

[News story: Alert for charities operating in Syria or Turkey about aid passing through the Bab Al-Hawa crossing](#)

The Charity Commission, the independent regulator of charities in England and Wales, is issuing this alert to charities to alert charities and charitable appeals which are operating in Syria or Turkey, directly or via partners, that there is a risk that a terrorist organisation may financially benefit from any aid passing through the Bab Al-Hawa crossing.

Following recent media reporting, since September 2018, regarding the Bab Al-Hawa border crossing between Turkey and Syria, the Charity Commission ('the Commission') is publishing this alert to raise awareness amongst charities – including their trustees, employees and volunteers of the current situation and to remind them of their duties under counter-terrorism legislation and charity law.

This is due to reporting that the crossing is under control of Hay'at Tahir Al-Sham ('HTS'), an alternative name for the terrorist organisation Al Qa'ida which is [proscribed under the Terrorism Act 2000 \('TACT'\)](#). HTS was added to the [proscribed list](#) in May 2017.

The Commission is alert to the fact that charities and their partners use the Bab Al-Hawa crossing to deliver aid into Idlib province, Syria. There is a risk that HTS could incur financial benefit from any aid passing through the Bab Al-Hawa crossing and therefore charities and their partners, using this crossing, may be inadvertently funding HTS.

It is a criminal offence under section 17 of TACT to enter or become concerned with an arrangement as a result of which money or other property is made available or has reasonable cause to suspect that it will or may be used for the purposes of terrorism.

The Commission, in issuing this alert, is raising awareness of the current situation and reminding charities that separate from any criminal offences that may be committed, any association between a charity – and by extension its trustees, officers and partners – and terrorism and/or extremism is corrosive to public trust and confidence in charities and may be used by the Commission as evidence of misconduct and/or mismanagement in the administration of a charity.

Charities that use partners to deliver aid from Turkey to Syria should ensure that they know which border crossings are being used and regularly review the situation on the ground.

Trustees of charities which are currently using the Bab Al-Hawa crossing

either directly or through partner organisations must consider the risks of committing an offence under UK Counter Terrorism Legislation – including section 17 TACT and take appropriate action in the best interests of their charity. This may include suspending or stopping the movement of aid via the Bab Al-Hawa crossing at this time or exploring alternative routes.

Reporting concerns

Any charities that have utilised the Bab Al-Hawa crossing since September 2018 either directly or via a partner organisations may be required to make a report under section 19 TACT if they believe or suspect that a terrorist financing offence has been committed. The Commission has previously issued a [regulatory alert](#) regarding section 19 requirements.

There are a number of ways in which charities can report their suspicions or beliefs so as to comply with their legal obligations under section 19 of TACT, such as:

In addition the Commission also expects trustees to report any suspected loss to a terrorist group under the Serious Incident Reporting framework.

Summary

In summary, the advice for charity trustees is:

- know which border crossings are used by your charity, either directly or via overseas partners
- consider if continued use of the crossing is in the best interests of your charity
- if the Bab Al-Hawa crossing has been used since September 2018, and/or is still being used, consider making a report under section 19 TACT and a [serious incident report \(RSI\)](#) to the Charity Commission simultaneously.
- ensure that trustees, staff, volunteers and partners are aware of the legal requirements to report under TACT
- ensure there are mechanisms in place to ensure that country offices, agents/staff or other partners based overseas to report concerns promptly

Notes

Alert issued as regulatory advice under section 15(2) of the Charities Act 2011 for England and Wales.