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COUNTER TERRORISM POLICY

Contents

REVISION HISTORY

Latest review 19 November 2024

POLICY STATEMENT

Family Planning Australia (FPA) will not support in any form a person or organisation that it knows or has reason to believe advocates terrorism or engages in terrorist and/or money laundering activity.

FPA adopts best practice principles to safeguard the organisation against terrorism financing and money laundering activities.

PURPOSE

Non-profit organisations are at risk of being misused by individuals or other organisations to launder money and/or finance or support terrorist activity. Non-profit organisations face this risk because:

- agencies receive funds from a wide range of sources, such as individual donors whose bona fides may be unknown
- agencies regularly transfer funds overseas and engage in international financial transactions
- agencies work within, or near, those areas that may be subject to terrorist activity
- agencies enjoy public trust and may not be subject to rigorous scrutiny

The consequences of becoming involved in terrorist financing and/or money laundering are significant, and can include loss of reputation, status, and donor confidence. Individuals or organisations may face criminal penalties if they are involved in or facilitating money laundering and/or terrorist activities.

Money laundering is defined broadly in Division 400 of the Criminal Code Act 1995 (Criminal Code) to include more than just concealing the proceeds or instruments of crime. The Criminal Code makes it an offence to 'deal with' the proceeds of crime or an instrument of crime. 'Deal with' is defined as a person receiving, possessing, concealing or disposing of money or other property as well as importing, exporting or engaging in a banking transaction relating to money or other property.

Division 103 of the Criminal Code contains specific offences for terrorism financing. In general terms, a person commits an offence if they make funds available to another person, provide funds or collect funds and are reckless as to whether the funds will be used to facilitate, or engage in, a terrorist act. An offence is committed even if a terrorist act does not occur or if the funds will not be used towards a specific terrorist act. Penalties also apply under the Charter of the United Nations Act 1945 for making resources available to a designated person or entity.

SCOPE

All FPA staff

DEFINITIONS

Term	Meaning
DFAT	Department of Foreign Affairs and Trade. The department's role is to advance the interests of Australia and Australians internationally. This involves working to strengthen Australia's security; enhancing Australia's prosperity; delivering an effective and high-quality aid programme; and helping Australian travellers and Australians overseas.
Listed individuals	Those terrorist persons and organisations listed on Australian Government Department of Foreign Affairs and Trade website (www.dfat.gov.au) and/or National Security Australia website (www.nationalsecurity.gov.au). This is also

Term	Meaning
	referred to as the Consolidated List.
Money laundering	The process of concealing the origin, ownership or destination of illegally or dishonestly obtained money and hiding it within legitimate economic activities to make them appear legal.
Terrorism	The systematic use of violence and threats to intimidate or coerce for political purposes.
Terrorism financing	The financial support, in any form, of terrorism or those who encourage, plan or engage in terrorism. It generally falls into two broad categories: • funding operational costs associated with terrorist acts— for example, expenses for travel, explosive materials, weapons and vehicles • funding organisational costs associated with maintaining a terrorist network, organisation or cell—for example, training, salaries, propaganda and compensation for wounded fighters or families of terrorists who have died.

POLICY DETAILS

1. FPA should endeavour to understand the level of risk that the organisation may be exposed to in relation to terrorism financing and/or money laundering activities, and where risk is evident, take necessary precautions.

2. To minimise risk, FPA will

   2.1. make all reasonable efforts to ensure that funds are not being directed to terrorist and/or money laundering activities.

   2.2. comply with Commonwealth, State and Territory laws and the laws of any foreign countries where services are provided.

   2.3. ensure management, staff and volunteers are aware of the level of risk that their organisation may be exposed to in relation to terrorism financing and/or money laundering activities and, where risk is evident ensure that precautions are in place.

   2.4. take reasonable steps to know the beneficiaries, partners and any third parties they work with.

   2.5. ensure that the staff, Board members, significant suppliers and international project partners and third party providers are not included on the list of proscribed persons and organisations:

   2.6. conduct financial transactions where possible through regulated financial institutions, such as banks or building societies.

   2.7. conduct background checks of management, staff and volunteers.

   2.8. report any suspicious activity to the Australian Federal Police and the Department of Foreign Affairs and Trade.

PROCEDURES

1. Engaging with new partners

1.1. In the development of partnership agreements FPA must ensure that a full assessment of all partner organisations takes place and that any contracts or partnership agreements are established in line with organisational policies. This includes full and detailed partner assessment including nationally recognised and legal registration, sound financial management practices and policies, and work history detailing prior program or project implementation.

1.2. Contracts and partnership agreements must specifically refer to counter-terrorism regulations.

1.3. All staff must use their best endeavours to ensure that funds provided for agreed projects do not provide direct or indirect support, or resources to organisations and individuals associated with terrorism and/or financial sanctions. If, during the course of the program/project, staff discover any links whatsoever with any organisation or individual associated with terrorism they must immediately inform their manager or if appropriate the CEO.

1.4. Prior to finalisation of new contracts with partners, FPA must ensure that partners staff, Board members and significant suppliers are not included on the list of proscribed persons and organisations. A report documenting the checks will be stored with the contract documentation.

2. Ongoing terrorism screening

2.1. Regular screening will be performed against the list of proscribed persons and organisations for all FPA staff engaged in the international programme, FPA Board of Directors, staff and Board of Directors of international partners and significant suppliers for international projects.

2.2. A summary report on the terrorism screening will be reviewed at the Executive Committee meeting on a quarterly basis.

2.3. All staff must be provided with regular updates on terrorist issues and risks and be made aware of how they relate to their own areas of work responsibilities and in particular to their own safety and security with particular reference to the organisational travel policy and procedures.

2.4. Prior to travelling in country, staff must ensure that they perform an up- to- date assessment of the risk of terrorism in the areas where they are travelling as part of their pre departure security and safety screening process.

2.5. If FPA

- have any exact matches on the proscribed persons and organisation lists; or
- receive any reports of terrorism and/or money laundering activities by partner organisations or their staff

- then the CEO or Director Planning, Education and International Programme must within 48 hours notify DFAT at counter-terrorism.resourcing@dfat.gov.au, investigate allegations and act, if necessary, to suspend the staff member or partnership.

RELATED DOCUMENTS

- Lists of proscribed persons and organisations
  - Australian Government Department of Foreign Affairs and Trade Consolidated List (https://www.dfat.gov.au/international-relations/security/sanctions/consolidated-list)
  - National Security Australia (https://www.nationalsecurity.gov.au/what-australia-is-doing/terrorist-organisations/listed-terrorist-organisations)
  - The World Bank (https://projects.worldbank.org/en/projects-operations/procurement/debarred-firms)
  - The United Nations Security Council (https://www.un.org/securitycouncil/content/un-sc-consolidated-list)
- Australian Government AUSTRAC and Australian Charities and Non-for profits Commission. National Risk Assessment 2017: Australia's non-profit organisation sector money laundering / terrorism financing.
- ACFID Code of Conduct 2023. Good Practice Toolkit, Commitment 8.2.1 Members can control and manage their financial resources
- Department of Foreign Affairs. Australian NGO Accreditation Guidance Manual 2024
- Department of Foreign Affairs. Terrorism Resourcing Risk Management

COMPLIANCE STRATEGY

Item	Audit frequency /evidence	Person responsible
Review of FPA staff involved in international development, partner organisations and third parties against the list of terrorist persons/organisations and consolidated list.	Monthly and prior to entering MOU	Director Planning, Education and International Programme
Review of summary report of terrorism screening	Quarterly	Executive Committee
Counter terrorism clauses are included in MOUs and reviewed annually to ensure currency with Australian government policy	Annually	Director Planning, Education and International Programme