

Outcome Document of the

**CENTRAL & EASTERN EUROPE REGIONAL
CIVIL SOCIETY CONSULTATION ON THE
IMPACT OF COUNTER-TERRORISM MEASURES
ON CIVIL SOCIETY & CIVIC SPACE**

Acknowledgements

The regional consultation was convened by Association Konekt Skopje.

The following civil society organizations participated in the regional consultation. Their inclusion does not constitute their endorsement of all of the views expressed in the document. The list is not exhaustive as some participants asked not to be named due to security concerns.

- Balkan Civil Society Development Network
- CIVIL SOCIETY ADVOCATES – CYPRUS
- CROSOL – Croatian Platform for International Citizen Solidarity
- Helsinki Committee for Human Rights Skopje
- ISAR Ednannia
- Kosovar Civil Society Foundation (KCSF)
- Legal Resources Centre from Molodova
- Network of Estonian Non-profit Organizations
- Partners Albania
- Warsaw School of Economics
- Women for Peace Association

The organizers would also like to acknowledge the significant contributions and insights of Goran Lazarevski, a dear civil society partner who spearheaded anti-corruption, financial inclusion, and AML/CFT efforts in North Macedonia for decades and brought deep expertise, compassion, and humor to the regional consultation in Skopje. He is remembered with sincere gratitude.

Introduction

In March 2023, Association Konekt Skopje convened a regional civil society consultation on the impact of counter-terrorism measures on civil society and civic space in Central and Eastern Europe. The regional consultation workshop held in Skopje, North Macedonia convened 24 participants from 13 countries from Central and Eastern Europe. The purpose of the consultation was to inform and contribute to the first independent Global Study on the Impact of Counter-Terrorism Measures on Civil Society and Civic Space by the Special Rapporteur on the promotion and protection of human rights while countering terrorism.

The consultation provided an opportunity for civil society representatives from across the region to share their experiences on how various aspects of counterterrorism and preventing or countering violent extremism is related to or influence their work. The participants discussed topics such as over-expansive counter-terrorism and preventing or countering (violent) extremism legislation and designations, judicial and other forms of harassment of human rights defenders, overly restrictive counter-terrorism financing measures like sanctions, undue surveillance and emerging technologies, and related impacts on humanitarian, refugee, and human rights assistance. Throughout the consultation, participants observed how the war in Ukraine, the ongoing refugee and migrant crisis across the region, the Covid-19 pandemic, political regime changes, and their cumulative economic and political consequences, have compounded these challenges. They concluded that a comprehensive effort to overcome these challenges must include parallel, uninterrupted, and long-term processes tackling each of these risk factors, with the meaningful participation of and strong commitment to all stakeholders, including civil society. This requires time and massive monetary resources in investments to build the capacities of governmental institutions, improve awareness and education activities, improve the living standard and access to

public services, increase freedom of travel and economic emancipation – all key conditions to building a healthy population, resilient to radicalization and extremism, using democratic mechanisms to enact progress

The consultation sought to accommodate participants with diverse areas of expertise and experiences, fostering a comprehensive understanding of the identified trends. By establishing connections between recent developments at the national, regional, and international levels, the participants created unified understanding and stressed the need for enhanced cooperation in addressing the challenges faced by civil society in the region.

The consultation discussions focused on documenting: (1) incidents of misuse of counter-terrorism (CT) and preventing/countering violent extremism (P/CVE) measures against civil society & civic space; and (2) good practices of meaningful civil society participation in national, regional, and international CT and P/CVE measures. It also served as a basis for coalition building and identification of further advocacy strategies. Participants underscored throughout the consultation the role of the civic sector as a safeguard, resource, and expertise hub. Working directly with marginalized communities and in some cases, operating in conflict zones, civil society organizations (CSOs) are operating on the frontlines to protect human rights. CSOs are also a valuable resource because they can play a key role in closely monitoring national and regional legislative and regulatory CT and P/CVE changes and practices, ensuring they are in line with human rights and fundamental freedoms. Participants thus called on States to recognize the added value of CSOs, and in turn to support them, build meaningful partnerships, draw from lessons learned and good practices, and foster greater involvement of civil society in shaping and implementing CT and P/CVE measures at the national, regional, and international levels.

This outcome document reflects the discussions and main findings of participants on five overarching thematic areas (1) Countering the financing of

terrorism; (2) Repatriation of foreign fighters and their families; (3) Use of new and emerging technologies; (4) P/CVE and religious and ethnic minorities; and (5) Humanitarian aid for victims of conflict. The document concludes with general recommendations and then specific recommendations categorized by these five areas and tailored to key stakeholders, including Member States, regional and international organizations, the private sector, and civil society.

Key Findings

KEY FINDING #1

States rarely conduct terrorist financing risk assessments in partnership with civil society, resulting in overly restrictive and blanket countering the financing of terrorism (CFT) policies. Meaningful collaboration between governments and civil society in conducting risk assessments and adopting other CFT measures ensures a more balanced, inclusive, risk-based, and effective approach, minimizing potential negative consequences on civic space.

Restrictions on the legitimate activities of non-profit organizations (NPOs) driven by the international CFT agenda—spearheaded by the Financial Action Task Force (FATF) Standards—are common in the region, ranging from deliberate misuse of inspection powers, to burdensome registration and reporting requirements and de-risking. In Serbia, for instance, the Financial Intelligence Unit used its CFT oversight powers to obtain banking information and other sensitive information on the financial transactions of non-profits, investigative journalists, media associations and other groups working on human rights. This targeting notably followed years of civil society-FIU cooperation. Although the Government

allegedly stopped such misuse, some organizations today have resorted to filing criminal charges against the FIU because they have reason to believe that confidential financial data was leaked to tabloids and used to smear the CSOs.

Several specific CFT-related concerns were raised by participants including designation of CSOs being obliged entities, excessive demands for documentation during registration or in receiving funds (e.g. data on founders), and the imposition of significant fines for non-compliance, as well as other sanctions, such as freezing accounts. Participants from Belarus, Cyprus, Croatia, and Albania indicated that they have recently been subject to increased registration and reporting requirements in the name of AML/CFT. In Albania, registration is required for all NPOs without distinction, and fines for breaching registration requirements are based on operating costs, without any ceiling or limitations. In Montenegro, despite a risk assessment finding that the non-profit sector is of low risk for terrorist financing, the government has proposed new regulations for re-registration requirements, oversight bodies, website requirements, reporting requirements on donors, and financial fines. Participants from Kosovo and Bosnia and Herzegovina also commented on restrictive CFT reporting requirements that have been imposed on CSOs, including in the latter context in response to an upcoming Moneyval visit. Participants from Moldova described how after the approval of the country's EU candidate status in June 2022, a draft AML/CFT law was proposed—without civil society participation—stipulating an overbroad definition of NPO beneficial ownership, despite the existing national risk assessment finding terrorist financing risk for NPOs to be very low. Furthermore, the Moldova risk assessment singled out ten Muslim NPOs as being at higher risk of terrorist financing abuse.

Examples provided by participants show that, despite FATF guidance, these CFT regulations aimed at protecting NPOs from terrorist financing abuse are not consistently developed through a risk-based approach. Only participants from Cyprus, North

Macedonia, Montenegro, Albania, and Serbia stated that their governments had performed a non-profit sector terrorist financing risk assessment. Meaningful civil society participation in the risk assessment process is the exception, not the rule. Multiple participants emphasized the detrimental impact of risk assessments conducted without the involvement of civil society. They highlighted that these assessments often produce documents that do not accurately reflect the reality and needs of the non-profit sector. Consequently, the measures introduced based on such assessments tend to be overly restrictive and disproportionate. For these reasons, some participants including in Serbia have resorted to implementing shadow risk assessments. Additionally, the restrictive policies on CSOs have hindered their access to innovative funding methods, such as crowdfunding, further compromising the financial sustainability of the sector. Often these restrictive CFT measures fail to take into account self-governance features. Participants stated that such features have been adopted by NPOs in Albania, Montenegro, North Macedonia, Serbia, and Ukraine, among others in the region.

“In some countries the Financial Intelligence Unit uses its CFT oversight powers to obtain banking information on transactions of NPOs, investigative journalists, media associations, HR groups, etc.”

On the other hand, positive examples in participatory NPO risk assessment processes in the region such as in Albania and North Macedonia demonstrate that meaningful cooperation between the government and civil society improves the quality of the terrorist financing risk assessment, increases understanding and capacities among all stakeholders, and focuses the efforts and resources on risk-based mitigation measures. The participant from Moldova shared the good practice of working with

the government on the draft AML/CFT law, after raising the issue of the beneficial ownership definition for NPOs. Other participants including from Ukraine emphasized the importance of working closely not just with the State but also with foreign donors and correspondent banks with influence and persuasive power.

Multiple participants including from Belarus, Cyprus, Kosovo, Lithuania, North Macedonia, Serbia, and Ukraine emphasized the role that banks and financial intermediaries have played in CFT, including by adopting de-risking measures like blocking bank transfers or refusing to allow civil society organizations to open bank accounts. In other cases, banks have implemented new reporting requirements and documentation. For instance, in Ukraine, banks have recently started requesting signatures from all co-founders of non-profit organizations and documents of establishment.

Several participants concluded that, since the countries in Central and Eastern Europe are “new democracies”, this leaves the civil society in the region especially vulnerable to reputational damage arising from being labeled as high-risk and stigmatized for receiving foreign funding. Furthermore, participants noted that CSOs in the Central and Eastern Europe region operate in a “volatile” environment, and provided multiple examples of how political changes are resulting in drastic shifts in their respective government’s attitude towards the civic sector. In view of that, participants agreed that increased restrictions on civil society pose a threat even in countries with a positive recent track record in government-CSO cooperation.

KEY FINDING #2

The repatriation and reintegration of foreign fighters and their families require a human rights-based approach, necessitating the active involvement of civil society as partners of States. This collaboration is crucial to leverage civil society expertise and address the future reintegration of fighters returning from Russia and Ukraine across the Central and Eastern European region.

The ongoing process of repatriating foreign fighters in the Western Balkans have been generally perceived as successful and human rights-compliant. A notable example of good practice in CSO engagement on working with the government was highlighted in North Macedonia. From 2021 to date, 70 people have been repatriated to North Macedonia from Syria and Iraq. Several organizations in the country have started working with the government to provide rehabilitation, socialization, and family-based programming. However, participants observed that while progress has been achieved, there are challenges in implementing long-term solutions for successful reintegration, such as providing education and employment opportunities and preventing re-radicalization.

CSO representatives emphasized several key issues during the discussions, including the challenges faced by foreign fighters and their families in accessing documentation and social services, such as health and education. Participants also highlighted the lack of training provided to government employees, such as teachers, on how to engage with returnees. On the other hand, it was noted that some governments restrict CSOs from directly engaging with this population, due to security concerns. This limitation prevents CSOs from stepping in to provide specific services and support in areas where governments have gaps and limitations. Fur-

thermore, the lack of direct contact between CSOs and foreign fighters and their families impedes the essential process of building trust and establishing relationship necessary for reintegration. To address these challenges, participants found that it is crucial for governments to partner and utilize the expertise and resources that CSOs can offer in supporting the reintegration process.

While good practice examples were shared from the Western Balkans, and from processes of repatriation of foreign fighters coming from Iraq and Syria, participants concluded that the broader role of CSOs in supporting reintegration and rehabilitation efforts would be an increasingly relevant issue across the region in view of the war in Ukraine. In particular, participants from Belarus and Estonia underscored the challenges posed by the prospect of reintegrating foreign fighters from the Russia-Ukraine war. Citizens from Central and Eastern European countries have been engaged on both sides of the war and have become “integrated into the official military structures” of both Russia and Ukraine. These complexities necessitate careful consideration and tailored approaches to address the experiences, attitudes, and potential risks associated with individuals involved in the conflict. Effective solutions will require close cooperation between governments, civil society organizations, and international partners. Participants including from Ukraine also emphasized the importance of fulsome accountability as appropriate, including through prosecution for war crimes by international criminal tribunals.

KEY FINDING #3

The misuse of new and emerging technologies against CSOs and human rights defenders in the name of CT and P/CVE is a growing concern, even in countries with a relatively low risk of terrorist attacks. A multi-stakeholder approach spearheaded by United Nations human rights entities will help address this issue and safeguard human rights and civic space against such misuse.

Participants confirmed that there is a growing threat to CSOs, human rights defenders, social activists and others specializing in the field of human rights protection (in particular watchdog organizations, migrant organizations, and organizations addressing the root causes of radicalization and extremism) due to the use of new and emerging technologies, including spyware, facial recognition hardware and software, biometrics, artificial intelligence, drones, and more. Participants including from Serbia, Hungary, and Poland expressed deep concerns regarding the misuse of new technologies, which are often justified under CT measures but ultimately violate human rights law, humanitarian law, and refugee law. For instance, in Poland, cameras are in use at border walls and have been used to target humanitarian aid workers who provide shelter and food. Hungary has installed artificial intelligence facial recognition software within a 39-camera CCTV network. In Serbia over 8,000 surveillance cameras have been bought, although the government has struggled to legitimize their use even through legislation. Drones are also used for border management in Serbia, Hungary, and Cyprus. In Albania drones are used for traffic issues, including to monitor traffic accidents.

The human rights impacts of CT technologies are particularly difficult to mitigate due to the transnational transfer and use of such technologies and the

central role of the private sector. Participants observed how counter-terrorism often serves as the justification for governments to buy software (such as Pegasus) or hardware (such as Cellebrite). This kind of software or equipment is then exploited to target organizations, human rights activists, the media, representatives from the political opposition, and marginalized communities including refugees and migrants. Instances of these abuses have been documented in countries such as Poland and Hungary, where numerous private companies develop such technologies and sell them internationally. Participants called for enhanced compliance of the development, use, and transfer of these technologies with the rule of law, including through monitoring and oversight of government authorities.

Social media is also being used under CT and P/CVE justifications to collect metadata and other sensitive information, which creates significant vulnerability to misuse. In North Macedonia, for instance, protests were being filmed and posted on social media and participants were being targeted by the government. In Belarus, the government is able to prosecute people who make donations through Facebook to countries that are labeled as extremists.

Participants cautioned that the risk of human rights violations related to the use of new technologies, in particular in the area of counter-terrorism, might increase. The development of these types of technologies (in particular based on artificial intelligence systems) is dynamic and so fast-growing that States are struggling to keep up with and regulate them. At the same time, it has been demonstrated that States have acquired and used these technologies, invoking CT, P/CVE and public safety, but in reality, using such technologies limits civil liberties, surveils political opponents, and combats free media. In addition, the concern about such practices is exacerbated by the fact that they are also used in countries with theoretically stable democracies which is not always commensurate with the robust protection of fundamental rights. Examples of this are Poland and Hungary, which have been part of

the European Union for nearly a decade, where the abuses in question have been recently documented by the Special Committee of the European Parliament.

Participants emphasized that CSOs cannot stand up to this trend of technological abuse on their own. Rather, it is necessary to develop cooperation between all relevant stakeholders (CSOs, states, the technology industry, IT activists, academia and experts). Participants called on the United Nations human rights bodies to take a leading role in this regard. The proposed multi-stakeholder approach will enable the United Nations led by human rights expertise to introduce robust safeguards and oversight mechanisms ensuring that the deployment of new technologies is conducted in a manner that upholds human rights standards, prevents abuse, and protects civic space. At the same time, oversight and regulatory measures should not restrict CSOs from benefitting from the new technologies, including in raising funds and conducting legitimate activities to advance their missions.

The participants agreed that there is a need for more initiatives to help identify cases of abuse and support victims. Strategies should focus on developing proper controls and remedies at the international, regional, and national level in order to reduce abuses and provide remedies. This includes prosecuting or finding new modalities of liability for those engaged in abusive practices (States and State actors, companies, and individuals), and facilitating social and legal controls over the development, use, and transfer of new technologies.

KEY FINDING #4

Laws and policies across the region provide broad and vague definitions of (violent) extremism and terrorism, allowing for selective and discriminatory implementation, with particularly disproportionate impacts on religious and cultural CSOs and minority groups and limited attention on far-right and Christian fundamentalist ideologies. More concerted attention is needed to ensure non-discrimination in national CT and P/CVE definitional frameworks.

Participants noted that, while their respective country's definitions of terrorism vary, many countries in the region including Albania, Belarus, Cyprus, Poland, and Serbia have vague and broad definitions of terrorism, terrorist acts and/or the requisite intent. For instance, participants explained that in Belarus, terrorism is often interpreted as being more about ideology than any concrete acts. State interpretation of terrorism is also everchanging in response to geopolitics and conflict, including in Ukraine and Lithuania vis-à-vis Russia.

Participants found that their national legislation rarely mentions or defines (violent) extremism. Where it does, it is in some cases too broadly defined: for instance, in Albania "violent extremism" is defined as "use of violence for achieving political objectives". Participants also shared numerous examples where extremism is not defined or regulated in domestic law; rather, intelligence and security services handle such purported threat covertly with seemingly free reign. They noted the definitional challenges raised by the absence of any international definitions for terrorism or violent extremism.

Although the available definitions of terrorism and extremism under domestic law may appear neutral in theory, participants noted that their countries predominantly focus on and take action against Islamic religious extremism, including particularly in the prevention space. Migrants and people seeking

international protection are also often caught in the dragnet (see Finding #5 below).

At the same time, participants including in Poland and Serbia found that their governments tended to overlook or downplay activities related to Christian fundamentalist and/or "far-right" extremism until they escalate into acts of violence and there are no meaningful strategies to establish and address root causes of such violence. Participants expressed concerns about governments providing financial support to entities and movements described as "neo fascist" or propagating extreme right-wing ideologies and ideas – both those operating in their own countries, as well as outside their borders. However, participants noted that combating right-wing extremism does not require additional incriminations or regulations, as existing challenges in this area are caused by inconsistent and arbitrary implementation. Indeed, participants including from Cyprus and Poland cautioned against formally legislating and naming the threat of violent extremism as being specific to any religion, ethnicity, or political ideology as this could violate basic non-discrimination principles.

A possible future shift in perspective was raised with one participant highlighting the example of Ukraine, where new incriminations against Russian propaganda were introduced as part of a package of laws criminalizing "collaboration with an aggressor state", noting that this could represent a broader trend in the region that may be incorporated into the international framework.

Given that the selective interpretation by authorities of the notions of "religious radicalization" and "violent extremism" is rooted in racism and islamophobia, participants noted the danger this discourse poses to Islamic religious and cultural organizations, with the possibility of them being targeted and subjected to increased scrutiny as part of state initiatives to combat P/CVE, possibly endangering their legitimate operations as a result. They also noted the potential negative consequences for these organizations' leaders, members, families, and communities.

KEY FINDING #5

The region has witnessed a concerning practice of intimidating and even prosecuting CSOs and human rights defenders who provide assistance to migrants, refugees, and victims of conflict, unjustly labeling them as terrorists or promoters of terrorism. International condemnation is needed to safeguard humanitarian assistance and protect against the discriminatory treatment of victims of conflicts and people seeking international protection.

Participants noted that migrants from the Middle East and Asia crossing the Polish-Belarusian border have experienced pushbacks, and the organizations that provided them support and services have been targeted as suspicious of supporting terrorism. Similar labeling, stigmatization, and intimidation have been observed in Croatia and Hungary including in previous years during the peak of the refugee crisis caused by the civil war in Syria. Participants urged States and the international community to strongly oppose the practice of intimidating and labelling people seeking international protection, as well as the CSOs and human rights defenders that provide support to them.

Participants including from Poland, Croatia, Bulgaria and Romania signaled that in recent years, in the face of an influx of migrants and refugees, States quickly created legal provisions criminalizing victims of conflicts and otherwise instituting regulatory restrictions against people seeking international protection, even before they have crossed their borders. On this basis, border guards have been enabled to practice pushbacks and deny migrants any opportunity to apply for international protection. Migrants, refugees, and victims of conflict are often preemptively considered terrorists, extremists, or security threats, with their applications for international protection subject to extensive vetting and

undue surveillance, and much of the decision-making on their protection subject to stringent classification processes. In one case in Croatia, the government revoked the refugee status of a refugee on the basis that he was suddenly a national security threat, allegedly disputing his identity as a Sunni Muslim and challenging his refusal to become an informant for the intelligence agency.

Participants also noted that States use vague CT and P/CVE legal provisions against civil society organizations that provide humanitarian aid and assistance to migrants and refugees, allowing the use of repressive measures including arrest, detention and unjustifiable surveillance. These organizations are also often targeted by restrictive registration and de-risking measures (see Finding #1 above). Participants identified humanitarian aid workers who have been criminally prosecuted for helping refugees in Croatia, Bulgaria, Ukraine, Serbia, and Romania. This creates a chilling effect and discourages CSOs from providing the necessary aid and human rights and humanitarian assistance for migrants and refugees.

Multiple participants including from Cyprus warned of the entrenched discrimination and stigmatization that perpetuates public narratives pitting locals against refugees and migrants, particularly Muslim ones. In North Macedonia though participants observed that while there is potential for stigmatization based on religion or ethnicity, they lauded the government for being quite careful to date not to label and target minorities and migrants based on their religious, ethnic, or national identity.

Participants emphasized that increased involvement of the UN in supporting organizations working in the field of migrant and refugee assistance and protection may prevent possible targeting by national governments and provide access to resources. Participants stressed that condemnation by all parts of the UN and other international organizations will exert greater pressure on governments to ensure that refugees are treated in accordance with international requirements, without unjustifiably labeling them and the CSOs that support them as

terrorist threats. Such practices not only violate the rights of migrants and refugees (including the right to seek asylum and non-refoulement requirement under international law) but also contribute to the reinforcement of xenophobic and racist sentiments. Addressing these challenges head-on will promote a more inclusive and humanitarian approach to refugee and migrant protection.

Recommendations

The recommendations presented below reflect the views of the participants of the Regional Civil Society Consultation and seek to address the impacts of CT and P/CVE measures on civil society and enhance meaningful civil society participation in development and implementation of such measures at the national, regional, and international levels. The recommendations are structured in two sections: (1) General recommendations; and (2) Recommendations related to the five key trends identified above. The recommendations are further divided into short-term and longer-term recommendations.

The recommendations provide a comprehensive framework for addressing key trends related to counter-terrorism and civil society involvement. They highlight the importance of a human rights-based approach, collaboration between stakeholders, and the need to safeguard human rights while effectively countering terrorism. By implementing these recommendations, governments and international bodies can promote more inclusive, effective, and rights-respecting counter-terrorism strategies across the Central and Eastern European region and beyond.

I. General Recommendations

Meaningful engagement of CSOs at all levels is essential in the development of CT, CFT, and P/CVE measures. CSOs serve as significant allies and implementing partners. Their participation is vital to ensure the implementation of CT/CFT and P/CVE measures that upholds human rights principles and

safeguards against negative unintended consequences that may impede civic space.

For All Stakeholders

- Relevant institutions and bodies should conduct human rights impact assessments during the development and implementation of CT and P/CVE policies and measures, including capacity-building and technical assistance programs, to identify and prevent negative consequences on human rights.
- States, regional and international bodies should support and engage with CSO coalitions focused on CT, CFT and HR at the national, regional, and global levels. This support will enhance outreach, raise awareness, and foster trust in the CT and P/CVE architectures.
- National authorities and relevant international bodies should prioritize efforts to raise awareness and empower NPOs to enhance their resilience to misuse, rather than introducing and utilizing restrictive measures.

At The UN & Global Level

Short-term recommendation:

- Utilize the upcoming 8th Biennial Review to introduce changes to the United Nations Global Counter-Terrorism Strategy. These changes should not only aim to halt the trend of government misuse of counter-terrorism measures to restrict the work of civil society, but also to reverse it.

Long-term recommendations:

- Ensure the achievement of the objectives outlined in the UN Office of Counter-Terrorism (UNOCT) Civil Society Engagement Strategy, in line with the UN Guidance Note on Protection and Promotion of Civic Space. This includes empowering CSOs to have tangible impact on shaping the UN's policy and

programming efforts related to CT and P/CVE.

- Increase support for the direct participation of CSOs in the UN counter-terrorism architecture, including the UN Global Counter-Terrorism Coordination Compact.
- The UN Special Rapporteur, with adequate resourcing from Member States, should provide guidance and resource materials on the methodology for human rights impact assessments and benchmarking, and enable capacity building for relevant institutions and bodies.
- Develop a clearer and, to the extent possible, internationally agreed-upon definition of terrorist financing, to prevent the misuse of the current definitions against NPOs and human rights activists, in line with the model definition of the Special Rapporteur. To ensure compliant implementation, provide clear and unambiguous guidance on distinguishing and exempting legitimate human rights and humanitarian activities of individuals and NPOs.

At The Regional Level

Short-term recommendation:

- FATF, FATF-Style Regional Bodies, the EU, and other regional bodies should upgrade existing practices and introduce a mechanism for meaningful engagement with CSOs during the design and development of CT and P/CVE, including CFT strategies and measures. This mechanism should mirror and add upon the existing private sector engagement and consultations mechanism facilitating structured direct communication between FATF/FSRBs and local civil society. It would enable civil society to monitor ongoing developments including the mutual evaluation process and actively participate at every stage.

Long-term recommendation:

- In the long term, these regional bodies should strive to institutionalize cooperation between these bodies and civil society. This collaboration would raise awareness of CT and P/CVE issues within the non-profit sector and enhance civil society's resilience to misuse for terrorist and violent extremist purposes.

At The National Level

Short-term recommendations:

- States in the region should ensure that terrorism risk assessments, including non-profit sector terrorist financing risk assessments, are conducted in close cooperation with local civil society and take an empirically based approach to the identification and measurement of risk.
- States should ensure that CT measures are targeted and proportionate incorporating clear safeguards to mitigate the impact of such policies and measures on civic space and human rights.

Long-term recommendation:

- States should prioritize the inclusion of CSOs at all stages of developing local policy and laws pertaining to CT and P/CVE.

II. Recommendations Pertaining To Key Identified Trends

Finding #1: Countering the Financing of Terrorism

Short-term recommendations:

- The pending revision of the FATF Best Practices Paper on Recommendation 8 should:
 1. Clearly communicate that participatory NPO terrorist financing risk assessments

are mandatory to implement the risk-based approach of Recommendation 8.

2. Promote and encourage self-regulation as an effective substitute for policies and legislation restrictive to NPOs.
- In cases where the NPO risk assessment does not include NPO participation, FATF and regional bodies should recognize and encourage shadow risk assessments.
 - Revise the mutual evaluation process to include identification and assessment of negative unintended consequences. In particular, country compliance ratings should decrease in cases of misuse and/or avoidance of the risk-based approach.

Long-term recommendations:

- Enhance the knowledge and capacity of the mutual evaluation review assessors on unintended consequences, the protection of civic space, and human rights. This will enable them to take into consideration these aspects when assessing compliance with Recommendation 8.
- Institutionalize cooperation between regional bodies and CSOs on CFT-related issues. This includes providing NPOs with access to information on the latest mutual evaluation review, onsite visits, and other upcoming developments in the mutual evaluation process. Establish direct communication channel to FATF-Style Regional Bodies with similar functionalities as the FATF portal.
- Change the perception of de-risking practice as an appropriate CFT measure and build the capacity of financial institutions to identify de-risking instead as malformation of their systems. Develop and introduce meaningful and effective grievance redress mechanisms for NPOs affected by de-risking practices.
- Ensure that CT regulations and policies do not unduly restrict CSOs from utilizing new

technologies (such as crowdfunding, virtual assets, AI etc.) to fundraise for their legitimate activities. Measures in this regard should be proportionate and consider the capacities of CSOs at the national level, taking into account CSOs' limited access to resources.

Finding #2: Repatriation of Foreign Fighters and Their Families

Short-term recommendations:

- Governments should cooperate with CSOs on the ground to implement human rights compliant repatriation and reintegration programs, incorporating existing best practice models.
- When developing rehabilitation and reintegration programs for foreign fighters and their families, States must ensure CSOs are granted necessary access to be able to provide support and address the lack of government services such as: psycho-social support, education and health, covering especially vulnerable demographics and groups, such as persons deprived of liberty recognizing in particular that all children returning are victims in their own right;
- Develop and introduce tailored guidance to ensure human rights-based approach for the future human rights compliant repatriation and reintegration of foreign fighters involved in the Russia-Ukraine war, considering the unique challenges and the social context.

Long-term recommendations:

- Repatriation and reintegration efforts should prioritize a human rights-based approach, transitioning from the predominately security-oriented approach that was identified by CSOs in practice.
- Develop best practices and guidance applicable in emerging, new and future conflict zones, ensuring effective repatriation

and reintegration processes.

Finding #3: Use of New and Emerging Technologies

Short-term recommendations:

- In cooperation with civil society, UN human rights entities should lead the development of guidelines on how national policies should prevent the misuse and human rights abuse of emerging technologies. These guidelines should ensure adequate, independent oversight by courts and/or other institutions, and also establish a role for civil society monitoring and evaluation.
- At the regional level, CSOs from EU Member States and countries aspiring to EU membership should have increased involvement in the creation of EU law, such as the current draft EU legislation on the topic (so called Artificial Intelligence Act) and the draft of Council of Europe Convention on AI.
- CSOs should strengthen cooperation with the private sector (IT, tech and social media companies, developers of cybersecurity systems, etc.). This collaboration should be directed towards:
 - 1) Raising awareness and educating the private sector as to their human rights obligations;
 - 2) Developing and undertaking joint initiatives to monitor human rights violations through the use of new technologies; and
 - 3) Providing technical assistance to civil society to defend against such abuses, including potentially through anti-surveillance software and/or hardware.

Long-term recommendations:

- CSOs should undertake more extensive information and education activities targeting

the public and vulnerable groups (such as human rights defenders), to raise awareness of how new technologies can be abused in counter-terrorism context. These activities should also provide guidance and clarity on how to react and defend against such abuses.

- The UN should establish a regular mechanism for global monitoring and reporting of human rights abuses related to the misuse of new technologies in CT independent from the UN CT architecture.
- The UN should initiate and support educational activities and foster cooperation between business and civil society to prevent and respond to the abuse of new technologies. This can be facilitated through existing platforms such as the UN Global Compact.
- Both private and State donors should support the development of civic and business clusters focused on creating IT solutions that help citizens protect themselves against the abuse of new technologies by both private companies and States in connection with countering terrorism.
- Civil society, at the global, regional and national levels, should work towards establishing legal standards that limit the use of biometrics, particularly facial recognition technology. These standards should enhance civil control over their use, especially concerning the processing and retention of personal data.
- CSOs should advocate for regulations that enable effective control of new technologies, prevent adverse effects on human rights, and facilitate identification, monitoring and prevention of their abuse. These regulations should also provide access to redress in cases of abuse.

Finding #4: Violent Extremism Conducive to Terrorism and Religious and Ethnic Minorities

Short-term recommendations:

- Establish a clear and unambiguous international definition of violent extremism conducive to terrorism to prevent the misuse and arbitrary application of restrictive measures.
- States should revise overbroad and vague definitions of terrorism and (violent) extremism under domestic law and ensure they are revised in line with the international law requirements of legality, proportionality, necessity and non-discrimination.

Long-term recommendations:

Ensure that all policies and measures targeting religious extremism are balanced and comply with international standards in the area of freedom of expression and freedom of religion and belief. States, regional bodies and other relevant entities must ensure that these measures are implemented without discrimination, and do not unduly harm or restrict the legitimate work of religious organizations.

Measures and strategy related to P/CVE should not engage diverse and wide-ranging stakeholders, including the full spectrum of political actors, recognizing the fundamental governance and democracy issues underlying violent extremism challenges.

Finding #5: Humanitarian Aid for Victims of Conflict

Short-term recommendation:

- All states should cease the criminalization of humanitarian workers providing assistance to migrants and refugees. They must also take steps on the international level to ensure the protection of such people seeking international protection, and safeguard them against State harassment and interference.

Long-term recommendations:

- Foster collaboration between States, international bodies and humanitarian organizations to establish legitimate mechanisms for effective and efficient distribution of humanitarian aid to areas in need.
- Develop a long-term strategic approach that guarantees the right of CSOs (including grassroots CSOs and informal groups) to seek and access financial services and support in order to facilitate humanitarian work.