

**Policy:** **CLAN Counter-Terrorism Policy**

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**1. Introduction**

CLAN is a not for profit, non-government organization operating in Australia and overseas. CLAN is committed to compliance with Australian and international counter-terrorism legislation. Australia’s Criminal Code Act 1995 Division 103 covers preventing the financing of terrorism by collecting, providing, or donating money to finance terrorism. The Criminal Code Charter of the United Nations Act 1945 (Sections 103.1 and 103.2) and the Charter of the United Nations (Terrorism and Dealing with Assets) Regulations 2008 also include legislation against financing of terrorism. In Australia the Attorney-General’s Department ‘List of Terrorist Organisations’ (Criminal Code Act 1995), and the DFAT ‘Consolidated List’ of individuals and DFAT entities subject to financial sanctions and/or travel list of terrorist organisations, are available to be checked by non-government organisations for information about terrorist organisations. CLAN will never knowingly support, tolerate or encourage terrorism or related activities.

**2. Purpose**

This policy outlines CLAN’s efforts to avoid engagement in terrorism activities whether by design or by consequence or coincidence, and to prevent the misapplication of CLAN’s funds and resources to support terrorist groups or activities, and/or if this is suspected.

**3. Scope**

This policy applies to CLAN, its governing body, members, partners, affiliates, contractors, staff, volunteers, and supporters.

**4. Definition**

<b>Term</b>	<b>Definition</b>
<b>Counter-terrorism</b>	Counter-terrorism (also called anti-terrorism) incorporates the practice, counter terrorism <a href="#">military tactics</a> , techniques, and strategy that government, military, law enforcement, business, and <a href="#">intelligence agencies</a> use to combat or prevent terrorism. Counter-terrorism strategies include attempts to counter financing of terrorism. (Wikipedia)

**5. Policy**

CLAN is primarily engaged in providing services, and not funding grants, to support children with non-communicable diseases and their families. CLAN plans and implements projects/programs in partnership with other groups or professionals, and is normally responsible for organising and funding the project/program. However, CLAN recognises that risks of vulnerability do exist in relation to potential misuse of its funds and resources.

CLAN will make all reasonable efforts to meet its obligations under Australian and International legislation which prohibit dealings with terrorist organisations and/or listed entities or persons.

CLAN will act with diligence in the oversight of delivery of funds and any other resources for the operation of programs and projects to ensure that they are not misused to support any individuals or organisations associated with terrorism.

CLAN will not knowingly receive funds or resources from questionable sources that may be linked to terrorism.

CLAN will share and discuss this policy with all partners and persons supporting CLAN and its activities. CLAN will need evidence from partners that they comply with CLAN's policies.

CLAN will assess risks and implement practices to protect funding to avoid any misuse of funds.

This policy is reviewed and may be amended whenever necessary to respond to new risks or legal requirements.

Templates for Agreements and MOU's will also be reviewed for relevance and currency to counter-terrorism legislation.

## **6. Procedures**

### **i. Risk Assessment**

CLAN recognises risks associated with contributing to projects overseas. Risk assessments and financial safeguards are planned to ensure a minimum risk level.

CLAN will exercise due diligence to confirm that recipients of funding or other aid given, are not identified terrorist individuals or organisations by consulting the Attorney-General's Department 'List of Terrorist Organisations' and the DFAT 'Consolidated List' of persons and entities subject to subject to financial sanctions and/or travel list of terrorist organisations.

In situations where funding may be requested to support an aid program, CLAN will assess applications for funding based on the applicant's identity and credentials. This may include and the applicant's Board/Committee members, staff, volunteers and partners of the applicant, associations, financial management, management practices, and fraud and anti-terrorism policies.

Other factors to be assessed may include, where relevant, funding to the applicant from other external sources and the applicant's relationships with other partners. Police checks and reference checks may be requested where relevant. Partners involved in programs with CLAN will need to formally agree to accept and implement this policy.

### **ii Management of Funds**

CLAN will only conduct financial transactions through regulated financial institutions, for both receiving and sending funds. Documentation will be maintained for all financial assistance for beneficiaries.

### **iii Contracts, MOU's, Agreements**

Contracts and agreements with partners will include requirements that the recipients of funding or other aid are to adopt and comply with CLAN's policies, including counter-terrorism legislation as required by the Australian Government.

#### **iv Evidence**

Recipients of funding are required to submit detailed accounting reports annually or as requested, and which have been audited externally by a validated authority or auditor in that country. Evidence will also be required from recipients of funding of how they comply with Australian legislation for use of funding if any sub-partner or contractor receives funding as part of a plan or project supported by CLAN.

CLAN will review financial and other aid given by follow up checks, audits, and review of financial records to ensure assistance is delivered as intended. Any suspicious activity will be reported to the funding body and/or the Australian Federal Police, as required.

#### **v Monitoring**

CLAN's role in all plans or projects is determined by the Executive Committee. This may include, but not limited to, direct participation and involvement in plans and programs, supervising programs or projects, monitoring programs/projects, field visits, consultancy, contracts with organisation/s or individual/s. Where funding is provided to other entities or groups, monitoring of financial management will continue throughout the project/program to ensure that the funding is used as aligned to CLAN's goals and outcomes for the project/program.

#### **7. Reporting**

Reports will be given to the Committee for each project/program undertaken by CLAN. The Committee will assess the use of funds according to funding criteria as stated in the Contract, Agreement, or MOU, and aligned to CLAN's Policies that apply to the application.

#### **Associated Documents**

Project Design, Monitoring and Evaluation Policy

Risk Management Policy

#### **Legislation**

Anti-Money Laundering and Courter Terrorism Financing Act 2006 (Cth)

Criminal Code Act 1995