



Policy Prepared: 21 October 2020

CEO Approval: Pending

Administrative Board Approval: Pending

Date Revised:

Date Revised:

Contents

1.	Introduction.....	3
2.	Scope	3
3.	Policy Statement.....	4
4.	What is terrorism?	4
5.	The effort to fight financing terrorism	4
6.	Mechanisms to fight terrorism.....	5
6.1.	Approach	5
6.2.	Summary procedure on actions that will be taken upon a report.....	5
6.3.	Detailed procedure for reporting	6
6.4.	Contacting SEforALL anonymously/Hotline.....	7
6.5.	Response to a report.....	7
7.	SEforALL responsibilities.....	7
8.	SEforALL Leadership Team responsibilities.....	8
6.6.	Staff responsibilities.....	8
9.	Enabling reports	9
10.	Reprisal.....	9
11.	Malicious Allegations	9
12.	Data Protection and Confidentiality	9
13.	Monitoring of this Policy.....	9

1. Introduction

Sustainable Energy for ALL (SEforALL) recognises that there may be a risk of its funding being diverted by staff, contractors, service providers and others to finance or support terrorist activities. SEforALL recognises that, as other sectors (e.g. financial sector) are tightening their safeguards against terrorist abuse, there is a risk that terrorist organisations may focus more attention to other areas such as the development sector. SEforALL recognises that different countries have different approaches and levels of regulation and safeguards. SEforALL has developed this policy to ensure that the organisation is consistent in its approach and commitment to anti-terrorism activities. The issue of diversion of funding and contravention of counter-terrorism legislation is viewed as an internal control and risk management issue alongside fraud, bribery, money-laundering and corruption. SEforALL has developed this policy to ensure that its funds and donor funds and resources are not being used directly or indirectly to support terrorist activities and to provide a clear guide on what to do if terrorist activity is suspected.

SEforALL's funders have extensive legislation around anti-terrorism and national security. International and national bodies impose strict obligations on funding recipients to ensure that funds do not support terrorist activities. SEforALL will use its best practices and principles to ensure that its programmes are conducted in the context of these obligations. Both money laundering and terrorist financing are subject to penalty in Austria ([§§ 165 and 278d of the Austrian Criminal Code \(StGB\)](#)).

Failure to comply with donor requirements could significantly impact the reputation of SEforALL as well as expose the organisation to potential penalties. This policy therefore articulates SEforALL's commitment to avoid involvement in terrorist activities and terrorist financing. The international standard for the fight against money laundering and the financing of terrorism has been established by the Financial Action Task Force (FATF), which is a 33-member organization with primary responsibility for developing a world-wide standard for anti-money laundering and combating the financing of terrorism. The FATF was established by the G-7 Summit in Paris in 1989 and works in close cooperation with the major financial centres of Europe, North America, South America and Asia, and other key international organizations, including the IMF, the World Bank, the United Nations, and FATF-style regional bodies.

The SEforALL Anti-Terrorism Policy outlines processes and procedures aimed at preventing, and stopping any activities that may result in the diversion of funding or provision of assistance to terrorist activities.

Whilst the risk to SEforALL of contravening anti-terrorism practices is low, it is extremely important that all staff are familiar with their responsibilities: serious criminal sanctions may be imposed upon the organisation and individuals for supporting terrorism activities.

This Policy must be read alongside the SEforALL Anti-Money Laundering Policy.

2. Scope

This policy is mandatory for anyone who works for or on behalf of SEforALL, either in a paid or unpaid capacity and this includes all directly employed staff, consultants, interns, secondees, junior professional officers (JPOs), and volunteers (referred to as "staff"), as well as SEforALL Ambassadors, and Administrative Board members. This policy also applies to partners that SEforALL funds should they not have their own Anti-Terrorism Policy.

3. Policy Statement

SEforALL renounces all forms of terrorism and will never knowingly support, tolerate or encourage terrorism or the activities of those who embrace and/or finance terrorism. Consistent with numerous United Nations Security Council resolutions, including S/RES/1269 (1999), S/RES/1368 (2001), and S/RES/1373 (2001), SEforALL is firmly committed to the international fight against terrorism, and in particular, against the financing of terrorism. It is the policy of SEforALL to seek to ensure that none of its and its donor funds are used, directly or indirectly, to provide support to individuals or entities associated with terrorism. In accordance with this policy, SEforALL undertakes to use reasonable efforts to ensure that none of its or its donor funds are used to provide support to individuals or entities associated with terrorism.

International and national regulations: SEforALL recognises the regulations by which donor countries abide. SEforALL also recognises relevant legislation related to counterterrorism.

4. What is terrorism?

The European Union defines terrorism for legal/official purposes in Art.1 of the Framework Decision on Combating Terrorism (2002). This provides that terrorist offences are certain criminal offences set out in a list comprised largely of serious offences against persons and property which:

given their nature or context, may seriously damage a country or an international organization where committed with the aim of: seriously intimidating a population; or unduly compelling a Government or international organization to perform or abstain from performing any act; or seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization.

The International Convention for the Suppression of the Financing of Terrorism, Article 2.1 defines the crime of terrorist financing as the offense committed by "any person" who "by any means, directly or indirectly, unlawfully and willfully, provides or collects funds with the intention that they should be used or in the knowledge that they are to be used, in full or in part, in order to carry out "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."

5. The effort to fight financing terrorism

Efforts must prevent, detect and punish illegal funds entering the financial system and the funding of terrorist individuals, organizations and/or activities. For SEforALL, this implies putting in place mechanisms to review all financial transactions routinely, and to detect, identify and flag suspicious financial transfers.

6. Mechanisms to fight terrorism

6.1. Approach

SEforALL is responsible for ensuring that the staff, vendors and subcontractors used or contracted, are not listed as ineligible suppliers, organizations and individuals that have been formally excluded, blocked or disbarred from receiving funds from sovereign governments or UN designated sources. This ensures that SEforALL does not provide material support or resources to any person or organization that is involved in terrorism. Before completing the selection, the staff responsible will check relevant searchable databases, including the UN and the US Government databases.

In addition to these checks for staff, HR will utilize the services of a subscription and license-based agency to carry out in-depth background checks on staff joining SEforALL to ensure that they do not have financial related criminal records.

SEforALL's procedures have a strong emphasis on "deter, detect, prevent, and respond." To minimise the risk of fund diversion, and in particular terrorism financing, SEforALL employs the following approach:

1. Carries out Third Party reference checks on individuals with whom SEforALL has or plans to have a contractual link or intend to make payments to. Those checks include but are not limited to
 - a) <https://sam.gov/SAM/pages/public/searchRecords/search.jsf>
 - b) <https://sanctionssearch.ofac.treas.gov/>
 - c) Any other databases as recommended by its donors
2. Maintains comprehensive financial records which account for all expenditure and publishes annual financial statements with detailed breakdown of incomes and expenditures.
3. Conducts an annual external audit, in line with the SEforALL Statutes, of all income and expenses including projects.
4. Ensure training of its staff and partners on anti-diversion policies, procedures and practices.
5. Applies a "know your customer" principle for procurements for all national, international and restricted tenders.
6. Additionally, SEforALL contracts with United Nations Office for Project Services (UNOPS), and the United Nations Foundation (UNF), as fiscal agents to conduct procurement and recruitment. These organisations have their own controls, checks and procedures on anti-terrorism financing.

6.2. Summary procedure on actions that will be taken upon a report

As a summary, in case of suspected terrorism related activity, SEforALL:

1. Encourages stakeholders to report suspected terrorist activity using confidential means through the hotline email detailed in Section 6.4.
2. Investigates according to SEforALL's Whistle blowing policy and takes action accordingly;
3. Notifies the donor immediately if any link is discovered between funds, an assisted organisation and a terrorist-related organisation or individual.

6.3. Detailed procedure for reporting

Any person who is aware of suspicions, allegations or actual wrongdoing against this policy by a staff member, Ambassador, or a funded partner organisation, in any of the countries where SEforALL operates, has an obligation to notify SEforALL. The disclosure should be at the earliest opportunity of the information coming to their attention, not weeks or months later. Should the person not do so, then they may be liable to prosecution. It is important to bear in mind that the law requires all cases of terrorism suspicion to be reported, regardless of perceived size of the issue. **If any member of staff or Ambassador knows or suspects that terrorism linked activity is taking place, they must report it to the SEforALL Compliance Officer, who is the SEforALL Lead Human Resources.**

Any suspicion should be reported in writing and the reporter must give as much information as possible – including any relevant names, dates, places, etc. The earlier a concern is raised, the easier it is to take effective action.

It is best not to discuss any suspicion with colleagues, especially if they also have dealings with the person suspected, as they may (even inadvertently) say or do something which might lead that person to realise that they might be the object of suspicion. The matter should never be discussed with anyone outside SEforALL other than the appropriate statutory authorities, except with the permission of the Compliance Officer.

The reporting individual must follow any subsequent directions given and must not make any further enquiries themselves into the matter. Additionally, they must not take any further steps in the transaction without authorisation.

There is no need for the reporting individual to ascertain the nature of the crime which leads them to suspect that the unusual transaction may be an instance of financing terrorism. However, the individual must be able to explain what made them suspicious. The report should always be made immediately to the Compliance Officer, even if later knowledge proves the suspicion to be unfounded.

To raise a concern, SEforALL staff should notify the Compliance Officer.

External individuals raising concerns must also do so through the Compliance Officer. The Compliance Officer can be contacted directly via email at compliance@seforall.org or by writing to: Compliance Officer, Sustainable Energy for All, Andromeda Tower 15th Floor. Donau-City-Strasse 6. 1220, Vienna. Austria. Write 'Compliance Officer - Private and Confidential' on the envelope.

The Compliance Officer keeps a confidential record of all concerns raised and the outcomes of processes followed to resolve. The Compliance Officer will advise the Chief of Staff and the Chief Executive Officer of all complaints received and the actions taken to address them. The Chief Executive Officer will keep the Administrative Board fully informed of all concerns and cases, providing a quarterly summary of all cases raised, without revealing any specific details – except where allegations are found to be substantiated.

If a concern involves the Compliance Officer, or where the whistleblowing individual believes that the Compliance Officer may be biased, the matter should be referred directly to the Chief of Staff, providing justification for why the individual believes this is the case. If a concern involves the Chief of Staff or where the reporting individual believes that the Chief of Staff may be biased, the matter should be referred directly to the Chief Executive Officer providing justification for why the individual believes this is the case.

If a concern involves the Chief Executive Officer, or if it is that the reporting individual would like to refer the issue to a non-SEforALL staff member, the matter can be referred to a member of the Administrative Board, providing justification for why the individual believes the Chief Executive Officer or any other

SEforALL staff member may be biased. The Administrative Board representative can be contacted directly via email at adminboard@seforall.org. The representative can also be contacted by writing to: Administrative Board Representative, Sustainable Energy for All, Andromeda Tower 15th Floor. Donau-City-Strasse 6. 1220, Vienna. Austria. Write 'Administrative Board Representative - Private and Confidential' on the envelope, which will be provided for the attention only of the Administrative Board representative.

6.4. Contacting SEforALL anonymously/Hotline

SEforALL has a specific email address that an individual can use to contact us confidentially (and anonymously should they wish) about any unethical / illegal conduct / safeguarding / whistleblowing/ terrorism and other issues: hotline@seforall.org Only the Compliance Officer has access to this email.

6.5. Response to a report

Upon a disclosure of actual or suspicious terrorist activities, then as a responsible organisation, SEforALL will ensure that:

- a) the report is acknowledged if not anonymous; SEforALL's Compliance Officer will acknowledge receipt of the reported concern.
- b) the concern is promptly evaluated to determine whether it should be reported to the appropriate legislated authority. This stage may involve seeking the guidance of the SEforALL Auditor or other independent investigator or professional. Should the suspicion hold,
- c) report to the appropriate authority in the country where the incident has occurred. For example, the Austrian government requires that suspicion of money laundering and terrorist financing must be reported to the money laundering unit of the Austrian Federal Ministry of the Interior.

Upon the conclusion of the investigation, the reporting individual may be asked for their opinion on how well they feel their concern was handled.

Where allegations involve staff, SEforALL will take careful consideration about the appropriateness of the person continuing to work with or for SEforALL.

The Compliance Officer keeps a confidential record of all concerns raised and the outcomes of investigations. The Compliance Officer will advise the Chief of Staff and the Chief Executive Officer of all disclosures received and the actions taken to address them.

The Chief Executive Officer will keep the Administrative Board fully informed of all concerns and cases, providing a quarterly summary of all cases raised, without revealing any specific details – except where allegations of financing terrorist activities are found to be substantiated.

In case of suspected terrorism related activity SEforALL will also notify the donor immediately if any link is discovered between funds, an assisted organisation and a terrorist-related organisation or individual.

7. SEforALL responsibilities

SEforALL will:

- ensure that financial controls and procedures are in place, including control mechanisms in its bank access and treasury functions, to meet Combating the Financing of Terrorism legislation.
- ensure all staff have access to, are familiar with, and know their responsibilities within this policy.

- ensure that during recruitment, vetting processes to support recruitment of the right people is carried out.
- ensure that staff are trained and inducted in the Anti-Terrorism Policy during the onboarding process.
- ensure that all partners are informed of and are in compliance with this policy.
- design and undertake all its programmes and activities in a way that aims to prevent financing terrorism.
- action promptly reported concerns of suspicions of financing terrorist activities.
- maintain comprehensive records of anti-terrorism checks and concerns.

8. SEforALL Leadership Team responsibilities

The SEforALL leadership team is responsible for ensuring that partner organisations, staff, and Ambassadors are aware of the policy and are supported to implement and work in accordance with it, as well as creating a leadership culture that pays attention to Combating the Financing of Terrorism. They must ensure that they are responsive, acting immediately if they become aware of any related concerns.

Human Resources is responsible for:

- ensuring the policy is implemented throughout SEforALL and that relevant training is provided.
- monitoring and recording concerns.
- ensuring referrals to the relevant authorities happen without delay.
- ensuring this policy is reviewed every three years or earlier if necessary.

6.6. Staff responsibilities

Potentially any member of staff could be in breach of the Anti-Terrorism legislation if they suspect financing terrorism activities, and do nothing about it or become involved with it in some way.

Staff should be particularly alert to situations where funds flow through SEforALL from unfamiliar sources. Where SEforALL is forming a new business relationship or partnership, including while undertaking a procurement process, or is considering a significant one-off transaction with a new partner, evidence of the identity of the prospective partner should be obtained before proceeding.

Although this policy is mainly relevant to the resource mobilisation and accountancy and financial functions in SEforALL, the safest way to ensure compliance is to apply it to all of SEforALL's areas of work; therefore, all staff are required to comply with this policy.

Failure by an SEforALL staff member to comply with the procedures set out in this policy may lead to disciplinary action being taken against them.

All staff and Ambassadors should:

- read, understand and adhere to the SEforALL Anti-Terrorism Policy
- strive to promote a zero-tolerance approach to financing terrorism.

9. Enabling reports

SEforALL will ensure that safe, appropriate, accessible means of reporting concerns are made available.

Any staff, or other individuals, who report concerns or complaints through formal whistle-blowing channels will be protected by SEforALL's Whistleblowing Policy.

10. Reprisal

SEforALL will not tolerate any form of harassment, bullying, victimisation, coercion, intimidation, reprisal or retaliation or prejudice against anyone who whistleblows, or provides any information or other assistance in a raised concern or an investigation. Any such behaviour may be treated as a disciplinary offence.

11. Malicious Allegations

If an individual makes an allegation that they believe is true, but it is not confirmed by our investigation, SEforALL will not take any action against the individual. However, if the individual makes a malicious allegation that they know is untrue, SEforALL will take appropriate disciplinary or legal action against them.

12. Data Protection and Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with reported concerns. All sensitive and personal data must be kept confidential (including the names of anyone who makes a report of abuse), and be shared on a strictly 'need to know basis', that is, access must be necessary for the conduct of one's official duties.

It is unacceptable and potentially defamatory for concerns to be spread throughout the organisation rather than being directed through a formal complaints process. All participants must understand the importance of following the set reporting lines when concerns arise. Breaches of confidentiality may be treated as a disciplinary offence.

13. Monitoring of this Policy

SEforALL commits to monitoring the implementation of the Anti-Terrorism Policy to ensure its effective application. The SEforALL annual audit process will be used as a tool to identify any compliance and reporting issues in all offices. The Compliance Officer will keep the Chief of Staff and the Chief Executive Officer fully informed of all concerns and cases relating to Combating the Financing of Terrorism, as well as the effectiveness of procedures.

This policy will be reviewed every three years and earlier if necessary, especially after any related incident. The Board will maintain oversight of the policy.