
AfP Human Rights Policy

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1. Introduction

Open your mouth, judge righteously, defend the rights of the poor and needy. Prov 31:8-9

Act for Peace (AfP) has strong belief in the inherent dignity and worth of every human being; one rooted in centuries of Christian teaching, and given concrete expression through AfP's first Human Rights Policy in 1983,¹ which enshrined our rights-based approach to development. Far from seeing those we seek to help as hopeless, as 'objects of charity', or passive recipients of welfare, we believe that every human being has the right, the capacity and the desire to not only participate in decisions affecting their lives, but the ability to be active agents in leading their own development. Our approach to development thus starts by recognising the equal and inalienable human rights of those we seek to serve (individuals, families and communities affected by conflict, disasters and displacement) and seeks to: 1) empower people to claim their rights; 2) hold their governments to account, and; 3) strengthen the civil society organisations they support to address their own humanitarian, development and protection challenges.

AfP has long-recognised the wider benefits of this approach. Promoting respect for human rights and the rule of law plays a crucial role in fostering an enabling environment for more equitable, sustainable and transformative human development. Rights-based actions not only empower vulnerable and marginalised groups to play an active role in their own development, spreading development benefits more equally and to those in greatest need, but also empower people to hold their governments to account, ensuring governments recognise and act on their responsibilities to respect, protect and fulfil human rights. This, in turn, helps local people and civil society organisations leverage the power and the resources of the state for more equitable and sustainable human development, and through promoting accountability between 'rights-holders' and 'duty bearers', creates more stable and accountable governance systems over the longer term, providing a more predictable and just rules-based order, which is the foundation for development.

¹ AfP's governing body first adopted a Human Rights Policy in 1983.

2. Rationale

The Eighth Assembly of the World Council of Churches (WCC) in 1998, which occurred on the 50th anniversary of the adoption of the Universal Declaration of Human Rights, stated:

“As Christians, we are called to share in God’s mission of justice, peace and respect for all Creation and to seek for all humanity the abundant life which God intends. Within scripture, through tradition, and from the many ways in which the spirit illumines our hearts today, we discern God’s gift of dignity for each person and their inherent right to acceptance and participation with the community. From this flows the responsibility of the churches, as the Body of Christ, to work for universal respect and implementation of human rights²”

AfP and its partners, including ACT Alliance, have a common commitment to ensuring the preservation of the fundamental human rights of all human beings for the following reasons:

- AfP believes that all persons are created in the image of God and are thus equal with the same basic rights and human dignity.
- AfP believes that what constitutes the uniqueness of human beings is their ability to exercise basic human rights within a community of human beings. Whenever these human rights are violated, or prevented from being fulfilled, people are barred from realizing their full rights to human dignity.
- Development and human rights are interdependent and mutually reinforcing. For development to be sustainable, marginalized and at-risk communities must be empowered to claim their rights and hold their governments accountable for their responsibility to respect, protect and fulfill their rights. This creates a system for mutual accountability, lays the foundation for the rule of law, and enables a more equitable distribution of power and resources, which in turn enables human security and development.
- AfP’s vision is of a ‘peaceful world where all people share a safe, just and dignified life³’ – within this, AfP recognises that human dignity and well-being are enhanced through ensuring that governments fulfil their responsibility to respect, protect and fulfil people’s economic, social, cultural, civil, political, and religious and rights.⁴
- From a faith-based perspective, AfP’s longstanding commitment to development with justice strongly supports adopting a rights-based approach.⁵

3. Scope and Purpose

This policy commits AfP to respecting, protecting and promoting the realisation of human rights as a common value, and a rights-based approach as a method of work to achieve AfP’s goal of achieving safety, justice and dignity in communities threatened by conflict, disaster and displacement.

This includes:

- Ensuring that the right, capacity and desire of conflict, disaster and displacement-affected communities to meaningfully participate in decisions affecting their own life is recognised and respected.
- Ensuring that AfP’s engagement with ‘duty-bearers’ ultimately aims to enhance, not undermine, their willingness and capacity to respect, protect and fulfil human rights.⁶

² Consultation on “Human Rights and the Churches: New Challenges,” Morges, Switzerland, June 1998.

³ AfP Strategic Plan (16-18)

⁴ AfP values and principles

⁵ Rights-based development from a faith-based perspective – Joint Position Paper

⁶ See AfP’s Humanitarian Protection Policy

- Ensuring that through our actions, we strive to empower people to claim their own rights, and hold governments and other duty bearers to account.
- Prioritising the strengthening of accountability systems that provide lasting benefits for conflict, disaster and displacement-affected communities.
- Ensuring that where a rights-based approach may not be possible, a strong principle-based approach will be pursued in the interim, for instance during rapid-onset emergencies and conflicts or where rights-based approaches may result in risks to programs, participants and staff.

4. Applicable Standards and Guidance

To promote and protect human rights and the dignity and inclusion of all human beings, AfP endeavours to uphold its commitment to the following principles and standards: AfP's Values and Principles, which emphasize human dignity and rights, the ACT Alliance Code of Good Practice (2011), the ACFID Code of Conduct (2015), The Code of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (1994). As well, AfP recognises its role as a recipient of funding from the Australian Department of Foreign Affairs and Trade (DFAT) and AfP and DFAT's shared interest in promoting human rights as exercised through AfP's commitment to, and obligations under, relevant DFAT policies including *Development for All: Towards a Disability Inclusive Australian Aid Program* and *Empowering Women: Australia's Support for Gender Equality and the Empowerment of Women*.

In taking a rights based approach, AfP emphasises a commitment to international humanitarian law (IHL) or the Geneva Conventions, international refugee rights law (IRL) and international human rights law (IHRL) including the Universal Declaration on Human Rights, the international Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Elimination of All Forms of Racial Discrimination, the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, the Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child, acknowledging that the rights enshrined in these treaties are interconnected, indivisible and universal. It also commits to upholding and promoting international 'soft law', notably the Guiding Principles on Internal Displacement, which is rooted in human rights law, and UNHCR Executive Committee Conclusions.

5. AfP Policy Objectives and Indicators to Measure Progress toward Objectives

The core objective of this Policy is to respect, protect and promote IHRL, IHL and IRL including civil and political, economic, social and cultural rights, with a particular emphasis on refugee protection, protection in humanitarian crisis, gender equality, the protection of children, people with a disability, and the rights of minorities and vulnerable and marginalised groups,⁷ including refugees, internally displaced people, and conflict and disaster affected communities. In accordance with our rights-based commitment, the objectives of this policy are to:

1. Commit to acting in ways that respect, empower and protect the dignity, uniqueness, intrinsic worth and human rights of every woman, man, girl and boy.
2. Ensure that AfP's humanitarian, development and protection activities reflect a rights-based approach and aim to respect, protect and promote the rights of individuals affected by conflict, disaster and displacement, and the obligations of duty bearers.

6. AfP's Approach and Focus Areas

⁷ ACFID Code of Conduct 2015

6.1 AfP Approach

The foundation of a human rights-based approach is the centrality of the relationship between rights-holders and duty-bearers to the development process as an exercise of power and law. AfP recognise that the state has the primary responsibility for protection and ensure that the ultimate aim of protective humanitarian action is to reinforce, not replace, the state's responsibility to respect, protect and fulfil human rights.⁸ AfP also recognises, respects and promotes adherence to international humanitarian law (IHL) and international refugee law (IRL), which are critical bodies of international law according additional rights to conflict affected civilians and refugees and corresponding responsibilities for warring parties and countries of asylum.

In keeping with this commitment, all of AfP's relevant humanitarian and development-related policies and standard operating procedures will reflect and promote a rights-based approach, particularly AfP's Protection Policy, which is a rights-based policy designed to strengthen the protection of conflict, disaster and displacement affected communities through activities aimed at enhancing respect for international law (IHRL, IHL and IRL), and AfP's Gender Policy, which takes a rights-based approach to strengthening gender equality. Accordingly, AfP's human rights, protection and gender policies will be considered core policies that inform AfP's other policies as well as our operations.

AfP supports the principles for mainstreaming human rights as outlined in the Rights and Development Group's *Joint Position Paper on Rights-based Development from a Faith-based Perspective*⁹ which are: a focus on structural and root causes; a focus on equality and non-discrimination, a focus on empowerment, a focus on participation, a focus on accountability and a focus on community and the inter-relatedness of human beings.

6.2 AfP Focus Areas

In recognising that AfP's rights based framework should underpin our approach to research, policy development, advocacy, program design and implementation, communication and capacity development, AfP has a particular opportunity to further our commitment to human rights through:

- Further strengthening our community-based protection work
- Further incorporating gender and disability into our programs
- Promoting opportunities for greater inclusion, consultation and community engagement
- Direct advocacy for duty bearers
- Continuing to develop AfP and partner capacity
- Ensuring a human rights framework informs our messaging when communicating with internal and external stakeholders about our work.

6.3 AfP's work with partners and capacity building with partners

AfP hereby reiterates its commitment to working with partners and building the capacity of partners with regards to mainstreaming a human rights based approach including by:

- Ensuring active participation of communities, partners and other relevant stakeholders in programming design, implementation and monitoring, without discrimination.

⁸ Act for Peace Values and Principles

⁹ http://www.aprodev.eu/files/Development_policy/Dev-RBA/Rights-Position-Paper_E-2008.pdf

- Developing opportunities to enhance understanding of staff and partners of what constitutes a rights based approach.
- Working closely within networks to support international efforts on upholding human rights and ensuring duty bearers, including AfP, are being held accountable.
- Ensuring alignment between AfP policies and approaches and membership based organisations and networks of which AfP is a part of.
- Working ecumenically to improve approaches to rights based programming within faith-based organisations.
- Promoting rights-based language and using faith-based values to promote the interconnectedness of, and intrinsic dignity afforded to, all human beings.

7. Reporting, review and relevance to other AfP guidelines and policies

This policy should be reviewed [to be advised] by the [to be advised] and reported on [to be advised]. This policy supports, and should be read in conjunction with, the following AfP policies: AfP’s vision, mission and values, AfP’s Humanitarian Protection Policy, AfP’s Gender Policy, AfP’s Disability Inclusion Policy, AfP’s Code of Conduct, and AfP’s Code of Good Practice. These are given effect through the standard operating procedures contained with AfP’s Operations Manual.

8. Conclusion

The present policy represents AfP’s current overall organisational understanding of the issue of human rights policy and outlines strategic decisions made by AfP in order to deal with it. This document is strategic in nature and is not expected to replace operational or program management documents that exist or will be developed in response to staff or partner requests.

Annex 1. Policy Objectives and Indicators

OBJECTIVES	ACTIVITIES	INDICATORS
AfP’s humanitarian, development and protection activities reflect a rights-based approach and aim to respect, protect and promote human rights including civil and political, economic, social and cultural rights.	<ul style="list-style-type: none"> ▪ AfP respects the international legal framework for the protection and promotion of human rights, including international human rights, humanitarian and refugee law. ▪ AfP promotes the primary role and responsibility of the state to respect, protect and fulfil human rights ▪ AfP activities are developed and implemented with an understanding of the human rights dimensions of its activities ▪ AfP engages with communities on the basis of rights rather than a needs-based or charity model ▪ AfP empowers rights-holders to 	<ul style="list-style-type: none"> ▪ AfP humanitarian and development policies are developed, implemented and evaluated from a rights-based perspective. ▪ AfP public policy and advocacy reflect rights-based language, analysis and objectives ▪ AfP program-cycle management employs a rights-based approach. ▪ AfP resourcing prioritises actions that reduce the risk of violence, coercion and deliberate deprivation ▪ AfP emergency response

	<p>claim their rights, promotes duty bearer accountability and transparency, and provides opportunities for meaningful participation</p> <ul style="list-style-type: none"> ▪ AfP emergency response is based on respect for humanitarian principles and the realisation of right-based sphere standards, where operationalising a full rights based approach is not possible. 	<p>programs conform to rights-based humanitarian principles, particularly impartiality.</p> <ul style="list-style-type: none"> ▪ AfP capacity building on rights-based approaches supports civil society partners and their programs
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Annex 1. Glossary

Human Rights: Legal statements by the international community that assert the equality and dignity of all human beings. Includes civil and political rights and economic, social and cultural rights (ACFID Code of Conduct 2015).

Human Rights Based Approach: The most fundamental definition of a human rights-based approach is that development activities aim to respect, protect and fulfil the human rights codified in the international human rights legal framework. Human rights-based approaches can be distinguished from other traditional approaches to delivering aid and development (such as a needs-based, welfare or charity approach) by their emphasis on discrimination, exclusion and the intersectionality of disadvantage as the underpinning causes of poverty. The foundation of a human rights-based approach is the centrality of the relationship between rights-holders and duty-bearers to the development process as an exercise of power and law. (ACFID Practice Note¹⁰)

Rights Holders: are individuals or social groups that have specific entitlements in relation to particular duty-bearers. All human beings are rights-holders under the Universal Declaration of Human Rights. In particular contexts some vulnerable groups, whose human rights are not fully realized, respected, protected or fulfilled, acquire additional rights such as women and girls at risk, children, ethnic minorities, indigenous peoples, those with special needs, civilians living in conflict situations, internally displaced people, refugees and migrants.

Duty Bearers: actors who have a particular obligation or responsibility to respect, protect, promote and fulfil human rights, and to abstain from human rights violations. Duty-bearers can be both state and non-state actors. For instance, parents have legal obligations to their rights-holding children under the Convention of the rights of the Child. However, the ultimate duty-bearer is the state as it ratifies the international conventions. The state is usually considered the primary duty bearer for this reason, the international community, the secondary duty bearer and tertiary duty bearers such as UN organisations with a human rights mandate agreed by the international community, often under international treaties.

¹⁰ ACFID Practice Note – Human Rights Based Approaches To Development Endorsed at ACFID Development Practice Committee (DPC) Meeting 19 May 2010 https://acfid.asn.au/sites/site.acfid/files/resource_document/human-rights-based-approaches-to-development.pdf

Annex 2. Resource and Reference List

1. ACFID Code of Conduct (2015) - <https://acfid.asn.au/code-of-conduct>
2. ACFID Practice Note – Human Rights Based Approaches To Development Endorsed at ACFID Development Practice Committee (DPC) Meeting 19 May 2010-
https://acfid.asn.au/sites/site.acfid/files/resource_document/human-rights-based-approaches-to-development.pdf
3. ACT Alliance Code of Good Practice - <http://actalliance.org/documents/act-alliance-code-of-good-practice/>
4. AfP Values and Principles
5. Code of Conduct for IRC/RCM and NGOs in Disaster
www.icrc.org/eng/assets/files/publications/icrc-002-1067.pdf
Development for All: Towards a Disability Inclusive Australian Aid Program -
<http://dfat.gov.au/about-us/publications/Pages/development-for-all-towards-a-disability-inclusive-australian-aid-program-2009-2014.aspx>
6. Promoting Opportunities for All: Gender Equality and Women’s Empowerment
<http://dfat.gov.au/about-us/publications/Documents/gender-equality-strategy.pdf>
Universal Declaration of Human Rights - <http://www.un.org/en/universal-declaration-human-rights/>
7. Rights based development from a faith based perspective: *Joint Position Paper of the Rights and Development Group (APRODEV)*
www.aprodev.eu/files/Development_policy/Dev-RBA/Rights-Position-Paper_E-2008.pdf