



## Counter-Terrorism Policy

Managed on behalf of the Executive Director and Board by: Chief Operating Officer

Approved by the Board: 25<sup>th</sup> May 2024

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### 1. Purpose of this Policy

This policy sets out ActionAid Australia's commitment to comply with Australian laws relating to counter-terrorism, through processes and policies that minimise the risk of support for terrorists and terrorist organisations, especially those on the UN Security Council's Consolidated List and the Australian Government's List of Terrorist Organisations.

### 2. Scope of the Policy

This policy applies to the following people:

- ActionAid Australia staff members, contractors, consultants and suppliers;
- ActionAid Australia office-based volunteers and interns, and Grassroots Network leaders and members;
- ActionAid Australia Board of Directors; and
- partner organisations, and other organisations that they in turn partner with, to support and implement ActionAid Australia-supported programs.

### 3. Legal Obligations

To meet Australia's international obligations under United Nations Security Council Resolutions 1267 (and successor resolutions) and 1373 to freeze the assets of terrorists, the Government has passed laws that make it a criminal offence to hold assets that are owned or controlled by terrorist organisations or individuals, or to make assets available to them.

The Department of Foreign Affairs and Trade (DFAT) maintains a **Consolidated List** of all individuals and entities to which this terrorist asset freezing regime applies. This list can be accessed on the DFAT website: <http://dfat.gov.au/international-relations/security/sanctions/pages/consolidated-list.aspx#list>. Australian organisations are responsible for ensuring that they do not do business with an individual or groups listed on the Consolidated List.

In addition to the Consolidated List, the Australian Government maintains a list of groups that are proscribed as terrorist organisations under the Criminal Code. This **List of Terrorist Organisations** can be accessed on the National Security Australia website: [www.nationalsecurity.gov.au](http://www.nationalsecurity.gov.au). If a group is listed as a 'terrorist organisation' on this website it is an offence to:

- direct the activities of the organisation;
- recruit persons to the organisation;
- receive training from or provide training to the organisation;
- receive funds from or make available funds to the organisation;
- provide support or resources to the organisation.

#### 4. Policy Statement

ActionAid Australia will promote and implement best practice principles to safeguard against misuse of funds for terrorist purposes through:

- careful assessment of potential partners to ensure they have no links to proscribed entities or individuals, and they have appropriate staff recruitment processes in place to avoid infiltration by such groups and individuals;
- ensuring all ActionAid Australia partner organisations, and in turn their in-country implementing partners, are aware of and understand their legal obligations in relation to counter-terrorism, to support compliance with this policy for all funds provided by ActionAid Australia;
- to ensure that ActionAid Australia complies with relevant legislation;
- regular monitoring and evaluation of project and program activities, both by ActionAid Australia and its partners, to ensure funds are being used for the purposes they were approved and given;
- application by both ActionAid Australia and its partners of internationally accepted accounting practices, verified by regular, independent audits; and
- procedures to ensure ActionAid Australia and all partner staff (i.e. ActionAid partners, local partners and any other partners directly involved in our development efforts) are aware of and actively managing counter-terrorism risks associated with but not limited to, procurement and recruitment procedures, governing bodies and the provision of capital or loans, and take action, as appropriate.

- ActionAid Australia will undertake counter-terrorism checks using its own web application, which includes access to the DFAT consolidated list or any other internationally reputable screening app. Additionally, ActionAid will support in-country partners in understanding how to effectively utilise the tool for screening purposes.

## 5. Policy Principles:

1. **Risk Assessment and Management:** ActionAid Australia conducts thorough risk assessments to identify and mitigate potential vulnerabilities to terrorism financing and other illicit activities.
2. **Due Diligence and Partner Vetting:** The organization implements robust due diligence processes to vet partners and suppliers, ensuring they have no connections to terrorist entities or individuals.
3. **Financial Controls:** ActionAid Australia maintains stringent financial controls to prevent funds from being diverted to terrorist organizations, including the use of secure banking channels and regular monitoring of financial transactions.
4. **Training and Awareness:** Comprehensive training programs are provided to all staff and partners to raise awareness of counter-terrorism measures and ensure compliance with relevant laws and guidelines.

## 6. Policy in Practice

1. **Staff and Partner Screening:** ActionAid Australia rigorously screens its staff, board members, partners, and suppliers to ensure they have no connections with identified terrorists or terrorist organizations listed on the Consolidated List or the List of Terrorist Organisations.
2. **Project Assessment:** Proposed development projects undergo thorough pre-appraisal processes to confirm they do not promote or have connections with terrorist organizations listed on the Consolidated List or the List of Terrorist Organisations.
3. **Partner Evaluation:** ActionAid Australia assesses prospective partners to ensure they do not engage in terrorist activities or have links with identified terrorists or terrorist organisations. Partners found with such connections are not engaged with.

4. **Anti-Terrorism Clause:** ActionAid Australia includes an 'anti-terrorism' clause in all Project Agreements with partners, outlining the requirement for compliance with counter-terrorism measures.
5. **Regular Partner Checks:** ActionAid Australia regularly requests partners to conduct checks on their staff, suppliers, and affiliates against terrorist lists. Documentation of these checks is shared with ActionAid Australia to prevent inadvertent funding of terrorist organizations. In high-risk contexts, this process is repeated every six months.
6. **Funds Transfer:** ActionAid Australia ensures that funds are transferred only to partners and suppliers not listed on the Consolidated List nor the List of Terrorist Organisations.
7. **Training and Compliance:** ActionAid Australia provides training on the Counter-Terrorism Policy to all new partners and continuously promotes and monitors compliance with this policy.
8. **Due Diligence:** Thorough due diligence assessments are conducted on all potential partners to verify their lack of connections to terrorist entities or individuals. This includes comprehensive screening against relevant terrorist lists and background checks.
9. **Project Appraisal:** All proposed development projects undergo rigorous pre-appraisal processes to ensure they are free from any association with terrorist organizations. Projects found to be linked to such entities are not supported by ActionAid Australia.
10. **Monitoring and Evaluation:** Comprehensive monitoring of partner compliance with the counter-terrorism policy is conducted throughout the project lifecycle, covering design, implementation, monitoring, and evaluation stages.
11. **Sector Good Practice:** ActionAid engages in sector learning and information sharing to ensure its counter terrorism practices are aligned with evolving good practice, particularly in high-risk contexts.

In accordance with International Humanitarian Law (IHL) and Australian legislation, ActionAid Australia uses its best endeavours and all reasonable efforts to ensure that Australian funding does not directly or indirectly provide financial support or resources to organisations identified on the DFAT and AGD lists. Where some aspects of Australia's counter-terrorism laws may be inconsistent with IHL, with international human rights instruments or with ActionAid's own human rights-based approach these inconsistencies will be raised and discussed directly with DFAT or other donors.

ActionAid Australia will continue to progress discussions on this matter with its counterparts in the Australian NGO community via the Australian Council

for International Development (ACFID) and other mechanisms, to advocate for change to these laws with the Australian Government.

## **7. Monitoring and Review of Policy**

This policy will be monitored and reviewed when there are changes made by the Australian Government to their Counter-Terrorism Policy and laws. The Chief Operating Officer is accountable to the Executive Director and Board for managing and maintaining this policy, including ensuring partner awareness and implementation of the policy.

All members of the Leadership Team are accountable for ensuring that their teams understand and adhere to this policy in their day-to-day work. Where compliance issues are surfaced, Leadership Team members will work with staff to address these issues promptly.

Any updates/revisions to the policy must be endorsed by the Executive Director and Leadership Team before being submitted to the ActionAid Australia Board for approval.

## Changes to Policy

Nature of Change	Date of Approval by Board
First developed and approved	27 October 2011
<p>Policy updated to include:</p> <ul style="list-style-type: none"> <li>a) procedures for counter-terrorism risk being expanded to partner staff and including specific reference to procurement procedures, governing bodies and the provision of capital or loans;</li> <li>b) the need for the policy to be updated when there are changes made by the Government to their Counter-Terrorism Policy;</li> <li>c) the need for checks of the Consolidated List and List of Terrorist Organisations every 6 months;</li> <li>d) that monitoring and evaluation of counter-terrorism risks includes ensuring that funds are used for their intended purpose;</li> <li>e) includes reference to ActionAid Australia working with partners to improve their knowledge, understanding of the Counter-Terrorism Policy and practice via training and regular communications</li> </ul>	31 August 2012
<p>Policy updated to include:</p> <ul style="list-style-type: none"> <li>a) a new purpose and scope section;</li> <li>b) including Grassroots Network leaders and members in the scope of this policy;</li> <li>c) a 'Changes to This Policy' section so that updates can be more effectively tracked;</li> <li>d) placing a stronger emphasis on ActionAid Australia program staff reminding partners of the need to check their partners and suppliers against the lists at least annually, and more often in high risk contexts. And explicitly checking on partner awareness and implementation of the policy when ActionAid Australia conducts monitoring visits;</li> <li>e) replacing "Program Manager" with "Deputy Executive Director" as the 'owner' of this policy on behalf of the ED and Board.</li> </ul>	12 May 2017
Policy updated to include:	24 October 2018

<ul style="list-style-type: none"> <li>a) Policy statement addressed to include reference to AAA's use of LinkMatchLite and supporting in country partners with this software;</li> <li>b) Policy in practice addressed to indicate AAA staff members will be checked; checks undertaken will be documented and shared with AAA; checks revised to every 6 months – previously once a year</li> <li>c) Inclusion of the flowchart highlighting AAA's process to ensure effective counter-terrorism measures are in place</li> </ul>	
<p>Policy update includes:</p> <ul style="list-style-type: none"> <li>a) Counter terrorism checking tool changed to in-house web application</li> <li>b) Policy in practise – partner screening and documentation added</li> <li>c) Policy principle - added risk management, due diligence, financial controls and training and awareness training</li> <li>d) Expansion of training programs for all new partners and promotion and monitoring of compliance to the policy</li> <li>e) Inclusion of sector best practice within policy in practice.</li> </ul>	<p>25 May 2024</p>