

AUSTRALIAN DOCTORS FOR AFRICA

Policy: COUNTER TERRORISM AND ANTI-MONEY LAUNDERING

Date last approved: 11/2024

Date of next review: 11/2027

Approved by: Board

1 PURPOSE

ADFA has a zero tolerance approach to any association with terrorism or money laundering. As a not-for-profit organisation with a focus on support to Africa, ADFA endeavours to ensure that ADFA / Australian funds and resources are not being used, directly or indirectly, to support terrorist activities and that ADFA operates within the law in Australia as well as in the countries in which it undertakes programs.

Terrorism and money laundering are against the law, against Australia's national interests and undermine sustainable development. ADFA seeks to prevent, detect and deter the deliberate or unknowing facilitation or support of terrorist groups or organisations, or individuals associated with terrorism and/or organised crime. The current practices, risk assessments and financial safeguards described in this policy are designed to minimise such risks.

2 SCOPE

This policy applies to all staff, board members and volunteers of ADFA, as well as to all those with whom ADFA has professional dealings, including implementing partners, consultants and suppliers.

3 DEFINITIONS

Anti-money laundering refers to a set of laws, regulations, and procedures intended to prevent criminals from disguising illegally obtained funds as legitimate income.

Counter terrorism refers to measures put in place to ensure assets used or provided do not provide direct or indirect support or resources to organisations and/or individuals associated with terrorism.

Implementing Partners are partners that receive funds from ADFA for project implementation. ADFA has Partnership Agreements with implementing partners, that outline responsibilities in relation to activities, budget expenditure, reporting, and conduct.

Institutional Partners are partnerships with governmental institutions and structures, such as Ministries and Hospitals, who do not receive funds from ADFA. Responsibilities of all parties are outlined in Memoranda of Understanding.

Proscribed lists relates to lists of suspected terrorists, supporters of terrorists, and persons and entities subject to targeted sanctions.

4 POLICY STATEMENT

ADFA will endeavour to safeguard against money laundering or misuse of funds for terrorist purposes, including the due diligence of potential in-country partners, collaborators and suppliers, to ensure they have no links to proscribed entities or individuals. This process will form part of ADFA's risk management procedures, and will include reasonable due diligence and precautions.

ADFA will use the Department of Foreign Affairs and Trade 'Consolidated List' of persons and entities subject to a targeted financial sanction imposed by resolution of the United Nations Security Council: <http://dfat.gov.au/international-relations/security/sanctions/pages/consolidated-list.aspx#list>

4.1 ADFA Staff, Board Members and Committee Members:

- will be screened upon appointment, and thereafter on a 6-monthly basis, against the proscribed lists;
- will be made aware of their obligations under this policy at the time of their on-boarding; and
- will be provided with periodic counter terrorism financing and anti-money laundering awareness raising and training, as required.

4.2 Volunteers / Medical Teams

ADFA's volunteer accreditation processes meet Department of Foreign Affairs and Trade (DFAT) security requirements to screen volunteers, including the collection of suitable documentation (eg, police clearances). Screening will be undertaken prior to the deployment to ensure they are not found on any proscribed lists.

This policy is included in information provided to all Team Leaders participating in overseas medical assignments to assist in their understanding and obligations under the policy. Medical volunteers are also made aware of their and ADFA's obligations under this policy in their pre-departure briefing.

4.3 Partners

ADFA will undertake detailed due diligence on any existing or prospective implementing partner or recipient organisation, to ensure there is no involvement in terrorism or money laundering. For implementing partners, this will form part of initial due diligence checks as well as more extensive capacity assessments. On an ongoing basis (as outlined in Section 4.1), ADFA staff will conduct checks to ensure the people or organisations that ADFA directly assist are not on the DFAT Consolidated List (<http://dfat.gov.au/international-relations/security/sanctions/pages/consolidated-list.aspx#list>). Prior to any payment, checks against proscribed lists are undertaken by the Finance Administrator.

Prior to authorising expenditure for new projects, the Board must ensure that the people or organisations that ADFA directly assists have been made aware of and are obliged to comply with the relevant Australian laws and this policy (through clauses in MOUs and Partner Agreements) and that they in turn are obliged to ensure that their distribution of the funds or support is made on the same basis. That is, to say that these people or organisations directly assisted will take all necessary measures to not directly or indirectly support terrorism.

Implementing Partners (Board Members and Senior Management):

- will be screened on a 6-monthly basis by ADFA, against the DFAT Consolidated List;
- will conduct their own checks of staff and suppliers, using processes verified by ADFA;
- will demonstrate the application of these checks in-country during annual monitoring visits.

Institutional Partners: will be made aware of this policy through clauses in MOUs that will be discussed to ensure comprehension.

4.4 Scholarship Recipients

Will be screened against the proscribed lists prior to receiving their scholarship and on a six-monthly basis until its completion.

4.5 Suppliers

Will be screened against the proscribed lists before receiving their first payment and on a six-monthly basis whilst receiving payments.

4.6 Reporting Suspected Terror Related Activity

Anyone within the scope of this policy is obliged to notify ADFA immediately if they suspect a link to any criminal/criminal organisation or terrorist/terrorist organisation. Disclosures can be made in line with the processes and procedures outlined in the ADFA Complaints Handling Policy and Procedure.

ADFA is in turn obliged to inform DFAT immediately it is aware of such an accusation in the delivery of DFAT business via email (counter-terrorism.resourcing@dfat.gov.au).

Any suspected terrorism related activity must be reported immediately to the Australian Federal Police (131 444) or the National Security Hotline on 1800 123 400. If overseas, reports can be made through the liaison officers located in Australian embassies:

- Madagascar: Port Louis, Mauritius T: +(230) 202 0160
- Somaliland: Nairobi, Kenya T: +(254) 020 4277 100
- Ethiopia: Addis Ababa T: +(251) 967 941 377
- Zimbabwe Harare T: +(263) 242 853 235

4.7 Financial Transparency

ADFA maintains the transparency and accountability of its organisation and activities by having internal controls in place which ensure that funds are fully accounted for and spent in a manner consistent with the stated purpose. These controls include:

- operating a separate bank account for the holding of monies donated by the public;
- conducting financial transactions where possible through regulated financial institutions;
- developing and keeping records of program budgets that account for all program expenses;
- producing annual financial statements that provide detailed breakdowns of incomes and expenditures; and
- having an annual audit undertaken by an external auditor.

5 REFERENCES

5.1 Associated Documents

- ADFA Policy – Approval of Projects
- ADFA Policy – Financial Management
- ADFA Policy – Human Resource Management
- ADFA Policy / Procedure – Complaints Handling
- ADFA Policy – Whistleblower
- ADFA Code of Conduct – Medical Volunteers
- ADFA Code of Conduct – Non-medical

5.2 Reference Documents

- The Criminal Code Act 1995 (Cth) sets out criminal penalties (up to life imprisonment) for providing support intentionally or recklessly by 'getting funds to or from a terrorist organisation' (section 102.6), 'providing support to a terrorist organisation' (section 102.7) and 'financing terrorism' (section 103.1), and Division 400.
- The Charter of the United Nations Act 1945 (Cth) sets out penalties for making assets available to a proscribed person or entity.
- UN Security Council Resolutions relating to terrorism, including UNSC Resolution 1373 (2001) and 1267 (1999) and related resolutions.
- ADFA will periodically check all those outlined in the scope of this policy against the proscribed terrorist list below:

Department of Foreign Affairs and Trade 'Consolidated List' of persons and entities subject to a targeted financial sanction imposed by resolution of the United Nations Security Council: <http://dfat.gov.au/international-relations/security/sanctions/pages/consolidated-list.aspx#list>

Established: October 2012

Reviewed: November 2017; April 2019; November 2021, October 2024