

## Public Consultation on draft amendment text

### Revision of R8 of the FATF Standards and its Interpretive Note

We, a collective of Norwegian NPOs deeply engaged in collaboration with local partners, hereby submit this proposal for an amendment to R8. Our impassioned plea arises from a shared concern for the tangible and adverse impacts that CFT measures have imposed upon our work as well as that of our partners. These measures have not only disrupted essential funding channels for critical humanitarian and development efforts, but have also been misappropriated to justify the enactment of draconian laws that unjustly stifle the civic space and suppress the voices of those striving for positive change. This, in turn, hinders progress towards a more locally led humanitarian response and is contributing to a shrinking space for civil society. While we remain steadfast in our commitment to global security and financial integrity, we earnestly implore the FATF to do its utmost to remedy these unintended consequences and consider adjustments to Recommendation 8 that promote a more delicate equilibrium between combating illicit financial flows and safeguarding the fundamental principles of free and vibrant civil societies.

It is our opinion that alternative option i, which involves removing all examples of measures from para. 7(b)(iii) of the Interpretive Note and inserting them in the Best Practices papers (as outlined in box 5 of the Best Practice Paper), is the most suitable approach. This adjustment would help address the unintended perception of compulsion that some countries might associate with the examples' inclusion in the body of Interpretive Note 8. By relocating the examples to the Best Practices papers, the Interpretive Note can retain its core guidance while ensuring that the examples remain available for reference and guidance in a non-binding context. This separation between core guidance and illustrative examples would not only prevent the misinterpretation of requirements but also maintain the flexibility for countries to adapt measures based on their specific contexts and risk assessments.

It is also of vital importance to note the stress under which our partners find themselves in countries due to the kinds of registration and monitoring requirements that are listed under para 7(b)(iii). Therefore, when inserting these into the Best Practices Paper, countries should also be instructed to not tailor these requirements in a way that will stifle legitimate NPO activities. We welcome para 47 of the BPP in this regard. However, one aspect that is missing and that we have seen firsthand is the broad definition of illegal activities in NPO laws, criminalizing activities that are deemed “immoral” or going against “the state” and that have been used to penalize NPOs working for democratization and rule of law.

In line with the NPO Coalition’s input, we completely agree that the current revisions address only one part of the problem that NPOs face – the widely prevalent view in many jurisdictions that all NPOs are risky and conduct illegitimate activities. It does not quite address the other part of the problem: the underlying presumption that all governments are good and well-meaning. To tackle the latter, we also support the need to amend the FATF methodology and provide appropriate training to FATF assessors.



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