



WSF POLICY IN RESPONSE TO COUNTER- TERRORISM REGULATIONS

PURPOSE

In 2001, the United Nations Security Council adopted Resolution 1373 imposing a series of obligations on UN Member States to suppress terrorism. These State obligations flow down to WSF, WSF members, candidates, and affiliates (collectively, “**WSF**”) through the national and host governments of the country where WSF operates.

In addition to the UN Security Council Resolution, many countries and multilateral organizations around the world maintain laws, regulations, and resolutions prohibiting the provision of support to individuals and entities known or believed to be engaged in, supporting, or otherwise advocating terrorist activity or associated with such terrorist parties.

Acts of terrorism and the existence of terrorist organizations erode the security of all people and conflict with WSF’s vision, which states, “a peaceful, just world free from poverty.” It also contradicts WSF’s Program Principles, which commit to “promoting the non-violent resolution of conflicts.” Moreover, acts of terrorism create humanitarian suffering and impede the provision of humanitarian assistance.

The Code of Conduct of the Red Cross and Red Crescent Movement and NGOs in Disaster Relief recognizes the right of all persons to receive humanitarian aid. Additionally, International Humanitarian Law requires parties to a conflict to allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need.

The purpose of this policy is to prevent and mitigate the risk of intentional or reckless diversion of aid to Prohibited Parties and Controlled Parties as defined below, including those designated as terrorists by the UN and other applicable governments, in line with applicable counter-terrorism laws, regulations, orders, sanctions, and resolutions (collectively, “**Counter-Terrorism Laws**”). As a non-profit, non-governmental humanitarian organization, WSF is also committed to acting in a manner consistent with international humanitarian law and to undertaking its activities in respect for and accordance with the humanitarian principles of humanity, impartiality, neutrality, and independence.

SCOPE

This policy and its reporting requirements apply to all of WSF, including all staff, wherever located, related entities, candidates, and affiliates, as well as related personnel, including board members, volunteers, and interns. Compliance with applicable Counter-Terrorism

Laws also applies to any third parties of WSF, including vendors, consultants, contractors, sub-contractors, grantees, and sub-grantees ("**Third Parties**").

All persons and entities to whom this policy and related compliance procedures and internal controls apply are responsible for understanding and adhering to them.

DEFINITIONS

For the purposes of this policy, the following statements are working definitions.

A terrorist act is "any criminal act, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act."¹

A terrorist organisation is an organisation engaged in facilitating, preparing, planning, assisting, or fostering the doing of a terrorist act or advocating the commission of a terrorist act.

A person or organisation finances or supports terrorism when they knowingly provide money or material support² to a terrorist organization or that they know will be used to facilitate or engage in a terrorist act or are reckless about whether the money or other material support will be used to support a terrorist organisation or facilitate or engage in a terrorist act.

Prohibited Parties are individuals and entities including state and non-state armed groups known or believed to be deliberately and knowingly engaging in, facilitating, supporting, or otherwise advocating terrorist activity including persons that have been designated on applicable government-administered terrorist activity lists.³

Controlled Parties are individuals and entities that are controlled or owned by Prohibited Parties.

Counter-Terrorism Laws are the applicable laws, regulations, orders, sanctions, and resolutions representing the legal frameworks and sanctions regimes existing at the international, regional, and national levels relating to counter-terrorism.

POLICY STATEMENT

It is WSF International's policy to not finance or support terrorism or terrorist acts and to

¹ UN Security Council Resolution 1566 (2004).

² USAID defines material support as "currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials."

³ Lists include but are not limited to the Australia's Listed Terrorist Organizations, Canada's Listed Terrorist Entities, the European Union's Terrorism List, the United Kingdom's Consolidated List of Financial Sanctions Targets and the U.S. Treasury Department's Office of Foreign Assets Control's (OFAC) list of "Specially Designated Nationals and Blocked Persons."

comply with all applicable Counter-Terrorism Laws.

Unless legally authorized, such as pursuant to a license granted by a governing entity, WSF will not employ, do business with, provide or receive support of any kind or otherwise engage in transactions with Prohibited Parties or Controlled Parties.

The preceding policy statement does not prohibit interactions with Prohibited or Controlled Parties to access people in need or to implement related programs consistent with WSF International's programming principles and Humanitarian principles, provided that such interactions do not include providing or receiving support or otherwise engaging in transactions that constitute material support to Prohibited or Controlled Parties.

The only permitted exception to this policy is when a reasonable belief exists that adherence to the policy would likely result in imminent threat to life or personal security or cause serious bodily harm. Any use of such exception requires notification as soon as possible to the appropriate line management of the implicated member of WSF International. Offices operating in insecure contexts must actively consult with appropriate line management and qualified legal counsel to manage humanitarian access questions and other related considerations.

POLICY DETAILS

The implementation of this policy requires that each WSF member, candidate, and affiliate maintain procedures designed to ensure compliance with this policy. Such procedures shall include the following:

Due Diligence and Prohibited Party Screening. Prohibited Party screening is a critical tool for ensuring compliance with this policy and applicable Counter-Terrorism Laws. Many governments and multilateral organizations, including, without limitation, Australia, Canada, India, the European Union, the United Kingdom, the United Nations, and the United States of America, administer published lists of individuals and entities that have been determined to be engaged in terrorist activity or otherwise associated with terrorist activity. Screening against applicable Prohibited Party lists, such as using Bridger XL, shall be conducted and maintained for all persons and entities with which business will be conducted, including employees, volunteers, financial institutions, as well as WSF Third Parties."

WSF strongly opposes the screening of ultimate beneficiaries of our programs as interfering with the humanitarian obligations to ensure aid is delivered to all people in need based on the humanitarian principles of neutrality, humanity, impartiality, and independence. As such, the screening procedures in this policy do not apply to those in need to whom funds *and / or* project activities are provided, such as recipients of food, medical WSF, micro-enterprise loans, shelter, etc., unless WSF has **actual** knowledge that one or more beneficiaries are subject to counter-terrorism sanctions by the U.S. government, the U.N., or other applicable government Prohibited Party lists⁴. Appropriate due diligence efforts and compliance with humanitarian principles are critical steps to help ensure that Prohibited Parties and persons on other applicable government-administered terrorist activity lists are not included as

beneficiaries.

Training. Appropriate employees shall undergo periodic training on applicable Counter-Terrorism Laws and compliance with this policy, as well as on humanitarian principles.

Reporting. Any suspected or confirmed violations of this policy shall be reported to appropriate line management and qualified legal counsel as soon as possible, which shall work with appropriate persons to investigate, respond to, and, if required, disclose any incidents and violations.

Third-Party Certifications. WSF requires that the standard terms and conditions of any contractual agreement with Third Parties contain appropriate clauses to the effect that the Third Party certifies that it does not and will not provide any benefit, including financing or resources, to Prohibited Parties.

Internal Review. From time to time, WSF and members, candidates, and affiliates shall review their internal procedures and controls implemented pursuant to this policy to ensure that they are effective and remain in compliance with this policy and applicable Counter-Terrorism Laws.

Violations. Violations of this policy by any person or entity to whom it applies may result in disciplinary action, up to and including contract and/or employment termination.

REFERENCES AND ASSOCIATED POLICIES

- WSF Procurement Policy and Procedures
- Applicable procedures and training to be developed by individual WSF members, candidates, and affiliates, as appropriate.