

Weaponisation of the FATF Standards:

a Guide for Tunisian Civil Society

NB: This is an unofficial summary of a report published by RUSI in June 2023, annotated with additional content on the Tunisian context. This document, nor its Arabic translation, have been verified by RUSI, although every effort has been made to ensure consistency with the original publication. The original report, in English, can be found [here](https://www.rusi.org/explore-our-research/publications/special-resources/weaponisation-fatf-standards-guide-global-civil-society), and all references or citations to this document should be checked against the original report:

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Like with other global policy instruments, the standards and processes of the Financial Action Task Force (FATF) have become weaponised by authorities worldwide as part of holistic campaigns to crack down on targets who threaten their interests, most often civil society actors such as watchdog organisations, journalists, opposition figures and other critics who threaten regime interests. The FATF system, initially established by the G7 in 1989 to combat money laundering, has evolved into a global regulatory framework with significant influence. Its “40 Recommendations” set the standards for anti-money laundering and counterterrorism financing (AML/CTF) measures, and while non-binding, these standards have been implemented globally due to the economic consequences for jurisdictions that fail to comply.

This guide uses the term “Authoritarian Abuses” to describe deliberate state misuse of various elements of the anti-financial crime regime underpinned by the FATF, with the purpose of suppressing specific targets and pursuing other interests. This stands in contrast to related but separate human rights issues pertaining to FATF, such as the over-implementation of FATF’s Recommendation 8 on preventing terrorism financing abuse in the not-for-profit organisation (NPO) sector, which has been directly linked to systematic exclusion of NPOs from the banking sector alongside other negative effects.

This report offers civil society actors an impartial evidence base on the weaponisation of the FATF’s anti-financial crime regime and how to identify and respond to such abuses. Its findings are based on case studies, 25 expert interviews and 4 verification workshops.

Additional information is included to provide local context focused on the weaponization of FATF tools in the case of NPOs in Tunisia. Contextualization is done through providing insight on the Tunisian case where possible throughout this summary of the RUSI report, including information on legislative and institutional frameworks, political analysis, and case studies. This can prove to be useful for Tunisian actors for resilience and advocacy purposes, both nationally and internationally.

I. Why AML/CTF?

What are the characteristics of AML/CTF powers and regulations, shaped by the FATF, that make them vulnerable to Authoritarian Abuses?

The FATF system imposes a **uniform set of rules** across all countries, irrespective of their legal and institutional frameworks. While the standards may work well in mature democracies with strong rule of law, their application in authoritarian states or countries with weak institutions can lead to abuse. For example, the FATF requires the creation of financial intelligence units (FIUs), which in democratic countries function with checks and balances. Elsewhere, such institutions may be used to financially surveil dissidents under the guise of fighting financial crime, effectively “laundering” state suppression by using the FATF as a pretext to justify the targeting of regime critics. This is often done using laws that are passed with reference to FATF compliance, which hand authorities broad powers intended to tackle financial crime, which are then used for other purposes.

The Tunisian application of the FATF recommendations and processes has changed throughout time, but has generally maintained a system that relies on AML/CTF legislation and the creation of an independent FIU. The current AML/CTF legal framework is the Organic Law Number 26 for the year 2015 relating to Countering Terrorism and Stopping Money Laundering¹ (CTSML). The legal framework was based on the 2014 constitution and political regime shaped by it, which, in theory, proposed a democratic system with checks and balances. The legal framework clearly referenced the executive and judicial powers and their specific prerogatives, within the political regime that provides oversight power to parliament, to hold the executive branch accountable. The independence of the FIU is also under the control of the Central Bank (CB), which is an independent structure under the 2014 constitution and the political regime. It is important to note that the proposed checks and balances were reliant not only on the AML/CTF framework, but also on the constitutional framework and the political regime.

Seven key structures are involved in the application of the AML/CTF framework in Tunisia:

- **Executive:** this includes the president, the prime minister and specific ministries (mainly the ministry of finance and the ministry of interior). The executive contributes to the framework through decrees and ministerial orders.
- **Judiciary:** this includes specialized courts and poles, judges, and the public prosecutor.
- **Legislative:** the elected parliament.
- **The Central Bank:** the leading monetary authority.
- **Financial Institutions:** This mainly includes banks, but can also include other institutions that provide financial services, such as the Tunisian Post, which runs banking operations.
- **CTAF (*The Tunisian Financial Analysis Committee*):** this is the independent FIU, and a structure within the Central Bank.
- **CNLCT (*The National Committee to Counter Terrorism*):** a committee created through the CTSML law within the prime ministry.

¹ This law replaced Law Number 75 for the year 2003 relating to Supporting the International Efforts to Counter Terrorism and Stop Money Laundering. The legislation was voted on in parliament in August 2015, and was amended in January 2019.

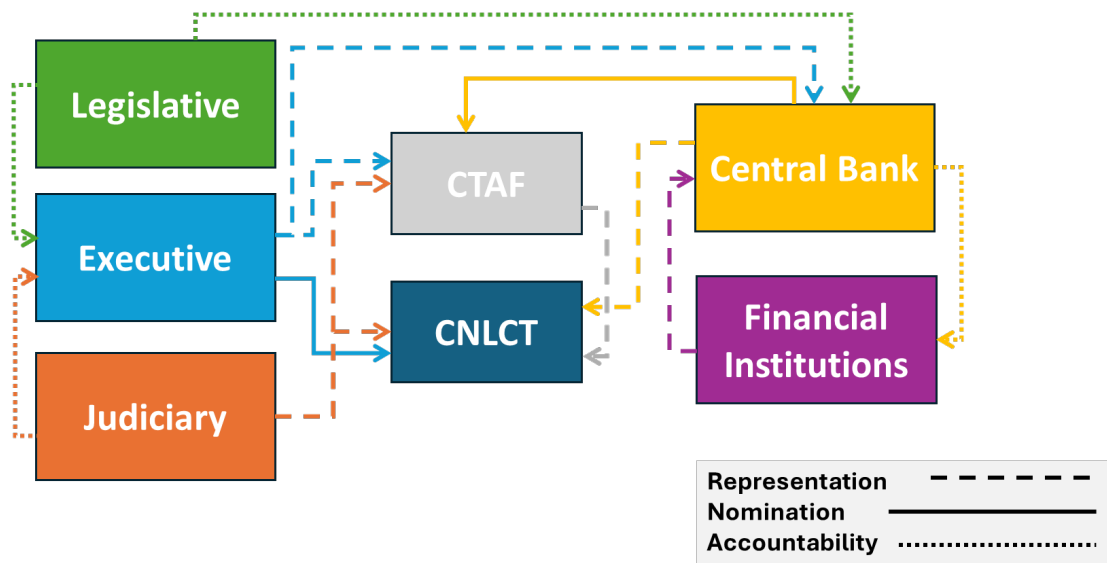
To understand the intersection between all structures, it is important to track three main properties:

- 1. Representation of each structure within the decision-making body of other structures;
- 2. The nominating entity of each structure;
- 3. The accountability of a structure towards another through oversight or other mechanisms.

These properties help highlight the impact of the changes in the political regime on the interactions between the structures, and its impact on the use of the AML/CTF framework.

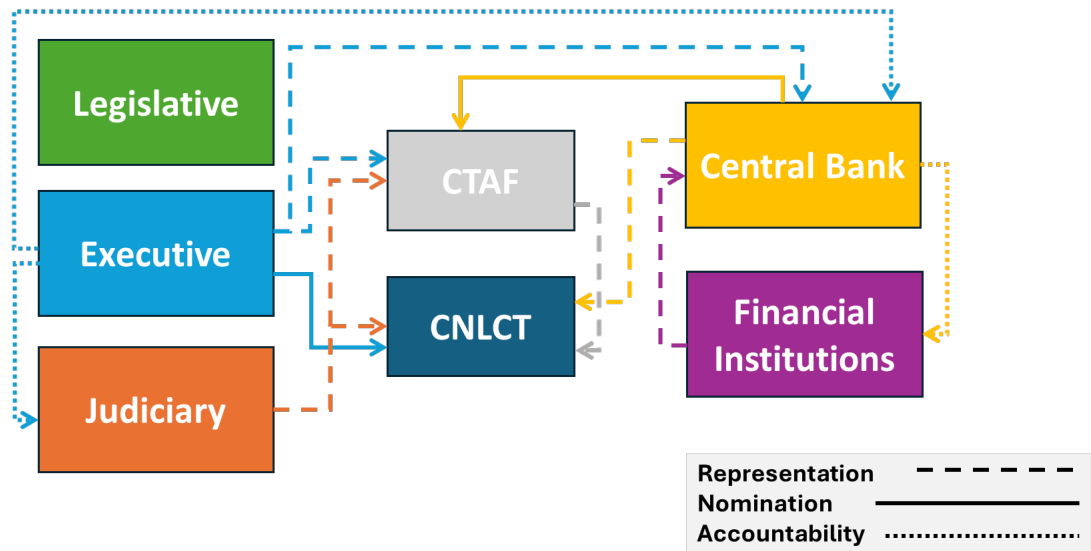
The following graph depicts the relationship between the different structures during the democratic transition:

Graph 1: How FATF rules are applied in Tunisia – Structures Democratic Transition



It can be noted that no structure directly involved in applying the AML/CTF framework functions without accountability, especially the executive branch and the Central Bank. The contrast with the system under a hybrid regime is striking, and is depicted in the following graph:

Graph 2: How FATF rules are applied in Tunisia – Structures Hybrid Regime



The main changes include the absence of accountability of the executive branch, its increased pressure on the Central Bank, and consequently, on the CTAF, and the accountability of the judiciary to the executive branch with the return of the role of the ministry of justice and presidency of the republic in disciplining judges. In fact, the legal framework, including the CTSML law, governmental decrees, ministerial orders, Central Bank circulaires and CTAF decisions, have largely remained untouched since 2019. Two changes are witnessed: one in the flagging mechanisms by financial institutions, introducing a digital platform in June 2024, and the second requiring authorized intermediaries to declare all international transfers towards NPOs (March 2024, amended in October).

The following is a list of relevant texts:

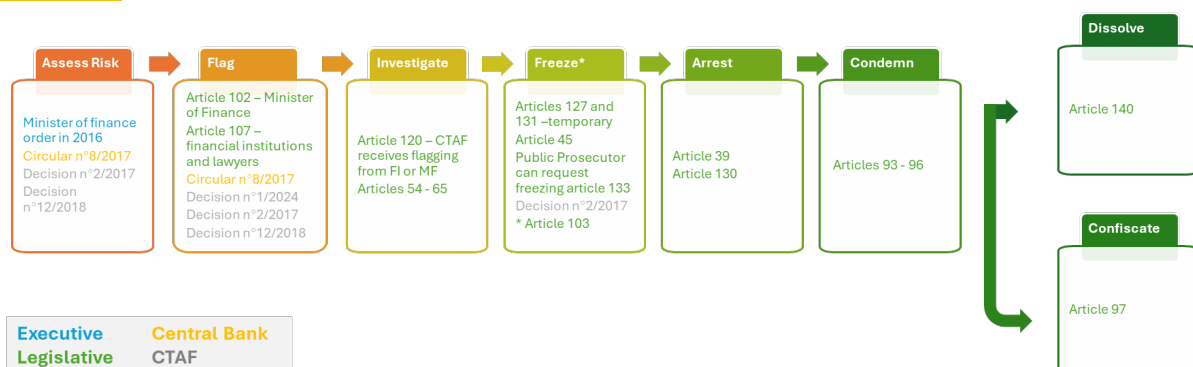
Graph 3: How FATF rules are applied in Tunisia – Legal Framework

- Law n°26/2015 amended by law n°9/2019 related to countering terrorism and preventing money laundering
- Governmental decree n° 1098/2016 related to the organization of the CTAF and its functioning
- Governmental decree n° 1025/2020 related to nomination of members of the CTAF
- Minister of finance decision in 2016 related to defining financial amounts mentioned in articles 100, 107, 108, 114, and 140 of CFTML law.
- Circulaire n°9/2018 that modifies circular 8/2017 for the management of money laundering and financing terrorism risks.
- Circulaire n°7/2024 requesting authorized intermediaries to declare international transfers towards associations or non-profit organizations, and its amendment via circulaire n°13/2024.
- Decision n°12/2018 related to directive principles in relation to countering money laundering and financing terrorism in cases of non-profit organization especially associations.
- Decision n°1/2024 related to directive principles in relation to declaring suspicious transactions (amended decision n°1/2017 which was in effect until 27th of June 2024).

Executive	Central Bank
Legislative	CTAF

The mentioned texts define a complex system that is based on responsibilities shared between service providers (financial institutions) and NPOs to abide by rules that are not included in the initial legal framework regulating their creation, and that is also not necessarily introduced through legislation, rather administrative decisions by the CTAF or the Central Bank. A simplified process can be observed in the following graph, which depicts the different steps, and the texts governing it:

Graph 4: How FATF rules are applied in Tunisia – Process



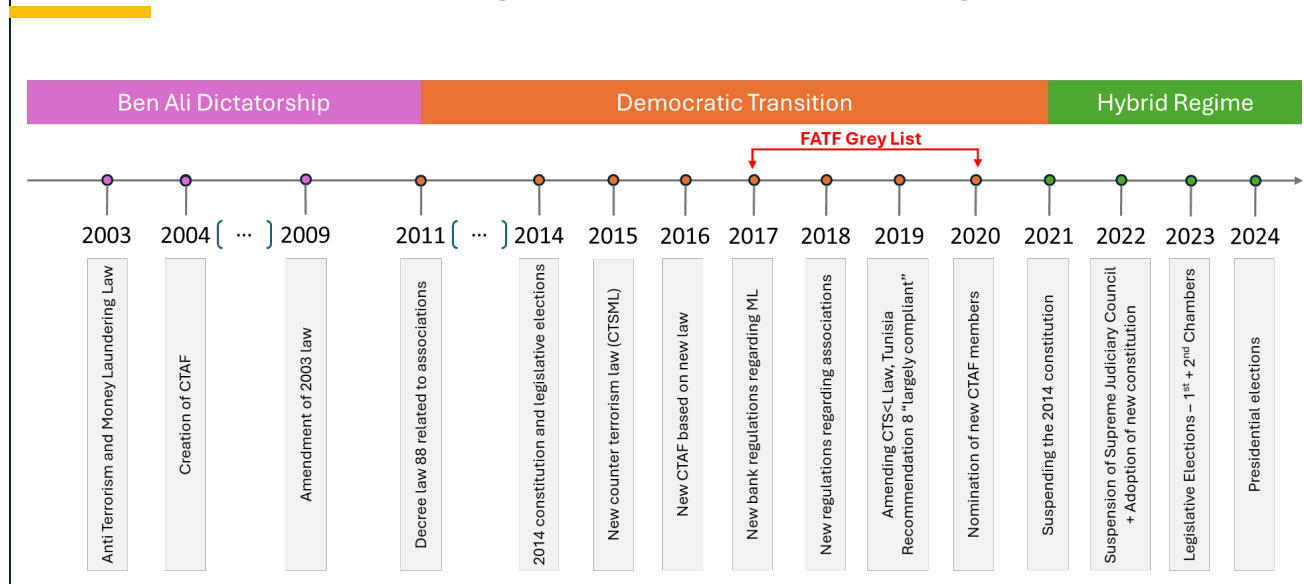
The process includes the following steps:

- 1. Risk assessment:** financial institutions and NPOs have responsibility for risk management, with suggestions made to public institutions to raise awareness and build the capacities of NPOs on how to use different tools to assess possible money laundering risks. The risk assessment is based on signs of suspicious money transactions, to be assessed by banks, and which at times include normal situations from the point of view of NPOs, such as receiving foreign funding exclusively, or periodic change of decision-makers. NPOs are almost always flagged as high-risk, as they are the focus of multiple CTAF decisions since 2018.
- 2. Flagging:** financial institutions are obliged to flag suspicious transactions (that can be completely normal, as explained in the risk assessment step), to the CTAF, or else are held accountable penally, with risks of imprisonment and fines. Flagging suspicious transactions is done without informing the NPO, and includes all necessary documentation of financial transactions. Flagging can also be done through an executive order by the minister of finance, that is justified and communicated to the CTAF. This is the only form of flagging with direct consequences leading to withholding a transaction until obtaining an authorization by the minister. All other flagging to the CTAF is documented in a database, and does not lead automatically to investigations or freezing assets.
- 3. Investigation:** flagged transactions are assessed by the CTAF, which has full authority to collaborate with all other government agencies to access information about the NPO and other stakeholders. It is important to note that collecting information in this case can be based on methods that are authorized in countering acts of terrorism, including intercepting calls. Though the law stipulates that information collected in this case can only be used in money laundering accusations, in practice, this has put NPOs in danger of prosecution based on other accusations and suspicions not included in the AML/CTF framework. In fact, most money laundering flagging is meant to open up the possibility to investigate other crimes that are not related.
- 4. Freezing assets:** the CTAF is able to temporarily freeze assets through an administrative order, until investigations are completed, with the possibility of appeal ahead of the administrative court, and within a set time period. However, this timeframe becomes unlimited in the case of assets frozen by the public prosecutor. Freezing assets in theory should not deprive owners from covering necessary expenses related to legal services or other vital needs. This is not respected in practice. The CNLCT is also able to freeze assets in relation to terrorism and weapons of mass destruction, and must refer such decisions to the CTAF.
- 5. Arrests:** arrests in cases of money laundering suspicions are not limited to legal representatives of NPOs, but also all other staff possibly involved in suspicious financial transactions. It is important to note that arrestations are based on the counter terrorism exceptions to the penal procedures code – meaning it can go up to 10 days of arrest, even if suspicion is not related to financing terrorism.
- 6. Condemnation:** NPOs can be dissolved, and assets can be confiscated by the state. The legal responsibility can be transferred to individuals, and is not limited to the legal entity and its legal representatives. This is clearly stipulated and is an exception to other felonies and misdemeanors related to NPOs and associations. It must also be noted that the legal definition of money laundering the framework does not necessarily link it to financing terrorism, and is not only linked to illegitimate sources of funding, rather is expanded to illegitimate expenditures, without further specification.

To better understand the impact of regime type on the weaponization of AML/CTF frameworks, it is worth reflecting on the different regime types under which FATF recommendations were adopted, amended, and applied. Since 2003, Tunisia has undergone two major changes in its political regime. Prior to the 2011 revolution, Tunisia was under the autocratic rule of Ben Ali. Between 2011 and 2021, the country underwent a democratic transition, especially after the adoption of its constitution in 2014. In July 2021, the democratic transition was halted with the suspension of the 2014 constitution, and a return to an autocratic regime has been witnessed since then. The adoption of a new constitutional framework in 2022 announced the extreme imbalance in powers, and the overpowering of the executive branch. The weaponization of AML/CTF frameworks did not necessitate direct changes to the institutional and legal foundations, rather a removal of checks and balances, demeaning the independence of structures such as the CTAF and the judiciary, and almost eliminating accountability tools such as media coverage and parliamentary oversight.

The following graph depicts the different political regime eras, and the legal and institutional changes in the AML/CTF frameworks:

Graph 5: Timeline and major legislative and institutional changes



The FATF's standards often use **vague or flexible language**, which permits states to apply them broadly and can lead to abuses. For instance: the FATF offers little guidance on defining "terrorist financing", enabling states to designate a broad range of political groups or individuals as terrorists, thus facilitating political repression through anti-financial crime measures. FATF's system, further, allows for asset freezes, surveillance, and other measures based on **mere suspicion** rather than criminal conviction or evidenced suspicion of financial crime. These powers, termed "administrative" or "provisional", can be easily abused in regimes that lack judicial oversight or transparency.

Misuse of CTF legislation, and **counterterrorism** powers more broadly, hinges on deliberately vague definitions of terrorism and terrorist acts. This makes it easy for authorities to label almost any person, group or activity as a form of terrorism, and by extension, any associated financial dealings can then be misrepresented as terrorist financing.

In the Tunisian AML/CTF legal framework, a clear definition of terrorist crimes is provided, as well as the financing of terrorist actions and actors. However, the measures taken in money laundering

suspensions regardless of its connection to possible terrorist financing, or absence thereof, are disproportionate.² The threatening “flexibility” in the Tunisian case is not necessarily in the language, rather than the ability to apply oppressive measures initially meant for grave terrorist crimes or suspicions, to less dangerous suspicions related to financial crimes, under the guise of money laundering. Therefore, even if the legal framework and its application does not directly weaponize counter terrorism measures, it is weaponizing its exceptional procedures under the premise of money laundering.

Examples of exceptional measures are the following:

- Prolonged arrestation durations, that go up to five days, renewable twice in case of terrorism suspicions,³ and once in case of money laundering.⁴
- In terrorism cases, the ability to prohibit access to a lawyer for up to 48 hours upon the request of the public prosecutor or investigative judge.⁵ It must be noted that upon the amendment of the AML/CTF law in 2019, in application the prohibition of lawyers included money laundering suspects as well.

The relationship between the executive and judicial powers has shaped the tipping point in weaponization of FATF in the Tunisian context.

II. Authoritarian Abuses: *Who, What, When, Where?*

Who are the most common targets of Authoritarian Abuses, and when and where are they most likely to occur?

Targets of Authoritarian Abuses can include anyone working to enhance democratic principles and maintain civic space: an environment conducive to the enjoyment of human rights and core freedoms. This can include ethnic or religious minorities or social movements, human rights defenders, independent journalists and media, political opposition figures, watchdog organisations, protest movements, and even independent business. Targets typically have “convening power” in their societies, allowing them to spur action and engagement among other members of civil society, and are typically based in urban centres and have some level of connection with international-level civil society actors. Organisations in receipt of grants or funding from foreign sources are at increased risk, as this is often misconstrued as foreign state interference. Rurally based NPOs who deliver aid and livelihood support have also been targeted for what authorities perceive as a threat to state supremacy in the lives of rural people.

In the Tunisian case, targets are often determined by the political cost they create for the executive branch, by contesting the political narrative of the state, or changing the balance of powers by participating in political events such as elections. In the Tunisian context, civil society includes social movements, human rights defenders, watchdog organizations and protest movements, as they are connected as civic actors and often work in coalitions and under similar legal frameworks. The media groups, independent journalists and traditional and alternative media institutions, as they also, in theory, are regulated through specific legal frameworks.

² After the 2019 amendment of the law, money laundering suspicion, even when not linked to financing terrorism, was subjected to the procedures that were initially limited to suspicions of terrorist acts and crimes.

³ Articles 39 and 41

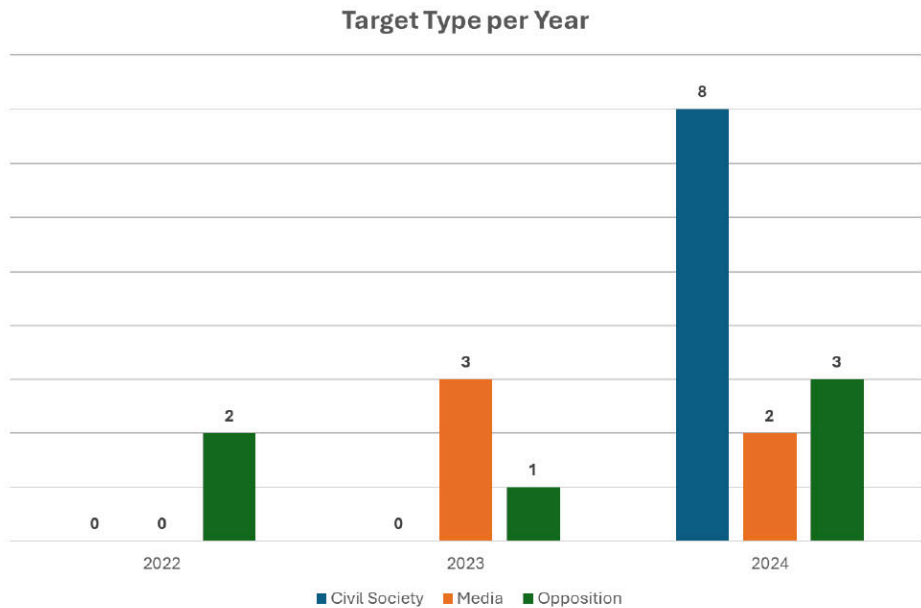
⁴ Article 130

⁵ Articles 13 and 57 of Penal Procedures Code.

It is important to note that although targeting of different groups varies across time, it does serve the same purpose of silencing opposition and any efforts to challenge the policies or actions taken by the regime. The opposition was the first to be targeted as it directly challenged the regime and contested its legitimacy. Media followed as it created coverage and challenged the narrative proposed by the regime. Civil society was targeted when its work started having tangible implications.

The following graph shows the distribution of targets since 2021. The number do not represent the number of cases, as one target can have multiple cases, rather the entity that is being targeted (e.g. political party, association, syndicate, etc.).

Graph 6: Distribution of targets using the AML/CTF framework since 2021



In terms of **timing**, Authoritarian Abuses tend to occur during major political flashpoints including the passing of controversial laws or constitutional reforms, during election or referenda campaigns, or amidst interstate conflict or periods of heightened tension with self-determination groups or movements. Abuses are also more possible when there is a financial transaction or activity that can be misconstrued as financial crime, especially where NPOs are forced to adopt financial workarounds due to bank de-risking.

In Tunisia, observing the timing of the Authoritarian Abuses suggests a clear alignment with political flashpoints that create the perfect environment to use the AML/CTF framework both politically and technically. In other words, the regime abused the framework in specific contexts, while creating the appropriate technical and institutional basis to do so when necessary.

The Abuses took place around key political events, the first being organizing a referendum to introduce a new constitutional text in 2022, then signing agreements with the European Union and especially Italy to stop migration through Tunisia (starting 2023), and organizing presidential elections in 2024.

Though abuses of the AML/CTF framework can be clearly correlated with targets engaging actively in these key political events, other institutional and legislative changes were building up to allow for the abuses to take place. The suspension of the 2014 constitution was coupled with direct control

of the executive branch on legislative powers⁶ and, consequently, suspending existing separation of powers as presented in the 2014 constitution. This led to legislative and institutional changes with judicial impact, such as the dissolution of the High Judicial Council through a decree law,⁷ directly impacting the independence of the judiciary. In fact, the first incident of Authoritarian Abuses that targeted an opposition political party was a few months after the suspension of the mentioned council, leading up to the constitutional referendum in 2022, clearly contested by political opposition parties targeted by the abuses.

The surge in cases taking place in 2024 can also be linked to clear political positioning against the independence of structures, such as the Central Bank. Though this political positioning was publicly linked to the bank's role in economic development,⁸ it suggested a compromised political independence of the bank. The CTAF was also put under political and judicial pressure, in parallel with the organization of the highly contested presidential elections, including the arrestation and investigation of the CTAF secretary general in September 2024.⁹ This coincided with the president's statement in relation to the Commission's role in investigating associations that receive foreign funding "for clearly political purposes"¹⁰. Consequentially, two civil society organizations specialized in monitoring elections (I-Watch and Mourakiboun) had their bank accounts frozen and were being investigated for money laundering.

This also proved to accelerate the abuses in relation to targets contesting specific policies, especially in relation to migration. The state's policy in relation to countering illegal migration started years before the surge in Authoritarian Abuses. However, the crackdown on migrants, coupled with an official discourse that utilized racist rhetoric that led to violence against sub-Saharan migrants, was coupled with increased collaboration with European counterparts, especially the Italian government. Civil society was criticized by the state and by regime supporters on social media for implementing foreign agendas, and supporting the "demographic change of the Tunisian society". The direct link between the use of AML/CTF frameworks against civil society actors that criticized the state policy towards migrants was evident, with more than 5 associations investigated for terrorist crimes that later were changed to money laundering and handling illicit funds (including Terre d'asile, Mnemty, Children of the Moon – Mednine).

Authoritarian Abuses are most common in **hybrid democratic-autocratic regimes** that have an interest in maintaining a democratic pretence and being seen to adhere to the rules-based international order. The most oppressive autocracies, by contrast, have no need to launder their suppression of dissidents using the FATF, as they are emboldened to do this openly.

It must be noted that during the Ben Ali autocratic rule, no use of the AML/CTF framework was reported given the quasi absence of civic space. During the democratic transition, doubts of abusing the framework were openly and largely contested by civic actors, with no reports on targeting civil society because of the nature of its civic activism. However, following the suspension of the

⁶ As part of the state of exception and the presidential decree No 117/2021.

⁷ An independent elected council that had oversight over judges and judicial reform, as proposed by the 2014 constitution to limit executive control of the judiciary.

⁸ As per President Said's call for amending the Central Bank's law, in September 2023.

www.babnet.net/cadredetail-272911.asp

⁹ <https://tunisie-telegraph.com/a-la-une/%D9%81%D9%8A%D9%85%D8%A7-%D8%A7%D9%84%D8%A3%D8%A8%D8%AD%D8%A7%D8%AB-%D9%85%D8%AA%D9%88%D8%A7%D8%B5%D9%84%D8%A9-%D8%A7%D9%84%D8%A7%D8%A8%D9%82%D8%A7%D8%A1-%D8%B9%D9%84%D9%89-%D8%A7%D9%84%D9%83%D8%A7/>

¹⁰ *ibid.*

democratic transition in 2021, the abuses proved to be useful to provide a cover for the increasing oppressive rule of the regime in place.

New legislation like Decree Law 54 is replacing in practice the use of the AML/CTF framework to fish and scrape for information.

III. Taxonomy of Tactics

There are 5 major ways that states have misused the laws and measures given rise to by the FATF.

Intelligence fishing and scraping tactics utilise institutions and processes of financial intelligence collection for surveillance and evidence collection on individuals and organisations deemed to pose a threat. This is most commonly achieved through procedural capture of national financial intelligence units, which according to FATF are intended to be free of any influence which may compromise operational independence.

In Tunisia, procedural capture is taking place through first capturing and jeopardizing the independence of the justice system, and directly compromising the independence of structures like the Central Bank and the CTAF. Also, this includes using the police apparatus to investigate NPOs and look for evidence that can be used against them, without initial foundation for suspicion. Influence looks like public and political pressure, and at times judicial harassment (such as the case of CTAF secretary general).

There is also indirect capture through influence on structures that are linked, like the ISIE (elections authority) which flagged the foreign financing of elections watchdogs in order to limit their work and their ability to monitor the presidential elections.

Example:

ADD (*The Tunisian Association to Promote the Right to Difference*) was investigated for over a month under the money laundering provisions in order to scrape for information and evidence that can incriminate its management.

Strategic bank account freezing makes use of an administrative tool that can be used without a criminal conviction or court order. Victims who find their bank accounts frozen are denied the presentation of evidence of behaviours that generated the supposed suspicion of misdeeds. Although FATF assures that asset freezing should be reviewable by the judiciary in a reasonable amount of time, many victims are blocked from accessing this judicial review. Financial institutions are often timid in unfreezing accounts when freezing orders have lapsed, preferring to wait for express permission from authorities, which amplifies the detrimental impacts of this tactic.

In Tunisia, account freezing takes place with administrative decisions mainly (although can also be made through a judge during investigation). In theory, the freezing can be limited through the administrative court. However, the compromised judicial independence, and the inapplicability of the administrative court decisions, made this obsolete.

Example:

The freezing of bank accounts was most obviously strategically done in the case of monitoring of the presidential elections, where the bank accounts of Mourakiboun and I Watch were frozen, putting their activities to a halt prior to elections.

Harassment and prosecution of organisations is achieved where authorities appeal to anti-financial crime law to justify aggressive measures including office raids, where documents, computers and other materials are confiscated and information extracted and used to construct bogus criminal cases. In other instances, claims of financial criminality are used as justification to permanently close down organisations.

In Tunisia, the prosecution of organizations is done mostly through the anti-money laundering measures, rather than the countering terrorism aspect. However, the prolonged arrestations are the main source of direct harassment and limitation of freedoms.

Harassment is also done through limiting access to finances, especially through decisions by the minister of finance, requiring approval of transfers especially from international donors.

Examples:

The Terre d'Asile association, initially prosecuted under terrorism suspicion, then money laundering, were cleared from both, but remain under custody because of activities related to supporting migrants, through evidence collected under the AML/CTF exceptional measures.

Politically motivated (pre-trial) detention of individuals makes use of AML/CTF lawfare (the use of national legal systems to target, delegitimise or otherwise incapacitate opponents) in combination with provisions permitting lengthy pre-trial detention. In effect, an individual can be imprisoned on mere suspicion of money laundering or terrorism financing for a prolonged period, cutting them off from supporters and muting their dissent, all without authorities having to produce any credible evidence.

The political motivation of trials does not only take advantage of the existing framework, but also the political situation related to the judiciary, and to relations with financial institutions. This also led to the extreme interpretation of the penal measures allowing for prolonged pre-trial detentions in Tunisia.

Lawfare for transnational repression sees the FATF's standards on international legal cooperation and information sharing misused to repress dissidents who have fled to another country. This is done by fabricating money laundering or terrorist financing charges, typically using architectures like the Interpol Red Notice system and extradition treaties.

For the moment and to our knowledge, this is not a tactic that is taking place in Tunisia so far.

IV. Outcomes and Consequences for Civil Society

Authoritarian Abuses have widespread repercussions that affect not only the individuals and organisations targeted, but the wider sector of onlookers which leads to lasting damage, repression and a chilling effect on future activism and transparency works. Rather than directly prosecuting civil society actors, perpetrators often use **smear campaigns** to tarnish reputations. Framing opposition figures as criminals or terrorists creates doubt about their motives and activities and undermines public trust, which is especially damaging for advocacy groups or political opposition figures that rely on public support. Even if charges are later dropped or acquittals occur, negative perceptions often persist as reputational damage far outlasts legal proceedings. In some cases, individuals who are acquitted of criminal charges are still stigmatized as “criminals” or “terrorists,” limiting their employment opportunities, social connections, and mental well-being.

In Tunisia, the campaigns are done by public institutions and unofficial supporters of the regime. Information that is supposed to be classified (such as flagging of transactions, or investigations) are made public on social media by supporters of the regime, as evidence of the attacks made by the official discourse on civil society.

Asset freezes and imprisonment are common tools of repression that severely **disrupt the operations of civil society actors**. While the effects of imprisonment are obvious, those of asset freezing are less so. Asset freezes can render individuals financially paralyzed, blocking access to essential services, including employment, loans, or banking. Individuals may be forced to rely on family members for financial transactions or face obstacles in securing financial services due to politically motivated terrorism designations. For organisations, asset freezes and similar measures can stymie operations, particularly for smaller groups with fewer resources. Such freezes may force staff members to resign due to non-payment of salaries, destabilising organisations and leaving them unable to carry out their missions effectively. Even when operations continue, the focus often shifts to legal defence and clearing the organisation’s name, diverting resources from their core activities and programs.

The examples of asset freezes during elections completely stopped Mourakiboun’s ability to have oversight over elections. I Watch have also mentioned implications of personal lives of staff. Associations are taking precautions to provide resilience in case of freezing, which adds to the stress and effort to remain functioning.

The use of tactics against high-profile targets initiates a sector-wide **chilling effect**, sending a clear signal to others in the sector about the risks of engaging in advocacy, transparency, or accountability work. The resulting atmosphere of fear discourages other civil society organisations from pursuing similar work and prompts potential targets to self-censor or avoid high-risk activities to avoid becoming the next victims. Diminished connectivity within the sector and weakened collaborative efforts ensue as a result. This is compounded by the legal and reputational risks of association, especially when organizations begin to perceive that cooperating with international partners may attract heightened scrutiny. In some cases, this leads domestic groups to avoid working with international NGOs, knowing that their own activities might draw unwanted attention from authorities.

The focus on the need for solidarity and decriminalisation of activism is a sign of the chilling effect in Tunisia. Also, reduced work on specific topics like migration, given the dire consequences on associations that worked on it, as well as the changes in the media scene, are clear evidence of the chilling effect.

V. Responses: Resilience and Advocacy Pathways

While this document does not prescribe specific responses to Authoritarian Abuses, there are several strategies for building resilience and advancing advocacy that were shared by past victims and their supporters.

The concept of **“compliant resistance”** involves adhering to all relevant laws and regulations, ensuring proper registration, licensing, and financial reporting, all as a prerequisite for resisting misuse of anti-financial crime measures. Strong financial transparency and internal guidelines can reduce vulnerabilities to attacks, as this minimises financial loose-ends that authorities can contort into grounds for suspicion. **Solidarity** with targeted colleagues is also crucial. Public support, such as attending court hearings or providing testimony, can help shift public opinion in favour of the accused. Victims who fully resolve criminal charges or secure the return of confiscated property may make it harder for authorities to reopen cases later on.

Where it is possible, **litigation strategies**, including nuisance lawsuits, can attract attention and set helpful legal precedents. Even unsuccessful cases may indirectly challenge authorities, especially if the state fails to provide evidence for accusations. Innovative litigation strategies, such as legal challenges launched on behalf of a victim by allies in a neighbouring country, can also be used to contest misuses of anti-financial crime laws.

Above all, **drawing international attention** to Authoritarian Abuses has shown to apply pressure on governments to release prisoners or delay problematic legislation. International financial institutions, particularly those involved in debt relief or the provision of development loans, have successfully influenced states by highlighting abuses brought to their attention by local civil society actors. Victims have found success in using the UN’s human rights procedures to raise awareness of abuses and demonstrate these for the FATF-Style Regional Body (FSRB) with jurisdiction and influence over the offending state. This approach helpfully bypasses state authorities which otherwise act as gatekeepers between the FATF/FSRBs and local civil society.

VI. Conclusion

The FATF is aware that some states have used compliance with its standards as justification for implementing powers, laws and measures that are then abuses, but largely sees the problem as one of “unintended consequences” of the improper implementation of its standards. While states are ultimately responsible for perpetrating Authoritarian Abuses, they draw on the FATF and the convenient pretence of meeting international expectations to do this. As such, states are unlikely to abandon these tools for suppression until there are consequences from FATF of doing so.