

DOCUMENT			PAGE
Guidelines on a human rights-based approach for the Church of Sweden's International work			1
DRAWN UP BY	DATE	DOCUMENT REFERENCE	VERSION
Sofia Nordenmark and Carina Björnlund		Sk 2016/0562	

Guidelines on a human rights-based approach for the Church of Sweden's International work

DOCUMENT			PAGE
Guidelines on a human rights-based approach for the Church of Sweden's <u>International work</u>			1
DRAWN UP BY	DATE	DOCUMENT REFERENCE	VERSION
Sofia Nordenmark and Carina Björnlund		Sk 2016/0562	

1. Introduction

The vision for the Church of Sweden's International work is life in the Realm of God, a healed Creation and a humanity in communion, justice, freedom and peace.¹ The Church of Sweden bases its international work on our identity as a church and as part of a faith community that believes in a God who stands in solidarity for those who are silenced or living in vulnerable situations. Every human being is sacred and human dignity cannot be violated. The Church of Sweden's International work (Church of Sweden) sees each person in the image of God, with a right to a life of dignity and human rights.

In addition to the above-mentioned fundamental values, the Church of Sweden believes in, and defends, each person's ability and right to take responsibility for and fulfil her/his own life. Hence, over time the Church of Sweden has developed a rights-based approach. In these guidelines we use the term a "human rights-based approach". Empowerment and active participation in the development of society, as individuals and together with others are at the centre of a human rights based approach. It is about democratic participation based on the premise that every individual is a subject, that goes beyond formal constitutional citizenship, and can demand political, economic and human rights accountability through their status as a rights-holder. Human rights are at the core of this approach in Church of Sweden's International work.

The conditions for this work are affected by the fact that the democratic space for committed individuals and an active, creative and vibrant civil society is diminishing, called into question or under threat around the world. This shrinking space is evidenced by stricter legislation, requirements for registration and permission for organising are imposed, bans on receiving funding for human rights-motivated work and repressive practices to silence critical voices.

By adopting a human rights-based approach, the Church of Sweden can work with other churches, ecumenical networks and development organisations to strengthen a democratic culture in society, build respect for human rights, clarify the importance of following up on commitments by decision-makers and demand accountability. The aim is to address the identified injustices and problems, and work with those in the most vulnerable situations, to bring about positive change.

2. Purpose and scope

These guidelines establish in a concrete manner how a human rights-based approach must permeate all aspects of the Church of Sweden's International work. The guidelines set forth specific commitments through which the Church of Sweden intends to strengthen and develop a human

¹ Our theology: A life-empowering faith as our driving force – steering document (Ks 2013/0272, approved on 29 April 2013), describes in more detail the life-affirming theology on which the Church of Sweden's international work is based.

DOCUMENT			PAGE
Guidelines on a human rights-based approach for the Church of Sweden's <u>International work</u>			2
DRAWN UP BY	DATE	DOCUMENT REFERENCE	VERSION
Sofia Nordenmark and Carina Björnlund		Sk 2016/0562	

rights-based approach, internally and with its partners. The guidelines are based on the ACT Alliance's Gender Inclusive Rights-Based Manual², and on APRODEV's³ position paper on rights-based development from a faith-based perspective⁴, of which the Church of Sweden was actively involved in its development.

3. Basic principles for a human rights-based approach

A human rights-based approach is a method to ensure the fulfilment of human rights. The two main parties in this process are the rights-holders and the duty-bearers. The basic foundation of human rights is that all people are free and equal in dignity and rights. This means that all people are rights-holders. In the human rights system, States and their representatives are duty-bearers. Ultimately, they are responsible for the protection, respect and fulfilment of human rights.

Non-discrimination⁵ is a cornerstone of the human rights system and reflects the inviolability of human dignity. From this follows the right to equal participation. Participation is a human right in itself and a means for putting human rights into practice. Discrimination may be a barrier to qualitative participation. To be able to participate effectively, rights-holders must be empowered, that is, they must be aware of their human rights and have the capacity and conditions to demand them.

The human rights system is based on an understanding that human rights must be realised where people live. Rights are to be implemented at the regional⁶, national and local⁷ level through legislation, practice, policies, action plans and administrative routines, and budget priorities. It must be possible for people to demand their rights through both political and legal processes. When that is not possible, the international framework of human rights provides support for demanding accountability.

² ACT Alliance, Gender Inclusive Rights-Based Manual, 2015, <http://actalliance.org/capacity-building/gender-inclusive-rights-based-manual/>, downloaded on 17 June 2016.

³ On 1 January 2015, APRODEV was renamed ACT Alliance EU.

⁴ APRODEV, Rights-based development from a faith-based perspective, 2008, http://www.aprodev.eu/files/Development_policy/Dev-RBA/Rights-Position-Paper_E-2008.pdf, downloaded on 17 June 2016.

⁵ Swedish law against discrimination legislates against discrimination based on: gender, transgender identity or manifestation, ethnic origin, religion or other belief, disability, sexual orientation and age. The list is not exhaustive.

⁶ "Regional level" refers to regional level cooperation between States, such as in Africa, where the African States work together within the African Union (AU), in Latin America via the Organization of American States (OAS) and in Asia via ASEAN. The AU and OAS have established regional systems to support human rights.

⁷ "Local level" refers to the levels of village community and municipality, where many decisions of great importance to rights-bearers can be made.

DOCUMENT			PAGE
Guidelines on a human rights-based approach for the Church of Sweden's <u>International work</u>			3
DRAWN UP BY	DATE	DOCUMENT REFERENCE	VERSION
Sofia Nordenmark and Carina Björnlund		Sk 2016/0562	

A human rights-based approach means systematically highlighting the root-causes of problems and enabling people – as individuals and by organising themselves – to bring about change. The fundamental causes of poverty and underdevelopment are defined in terms of people not having their human rights fulfilled. Power imbalances and inequality are challenged by defining specific rights for rights-holders and obligations for duty-bearers. This work aims to achieve structural change over time.

The human rights-based approach is based on the premise that the rights-holders are experts on their own situation. Based on their experience they can identify problems, and they must be given the right to influence, and participate in, decisions that affect their lives. A human rights-based approach enables rights-holders to increase their empowerment individually and with others, and in so doing, to shift the power over the processes of change to themselves.

In the ACT Alliance, a human rights-based approach is an established method⁸ that incorporates gender inclusion of principles for participation, accountability, non-discrimination, empowerment and linkage to international human rights framework. The English acronym for the principles is PANEL+.⁹

The plus sign in PANEL+ indicates that every aspect of a human rights-based approach must be gender-inclusive. A human rights-based approach must deal with gender-based inequality and discrimination as a barrier to the fulfilment of human rights.

4. Human rights-based approach in the Church of Sweden's International work

The Church of Sweden's role in its international work is to be a companion, an enabler, a challenger and – when necessary – an actor that mobilises others into action.¹⁰ These roles are manifested when we as a church integrate the framework of human rights into a theological and socio-political discussion and work to promote sustainable development. We accompany our partners, for example when they are working in vulnerable situations where there is limited space to act. When we jointly demand their right to carry out their work and exercise their freedom of organisation and assembly,

⁸ The method is used by several of the ecumenical networks within which the Church of Sweden cooperates, including the ACT Alliance and the Swedish Mission Council. In its Policy for Global Development, Sweden has decided that Sweden should pursue a unanimously agreed and coordinated policy to promote fair and sustainable development worldwide. The policy is to be characterised by a rights perspective. The UN has adopted the Statement of Common Understanding for the Human Rights-Based Approach.

⁹ The acronym PANEL+ stands for Participation, Accountability, Non-Discrimination, Empowerment and Links to Human Rights. Other terms are used in a rights-based approach, but, in line with ACT Alliance, the Church of Sweden has chosen PANEL+ as the basis for its rights-based method.

¹⁰ Guidelines for partner collaboration within the international work of the Church of Sweden, (Ks 2015/0153, drawn up 11 February 2015) describe the roles that the Church of Sweden assumes in its international work.

DOCUMENT			PAGE
Guidelines on a human rights-based approach for the Church of Sweden's <u>International work</u>			4
DRAWN UP BY	DATE	DOCUMENT REFERENCE	VERSION
Sofia Nordenmark and Carina Björnlund		Sk 2016/0562	

human rights can be the starting point. When we support our partners and enable the changes they are working towards, national and international advocacy that takes its departure from human rights can have a decisive role in achieving those changes. The Church of Sweden is part of the worldwide church and through its participation in global ecumenical networks has access to important arenas. In this way, we can enable partners and rights-holders to make their voices heard where decisions are taken and accountability is demanded.

The method creates a language that in many situations makes it easier for the Church of Sweden to conduct a dialogue about the fundamental causes of poverty, discrimination, violence and oppression. This is a language that does not replace, but complements, the language that the Church has developed in its interpretation of the Gospel. The human rights-based approach provides an opportunity to link problems in a local context, close to individuals, with a critical approach to structural issues concerning power and how human beings are perceived. In situations where the language of human rights is perceived as alien, challenging or high-risk to rights-holders and partners, we have a particular responsibility to analyse what lies behind this reluctance, questioning or outright resistance. A risk analysis is necessary in order to identify locally adapted forms and language for human rights-based work.

- **The Church of Sweden commits** to consistently clarify the human rights-based approach in strategy, policy and programme development and policy dialogue such that it permeates the approach, analysis, goals, planning, implementation, follow-up and learning in all units and teams.
- **The Church of Sweden commits** to, together with its partners, continuously strengthen and enhance our ability to work in a human rights-based way in various contexts. This may include capacity-strengthening initiatives, dialogues and shared experiences from different arenas.

A human rights-based approach means that we want to challenge ourselves and our partners to work on the principles summarised by PANEL+ in the following way:

Participation

The Church of Sweden International work aims to strengthen people as rights-holders and active participants in society, including within civil society organisations. True participation means people partake in a qualitative way, under conditions that enable their participation to lead to concrete changes. The participation process shall increase people's ability to analyse their situation and define and prioritise the issues they wish to address in order to bring about changes. True participation requires an organisation to take the analysis and priorities of rights-holders into account.

The Church of Sweden commits to ensure that rights-holders affected by the Church of Sweden's International work participate actively in the problem description and implementation.

DOCUMENT			PAGE
Guidelines on a human rights-based approach for the Church of Sweden's <u>International work</u>			5
DRAWN UP BY	DATE	DOCUMENT REFERENCE	VERSION
Sofia Nordenmark and Carina Björnlund		Sk 2016/0562	

The Church of Sweden commits to take the perspective of the rights-holders into account in our problem analysis and adopted positions.

Accountability

The Church of Sweden's International work is constantly increasing its own and its partners' capacity for demanding accountability politically, economically and legally. Together with our partners, the Church of Sweden develops joint procedures for demanding accountability at national, regional and global level. A State is ultimately responsible for protecting, respecting and fulfilling human rights, but rights-holders' human rights are also affected by the actions of non-State actors, including religious actors and businesses. Such actors are often referred to as moral duty-bearers and include all who can have an influence on ensuring an individual's human rights are respected.¹¹

The Church of Sweden has adopted guidelines on policy dialogue¹² in its international work. These guidelines apply to the policy dialogue and advocacy work performed by the Church of Sweden within the scope of its international work at national level. Undertakings in the guidelines on policy dialogue are not repeated in this document, but apply to the human rights-based approach.

The Church of Sweden commits to work together with its partners, to strengthen the opportunities and ability of rights-holders to demand their rights.

The Church of Sweden commits to contribute towards the creation of, and access to existing, arenas and forums in which the common voice of rights-holders and organisations is given a place in negotiating and decision-making processes.

The Church of Sweden commits to conduct risk analysis, together with partners and rights-holders, aimed at reducing risks that people may be exposed to when demanding accountability.

The Church of Sweden commits to promote a democratic space for people and organisations.

The Church of Sweden commits to challenge theology that restricts people's right to have their human rights respected, protected and fulfilled.

The Church of Sweden commits to work together with partners, in line with international principles such as the United Nations Guiding Principles on Business and Human Rights¹³, to analyse the

¹¹ The Church of Sweden regards itself as a moral duty-bearer and has for that reason established a system to ensure accountability and quality. This includes a mechanism for presenting and handling complaints. The Church of Sweden is CHS-certified under certification number hqai-chs-2016-001.

¹² Guidelines on policy dialogue within the Church of Sweden's international work (adopted by the International Council on 5 March 2015).

¹³ OCHR, United Nations Guiding Principles on Business and Human Rights, 2011, http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

DOCUMENT			PAGE
Guidelines on a human rights-based approach for the Church of Sweden's <u>International work</u>			6
DRAWN UP BY	DATE	DOCUMENT REFERENCE	VERSION
Sofia Nordenmark and Carina Björnlund		Sk 2016/0562	

responsibility of businesses in human rights violations and to demand accountability and access to remedy.

The Church of Sweden commits to work together with partners to analyse the role, obligations and responsibilities of States for businesses' human rights abuses, and the ability to demand accountability.

Non-discrimination

In the Church of Sweden's International work, no form of discrimination is acceptable. Everyone, without distinction, is entitled to all human rights and freedoms.

Non-discrimination is a cornerstone of the human rights system, and to ensure real participation non-discrimination must be regularly assured. Non-discrimination is directly related to power and power imbalances. Discrimination is often invisible and internalised within decision-making structures and systems. It represents a barrier to the fulfilment of rights and places the right to a life with dignity in jeopardy. Ultimately, it calls into question the inviolability of human dignity.

The Church of Sweden commits to respect the equal rights and dignity of all people and to take a stand for those living in a vulnerable situation.

The Church of Sweden commits to identify factors that promote or are a barrier to inclusive, transparent and effective participation in society.

The Church of Sweden commits to follow up situations in which impunity is apparent and threatens people's equal right to the rule of law.

The Church of Sweden commits to provide safe spaces, where people are free to engage in discussion and exchange opinions.

Empowerment

The Church of Sweden's International work defends each person's dignity and own ability, responsibility and right to be the subject of their own life. The Church of Sweden empowers people by strengthening both individual and collective capacities and conditions for addressing injustices and fundamental causes of poverty. In addition to low income, poverty is also about exclusion and lack of power, voice and security.

The Church of Sweden commits to empower rights-holders by increasing their knowledge of human rights, as well as their capability and conditions for demanding them.

The Church of Sweden commits to support the social empowerment of rights-holders by promoting organisation and the collective demanding of rights.

DOCUMENT			PAGE
Guidelines on a human rights-based approach for the Church of Sweden's <u>International work</u>			7
DRAWN UP BY	DATE	DOCUMENT REFERENCE	VERSION
Sofia Nordenmark and Carina Björnlund		Sk 2016/0562	

Linkage to the human rights system

The Church of Sweden works to increase rights-holders' knowledge of the human rights system and how its mechanisms are used. The international human rights system offers rights-holders the opportunity to demand their human rights in cases where States do not respect or meet their obligations. The Church of Sweden and its partners play an important role in enabling accountability to be demanded at the local level by creating links between local and global structures. The Church of Sweden can enable civil society and the rights-holders themselves to analyse shortcomings and loopholes where national legislation does not guarantee human rights and enable them to work for the adoption and implementation of such legislation. This type of policy dialogue is often more effective when working in networks.

The Church of Sweden commits to assist in enabling rights-holders to demand their human rights at national, regional and global level in courts, and other institutions as well as through other mechanisms.

The Church of Sweden commits to increase the knowledge of its employees and partners on the mechanisms of the UN and regional organisations – and their application – for monitoring human rights.

The Church of Sweden commits to participate in and advance the work of civil society organisations at the local, national, regional and global level to demand human rights and work to ensure that they are implemented at national level.

+ Gender integration

The lack of gender justice and gender equality are recognised barriers to development and respect for human rights in all geographical and thematic areas that the Church of Sweden operates within. As a result, gender justice and gender equality is a separate priority area as well as a mainstreamed perspective that is an essential analytical tool of all our work. The Church of Sweden strives for a healed world where gender justice and gender equality prevail, where gender, gender identity or sexual orientation are never grounds for injustice, oppression or discrimination. This position is further described in the Position on gender justice and gender equality¹⁴. All of Church of Sweden's International work shall promote and contribute to gender justice and gender equality.

To achieve gender justice and gender equality, there may be reason to focus on certain groups. Where power imbalances exist in such a way that women and girls are subordinated and marginalised relative to men and boys, it is important to create space and support for women's and

¹⁴ Position on gender justice and gender equality in the Church of Sweden's international work. Ratified by the Committee for International Mission and Diaconia 24 April 2012, revised 9 February 2016.

DOCUMENT			PAGE
Guidelines on a human rights-based approach for the Church of Sweden's <u>International work</u>			8
DRAWN UP BY	DATE	DOCUMENT REFERENCE	VERSION
Sofia Nordenmark and Carina Björnlund		Sk 2016/0562	

girls' empowerment. Since equality is determined by power, norms, values and roles, it is important to include men and boys in the work towards gender justice.¹⁵

The Church of Sweden commits to ensure that its human rights-based work is gender-inclusive and based on an analysis of the root causes and power, in which the long-term objective is to change discriminatory structures.

Implementation and monitoring of the guidelines

These guidelines set forth specific commitments through which the Church of Sweden intends to strengthen and develop the human rights-based approach, internally and with its partners. A human rights-based approach should, supported by these guidelines, consistently be clarified in strategy, policy and programme development and policy dialogue so that it permeates the approach, analysis, goals, planning, implementation, follow-up and learning in all units and teams.

These guidelines should be evaluated in 2020 in order to assess how, after four years, they have had an impact on the Church of Sweden's international work.

¹⁵ Ibid, p. 6.