

PROGRAM POLICY STATEMENTS

NON-AID AND DEVELOPMENT ACTIVITY

ALWS has been called by the Lutheran Church of Australia to follow Christ's example of reaching out in love through justice. It represents one of many parts of the church and has a clear mandate to serve people unconditionally by promoting social justice and addressing the causes of poverty through working with communities. It means that ALWS does not promote the Christian faith through evangelism because it has not been called to do so; does not link itself to, nor does it promote, any political party, and does not support welfare activities as defined by the Department of Foreign Affairs and Trade (refer below).

If in the unlikely situation, ALWS is called to promote the Christian faith through evangelism, promote a political party, or engage in welfare activities, this policy statement aims to clarify the difference between aid and development and non-aid and development activities, and to ensure a clear separation exists between the two. It also addresses Australian Council for International Development (ACFID) compliance obligations when communicating with supporters.

Definition of aid and development activities

According to the ACFID Code of Conduct, aid and development refers to the activities undertaken in order to reduce poverty and address global justice issues via direct engagement through community projects, emergency management, community education, advocacy, volunteer sending, provision of technical and professional services and resources, environmental protection and restoration, and promotion and protection of human rights.

Definition of non-aid and development activities

Non-aid and development activities refer to those with the explicit intention of evangelising, or supporting partisan political objectives, or engaging in welfare activities.

Evangelical activities are those activities which promote a particular religious adherence or are undertaken with the objective of converting individuals or groups from one faith and/or denominational affiliation to another.

Partisan political activities are those that are associated with facilitating or supporting specific political parties or individuals to gain power. These include using funds or resources to facilitate or support a specific political party, candidate or party political organisation in a local, regional or general/national election; or using funds or resources to facilitate or support a particular politician or faction to gain power within a government or within a party political structure.

Welfare activities are those which assist to maintain individuals in a particular condition on a long-term basis, such as institutionalised care programs provided by orphanages, child sponsorship (that is, funds given directly to children or their families, and not funds drawn from child sponsorship and used for development purposes), hospital care programs, hospices, and costs for the maintenance of structures for institutionalised care programs (for example, schools or orphanages). Welfare is implemented independently of other sustainable community development activities; includes no strategy for integration into a broader community development program; is provided on an individual

or family basis, rather than on a community basis, and is unconnected to emergency needs; and are implemented on a long term basis with no clear exit strategyⁱ.

ALWS supports and is committed to abiding by the following principles:

- Accurately representing our activities to the people we work with, donors and the public
- Ensuring any funds raised for aid and development purposes are not used to place religious or political conditions on people or communities or support welfare activities
- Promoting the empowerment of people and the long-term development of communities

We demonstrate a clear separation between aid and development and non-aid and development activities by:

- i. Appraising all project proposals to determine whether they include non-aid and development components.
- ii. Recording any aspects of the project that should be closely monitored over the life of the project to ensure compliance with this policy.
- iii. Identifying whether the partner is engaged in non-aid and development activities, and if so, how it is able to manage and account for them separately to aid and development activities.
- iv. Managing, reporting and accounting for components of projects that represent non-aid and development activity separately to aid and development components.

We ensure this separation is clear in all fundraising, programs and other activities, in public communications and in all reporting to donors, including annual reports, by:

- i. Being guided by the Communications Compliance Checklist which addresses appropriate reporting in promotional materials.
- ii. Reviewing all written material and images from overseas project partners

We ensure that any such separation in fundraising, programs and other activities, in public communications and in reporting, extends to partner and implementing organisations and is documented by:

- i. Communicating ALWS' position on support for aid and development activities with new and existing partners.
- ii. Providing partners with a copy of this policy.
- iii. Clearly defining aid and development activity and non-aid and development activity in partnership agreements.
- iv. Reaching an agreement with partners which ensures funds designated for aid and development purposes will not be used to fund any non-aid and development activity.
- v. Identify through our own monitoring whether the partner is engaged in non-aid and development activities.

HUMAN RIGHTS IN AID AND DEVELOPMENT

Human rights are the rights we have because we are human beings. We believe that all persons are created in the image of God (Genesis 1:26) and are thus equal with the same fundamental rights and human dignity. The enjoyment of human rights is fundamental to the sustainable and holistic development of all people. Therefore, as an integral part of the programs it supports and throughout its operations, ALWS aims to respect, protect and promote human rights for all, regardless of race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, poverty, class, or socio-economic status.

We understand that aid and development and the enjoyment of human rights are interdependent and mutually reinforcing. Sustainable and holistic development depends on all persons and communities, especially those who are vulnerable, empowering themselves to claim their rights (as rights-holders) and to hold their governments (as duty-bearers) accountable for their responsibilities to their citizens to respect, protect and fulfil their rights. In this way, a system for mutual accountability can be established, laying the foundation for the rule of law, enabling a more equitable distribution of power and resources, which in turn enhances the realisation of human rights.

We are committed to supporting people, especially women, children and other vulnerable groups, and the communities in which they live achieve the full realisation of their civil, political, social, economic and cultural rights.

In the development and humanitarian work that ALWS supports, we strive to use a rights-based approach to development based on the PANEL (Participation, Accountability, Non-Discrimination and Equality, Empowerment, Links to Human Rights standards/legality) principles as outlined by the ACT Alliance's *Gender Inclusive Rights-based Development Manual*ⁱⁱ, drawing on the explanation for the PANEL principles outlined in the summary adapted from materials from the Scottish Human Rights Commission in the online *ACFID Good Practice Toolkit, Good Practice Guidance: What is a human rights-based approach?*ⁱⁱⁱ. We encourage our in-country partners to take human rights issues into account in the design, implementation, monitoring and evaluation of their development programs and in the provision of humanitarian assistance. We recognise that the human rights situation varies from country to country, and the priorities and strategies for implementing a rights-based approach to development will need to be sensitive to local conditions.

In Australia, we translate into positive support for those whose rights are being denied through development education initiatives in Lutheran schools and the wider Lutheran Church of Australia community, as well as specific projects and the provision of awareness resources. We also participate in joint advocacy campaigns with NGOs in Australia (either under the auspices of ACFID, the Church Agency Network, or through other coalitions), the Lutheran World Federation's Department for World Service, and ACT Alliance advocacy actions.

In respecting, protecting and promoting human rights, the dignity and inclusion of all human beings through its partnerships and programs, and in avoiding complicity in human rights abuses, we uphold the following beliefs, principles and standards:

- *ALWS Mandate, Vision, Mission and Guiding Principles*;
- *The Universal Declaration of Human Rights* (adopted 10 December 1948)^{iv};

- The nine core human rights treaties^v;
- The Core Humanitarian Standard on Quality and Accountability^{vi};
- The ACT Alliance Code of Good Practice (2011)^{vii}

SUSTAINABLE DEVELOPMENT

ALWS is committed to ensuring that approaches are applied that serve to maximise the sustainability of the particular program or project supported by ALWS. We support project activities that are community driven and focus on developing local capacity to maintain programs into the future, beyond the support of ALWS, and those that are informed by government and other stakeholder priorities to ensure collaboration among partners and other local stakeholders, particularly where synergies are identified that have potential to strengthen sustainable outcomes.

We consider the following guiding principles as the basis for achieving sustainable development that must be considered in project design and the overall project cycle:

i) Sustainable development is a holistic and interconnected process

Sustainable development is as much a process as a goal, leading to a life of dignity for people in relationship to the overall context of their community and the environment that sustains them. Development programs that isolate a person from part of himself or herself, from the community or from the ecosystem that supports life is not sustainable. As well, development of a local area that is not linked to the sustainability of the social, economic and environmental well-being of the wider society is likewise not sustainable.

ii) Sustainable development is culturally and spiritually sensitive

The goals and priorities for tackling human rights abuses, gender equality, and environmental issues will vary from country to country due to local socio-economic, cultural and spiritual contexts. Although cultural and religious practices can both support and inhibit development, development cannot be sustainable unless the positive cultural and spiritual practices of persons and communities are recognised, respected, enhanced and incorporated into the development process.

iii) Sustainable development is participatory and inclusive

Development cannot succeed unless the communities actively participate in and support the process. To the extent possible, participation means involvement of all interest groups in all relevant aspects of development: identifying, planning, implementing, monitoring and evaluating development endeavours. Communication regarding development should be appropriate, transparent, honest and inclusive. Development that is inclusive recognises the God-given dignity of each person and ensures the inclusion of the people most affected by marginalisation and injustice. Sustainable development recognises the right of every person and community to self-determination and seeks the full participation of vulnerable people in all activities. This means addressing root causes of inequality and the barriers that cause and maintain inequality, such as gender, disability, poverty, age, class and location.

iv) Sustainable development builds people's capacity

Sustainable development enhances the capacity of persons and communities to determine their own future and to increase the utilisation of available local and human resources. Development that is imposed or remains dependent upon outside support is not sustainable. Sustainable development focuses on the self-identified development objectives of a community and identifies the assets of the community that will enable them to reach these objectives.

v) *Sustainable development promotes the empowerment of individuals and communities*

Empowered individuals and communities have the knowledge, confidence and capacity to achieve their human rights by overcoming unjust power relations and structures. Sustainable development promotes the fair practices of community leaders and institutions, and the building of technical capacity of individuals and local institutions, enhancing local leadership. The costs associated with ensuring that the most marginalised are included and local leadership enhanced must be incorporated in the financial projections.

vi) *Sustainable development relies upon financial sustainability*

Financial sustainability relates to the capacity to create long-term financial stability or security for sustainable development initiatives. In the case of income-generating initiatives, clear business plans are a critical tool for ensuring success. Any necessary investments in capital goods require proper projections of running, maintenance and replacement costs. In relation to human resources, the costs associated with the development of resources and skills must be incorporated in the financial projections.

vii) *Sustainable development depends on institutional sustainability*

The critical issues of institutional sustainability relate to the management of human resources, decision-making processes and accountability. Proper personnel policies and regulations, human resource development plans, performance assessments, representative (including a gender balance) and transparent decision-making processes, adequate monitoring and reporting systems, and policies and planning that focus on future financial independence and institutional autonomy are essential to institutional sustainability. Strengthening existing institutions by supporting the development of human, social, financial and institution capitals is preferable to developing new ones.

viii) *Sustainable development is technologically appropriate*

Development is not sustainable unless the technical elements of development are in harmony with and related to the social, economic, cultural and ecological settings in which they are being used. The use of more sophisticated technology should not be equated with an increase in sustainability of development and neither should the absence of advanced technologies necessarily be equated with a lack of development. It should also be realised that advanced technologies can be appropriate in some settings and can increase the effectiveness of development activities, e.g. mobile phones in emergency settings or cameras to store evidence.

ix) *Sustainable development is dependent on adequate conditions for health, education, food, water, sanitation and energy*

Without adequate provision for health and education, development processes are not sustainable. Access to and utilisation of primary health care, basic education, food security, clean water, sanitation, energy and other processes enable communities to be active agents in their own well-being and are integral to sustainable development.

x) Sustainable development promotes the management of the environment

Sustainable development works to preserve, maintain and regenerate the environment and its natural resources. Sustainable development recognises the interrelationship between people and the environment and seeks to provide social justice in access to, management and use of natural resources. Environmental management promotes activities that incorporate sustainable agriculture, natural resource management, climate change adaptation and mitigation, disaster risk reduction, and responsible consumption and production.

xi) Sustainable development includes advocacy for human rights

Advocacy involves working with others to mobilise public opinion regarding the root causes of development problems. Advocacy actions seek to address the causes and effects of poverty and injustice at the community, national and international levels. Advocacy for sustainable development involves all people of good will in all places working towards justice and includes concrete and symbolic acts of peace and reconciliation. An understanding of human rights is integral to people's advocacy for human rights and their political participation. Protecting human rights helps to prevent conflicts and social instability and thereby strengthens sustainable development.

xii) Sustainable development requires coordination with government

Sustainable development is enhanced where programs are consistent with national government policy, insofar as those policies do not compromise the values and integrity of the organisation or are inimical to the interests of civil society. Ensuring that governments fulfil their responsibility to reaffirm and uphold people's human rights is necessary to achieve human dignity and well-being. Adequate coordination with government at all levels is a necessary component of deriving sustained benefits for people in need.

xiii) Sustainable development supports positive economic and social governance

Sustainable development should embrace, as appropriate and desired by the community concerned, native or traditional models of economic and social governance as readily as the dominant models of politics and economic growth. Pejorative value judgements of 'underdevelopment' are to be avoided. Sustainable development relies on governance, which is effective, accountable and inclusive and promotes peace, safety and justice.

PROTECTION

As the Lutheran Church of Australia's aid and development and resettlement agency, we are called to maintain the rights of the poor and oppressed and to uphold human value and dignity which have their basis in God's act of creation, where all people are made in God's image (Genesis 1:26). We are guided by our Christian theology that calls us to protect one another and promote the equal enjoyment of each other's' human rights, without distinction of any kind and deem it imperative to recognise and respond to protection needs in our programs particularly for women, girls and young men who are disproportionately affected by violence, coercion, deprivation and abuse.

A person's need for safety and protection is as fundamental as their need for food, clean water or shelter. During times of disaster, conflict or other situations of active violence or salient human rights violations, many nation states are either unable or unwilling to uphold their obligations to protect human rights leaving a gap that is often filled by international institutions globally mandated to provide protection and aid and development agencies. Humanitarian assistance delivered without regard for a person's safety and security can mean that assistance has a limited or even detrimental effect.

ALWS has adopted the definition of protection used by the IASC, ICRC and UNHCR that refer to protection as:

All activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights law, international humanitarian law and refugee law).

Our work is guided by the following four Protection Principles articulated in the Sphere Standards Handbook^{viii}:

- i. Enhancing the safety, dignity and rights of people. Avoid causing harm in any intervention.
- ii. Ensuring people's access to assistance according to need and without discrimination.
- iii. Assisting people to recover from the physical and psychological effects of threatened or actual violence, coercion or deliberate deprivation.
- iv. Promoting self-protection by supporting people claim their rights to shelter, food, water, sanitation, health and education – participation and empowerment

We uphold the following commitments and standards:

- ALWS Child Safeguarding Policy
- ALWS Prevention of Sexual Exploitation and Abuse and Harassment Policy
- Australia's International Human Rights System^{ix}
- DFAT Protection in Humanitarian Action Framework for the Australian Aid Program^x
- UNHCR Protection Manual^{xi}
- ACT Alliance Humanitarian Protection Policy^{xii}
- Sphere Handbook

HIV AND AIDS AND DEVELOPMENT

Through Jesus' life we see God's love for every person. He reached out, touched, and healed people that were marginalised, weak, sick, considered unclean, and that were looked down upon because of conditions. ALWS's response to people affected by HIV is guided by this example and by the knowledge that all human beings are created in the "image of God" (Genesis 1:26), and relationships with each other should be equal and caring regardless of gender, economic situation, ethnicity, sexual orientation or HIV status.

HIV is an unprecedented global development challenge. It impacts on families and households, agricultural sustainability, business, the health sector, education and economic growth on macro and micro levels. The illness weakens and kills many people in their young adulthood, the most productive time for family caregiving and income generation. Households and families with members affected by HIV can be impacted through financial loss and costs (resulting in destructive coping strategies or malnutrition); taking on new responsibilities to the exclusion of other activities (e.g. education); and

additional challenges where the illness carries social stigma. Families may be dissolved, with children being left on their own, or sent to live with relatives or other families. These families may also be poor or affected by HIV and taking in these children represents a significant burden (particularly resulting in a lack of access to education for all children from the foster household). Children of parents with HIV (both living and deceased) are particularly vulnerable to exploitation, abuse, poverty, and marginalisation.

ALWS recognises that those living in developing countries are disproportionately vulnerable to HIV and its effects. The UN Sustainable Development Goals highlight the linkages and interconnectedness between progress towards ending AIDS and a SDGs such as poverty, hunger, health and well-being, gender equality, and infrastructure, industrialisation and innovation. We also recognise that one of the primary barriers for people living with HIV is not the illness itself but rather social and contextual factors which create stigma and other difficulties. This may include the vulnerability and marginalisation of groups such as people with disabilities; children; women; women and men involved in transactional sex whether by choice, circumstance or coercion; men who have sex with men; people who use drugs; transgender people; migrant labourers and their partners; refugees and people caught in conflict.

ALWS is committed to ensuring that the programs we supports minimise the negative impact of HIV on communities and have a positive impact on reducing the effects of HIV, including limiting the susceptibility of individuals to HIV and AIDS and tackling fear, stigma and discrimination by:

i) Addressing the root causes of vulnerability to HIV infection and its impacts,

through understanding, and supporting partners to address the unjust religious, societal, economic, cultural and political contexts which make people vulnerable to HIV such as poverty, domestic violence, involuntary migration, conflict, political instability, food insecurity, and lack of access to health care, education, inheritance rights and living wages. This includes attention to the needs of children and youth, (particularly orphans and other children in difficult circumstances) and their involvement in planning and implementing activities. There will also be a focus on gender-based and sexual violence against women, children and men, and the need for male involvement and support in addressing these issues.

ii) Ensuring universal access to interventions for HIV and AIDS prevention, treatment, care and support

Through promotion and support of evidence-informed prevention, treatment, care and support strategies and activities in ALWS supported projects for all in need (with particular consideration of children and people with disabilities). This includes advocating for and supporting the strengthening of health systems; and access to education on HIV transmission and prevention, substance abuse, sexuality, gender and human rights.

iii) Eliminating stigma and discrimination for people living with and affected by HIV and AIDS

Through affirming and advocating for the participation, right to employment and leadership of all people living with and affected by HIV, particularly in activities that ALWS and its partners carry out. This may involve encouraging, resourcing and supporting civil society, partners and coalitions (e.g. LWF-DWS [Lutheran World Federation – Department of World Service], ACFID [Australian Council for International Development], ACT Alliance, EAA [Ecumenical Advocacy Alliance]) in taking public stands

against HIV and AIDS-related stigma, discrimination and punitive laws, and for the rights and value of all people living with HIV.

COMMITMENT TO THE CORE HUMANITARIAN STANDARD

The Core Humanitarian Standard (CHS)^{xiii} is a voluntary standard which describes the essential elements of principled, accountable and high-quality humanitarian action. The CHS has the Nine Commitments presented in the diagram below, which together form a framework of quality and accountability good practice that can be implemented by all humanitarian actors and in development programmes.



ALWS recognises and is committed to the CHS. We seek to continuously understand how our partners approach the Nine Commitments and the supporting Quality Criteria of the CHS and to clarify to our partners the expectations that ALWS has with regards to CHS commitments. We aim to apply the CHS principles to the way we approach partnership. This includes timeliness, avoiding negative side effects, strengthening local capacity, communication, participation, coordination, learning and management of resources. We also aim to do whatever we can to support our partners in their implementation of the CHS, identify gaps and provide support when needed.

ⁱ Recognised Development Expenditure Guidelines, Department of Foreign Affairs & Trade, p. 3.

ⁱⁱ Available at <<https://actalliance.org/capacity-building/gender-inclusive-rights-based-manual/>>

ⁱⁱⁱ Available at <<https://acfid.asn.au/content/commitment-11-we-respect-and-protect-human-rights>>

^{iv} Available at <<http://www.un.org/en/universal-declaration-human-rights/>>

^v *International Covenant on Civil and Political Rights*, adopted 16 December 1966, 999 UNTS 171 (entered into force 23 March 1976), *International Covenant on Economic, Social and Cultural Rights*, adopted 16 December 1966, 993 UNTS 3 (entered into force 3 January 1976), *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, adopted 10 December 1984, 1465 UNTS 85 (entered into force 26 June 1987), *International Convention for the Elimination of All Forms of Racial Discrimination*, adopted 21 December 1965, 660 UNTS 195 (entered into force 4 January 1969), *Convention of the Elimination of All Forms of Discrimination against Women*, adopted 18 December 1979, 1249 UNTS 13 (entered into force 3 September 1981), *Convention on the Rights of the Child*, adopted 20 November 1989, 1577 UNTS 3 (entered into force 2 September 1990), *Convention of the Rights of Persons with Disabilities*, adopted 13 December 2006, (entered into force 3 May 2008), *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*, adopted 8 December 1990, (entered into force 1 July 2003), *International Convention for the Protection of All Persons from Enforced Disappearance*, adopted 20 December 2006, (entered into force 23 December 2010.)

^{vi} Available at <<https://corehumanitarianstandard.org/the-standard>>

^{vii} Available at <https://actalliance.org/wp-content/uploads/2016/09/ACT-Code-of-Good-Practice-Appendix-2016_E.pdf>

^{viii} Sphere <https://handbook.spherestandards.org/>

^{ix} <https://www.ag.gov.au/RightsAndProtections/HumanRights/Pages/International-Human-Rights-System.aspx>

^x <http://aid.dfat.gov.au/Publications/Pages/framework-protection-humanitarian-action.aspx>

^{xi} <https://www.unhcr.org/protection-manual.html>

^{xii} https://actalliance.org/wp-content/uploads/2015/07/ACT-Policy_Protection_-English.pdf

^{xiii} <https://corehumanitarianstandard.org/the-standard>