



# AMERICANS FOR PROSPERITY K A N S A S

## Agenda 21 and Sustainable Development

Thank you for the opportunity to provide testimony in support of House Resolution 6032.

Article 1 section 10 of the US Constitution states that "No State shall enter into any Treaty, Alliance, or Confederation" and Article 2 section 2 states that the President shall have the "Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur".

Under the US Declaration of Independence the purpose of government is to "protect the natural or unalienable rights of each individual". The community rights of the UN Declaration of Human Rights are "control of the individual for the greater good of the community." Agenda 21 was birthed and has been promoted by the UN. Here is a great quote from over 150 years ago that we must never forget.

*-- "The mission of the law is not to oppress persons and plunder them of their property, even though the law may be acting in a philanthropic spirit. Its purpose is to protect persons and property....If you exceed this proper limit--if you attempt to make the law religious, fraternal, equalizing, philanthropic, industrial, or artistic--you will then be lost in uncharted territory, in vagueness and uncertainty, in a forced utopia or, even worse, in a multitude of utopias, each striving to seize the law and impose it on you" -- Frederic Bastiat in "The Law."*

Here is what Maurice Strong, Secretary-General of the UN Earth Summit in Rio in 1992, said in his opening speech to the attendees: "Current lifestyles and consumption patterns of the affluent middle class -- involving high meat intake, the use of fossil fuels, electrical appliances, home and work-place air-conditioning, and suburban housing -- **are not sustainable.**" (Emphasis added)

The problem with Agenda 21 of the United Nations is that it was never presented as a treaty or sent to the US Senate for ratification. Therefore it is not constitutional. It was and is what is called a "soft law". It was enacted and implemented via "Executive Orders" starting with President George H.W. Bush who signed the Agenda 21 agreement in Rio in 1992 but the agreement was never ratified by the US Senate. Subsequently, In June 1993 President Clinton established the "President's Council on Sustainable Development" for pushing the policies of Sustainable Development thru the federal agencies by attaching strings and caveats to their grant and regulator processes. The policy implemented under the executive order by President Clinton in June 1993 was "to advise him on sustainable development and develop bold, new approaches to achieve our economic, environmental and equity goals." Formally established by Executive Order 12852, the PCSD was administered as a federal advisory committee under the Federal Advisory Committee Act. In 2009 President Obama signed Executive Order 13514 for "Federal Leadership in Environmental, Energy, and Economic Performance" and Executive Order 13575 called "Presidents Council for Rural Development ". Their mission was and is to "work across executive departments, agencies, and offices to coordinate development of policy recommendations to promote economic prosperity and quality of life in rural America, and shall coordinate my Administration's engagement with rural communities". In 2010 the EPA commissior

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Attachment # 3

to write a report called Sustainability and the EPA (better known as the "Green Book") "The report recommends that EPA formally adopt as its sustainability paradigm the widely used "three pillars" approach, which means considering the environmental, social, and economic impacts of an action or decision. Health should be expressly included in the "social" pillar. EPA should also articulate its vision for sustainability and develop a set of sustainability principles that would underlie all agency policies and programs." The three pillars are known in Agenda 21 as "Equity, Economy, and Environment." They are the same from the same source, namely Agenda 21. Equity means that individual rights will have to take a back seat to the collective. Economy is stated in Agenda 21 article 8 that equity will be achieved thru implementation of the international economic order and thru transfers of resources to developing countries. This is redistribution of wealth. Also, by using the economy, sustainable development is actually restructuring the economy by molding it not on private property rights but on public/private partnerships. "Public/private partnerships bring businesses desiring the protection offered by government's legalized force together with government agents that want the power that comes with economic control". I have witnessed this taking place in Lawrence Kansas whereby certain developers and businesses receive subsidies, incentives, tax-breaks and insider privilege."The problem with this process is that only the elected politicians are accountable to the public for their actions." Environment most people are concerned with the environment in their local community and support reasonable laws and regulations that are meant to prevent pollution of the air, water, or the property of another. Agenda 21 and sustainable development uses the environment as means of promoting a political agenda.

Today House Resolution 6032 is a good start but you can see from the above how insidious Agenda 21 has become by permeating every agency of the US government. We must develop a comprehensive plan to roll back all of the laws and regulations which have been implemented by Agenda 21. We must start with the State of Kansas by drafting and passing laws that apply to the state as well as all political subdivisions. Then lobby to have the US Congress change the federal laws and regulations. But the permanent changes should be by outlawing the use of Executive Orders by the President with reference to international treaties and laws. I won't get into the weeds in this testimony but a very good source is a book called "Taming Globalization" by John Yoo and Julian Ku. They have presented a good case for the changes that need to be made that affect federalism and separation of powers. I will be presenting a number of meetings about Agenda 21 in the next few months. You can find the locations and times on the AFP Kansas website. Here is a link of a video explaining the report "Sustainability and the US EPA." <http://www.youtube.com/watch?v=dXslHdzLzt0>. I thank you for your time and attention.

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# NEED TO KNOW

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## **AGENDA 21, ICLEI, AND "SUSTAINABLE DEVELOPMENT"**

Agenda 21 is a far-reaching blueprint for national, state, and local governments to implement regulations and policies to pursue "sustainable development" across the globe. Concerned that modern technologies and living arrangements were causing "the destruction of irreplaceable natural resources and pollution of the planet," representatives from 178 countries signed the action plan at the 1992 United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro, Brazil.<sup>3</sup> Hundreds of specific goals are presented in the document (which runs to nearly 300 pages), but they all fall into two broad areas:

- *Environmental Goals:* This includes things like atmospheric protection, combating pollution, conserving fragile ecosystems, and preventing plant and animal extinction.
- *Other Social Goals:* This includes anti-sprawl regulations, combating poverty, changing consumption patterns, improving the standing of social groups like indigenous peoples and women, favoring urban housing arrangements instead of single-family homes, and encouraging use of public transit instead of cars.

The initiatives found in Agenda 21 were not new ideas; home-grown "smart-growth" policies had been adopted in California and Oregon as early as the 1970s. Two years before the summit in Rio de Janeiro, a group called the International Council for Local Environmental Initiatives (ICLEI, now called Local Governments for Sustainability) was formed to provide technical consulting and information on sustainability issues for local governments worldwide. The group now boasts membership of 1220 local governments across the globe, with roughly half of those here in the U.S.<sup>4</sup>

Some conservatives worry that sustainable development is just a disguise for a larger scheme to adopt radical environmentalism, wealth redistribution, or some form of "world government" through local initiatives. But whether this is true is largely irrelevant: regardless of the underlying motives and regardless of the source, the policies themselves prove to be an affront to property rights and harmful to the American economy. To those who favor economic freedom and limited government, this alone is grounds for concern.

Moreover, these anti-growth policies are not being adopted unilaterally through decrees negotiated at the United Nations, but rather through the normal legislative process in town council meetings and state houses across the country. While there has been some activity at the federal level (Presidents George H.W. Bush, Bill Clinton, and Barack Obama all signed executive orders related to Agenda 21 and President Clinton was advised on sustainability issues by the President's Council on Sustainable Development), Agenda 21's goals primarily must be implemented through zoning, land use, and other localized regulations at the state and local level. One of the challenges for opponents of such policies, therefore, is that they tend to be adopted one small step at a time, using locally-based feel-good campaigns and buzz words, right in their own backyards.

### Quick Fact

Local Governments for Sustainability (formerly the International Council for Local Environmental Initiatives or ICLEI) currently counts 543 counties and cities in the United States as dues-paying members.<sup>1</sup>

### Notable & Quotable

*"If implemented, the types of policies encouraged in Agenda 21 would significantly expand the role of government in economic decision-making, impede development and economic growth, and undermine individual choice and policy flexibility for local communities."*

--Wendell Cox, Ronald D. Utt, and Brett D. Schaefer<sup>2</sup>

## Sustainability Policies Threaten Property Rights, Individual Freedom, and the Economy

*When government makes decisions about how much consumption, what types of living arrangements, and what types of transportation are “sustainable,” this can directly conflict with individual freedoms.*

Whether inspired by Agenda 21 or not, “sustainable development” initiatives assume a much larger role for government in directing the economy and making decisions that affect day-to-day life. As a result, instead of protecting every individual’s right to “life, liberty, and the pursuit of happiness,” many of these regulations can actually do the opposite. Overly burdensome land use and zoning regulations can conflict with private property rights and the ability for landowners to use their land as they see fit. Such restrictions can also reduce property values to the detriment of owners when they are prevented from using natural resources, cultivating for agriculture, or building housing or commercial structures on their land.

When government makes decisions on behalf of others about how much consumption, what types of living arrangements, and what types of transportation are “sustainable,” this can directly conflict with individuals’ freedom. It can also have severe impacts on the economy. Government interventions in the market to direct the economy towards politically-favored outcomes frequently result in market distortions and other unintended consequences – for example, increased traffic congestion or higher housing prices.

One specific example is anti-sprawl regulations. Designed to keep rural and “wild” areas off limits to development, these regulations actually undercut the supply of affordable housing for middle-class families. This is basic economics: when all new development for a growing population is forced into existing urban footprints, land prices rise, home sizes shrink, and families end up paying higher rents or mortgage payments for less and less living space. The United Kingdom adopted ambitious anti-sprawl regulations in 1947 to “preserve the remaining delicate fabric of the countryside,” but the country’s citizens now have the smallest and most expensive housing of any advanced country in the world.<sup>5</sup>

### Conclusion

Agenda 21 must be seen as merely one part of a much larger and far-reaching effort to adopt “sustainable development” policies in local communities throughout the U.S. – policies that will literally change the way we live. The goals of “sustainable development” are in many cases laudable: protecting the environment and being good stewards of our country’s land and resources are indeed important. But what conservative activists must remember is that policies that strengthen the economy and support free-market principles have done far more to advance environmental and conservation goals over the years than any restrictive government regulation.<sup>6</sup>

#### Endnotes:

1. LOCAL GOVERNMENTS FOR SUSTAINABILITY, *Members* (online at <http://www.iclei.org/index.php?id=11454>) (accessed February 29, 2012).
2. Wendell Cox, Ronald D. Utt, and Brett D. Schaefer, *Focus on Agenda 21 Should Not Divert Attention from Homegrown Anti-Growth Policies*, HERITAGE FOUNDATION, Backgrounder No. 2628 (December 1, 2011) (online at <http://www.heritage.org/research/reports/2011/12/focus-on-agenda-21-should-not-divert-attention-from-homegrown-anti-growth-policies>) (hereinafter “Cox, Utt, and Schaefer”).
3. UNITED NATIONS DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS, DIVISION FOR SUSTAINABLE DEVELOPMENT, *Core Publications: Agenda 21* (online at <http://www.un.org/esa/dsd/agenda21/>) (accessed February 29, 2012).
4. LOCAL GOVERNMENTS FOR SUSTAINABILITY, *About ICLEI* (online at <http://www.iclei.org/index.php?id=about>) (accessed February 29, 2012).
5. Cox, Utt, and Schaefer, *supra* note 1, at 3.
6. Multiple examples can be found through the country’s leading free-market environmental group. See PROPERTY AND ENVIRONMENT RESERACH CENTER, *Homepage* (online at <http://www.perc.org/>) (accessed February 29, 2012).

*Americans for Prosperity Foundation's "Need to Know" informational series explores current events and recent scholarship on public policy issues from a free-market economics perspective. A full list of "Need to Know" briefings is available at [www.AmericansforProsperityFoundation.com/NeedtoKnow](http://www.AmericansforProsperityFoundation.com/NeedtoKnow).*  
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