

APPENDIX D

DIGNITY IN HUMANITY: RECOGNISING CHRIST IN EVERY PERSON

A UNITING CHURCH IN AUSTRALIA STATEMENT ON HUMAN RIGHTS

1. The Uniting Church in Australia believes that human beings are created in the image of God who is three persons in open, joyful interaction. The image of God that is reflected in human life, the form of life that corresponds to God, is the human community—all people—finding its life and sustenance in relationship.
2. Thus, the Uniting Church believes that every person is precious and entitled to live with dignity because they are God's children, and that each person's life and rights need to be protected or the human community (and its reflection of God) and all people are diminished.
3. In Jesus Christ we discern that which is truly human. As we feed the hungry, welcome the stranger and care for the thirsty, the sick and the imprisoned, there is the mysterious possibility that we will discover the life of Christ among us (Matthew 25: 31-46), and share the love of God.
4. We believe that God has given humanity gifts and skills for the benefit of the earth and humanity itself. These gifts include the capacity for love, compassion, wisdom, generosity and moral choice. They come with the responsibility to ensure the health and wellbeing of present and future generations and the earth. The well-being of the earth is crucial to the possibility of human community and well-being. Social, political and economic arrangements should reflect the dignity and worth of human beings and respect for the planet. Through the prophets and the life and words of Jesus, God calls people to work for justice for the poor and vulnerable.
5. We believe that Christians are called to love their neighbour as they love themselves and to extend that love even to enemies. It is the love of God in Christ Jesus which motivates us to live out this calling by working for peace with justice in our church, our communities and the world. The recognition of human rights is an affirmation of the dignity of all people and essential for achieving peace with justice.
6. We affirm the inherent and inalienable right of all people to live free of persecution and violence, with access to all that is necessary for a decent life.
7. We remember the commitments made in our *Statement to the Nation*, at the Uniting Church's inception in 1977:

We affirm our eagerness to uphold basic Christian values and principles, such as the importance of every human being, the need for integrity in public life, the proclamation of truth and justice, the rights for each citizen to participate in decision-making in the community, religious liberty and personal dignity, and a concern for the welfare of the whole human race.
8. We reaffirm the *Statement on the Rights of Nature and of Future Generations* (1991) in which the Uniting Church National Assembly acknowledged "the inalienable dignity of all humans", and called for "the recognition and guarantee of human rights around the world".

9. We name the broken nature of the world. It is flawed and vulnerable to unjust structures and the practice of evil.
10. We confess that throughout its history the Church has perpetrated violence and abused human rights through action, inaction, complicity and collusion and that we have often used the Bible to justify such violence. We repent of our sin and commit ourselves to work for reconciliation and justice as we continue to understand our own brokenness.
11. We condemn the abuse of human rights and the failure to uphold and promote human rights as contrary to the gospel of God's love in Christ for all human beings and the earth.
12. We affirm our support for the human rights standards recognised by the United Nations (UN). Everyone has a birthright to all that is necessary for a decent life and to the hope of a peaceful future. This birthright is expressed in UN human rights instruments which describe human rights as civil, political, economic, social and cultural rights. These instruments provide a valuable framework for assessing political, economic and social systems and are an important tool for peace.
13. We note that the internationally recognised human rights are indivisible, universal and inalienable:
 - (a) No rights are possible without all that is necessary for a decent life, including the rights to work with just pay and conditions, adequate food and health care, adequate, appropriate and accessible housing and a safe environment, education for the full development of the human potential and the right of people to participate fully in decision-making about their common future.¹ Civil and political rights cannot be separated from economic, social and cultural rights.
 - (b) It is the duty of all States, regardless of their cultural, economic or political systems, to promote and protect human rights and “eliminate all violations of human rights and their causes, as well as obstacles to the enjoyment of these rights”.²
 - (c) It is “the right and duty of the international community to hold all state and non-state actors accountable for violations of human rights which occur in their jurisdiction or control, or for which they are directly responsible”.³
 - (d) In the exercise of a person's rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of human dignity and the general welfare of a democratic society.⁴
14. We support the commitment of the Eighth Assembly of World Council Churches to promote and defend human rights in a way which takes into account:
 - (e) “the values and insights into human rights and dignity derived from the rich heritage of peoples’ religions, cultures and traditions”;
 - (f) “the rights of peoples, nations, communities and their cultures as well as the rights of each individual within them”;
 - (g) “the equal rights of young and old, of women and men, and of all persons irrespective of their origin or condition”.⁵

¹ *Together on the Way 5.8 A Statement on Human Rights*, World Council of Churches, Eighth Assembly, December 1998, <http://www.wcc-coe.org/wcc/assembly/hr-e.html>, para. 3.5

² Vienna Declaration, World Conference on Human Rights, 25 June 1993, [http://www.unhcr.ch/huridocda/huridoca.nsf/\(Symbol\)/A.CONF.157.23.En?OpenDocument](http://www.unhcr.ch/huridocda/huridoca.nsf/(Symbol)/A.CONF.157.23.En?OpenDocument)

³ *Together on the Way*, WCC, para. 3.9

⁴ based on Article 29(b), *Universal Declaration of Human Rights*

⁵ Declaration of the Eighth Assembly of the World Council of Churches on the Fiftieth Anniversary of the Adoption of the *Universal Declaration of Human Rights*, 10 December 1998, <http://www.wcc-coe.org/wcc/assembly/hudec-e.html>

15. We encourage all governments to fulfil their responsibilities as members of the United Nations, recognising it as the peak forum for discourse between nations, and upholding their commitment to the UN's Charter and to UN treaties that serve the forging of peaceful and non-exploitative international relations. Peace is served by UN member States acting towards one another and the UN in good faith.

16. We heed the call of the World Council of Churches' Central Committee in 1995, for all churches to:

be alert to the activities and policies of their respective governments with a view to strengthening the capacity of the UN in areas such as the promotion and protection of human rights, the struggle against racism, the enhancement of the rights of women, aid to and protection of refugees and migrants, the effective international control of production and transfer of armaments, the elimination of nuclear weapons, protection of the global environment, and the realization of a just and equitable international economic order.

17. We urge the Australian Government to fulfil its responsibilities under the human rights covenants, conventions and treaties that Australia has ratified or signed, by upholding international standards in effecting social and legislative change.

18. We pledge to assess current and future national public policy and practice against international human rights instruments, keeping in mind Christ's call and example to work for justice for the oppressed and vulnerable.

19. We declare our opposition to capital punishment and commit ourselves to stand against the death penalty wherever it exists, regarding it as a cruel and inhuman punishment which denies the ability of an offender to reform.

20. We urge the Australian Government to develop and promote human rights education which, consistent with the recommendations of the 1993 Vienna World Conference on Human Rights, includes peace, democracy, development and social justice, and aims to foster mutual understanding, healthy and harmonious communities, and justice and peace.

21. We commit the Uniting Church National Assembly to promote an increased awareness and understanding of human rights through our education, justice and mission programs and to stand in solidarity with our partner churches as they advocate and work for human rights in their countries.

22. We encourage all members, groups, congregations and agencies of the Uniting Church to model respect for human rights in their daily lives and to advocate for policies consistent with human rights standards and against violations of human rights in all forms, both within Australia and internationally.

23. We encourage the councils of the Uniting Church to model respect for human rights in their work and mission, including working towards an end to manifestations of greed, corruption, violence, persecution and exclusion.

Rationale:

Recognising Christ in Every Person

Christians believe that God's love is never-ending and that in Jesus Christ we see God's will for the reconciliation of all creation, the restoration of God's peace, God's *shalom*. We are called to conform to the image of Christ through whom we discern that which is truly human. In Jesus Christ we see 'the beginning of a new creation, a new humanity...(the) coming reconciliation and renewal which is the end in view for the whole creation'⁶.

6 *Basis of Union*, para. 3, Uniting Church in Australia, 2nd edition, 1992

We are called as Christians to serve that end, to be a sign of the coming of the reign of God by living as faithful disciples of Jesus who came to fulfil the hope of the prophets: to bring good news to the poor, to proclaim release to the captives and recovery of sight to the blind, to let the oppressed go free and to proclaim the year of the Lord's favour.⁷ This is a mission to work for justice and resist injustice, and to stand in solidarity with the poor and the oppressed. Jesus taught that our faithfulness to God is to be expressed in how we live out this mission: an outworking of the command to love our neighbour as ourself. As we feed the hungry, welcome the stranger and care for the thirsty, the sick and the imprisoned, we are responding to the image of Christ in every person⁸ and sharing the love of God. This love is marked by compassion, hospitality and grace, and is not possible without recognising the dignity and worth of every person.

The theological basis of Christian support for human rights is grounded in the belief that human beings are created in the image of God. In the context of human rights, being made in the image of God refers to the dignity that is bestowed on us by God through simply being human. As bearers of God's image, we are inherently worthwhile and deserving of dignity and respect. Christians also believe that God exists in a community. The one God is a triune God, one in three persons. The very nature of God is social and communal. Humans, being made in this image, are inherently relational, finding life and sustenance in relationship and community. Being called into community with the whole of humankind as we are, when one person is diminished, we are all diminished.

We live in a world between the image of God and the reality of sin. In a broken world not every person lives with dignity. People experience violence, poverty and oppression and history is rife with the horrors of genocide and war. We must never forget that people who claimed to be Christians and the Christian church itself have been responsible for colluding with and perpetrating violence and oppression. Our history is scarred by greed and fear and so we have, too often, failed in our mission of love. However, there have always been Christians committed to ending violence and poverty and in the last hundred years or so the church has been engaged internationally to this end. In 1937 representatives from churches around the world met to ensure that human rights were included in the United Nations (UN) Charter and the churches went on to play a significant role in the development of the Universal Declaration of Human Rights.

The International Human Rights Mechanisms

The United Nations was founded in the wake of the human rights atrocities perpetrated by Nazi Germany. It was conceived as the peak body for international peace and cooperation. At its inception, one of its key goals was:

*to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small.*⁹

Broad guidelines for achieving this goal were laid out in the 1948 *Universal Declaration of Human Rights*, a resolution of the UN General Assembly that remains the foundation of international human rights law. Over the following fifty years, more human rights treaties were negotiated, laying out a more detailed and specific realisation of the goals of the original *Declaration*. These treaties, known as covenants, conventions and protocols, lay out the rights and responsibilities of ratifying nations in the areas of economic, social and cultural rights; civil and political liberties; gender and race discrimination; and humanitarian need. They include:

- The International Covenant on Civil and Political Rights
- The International Covenant on Economic, Social and Cultural Rights
- The International Convention on the Elimination of All Forms of Racial Discrimination

⁷ Luke 4:18-19

⁸ Matthew 25:31-46

⁹ Charter of the United Nations, 26 June 1945

- The International Convention on the Elimination of All Forms of Discrimination Against Women
- The International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- The Convention and Protocol Relating to the Status of Refugees
- The International Convention on the Rights of the Child
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

In order to achieve this, the treaties established supervisory committees within the United Nations itself. These bodies monitor and enable each nation's compliance with their obligations under the human rights treaties, and report independently on areas of best practice and of concern. Over the last decade, all contemporary human rights treaty bodies have been active in reviewing the role of Australia in upholding human rights within its jurisdiction.

One of the most important functions of the United Nations' human rights treaty system is to promote the peaceful, rule-based interaction between all human beings. While not exhaustive, the system of human rights treaties provides a coherent expression of many of the fundamental rights and needs of human beings. They express a common international standard which, in theory, ought to be enacted by all ratifying nations, in their national laws or domestic laws, including Australia.

Australia in the International Human Rights Arena

Australia has a long history in international human rights diplomacy. Prior to the turn of the twenty-first century, Australia enjoyed an international reputation as strong supporter of human rights and human rights treaties and treaty bodies. However, changes in our policy and legislative agenda over the last decade have led to international criticism of Australia. The most recent round of reports from the UN human rights treaty bodies highlighted areas of deficiency in Australia's domestic policy relating to the realisation of fundamental human rights. Areas of concern included:

- **indigenous affairs**, including the drastic economic inequality suffered by indigenous men, women and children around Australia, the Government's response to HREOC's Stolen Generations report, the Government's native title legislation, the very high representation of indigenous people in the prison system and mandatory sentencing laws in the Northern Territory;
- **treatment of asylum seekers**, including mandatory and indefinite detention and specifically its effects on children;
- **women's affairs**, including significant and crippling budget cuts to the Office for the Status of Women and HREOC, and the status of indigenous women in Australia;
- **public health**, including the long waiting lists in Australian public hospitals and the disadvantaged condition of indigenous health.

These criticisms were not well received by the Government. Rather than addressing the issues outlined by the committees' various reports, Australia's official response was to attack the operation of the treaty bodies themselves. The Australian Government has since outlined its demands for structural reform of the committees, distancing itself from full accountability to the UN treaty bodies in their current state.

While there is no doubt that, like any other human institution, the UN is in need of reform, there is considerable concern at the current Australian Government's belligerence in its responses to UN Committees and representatives, and its readiness to abrogate its obligations under human rights treaties and conventions in the development of national policy. Australia's reputation as a strong advocate of human rights has suffered and our capacity to exert positive influence over those countries with little or no regard for human rights has been compromised.

Why Does this Statement Matter?

The National Assembly has made several statements about the importance of upholding the rights and dignity of human beings. The inaugural assembly's *Statement to the Nation* supported the concept of human rights, stating that:

We affirm our eagerness to uphold basic Christian values and principles, such as the importance of every human being, the need for integrity in public life, the proclamation of truth and justice, the rights for each citizen to participate in decision-making in the community, religious liberty and personal dignity, and a concern for the welfare of the whole human race.

We pledge ourselves to seek the correction of injustices wherever they occur. We will work for the eradication of poverty and racism within our society and beyond. We affirm the rights of all people to equal educational opportunities, adequate health care, freedom of speech, employment or dignity in unemployment if work is not available. We will oppose all forms of discrimination which infringe basic rights and freedoms.

Later resolutions have called for “the recognition and guarantee of human rights around the world”¹⁰, and expressed concern for the human rights of workers¹¹. In addition, the Tenth Assembly resolved,

to support, and urge the Australian Government to support, the following mechanisms for dismantling the global culture of violence and building a culture of peace through justice and genuine security:

- international treaties and programs on human rights, environment, and social and human development, also ensuring that Australia fulfils its obligations in these areas;
- co-operation with governments, the United Nations, and community sector and religious organisations to develop peaceful solutions to conflict and to seek just and peaceful means for overcoming and preventing violence in all aspects of our life together, from the personal to the global.¹²

While the Assembly has expressed its support for human rights many times, we have no single statement expressing the basis of our commitment to human rights and our support for international human rights instruments. This resolution commits the Church to ongoing assessment of Australian Government policy and practice against the international human rights instruments, and encourages agencies and other groups within the Church to advocate for social policy and legislative outcomes consistent with Australia's international human rights obligations. As such, this resolution provides a specific frame of reference for the Church to continue and expand its current work in the area of justice and human rights, both on domestic and international levels.

A key component of this resolution is a declaration of the Church's opposition to capital punishment. This opposition is shared widely by Christian denominations, both in Australia and internationally, yet the National Assembly has never made an explicit statement about our stance on capital punishment. The 1990 World Council of Churches' *Statement on the Death Penalty* condemned the use of capital punishment, saying that it “prevents the rehabilitation of the offender and is contrary to Christian love as revealed in the New Testament”. It further called upon member churches to support and advocate the abolition of the death penalty and to oppose its reinstatement. This resolution responds to this call to action against the death penalty, committing the National Church to stand against the death penalty wherever it exists.

¹⁰ *The Rights of Nature and of Future Generations*, Uniting Church in Australia, 6th Assembly, 1991

¹¹ *A Call for Justice Concerning Employment*, Uniting Church in Australia, 7th Assembly, 1994

¹² *Uniting for Peace*, Uniting Church in Australia, 10th Assembly, 2001

In addition, this resolution calls on the Australian Government to develop and promote human rights education, in order to “foster mutual understanding, healthy and harmonious communities, and justice and peace”, and commits the National Assembly to promote awareness and understanding of human rights through existing and future programs. It commits the Church to respect human rights and to promote them in our work and mission.