



Institutional policy

Policy on Counterterrorism measures and regulations

Institutional Funding Division
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1. Purpose and background

1.1 HI Operational Context

In fulfilling its mission, Humanity & Inclusion (HI) is committed to ensuring that assistance and protection reach those most in need, and to preventing and mitigating the risk of aid diversion. HI's mandate means that the organization sometimes operates in the same area as individuals and entities that states or intergovernmental organizations have designated as terrorist.

This institutional policy applies to the whole HI network¹.

1.2 Counter-terrorism legislation, policies and measures, and contractual clauses

Counterterrorism legislation in registration, operation, and donor countries imposes responsibilities and obligations on the organization and its staff. HI may also have contractual obligations to its donors via counter-terrorism-related contractual clauses.

At the same time, counterterrorism policies and measures, and contractual agreements, when applied to HI, should not run the risk of undermining humanitarian assistance in accordance with humanitarian principles and international human rights law, endanger the safety and security of HI staff, or negatively affect HI standing as an impartial and independent non-governmental organization.

1.3 Principled assistance and protection

This policy sets out the main principles that will allow HI to deliver assistance and protection to those most in need in accordance with Fundamental rights and freedoms, International human rights law, International humanitarian law including in particular UN resolutions giving right to access, humanitarian and non-discrimination principles, while complying with relevant counter terrorism legislation and obligations.

¹ The HI network encompasses the whole HI organisation, i.e. the Federation (Lyon, Paris and Brussels HQs and the programmes), the eight national associations and the HI Institute for Humanitarian Action.

2. Definitions

2.1 Due diligence

The process through which HI exercises an appropriate level of caution or investigation prior to acting or making a decision.

2.2 Screening

For the purposes of this policy, an element of the due diligence review that involves checking whether an individual or entity is included/ verifying that an individual or entity do not appear on lists in states or UN sanctions lists of individuals and entities designated as terrorists, or under sanctions for illicit or criminal activities.

2.3 Asset

HI physical assets, staff, or other resources including brand.

2.4 Final beneficiaries

Natural persons who receive charitable, humanitarian or other types of assistance through the services of HI²

2.5 Terrorism / counter-terrorism

In the absence of an internationally agreed-upon definition of terrorism, and therefore counter-terrorism, terrorism is understood, for the purpose of this policy, as: “an act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.”³

² FATF Interpretative note to recommendation 8 (2012, Updated October 2020)

³ Article 2 of the International Convention for the Suppression of the Financing of Terrorism of 1999, reaffirmed by Security Council Resolution 1373 (2001)

3. Main principles

3.1 HI takes counter-terrorism measures very seriously

3.2 HI acknowledges that counterterrorism legislation in registration, operation and donor countries places responsibilities and obligations on the organisation and its staff

3.3 HI is determined that all its funds and resources should only be used to further its mission and shall not be subject to illicit use by any third party nor used or abused for any illicit purpose

3.4 Controls are in place

In conjunction with its anti-bribery, fraud and corruption Policy, HI is implementing numerous controls to prevent and mitigate aid diversion to prevent the intentional and reckless use of HI assets to promote or support terrorism.

These controls include, in particular:

3.4.1 Operations

- Regular context analyses, actor mapping, and risk analyses in order to understand context- and program-specific risks.
- An organization-wide position regarding contact (direct or indirect) with armed actors: all contacts must correspond to the program's overarching humanitarian access strategy.
- Systematic needs assessments, beneficiary selection process, robust monitoring of the projects, including post-distribution monitoring.
- An acceptance-based **safety & security policy** in order to ensure host communities & beneficiaries actively support HI presence, activities, and staff.
- Robust incident reporting and crisis management protocol, including a dedicated online reporting system for all safety & security-related incidents in order to ensure effective management and analysis.

3.4.2 Finances

HI will not, knowingly or recklessly, provide funds, economic goods or material support to any entity or individual designated as “terrorist” by the international community or Affiliate domestic governments, and will take all reasonable steps to safeguard and protect its assets from such illicit use.

3.4.3 Risks-based due diligence procedures, Internal control and Audits.

Rigorous financial and procurement controls, along with appropriate checks and balances, including internal and external auditing and detection as set in “HI Framework for detection measures for unlawful activities” which includes:

- General risk reduction, prevention and internal control measures
- Prevention based on context analysis, information and the training of personnel, partners and service providers, supported by effective detection and verification measures.
- Controls, detection measures, screening, of partners, suppliers and other individuals and entities (see below [4. Screening](#)).

3.5 Principles and HI values

3.5.1 HI is committed to the humanitarian principles of humanity, neutrality, independence and impartiality, and HI values of humanity, inclusion, commitment and integrity.

As an independent and impartial aid organisation working in situations of poverty and exclusion, conflict and disaster, HI works alongside people with disabilities and vulnerable populations, taking action and bearing witness in order to respond to their essential needs, improve their living conditions and promote respect for their dignity and fundamental rights.

HI adheres to the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief. This Code stipulates that aid will not be used to further a particular political or religious standpoint and signatories shall endeavour not to act as instruments of government foreign policy.

3.5.2 Principled Action and donors agreements

HI will not enter into donor agreements that contain requirements that would force HI to deliver assistance in a way that is at odds with the principles and values reiterated above, and ‘Do no harm’ principles.

3.5.3 Humanitarian Exemptions

HI will actively advocate for humanitarian exemptions when the consequences of excessively stringent counterterrorism measures negatively affect principled humanitarian action.

4. Screening

4.1 Screening scope

HI screens employed staff, potential partners, sub-contractors, and suppliers above a certain threshold, and other entities within the scope and as per the specific rules outlined in the detailed HI procedures applying to each of these categories.

4.2 Exclusion of final beneficiaries (natural persons)

In accordance with the humanitarian principles of impartiality and independence and its principles and values, HI will not perform screenings of final beneficiaries (natural persons) which would be in violation of these principles, nor will it require its partners to do so.

4.3 Responsibilities

The person(s) signing the contracts in question have to ensure that proper screening is/has been/will be conducted and documented.

5. Management of suspicions, allegations and alerts

5.1 Misconduct reporting and HI whistleblowing mechanism

As a mandatory internal requirement, all HI staff who become aware of:

- Suspicious transactions involving criminal groups, individuals and groups engaged in acts of terrorism information,
- And/or that HI assets might otherwise have been used to support armed groups, individual and criminal groups, promote or facilitate terrorism
- A non-compliance with internal rules and procedures relevant to this policy, must immediately report such information, through the [HI Whistleblowing mechanism](#).

This mechanism informs in real time the management of the organization at headquarters. It can be activated by the line management or the advisors or directly by the staff, regardless of their hierarchical level.

5.2. Allegation management Process

All allegations or alerts reported will be managed following the HI internal due process (from collection of reports, analysis and qualification, verifications and investigations, appropriate protection, sanctions and organizational improvement measures).

5.2.1 HI will promptly react to credible allegations that somebody has used HI assets to promote or support terrorism.

5.2.2 HI will inform, in accordance with contractual obligations and in respect of the Alert and Incident Management Process, and within the limits of applicable regulations, relevant partners and donors of any allegations of aid diversion that are found to be credible and open to investigation.

6. Implementation and compliance

6.1 HI strives to provide clear, relevant guidance and support to staff and partners at all levels on how to best manage and implement its operations in relation to counterterrorism measures

6.2 Any exceptions to the principles in this policy require explicit approval from the Directorate and the Federal Board



Other documents related to this policy:

- HI. [Anti-fraud, bribery, and corruption policy](#), April 2019
- HI. [Safety and Security Policy](#), 2018



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