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A STRING OF SUCCESSES IN CHANGING GLOBAL COUNTER-TERRORISM POLICIES THAT IMPACT CIVIC SPACE

“NPO engagement with FATF: organized, informed and constructive. A great model for other sectors to follow. @fatfplatform...”
- [David Lewis, FATF Executive Secretary](#)

Activities of civil society organizations are increasingly restricted in the name of security and counter-terrorism. [ICNL/ECNL](#) have tracked at least 25 legal initiatives over the past 2 years that affect civic space using the counter-terrorism financing and anti-money laundering pretext. These impose burdens on civil society operations by diverting resources to administrative tasks, instead of to activities that meet people needs; limit individual and cross-border philanthropy; create barriers for humanitarian aid; and deter assembly and advocacy.

Some of these restrictions flow from the regime of the far-reaching and influential [Financial Action Task Force \(FATF\)](#). As an inter-governmental body FATF adopted 40 Recommendations on combating global money laundering and terrorist financing that 180 jurisdictions follow. [FATF Recommendation 8](#) together with its Interpretive Note and Best Practice Paper are three key documents that affect the work of nonprofit organizations (NPOs). As a result of intensive research and advocacy by our [Global NPO Coalition on FATF](#), the FATF revised its documents to address the problem. Key changes include:

- **Recommendation 8 (R8):** Previous language in the R8 characterized all NPOs as “particularly vulnerable” to terrorist abuse and this premise led to over-regulation and restriction of the sector. The June 2016 R8 revision asks governments to apply focused and proportionate measures only to those NPOs identified as being at risk.
- **Interpretive Note (IN) to R8:** The June 2016 change calls on governments to respect fundamental rights and humanitarian law, and to avoid overregulation of the NPOs. The IN also re-emphasizes the need for proportionate measures, instead of using the one-size-fits-all approaches which restricted civic space and fundamental freedoms.
- **Best Practice Paper (BPP):** The paper was revised twice (2013 and 2015) to promote full respect of international obligations and freedoms; and to guide governments on how to engage with civil society to assess actual risks of abuse and work in partnership with NPOs to adopt the most appropriate mitigating regulatory and self-regulatory measures, without impeding on NPOs legitimate activities.

Since 2013, the Global Coalition mobilized support from over 130 organizations in 46 countries, representing human rights, service organizations, peace builders, donors, and transparency groups. It provided in-depth evidence based research, raised awareness, and undertook concerted effort to open dialogue with the FATF. As a result, the FATF acknowledged the need to revise its documents and to [strengthen its engagement with NPOs](#) (for details see below: *Chronology of Key Inputs and Changes*). These changes reflect the expertise and comments submitted by the Global Coalition and other groups.

However, more work [needs to be done](#). (1) The FATF needs to engage wider group of organizations to consult and continuously monitor the implementation of its Recommendations; (2) The FATF evaluation schemes that assess country compliance with the Recommendation 8 need to integrate and apply the new changes; (3) NPOs and governments need to be further empowered on how to conduct risk assessment and evaluations with consideration of these revisions.

Chronology of Key Global Coalition Inputs and Revisions to FATF documents

