

Fairtrade Australia & New Zealand Counter-Terrorism Policy

1. Purpose

The purpose of this policy is to:

- Articulate Fairtrade Australia and New Zealand's (Fairtrade ANZ) commitment to complying with United Nations resolutions and Australian and New Zealand laws relating to counter-terrorism and anti-money laundering and avoid involvement in terrorist activities or supporting terrorism in any way.
- Establish controls for all Fairtrade ANZ's activities and personnel to avoid any involvement in or support of terrorism activities.
- Ensure Fairtrade ANZ's operations and activities are conducted in an accountable, transparent and ethical manner.

2. Related Policies

- Control of Funds Policy
- Anti-Fraud and Corruption Policy
- Procurement Policy
- Whistleblowing Policy

3. Related Legislation and Acts

- **Australia:** Criminal Code Act 1995
- **New Zealand:** Terrorism Suppression Act 2002; Anti-Money Laundering and Countering Finance of Terrorism Act 2009.

4. This policy applies to:

- All personnel and associates of Fairtrade ANZ, including permanent, fixed term and casual employee, contractors, volunteers and Board and Committee members
- All personnel, partners and subcontractors that are engaged by Fairtrade ANZ.

5. Policy

Fairtrade ANZ's commitment:

- 5.1 As a not-for-profit organisation operating in Australia, New Zealand and overseas, Fairtrade ANZ recognises there is a risk of the organisations assets being misused, either directly or indirectly, by individuals or other organisations to support terrorist activity. Fairtrade ANZ recognises that in order to mitigate this risk, it is important that appropriate oversight and controls are in place for the delivery and operation of its projects, particularly the in-country projects it funds.

- 5.2 The policy aims to ensure that Fairtrade ANZ's funds and resources are not being used, directly or indirectly, to support terrorist activities, and to provide a clear guide on what to do if terrorist activity is suspected.
- 5.3 Fairtrade ANZ renounces all forms of terrorism and will never knowingly support, tolerate or encourage terrorism or the activities of those who embrace terrorism and will make every effort to ensure that its resources are not used to facilitate or support terrorist activities.
- 5.4 Fairtrade ANZ acknowledges that terrorism is against the law, both domestically and internationally and is also against Australia and New Zealand's national interests and undermines sustainable development. Fairtrade ANZ is also aware that national and international funding bodies impose strict obligations on funding recipients to ensure funds do not support terrorist activities.
- 5.5 Fairtrade ANZ will use best practice principles to ensure its activities are conducted in the context of these laws, obligations and requirements, including (but not limited to) those specified by:
- The United Nations Security Council
 - Australian and New Zealand Governments
 - Australian Council for International Development (ACFID) Code of Conduct
 - New Zealand Council for International Development (CID) Code of Conduct.

6. Procedures under this Policy

- 6.1 Fairtrade ANZ acknowledges that Australian and New Zealand legislation prohibits dealing with listed terrorist organisations and individuals. Fairtrade ANZ further acknowledges it has responsibilities under these laws and will therefore exercise all reasonable care and make every reasonable effort to ensure that its funds and activities are not misused to further terrorism or support terrorist activities.
- 6.2 **Identity Checks.** Fairtrade ANZ will confirm the identity, credentials and good standing of the people and organisations it supports and will check that these people or organisations are not on prohibited lists maintained by Australian and New Zealand Governments. Prior to entering into a funding or service agreement with a potential partner or individual, Fairtrade ANZ must:
- Confirm the identity, credentials and good standing of the organisation and individual (what they do, where they operate, who are their key decision-makers and staff)
 - Confirm that the organisation or individual are not on any of the following lists:
 - Department of Foreign and Affairs and Trade's Consolidated List
 - Attorney General's Department List of Terrorist organisations
 - New Zealand Designated Terrorist Entities.
- 6.3 **Remittance of Funds.** Fairtrade ANZ will not knowingly remit any funds to known or suspected terrorist organisations or individuals. Fairtrade ANZ will follow all requirements and guidelines under anti-money laundering laws and regulations.
- Fairtrade ANZ will only transfer funds using reputable banks and other financial institutions.
- 6.4 **Complying with anti-terrorism and anti-money laundering laws.** Fairtrade ANZ will use its best endeavours to ensure that overseas recipients of Fairtrade ANZ funds are aware of and obliged to comply with the relevant Australian and New Zealand anti-terrorism legislation, and have policies and procedures that enable them to comply with these laws. The policies should also cover anti-fraud and corruption as required under separate Fairtrade ANZ's policies.

- Fairtrade ANZ will ensure that all Fairtrade ANZ's project partners are made aware of this policy and Fairtrade ANZ's obligations under Australian and New Zealand law and will be required to adopt similar measures in respect of funds received from Fairtrade ANZ.
 - Funding and Service Agreements with overseas partners will include wording consistent with these requirements.
- 6.5 **Reporting of known or suspected terrorist links.** Fairtrade ANZ will report any known or suspected terrorist links or activities to the relevant national authority. If a known or suspected link to terrorism is identified, Fairtrade ANZ will:
- Notify the Australian Government immediately of any link between DFAT funds or DFAT assisted organisations and terrorist organisations is discovered
 - Notify the New Zealand Government immediately of any link between and MFAT funds or MFAT assisted organisations and terrorist organisations is discovered.
 - Report any suspected terrorism-related activity to the Australian federal police or the New Zealand Police and within the Pacific Islands through the Australian High Commission officials.
- 6.6 **Monitoring of activities.** Fairtrade ANZ will monitor all development activities funded by or through Fairtrade ANZ and its partner organisations and relevant staff, volunteers and contactors to ensure they are not in breach of this policy.
- Monitoring will be proportionate to the amount of funding and the risk of breach (as a result of funded activities, organisation or skills and experience of the Board and staff) and will be recorded in the programme or project file and signed by the relevant programme or project manager
 - All funding recipients will be required to provide detailed accounting reports, at least annually, showing how funds have been disbursed. Fairtrade ANZ may require that these accounting reports may be required to be audited externally by a local in-country accounting peak body to confirm the truth and accuracy of the accounting report.
 - Fairtrade ANZ will cease forwarding funds and withdraw all support, including provision of resources if it has reason to believe that a project partner has breached the requirements of this policy.

7. Responsibilities

- 7.1 Fairtrade ANZ's Board is committed to compliance with Australian and New Zealand anti-terrorism legislation and in avoiding dealing with personnel or organisations associated with terrorism. The Board is responsible for the review of this policy.
- 7.2 Fairtrade ANZ's CEO is responsible for distributing and explaining this policy to all Fairtrade ANZ's employees and partner organisations and ensuring that they carry out the procedures here included to minimise the risk of supporting terror organisations and individuals. This includes the recruitment and induction processes for new employees.
- 7.3 Fairtrade ANZ's managers and supervisors are responsible for:
- Designing and implementing appropriate training and development programmes to aid compliance with this policy
 - Communicating this policy to all partner organisations and ensuring that partner organisations communicate this policy to their board members, staff, volunteers and contractors implementing funds and development activities funded by or through Fairtrade ANZ
 - Approving activities and/or funding only when the requirements of this policy have been met

- Providing the CEO and executive management with all the information that relates to breaches or potential breaches of this policy.
- 7.4 All employees and volunteers are responsible for complying with this policy, as required by the procedures listed in this document.

8. Document Control

This policy will be available in the shared Fairtrade ANZ drive for all employees and on its website.

9. For Further Information

For more information, contact info@fairtrade.com.au or info@fairtrade.org.nz

10. Approval and Review

This Policy will be reviewed once every three years or when legislation is updated or passed.

Last Approved by the Board: August 2024

Scheduled Review date: August 2027

11. Appendix 1: Definitions

Producer Organisation: This is either an association of farmers or a company dependent on hired labour that produces one or more commodities for which there are Fairtrade Standards and that has been certified to meet those standards. Once certified, they are added to the Fairtrade product register and registered companies can buy from them under the Fairtrade terms.

Partner Organisations: These implement funds and development activities funded by or through Fairtrade ANZ.

Terrorist Act: (see the relevant Australian and New Zealand legislation for terrorist act offences). A 'terrorist act' is an act or threat to commit an act that is done with the intention to coerce or influence the public or any government by intimidation to advance a political, religious or ideological cause, and the act causes:

- Death, serious harm or endangers a person
- Serious damage to property
- A serious risk to health and safety of the public
- Seriously interferes with, disrupts or destroys critical infrastructure such as a telecommunications or electricity network.

Terrorist Offence: the offences referred to in legislation mean it is an offence to:

- Commit a terrorist act
- Plan or prepare for a terrorist act
- finance terrorism or a terrorist act
- Provide or receive training connected with terrorist acts
- Possess things connected with terrorist acts
- Collect or make documents by any means including digital that are likely to facilitate terrorist acts.

DFAT: Department of Foreign Affairs and Trade, Australia.

MFAT: Department of Foreign Affairs and Trade, New Zealand.