



**Himalayan
Development
Foundation**
AUSTRALIA

Counter Terrorism Guidelines

Policy Number	2	Version	1.1
Drafted by	Christina Garden	Adopted by board	21 August 2017
Updated by	Jo Arnold (dates only)	Adopted by board	5 August 2019
Updated by	Ella Price	Adopted by board	26 September 2022
Responsible person	Duncan Chessell	Scheduled review date	August 2025

The Himalayan Development Foundation Australia (HDFA) is aware of terrorism related issues and uses its best endeavours to ensure funds do not provide direct or indirect support, or resources to organisations or individuals associated with terrorism. HDFA does not, and will not, willingly support terrorism.

The HDFA mission is to empower Nepalese communities to work towards sustainability without welfare, through improved health, education, agriculture and livelihood programs. To do this we partner with international organisations, exposing HDFA to potential terrorist associations. These guidelines and related processes are designed to avoid and mitigate these associations.

Background

HDFA has a responsibility to comply with Australian law. Australia has enacted legislation to ensure it meets its international obligations under United Nations Security Council Resolutions 1267 (and successor resolutions) and 1373 to freeze the assets of terrorists. The Australian Government has passed laws to prohibit a person who is holding assets that are owned or controlled by a designated terrorist individual or entity from using or dealing with those assets (in other words, the person holding those assets must freeze them) and to prohibit any person from making any assets available to designated terrorist individuals or entities.

The Department of Foreign Affairs and Trade (DFAT) maintains a [Consolidated List](#)¹ of all individuals and entities to which this terrorist asset freezing regime applies. DFAT maintains close contacts with Australia's financial sector to ensure asset-freezing arrangements take account of the sector's legitimate interests. Australian organisations have a responsibility to ensure that they do not do business with an individual or entity listed on the Consolidated List.

In addition to the Consolidated List, the Australian Government also maintains a [List of Terrorist Organisations](#)². If a group is listed as a "terrorist organisation" it is an offence to³:

- 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

Procedures

In order to manage risk associated with terrorism, HDFA will:

1. Ensure that the Treasurer regularly checks the Consolidated List and List of Terrorism Organisations, and provide advice to partner organisations and staff as necessary.
2. Know HDFA's beneficiaries and any third parties that HDFA works with to ensure that checks conducted identify any listed individuals or organisations.
3. Understand the level of risk that HDFA may be exposed to in relation to terrorism financing, and take necessary precautions.

¹ <http://www.dfat.gov.au/sanctions/consolidated-list.html>

² <https://www.nationalsecurity.gov.au/what-australia-is-doing/terrorist-organisations/listed-terrorist-organisations>

³ <http://www.ag.gov.au/NationalSecurity/CounterterrorismLaw/Pages/TerroristOrganisations.aspx>

4. Make the HDFA Counter-terrorism guidelines available on the HDFA website.
5. Provide all HDFA staff (Australia and Nepal-based), HDFA Board members, and managers of partner organisations a copy of the counter terrorism guidelines on commencing their association with HDFA and on updating of this document. This will be recorded on the HDFA Counter Terrorism Guidelines Register.
6. Ensure the Board of Directors review and assess these guidelines every three years, or as otherwise required or determined by the Board.
7. As often as is reasonably necessary, consider the following materials to ensure that HDFA is aware of the recommend best practice for reducing the risk of terrorism financing, and amend its practices as necessary:
 - ACNC's '[Checklist: Protecting your charity against the risk of terrorism financing](https://www.acnc.gov.au/for-charities/manage-your-charity/checklist-protecting-against-risk-terrorism-financing)'⁴
 - The Department of Home Affairs' guidance '[Safeguarding your organisation against terrorism financing](https://www.homeaffairs.gov.au/criminal-justice/files/safeguarding-your-organisation-against-terrorism-financing-booklet.pdf)'⁵
8. Monitor compliance with these guidelines. The Treasurer will be responsible for monitoring. The Treasurer is responsible for taking action (below) if suspicious activity is suspected.
9. Ensure Project Agreements/Contracts with all partner organisations include clauses related to counter-terrorism and/or provide them with a copy of the HDFA Counter Terrorism Guidelines. If a partner organisation discovers or suspects any link to terrorists, either individuals or organisations, they must immediately advise the CEO and HDFA Treasurer.
10. Ensure
 - funds transfers are authorised;
 - funds are being sent to an authorised bank account/reputable financial institution;
 - advice of payments is made to developing country partners receiving the funds;
 - recipients provide a receipt or letter acknowledging funds received;
 - an acquittals process for all funds expended by the developing country partner; and
 - appropriate records are kept in relation to the above.
11. Immediately cease to deal with any partner organisation that is added to either DFAT list and terminate any agreement/contract entered into with that partner organisation.
12. Contact the Australian Federal Police if any suspicious activity is noticed.
13. Contact the National Security Hotline if terrorism financing is suspected:
 - Call: 1800 1234 00
 - From outside Australia: (+61) 1300 1234 01
 - Email: hotline@nationalsecurity.gov.au
 - MMS: 0429 771 822
 - TTY: 1800 234 889.

⁴ <https://www.acnc.gov.au/for-charities/manage-your-charity/checklist-protecting-against-risk-terrorism-financing>

⁵ <https://www.homeaffairs.gov.au/criminal-justice/files/safeguarding-your-organisation-against-terrorism-financing-booklet.pdf>

Associated forms and documents

- HDFA Counter Terrorism Guidelines Register

I, _____[insert name], acknowledge that I have read and understand HDFA's *Counter Terrorism Guidelines*, and agree that in the course of my association with HDFA, I must adhere to these guidelines.

Signed:

Date: