



Anti-Terrorism Policy

SEPTEMBER 2021, VERSION 1

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Purpose

The purpose of this Anti-Terrorism Policy (this **Policy**) is to prevent, detect and deter facilitation and unknowing support of individuals or organisations associated with Terrorism and/or Organised Crime.

Palmera Projects (**Palmera**) complies with the provisions of the *Anti-Terrorism Act 1995* (Cth) and the *Criminal Code Act 1995* to uphold its integrity as a humanitarian organisation. Moreover, as a recipient of DFAT funding, Palmera shares the commitments expressed by DFAT in its [Terrorism Resourcing Risk Management Statement](#).

This Policy should be read in conjunction with Palmera’s other policies, including the **Anti-Corruption and Anti-Fraud Policy** and the **Complaints Handling and Whistleblowing Policy**.

Definitions

Term	Definition
Organised Crime	A conspiratorial enterprise engaged in illegal activities as a means of generating income.
Palmera Activity	Any proposed or actual programme or project to which Palmera contributes funds.
Palmera Partner	Any implementing partner organisation engaged by Palmera in the delivery of a Palmera Activity.
Palmera Staff	All employees, volunteers, contractors, consultants, officers and directors of Palmera.

Term	Definition
Partner Staff	All employees, volunteers, contractors, consultants, officers and directors of a Palmera Partner.
Proscribed Individual or Organisation	<p>An individual or group that is:</p> <ul style="list-style-type: none"> designated as a terrorist organisation under the <i>Criminal Code Act 1995</i> as listed on the National Security Australia website: www.nationalsecurity.gov.au/listedterroristorganisations; and/or subject to targeted sanctions in Australia as named on DFAT's consolidated list of proscribed persons and organisations: https://www.dfat.gov.au/international-relations/security/sanctions/consolidated-list
Reportable Incident	<p>Any suspected or actual association with, provision of resources to, or exact match of an organisation or individual's name with:</p> <ol style="list-style-type: none"> a Proscribed Individual or Organisation, or any other person or organisation associated with terrorism; or any person or organisation associated with Organised Crime. <p>For the purposes of this definition, "association" is understood in its broadest terms.</p>
Terrorism	The act, or threat of action, where the action causes certain defined forms of harm or interference and the action is done or the threat is made with the intention of advancing a political, religious or ideological cause.

Status of Policy

This Policy consolidates and replaces previous versions of Palmera's Anti-Terrorism Policy (**Prior Policy**).

Any reference to a Prior Policy in any document, policy, guidance of Palmera or any agreement entered into by Palmera (including agreements with Palmera Partners) will be taken as a reference to this Policy.

Scope of Policy

This Policy applies to all Palmera Staff, Palmera Partners and applies in all Palmera Activities. All Palmera Staff, and Partner Staff are required to read and familiarise with this Policy.

Overarching Obligations

- Palmera** has a zero-tolerance policy towards any association with Terrorism and Organised Crime. To that end, Palmera must ensure:

- a) Palmera's funds are not provided directly or indirectly¹ to Proscribed Individuals or Organisations, or individuals/organisations associated with Organised Crime;
 - b) Palmera Staff and Partner Staff are not associated directly or indirectly with Proscribed Individuals or Organisations, or individuals/organisations associated with Organised Crime;
 - c) Palmera and Palmera Partners adhere to and comply with the relevant laws, regulations and policies of Australia and the countries in which Palmera operates; and
 - d) any Reportable Incidents are immediately notified to the Australian Government donor and, if appropriate, to the National Security Hotline and the Australian Federal Police (see 'Dealing with suspected or actual incidents' below).
2. **Palmera Partners** will comply with counter-terrorism and anti-money laundering laws, regulations and policies through ongoing monitoring of all in-country partners and beneficiaries. They will use their best endeavours to ensure there is no association whatsoever with any Proscribed Individual or Organisation. To that end, Palmera Partners are required to:
- a) know the individuals/organisations that they are working with or assisting;
 - b) ensure that the individuals/organisations being directly assisted are not Proscribed Individuals or Organisations before assistance is provided and ensure that updates to the websites are taken into account;
 - c) ensure that directly funded individuals/organisations are aware of and obliged to comply with these laws and that they in turn are obliged to ensure that their distribution of funds or support is made on the same basis;
 - d) apply particular caution where:
 - i. a Proscribed Individual or Organisation is known to be in the area where a Palmera Activity is being undertaken; and/or
 - ii. the scale of the financial or material support transaction to be provided through the Palmera Activity is such that it could potentially provide significant support to a Proscribed Individual or Organisation or be used for money laundering purposes;
 - e) notify Palmera immediately if it becomes aware of any association with a Palmera Activity by a Proscribed Individual or Organisation (see 'Dealing with suspected or actual incidents' below).

Applicable Procedures

Palmera has and will continue to review the appropriate training, processes and systems it has put in place to prevent the facilitation of Terrorism financing or Organised Crime. Palmera must comply with the following mandatory procedures.

A. Organisational due diligence

1. In identifying and committing to a Palmera Activity within Australia or internationally, Palmera must complete all necessary due diligence processes as set out in the **Organisational Due Diligence** form. This process includes

¹ Indirectly may mean, for example, providing funds to a terrorist through a third party, or through another person or organisation.

a mandatory check of the most updated versions of the following lists to ensure that no individual or organisation that Palmera will be associated with is a Proscribed Individual or Organisation:

- the National Security Australia website: www.nationalsecurity.gov.au/listedterroristororganisations; and
- DFAT's consolidated list of proscribed organisations: <http://www.dfat.gov.au/sanctions/consolidated-list.html>.

B. Partnership agreements

1. Palmera enters into a **Memorandum of Understanding or Partnership Agreement (Partnership Agreement)** with all Palmera Partners. The Partnership Agreement must outline the obligations and objectives of Palmera and be in accordance with relevant laws, policies and regulations of Australia and the country in which the project will be implemented, relating to Anti-Terrorism and Anti-Money Laundering procedures. The Partnership Agreement must expressly stipulate that a breach of this Policy by the Palmera Partner or any of its sub-contractors will allow Palmera the ability to withdraw all funding that has been provided to the organisation.
2. As part of implementing and monitoring the project, the **Project Funding Checklist** stipulates the amount of funds, the purpose of the funds and receipts of payments so as to outline the basis for the payments made to the Palmera Partner.

C. Palmera Staff

1. All persons to whom this Policy applies (see 'Scope' above) must be educated and trained about Terrorism and related issues.
2. Palmera Staff may be subjected to a criminal record check in Australia and/or country of operation, if appropriate.
3. Palmera Staff engaged in international and local volunteer programs will be subjected to a screening process prior to commencing, which may include conducting reference checks.
4. Palmera Staff engaged in international volunteers programs may also need to complete any necessary equivalent mandatory checks in the country of operation.

D. Dealing with suspected or actual incidents

1. Responsibility for handling Reportable Incidents:
 - a. Primary responsibility for dealing with any Reportable Incidents in accordance with this Policy rests with the Palmera Chief Executive Officer (the **Reporting Officer**).
2. Notifying the Reportable Incidents:
 - a. If any member of Palmera Staff or Partner Staff becomes aware of a Reportable Incident, they must inform the CEO immediately (i.e. within 24 hours) emailing hello@palmera.org.
 - b. If the Reportable Incident concerns the CEO, or the person feels uncomfortable notifying the CEO, then the person should approach the Chairperson of the Palmera Board, or if this option is unavailable, then they should approach any member of Palmera Staff.
3. Reporting to DFAT:

- a. Palmera must report any of the following incidents to DFAT, within 48 hours of becoming aware of the incident by emailing counter-terrorism.resourcing@dfat.gov.au:
 - i. any suspected or actual association with, or provision of resources to a Proscribed Individual or Organisation;
 - ii. any suspected or actual association with, or provision of resources to any other person or organisation associated with Terrorism; or
 - iii. any exact matches of organisation names to the lists of Proscribed Individuals or Organisations.

4. Reporting to law enforcement authorities:

- a. For all other suspected or actual acts of Terrorism financing, Palmera must report the matter to the National Security Hotline:
 - i. 1800 123 400 (inside Australia)
 - ii. +61 1300 123 401 (outside Australia)

5. Other action:

- a. Palmera Staff and Partner Staff should not effect any financial transaction to the individual or organisation associated with Terrorism or Organised Crime. Take steps to hold or freeze any pending transactions if possible and inform the Australian Federal Police if assistance is required in this regard, contacting +612 5126 0000.

Reviewing this Policy

This policy is to be reviewed every three years, or earlier if appropriate, and lessons learned incorporated into subsequent versions.

Date	Version	Review Description	Reviewed By	Approved By
September 2021	1	Original	N/A	[Board]