

Joint Statutory Committee on Treaties.  
Parliament House,  
Canberra ACT 2600

Re:

## *Inquiry into the Kyoto Protocol*

(Advertised in 'The Age' Saturday 15-07-2000)

### *Government Authority and International Agreements*

Australia is no longer a dependent and subordinate 'Colony' or 'Dominion' subject to the control or direction of any 'Foreign Nation, 'Power', or 'Crown', it is an Independent Sovereign Nation.

**Since Australia gained Independence the UK Parliament and Monarch have had no 'authority' in relation to Australian affairs, and no 'Australian Government' has sought or obtained from the 'Australian' people it purports to represent any 'authority' to enter into any Treaty or International Agreement, or to dispose of any land assets or other property of the Australian people.**

As an 'Independent Sovereign Nation', **the only source of any 'authority' for 'Government' in Australia resides** in and may be derived from the Australian people. No authority was given by the Australian people to permit the Australian 'Government' to enter into the Kyoto Protocol, UN, GATT, WTO, .MAI, FSIA, or a multitude of other 'foreign' 'alphabet' organisation 'agreements'. **No attempt was made to gain the informed consent of the people for 'Government' actions** relating to the Kyoto Protocol, UN, GATT, WTO, Foreign Investment, Defence, Firearms, Native Title, Foreign Aid, De-Regulation of Banking, Anti-Discrimination, Illegal Immigrants, World Heritage Areas, 'Disposal' of Public Utilities and Services, and a multitude of other actions effecting the sovereignty and assets of the Australian people.

The UK (1900) 'Australian Federation Constitution' gave the Australian Government limited power, subject to assent or otherwise by the UK Parliament and 'Sovereign, in relation to a specific limited number of functions; it was not given 'authority' to delegate, give away, &privatise' or sell any of those responsibilities assets infrastructure public utilities etc, for which 'Governments' accepted responsibility, to any 'foreign or private enterprise', or to subject itself to any 'foreign' or other external control law or 'conditions. **Since gaining independence the 'Australian' people have not granted any such &authority' or any 'contract' to any 'Australian Government'.**

.Australian 'Governments' are responsible to the Australian people, and are elected to **'represent the 'will' and to act on behalf of those Australian people'**, not for the benefit of special interest or specific ethnic groups, foreign enterprises, investors, individuals or 'consultants'. They are required to provide for the defence and protection of the 'Australian' people, their land assets property and wellbeing. The Australian people own the Australian land and assets, not the 'Government' or the 'Crown'.

There are no valid reasons or justification for any Australian Government to enter into any 'Treaty', 'Agreement', or 'Contract' on behalf of **the 'Australian' people** without first obtaining the fully informed consent of those people in relation to such agreement, contract, or treaty. **Any such 'agreement' entered into by an Australian 'Government' without that 'fully informed consent' is invalid, illegitimate, and tin-enforceable**, although the individuals who participated in those 'agreements' and those who ordered or counselled them to do so may be rendered liable.

Successive **Australian Governments have deliberately chosen to disregard the will of the people they are elected to represent, as do many non-democratic Governments'**.

### *International Agreements*

There is no 'level playing field' in international affairs. Australian people will continue to suffer major competitive and financial disadvantages while Australian taxation 'laws' continue to discriminate in favour of **'foreign' enterprises** operating in Australia. The addition of a 'Carbon Tax' to the already punitive taxes effecting Australians is **clearly not in the national interest and must be rejected.**

It is far more than a serious abrogation of responsibilities and a dereliction of duty by 'elected representatives of the people' **for the Australian Government to act against the interests and against the will of the Australian people, it is an act of tyranny.**

There are serious problems with the process of 'Government' when 'delegates' or 'representatives' who attend at various international fora and purportedly on behalf of the Australian people, falsely sign 'treaties', 'agreements' or other 'contracts' that effect the independence and sovereignty of the Australian people who have not authorised those actions. A Government without the informed consent, and valid 'authority' from the Australian people, cannot legitimately enter into any such 'agreement', nor can it simply create 'authority' for its representatives delegates or subordinates to do so. Government does not exercise 'sovereignty' on behalf of the Australian people, it is limited to representing the will of those people and acting in their interests.

It appears that literally thousands of such 'agreements' have been 'entered into' by successive Australian 'Governments' without the knowledge of the Australian people. Many, perhaps all of these 'agreements' are detrimental to the Australian people and erode their rights and sovereignty, or contain 'provisions' that provide for significant economic financial and other losses to the Australian people.

The 'Government' has no 'authority' to render the Australian people subject to foreign control of any type.

### *Kyoto Protocol*

'Global warming' is a claimed 'Phenomenon' currently attributed to the use of carbon based and other polluting products causing a diminution of the ozone layer, however there are serious doubts and a lack of convincing hard unambiguous or 'definitive' scientific evidence to prove that argument. Some 'Experts' even blame natural bodily functions of cattle for the perceived damage.

Data for global temperature variations over the last century, and for a far shorter time period relating to size of the ozone layer, are far from conclusive and totally ignore the longer weather and temperature 'cycles'.

These 'variations' are totally insignificant and irrelevant in comparison with 'ice-age cycle' time periods, or even the annual seasonal variations. It appears that the output from one decent volcanic eruption can far exceed the extent of 'man made' ozone-depleting pollution generated over hundreds of years.

There are much more urgent and important **real problems** to be addressed by Australian 'Governments', but one is 4waste material' handling and disposal, including the careless or criminal 'dumping' of hazardous waste, (failed 'GE crops' in Victoria, chemicals, poisons, etc.), and the pollution of the atmosphere and natural waterways with 'industrial waste',. problems caused mainly by business enterprises large and small. (Oil, Chemical, Agricultural, Industrial, Transport, Shipping, etc, as well as a great variety of more mundane 'domestic' products including plastic-wrapping, containers, appliances and other articles.)

While there is no doubt that the minimisation of 'man made' pollution is necessary, there is no justification for nations to be coerced into any 'international agreement' that contains punitive measures against Nations that fail or are unable to comply with arbitrary conditions proposed by any international forum such as that at Kyoto. While a degree of co-operation may be acceptable, **compulsion under duress is tyranny.**

Various International **Organisations** (UN, WTO, IMF, the World Bank, [CC, etc.) seek to assume more 'authority' than is possessed by participant Nations. They **are not 'supranational' organisations;** all of them are non-democratic business or other special interest organisation, not accountable to any 'democratic population', only to themselves, and appear to operate as 'committees' from which predetermined outcomes follow predetermined agendas. There is certainly no transparency or accountability to the people whom many of the 'participants' purport to represent, and the 'people' have been deliberately excluded from any matters relating to their activities. **They do not represent the people.**

If social, cultural, environmental, human rights or labour standards rate any consideration, or influence WTO priorities in any manner, they appear to be last on the list, if on it at all. The WTO considers that any impediments, including environmental, human rights, health, and labour standards, to the entry of products to target nations, contravene WTO 'rules' justifying severe sanctions and penalties. Those same 'impediments' are 'attributes' claimed to be protected and defended by 'Governments' under other equally invalid international 'agreements'. Both outcomes are in total opposition but the 'wealthy' seem to win.

Any 'Agreement' conditions that allow an 'un-elected', non-democratic, non-judicial 'business organisation' to adjudicate and impose massive penalties on Nations for perceived breaches of WTO 'conditions' are totally unacceptable, they are an attack against Australian independence and sovereignty.

Entry into such 'contracts' constitutes a failure of responsibility by elected representatives, and they totally ignore the 'sovereignty' and supreme authority in Australia of the Australian people who cannot validly be held responsible or liable for the loss of profits by 'foreign investors and enterprises', or for any 'penalties' imposed by any 'foreign organisation' under any 'agreement' not 'authorised' by the Australian people.

This is not in the national interest of the Australian people, yet 'Governments' readily agree to sign 'international contracts' containing such conditions.

These 'international agreement conditions' are destroying the living conditions that generations of Australians have fought for, and which the 'elected representatives' are obliged to protect and improve, not abandon and sacrifice to 'foreign' profit seekers.

There are fundamental flaws in the logic and decision making processes that motivate an elected 'Government' to enter into any 'agreement' that may lead to the destruction or detriment of Australian employment, industries or working conditions, or is in any manner detrimental to the people whose 'will' it is 'elected to represent'. There are already precious few surviving Australian owned businesses in a country that should be far more self-sufficient.

## *Australian Sovereignty and Independence*

**The Australian 'Government' has no 'Constitutional' or any other 'authority' from the people to indulge in any actions that are detrimental to the Australian people.** It has no 'authority' to exercise sovereignty' on behalf of the Australian people, it is limited to representing the will of the people, and acting in their interest.

Australians should be subject only to valid and legitimate 'Australian' law in Australia, not 'foreign' law, rules, or any other externally imposed conditions or restrictions, and certainly not the 'rules' of a any international 'business organisation'.

It would be appropriate and proper for the Australian people to **totally reject any and all 'elected representatives' who are prepared to support any such unauthorised, invalid, and illegitimate 'International Agreements' and their obnoxious conditions, as well as those who belong to any 'political party' that supports those policies against the will and to the detriment of the people they were elected to represent. For a 'Party' to demand precedence over the people is tyranny, a role reversal from people's representative to party policy 'sales people' and a corruption of democracy.**

**Any Government proposition in any way effecting Australian Sovereignty demands a referendum.**

The sacrifices of our forbears during WWII in the pursuit of freedom from tyranny, and the efforts of William Hughes PM in 1919, cannot now simply be ignored forgotten wasted or illegitimately surrendered by 'Government' to 'foreign interests'. Australia's sovereignty is under attack from within.

### *Public Debate*

An 'advertisement' buried in a large daily newspaper 'allowing the submission of comments' is not an adequate or appropriate method of conducting 'public debate' on any issue effecting the whole population. Decision making on this basis is no more valid than decision making processes based on selective 'opinion polling', or demands of lobbyists, etc. The number of 'responses' should clearly indicate that conclusion.

Yours sincerely,

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