

Background information on the Commission's and UK Government's counter-terrorism strategies

The Commission's [Counter-terrorism Strategy](#) sets out our own approach for tackling the threat of terrorist abuse in the charitable sector, which outlines a four strand approach:

Awareness - raising awareness in the sector to build on charities' existing safeguards

Oversight - proactive monitoring of the sector, analysing trends and profiling risks and vulnerabilities

Co-operation - strengthening partnerships with government regulators and enforcement agencies

Intervention - dealing effectively and robustly when abuse, or the risk of abuse, is apparent

As part of the 'awareness' strand of the strategy, the Commission has committed to developing this chapter of the *Compliance Toolkit: Protecting Charities from Harm*. It aims to provide guidance on charities' duties under counter-terrorism legislation. A wider goal is to encourage trustees to adopt a risk-based approach to better identify and minimise potential threats, and to reduce the potential for harm in the sector from terrorist-related abuse.

The Counter-terrorism Strategy was developed in line with wider national and international developments, taking on board the [Financial Action Task Force's \(FATF\)](#) recommendations and the UK Government's strategy for Countering International Terrorism, called [CONTEST](#).

[FATF's Special Recommendation VIII: Non-Profit Organisations](#) tasks member countries (which includes the UK) to review domestic laws and regulations that relate to non-profit organisations. It proposes that countries should ensure these organisations cannot be misused by:

- terrorist organisations posing as legitimate entities;
- exploitation of legitimate entities as channels for terrorist financing; and
- diversion of funds intended for legitimate purposes to terrorist organisations.

The United Nations (UN) adopted Security Council Resolution 1373 ([UNSCR 1373](#)) which places barriers on the movement, organisation and fund-raising activities of terrorist groups. It requires member countries to act against terrorist financing. The UN Security Council's Counter-Terrorism Committee monitors to see if countries meet their obligations under the resolution.

For several years, the UK Government has been implementing a long-term strategy for countering international terrorism, known as [CONTEST](#). In March 2009, the Government published the first major revision of the strategy. The UK government's strategy has four strands:

PURSUE to stop terrorist attacks

PREVENT to stop people becoming terrorists or supporting violent extremism

PROTECT to strengthen our protection against terrorist attack

PREPARE where an attack cannot be stopped, to mitigate its impact

For more information about the terrorism threat to the UK, consult the Office for Security and Counter Terrorism website, or click [here](#).

Our approach

The Commission has a key role as the independent regulator of the charitable sector. The Commission is uniquely placed to deal with all kinds of abuse of charities when they arise. We collaborate with charities, sector bodies, other agencies and parts of Government to protect charities and deal with incidents of abuse.

The abuse of charities for terrorist purposes is completely unacceptable, as is the inappropriate association of charities with terrorism. It is the responsibility of charity trustees to safeguard their charity from abuse, including terrorist abuse. The Commission will support trustees to do this, and will also support charities carrying out legitimate and vital humanitarian and other work, within the law.

If there are concerns that a charity is, or has been, abused for terrorist purposes, three key principles underpin the Commission's handling of the concerns:

1. The Commission will not register an organisation that has support of terrorism explicitly or implicitly as one of its purposes;
2. The use of a charity's assets for support of terrorist activity is not a proper use of those assets and is illegal; and
3. Links between a charity and terrorist activity corrode public confidence in the integrity of charity. Links include, but are not limited to, fundraising, financial support or provision of facilities and formal or informal links to proscribed organisations. The conduct of, or comments made by, an individual connected to the charity (such as trustee) in relation to terrorist purposes may be taken into account.

The Commission's approach when looking at concerns about charities and links to terrorism is:

- the Commission will deal with allegations of links between a charity and terrorist purposes as an immediate priority;
- where allegations are made, we will liaise closely with the relevant law enforcement agencies to ensure a proper investigation of the allegations or suspicions;

- allegations of criminality and collaboration between charities and terrorist organisations are police matters that may lead to serious criminal charges. Where allegations are made to the Commission or suspicions arise as a result of the Commission’s work, we will inform the relevant law enforcement agencies immediately and co-operate fully with any criminal investigation; and
- the Commission’s regulatory interest relates to the lawful exercise by the charity’s trustees of their legal duties and responsibilities and ensuring legitimate charitable relief continues to reach those in need.

The Commission will:

- take a balanced approach which is evidence-based and risk-based, targeted and proportionate;
- work in partnership and collaborate with both the Government and the charitable sector itself;
- maintain its strategic and operational independence in line with statutory requirements;
- ensure the way we tackle the risk of terrorist abuse of charities is within our existing approach to regulation;
- encourage trustees to implement strong governance arrangements, financial management and partnership management. Charities which implement good general risk management policies and procedures will be better safeguarded against all types of abuse;
- make clear the responsibilities of charity trustees to safeguard their charity from terrorist abuse;
- deal with concerns of terrorist involvement or links with charities as a matter of priority; and
- deal proactively, robustly, effectively and swiftly with concerns where there is evidence of terrorist abuse involving charities.

For further guidance on the Commission’s approach see [OG96: Charities and Terrorism](#) and the [Commission’s Counter-terrorism Strategy](#).