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Introduction

The Kyeema Foundation (Kyeema) is a not-for-profit NGO that works to improve the health and prosperity of marginalised communities and their environments, predominantly in developing countries. Kyeema is wholly committed to delivery of sound development activities and places great importance on operating with honesty, openness and integrity.

We regularly send funds to developing countries to support these activities and also work with local organisations in these countries as implementing partners. As such, we are aware of the need for a strong policy to ensure funds are appropriately channelled and used.

Purpose

The purpose of this policy is to state Kyeema’s commitment to avoiding involvement in terrorist activities, avoiding supporting terrorism and individuals and organisations that support terrorism, money laundering and any other criminal misuse of funds and resources. This policy also articulates Kyeema’s commitment to complying with the relevant Australian and Partner country legislation for the prevention of terrorism and any related activities.

Guiding Principles

Kyeema will not:

- Align itself with or support programs with any terrorist organisation;
- Support projects/programs from implementing partners that involve terrorist organisations;
or
- Be involved nor support nor have any dealings with any terrorist organisation, criminal organisations, criminals or any persons known to have links with such organisations.

Kyeema’s aim is to protect the reputation of the organisation and our partners, to comply with relevant laws and to be a good corporate citizen.

Scope

This policy applies to all Board members, staff, consultants, partners and volunteers of Kyeema. It applies to all our Australian and international operations.

Definitions

Counter-terrorism: The practice, techniques, and strategy used to combat or prevent terrorism.

Funds: assets of any kind or property of any kind, whether tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such property or assets, including, but not limited to, bank credits, travellers cheques, bank cheques, money orders, shares, securities, bonds, debt instruments, drafts and letters of credit.

Listed individuals or organisations: any individual or organisation which appears on either of the following lists:

'*The Consolidated List*' of all persons and entities subject to targeted financial sanctions under United Nations Security Council decisions and maintained by the Department of Foreign Affairs and Trade pursuant to Regulation 40 of the *Charter of the United Nations (Dealing with Assets) Regulations 2008*.

'*List of Terrorist Organisations*' – Organisations which have been proscribed by the Australian Government as terrorist organisations under the Criminal Code because they advocate the doing of a terrorist act (regardless of whether or not a terrorist act occurs), or because they are directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (regardless of whether or not a terrorist act occurs).

Money laundering: dealing with the proceeds of crime or an instrument of crime. 'Dealing with' is defined as a person receiving, possessing, concealing or disposing of money or other property as well as importing, exporting or engaging in a banking transaction relating to money or other property. [Division 400 of the *Criminal Code Act 1995* (Criminal Code)]

Terrorist organisation: an organisation that:

- a court finds is either directly or indirectly engaged in preparing, planning, assisting in or fostering the doing of a terrorist act, or
- a listed organisation that has been listed by the Government.

Policy statement

Kyeema is committed to using its best endeavours to ensure all expenditure of funds and the implementation of program activities, including those carried out by any partners or affiliates in countries in which Kyeema operates comply with all laws and regulations relevant for the prevention and control of terrorism.

Kyeema will work in conjunction with Australian and overseas governments to ensure its programs are not supporting terrorist activities. Kyeema will:

- **In relation to counter-terrorism efforts:** In all new project contracts and MOUs with partners, there will be a common agreement by all the parties to share all responsibilities to mitigate the risk of association with terrorism and terrorist organisations.
- **Comply with all counter-terrorism laws and policies:** This will include Australian and all overseas partners.
- **Advise employees and volunteers of their obligations:** Employees and volunteers will be advised to use their best endeavours to ensure funds are not used to fund terrorist activities.
- **Make this policy available to all staff:** All staff, volunteers and associates who are involved in all Kyeema activities will be sent a copy of this policy.

The procedures for implementation of this policy are detailed in Attachment 1 – Procedures.

Responsibilities

The Kyeema Board will have overall responsibility for the conduct and monitoring of this policy.

Kyeema will ensure that all employees, contractors and third parties are aware of the Kyeema Counter-Terrorism Policy. Every employee of Kyeema has an obligation to assist in upholding this policy.

The Chief Executive Officer is responsible for the implementation of this policy and for advising the Board on any relevant issues and the need to review or revise this policy as and when the need arises.

Where compliance issues are identified, the Chief Executive Officer will work with staff and other relevant stakeholders to address these issues promptly. The policy will be reviewed every three years and revised as needed, with the approval of the Board.

Information Source

[Safeguarding your organisation against terrorism financing](#): A guidance for non-profit organisations.

[ACFID Code of Conduct Commitment 8.2](#): 'We ensure that funds and resources entrusted to us are properly controlled and managed'.

Related Documents

This policy is to be read in conjunction with:

Kyeema Foundation Organisational Risk Assessment and Management Strategy

Kyeema Foundation Terrorism Screening Process

Kyeema Foundation Partnership Agreement

Kyeema Foundation Code of Conduct

Kyeema Foundation Fraud Control and Anti-Corruption Policy

Kyeema Foundation Fundraising Policy

Kyeema Foundation Human Resources Procedures Manual

Kyeema Foundation Human Resources Procedures Manual

Kyeema Foundation Brisbane Head Office Procedures Manual

Kyeema Foundation Maputo Office Procedures Manual

Kyeema Foundation Ethiopia Procedures Manual

Project contracts and agreements

Relevant Partner policies

Authorisation



Signature of Policy Officer

Robyn Alders

Name of Policy Officer

11/09/2021

Date

Attachment 1 Procedures

1. COUNTER-TERRORIST CHECKS

All Kyeema staff members, volunteers, board members and partners will be screened through the Integra Watch Compliance Screening Software. This is an advanced database of companies and persons who appear on government sanctions or watchlists, are politically exposed persons, state-owned entities and/or have been identified by a reputable media source as presenting a potential risk to the organisation. Any new individual or organisation Kyeema intends to work with will be screened using this software. Kyeema will be supplied with a full screening report for verification.

The Integra Watch Compliance Screening Software will ensure beneficiaries and third parties are not listed individuals or organisations on the lists below:

- <https://www.nationalsecurity.gov.au/Listedterroristorganisations/Pages/default.aspx>
- <http://dfat.gov.au/international-relations/security/sanctions/pages/consolidated-list.aspx>

The name and date on which the organisation or individual was checked will be recorded and maintained by the Head Office of Kyeema in Brisbane, Australia. These integrity screenings are reviewed and reconducted periodically.

It is highly unlikely that there will be a match between a partner organisation or individual and the consolidated lists as most of Kyeema's projects are with government institutions in developing countries. If there is a match, then Kyeema will:

- **Immediately cease funding or receiving funds from said organisation** or individual.
- **Request the assistance of the Australian Federal Police (AFP)** to determine whether or not the organisation or individual is in fact a proscribed person or entity.
- **If appropriate**, advise the other partners and funding bodies (including DFAT) associated with the activity of the identified match.

As a standard procedure, Kyeema will also monitor Anti-Terrorist Information sites such as the National Security Australian Listed Terrorist organisations:

<https://www.nationalsecurity.gov.au/Listedterroristorganisations/Pages/default.aspx>

2. MONITORING THE POLICY

All staff and projects will be monitored for compliance with this policy. If the Head Office, any staff member or associate of Kyeema becomes aware, whether personally, or through a third-party complaint, of any connection or allegation of a connection to terrorism of any person or program, they must promptly notify the Director of the Kyeema Regional Office in Maputo, Mozambique and/or the Chief Executive Officer of the Kyeema Head Office in Brisbane, Australia.

The level of monitoring will reflect the estimated risk associated with the person or project activity.

The Head Office in Brisbane will be the centre for the routine conduct of monitoring activities and checking the status of new partners.

In addition, on routine visits to project activities, Kyeema staff will discuss any aspects relating to counter-terrorism and money laundering each year as part of the routine monitoring process.

All financial arrangements will be fully transparent to allow ease of monitoring.

The Board of Management of the Kyeema will be briefed by a standing item on Counter-Terrorism on the agenda at every Board meeting.

3. CONSEQUENCES OF BREACH

New staff will be briefed on this policy along with other policies as required by ACFID. Non-compliance with the obligations set out in this policy may be considered a breach. A breach of this policy may result in disciplinary action and could include dismissal and/or legal action if the breach is serious.

Contacts

National Security Australia

The National Security website is administered by the Attorney-General's Department, Canberra. In order to report suspicious activity, contact the National Security Hotline on

Phone: 1800 1234 00

E-mail: hotline@nationalsecurity.gov.au

Phone/TXT: 0408 123 490

AFP Operations Coordination Centre

E-mail: AOCCLiaisonOpsSupport@afp.gov.au

Fax: (02) 6126 7133

Phone: (02) 6131 3000 General enquiries

<https://www.afp.gov.au/contact-us/report-commonwealth-crime>