
Human Rights Policy

December 2023

Board Ratification Dates	March 2022 2017 2016 2010 1983 (1 st adopted)	
Revision Date	Dec 2023	Update of review date as per the approved Policy Review and Reporting Schedule November 2023.
	March 2022	The Human Rights Policy has been revised to respond to additional text required for our commitment to the ACFID Code of Conduct (2019). Additionally, we have included our commitment to the International Criminal Law and Disaster Law, removed references to AfP and ACT Alliance policies that do not include a focus on human rights, substituted “man, woman, boy and girl” for “everyone” to be inclusive of all gender identities, clarified that state responsibilities for human rights extends to all people within that State’s territory including refugees and stateless people, and removed redundant wording and guidance. The definition of Human Rights has been revised to better reflect what human rights are, as well as what they do. The Policy has been reformatted to meet the Policies Policy guidance.
	Sept 2019	
Reaffirmation Date		
Next Review Date and Cycle	May 2027	Every five years from the date of ratification or last full review, or earlier if required.

1. Policy Statement

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

This policy confirms Act for Peace's commitment to respect, protect and promote international human rights law. It confirms our understanding that all people are 'rights holders', and that the state is the primary 'duty bearer', who has a core responsibility to respect, protect and fulfill the human rights of all people on its territories or under its control. Our commitment stems from our core beliefs:

- We believe that all persons are created in the image of God and are thus equal with the same basic rights and human dignity.
- We envision a peaceful world where all people share a safe, just, and dignified life.
- We believe 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 cannot realise their right to human dignity.
- We believe that development and human rights are interdependent and mutually reinforced. For development to be sustainable, marginalised, 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 promotes human dignity and enables human security and development.
- We believe 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 rights. We also have a longstanding commitment to development with justice, which strongly supports the adoption of a rights-based approach to development to ensure greater accountability.
- We endorse the Christian calling to uphold human rights as elaborated at the Eighth Assembly of the World Council of Churches in 1998, on the 50th anniversary of the adoption of the Universal Declaration of Human Rights:

"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 these flows the responsibility of the churches, as the Body of Christ, to work for universal respect and implementation of human rights"¹

Ever since adopting our first human rights policy in 1983, Act for Peace has recognised that the achievement of human rights is crucial to sustainable human development.² Development activities that aim to respect, protect, and fulfil international human rights law not only helps ensure that the dignity of all human beings is respected through access to basic rights, but that human beings also experience equality and freedom from discrimination.

As a member of the ACT Alliance and signatory to its Code of Good Practice, Act for Peace has also undertaken to 'act in ways that respect, empower and protect the dignity, uniqueness and the intrinsic worth and human rights of everyone.'³ As a signatory to the Code of Conduct of the

¹ Consultation on "Human Rights and the Churches: New Challenges," Morges, Switzerland, June 1998.

² AfP's governing body first adopted a Human Rights Policy in 1983.

https://acfid.asn.au/sites/site.acfid/files/resource_document/human-rights-based-approaches-to-development.pdf

³ ACT Alliance Code of Good Practice (2011)

Australian Council for International Development, Act for Peace also commits to act in ways that respect, empower and protect the dignity, uniqueness, and the intrinsic worth and human rights of every human being regardless of their race, religion, nationality, displacement status, ethnicity, language, indigeneity, age, disability, gender, gender identity, sexuality, sexual orientation, poverty, class, caste or socio-economic status.

2. Objectives

The main objective of this Policy is to ensure that we respect, protect and promote International Human Rights Law (IHRL) including civil and political rights, and economic, social and cultural rights, with a particular emphasis on gender equality, the protection of children, people living with a disability, and the rights of minorities, and persecuted, vulnerable and marginalised groups,⁴ including refugees, internally displaced people, and disaster-affected communities. In accordance with our commitments above, and under the ACT Alliance Code of Good Practice and the ACFID Code of Conduct, the long-term objectives of this policy are to:

1. To ensure that our humanitarian and development activities respect, protect and promote international human rights law.
2. To ensure we act in ways that respect, empower and protect the inherent dignity, uniqueness, intrinsic worth, and human rights of everyone.
3. To ensure that we take pro-active action for the protection and inclusion of people affected by conflict, disasters and forced 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 through our actions, we strive to empower people to claim their own rights and hold governments and other duty bearers to account.
- Ensuring that Act for Peace's engagement with 'duty-bearers' ultimately aims to enhance, not undermine, their willingness and capacity to respect, protect and fulfil human rights.⁵
- Providing support to local partners to strengthen their awareness of, and effective use of, the human rights-based approach.
- 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 explicit rights-based approaches may result in risks to programs, participants, and staff.

3. Principles, Standards and Law

Act for Peace has had a long-standing commitment to developing, promoting, and utilising the international legal framework to ensure the rights of conflict, disaster and displacement affected communities are respected, protected, and fulfilled by both state and non-state actors. This commitment is reflected in Humanitarian Protection Policy and our Diversity, Equity, and Inclusion Policy, among other policies, and through our rights-based approach to development.

In taking a rights based approach, Act for Peace emphasises its commitment to international humanitarian law (including the Geneva Conventions), international refugee rights law (the

⁴ ACFID Code of Conduct 2015

⁵ See AfP's Humanitarian Protection Policy

Refugee Convention) and International Human Rights Law, 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 Convention Relating to the Status of Refugees, the Statelessness Convention, 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. Act for Peace also recognises the relevance of International Criminal Law (ICL), and where relevant in its work, will endeavour to promote respect for ICL – particularly the prohibition of genocide, war crimes, ethnic cleansing, and crimes against humanity - given their importance as drivers of conflict, persecution under the Refugee Convention, and internal displacement. It also commits to upholding and promoting International Disaster Law in its disaster-preparedness and emergency response work, and international soft law such as the Guiding Principles on Internal Displacement and UNHCR Executive Committee Conclusions.

4. Scope:

Act for Peace’s Human Rights Policy, and our Protection Policy, are considered foundational policies within Act for Peace as they inform the approach taken, and the commitments made in our other policies, and apply to all of our humanitarian and development work, including:

- Our partnerships
- Our support for programs
- Our capacity development work
- Our policy development and advocacy work
- Our marketing and communications work

Act for Peace aspires to a full rights-based approach and the application of development standards as early as possible after a crisis. In the event these standards cannot be achieved (for example after a rapid-onset natural disaster, where the priority is to provide timely life-saving emergency response services, or in a protracted conflict or displacement situation), Act for Peace’s work will be guided by rights-based humanitarian principles, rights-based standards such as Sphere and the Core Humanitarian Standards.

The foundation of a human rights-based approach is the centrality of the relationship between rights-holders and duty-bearers. Act for Peace recognises that the state has the primary responsibility to respect, protect and fulfil the human rights of everyone on its territory or subject to its control, regardless of whether they are citizens, refugees, or stateless people. In recognising this responsibility under international law, Act for Peace will ensure that the ultimate aim of our work should always be to reinforce, not replace, the state’s responsibility to respect, protect and fulfil human rights.

In keeping with this commitment, all of Act for Peace’s relevant humanitarian and development-related policies and standard operating procedures will reflect and promote a rights-based approach, particularly Act for Peace’s Protection Policy, Gender Policy and Diversity and Inclusion Policy, which each encourage a human rights-based approach. Accordingly, Act for Peace’s human rights, protection and gender policies will be considered core policies that inform Act for Peace’s other policies as well as our operational guidance.

Act for Peace supports the principles for mainstreaming human rights outlined in the Rights and Development Group's *Joint Position Paper on Rights-based Development from a Faith-based Perspective*⁶ 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.

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

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

Act for Peace hereby reiterates its commitment to working with partners and developing 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.
- 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 are held accountable.
- Ensuring alignment between Act for Peace policies and approaches and membership-based organisations and networks of which Act for Peace 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.

⁶ http://www.aprodev.eu/files/Development_policy/Dev-RBA/Rights-Position-Paper_E-2008.pdf

5. Definitions

Human Rights: refers to the fundamental rights and freedoms that all people have by virtue of being human beings. Human rights are derived from the inherent dignity and worth of every human being. Human rights are defined in national and international law. Human rights include civil and political rights, economic, social, and cultural rights, humanitarian rights (notably for people involved in or affected by armed conflict), various categories of rights (for refugees, women, children, minorities, workers, and indigenous peoples) and collective rights related to the environment and peace (such as the collective right to self-determination)⁷.

International Human Rights Law: refers to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and subsequent international human rights treaties. For a full listing see: <https://www.ohchr.org/en/what-are-human-rights>

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 legal framework for human rights. Human rights-based approaches can be distinguished from other traditional approaches to delivering aid and development (such as a needs-based, welfare or charity approaches) by their emphasis on addressing discrimination and exclusion and recognising 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 Note⁸)

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 refugees and stateless people.

Duty Bearers: actors who have a responsibility to respect, protect and fulfil human rights, and to abstain from human rights violations. The state has the primary responsibility for human rights of all those on its territory or within its control. The international community has a secondary responsibility for protection of human rights, particularly when a state is unwilling or unable to meet its responsibilities, and intergovernmental bodies such as UN organisations with a human rights mandate agreed by the international community, have tertiary responsibilities. Duty-bearers can, however, be non-state actors. For instance, parents have legal obligations to their rights-holding children under the Convention of the rights of the Child, and armed groups controlling territory and people have human rights obligations.

⁷ This definition has been drawn from the common United Nations definition of human rights, with a focus on what human rights are and what they do.

⁸ 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 1. Resource and Reference List

1. International Human Rights Law (background and core treaties):
www.ohchr.org/en/what-are-human-rights
2. ACFID Code of Conduct (2019) - <https://acfid.asn.au/code-of-conduct>
3. 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
4. ACT Alliance Code of Good Practice - <http://actalliance.org/documents/act-alliance-code-of-good-practice/>
5. Code of Conduct for ICRC and NGOs in Disaster
www.icrc.org/eng/assets/files/publications/icrc-002-1067.pdf
6. 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>
7. 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/>
8. 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

Annex 2. Policy Objectives and Indicators

OBJECTIVES	ACTIVITIES	INDICATORS
<p>All of AfP’s humanitarian and development work reflects a rights-based approach and aims to respect, protect, and promote human rights including civil and political, economic, social, and cultural rights.</p>	<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 recognises the primary 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-based 	<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.

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