

Human Rights Policy

1. Purpose

The purpose of Tearfund's Human Rights Policy is to outline:

1. Human Rights principles that guide Tearfund's work;
2. How Human Rights and development are linked; and
3. How these principles will be implemented in Tearfund's work.

2. Scope

This policy expresses Tearfund's organisational position on Human Rights, and is intended to inform any and all other related policies, e.g. Gender, Safeguarding Children, Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH), and Disability Inclusion Policies.

This policy and the accompanying guidelines are intended to apply to any work implemented or funded by Tearfund, all Tearfund People, and Tearfund Partners.

This policy provides the Human Rights framework for Tearfund's Australian and International Programs.

3. Policy

Tearfund accords a high priority to the promotion and protection of Human Rights. It is at the core of Tearfund's work and is highlighted by several of Tearfund's values and principles for development, including our commitment to partnership, accountability, the whole person and rights-based empowerment approaches to development. Although of central importance, Human Rights are complex. Several constructions or traditions are important to Tearfund and even a clear definition is not easy, although several aspects are outlined below.

3.1 Our Christian Faith

Tearfund believes that all people are made in the image of God, that God loves all people and wants them to fulfil their God-given potential. Human rights are therefore for everyone, regardless of race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, poverty, class or socio-economic status. Tearfund's International Development and Humanitarian Assistance Policy states that:

Tearfund Australia is motivated by its understanding of God, the words and actions of Jesus, and the mission that he passed on to the Church. We believe that God loves all people and offers them new life in Christ. The Bible shows us the values and characteristics of the Kingdom of God. The Kingdom has not yet been revealed in all its fullness and, until it is, we believe that God seeks to involve us in the work of bringing about his Kingdom here on earth. Tearfund's vision is for a just and compassionate world in which all people have the opportunity to achieve their God-given potential. Seeing this vision come to fruition involves working for justice and hope with and alongside people living with poverty, and advocating for just social and political structures that promote the dignity and security of all people. We are aware of the interconnectedness of human society with the whole of creation and acknowledge our responsibility to work towards its restoration.

3.2 The Universal Declaration of Human Rights (UDHR)

The UDHR sets out a long list of Human Rights entitled to all, including the right to life, right to an adequate standard of living and adequate housing, right to education, right to be free from discrimination, as well as the right to freedom of thought, religion and political participation. Many of the United Nation conventions focus on those groups whose rights are at the greatest risk of violations, such as women, people living with disabilities, refugees, and children.

The UDHR emphasises that these rights are inherent, inalienable, indivisible and universal:

1. Inherent in that they are the birthright of all human beings;
2. Inalienable in that people cannot give them up or have them taken away;
3. Indivisible in that they are unable to be separated from one another, there is no distinction or hierarchy of rights; and
4. Universal in that they apply to all persons regardless of their nationality, status, gender or race.

3.3 Legislation and Regulatory Compliance in Australia

Human Rights are protected in Australia by various local and international laws, and codes of conduct, with which Tearfund complies. These include:

1. The Australian Council for International Development ('ACFID') Code of Conduct, to which Tearfund is a signatory;
2. Legislation passed at Federal and State level, such as anti-discrimination legislation, the ACT Human Rights Act 2004, the Victorian Charter of Human Rights and Responsibilities 2006 and the Queensland Human Rights Act 2019;
3. The Australian Constitution; and
4. International treaties to which Australia is a party, which include all of the major Human Rights instruments (see section 7 below).

An intentional, strong and thoughtful understanding and application of Human Rights at Tearfund will strengthen the organisation's effectiveness.

4. Human Rights Based Approach to Development and Humanitarian Assistance

Tearfund believes that Human Rights and equitable and sustainable development are interdependent and mutually reinforcing. Good development is essential to realising Human Rights, and realising Human Rights is essential to addressing poverty and promoting just development:

Although all humans are equal in dignity, we are not all treated equally and we do not all have equal opportunity. Wealth is often linked with power and opportunity; this means that although poor people have the same rights as others, they are often excluded from, or do not have the opportunity to realise their human rights. Exclusion, discrimination and human rights violations all contribute to a cycle of poverty ...

A human rights based approach specifically highlights the human rights entitlements of people and the corresponding obligations of governments, and encourages empowerment, participation and capacity building with local communities so that vibrant civil societies can hold their governments to account.

(Millennium Development Rights (2009) pp.4-5)

Tearfund seeks to prioritise, where circumstances allow, humanitarian assistance and development activities that are consistent with respecting and protecting internationally recognised Human Rights, including civil and political, economic, social and cultural rights. It will seek to ensure its work is inclusive of and addresses the rights of vulnerable and marginalised people. These groups may include women, children, people with a disability, Indigenous Peoples, minorities, and refugees and displaced people.

Tearfund respects the journey of faith and justice of our partners as they serve those living with poverty in cultural contexts where Human Rights may be understood differently, and works cooperatively with our partners to develop sensitive and locally appropriate approaches to the promotion and protection of Human Rights.

5. Tearfund's Commitment

Tearfund is committed to implementing the priorities set out in this policy in the following ways across the organisation:

We will—

1. Prioritise Human Rights Based Approaches to humanitarian assistance and development activities in International and First Peoples Programs.
2. Include and address the rights of communities and people who are vulnerable and/or marginalised, and their representation, in all aspects of humanitarian assistance and development activities.
3. Clearly articulate Tearfund's approach to disability inclusion and work with our partners to ensure that an appropriate focus is given to understanding the rights of people living with disabilities and seeking to include and empower people living with disabilities in all humanitarian assistance and development activities.
4. Work cooperatively with our partners to promote and develop gender justice as an integral element of international and Indigenous partner programs, while ensuring that advocacy and conduct of gender justice is always characterised by grace, humility and a learning spirit.
5. Recognise the particular issues faced by Indigenous peoples, in accordance with the principles of the UN Declaration on the Rights of Indigenous Peoples, and work with those seeking to address the Human Rights inequalities of Indigenous Peoples both in Australia and elsewhere.
6. Seek to incorporate the voices of children in program design and development, and ensure the protection and promotion of the rights of children (refer to Tearfund's Safeguarding Children Policy).
7. Commit to preventing sexual exploitation, abuse and harassment (SEAH) within Tearfund and the work of our Partners. Tearfund has zero tolerance of SEAH towards our People and those who engage with our programs.
8. Commit to non-discriminatory and respectful behaviour, and a survivor-centric approach for victims of SEAH and will respect the wishes and dignity of the survivor. Acknowledge the interdependence of the realisation of different Human Rights (e.g. the realisation of the right to health may depend on the realisation of the right to education or recognition of the rights of women).
9. Analyse development issues from a Human Rights perspective and identify systemic barriers to human development and the realisation of all Human Rights.
10. Promote transparency, accountability and the rule of law in all countries in which Tearfund works, including by our partner NGOs themselves, to strengthen the capacity of people to claim and enforce their rights.

Education and Advocacy Program in Australia

1. Work within Tearfund's advocacy issue priorities, to inform and assist Australian Christians to participate in advocacy efforts that contribute to the protection and realisation of Human Rights. This includes Tearfund's work with group efforts to build public and governmental support for responses to selected Human Rights issues.

External Communications

1. Ensure that Tearfund's key organisational documents clearly articulate values, principles and work methods that are consistent with Human Rights.
2. Communicate these values, principles and work methods to the public, Tearfund supporters, implementing partners and the people and communities with whom Tearfund works.
3. Ensure that images and text involving participants will respect their dignity, integrity and strength; and will not be exploitative or be open to sexual interpretation (refer to Tearfund's Safeguarding Children Policy and Visual Images Policy).

Internal Human Resource Management and Development

1. Ensure that Tearfund's internal Human Resources policies are fair, equitable, inclusive, transparent and comply with relevant legislative requirements. Ensure that Tearfund's internal Human Resources policies are accessible to stakeholders and that they are made aware of them as relevant to their roles. Provide a confidential, fair and transparent process

for dealing with grievances, complaints, or concerns of staff, volunteers, Tearfund supporters and implementing partners.

Provide an opportunity for staff to access Human Rights related training to enable them work in alignment with this policy.

6. Definitions

Human Rights: There is no universally agreed definition of “Human Rights”, but they are essentially the basic rights and freedoms that all human beings should enjoy. One definition reads:

Human rights are a profound and powerful legal statement by the international community that assert the equality and dignity of all humans. Human rights recognise the need to protect and affirm every other person’s individual dignity. Human rights, therefore, are what have been internationally agreed as minimally necessary for humans to live a dignified life. The most widely recognised statement of human rights is the Universal Declaration of Human Rights adopted in 1948 by the United Nations General Assembly.

(Millennium Development Rights (2009) p.4)

Tearfund: In this document ‘Tearfund’, ‘the organisation’, ‘we’, ‘us’ or ‘our’ means Tearfund Australia.

Tearfund Partners: refers to any organisations who are supported by Tearfund to implement development and humanitarian assistance programs.

Tearfund People: refers to all Tearfund staff, volunteers, consultants, exposure visit participants, Fieldworkers and some specific contractors.

7. Related References

Tearfund Australia documents:

1. Gender Equality, Disability and Social Inclusion (GEDSI) Handbook
2. Equal Employment Opportunity Policy
3. Gender Policy
4. Disability Inclusion Policy
5. Grievance Policy
6. International Development and Humanitarian Assistance Policy
7. Safeguarding Children Policy
8. Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy
9. Reproductive Rights Policy
10. Visual Images Policy
11. Advocacy Policy
12. Government Relations Policy
13. Tearfund's Public Communication Policy and Guidelines.

Australia is a party to the seven core international Human Rights treaties:

1. the International Covenant on Civil and Political Rights (ICCPR);
2. the International Covenant on Economic, Social and Cultural Rights (ICESCR);
3. the International Convention on the Elimination of All Forms of Racial Discrimination (CERD);
4. the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);
5. the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT);
6. the Convention on the Rights of the Child (CRC); and
7. the Convention on the Rights of Persons with Disabilities (CRPD).

It is against these treaties that Human Rights scrutiny processes under the Human Rights (Parliamentary Scrutiny) Act 2011 are undertaken. Australia also has periodic treaty body reporting obligations under these treaties.

Other documents:

1. DFAT, Human Rights Manual 4th Edition
2. ACFID Revised Code of Conduct (2016) Quality Principle 1. Rights, Protection and Inclusion; Commitment 1.1 We respect and protect human rights
3. Sustainable Development Goals <http://www.un.org/sustainabledevelopment/sustainable-development-goals/>

8. Change History

This policy will be reviewed according to the policy review schedule (outlined in the *Key Tearfund Documents Development and Management Policy*) and in line with Tearfund Family standards.

Date	Modification
February 2022	Revised and updated to reflect current terminology. Structure of policy also changes with emphasis on our Christian faith, the Universal Declaration of Human Rights and Legislation and Regulatory compliance
August 2017	Revised to fit with the new ACFID Code of Conduct. Included paragraph on the inclusivity of human rights in section 3
August 2015	Reviewed and approved by August Tearfund Board.
June 2015	Revised by IPT and presented to the LT <ul style="list-style-type: none"> • Updating Tearfund policy names throughout, e.g. changing Child Protection to Safeguarding Children and Gender Policy to Gender Justice Policy • Updating text extracted from Tearfund's revised Development Guidelines. • Additions in Sections 2 and 4 to be in line with ACFID recommendations, and rewording to reflect ACFID's Code of Conduct wording. • Shortening the document slightly by eliminating some duplication. • Reordering headings—moving Definitions and Related References to the end of the document to bring into line with other Tearfund policies. • Removed Section 5: Policy Monitoring and Review Cycle
January 2011	Revised and presented to the Feb Board
15 May 2005	Approved as part of the Consolidated Manual