

POLICY

Anti-terrorism

Established:	Oct 2020	Review frequency:	Every three years
Prepared by:	P Simmons	Approved by:	Board

Purpose

To ensure funds and resources are not used to support terrorist activities; to ensure activities are not used as vehicles for the funding of terrorist activities or groups; to provide clear guidance on actions to be taken if there is an indication such behaviour is suspected; and to safeguard reputation, the ability to support programs/projects and continued community support for funding

Introduction

GraceWorks Myanmar (GWM) recognises the risk that programs/projects may be used by individuals or organisations to support terrorist activities. GWM renounces all forms of terrorism and will never knowingly support, tolerate or encourage terrorism or the activities of those who embrace terrorism. This includes making every effort to ensure our resources are not used to facilitate terrorist groups or activities.

Definitions

Terrorism

“A terrorist act is an act, or a threat to act, that meets both these criteria:

- ◆ It intends to coerce or influence the public or any government by intimidation to advance a political, religious or ideological cause
- ◆ It causes one or more of the following: death, serious harm or danger to a person, serious damage to property, a serious risk to the health or safety of the public, serious interference with, disruption to, or destruction of critical infrastructure such as a telecommunications or electricity network.

Advocating, protesting, dissenting or taking industrial action are not terrorist acts where the person doing the activity does not intend to cause serious harm to a person or create a serious risk to public safety. Anyone guilty of committing a terrorist act could face up to life imprisonment.”

<https://www.ag.gov.au/national-security/australias-counter-terrorism-laws>

Vigilant practice

GWM acknowledges that Australian Government legislation prohibits dealing with listed terrorist organisations and/or proscribed people or entities. At all times, we will adopt measures that facilitate compliance with this legislation. This includes confirming the identity, credentials and good standing of the people and organisations we support, and checking that those people and organisations are not on the lists maintained by the Australian Government. We will also report any known or suspected terrorist links to the relevant national authority.

GWM will not knowingly remit funds to known or suspected terrorist individuals or organisations. We will use our best endeavours to ensure that overseas recipients of our funds will adopt policies and procedures enabling them to comply with relevant Australian anti-terrorism legislation. GWM itself will maintain robust policies, procedures and partnership arrangements to minimise the risk that financial transfers may be appropriated for terrorism financing. As part of our duty of care, we will also exercise an appropriate level of monitoring over project funds.



Relevant authorities and legislation

United Nations

- ◆ Part 4 of the Charter of United Nations Act, 1945 (UN Security Council decisions that relate to terrorism)
- ◆ United Nations Security Council Resolution, 1373 (2001) to combat terrorism
- ◆ Charter of the United Nations Regulations, 2008 (dealing with assets)

Australia

- ◆ Part 5.3 of the Commonwealth Criminal Code Act, 1995
- ◆ Australia's Counter-Terrorism Laws – <https://www.ag.gov.au/NationalSecurity/Counterterrorismlaw/Pages/Australiascounterterrorismlaws.aspx>
- ◆ Australian Human Rights Commission: A Human Rights Guide to Australia's Counter-Terrorism Laws, 2008 – <https://www.humanrights.gov.au/human-rights-guide-australias-counter-terrorism-laws>
- ◆ Safeguarding your organisation against terrorism financing: A guidance for non-profit organisations (Australian Government, 2009)
- ◆ Attorney General's Department List of Terrorist Organisations – <https://www.ag.gov.au/nationalsecurity/counterterrorismlaw/pages/terroristorganisations.aspx>
- ◆ Department of Foreign Affairs and Trade Consolidated List – <https://dfat.gov.au/international-relations/security/sanctions/Pages/consolidated-list.aspx>
- ◆ Australian NGO Accreditation Guidance Manual, October 2014 (Criterion B3)
- ◆ Australian Council for International Development Code of Conduct, Section B.2.3 – Control of Funds and Resources

References and related documents

References

- ◆ Charter of the United Nations Act, 1945
- ◆ Commonwealth Criminal Code Act, 1995

Related documents

- ◆ Financial Management Policy
- ◆ Financial Management Manual
- ◆ Risk Management Policy
- ◆ Risk Register
- ◆ Complaints Handling Policy
- ◆ Whistleblowing Policy

Review

Previous reviews: June 2021
Next review: June 2024