

Hon. Mr Faulkner

GLENEAGLES AGREEMENT

ANALYSIS

Title	3. Gleneagles Agreement to be law
1. Short Title	in New Zealand.
Preamble	4. Jurisdiction of High Court
2. Approval of Gleneagles Agreement	Schedule

A BILL INTITULED

An Act to provide for the application in New Zealand of the Commonwealth Statement on Apartheid in Sport, signed in London, June 1977, and for matters incidental thereto

5 WHEREAS the Prime Minister of New Zealand committed New Zealand to the Gleneagles Agreement in which the Commonwealth Governments: (1) reaffirmed their full support for the international campaign against apartheid
10 and welcomed the efforts of the United Nations to reach universally accepted approaches to the question of sporting contacts within the framework of that campaign; (2) mindful of these and other considerations accepted it as the urgent duty of each of their Governments vigorously to combat the
15 evil of apartheid by withholding any form of support for, and by taking every practical step to discourage contact or competition by their nationals with sporting organisations, teams or sportsmen from South Africa or from any other
20 country where sports are organised on the basis of race, colour or ethnic origin; and (3) specially welcomed the belief, unanimously expressed at their Meeting, that in the

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light of their consultations and accord there were unlikely to be future sporting contacts of any significance between Commonwealth countries or their nationals and South Africa while that country continues to pursue the detestable policy of apartheid: 5

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Gleneagles Agreement Act 1980. 10

2. Approval of Gleneagles Agreement—The signature on behalf of the Government of New Zealand, to the Commonwealth Statement on Apartheid in Sport, known as the Gleneagles Agreement, in the form set out in the Schedule to this Act, is hereby authorised and approved. 15

3. Gleneagles Agreement to be law in New Zealand—The Gleneagles Agreement set out in Part II of the Schedule to this Act is hereby declared to be part of the general law of New Zealand.

4. Jurisdiction of High Court—The High Court shall have 20 jurisdiction to determine whether the Government of New Zealand or any person has complied with the Gleneagles Agreement and shall have power to grant declarations, injunctions or such other relief as it shall think fit.

SCHEDULE

Sections 2 and 3

PART I

COMMONWEALTH HEADS OF GOVERNMENT MEETING

The New Zealand delegation to the Commonwealth Heads of Government meeting in London from 8-15 June was led by the Prime Minister, the Rt. Hon. R. D. Muldoon. Of particular concern to New Zealand was the need to resolve the difficulties which had arisen as a consequence of the controversy over New Zealand's policies on sporting contacts with South Africa. The meeting provided an opportunity for the heads of government of interested countries to discuss the matter in private and draw up an agreed statement on apartheid in sport. The text of this, the "Gleneagles Agreement", which was appended to the communiqué is set out below.

PART II

GLENEAGLES AGREEMENT

Commonwealth statement on apartheid in sport.

The member countries of the Commonwealth, embracing peoples of diverse races, colours, languages and faiths, have long recognised racial prejudice and discrimination as a dangerous sickness and an unmitigated evil and are pledged to use all their efforts to foster human dignity everywhere. At their London Meeting, Heads of Government reaffirmed that apartheid in sports, as in other fields, is an abomination and runs directly counter to the Declaration of Commonwealth Principles which they made at Singapore on 22 January 1971.

They were conscious that sport is an important means of developing and fostering understanding between the people, and especially between the young people, of all countries. But, they were also aware that, quite apart from other factors, sporting contacts between their nationals and the nationals of countries practising apartheid in sport tend to encourage the belief (however unwarranted) that they are prepared to condone this abhorrent policy or are less than totally committed to the Principles embodied in their Singapore Declaration. Regretting past misunderstandings and difficulties and recognising that these were partly the result of inadequate inter-governmental consultations, they agreed that they would seek to remedy this situation in the context of the increased level of understanding now achieved.

They reaffirmed their full support for the international campaign against apartheid and welcomed the efforts of the United Nations to reach universally accepted approaches to the question of sporting contacts within the framework of that campaign.

Mindful of these and other considerations, they accepted it as the urgent duty of each of their Governments vigorously to combat the evil of apartheid by withholding any form of support for, and by taking every practical step to discourage contact or competition by their nationals with sporting organisations, teams or sportsmen from South Africa or from any other country where sports are organised on the basis of race, colour or ethnic origin.

They fully acknowledge that it was for each Government to determine in accordance with its laws the methods by which it might best discharge these commitments. But they recognised that the effective fulfilment of their commitments was essential to the harmonious development of Commonwealth sport hereafter.

They acknowledged also that the full realisation of their objectives involved the understanding, support and active participation of the nationals of their countries and of their national sporting organisations and authorities. As they drew a curtain across the past they issued a collective call for that understanding, support and participation with a view to ensuring that in this matter the peoples and Government of the Commonwealth might help to give a lead to the world.

Heads of Government specially welcomed the belief, unanimously expressed at their Meeting, that in the light of their consultations and accord there were unlikely to be future sporting contacts of any significance between Commonwealth countries or their nationals and South Africa while that country continues to pursue the detestable policy of apartheid. On that basis, and having regard to their commitments, they looked forward with satisfaction to the holding of the Commonwealth Games in Edmonton and to the continued strengthening of Commonwealth sport generally.

London, June 15 1977