutes could enhance implementation of ESD by imposing positive obligations on landowners to achieve ESD, including by the conservation of biological diversity and ecological integrity.”

Ecocentrism is part of the Gaia or Earth Goddess philosophy, as described by Suri Ratnapala in *Constitutional Vandalism under Green Cover*:

“The Gaia Hypothesis, formulated by James Lovelock in the mid-1960s, proposes that our planet functions as a single organism that maintains conditions necessary for its survival……..there is a tendency among Gaia believers to deify the concept, and to subordinate the interests of all beings to the wellbeing of Gaia, about which they claim to have superior knowledge. The Gaia thesis leads believers to the apocalyptic thesis. According to this view, human societies have acquired the technological capability of destroying the balance that sustains Gaia, and unless this capability is controlled, Gaia and all that lives within are doomed.”

In other words, ecological sustainability dictates that rights to land ownership must be surrendered (to Gaia and the UN!) for the common good, as noted by **Karla Sperling**:

“Ecological sustainability requires that the property rights bundle be untied. Ownership must be uncoupled from use. Property rights in relation to land and natural resources are consistent with sustainability only where use respects the primacy of public interest considerations and public interest considerations are defined in terms of sustainability rather than narrow economic considerations and individual gain……..The legislatures and the courts are capable of adjusting the priority between private rights and public interest to reflect current thinking on social and global change. Such an adjustment is a prerequisite for the achievement of ecological sustainability and would allow for the satisfaction of human needs within the constraints imposed by nature.”

In the **Report on the Pacific Islands Judges Symposium on Environmental Law and**
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Sustainable Development, in 2003, published in the Journal of South Pacific Law, 7(1), December 2003, Gregory Rose describes the process of exploring and implementing the enforcement of sustainable development as “judicial activism”. Activism of course, is based on deliberate bias. Activism is a “doctrine or practice that emphasizes direct vigorous action especially in support of or opposition to one side of a controversial issue”. Clearly, when it comes to environmental law, it is driven by bias and ideology, not facts and impartiality.

Some of the results of this activism, bias, or corruption of our legal system, over regulation, and loss of basic human rights, have recently been highlighted by Viscount Monckton in The triumph of the individual over the hive mind:

“Professor Hans-Joachim Schellnhuber said in March 2011: ‘The German Scientific Advisory Council on Global Environmental Change, which I chair, will soon unveil a master plan for a transformation of society.’

Sure enough, that year the Council wrote: ‘The decarbonisation of society can only be achieved by limitations on democracy. The people must accept the absolute pre-eminence of sustainability and must thus surrender their own wishes. The guarantor of this virtual contract is the directing State.’

A Finnish environmental extremist, Pentti Linkola, has said: ‘An eco-catastrophe is taking place on Earth. The only solution is discipline, prohibition, enforcement and oppression.’ The oppression of which Mr. Linkola spoke is now all too visible in Australia. The miners, farmers and fishermen whose labour built this nation and still provides the bulk of its exports are today subjected to a punitive regime of environmental taxation and over-regulation that is as poisonous as it is absurd.

Miners must pay $25 per tonne – five times the rate charged in Europe and 20 times the Chinese rate – for the right to emit carbon dioxide. They must also pay $500 a tonne to emit methane in extracting coal. As if this were not enough, they must also pay a tax to “rent” the mineral resources that they have taken the trouble and expense to discover and to develop.

Farmers whose irrigation and livestock take less than 1% of the water that falls upon or flows across their land are subjected to cruel and yet entirely pointless water controls, charges and fines.

An entrepreneur in New South Wales decided to establish a fish farm on his land. He built dams and, after some years of drought, the rain came, the dams filled, and the fish farm was in business. Within days the environmental control commissiarat sent him a demand for $30,000 a year for using his own water.

The farmer consulted his local university, which determined that the net consumption of water by fish was zero. He sent the commissar – who later turned out to be a profiteering tax farmer to whom the politburo had delegated the collection of environmental taxes – an itemized account for zero charging units, with a cheque for zero dollars. Obsessive regulation of farmers in the State of Victoria has now become so extreme that the State is the first in Australia to have become a net importer of food.”

Not only are countries expected to comply with international agreements, but furthermore, Australian politicians it seems, are only too pleased to back up such agreements with obsessive and human rights destroying domestic legislation, though they are not quite so keen to offer the people a democratic choice. This legislation is undemocratically removing the property rights of all Australians. While Agenda 21 may not be being enforced upon anyone, the principles and core features ARE being undemocratically forced upon all Australians.

- International Agreements as Part of an Ongoing Process Leading to Binding International Laws
Thirdly, the UN has made no secret of the fact that it seeks to **strengthen international environmental laws** in order to make international agreements more enforceable. As was pointed out by Richard Gardner in respect of the AG21 agreement, “**international eco-law will come in installments**.” The Agenda 21 document itself clearly elaborates the goal to enforce sustainability/environmental law throughout the world:

“39.2. The overall objective of the review and development of international environmental law should be to evaluate and to promote the efficacy of that law and to promote the integration of environment and development policies through effective international agreements or instruments taking into account both universal principles and the particular and differentiated needs and concerns of all countries.
39.3. Specific objectives are:

b. To set priorities for future law-making on sustainable development at the global, regional or subregional level, with a view to enhancing the efficacy of international law in this field through, in particular, the integration of environmental and developmental concerns;

e. To ensure the effective, full and prompt implementation of legally binding instruments and to facilitate timely review and adjustment of agreements or instruments by the parties concerned, taking into account the special needs and concerns of all countries, in particular developing countries;”

According to Wolfgang Burhenne, Executive Governor International Council of Environmental Law and Nicholas Robinson, Chairman IUCN Commission on Environmental Law in the **IUCN Environmental Law Programme (2010) Draft International Covenant on Environment and Development**:  

“To secure negotiation internationally of a legally binding agreement requires a broad consensus of States. While all States profess a strong desire to promote sustainable development, many as yet struggle internally to integrate the legal requirements of environmentally sustainable development. We are well aware that the codification of international law for sustainable development will take time. A consensus is growing, favouring a framework agreement like that of the Draft Covenant. Many nations are considering or have chosen to adopt a comparable framework law to integrate their sectoral laws within the nation……. We have, accordingly, resolved to continue the promotion of an integrated umbrella agreement and be patient until there is sufficient support to go forward.”

The **IUCN Environmental Law Programme (2010) Draft International Covenant on Environment and Development**, further elaborates the plan to enforce sustainability law throughout the world:

“UNCED’s action plan, Agenda 21, identifies concrete steps to integrate environment and development. UNCED further endorsed roles of environmental law in guiding all nations toward this integration……. The progression of legal principles from recommendatory “soft” to legally clear “hard” is well known in international law. For example, the 1948 Universal Declaration of Human Rights, a “soft-law” instrument was the precursor to the two 1966 UN Covenants on Human Rights. Those treaties elaborated in legally-binding form the principles enunciated in “soft-law” form in the 1948 Universal Declaration of Human Rights……. CEL’s objective is not only to restate or codify existing environmental law, but to assist the evolution of “soft-law” into binding law……..since the Draft Covenant is intended to become a binding global treaty, it must contain a set of technical rules governing issues such as becoming a Party, entry into force, amendments etc. Part XI sets forth these rules, mostly standard clauses based on well-established precedents in international environmental law.”
The **IUCN Environmental Law Programme (2010) Draft International Covenant on Environment and Development** has been described as “Agenda 21 on steroids”. While **IUCN** is actively working towards globally enforceable sustainability laws, the Australian government, and State governments, are active members of **IUCN**. In fact, the **Australian government is working with IUCN to tie up Australian resources** with green tape. The current ALP government, in their **Healthy Environment Policy**, in line with the requirements of AG21, puts a high priority on tying up natural resources but are not so forthcoming about their intentions as far as protecting the rights of landowners are concerned:

“Federal Labor has set the bar high on environmental regulation, enabling ecologically sustainable development while protecting our threatened species and ecosystems...... Since coming to office, Federal Labor has listed for protection a dozen threatened ecological communities, covering an estimated one million hectares......... The Environment Protection and Biodiversity Conservation Act is one of the most powerful and fundamental tools for biodiversity protection available to the Federal Government. Late last year, Federal Labor received the final report of Dr Allan Hawke’s review of the EPBC Act. Amongst other things, this report recommends linking bioregional planning and strategic assessment to broader environment policy objectives, using environmental markets and offsets arrangements to achieve the desired level of conservation of our precious biodiversity.”

Of course both Greg Hunt and **ICLEI** must be aware of the binding nature of international agreements and treaties and the fact that international treaties are the precursor of both national and international laws, as confirmed by Winfried Lang in “**Treaties as a Source of International Law**”, and also **Henry Lamb**. Why would they omit to mention these vitally important facts?

**2. Private Property & National Sovereignty - According to ICLEIUSA:**

……Agenda 21………does not infringe upon the sovereignty of any nation, state, or local government. Agenda 21 does not advocate for abolishing private property or have any bearing on U.S. local and state land-use decisions…….”.

As far as private property is concerned, as mentioned above, Agenda 21 firstly hands control of private property to governments by **imposing extensive environmental and biodiversity restrictions** upon the use of private land, thereby devaluing it and rendering it virtually useless (30, 31). Secondly, usage and ownership rights to private property are further diminished by two fundamental concepts of Agenda 21, namely, “**intragenerational equity, and “intergenerational equity.”** A land owner may be prevented from carrying out any activity on his land which the government considers may disadvantage a person who does not yet exist.

As far as sovereignty is concerned, since Agenda 21 is a foreign monitored program, then of course complying with the dictates of a foreign agency is by definition, a surrendering of sovereignty. How is it possible to obey the dictates of an undemocratic foreign agency without surrendering sovereignty? As was emphasised by **UN Secretary-General Ban Ki-moon at RIO +20, the 20 year anniversary of Agenda 21**:

“**We have a common responsibility to act in common cause, to set aside narrow national interests in the name of the global public good and the betterment of all.”**

The UN Secretary failed to mention however, that it would be the UN who defines, controls, and enforces the “**global public good**”. Indeed, the sovereignty, democracy, and constitution of countries like Australia are regarded as a frustrating nuisance to the plans of globalists, a fact that is
made clear by the “Pocket Guide to Sustainable Development Governance”, an official precursor
document for Rio+20 (33):

“The current governance of the global commons through the prism of national sovereignty remains
one of the most fundamental obstacles to progress. Whilst global public goods that lie within
national boundaries continue to fall under the jurisdiction of the nation state, it is likely that decisions
will be made on the basis of national interests rather than global concerns. Nation states continue to
be often ideologically opposed to governance arrangements that involve ceding sovereign authority
over natural resources to a supranational institution making decisions in the global interest, especially when there is little short-term incentive to do so. This explains the absence of effective
compliance mechanisms and enforcement regimes for many global environmental agreements.”

Globalist conferences such as UN Rio+20 are of course fully endorsed by the Australian government
(34, 35).

As is summarised by Hajost and Shea in “An Overview of Enforcement and Compliance Mechanisms
in International Environmental Agreements”:

“In general, international law, including agreements, is based on the voluntary acceptance of
sovereign states that recognize it to be in their interest to sacrifice some degree of sovereignty in
return for commitments from others. At the same time, states comply with international legal
obligations in order to maintain good standing in the international community. For the most part,
states do comply with their international obligations. They consider the longer term advantages of
compliance to outweigh shorter term gains obtained as a result of noncompliance in any specific
instances.”

The ability of the Commonwealth to override states with international treaties using the external
affairs powers in Section 51 (xxix) of the Constitution goes back to the Franklin Dam case in
Tasmania in 1983 (36, 37, 38, 39, 40). This breakthrough decision has paved the way for the
Commonwealth to virtually override the constitution and the states to enforce international treaties
from unelected undemocratic foreign agencies such as the UN (41, 42, 43, 44). As has been noted by
Brian Opeskin in “The Role of Government in the Conduct of Australia’s Foreign Affairs” (44):

“More recently, the federal executive has ratified internati
onal conventions covering subject matters
that have traditionally been regarded as the province of the states, such as human rights and the
environment. Attempts by the Federal Parliament to implement treaties in these areas have
frequently inflamed the states, which have regarded the creeping expansion of federal legislation as
undermining the balance of power between central and state governments.”

Of course these changes are progressively diminishing Australia’s sovereignty, and the sovereignty of
the states, as the country is gradually surrendered to foreign agencies (41, 42, 45, 46, 47). While this
sell out of Australian sovereignty is perpetrated by Australians in public office rather than being
enforced by Agenda 21 or ICLEI, nevertheless it is a reality as noted by Colin Howard in “Australia’s
Diminishing Sovereignty”:

“What matters is the remarkable persistence in Australian intellectual life of a tendency to take our
values from elsewhere… If Australia enters into an international agreement it can, with the
assistance of s.51(xxix) of the Constitution, use that agreement as a means of getting its own way on
domestic questions. That is not the way the system should work. International agreements are not
intended to settle domestic disputes but to make the world a better or safer place: to make nations
better neighbours. That is a quite different matter from making any particular nation a better place.
Of course there is, or one hopes there will be, an interrelation between the two, but this hope should
not be allowed to obscure the proper division of responsibility…… I do not know how many international agreements Australia has entered into, but the number must be very large, and mostly unknown except to people directly affected by them. This material is a huge store house to which the Commonwealth can resort whenever it wants to get its own way in a major domestic dispute. Every time it does that, it not only weakens the internal federal structure, and diminishes our standing in the international arena, in which our governments so ardently seek popularity: it also weakens both our resolve and our capacity to make up our own minds, and take our own decisions as a self reliant nation state.”

A typical case in point of Australians actively working against Australian interests in support of a global agenda are the policies of the Australian Greens, which reveal they want more global legal power for the UN and less sovereignty for Australia:

“The Australian Greens will:
· support the establishment of an international environmental court and an environmental council at the UN, with similar decision-making powers to the Security Council to deal with environmental issues of global significance.
· support the jurisdiction of the International Criminal Court, and ensure that all nations are subject to its decisions.
· support the establishment, by the UN, of an international crisis prevention and response centre to address threats from terrorism and other conflicts, to provide rapid response peacekeeping forces, and to rapidly respond to humanitarian crises.
· support the jurisdiction of the International Criminal Court, and ensure that all nations are subject to its decisions.”

But the Australian government is pursuing numerous anti-Australian initiatives, Foreign Minister Bob Carr even seeking to assist other countries to take legal action against Australia.

Global organisations like the UN and ICLEI can of course readily tap into this type of anti-Australian sentiment.

It is clear that ICLEI’s claim that; “……Agenda 21 is not a treaty or legally binding document and does not infringe upon the sovereignty of any nation, state, or local government. Agenda 21 does not advocate for abolishing private property or have any bearing on U.S. local and state land-use decisions”; is at best, extremely misleading, ambiguous, and vague, and at worst, is deliberately designed to deceive. Why continue to waste money on the implementation of a dead international agreement which has no impact on anything?

3. What is ICLEI’s relationship to Agenda 21? - According to ICLEIUSA:

“At the Earth Summit, national governments, including the United States under the Bush Administration, negotiated and wrote Agenda 21. Yet every sector of society was invited to give input into the Agenda 21 document, including church/faith organizations, business interest organizations, indigenous peoples’ organizations, scientific associations, trade union organizations, and local government organizations. In this context, ICLEI served the role of technical representative for a range of local government organizations, including the International Union of Local Authorities, the United Towns Organization, Metropolis, and others. ICLEI took input from these organizations regarding their key positions in areas pertinent to local government, such as urban development, water resources, and waste management, and presented these positions to UN representatives and
national government representatives, who included them into the final text.”

This account, as is clear from ICLEI’s admission below, curiously downplays ICLEI’s role in promoting Agenda 21 and raises serious questions as to why an AG21 promoting organisation like ICLEI would seek to distance itself from the very program they are promoting.

The true role of ICLEI in driving and promoting Agenda 21 has been outlined quite clearly in the Epilog to the ICLEI – Local Governments for Sustainability Preparing for Tomorrow Strategy 2010-2015:

“Two years prior to the 1992 Earth Summit in Rio de Janeiro, ICLEI prepared input to and introduced the “local authorities” chapter of Agenda 21 into the UN Rio Declaration, thus initiating the Local Agenda 21 Campaign – with more than 10,000 local governments engaged, the first and largest global campaign of cities and towns the world has seen. Only eight months after the adoption of the United Nations Framework Convention on Climate Change at 1992 Earth Summit, ICLEI responded and launched the Cities for Climate Protection Campaign – the first and largest global campaign of local governments combating greenhouse gas emissions. In 1996, ICLEI launched its Eco-Procurement Initiative – the first and largest international network for public sustainable procurement. ICLEI initiated Local Action for Biodiversity – the only global program on urban biodiversity management. ICLEI pioneered local best-practice case studies, developed tools such as ecoBudget© and piloted Triple Bottom Line for local authorities.

ICLEI has achieved results that the planet notices.
Over the last 20 years:
We have built a global sustainability network of 1,200 local governments of all sizes in 70 countries.
We have instigated a movement of about 10,000 local governments that have engaged their citizens in Local Agenda 21;”

So ICLEI claims they “prepared input to and introduced the “local authorities” chapter of Agenda 21” and initiated “the Local Agenda 21 Campaign” but yet they also claim “national governments, including the United States under the Bush Administration, negotiated and wrote Agenda 21.”

In their 2010 – 2015 Strategy, ICLEI further explains the role they will play in promoting UN AG21 in Local Councils:

ICLEI will “continue connecting cities and local governments to the United Nations and other international bodies”
ICLEI will “serve as a global entry point for cities and local governments to engage with the United Nations and international and national policy processes” and will “pursue more radical solutions.”
ICLEI will “Advocate direct access to climate finance and other funds by local governments and an inversion of climate finance mechanisms to enable the implementation of needs-driven local development.”
ICLEI will promote “Management of global environmental goods” such as “Climate, Biodiversity, Water, Food.”
ICLEI will promote “Municipal planning and management” or, in other words, they will help councils control land use.

Instead of being out there proudly promoting their connection to Agenda 21, in their FAQ article, entitled “ICLEI, the United Nations, and Agenda 21, Setting the Record Straight About ICLEI”, ICLEI is clearly downplaying their role to such a degree that the uninformed reader may be completely mislead. Why would they feel the need to distance themselves from AG21 in this fashion?
Indeed, the importance of this question is further highlighted by ICLEI’s following description of the above article as a “factual” account:

“In light of conspiracy theories circulated about ICLEI and Agenda 21, read on to get the facts about our organization, its international role, Agenda 21, and the United Nations.”

In writing their Setting the Record Straight About ICLEI, why did they decide to distance themselves from Agenda 21 and contradict their account in ICLEI – Local Governments for Sustainability Preparing for Tomorrow Strategy 2010-2015?

When an organisation which is a primary global promoter of Agenda 21 seeks to downplay the role it has played in promoting AG21 then of course it is reinforcing the arguments of those who criticise Agenda 21 or seek to outlaw it. If ICLEI regards Agenda 21 as being ‘on the nose’ to such an extent that ICLEI needs to distance itself from it then why not just ban it?

4. “Is ‘Sustainable Development’ the Same Thing as Agenda 21? - According to ICLEIUSA:

“No. Sustainability is a mainstream concept, and sustainability initiatives in government, corporate America, academia, and local communities typically have no connection to Agenda 21......In other parts of the world, especially the developing world, local governments and other stakeholders have more directly supported the principles of Agenda 21, which inspired their work to define their own sustainability goals based on local priorities. ICLEI has supported these local governments in their efforts.”

Agenda 21 was born in June 1992 and this was quickly followed, in December 1992, by Australia’s National Strategy for Ecologically Sustainable Development which acknowledges that “the Rio Declaration and Agenda 21 provide a broad framework for global sustainable development.” Agenda 21 is based upon the undefinable concept of ecologically sustainable development and many authorities prefer to avoid the term “Agenda 21”, and use instead terms such as (48, 49, 50, 51, 52; see also, Local Government Focus Magazine, February 2000) “sustainability”, “smart growth”, “growth management”, “local environmental plans” or Sustainable Development 21 or SD21 (53, 54, 55, 56, 57). Some local authorities have also changed the name of Local Agenda 21 to ‘Local Climate Strategy’ (58, 59, 60). The United Nations Sustainable Cities program is yet another spin off of Local Agenda 21 & the UN Habitat agenda (61, 62, 63, 64). Deliberate deception or failure to fully and clearly inform the public seems to be fundamental to the success of the program (52, 65).

In September 1999 the Institute for Sustainable Futures issued the final report of their project, Policy Integration, Ecologically Sustainable Development (ESD) and Local Agenda 21 – Councils in NSW. In this report, which was prepared for the NSW Department of Local Government, Stella Whittaker and colleagues noted that “fear” of the “Agenda 21” label often resulted in the use of other, presumably less fearful, names:

“ESD is called different things at different levels. If ESD is mandated by the Federal Government, the group discussed whether it should be in the form of Local Agenda 21, Cities for Climate Protection or a more general ESD framework. There is fear from some councils of the LA21 label, so councils should adopt whichever definition or framework best suits their purpose at hand. Whilst it is time consuming for each council to invent its own definition of ESD, there are benefits in that the community will feel a greater sense of ownership of the concept.”
The evidence clearly confirms the fact that Australia’s National Strategy for Ecologically Sustainable Development is simply Australia’s renamed chocolate coated, and presumably less fearful, version of Agenda 21 (66, 67, 68, 69). According to the OECD report, “Good practices in the National Sustainable Development Strategies of OECD Countries 2006”:

Most OECD countries now have in place National Sustainable Development Strategies (NSDS) as agreed as part of Agenda 21 signed at the United Nations Conference on Environment and Development (the Rio Earth Summit) in 1992......Governments first agreed to prepare national sustainable development strategies as part of Agenda 21, signed at the United Nations Conference on Environment and Development (the Rio Earth Summit) in 1992. The purpose of these strategies was to translate the Summit’s ideas and commitments into concrete policies and actions. Governments agreed to “adopt national strategies for sustainable development [which should] build upon and harmonise the various sectoral, economic, social and environmental policies and plans that are operating in the country. Its goals should be to ensure socially responsible economic development for the benefit of future generations”.

Similarly, according to the OECD report “The DAC Guidelines, Strategies for Sustainable Development”:

“At the 1992 UN Conference on Environment and Development held in Rio, governments made a commitment in Agenda 21 to ‘adopt national strategies for sustainable development [which should] build upon and harmonise the various sectoral, economic, social and environmental policies and plans that are operating in the country. [...] Its goals should be to ensure socially responsible economic development for the benefit of future generations’. The OECD’s ‘Shaping the 21st Century’ strategy (1996) called for the formulation and implementation of a sustainable development strategy in every country by 2005. This is one of the seven International Development Goals (IDGs) agreed by the international community.”

The history of Agenda 21 and national sustainability programs is outlined by the UN in “Guidance in Preparing a National Sustainable Development Strategy: Managing Sustainable Development in the New Millenium, Background Paper No. 13”:

“The 1992 United Nations Conference on Environment and Development (UNCED), declared that, ‘Governments, in cooperation where appropriate with international organizations, should adopt a national strategy for sustainable development... This strategy should build upon and harmonize the various sectoral, economic, social and environmental policies and plans that are operating in the country.’

Five years later in 1997, the Special Session of the UN General Assembly on the review of Agenda 21, reaffirmed that national sustainable development strategies are important mechanisms for enhancing and linking priorities in social, economic and environmental policies. It called upon all countries to complete, by the year 2002, the formulation and elaboration of national sustainable development strategies that reflect the contributions and responsibilities of all interested parties. More recently in September 2000, 147 Heads of States and Governments signed the Millennium Declaration and reaffirmed their ‘...support for the principles of sustainable development, including those set out in Agenda 21 and agreed upon at the United Nations Conference on Environment and Development.’ The associated Millennium Development Goals include one relating to environmental sustainability, to: ‘integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources’.”
The Australian government’s “Defence Ecologically Sustainable Development Strategy” further underlines the fact that Australia’s National Strategy for Ecologically Sustainable Development is in reality, simply a renamed rebadged version of the United Nations Agenda 21 program:

“The United Nations 1992 environmental summit in Rio de Janeiro developed Agenda 21, which sets out a blueprint for sustainable activity across all areas of human activity. The Council of Australian Governments endorsed the National Strategy for Ecologically Sustainable Development (NSESD) to illustrate Australia’s commitment to ESD, and implementation of Agenda 21. The NSESD has become the benchmark for ESD in Australia. The NSESD, finalised in 1992, outlines a broad strategic and policy framework under which Australian governments at all levels will cooperatively make decisions and take actions to pursue ESD in key industry sectors that rely on the use of natural resources. Defence is required to respond to the Government’s ESD initiatives.”

Similarly, according to the Preamble to the UN Agenda 21 document:

“a global partnership for sustainable development......The developmental and environmental objectives of Agenda 21 will require a substantial flow of new and additional financial resources to developing countries, in order to cover the incremental costs for the actions they have to undertake to deal with global environmental problems and to accelerate sustainable development......This process marks the beginning of a new global partnership for sustainable development......sustainable development should become a priority item on the agenda of the international community.”

As the UN points out in their paper “Guidance in Preparing a National Sustainable Development Strategy: Managing Sustainable Development in the New Millenium, Background Paper No. 13”:

“Agenda 21 promotes National Sustainable Development Strategies (NSDSs) as mechanisms for translating a country’s goals and aspiration of sustainable development into concrete policies and actions...... The particular label applied to a national sustainable development strategy is not important, as long as the underlying principles characterizing a national sustainable development strategy are adhered to and that economic, social and environmental objectives are balanced and integrated...... The political process involves ensuring the existence of a strong political commitment from the top leadership as well as from local authorities of a country. There must be effective engagement and close involvement of the Ministry of Finance and Planning as well as the Council of Ministers in the strategy development process right from the beginning.”

The United Nations further confirms the connection between Australia’s ESD strategy and Agenda 21 with their AG21 implementation and national monitoring reports (70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80). According to the United Nations:

“Agenda 21 is a comprehensive plan of action to be taken globally, nationally and locally by organizations of the United Nations System, Governments, and Major Groups in every area in which human impacts on the environment. Agenda 21, the Rio Declaration on Environment and Development, and the Statement of principles for the Sustainable Management of Forests were adopted by more than 178 Governments at the United Nations Conference on Environment and Development (UNCED) held in Rio de Janerio, Brazil, 3 to 14 June 1992. The Commission on Sustainable Development (CSD) was created in December 1992 to ensure effective follow-up of UNCED, to monitor and report on implementation of the agreements at the local, national, regional and international levels. It was agreed that a five year review of Earth Summit progress would be made in 1997 by the United Nations General Assembly meeting in special session.

The full implementation of Agenda 21, the Programme for Further Implementation of Agenda 21 and
ICLEI, ‘SUSTAINABILITY’, & AGENDA 21

The above facts should not come as any surprise to those who are aware of the content of both Agenda 21 and Australia’s National Strategy for Ecologically Sustainable Development, and the timing of the introduction of both programs. As mentioned above, the Australian strategy incorporates the core features of Agenda 21 virtually word for word (see Appendix). But there is unlimited flexibility in the Agenda 21 system to allow for individual variations from country to country (66):

Most countries emphasize environmental components in their sustainable development strategies......
The Australian Strategy for Ecologically Sustainable Development focuses on environmental concerns such as coastal zone management......The social element is the dimension the least integrated in national strategies. Whereas these often include social goals, sometimes with indicators, social objectives are generally listed alongside other objectives and rarely melded into a comprehensive strategy. There are also large differences across countries in how they interpret this notion – from a focus on the health consequences of environmental policies, to concerns about ethnic minorities and gender balance, to broader considerations about the quality of life, sustainable consumption and social relations (poverty, crime, employment, education).

One of the requirements of the UN is that the ESD strategy must be continuous, across different political parties, and must not be interrupted by change of government:

“the strategy development process should also be backed by strong political commitment at both the national and local levels and such commitment should be there on a continuous and long-term basis......Ensure continuity of the strategy development process. A national strategy for sustainable development requires long-term and uninterrupted effort. Mechanisms, thus, need to be put in place that would enable the strategy development to be carried out as a continuous and cyclical process with broad national support, regardless of the political party in power......The sustainable development strategy process should be developed as a way of life......Activities for the formulation and implementation of the strategy should also be fully mainstreamed in development policy and day-to-day functioning of government and other stakeholders.”

To conform with these requirements Australian governments have consistently removed Agenda 21 and sustainability policy from party politics and the electoral agenda and implemented it instead as a covert or embedded policy.

Although Agenda 21 pretends to be about ‘sustainability’, the current Australian government is deeply committed to economic UNsustainability, unlike the German policy (66):

“Germany – In economic terms, the Strategy for Sustainable Development defines intergenerational equity as avoiding high public debt and short-term economic decisions that could increase burdens on future generations.”

Given the above facts, why would ICLEI make the astounding claim that Agenda 21 is not related to sustainability because “Sustainability is a mainstream concept, and sustainability initiatives in government, corporate America, academia, and local communities typically have no connection to Agenda 21.”
5. Does ICLEI work behind the scenes in cities and counties to implement or impose a secret agenda? - According to ICLEIUSA:

“There is no truth to this conspiracy theory. ICLEI is a non-profit organisation with no authority over its local government members whatsoever, and we do not work in secret or in any way circumvent public input in decision-making processes. We do not mandate, impose, or enforce any national or international policies or initiatives. All ICLEI programs and projects are voluntary, and local governments decide for themselves which programs they wish to participate in; they define their own goals depending on local circumstances, interests, and abilities.”

These points have been answered above. ICLEI’s attempt to Set the Record Straight About ICLEI and enable the public to “get the facts about our organization, its international role, Agenda 21, and the United Nations”, simply raises more questions and creates more confusion. ICLEI had an opportunity to be proactive in pursuing policy which would positively negate criticisms. It chose not to do so.

Like governments who continue to undemocratically implement Agenda 21, ICLEI chose simply to dismiss the criticisms rather than take positive action to address the substance of the criticisms.

Conclusion

Voters having been given no choice, Agenda 21 is being undemocratically implemented in countries around the world. It is vitally important to realise that governments, in response to dictates from the UN, have chosen to implement AG21 covertly as unofficial or embedded policy so as to remove it from the electoral agenda. Understandably, those who value democracy and personal freedom are extremely concerned about this, hence leading to serious criticisms of AG21 and increasing moves to outlaw it. Supporters of the UN Agenda 21 program have made rather feeble and seemingly desperate attempts to counter these criticisms, often resorting to describing them as ‘conspiracy theories’. These criticisms, and their validity, are summarised below.

5. AG21, which is a foreign program, insidiously and pervasively infiltrates and influences national and sub national laws in countries around the world. This claim is confirmed, AG21 supporters being completely unable to counter the extensive evidence and legal precedents upon which this claim is based. Supporters of AG21 typically endorse global solutions and imported undemocratic anti-Australian sustainability programs and reject Australian solutions.

6. Agenda 21 erodes or diminishes national sovereignty. This claim is confirmed, surrendering control to a foreign agency such as the UN clearly, by definition, involves a progressive loss of autonomy. Supporters of AG21 typically endorse global solutions and imported undemocratic anti-Australian sustainability programs and reject Australian solutions.

7. Agenda 21 erodes or diminishes fundamental human rights, especially private property rights. This claim is confirmed, AG21 supporters being completely unable to counter the extensive evidence and legislative changes upon which this claim is based. The fact that
land owners usage rights are being progressively diminished by the principles of AG21 is a simple fact which is beyond sensible dispute.

8. Agenda 21 is fundamentally undemocratic as it is implemented covertly as embedded or unofficial policy and is consistently removed from the electoral agenda. This claim is confirmed, even Australian politicians admitting that AG21 is being consistently implemented while being excluded from official policy. Australian politicians are seen to be responding here to dictates from the UN which suggest sustainability policy must be continuous, bipartisan, and must not be interrupted by change of government.

ICLEI, as an instigator and global promoter of AG21, is at the forefront of the fight to counter criticisms of this program. Like others who support AG21 however, ICLEI’s assertions are not backed up by any evidence whatsoever and have been completely discredited above. Furthermore, for all ICLEI’s proactive campaigning about AG21 and sustainability, ICLEI is completely silent about reforms to strengthen private property rights and national sovereignty. ICLEI’s reforms all seem to be in a direction which diminishes private property rights and national sovereignty and disenfranchises voters. Although ICLEI claims, in their support of AG21, “ICLEI’s philosophy has always been that local democracy is key”, they conspicuously avoid outlining their plans to strengthen local democracy.

In addition to the above points, the following aspects of ICLEI’s attempt to defend AG21 are of additional interest.

- Why, in their attempt to Set the Record Straight About ICLEI, do ICLEI seek to downplay their role as an instigator and global promoter of Agenda 21 and in so doing, directly contradict their Local Governments for Sustainability Preparing for Tomorrow Strategy 2010-2015? Indeed, as proud global promoters of Agenda 21, surely they should be seeking to highlight their role rather than distancing themselves from the program they are promoting.

- Why, in their attempt to Set the Record Straight About ICLEI, does ICLEI directly contradict all the available evidence and claim “Sustainability is a mainstream concept, and sustainability initiatives in government, corporate America, academia, and local communities typically have no connection to Agenda 21”? Forgetting ICLEI’s insinuation that Agenda 21 is an extremist or fringe concept (ie not mainstream), the sweeping and unsupported vague generalisation that sustainability initiatives have nothing to do with Agenda 21 directly contradicts the United Nations, the OECD, and National governments, and contradicts Agenda 21. As Agenda 21 points out, “This process marks the beginning of a new global partnership for sustainable development……. The overall objective is the integration of environment and development issues at national, subregional, regional and international levels, including in the United Nations system institutional arrangements…..Specific objectives shall be: To ensure and review the implementation of Agenda 21 so as to achieve sustainable development in all countries.”

It is clear that even supporters of Agenda 21 regard this program as being ‘on the nose’ hence the various attempts to disguise the program by changing the name. Suggestion by ICLEI that so called ‘sustainability programs’ are not traceable to AG21 are at best, extremely misleading, and at worst, deliberately designed to deceive. The evidence is unequivocal. Most, if not all, national and sub-national sustainability programs in the world today are firmly rooted in Agenda 21 or its principles. To deny this simple fact raises serious questions about the motives of ICLEI.

The below questions, mentioned at the outset, have now been answered.
But given all the wonderful claims about the advantages of Agenda 21, why would those who seek to promote and implement AG21 seek to conceal it, pretend it is not being implemented, or even claim it is a conspiracy?

And why indeed, have politicians been so unanimous, over the 20 year implementation of AG21, in concluding that this planet saving program is not a potential vote winner and therefore must be excluded from the electoral agenda at all levels and by all parties?

Given the serious and far reaching negative effects of implementation of Agenda 21 upon ordinary Australians, the reasons why politicians display a hypersensitivity to any mention of this program are abundantly clear. This is compounded by the fact that AG21 has had bipartisan support in Australia, by all three levels of government, for twenty years.

True sustainability is based upon freedom, democracy, and truth, subjects that are avoided by Agenda 21 and ICLEI.
## APPENDIX

### Common Features of Agenda 21 and National Sustainability Strategies

#### Table 1. Comparison of UN and OECD Recommendations for National Sustainable Development Strategies

<table>
<thead>
<tr>
<th>Main elements</th>
<th>OECD</th>
<th>United Nations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy integration</td>
<td>Integrate economic, social and environmental objectives</td>
<td>Integrate economic, social and environmental objectives Link different sectors</td>
</tr>
<tr>
<td></td>
<td>Ensure comprehensive and integrated strategy</td>
<td></td>
</tr>
<tr>
<td>Inter-generational timeframe</td>
<td>Develop consensus on long-term vision</td>
<td>Develop shared strategic and pragmatic vision Link short term to medium/long term</td>
</tr>
<tr>
<td>Analysis and assessments</td>
<td>Base strategy on comprehensive and reliable analysis Build on existing processes and strategies</td>
<td>Anchor strategy in sound technical and economic analysis Build on existing mechanisms and strategies</td>
</tr>
<tr>
<td>Co-ordination and institutions</td>
<td>Embed strategy in high-level government commitment and influential lead institutions</td>
<td>Ensure a strong institution or group of institutions spearheading the process</td>
</tr>
<tr>
<td>Local and regional governance</td>
<td>Link national and local levels</td>
<td>Link national, regional and global levels</td>
</tr>
<tr>
<td>Stakeholder participation</td>
<td>Ensure effective participation Develop a people-centred strategy</td>
<td>Ensure access to information for all stakeholders, transparency and accountability Develop partnerships among government, civil society, private sector and external institutions</td>
</tr>
<tr>
<td>Indicators and targets</td>
<td>Include targets with clear budgetary priorities</td>
<td>Base strategy on realistic, flexible targets</td>
</tr>
<tr>
<td>Monitoring and evaluation</td>
<td>Incorporate monitoring, learning and improvement</td>
<td>Include integrated mechanisms for assessment, follow-up, evaluation and feedback</td>
</tr>
</tbody>
</table>

Source: OECD, 2001; UN DESA 2002.

Source: “[Good practices in the National Sustainable Development Strategies of OECD Countries 2006](#)”: 