

How Anti-Money Laundering and Counterterrorism Measures Affect Civil Society:

Case Studies from Burkina Faso, Cameroon, Côte d'Ivoire, Democratic Republic of Congo, and Mali

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Table of Contents

List of Abbreviations	2
Executive Summary	4
1. Introduction	9
1.1. Research Context and Rationale	9
1.2. Methodology	9
1.3. Scope and Limitations	10
1.4. Structure of the Report	11
2. The Regional Regulatory Framework	12
2.1. The Global Standard: FATF Recommendation 8	12
2.2. Regional Transposition: WAEMU, CEMAC, and Regional Bodies	13
2.3. The Normative Counterweight: Human Rights Obligations	15
3. Country Assessments	18
3.1. Mali	18
3.1.1 Country Context	18
3.1.2. Legal and Regulatory Framework	19
3.1.3. Stakeholder Perspectives	20
3.1.4. Analysis	24
3.1.5. Conclusion	27
3.2. Democratic Republic of Congo	29
3.2.1 Country Context	29
3.2.2. Legal and Regulatory Framework	30
3.2.3. Stakeholder Perspectives	31
3.2.4. Analysis	35
3.2.5. Conclusion	37
3.3. Cameroon	38
3.3.1 Country Context	38
3.3.2. Legal and Regulatory Framework	39
3.3.3. Stakeholder Perspectives	42
3.3.4. Analysis	44
3.3.5. Conclusion	48

3.4. Côte d'Ivoire	49
3.4.1 Country Context	49
3.4.2. Legal and Regulatory Framework	50
3.4.3. Stakeholder Perspectives	54
3.4.4. Analysis	57
3.4.5. Conclusion	60
3.5. Burkina Faso	61
3.5.1 Country Context	61
3.5.2. Legal and Regulatory Framework	62
3.5.3. Stakeholder Perspectives	68
3.5.4. Analysis	69
3.5.5. Conclusion	71
4. Synthesis and Recommendations	73
4.1. Synthesis of Findings	73
4.2. The Common Denominator: Mistrust and Lack of Dialogue	73
4.3. The Four Horsemen of Financial Exclusion	73
4.4. Recommendations: A Risk-Based and Rights-Based Approach	74

List of Abbreviations

ACHPR	African Commission on Human and Peoples' Rights
AML	Anti-Money Laundering
APBEF	Association Professionnelle des Banques et Établissements Financiers (Professional Association of Banks and Financial Institutions)
BCEAO	Banque Centrale des États de l'Afrique de l'Ouest (Central Bank of West African States)
BEAC	Banque des États de l'Afrique Centrale (Bank of Central African States)
CAC	Commissaire aux Comptes (Statutory Auditor)
CEMAC	Communauté Économique et Monétaire de l'Afrique Centrale (Central African Economic and Monetary Community)
CENAREF	Cellule Nationale des Renseignements Financiers (National Financial Intelligence Unit - DRC)
CENTIF	Cellule Nationale de Traitement des Informations Financières (National Financial Intelligence Unit)
CFT	Countering the Financing of Terrorism
CNONGD	Conseil National des ONG de Développement (National Council of Development NGOs)
CNSC	Conseil National de la Société Civile (National Council of Civil Society)
CSO	Civil Society Organization
CDD	Customer Due Diligence
DGAT	Direction Générale des Associations et du Travail (General Directorate of Associations and Labor)
DNFBP	Designated Non-Financial Businesses and Professions
DRC	Democratic Republic of Congo
EDD	Enhanced Due Diligence
FATF	Financial Action Task Force
FIU	Financial Intelligence Unit
FONGIM	Fédération des ONG au Mali (Federation of NGOs in Mali)
FT	Financing of Terrorism

GABAC	Groupe d'Action contre le Blanchiment d'Argent en Afrique Centrale (Action Group against Money Laundering in Central Africa)
GIABA	Groupe Intergouvernemental d'Action contre le Blanchiment d'Argent en Afrique de l'Ouest (Inter-Governmental Action Group against Money Laundering in West Africa)
ICCPR	International Covenant on Civil and Political Rights
ICNL	International Center for Not-for-Profit Law
KYC	Know Your Customer
LBC	Lutte contre le Blanchiment de Capitaux (Fight against Money Laundering)
MER	Mutual Evaluation Report
ML	Money Laundering
NGO	Non-Governmental Organization
NPO	Non-Profit Organization
OBNL	Organisme à But Non Lucratif (Non-Profit Organization)
OHADA	Organisation pour l'Harmonisation en Afrique du Droit des Affaires (Organization for the Harmonization of Business Law in Africa)
OSBL	Organisation Sans But Lucratif (Non-Profit Organization)
OSC	Organisation de la Société Civile (Civil Society Organization)
PEP	Politically Exposed Person
RBA	Risk-Based Approach
STR	Suspicious Transaction Report
TF	Terrorist Financing
UEMOA	Union Économique et Monétaire Ouest Africaine (West African Economic and Monetary Union)
UNHCR	United Nations High Commissioner for Refugees
WAEMU	West African Economic and Monetary Union

Executive Summary

I. Introduction and Context

Across Africa, the imperative to combat money laundering and terrorist financing (AML/CFT) has become a defining force shaping the operational environment for civil society. Driven by the global standards of the Financial Action Task Force (FATF) and the reputational pressure of its “grey list” (Jurisdictions under Increased Monitoring),¹ governments in the region have rapidly revised their legal and regulatory frameworks.

This report assesses the impact of these measures on the Non-Profit Organization (NPO) sector in five key jurisdictions: **Burkina Faso, Cameroon, Côte d’Ivoire, the Democratic Republic of Congo (DRC), and Mali.**

The central finding of this assessment is that while technical compliance with FATF standards is improving, the *effectiveness* of the regime regarding NPOs is often undermined by a disconnect between security intent and operational reality. In the absence of a nuanced, Risk-Based Approach (RBA), AML/CFT measures are unintentionally, and at times strategically, constricting the civic space required for NPOs to deliver essential services and advocate for human rights.

2. Regional Trends and Cross-cutting Findings

Data collected from desk research and stakeholder interviews (Regulators, Banks, and NPOs) reveals three systemic trends across the region:

The Universal “Knowledge Gap”:

There is a lack of shared understanding regarding the specific obligations of the NPO sector under AML/CFT and other laws regulating NPOs.

¹ The FATF “grey list” is formally known as “Jurisdictions under Increased Monitoring.” Countries on this list are actively working with the FATF to address strategic deficiencies in their AML/CFT regimes. While not a sanction, inclusion on the list significantly increases the reputational and economic risk associated with the country, often leading to increased scrutiny from international financial institutions and a phenomenon known as “de-risking.”



In the absence of a nuanced, Risk-Based Approach, AML/CFT measures are unintentionally, and at times strategically, constricting the civic space required for NPOs to deliver essential services and advocate for human rights.

- **NPOs:** Many organizations, particularly local ones, are unaware of their specific compliance obligations or their designated supervisors.
- **Regulators:** Government bodies often lack the specialized training to supervise NPOs without infringing on fundamental freedoms, defaulting to “catch-all” control measures.
- **Consequence:** Non-compliance is often driven by ignorance rather than intent, yet it is punished with financial exclusion.

Arbitrary Financial “De-Risking”

Financial exclusion is driven less by objective risk assessment and more by the risk appetite of individual financial institutions.

- **Inconsistency:** Interviews in Mali revealed that major banks hold contradictory views on NPO risk (some viewing international NPOs as safer, others as higher risk).
- **Correspondent Banking Pressure:** Even in countries that have exited the grey list (Mali), local banks remain under intense pressure from international correspondent banks to limit exposure, leading to pre-emptive account closures (“de-risking”) of NPO clients.

The Politicization of Compliance

In politically sensitive contexts, AML/CFT compliance is increasingly used as a tool for administrative control.

- **Administrative Barriers:** New bureaucratic hurdles, such as the “statistical visa” in Burkina Faso or the enhanced supervisory role of the Ministry of Interior in Côte d’Ivoire, use the language of compliance to restrict independent oversight and advocacy.
- **Humanitarian Clash:** In conflict zones like Eastern DRC, the rigid application of compliance rules clashes with the reality of humanitarian delivery, forcing NPOs into operational “grey zones” to deliver life-saving aid.

3. Country-specific Findings

Mali: The “Post-Listing” Legacy

- **Status:** Exited FATF Grey List (June 2025).
- **Key Finding:** “Delisting” has not led to a return to normal. The banking sector maintains a high-risk perception of NPOs. The new Ordonnance N°2024-011² has permanently strengthened state supervision, creating a legacy of rigor that NPOs must navigate without sufficient guidance or dialogue.

² See: <https://sgg-mali.ml/JO/2024/mali-jo-2024-17-sp.pdf>.

Democratic Republic of Congo (DRC): The Humanitarian Crisis

- **Status:** On FATF Grey List (since 2022).
- **Key Finding:** A severe disconnect exists between policy reforms in Kinshasa and operational realities in Goma. NPOs report that legitimate humanitarian activities (cash transfers to beneficiaries) are at risk of being criminalized or blocked, leading to self-censorship and operational delays in a critical humanitarian context.

Burkina Faso: Administrative Barriers to Oversight

- **Status:** Exited FATF Grey List (Oct 2025).
- **Key Finding:** There is an emergence of a sophisticated administrative barrier to independent oversight. While the country has successfully exited the grey list through technical compliance reforms (such as the [new law on AML/CFT and on Freedom of Association³](#)), these same reforms have been accompanied by restrictive administrative decrees. Specifically, the July 2025 decree⁴ requiring a “[statistical visa](#)” for data collection serves as a *de facto* barrier to independent research and civil society monitoring. This creates an environment where the state’s implementation of AML/CFT measures is shielded from independent scrutiny, risking a “compliance theater” where laws exist on paper but accountability is stifled in practice.

Côte d’Ivoire: Pre-emptive Restriction

- **Status:** Listed on FATF Grey List (Oct 2024).
- **Key Finding:** The government has responded to the listing with rapid legislative action, spe-

³ See <https://www.rtb.bf/wp-content/uploads/2025/07/DECRET-N%C2%B02025-0959-PF-VF.pdf>.

⁴ See <https://acrobat.adobe.com/id/urn:aaid:sc:EU:6349bce9-f9ac-49de-85b9-4fa8ee8f03f2>.

Summary of case studies



Mali

Grey listed in 2021 and removed in 2025, but this has not led to a return to normal.



Democratic Republic of Congo

Grey listed in 2022 and remains on list. Ongoing reforms have negatively impacted humanitarian operations.



Cameroon

Grey listed in 2023 and remains on list. De-risking measures disproportionately affect NPOs operating in politically sensitive regions.



Côte d’Ivoire

Grey listed in 2024 and remains on list. Adopted comprehensive legislative reforms, but NPOs still face significant challenges.



Burkina Faso

Grey listed in 2021 and removed in 2025, yet is the most restrictive environment for civil society among the countries in this study.

cifically *Ordonnance n° 2024-368*,⁵ which designates the Ministry of Interior (DGAT) as the primary NPO supervisor for AML/CFT. Early findings indicate this centralization has increased administrative friction. Banks are awaiting clear directives and applying pre-emptive caution, while NPOs express concern that financial oversight is being politicized, particularly in the pre-electoral context.

Cameroon: The Chilling Effect

- **Status:** Listed on FATF Grey List (June 2023).
- **Key Finding:** The AML/CFT framework, anchored by the 2014 Anti-Terrorism Law, continues to cast a long shadow over the sector. Financial institutions, under pressure from the regional regulator (BEAC), are applying blanket de-risking measures that disproportionately affect NPOs operating in politically sensitive regions (North-West/South-West). This has created a “chilling effect” where legitimate governance and human rights work is self-censored to avoid banking complications.

4. Strategic Recommendations

To reconcile security imperatives with the protection of civic space, this report proposes a shift from “enforcement-first” to “collaborative risk management.”

For National Governments (FIUs and NPO Supervisors)

- **Operationalize the Risk-Based Approach:** Issue formal guidance clarifying that the NPO sector is *not* high-risk by default. This guidance must explicitly define “low risk” NPO activities that require simplified due diligence (SDD) and ensure that measures are proportionate to the identified risks, in line with the best practice of the recently amended FATF Recommendation.
- **Apply focused and proportionate measures only to the subset of NPOs identified as at-risk:** As the FATF Best Practices Paper on Combating the Abuse of Non-Profit Organisations clarifies, “countries should not decide to apply AML/CFT measures to all NPOs on the basis that the entire sector is considered at risk.”⁶ Measures should be targeted and should not disrupt the legitimate activities of the vast majority of NPOs that are not at risk
- **Establish NPO Liaison Points:** Designate specific focal points within Financial Intelligence Units (FIUs) to provide guidance to NPOs and answer compliance questions, thus building trust and reducing accidental non-compliance. These FIU focal points must work in close coordination with NPO

⁵ See <https://droit-et-politique-en-afrique.info/wp-content/uploads/2024/07/ORDONNANCE-n%C2%B0-2024-368-du-12-juin-2024-relative-a-l'Organisation-de-la-societe-civile.pdf>.

⁶ FATF, Best Practices on Combating the Abuse of Non-Profit Organisations (Recommendation 8), June 2015, p. 5, available at <https://www.fatf-gafi.org/en/publications/Financialinclusionandnpoissues/Bpp-combating-abuse-npo.html>.

regulatory authorities (e.g., Ministries of Interior or Social Affairs) to ensure a unified, non-duplicative approach to NPO supervision and compliance assistance.

For the Banking Sector (Banking Associations - APBEF)

- **Standardize Onboarding:** Develop a sector-wide “Standardized NPO Due Diligence Questionnaire.” This would replace the current arbitrary, bank-by-bank demands with a consistent, transparent set of requirements, reducing costs for both banks and NPOs.

For ICNL and Development Partners

- **Facilitate “Trilateral Dialogues”:** Sponsor closed-door, technical workshops bringing together **Regulators + Banks + NPOs**. This was the single most requested intervention by stakeholders to resolve misunderstandings and build a shared understanding of risk.
- **Capacity Building for Regulators:** Develop training programs specifically for NPO supervisors (DGAT, Ministries) on how to implement AML/CFT measures *without* infringing on freedom of association, focusing on the “unintended consequences” of over-regulation.
- **Strategic Advocacy on Administrative Barriers:** Launch a focused advocacy stream to support national partners to monitor and challenge “administrative blockades” (like statistical visas) that restrict civil society’s ability to hold governments accountable for their AML/CFT commitments.

1. Introduction

1.1. Research Context and Rationale

The operational environment for civil society in Francophone Africa is currently undergoing a profound transformation, driven by the convergence of two powerful global currents: the imperative to combat illicit financial flows and the defense of civic space. In response to the rising threat of violent extremism and transnational crime, states across the region have rapidly strengthened their frameworks for Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT). This legislative acceleration is largely shaped by the standards of the Financial Action Task Force (FATF) and the rigorous peer review processes conducted by its regional bodies, the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA) and the Action Group against Money Laundering in Central Africa (GABAC).

For states, the stakes of compliance are high. Inclusion on the FATF’s “grey list” (Jurisdictions under Increased Monitoring) carries significant reputational costs and restricts access to international financial markets. Consequently, governments are incentivized to adopt maximalist interpretations of security standards. The NPO sector, governed by FATF Recommendation 8 (R8), often finds itself at the center of this regulatory tightening. While R8 explicitly calls for a “risk-based approach” that protects legitimate NPO activities, its implementation in the region frequently defaults to broad, restrictive measures.

This study investigates any “unintended consequences” of this compliance drive. It proceeds from the premise that security and civic space are not zero-sum games; rather, an enabling environment for civil society is a critical component of national resilience against extremism. The rationale for this research is to move beyond theoretical debates and document the empirical reality of how AML/CFT measures are affecting the daily operations, financial access, and sustainability of NPOs in five key jurisdictions: **Mali, the Democratic Republic of Congo (DRC), Burkina Faso, Côte d’Ivoire, and Cameroon.**

1.2. Methodology

This assessment employs a qualitative, mixed-methods approach designed to triangulate legal analysis with “lived experience” data from the field. The methodology was structured in three phases:

Phase 1: Legal and Desk Review

A comprehensive analysis of the *de jure* framework was conducted for each target country. This included reviewing primary legislation (such as Mali’s *Ordonnance N°2024-011*, DRC’s *Law No. 22/068*, and Côte d’Ivoire’s *Ordonnance n° 2024-368*), FATF Mutual Evaluation Reports, and relevant grey list action plans. This phase established the baseline for technical compliance.

Phase 2: Stakeholder Engagement

To capture the *de facto* reality, the research team conducted targeted, semi-structured interviews with key actors across the AML/CFT ecosystem. Stakeholders were categorized into three groups to ensure balanced perspectives:

- **Regulators and Supervisors:** Including Financial Intelligence Units (CENTIF in Mali, BEAC in Cameroon) and NPO supervisory bodies (DGAT in Mali, Ministry of Justice in DRC).
- **The Financial Sector:** Including Professional Banking Associations (APBEF-Mali, APBEF-CI) and Compliance Officers at major commercial banks (Ecobank, UBA).
- **Civil Society:** Including umbrella bodies (CNONGD, WANEP-CI) and operational NPOs working in humanitarian aid and human rights.

Phase 3: Comparative Analysis

The data from individual country assessments was synthesized to identify cross-cutting regional trends, such as the persistence of “de-risking” post-delisting and the politicization of compliance in pre-electoral contexts.

1.3. Scope and Limitations

This study focuses specifically on the intersection of AML/CFT frameworks and the NPO sector. It does not purport to be a general assessment of the AML/CFT regime for the entire economy, nor a general human rights report.

The research encountered specific external limitations which are analyzed as findings in their own right:

- **Administrative Barriers (Burkina Faso):** Primary data collection in Burkina Faso was constrained by the enforcement of a July 2025 decree requiring a “statistical visa” for independent research. Consequently, the analysis for this country relies primarily on a legal review of this new administrative framework as a case study in restrictive bureaucracy.
- **Political Context (Côte d’Ivoire and Cameroon):** In these jurisdictions, electoral cycles and political sensitivity around the FATF listing created delays in accessing certain government stakeholders. The report mitigates this by triangulating available data from the financial sector and civil society with a robust analysis of the newly enacted legislation.

1.4. Structure of the Report

This report is organized to guide the reader from the regional context to granular country-level findings, concluding with actionable recommendations.

- **Part II** outlines the **Regional Regulatory Framework**, clarifying the interplay between FATF standards, regional directives, and human rights norms.
- **Part III** presents the **Country Assessment for each of the five target countries** Mali, DRC, Cameroon, Côte d'Ivoire, and Burkina Faso.
- **Part IV** concludes with a **synthesis of the report's Findings and Strategic Recommendations** tailored for national governments, the banking sector, and international partners to foster a more enabling environment for civil society operations.

2. The Regional Regulatory Framework

The AML/CFT challenges facing NPOs in Francophone West and Central Africa cannot be understood in isolation from the broader regional and international regulatory architecture. This architecture is characterized by three distinct but interconnected layers: the global standards set by the Financial Action Task Force (FATF), the regional transposition of these standards through economic communities and regional bodies, and the human rights obligations that provide a normative counterweight to security-focused measures. Understanding how these layers interact, and where they conflict, is essential for grasping why NPOs across the region face similar challenges despite significant differences in national contexts.

2.1. The Global Standard: FATF Recommendation 8

The global architecture for combating money laundering and terrorist financing is defined by FATF, an inter-governmental body established in 1989 that sets international standards and promotes their implementation.⁷ For the non-profit sector, the cornerstone of this framework is R8, which addresses the potential vulnerability of NPOs to terrorist financing abuse.

The evolution of R8 reflects a gradual recognition of the unintended consequences of overly broad regulation. The original formulation, adopted in the aftermath of the September 11, 2001 attacks, treated the entire NPO sector as inherently vulnerable to terrorist financing abuse and called for comprehensive oversight measures.⁸ This approach was widely criticized by civil society organizations (CSOs) and human rights advocates for creating barriers to legitimate charitable activity and for being based on limited evidence of actual abuse.⁹

In response to these concerns, the FATF undertook a significant revision of Recommendation 8 in 2016, followed by further clarifications in the 2023 update to the FATF Methodology.¹⁰ The current standard explicitly moves away from a “one-size-fits-all” approach and instead requires countries to:

7 Financial Action Task Force (FATF), “What We Do,” available at <https://www.fatf-gafi.org/en/the-fatf/what-we-do.html>.

8 FATF, “Special Recommendation VIII: Non-profit organisations,” October 2001 (original formulation).

9 See, e.g., Ben Hayes, “The impact of counter-terrorism on civil society,” Bread for the World – Protestant Development Service, Protestant Agency for Diakonie and Development, April 2017, available at <https://efc.issuelab.org/resources/27481/27481.pdf>.

10 FATF, “International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation: The FATF Recommendations,” updated October 2023, available at <https://www.fatf-gafi.org/en/publications/Fatfrecommendations/Fatfrecommendations.html> (accessed December 7, 2025).

- **Identify the subset of NPOs that are actually vulnerable** to terrorist financing abuse, based on an assessment of the sector’s characteristics, activities, and the specific terrorist financing risks in the country.
- **Apply focused and proportionate measures** only to that identified subset, in line with a risk-based approach (RBA), rather than imposing blanket regulations on the entire NPO sector.
- **Ensure that measures do not disrupt or discourage legitimate charitable activities**, recognizing the vital role that NPOs play in providing social services, promoting human rights, and contributing to democratic governance.

The 2023 update to the FATF Methodology emphasizes that countries should demonstrate that their NPO oversight measures are “targeted and proportionate” and that they have taken steps to ensure that legitimate NPO activities are not disrupted.¹¹ The FATF has also published guidance documents emphasizing that the risk-based approach means that not all NPOs require the same level of oversight, and that countries should focus their resources on the subset of organizations that pose the highest risk.¹²

Despite this evolution at the global level, a significant “transposition gap” exists in Francophone Africa. National laws in the region often reflect the older, more restrictive interpretation of R8, treating the entire NPO sector as inherently high-risk and subjecting all organizations to intensive oversight measures. This gap between the current FATF standard and its implementation on the ground is a central finding of this research.

2.2. Regional Transposition: WAEMU, CEMAC, and Regional Bodies

In Francophone Africa, FATF standards are not applied directly at the national level. Instead, they are filtered through two powerful regional economic communities, the West African Economic and Monetary Union (WAEMU) and the Central African Economic and Monetary Community (CEMAC), and assessed by two regional FATF-style bodies: the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA) and the Action Group against Money Laundering in Central Africa (GABAC).

2.2.1. West Africa: WAEMU and GIABA

WAEMU, comprising eight countries including Mali, Burkina Faso, and Côte d’Ivoire, has adopted a Uniform Law on the Fight against Money Laundering and the Financing

¹¹ FATF, “Methodology for Assessing Technical Compliance with the FATF Recommendations and the Effectiveness of AML/CFT Systems,” updated October 2023, p. 79, available at <https://www.fatf-gafi.org/en/publications/Mutualevaluations/Fatf-methodology.html> (accessed December 7, 2025).

¹² FATF, “Risk of Terrorist Abuse in Non-Profit Organisations,” June 2014 (updated October 2023), available at <https://www.fatf-gafi.org/en/publications/Methodsandtrends/Risk-terrorist-abuse-non-profits.html>.

of Terrorism.¹³ This uniform law, most recently updated in 2023, serves as the template for national legislation in member states. The uniform law approach is intended to harmonize AML/CFT frameworks across the monetary union and to facilitate cross-border cooperation in financial supervision.

The uniform law is generally robust on technical compliance with FATF standards, establishing financial intelligence units (FIUs), defining money laundering and terrorist financing offenses, and setting out customer due diligence requirements for financial institutions. However, it leaves significant discretion to national authorities regarding the supervision of NPOs. Article 22 of the 2023 uniform law requires member states to “take measures to ensure that Non-Profit Organizations cannot be misused for the financing of terrorism,” but it does not specify what those measures should be or how they should be implemented in a risk-based manner.¹⁴

This discretion has resulted in significant variation in how WAEMU member states regulate their NPO sectors. Some countries, like Côte d’Ivoire, have adopted comprehensive NPO-specific legislation with detailed registration and reporting requirements. Others, like Mali, rely more heavily on general association laws and *ad hoc* supervisory measures. This variation creates challenges for regional NPOs operating across multiple countries and contributes to uncertainty about compliance requirements.

GIABA, established in 2000, is the regional body responsible for assessing member states’ compliance with AML/CFT standards.¹⁵ It conducts mutual evaluations using the FATF methodology and issues mutual evaluation reports (MERs) and follow-up reports to track countries’ progress in addressing identified deficiencies. GIABA’s evaluations have significant consequences: countries that receive low ratings risk being placed on the FATF’s “grey list” of jurisdictions under increased monitoring, which can trigger banking sector de-risking and difficulties in accessing international financial markets.

2.2.2. Central Africa: CEMAC, GABAC, and the BEAC Factor

The regulatory landscape in Central Africa is shaped by CEMAC, which comprises six countries including Cameroon. CEMAC has adopted a regional regulation on AML/CFT (Regulation No. 01/16-CEMAC-UMAC-CM of December 21, 2016) that serves a similar harmonizing function to the WAEMU uniform law.¹⁶

GABAC, established in 2000, conducts mutual evaluations of countries in the region, including both CEMAC member states and other countries like the DRC.¹⁷ GABAC’s

13 Union Économique et Monétaire Ouest Africaine (UEMOA), “Loi uniforme relative à la lutte contre le blanchiment de capitaux et le financement du terrorisme dans les États membres de l’UEMOA,” 2023.

14 Ibid., Article 22.

15 GIABA, “About GIABA,” available at <https://gabac.org/les-missions/>.

16 CEMAC, “Règlement N°01/16-CEMAC-UMAC-CM portant prévention et répression du blanchiment des capitaux et du financement du terrorisme et de la prolifération en Afrique Centrale,” December 21, 2016.

17 GABAC, “About GABAC,” available at <https://gabac.org/les-missions/>.

evaluation methodology follows the FATF standards, and its reports have been influential in driving legislative reforms across the region.

A distinctive feature of the Central African regulatory environment is the role of the Bank of Central African States (BEAC), which issues stringent regulations on foreign exchange and cross-border transfers.¹⁸ These regulations, designed to protect monetary stability and prevent capital flight, often act as a *de facto* barrier for NPOs receiving international funding. The BEAC's foreign exchange regulations require extensive documentation for international transfers, impose limits on the amounts that can be transferred, and give the central bank significant discretionary authority to approve or deny transactions.

For humanitarian organizations operating in crisis contexts like the DRC, these regulations create significant operational challenges. The need to obtain BEAC approval for international fund transfers can delay the delivery of humanitarian assistance by weeks or months, with potentially life-threatening consequences in emergency situations. The interaction between AML/CFT requirements and foreign exchange controls thus creates a “double burden” for NPOs in the CEMAC zone.

2.3. The Normative Counterweight: Human Rights Obligations

The implementation of AML/CFT measures does not occur in a legal vacuum. All five countries examined in this study are signatories to international and regional human rights treaties that protect freedom of association, assembly, and expression. These include the International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples' Rights, and various other instruments.¹⁹

The African Commission on Human and Peoples' Rights (ACHPR) provides a critical normative counterweight to the security-focused logic of AML/CFT regulation. The Commis-



The Bank of Central African States stringently regulates foreign exchange and cross-border transfers. These regulations, designed to protect monetary stability and prevent capital flight, often act as a *de facto* barrier for NPOs receiving international funding.

¹⁸ Banque des États de l'Afrique Centrale (BEAC), “Règlement relatif aux relations financières extérieures des États membres de la CEMAC,” various dates.

¹⁹ All five countries are parties to the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights.

sion's *Guidelines on Freedom of Association and Assembly in Africa*, adopted in 2017, explicitly address the issue of NPO regulation and funding.²⁰ The Guidelines state that:

- **On Financing:** “The ability to seek, receive and use resources, human, material and financial, from domestic, foreign and international sources is inherent to the right to freedom of association.”²¹ States may not impose blanket restrictions on foreign funding or require prior authorization for receiving foreign funds, except in narrowly defined circumstances where such restrictions are necessary to protect a legitimate interest and are proportionate to that interest.
- **On Oversight:** State oversight of associations must be “prescribed by law, necessary in a democratic society, and proportionate to the legitimate interest being protected.”²² Oversight measures must be based on objective criteria and must not be used to discriminate against organizations based on their mission, activities, or sources of funding.
- **On Administrative Burdens:** Registration and reporting requirements must be “simple, non-onerous, non-discriminatory, and expeditious” and must not be used as a tool to control or restrict the activities of associations.²³

The United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association has also issued guidance emphasizing that AML/CFT measures must be implemented in a manner consistent with human rights obligations.²⁴ The Special Rapporteur has noted that “the application of anti-money-laundering and counter-terrorism financing measures to civil society organizations has had a chilling effect on their ability to operate” and has called on states to ensure that such measures are “necessary, proportionate, and non-discriminatory.”²⁵

Furthermore, the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism has consistently highlighted the systemic misuse of counter-terrorism measures against civil society. In a recent report, the Special Rapporteur emphasized that “targeting civil society violates human rights and makes for inept and poorly executed counter-terrorism practice,” and called for the integration of stronger human rights due diligence safeguards in all

20 African Commission on Human and Peoples' Rights, “Guidelines on Freedom of Association and Assembly in Africa,” 2017, available at <https://achpr.au.int/index.php/en/soft-law/guidelines-freedom-association-and-assembly-africa>.

21 *Ibid.*, para. 63.

22 *Ibid.*, para. 3.

23 *Ibid.*, para. 31.

24 United Nations Human Rights Council, “Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association,” A/HRC/23/39, April 24, 2013, available at <https://digitallibrary.un.org/record/755537?v=pdf>.

25 *Ibid.*, para. 16.

counter-terrorism programming.²⁶ The mandate has also underscored that administrative measures, such as restrictive orders and terrorist listings, must be subject to rigorous judicial oversight to prevent their use as tools of repression.²⁷

A key finding of this study is the tension between the binding nature of FATF-driven financial laws and the binding nature of human rights commitments. In practice, the “hard law” of financial compliance, enforced by the threat of grey-listing, banking sector de-risking, and exclusion from international financial markets, often creates a practical hierarchy that supersedes human rights protection. While human rights obligations are themselves “hard law” established through binding international treaties, they often lack the immediate and coercive economic enforcement mechanisms that characterize the global AML/CFT regime. This imbalance leads countries facing the prospect of FATF grey-listing to prioritize technical compliance with financial standards, even when the measures they adopt restrict civic space in ways that violate their fundamental human rights obligations.

This hierarchy of enforcement creates a structural imbalance. While a country’s failure to comply with FATF standards can trigger immediate economic consequences, violations of human rights obligations typically result only in non-binding recommendations from treaty bodies or regional commissions. The result is a regulatory environment in which the imperative to demonstrate AML/CFT compliance drives policy decisions, often at the expense of the fundamental freedoms that are essential for a functioning civil society.

The challenge for policymakers, regulators, and civil society advocates is to rebalance this equation, to ensure that AML/CFT measures are implemented in ways that are both effective for their intended purpose and respectful of the human rights framework that all countries in the region have committed to uphold. This requires moving beyond a narrow focus on technical compliance to embrace a more holistic approach that recognizes the interdependence of security, development, and human rights.

26 Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Fionnuala Ní Aoláin, Impact of measures to address terrorism and violent extremism on civic space and the rights of civil society actors and human rights defenders, A/HRC/40/52, 1 March 2019. See also the Global Study on the Impact of Counter-Terrorism Measures on Civil Society and Civic Space, 2023.

27 Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ben Saul, Best practices to protect human rights while using administrative measures to prevent terrorism, A/80/284, 2025.

3. Country Assessments

3.1. MALI

3.1.1 Country Context

Mali's trajectory through the FATF grey list process offers one of the most instructive case studies in the region for understanding the long-term consequences of heightened international scrutiny on civil society operations. Placed on the grey list in October 2021 due to strategic deficiencies in its AML/CFT framework, the country embarked on an intensive reform process under significant external pressure. This process culminated in Mali's official exit from the grey list in June 2025, marking a technical success in terms of legislative and institutional compliance. However, this delisting did not signal a return to the pre-2021 status quo for the nonprofit sector. Instead, it has left a lasting legacy of heightened risk perception, entrenched supervisory practices, and persistent operational challenges that continue to shape the environment in which NPOs operate.

This chapter analyzes the persistence of these effects in a country simultaneously grappling with a profound security crisis that has displaced populations and disrupted humanitarian access across the northern and central regions, and a complex political transition following the military takeover in 2020 and 2021. The security context is particularly relevant because it has created a dual pressure on NPOs: they face both the intensified scrutiny associated with AML/CFT measures and the operational constraints imposed by insecurity and limited state presence in large swathes of the territory. Understanding Mali's experience is critical not only for assessing the effectiveness of the FATF process but also for anticipating the challenges that other countries in the region may face as they navigate similar reform trajectories.

Mali FATF overview



Placed on grey list:

October 2021 due to strategic deficiencies in its AML/CFT framework.

Removed from grey list:

June 2025

Key finding:

"Delisting" has not led to a return to normal. The banking sector maintains a high-risk perception of NPOs. The new Ordonnance N°2024-011 has permanently strengthened state supervision, creating a legacy of rigor that NPOs must navigate without sufficient guidance or dialogue.

3.1.2. Legal and Regulatory Framework

The legal foundation for AML/CFT in Mali is the **UEMOA Uniform Law (Loi Uniforme N°2023-03)** of March 2023,²⁸ which applies to all eight member states of the West African Economic and Monetary Union. This regional directive was transposed into national law as part of the comprehensive action plan developed to address the strategic deficiencies identified by the FATF. The Uniform Law incorporates the principles of the Risk-Based Approach (RBA), which is central to the FATF's R8 on NPOs. Under this approach, supervisory measures should be proportionate to the risks identified, and not all NPOs should be treated as inherently high-risk.

However, the practical application of the Uniform Law in Mali is heavily influenced by the national context and the interpretation of regulatory bodies. The primary authorities overseeing the nonprofit sector are the **CENTIF (Cellule Nationale de Traitement des Informations Financières)**, Mali's Financial Intelligence Unit, and the **Direction Générale de l'Administration du Territoire (DGAT)**, which is responsible for the registration, monitoring, and control of all associations, nongovernmental organizations, and foundations in the country. The DGAT operates under the Ministry of Territorial Administration and Decentralization and has broad powers to verify the regularity of legal instruments, exploit annual activity and financial reports, and ensure compliance with statutory requirements.

A critical development in the legal framework was the adoption of **Ordonnance N°2024-011/PT-RM of August 30, 2024**²⁹, which strengthened the AML/CFT regime by expanding the list of entities subject to the law. This ordinance explicitly includes ministers and secretaries-general of government departments, financial institutions, lawyers, and notaries among those with obligations under the law. For the nonprofit sector, the ordinance reinforced the supervisory role of the DGAT and established clearer mechanisms for coordination with the CENTIF. The ordinance also introduced more explicit provisions on sanctions, including the suspension or dissolution of organizations found to be in violation of AML/CFT requirements or suspected of connections with terrorist groups.

The regulatory framework also includes the **Law N°04-038 of August 5, 2004 (as amended)**, which governs associations, and the **Law N°2017-049 of September 8, 2017**, which governs foundations. These laws establish the basic legal personality and operational requirements for nonprofit entities. The interplay between these foundational laws and the newer AML/CFT regulations creates a complex compliance environment that many organizations struggle to navigate.

²⁸ Uniform Law No. 2023-03 on combating money laundering and terrorist financing in WAEMU member states, adopted on March 6, 2023.

²⁹ Ordinance No. 2024-011/PT-RM of August 30, 2024, on the suppression of money laundering and terrorist financing in the Republic of Mali.

3.1.3. Stakeholder Perspectives

To understand the practical impact of these legal and regulatory developments, interviews were conducted in Mali with seven key stakeholders representing government authorities, the banking sector, and NPOs. These interviews reveal a complex and often contradictory landscape marked by divergent perceptions of risk, inconsistent application of standards, and a persistent knowledge gap that undermines effective implementation of the risk-based approach.

Government Authorities: Enhanced Supervision as the New Normal

Representatives from both the CENTIF and the DGAT emphasized their mandate to secure the financial system and prevent terrorist financing, viewing their enhanced supervision of the nonprofit sector as a necessary and permanent outcome of the FATF process. The President of the CENTIF explained³⁰ that the institution had undergone significant capacity building during the grey list period, including numerous national and international training sessions organized by GIABA and the United Nations Office on Drugs and Crime. The CENTIF had also received improved working conditions, including new office facilities, and was in the process of implementing the goAML software system developed by UNODC to improve its analytical capabilities.

The CENTIF representative emphasized that the coordination between actors, the mobilization of resources, and the leadership exercised by the CENTIF had been critical to addressing the 27 measures in the action plan assigned to Mali by the FATF. He noted that since the exit from the grey list, there had been increased credibility with investors and that funds destined for Mali were now easier to mobilize. However, he also acknowledged that the process had required a pedagogical approach, particularly in dealing with NPOs that had been identified as “at risk” during the national risk assessment. He explained that it had been necessary to sensitize these organizations and explain that they themselves were not the target, but rather the potential misuse of their structures by malicious actors.

The DGAT representative provided additional detail³¹ on the supervisory framework. He explained that the DGAT is responsible for ensuring the regularity of legal instruments, reviewing annual activity reports and financial statements, and verifying the regularity of foundation boards of directors. He noted that the Ordonnance N°2024-011 had introduced important innovations, particularly the expansion of entities subject to the law. In terms of supervision, he confirmed that the DGAT applies a risk-based approach, with control varying according to the size, domain of intervention, and zone of intervention of the organization. He identified the humanitarian sector as having been flagged as high-risk during the 2021 national risk assessment.

30 Interview with CENTIF-Mali, October 2025.

31 Interview with the Directorate-General for Territorial Administration (DGAT), October 2025.

Both government representatives emphasized the importance of coordination between the CENTIF and the DGAT. They explained that the two institutions maintain a strong partnership, with the DGAT benefiting from training organized by the CENTIF in the AML/CFT domain. They regularly exchange reports on the financing of the nonprofit sector, and the CENTIF alerts the DGAT to suspicious transactions on the accounts of certain organizations. The DGAT representative also mentioned that a specialized unit dedicated to AML/CFT had been established within the DGAT, and its members had received several capacity-building training sessions.

When asked about the challenges, the DGAT representative identified insecurity, lack of personnel, and the non-computerized management of NPOs as the primary operational difficulties. He also noted that NPOs themselves had reported insecurity and lack of financing as their main challenges. Interestingly, he mentioned that some organizations voluntarily send their monthly activity reports and bank statements to the AML/CFT unit within the DGAT, and that there had been requests from organizations for capacity-building on the new regulations.

The Banking Sector: A Divided Landscape

The banking sector in Mali presents a divided view of the nonprofit sector, with significant variation in how different institutions assess and manage the risks associated with nonprofit clients. Interviews were conducted with representatives from the professional banking association and two major pan-African banks operating in Mali.

The representative from the professional banking association acknowledged³² the increased pressure on banks to conduct enhanced due diligence on nonprofit clients following Mali's placement on the grey list. He stated, "The grey list period forced us to be much more systematic in our approach to client verification and transaction monitoring." He explained that banks had invested significantly in compliance

³² Entretien, Association Professionnelle des Banques et Établissements Financiers du Mali, octobre 2025.



A professional banking association representative acknowledged that there was increased pressure on banks to conduct enhanced due diligence on nonprofit clients following Mali's placement on the grey list.

systems and training for their staff, and that these investments had created institutional inertia that made it difficult to relax standards even after the delisting.

However, the implementation of enhanced due diligence varies dramatically between institutions. A representative from one major pan-African bank described³³ a stringent, standardized approach to all nonprofit accounts. This bank requires extensive documentation for account opening, including certified copies of registration documents, lists of board members with identity verification, detailed project descriptions, and proof of funding sources. For international transfers, the bank requires advance notification, detailed justifications, and supporting documentation for each transaction. The representative explained that this approach was designed to ensure full traceability and to protect the bank from potential sanctions. He acknowledged that this process could cause delays of several weeks for account opening and several days for transaction processing, but he viewed this as a necessary cost of compliance.

In stark contrast, a representative from another major pan-African bank operating in the same market described³⁴ a more flexible and differentiated approach. This bank conducts an internal risk assessment for each nonprofit client based on factors such as the organization's track record, the transparency of its governance, the nature of its activities, and the countries from which it receives funding. Organizations assessed as low-risk face minimal additional requirements beyond standard account opening procedures. The representative explained, "We do not view the entire nonprofit sector as high-risk. Our internal assessment has identified that the vast majority of organizations working in development, education, and health are conducting legitimate activities with transparent funding. We focus our enhanced due diligence on organizations operating in sensitive sectors or receiving funds from high-risk jurisdictions."

This contradiction between the two banks is particularly striking because both institutions are subject to the same regulatory framework and supervision by the Central Bank of West African States (BCEAO).³⁵ The divergence in practice suggests that the risk-based approach is being interpreted and applied inconsistently, creating what one civil society representative described as a "compliance lottery" for NPOs. Depending on which bank an organization approaches, it may face either minimal scrutiny or extensive and time-consuming requirements.

33 Interview with a pan-African bank, Bamako, October 2025.

34 Interview with a regional African bank, Bamako, November 2025.

35 Voir BCEAO, Instruction n°003-03-2025 du 18 mars 2025 relative à l'identification, la vérification de l'identité et la connaissance de la clientèle par les institutions financières. Disponible à : <https://www.bceao.int/sites/default/files/2025-04/Instruction%20n%C2%B0003-03-2025%20du%2018%20mars%2025%20relative%20%C3%A0%20l%27identification-%20la%20v%C3%A9rification%20de%20l%27identit%C3%A9%20et%20la%20connaissance%20de%20la%20client%C3%A8le%20par%20les%20institutions%20financi%C3%A8re.pdf>

Non-Profit Organizations: Navigating Uncertainty

NPOs in Mali consistently report a more challenging operational environment since the grey-listing period, with increased administrative burdens, delays in financial transactions, and a general sense of being under suspicion. Interviews were conducted with two prominent organizations: one focused on women’s rights and legal empowerment, and another focused on community development and local governance.

The representative from the women’s rights organization explained³⁶ that the relationship with their bank had fundamentally changed. “Before 2021, the relationship with our bank was simple and based on trust. We would notify them of an incoming transfer, and the funds would be available within a few days. Now, every international transfer is a source of anxiety. We have to provide layers of documentation for activities that have been funded by the same partners for years. The bank asks for project proposals, budgets, activity reports, and sometimes even proof of our registration and tax compliance, even though these documents are already on file.”

She added that the increased scrutiny had forced the organization to dedicate significant administrative resources to banking compliance, diverting time and funds from their core mission. “We have had to hire additional administrative staff just to manage the documentation requirements. This is particularly difficult because our funding has not increased, so these costs come directly out of our program budget.” She also expressed frustration at the lack of clear guidance on what exactly is required. “The requirements seem to change from one transaction to the next, and different bank officers ask for different documents. There is no standardized checklist that we can follow.”

The representative from the development-focused organization echoed these concerns³⁷ and added that the delays in fund transfers had created operational challenges, particu-



“Before 2021, the relationship with our bank was simple and based on trust. We would notify them of an incoming transfer, and the funds would be available within a few days. Now, every international transfer is a source of anxiety.”

Representative from a women’s rights organization in Mali

³⁶ Interview with a women’s rights organization, Bamako, October 2025.

³⁷ Interview with a community development organization, Bamako, October 2025.

larly for time-sensitive activities. “We work with communities on agricultural projects that depend on seasonal cycles. When funds are delayed by weeks, it can mean missing the planting season, which undermines the entire project.” He also noted that some international partners had expressed concern about the delays and had questioned whether the organization was facing legal or regulatory problems. “This creates a reputational risk for us, even though we have done nothing wrong. The perception that we are being scrutinized can damage our relationships with funders.”

Both civil society representatives emphasized that they had received little direct communication from regulatory authorities about their obligations under the AML/CFT framework. “We learned about the new requirements primarily through our difficulties with the bank,” one explained. “There has been no systematic outreach from the government to explain what is expected of us or how we can ensure compliance.” They both expressed a desire for clearer guidance and for opportunities to engage in dialogue with regulators and banks to develop more practical and proportionate approaches.

3.1.4. Analysis

The evidence from Mali points to a central finding that has implications for the entire region: the **persistence of heightened risk perception and supervisory intensity even after exit from the grey list**. This “post-listing legacy” manifests in several interconnected ways that collectively create a more restrictive operating environment for civil society.

The Permanence of Enhanced Measures

The intensive reforms and heightened scrutiny required to exit the grey list have permanently altered the risk perception of the nonprofit sector in the eyes of both regulators and financial institutions. The interviews demonstrate that banks, having invested significantly in stricter compliance systems and staff training, are reluctant to relax these measures. The fear of future sanctions, the institutional memory of the grey list period, and the lack of clear guidance from regulators on when and how to scale back enhanced measures have created a “one-way ratchet” effect. Supervisory measures are easily tightened in response to international pressure, but they are rarely loosened even when that pressure is removed.

This permanence is not necessarily the result of explicit policy decisions. Rather, it reflects the institutional dynamics of risk-averse bureaucracies. For banks, the potential cost of being found non-compliant, including reputational damage, regulatory sanctions, and loss of correspondent banking relationships, far outweighs the benefit of streamlining processes for nonprofit clients, who represent a small portion of their overall business. For government supervisors, maintaining a high level of scrutiny is seen as evidence of continued vigilance and commitment to international standards, which protects the country’s reputation and reduces the risk of being re-listed.

The Inconsistency of Risk-Based Implementation

The stark contradiction between the approaches of the two interviewed banks highlights a fundamental problem: the risk-based approach, which is supposed to be the cornerstone of proportionate AML/CFT regulation, is being interpreted and applied inconsistently. Both banks claim to be following a risk-based approach, yet one treats the entire nonprofit sector as requiring enhanced due diligence, while the other differentiates based on specific risk factors.

This inconsistency suggests that the regulatory framework, while nominally embracing the risk-based approach, has not provided sufficient guidance on how to operationalize it in practice. The DGAT representative confirmed that supervision varies according to size, domain, and zone of intervention, but the criteria for these assessments and the specific measures that should apply to different risk categories are not clearly articulated or standardized. As a result, each institution develops its own interpretation, leading to a “compliance lottery” for NPOs.

This problem is compounded by the fact that the national risk assessment, which identified 338 NPOs as “at risk” and flagged the humanitarian sector as high-risk, does not appear to have been accompanied by clear guidance on what this risk classification means in practice. Are all 338 organizations subject to the same level of scrutiny? What specific measures should apply to organizations in the humanitarian sector versus those in education or health? Without answers to these questions, the risk-based approach becomes a rhetorical commitment rather than an operational reality.

The Knowledge Gap as a Persistent Barrier

Perhaps the most fundamental finding from Mali is the persistence of a significant knowledge gap that affects all stakeholders. NPOs lack clear, accessible guidance on their specific obligations under the AML/CFT framework. They learn about requirements primarily through their difficulties with banks, rather than through proactive communication from regulators. This reactive learning process is inefficient and creates unnecessary anxiety and compliance costs.

Banks, for their part, apply inconsistent standards based on their own interpretations of the law and their internal risk appetites. The fact that two major banks operating in the same market can have such divergent approaches suggests that they too lack clear guidance on what constitutes appropriate due diligence for nonprofit clients. The professional banking association acknowledged the pressure to be “more systematic,” but systematic does not necessarily mean proportionate or risk-based.

Government bodies have made efforts to address this gap through training and sensitization, particularly through platforms such as FONGIM and PONAHA, which represent large numbers of NPOs. The CENTIF representative emphasized the pedagogical approach taken during the reform process, explaining to organizations that they

were not the target but rather potential victims of misuse. However, this messaging has not translated into practical, accessible guidance that organizations can use to ensure compliance. The DGAT representative noted that some organizations voluntarily submit monthly reports and bank statements and have requested capacity-building on the new regulations, which suggests a willingness to comply but a lack of clarity on what is required.

The Normalization of Intensive Supervision

The level of administrative oversight from bodies like the DGAT, which was intensified during the grey list period, has not diminished following the exit. This normalization of intensive supervision creates a sustained burden on NPOs, who must navigate a complex web of reporting requirements that often go beyond the explicit text of the law. The DGAT's mandate to verify the regularity of legal instruments, review annual reports, and ensure compliance with statutory requirements has always existed, but the intensity and frequency of these verifications have increased.

This normalization is reinforced by the establishment of specialized AML/CFT units within supervisory bodies and the ongoing capacity-building efforts. These institutional developments create path dependencies that make it difficult to scale back supervision even when the external pressure that initially justified it has been removed. The CENTIF representative identified the “perennization of personnel” as a key challenge for maintaining the gains from the grey list exit, noting the need to avoid “starting from zero” if trained staff leave. This concern for institutional continuity is legitimate, but it also creates an incentive to maintain high levels of activity to justify the continued investment in specialized capacity.

The Security Context as a Compounding Factor

Mali's profound security crisis, particularly in the northern and central regions, adds another layer of complexity to the AML/CFT landscape. The DGAT representative identified insecurity as one of the primary operational challenges for both the supervisory authority and NPOs. The CENTIF representative noted that managing the supervision of organizations operating in insecure zones was a significant challenge.

The security context creates a dual burden for humanitarian and development organizations working in affected areas. On one hand, they face the operational challenges of accessing populations in need, ensuring staff safety, and maintaining program continuity in unstable environments. On the other hand, they face heightened scrutiny under AML/CFT measures precisely because they operate in areas where state presence is limited and the risk of interaction with non-state armed groups is higher. This dual burden can lead to a chilling effect, where organizations become more cautious in their activities or avoid certain areas altogether, ultimately reducing the humanitarian and development support available to the most vulnerable populations.

The Question of Civic Space

When asked about the balance between AML/CFT measures and the preservation of civic space, the DGAT representative stated that “questions of public freedoms are not addressed by FATF standards.” This response is revealing. It suggests a compartmentalized view in which AML/CFT compliance is seen as a technical matter separate from broader questions of civic freedoms and the enabling environment for civil society. This compartmentalization is problematic because it obscures the ways in which AML/CFT measures, even when technically compliant with international standards, can have significant impacts on the operational space available to civil society.

The FATF’s Recommendation 8 explicitly recognizes the importance of NPOs and calls for measures to be proportionate and not disruptive to legitimate activities. However, the implementation of these measures in Mali, as in many other countries, has focused primarily on the technical aspects of compliance, establishing legal frameworks, creating supervisory mechanisms, conducting risk assessments, without sufficient attention to the practical impact on nonprofit operations and the broader implications for civic space.

3.1.5. Conclusion

Mali’s experience demonstrates that exit from the FATF grey list, while a significant achievement in terms of technical compliance, does not automatically translate into an improved operating environment for civil society. The legacy of the grey list period, heightened risk perception, entrenched supervisory practices, inconsistent implementation of the risk-based approach, and persistent knowledge gaps, continues to shape the landscape in which NPOs operate. The challenge for Mali, and for other countries in the region, is to move beyond a narrow focus on technical compliance and to develop approaches that genuinely balance the legitimate objectives of AML/CFT with the need to preserve and protect the space for civil society to operate effectively. This will require clearer guidance on the operationalization of the risk-based approach, more consistent application of standards across the banking sector, proactive communication



Mali’s experience demonstrates that exit from the FATF grey list, while a significant achievement in terms of technical compliance, does not automatically translate into an improved operating environment for civil society.

and capacity-building for NPOs, and a recognition that questions of civic space are not separate from, but integral to, the effective and proportionate implementation of AML/CFT measures.

The New BCEAO Instruction: A Potential Path Toward Harmonization?

The recent adoption of BCEAO Instruction n°003-03-2025 of March 18, 2025, on client identification and verification could represent a significant step toward addressing the inconsistencies observed in the Malian banking sector. This instruction provides a more granular framework for the risk-based approach, detailing the specific factors that financial institutions should consider when assessing client risk. By standardizing the risk assessment process, the instruction has the potential to reduce the “compliance lottery” effect and promote a more harmonized application of due diligence measures across the UEMOA zone.

However, the effectiveness of this new instruction will depend on its implementation. The instruction still grants considerable discretion to financial institutions in the final risk classification of their clients. Without robust oversight from the BCEAO and national authorities to ensure that this discretion is exercised in a proportionate and evidence-based manner, the instruction may not be sufficient to overcome the institutional inertia and risk aversion that currently drive the behavior of many banks. The coming months will be critical for observing whether this new regulatory tool translates into a tangible improvement in the banking experience for NPOs in Mali and across the region.

3.2. DEMOCRATIC REPUBLIC OF CONGO

3.2.1. Country Context

The Democratic Republic of Congo (DRC) presents one of the world's most severe humanitarian crises, with over 7.3 million internally displaced persons as of 2024-2025, primarily concentrated in the eastern provinces of North Kivu, South Kivu, and Ituri.³⁸ The persistent armed conflicts involving numerous non-state armed groups, combined with limited state presence in vast territories, have created an environment where NPOs and international humanitarian actors play an indispensable role in providing emergency assistance, healthcare, education, and protection services to vulnerable populations.

This humanitarian imperative operates within an increasingly complex regulatory environment shaped by the country's efforts to strengthen its AML/CFT framework. The DRC has been subject to enhanced scrutiny from FATF and its regional body, GABAC, leading to significant legislative reforms and heightened supervisory measures. The country's presence on the FATF grey list since February 2022 has intensified pressure on both regulatory authorities and financial institutions to demonstrate compliance with international standards.

This chapter examines how the intersection of humanitarian crisis and AML/CFT compliance creates operational challenges for NPOs in the DRC. It analyzes the legal and regulatory framework, explores the perspectives of key stakeholders including government authorities, financial institutions, and civil society actors, and assesses the practical implications of AML/CFT measures on humanitarian operations in conflict-affected areas.

³⁸ UNHCR, "Democratic Republic of the Congo Emergency," <https://www.unhcr.org/emergencies/dr-congo-emergency>.

Democratic Republic of Congo FATF overview



Placed on grey list:

February 2022

Removed from grey list:

N/A

Key finding:

The country presents one of the world's most severe humanitarian crises, with 7.3 million internally displaced persons as of 2024-2025. NPOs play an indispensable role in providing assistance to vulnerable populations.

These NPOs, however, operate within an increasingly complex regulatory environment shaped by the country's efforts to strengthen its AML/CFT framework. They report that legitimate humanitarian activities (cash transfers to beneficiaries) are at risk of being criminalized or blocked, leading to self-censorship and operational delays.

3.2.2. Legal and Regulatory Framework

National Legislation

The foundation of the DRC's AML/CFT framework is **Law No. 22/068 of December 27, 2022**, which comprehensively reformed the country's approach to combating money laundering and terrorist financing.³⁹ This replaced the previous Law No. 04/016 of July 19, 2004, which had been identified as inadequate in the 2018 GABAC mutual evaluation report. The 2022 law represents a significant expansion of the regulatory scope and introduces more stringent obligations for a wide range of entities, including financial institutions, designated non-financial businesses and professions, and, implicitly, NPOs.

The law establishes the **National Financial Intelligence Unit (CENAREF)** as the central authority responsible for receiving, analyzing, and disseminating suspicious transaction reports. Articles 8 through 15 define CENAREF's mandate, powers, and operational framework, positioning it as the coordinating body for the country's AML/CFT efforts. The law grants CENAREF broad investigative powers, including the authority to request information from any public or private entity, to access databases, and to cooperate with foreign financial intelligence units.

For NPOs, the most relevant provisions are found in the sections on customer due diligence and enhanced due diligence. Articles 26 through 55 establish a tiered approach to customer identification and verification, with enhanced measures required for customers or transactions deemed to present higher risks. While the law does not explicitly categorize NPOs as high-risk, the broad discretion granted to financial institutions in assessing risk, combined with the lack of sector-specific guidance, has resulted in inconsistent and often overly cautious treatment of civil society actors.

The law's provisions on terrorist financing are particularly significant for organizations operating in conflict zones. Articles 152 through 158 criminalize the financing of terrorism and define a broad range of prohibited conduct, including the provision of funds or resources to terrorist organizations or individuals. The penalties are severe, ranging from five to twenty years of imprisonment and substantial fines. Critically, the law does not provide explicit exemptions or safe harbors for humanitarian actors who may be compelled to interact with non-state armed groups in order to access populations in need, creating a legal grey zone that exposes organizations to potential prosecution.

Regional Framework

As a member of GABAC, the DRC is subject to periodic mutual evaluations and is expected to align its national framework with FATF recommendations. The 2022 GABAC mutual evaluation report identified significant deficiencies in the DRC's AML/CFT sys-

³⁹ République Démocratique du Congo, Loi n°22/068 du 27 décembre 2022 relative à la lutte contre le blanchiment de capitaux, le financement du terrorisme et la prolifération des armes de destruction massive.

tem.⁴⁰ With respect to R8 on NPOs, the report assigned the DRC a rating of “Non-Compliant,” noting that the country had failed to identify a subset of NPOs susceptible to terrorist financing abuse, had not conducted a national review of the sector, and had not implemented risk-based monitoring or supervision measures. The report also found that the DRC lacked effective sanctions for NPO violations and had not established mechanisms for information sharing between authorities regarding NPOs.

The mutual evaluation process and the international pressure for reform have created sustained pressure on the domestic regulatory environment. The DRC committed to an action plan with specific measures and timelines, and progress is monitored through regular follow-up reports. This international scrutiny has had a cascading effect, with authorities and financial institutions adopting increasingly conservative approaches to avoid criticism or sanctions.

Regulatory Gaps and Ambiguities

Despite the comprehensive nature of Law No. 22/068, significant gaps and ambiguities remain, particularly concerning the nonprofit sector. The law does not provide a clear definition of what constitutes a NPO for AML/CFT purposes, nor does it establish specific criteria for assessing the risk profile of different types of organizations. This absence of clarity contrasts with FATF Recommendation 8, which calls for a risk-based approach to NPOs that distinguishes between those that are genuinely at risk of terrorist financing abuse and the broader sector.

The lack of implementing regulations or sector-specific guidance compounds this problem. Financial institutions are left to develop their own internal policies for assessing and managing the risks associated with nonprofit clients, leading to significant variation in practice. Some banks apply blanket enhanced due diligence measures to all nonprofit accounts, while others attempt more nuanced risk assessments. In the absence of clear regulatory direction, the tendency is toward over-compliance, with banks erring on the side of caution to protect themselves from potential regulatory sanctions or reputational damage.

3.2.3. Stakeholder Perspectives

To understand the practical impact of the AML/CFT framework on civil society operations in the DRC, interviews were conducted with representatives from government authorities, financial institutions, and NPOs. These interviews reveal a complex landscape marked by institutional fragmentation, limited communication, and significant operational challenges for organizations working in conflict-affected areas.

40 GABAC, «Mesures de lutte contre le blanchiment de capitaux et le financement du terrorisme - République du Congo: Rapport d'évaluation mutuelle.» <https://www.fatf-gafi.org/content/dam/fatf-gafi/fsrb-mer/GABAC-French-Mutual-Evaluation-Report-Congo-2022.pdf>, April 2022, p. 149.

Government Authorities

An interview with a senior advisor to the Ministry of Justice provided insight into the government's approach to AML/CFT supervision of the nonprofit sector.⁴¹ The advisor emphasized the Ministry's primary focus on criminal policy and the prosecution of money laundering and terrorist financing offenses. He explained that the Ministry's role is to ensure that the legal framework is properly enforced and that perpetrators are brought to justice. When asked about the specific challenges faced by humanitarian organizations in conflict zones, he acknowledged the complexity of the situation but stressed that the law applies equally to all actors and that no exceptions can be made based on the nature of an organization's work.

The advisor noted that operational supervision of NPOs falls under the purview of other entities, including the Directorate of Worship and Associations within the Ministry of Interior and CENAREF. He described this division of responsibilities as necessary given the technical nature of AML/CFT compliance and the need for specialized expertise. However, this institutional fragmentation creates challenges for organizations seeking clarity on their obligations, as they must navigate multiple authorities with different mandates and perspectives.

When asked about allegations that some NPOs had been compelled to pay fees or taxes to non-state armed groups in order to access populations in eastern DRC, the advisor confirmed that the Ministry was aware of such reports and that investigations were underway. He emphasized that the government had declared null and void any acts or decisions made by armed groups, and that organizations operating in such areas must be mindful of their legal obligations under the terrorist financing provisions of Law No. 22/068. He did not, however, provide specific guidance on how organizations could reconcile these legal obligations with the humanitarian imperative to reach vulnerable populations.

⁴¹ Interview with senior advisor, Ministry of Justice, Kinshasa, October 27, 2025.



A Ministry of Justice official interviewed for this report acknowledged the complexity of the situation faced by humanitarian organizations in conflict zones, but stressed that the law applies equally to all actors and that no exceptions can be made based on the nature of an organization's work.

Non-Profit Organizations

Interviews with representatives from two NPOs operating in eastern DRC revealed the severe practical challenges created by the intersection of AML/CFT measures and the humanitarian crisis. The first interview was with a representative from a major humanitarian organization with extensive operations in North Kivu and South Kivu.⁴² The representative described a dramatic deterioration in banking access beginning in early 2024, coinciding with increased international pressure on the DRC to demonstrate progress on AML/CFT compliance.

The organization reported experiencing significant delays in the disbursement of funds from international partners, with transfers that previously took two to three days now taking two to three weeks. The bank provided no clear explanation for these delays, citing only the need for “additional verification” and “enhanced due diligence.” More problematically, the organization’s ability to withdraw cash from its accounts was severely restricted, with a cap of \$10,000 per transaction imposed without prior notice or justification. This restriction created immediate operational difficulties, as the organization relies on cash payments to local suppliers, community workers, and beneficiaries in areas where electronic payment systems are unavailable or unreliable.

The representative emphasized the human consequences of these banking restrictions. In one instance, the organization was unable to pay community health workers for three weeks due to the inability to access sufficient cash, forcing the suspension of mobile health clinics in an area affected by a cholera outbreak. In another case, delays in receiving funds meant that the organization missed the optimal planting season for an agricultural support program, undermining the entire project cycle and leaving beneficiary families without the expected food security support.

When asked about communication with regulatory authorities regarding AML/CFT obligations, the representative stated that the organization had received no direct outreach or guidance from CENAREF, the Ministry of Justice, or any other government entity. The organization’s understanding of its obligations came primarily from its international partners and from legal advisors, creating a dependency on external actors for interpretation of Congolese law. The representative expressed frustration at the lack of dialogue and the absence of a clear channel for organizations to seek clarification or to report difficulties in compliance.

The second interview was with a representative from an umbrella organization representing numerous local and national civil society groups.⁴³ This representative echoed many of the same concerns regarding banking access, noting that member organizations had reported similar experiences of delayed transfers, restricted cash withdraw-

⁴² Interview with representative, humanitarian organization, Goma, October 2025.

⁴³ Interview with representative, umbrella organization, Kinshasa, October 25, 2025.

als, and a general sense of being viewed with suspicion by financial institutions. The umbrella organization had attempted to engage with the Congolese Banking Association to discuss these issues and to explore the possibility of developing clearer guidelines for nonprofit accounts, but these efforts had not yet yielded concrete results.

The umbrella organization representative also highlighted the particular vulnerability of smaller, locally-based organizations that lack the resources and expertise to navigate the increasingly complex compliance environment. While larger international NGOs often have dedicated compliance staff and legal advisors, smaller organizations are left to manage these requirements on their own, often without a clear understanding of what is expected. This creates a risk of inadvertent non-compliance and reinforces existing inequalities within the civil society sector.

The Dilemma of Operating in Conflict Zones

Both civil society representatives addressed the acute dilemma faced by organizations operating in areas controlled or contested by non-state armed groups. The humanitarian organization representative described a situation in which access to certain communities required negotiating with local commanders and, in some cases, paying fees or “taxes” that the armed groups imposed on all actors operating in their territory. The representative stated: “We pay them taxes and other dues because we have no choice. If we do not, we cannot reach the populations who need our help.”⁴⁴

This practice, while driven by humanitarian necessity, places organizations in a position of extreme legal risk under the terrorist financing provisions of Law No. 22/068. The law does not distinguish between voluntary support for terrorist organizations and payments made under duress or as a necessary condition for humanitarian access. The absence of a humanitarian exemption or safe harbor provision means that organizations engaging in such practices could theoretically be prosecuted for financing terrorism, even if their intent is solely to provide life-saving assistance.

The umbrella organization representative noted that some international donors had responded to this legal risk by demanding that their partner organizations relocate programs away from conflict-affected areas. While this approach may reduce the legal exposure of both the donor and the implementing organization, it has the perverse effect of abandoning the populations most in need of assistance. The representative described this as an “impossible choice” between legal compliance and humanitarian responsibility.

⁴⁴ Interview with representative, humanitarian organization, Goma, October 2025.

3.2.4. Analysis

The Disconnect Between Legal Framework and Operational Reality

The evidence from the DRC demonstrates a fundamental disconnect between the legal and regulatory framework for AML/CFT and the operational realities faced by NPOs, particularly those working in humanitarian contexts. Law No. 22/068, while technically comprehensive and aligned with international standards in many respects, fails to account for the specific circumstances of organizations operating in conflict zones or providing emergency assistance to vulnerable populations.

The absence of sector-specific guidance on the application of the risk-based approach to NPOs has resulted in a de facto presumption of high risk. Financial institutions, lacking clear direction from regulators and facing their own compliance pressures due to the country's grey-listing, have adopted overly cautious approaches that treat all non-profit clients as requiring enhanced due diligence. This blanket approach contradicts the spirit of FATF Recommendation 8, which calls for differentiated treatment based on actual risk assessment.

The impact of this disconnect is not merely administrative. The delays in fund transfers, restrictions on cash withdrawals, and general banking difficulties reported by NPOs have direct consequences for program implementation and, ultimately, for the populations these organizations serve. In a humanitarian context where timing can be a matter of life and death, delays measured in weeks rather than days can mean the difference between effective intervention and missed opportunities.

The Absence of Dialogue and Capacity Building

A striking finding from the stakeholder interviews is the near-total absence of proactive communication and capacity building from regulatory authorities to NPOs. Unlike in some other countries in the region where authorities have made efforts to engage with the nonprofit sector through



The absence of sector-specific guidance on the application of the risk-based approach to NPOs has resulted in a de facto presumption of high risk.

training sessions, workshops, or the development of guidance materials, the DRC appears to have taken a largely hands-off approach. Organizations are left to learn about their obligations through trial and error, through their banks, or through their international partners.

This absence of dialogue creates several problems. First, it increases the risk of inadvertent non-compliance, as organizations may not fully understand what is expected of them. Second, it reinforces the perception among civil society actors that they are viewed with suspicion rather than as legitimate stakeholders in the AML/CFT system. Third, it represents a missed opportunity for authorities to gain a better understanding of the operational realities and constraints faced by humanitarian and development organizations, which could inform more proportionate and effective regulatory approaches.

The institutional fragmentation within the government, with responsibilities divided among the Ministry of Justice, the Ministry of Interior, CENAREF, and other entities, further complicates efforts at dialogue. Organizations seeking clarity on their obligations or wishing to report difficulties in compliance face the challenge of identifying the appropriate interlocutor and navigating bureaucratic silos.

The Legal Grey Zone in Conflict Areas

The most acute manifestation of the disconnect between law and reality is the legal grey zone in which organizations operating in conflict-affected areas find themselves. The compulsion to interact with non-state armed groups in order to access populations in need is not a matter of choice but of operational necessity in much of eastern DRC. Yet the law provides no recognition of this reality and no safe harbor for organizations acting in good faith to fulfill their humanitarian mandate.

This legal grey zone creates a chilling effect that extends beyond the organizations directly affected. The knowledge that humanitarian access may entail legal risk can deter organizations from operating in the most challenging environments, or can lead donors to withdraw support from programs in conflict zones. The ultimate losers in this dynamic are the civilian populations who are deprived of assistance.

The government's position, as articulated by the Ministry of Justice advisor, that the law applies equally to all and that no exceptions can be made, reflects a rigid interpretation that fails to account for the complexities of humanitarian action in conflict settings. International humanitarian law and the humanitarian principles of humanity, neutrality, impartiality, and independence provide a framework for understanding and managing these complexities, but this framework is not reflected in the DRC's AML/CFT legislation.

3.2.5. Conclusion

The case of the Democratic Republic of Congo illustrates the profound challenges that arise when AML/CFT measures are implemented without adequate consideration of the humanitarian context and without meaningful engagement with civil society stakeholders. The country's efforts to strengthen its AML/CFT framework in response to international pressure have resulted in a regulatory environment that, while technically more compliant with FATF standards, creates significant operational obstacles for the organizations providing critical assistance to vulnerable populations.

The disconnect between the legal framework and operational reality, the absence of dialogue and capacity building, and the legal grey zone in conflict areas collectively create an environment in which NPOs face a stark choice between legal compliance and humanitarian effectiveness. This is not a sustainable or desirable outcome for any of the stakeholders involved. Effective AML/CFT systems must be capable of distinguishing between legitimate humanitarian action and illicit financial flows, and must provide clear guidance and appropriate safeguards for organizations operating in good faith in challenging environments.

Addressing these challenges will require a multi-faceted approach. Regulatory authorities must develop sector-specific guidance that operationalizes the risk-based approach for NPOs, providing clear criteria for risk assessment and proportionate due diligence measures. Financial institutions must move beyond blanket de-risking and develop the capacity to conduct nuanced risk assessments that recognize the diversity of the nonprofit sector. And policymakers must grapple with the difficult question of how to provide legal clarity and protection for humanitarian actors operating in conflict zones, potentially through explicit exemptions or safe harbor provisions that recognize the unique imperatives of humanitarian action.

Without such reforms, the DRC's AML/CFT framework risks becoming an instrument that, in seeking to prevent the financing of armed groups, inadvertently undermines the humanitarian response to the very crisis that those groups have helped to create.

3.3. CAMEROON

3.3.1. Country Context

Cameroon, a country of approximately 28 million people in Central Africa, faces significant security challenges that have shaped its approach to AML/CFT regulation.⁴⁵ The country has been affected by the Boko Haram insurgency in the Far North region since 2014, as well as an ongoing armed conflict in the Anglophone regions (Northwest and Southwest) that began in 2016.⁴⁶ These security concerns have influenced the development of both counter-terrorism legislation and AML/CFT measures, creating a complex regulatory environment for NPOs.

Cameroon is a member of CEMAC, which has adopted regional AML/CFT regulations applicable to all member states.⁴⁷ The country underwent a mutual evaluation by GABAC in 2021, with the final report adopted in October 2021 and published in March 2022.⁴⁸ Subsequently, in June 2023, FATF placed Cameroon on its “grey list” of jurisdictions with strategic deficiencies in their AML/CFT frameworks, requiring the country to address identified gaps.⁴⁹

The nonprofit sector in Cameroon is governed by Law No. 90/53 of December 19, 1990, relating to freedom of association, and Law No. 99/14 of December 22, 1999, governing Non-Governmental Organizations (NGOs).⁵⁰ NPOs operate in a challenging environment characterized by administrative hurdles, security concerns, and increasing regulatory

Cameroon FATF overview



Placed on grey list:

June 2023

Removed from grey list:

N/A

Key finding:

The AML/CFT framework, anchored by the 2014 Anti-Terrorism Law, continues to cast a long shadow over the sector.

Financial institutions, under pressure from the regional regulator, BEAC, are applying blanket de-risking measures that disproportionately affect NPOs operating in politically sensitive regions. This has created a “chilling effect” where legitimate governance and human rights work is self-censored to avoid banking complications.

45 World Bank, “Cameroon Overview,” available at <https://www.worldbank.org/en/country/cameroon/overview> (accessed December 7, 2025).

46 International Crisis Group, “Cameroon’s Anglophone Crisis: How to Get to Talks?” Africa Report No. 272, May 2, 2019, available at <https://www.crisisgroup.org/africa/cameroon/272-camerouns-anglophone-crisis-how-get-talks>.

47 CEMAC Regulation on the Prevention and Suppression of Money Laundering and Terrorist Financing in Central Africa, adopted 2016.

48 GABAC, “Anti-money laundering and counter-terrorist financing measures: Republic of Cameroon - Mutual Evaluation Report,” March 2022, 222 pages (on-site visit: February 23 to March 12, 2021; report adopted: October 21, 2021).

49 Financial Action Task Force, “Jurisdictions under Increased Monitoring - June 2023,” available at <https://www.fatf-gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/Increased-monitoring-june-2023.html>.

50 GABAC Mutual Evaluation Report, March 2022, p. 154. <https://www.fatf-gafi.org/content/dam/fatf-gafi/frsb-mer/GABAC-Mutual-Evaluation-Report-Cameroon-2022.pdf>.

scrutiny under AML/CFT frameworks. This chapter examines how the intersection of anti-terrorism legislation and AML/CFT measures creates particular challenges for NPOs in Cameroon.

3.3.2. Legal and Regulatory Framework

National AML/CFT Legislation

Cameroon's AML/CFT framework is primarily based on the CEMAC Regulation on the Prevention and Suppression of Money Laundering and Terrorist Financing in Central Africa, adopted in 2016.⁵¹ This regional regulation is directly applicable in all CEMAC member states and establishes comprehensive obligations for financial institutions, designated non-financial businesses and professions (DNFBPs), and NPOs.

The CEMAC Regulation defines money laundering and terrorist financing offenses, establishes customer due diligence requirements, and creates obligations for suspicious transaction reporting. It also established the National Financial Intelligence Unit (ANIF - Agence Nationale d'Investigation Financière) as Cameroon's financial intelligence unit responsible for receiving, analyzing, and disseminating suspicious transaction reports.⁵²

At the national level, Cameroon has adopted several laws to complement the CEMAC framework, including provisions in the Penal Code criminalizing money laundering and terrorist financing. The country has also established the Central African Banking Commission (COBAC) as the regional banking supervisor responsible for ensuring compliance with AML/CFT obligations by financial institutions.⁵³

Anti-Terrorism Legislation

A critical component of Cameroon's legal framework affecting NPOs is Law No. 2014/028 of December 23, 2014, on the Suppression of Acts of Terrorism.⁵⁴ This law was adopted in response to the growing threat from Boko Haram and defines terrorism broadly to include acts intended to:

- Seriously intimidate a population
- Unduly compel a government or international organization to perform or abstain from performing any act
- Seriously destabilize or destroy the fundamental political, constitutional, economic, or social structures of a country or international organization

51 CEMAC Regulation, 2016.

52 GABAC Mutual Evaluation Report, March 2022, pp. 60-68.

53 GABAC Mutual Evaluation Report, March 2022, pp. 109-119.

54 Law No. 2014/028 of December 23, 2014, on the Suppression of Acts of Terrorism (Cameroon). <http://www.minjustice.gov.cm/index.php/en/instruments-and-laws/laws/383-law-n-2014-28-of-23-december-2014-of-the-suppression-of-acts-of-terrorism>.

The law establishes severe penalties for terrorism-related offenses, including the death penalty for acts of terrorism resulting in death, and life imprisonment for other acts of terrorism. Significantly, Article 2 of the law criminalizes the financing of terrorism, defining it as “the act of providing or collecting funds, by any means, directly or indirectly, with the intention or knowledge that they will be used, in whole or in part, to commit an act of terrorism.”

The broad definition of terrorism and terrorist financing in this law creates potential risks for NPOs, particularly those working in conflict-affected areas or on sensitive issues. Activities such as providing humanitarian assistance in areas controlled by armed groups, or advocating for the rights of marginalized communities, could potentially be construed as supporting terrorism under an expansive interpretation of the law.

GABAC Mutual Evaluation and Grey-Listing

Cameroon underwent a mutual evaluation by GABAC from February 23 to March 12, 2021, with the final report adopted on October 21, 2021, and published in March 2022.⁵⁵ The evaluation assessed Cameroon’s compliance with the FATF’s 40 Recommendations and 11 Immediate Outcomes, identifying significant deficiencies in the country’s AML/CFT framework.

Regarding NPOs specifically, the GABAC report rated Cameroon as “Non-Compliant” with FATF Recommendation 8 on NPOs.⁵⁶ The evaluation identified several critical gaps:

■ RISK-BASED APPROACH

Cameroon has not identified the subset of NPOs that may be vulnerable to terrorist financing abuse, nor has it conducted a comprehensive risk assessment of the NPO sector. The CEMAC Regulation treats all NPOs as entities subject to AML/CFT obligations, which goes beyond the requirements of Recommendation 8 and is not in line with a risk-based approach.⁵⁷

■ AWARENESS-RAISING

The country has not provided evidence of awareness-raising and education campaigns aimed at NPOs and the donor community on the potential vulnerabilities of NPOs to misuse for terrorist financing purposes.⁵⁸

⁵⁵ GABAC Mutual Evaluation Report, March 2022, cover page and p. 2. <https://www.fatf-gafi.org/content/dam/fatf-gafi/fsrb-mer/GABAC-Mutual-Evaluation-Report-Cameroon-2022.pdf>.

⁵⁶ GABAC Mutual Evaluation Report, March 2022, p. 154.

⁵⁷ Ibid., p. 154.

⁵⁸ Ibid., p. 154.

■ OUTREACH AND BEST PRACTICES

No initiatives have been taken to work with NPOs to develop best practices that enable them to respond to terrorist financing risks and vulnerabilities, and thus protect themselves from misuse.⁵⁹

■ SUPERVISION

While the CEMAC Regulation establishes a Technical Committee responsible for reviewing approval requests and monitoring NPO activities, this system does not provide for risk-based control applied to NPOs that may be misused for terrorist financing purposes.⁶⁰

■ INFORMATION GATHERING

No effective mechanism for cooperation and coordination of information-sharing has been established among the various authorities with responsibilities for NPO oversight.⁶¹

■ INTERNATIONAL COOPERATION

Cameroon has not designated a focal point or established procedures for responding to international requests for information concerning NPOs suspected of financing terrorism or supporting it by other means.⁶²

Following the GABAC evaluation, the FATF placed Cameroon on its “grey list” in June 2023, citing strategic deficiencies in the country’s AML/CFT system.⁶³ This designation requires Cameroon to work with the FATF and GABAC to develop and implement an action plan to address the identified deficiencies within specified timeframes. Grey-listing can have significant consequences, including increased scrutiny of financial transactions involving the country, potential restrictions on correspondent banking relationships, and reputational damage that may affect foreign investment and donor funding.

Regulatory Framework for NPOs

The NPO sector in Cameroon is governed by Law No. 90/53 of December 19, 1990, on freedom of association, and Law No. 99/14 of December 22, 1999, on the governance of NGOs.⁶⁴ Under these laws, associations and NGOs must register with the competent authorities and obtain approval to operate legally.

The CEMAC Regulation, adopted in 2016, introduced additional AML/CFT obligations for NPOs. Articles 44 to 46 of the Regulation define the obligations of NPOs and establish control and surveillance measures.⁶⁵ Specifically:

⁵⁹ Ibid., p. 154.

⁶⁰ Ibid., p. 155.

⁶¹ Ibid., p. 155.

⁶² Ibid., p. 156.

⁶³ FATF, “Jurisdictions under Increased Monitoring - June 2023.”

⁶⁴ GABAC Mutual Evaluation Report, March 2022, p. 154.

⁶⁵ Ibid., pp. 154-155.

Article 44 stipulates that any NPO that collects, receives, gives, or transfers funds as part of its philanthropic activity is subject to appropriate supervision by its competent control body.

Article 46 requires NPOs to carry out their operations through regulated financial channels and mandates that they provide information on their activities, including financial information, to supervisory authorities upon request.

Article 46(7) provides for administrative sanctions, including the temporary suspension or dissolution of NPOs that knowingly encourage, promote, organize, or commit money laundering, terrorist financing, or proliferation financing offenses.

Decree No. 001/150/PM of May 3, 2001, established a Technical Committee responsible for reviewing approval requests and monitoring the activities of NPOs.⁶⁶ However, as noted in the GABAC evaluation, this system does not effectively implement a risk-based approach to NPO supervision.

The combination of these legal and regulatory provisions creates a framework in which NPOs face significant compliance obligations and potential sanctions, while the authorities lack clear procedures for implementing proportionate, risk-based oversight. This regulatory uncertainty, combined with the broad anti-terrorism law, creates a challenging operating environment for NPOs in Cameroon.

3.3.3. Stakeholder Perspectives

Non-Profit Organizations

Interviews conducted with NPOs in Cameroon reveal significant concerns about the impact of AML/CFT measures on their operations. A human rights organization reported experiencing substantial difficulties in accessing banking services, particularly for receiving international transfers.⁶⁷ The organization noted that banks have become increasingly risk-averse when dealing with NPOs, particularly those working on sensitive human rights issues or in conflict-affected regions.

⁶⁶ Ibid., p. 154.

⁶⁷ Interview with a human rights organization, Cameroon, October 2025 (anonymized). On file with ICNL.



A human rights organization reported experiencing substantial difficulties in accessing banking services, particularly for receiving international transfers.

The organization described a pattern of account closures and refusals to process international wire transfers without clear explanation. When explanations were provided, they typically cited “compliance requirements” or “risk management policies” without specifying what particular risks the organization posed. This lack of transparency makes it extremely difficult for NPOs to understand what they need to do to maintain banking relationships or to challenge decisions they believe are unjustified.

The human rights organization also expressed concern about the potential for the anti-terrorism law to be used to criminalize legitimate civil society activities. Given the law’s broad definition of terrorism and terrorist financing, NPOs working in the Anglophone regions or on issues related to the conflict fear that their work could be mischaracterized as supporting terrorism. This fear has a chilling effect on civil society activities, with some organizations self-censoring or avoiding certain types of work to minimize their perceived risk.

The organization emphasized that the lack of clear guidance from authorities on AML/CFT compliance creates additional challenges. While banks demand extensive documentation and information about NPO activities, there is no standardized list of requirements or clear criteria for what constitutes acceptable compliance. This leaves NPOs in a position of uncertainty, unsure whether they are meeting expectations or at risk of account closure or more serious consequences.

Banking Sector

An interview with a representative of the Bank of Central African States (BEAC), which serves as the central bank for CEMAC countries including Cameroon, provided insight into the banking sector’s perspective on AML/CFT compliance.⁶⁸ The representative explained that banks in the CEMAC region face significant pressure to implement robust AML/CFT controls, both from regional supervisors (COBAC) and from international correspondent banks.

The representative noted that international correspondent banks have become increasingly cautious about maintaining relationships with banks in jurisdictions perceived as high-risk for money laundering or terrorist financing. This pressure is transmitted down to local banks, which must demonstrate strong compliance frameworks to maintain access to international payment systems. As a result, banks have adopted conservative approaches to customer due diligence, particularly for customers perceived as higher risk, including NPOs.

According to the BEAC representative, NPOs are often classified as higher risk because of several factors: they frequently receive funds from international sources, they may operate in conflict-affected or remote areas, they sometimes work with vulnerable populations that may be targeted by extremist groups, and they may have limited financial

⁶⁸ Interview with BEAC representative, Cameroon, October 2025 (anonymized).

sophistication or record-keeping systems. These factors, combined with the explicit inclusion of NPOs in the CEMAC Regulation's AML/CFT obligations, lead banks to apply enhanced due diligence measures to NPO accounts.

The representative acknowledged that this heightened scrutiny can create difficulties for legitimate NPOs but emphasized that banks have legal obligations to manage their risks and comply with AML/CFT requirements. The representative suggested that improved dialogue between the banking sector, NPOs, and regulators could help develop more proportionate approaches that balance risk management with the need to maintain access to financial services for legitimate organizations.

However, the representative also noted that banks face challenges in implementing risk-based approaches to NPO customers. The lack of clear guidance from regulators on how to assess and manage NPO-related risks, combined with the severe penalties for AML/CFT violations, incentivizes banks to adopt overly cautious approaches. The representative suggested that regulatory guidance specifically addressing NPO risk assessment and appropriate due diligence measures would be helpful in enabling banks to serve legitimate NPOs while managing their compliance obligations.

3.3.4. Analysis

The Causal Chain: From Anti-Terrorism Law to De-Risking

The challenges faced by NPOs in Cameroon can be understood as resulting from a causal chain linking anti-terrorism legislation, AML/CFT obligations, and banking sector risk management practices. This chain operates as follows:

First, the broad anti-terrorism law (Law No. 2014/028) creates legal uncertainty about what activities might be construed as supporting terrorism. The law's expansive definition of terrorism and terrorist financing, combined with severe penalties, establishes a legal environment in which any activity that could be interpreted as providing support to groups engaged in violence, even if that support is humanitarian in nature, carries significant legal risk.

Second, the CEMAC Regulation's treatment of all NPOs as entities subject to AML/CFT obligations, without a risk-based differentiation, reinforces the perception that the entire NPO sector is high-risk for terrorist financing. This regulatory approach contradicts FATF Recommendation 8, which calls for a targeted, risk-based approach focusing on the subset of NPOs that are vulnerable to terrorist financing abuse, rather than treating the entire sector as inherently risky.⁶⁹

⁶⁹ Financial Action Task Force, "International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation: The FATF Recommendations," updated March 2022, Recommendation 8, available at <https://www.fatf-gafi.org/en/publications/Fatfrecommendations/Fatf-recommendations.html>.

Third, banks, facing pressure from regional supervisors and international correspondent banks to demonstrate robust AML/CFT compliance, adopt conservative risk management approaches. Given the regulatory treatment of NPOs as high-risk and the severe penalties for AML/CFT violations, banks have strong incentives to limit their exposure to NPO customers, particularly those working in conflict-affected areas or on sensitive issues.

Fourth, the lack of clear regulatory guidance on appropriate risk assessment and due diligence measures for NPOs leaves banks without a framework for distinguishing between legitimate organizations and those that may pose genuine risks. In the absence of such guidance, banks default to blanket risk-averse policies, including account closures, refusals to process international transfers, or demands for excessive documentation.

Fifth, the resulting “de-risking” of NPOs by banks creates operational challenges that can undermine the ability of legitimate organizations to carry out their missions. Organizations may be unable to receive donor funding, pay staff or suppliers, or conduct other essential financial transactions. These challenges are particularly acute for organizations working in conflict-affected regions, where banking services may already be limited and alternative financial channels are scarce.

The Gap Between Technical Compliance and Effectiveness

The GABAC evaluation of Cameroon highlights a critical distinction between technical compliance with AML/CFT standards and the effectiveness of the system in practice. While Cameroon has adopted legal and regulatory frameworks that formally address many FATF Recommendations, the evaluation found significant gaps in the effectiveness of these measures.

Regarding NPOs specifically, the evaluation found that Cameroon has not conducted a comprehensive risk assessment to identify which types of NPOs may be vulnerable to terrorist financing abuse, has not engaged in outreach to the NPO sector to raise awareness of risks and promote best practices, and has not established proportionate, risk-based supervision mechanisms.⁷⁰ These gaps mean that the regulatory framework, while imposing obligations on NPOs, does not effectively distinguish between organizations that pose genuine risks and those that do not.

This lack of effectiveness creates a paradoxical situation: NPOs face significant regulatory burdens and banking sector de-risking based on a perception of high risk, yet the authorities have not actually identified which NPOs, if any, are vulnerable to terrorist financing abuse. The result is a system that imposes costs on the entire NPO sector without necessarily enhancing security or preventing terrorist financing.

⁷⁰ GABAC Mutual Evaluation Report, March 2022, pp. 154-156.

The Chilling Effect on Civil Society Space

The combination of broad anti-terrorism legislation, comprehensive AML/CFT obligations for NPOs, and banking sector de-risking creates a chilling effect on civil society space in Cameroon. NPOs, particularly those working on sensitive issues or in conflict-affected areas, face multiple layers of risk and uncertainty:

Legal risk: The broad definition of terrorism and terrorist financing in Law No. 2014/028 creates the possibility that legitimate civil society activities could be criminalized. While there is no evidence that the law has been systematically used to prosecute NPOs for their legitimate work, the existence of this legal risk influences organizational behavior and decision-making.

Operational risk: Banking sector de-risking creates practical challenges for NPOs in conducting their work. Organizations may be unable to access financial services, receive donor funding, or conduct transactions necessary for their operations. These challenges are particularly acute for organizations working in remote or conflict-affected areas, where alternative financial channels are limited.

Reputational risk: The regulatory treatment of NPOs as high-risk for terrorist financing, combined with banking sector de-risking, can create reputational challenges for NPOs. Organizations may find it difficult to maintain donor relationships, attract new funding, or conduct partnerships if they are perceived as high-risk or if they lack access to formal financial channels.

Compliance burden: Even organizations that maintain banking relationships face significant compliance burdens. Banks may demand extensive documentation about organizational activities, governance structures, beneficiaries, and funding sources. While some level of due diligence is appropriate, excessive or unclear requirements can divert organizational resources away from programmatic work and toward compliance activities.

These multiple layers of risk and challenge create an environment in which civil society space is constrained. Organizations may avoid certain types of work, self-censor their advocacy, or limit their operations in conflict-affected areas to minimize their perceived risk. The result is a reduction in the diversity and effectiveness of civil society, with potential negative consequences for human rights, humanitarian assistance, and democratic governance.

Cameroon's Grey-Listing and Implications for NPOs

Cameroon's placement on the FATF grey list in June 2023 has significant implications for the country's financial sector and, by extension, for NPOs operating in the country.⁷¹ Grey-listing increases international scrutiny of financial transactions involving Cameroon and may lead to:

⁷¹ FATF, "Jurisdictions under Increased Monitoring - June 2023."

■ ENHANCED DUE DILIGENCE REQUIREMENTS

Financial institutions in other countries are required to apply enhanced due diligence to business relationships and transactions involving Cameroon. This may make it more difficult and time-consuming for Cameroonian NPOs to receive international funding or conduct cross-border transactions.

■ CORRESPONDENT BANKING PRESSURES:

International correspondent banks may become more cautious about maintaining relationships with Cameroonian banks, or may impose additional requirements on these relationships. This pressure is likely to be transmitted to local bank customers, including NPOs, in the form of more stringent due diligence requirements or account closures.

■ REPUTATIONAL EFFECTS

Grey-listing may create reputational challenges for Cameroon and for organizations operating in the country. International donors may become more cautious about funding Cameroonian NPOs or may impose additional compliance requirements.

■ REGULATORY RESPONSE

To exit the grey list, Cameroon must implement an action plan to address the deficiencies identified by GABAC and the FATF. This may lead to increased regulatory activity and enforcement, which could create additional compliance burdens for NPOs.

However, grey-listing also creates an opportunity for reform. The action plan required to exit the grey list could include measures to implement a more proportionate, risk-based approach to NPO regulation, provide clearer guidance to the banking sector on appropriate due diligence for NPO customers, and establish mechanisms for dialogue between regulators, banks, and NPOs. If implemented effectively, these reforms could help address some of the challenges currently facing the civil society sector.



While grey-listing may intensify banking sector de-risking in the short term, it also creates pressure for regulatory reform. The action plan required to exit the grey list could include measures to implement a more balanced approach to NPO regulation that protects security interests while preserving civil society space.

3.3.5. Conclusion

The case of Cameroon illustrates how the intersection of anti-terrorism legislation, AML/CFT regulation, and banking sector risk management practices can create significant challenges for NPOs. The country's broad anti-terrorism law, combined with a regional AML/CFT framework that treats all NPOs as high-risk, has contributed to banking sector de-risking that undermines NPOs' ability to access financial services and carry out their missions.

The GABAC mutual evaluation's finding that Cameroon is non-compliant with FATF Recommendation 8 on NPOs highlights critical gaps in the country's approach. Cameroon has not conducted a comprehensive risk assessment of the NPO sector, has not engaged in meaningful outreach to NPOs to promote awareness and best practices, and has not established proportionate, risk-based supervision mechanisms. These gaps mean that the regulatory burden on NPOs is not matched by effective risk mitigation or security enhancement.

Cameroon's grey-listing by the FATF in 2023 creates both challenges and opportunities. While grey-listing may intensify banking sector de-risking in the short term, it also creates pressure for regulatory reform. The action plan required to exit the grey list could include measures to implement a more balanced approach to NPO regulation that protects security interests while preserving civil society space.

Addressing the challenges faced by NPOs in Cameroon will require coordinated action by multiple stakeholders. Regulators need to conduct a comprehensive risk assessment of the NPO sector, with the substantive involvement of civil society, provide clear guidance to banks on appropriate due diligence measures, and establish mechanisms for dialogue with civil society. Banks need to implement risk-based approaches that distinguish between legitimate organizations and those that pose genuine risks, rather than applying blanket de-risking policies. NPOs need support in understanding and meeting reasonable compliance requirements, as well as advocacy platforms to engage with regulators and banks on policy development. International donors and partners can play a role by supporting capacity-building for both regulators and NPOs, promoting dialogue, and advocating for proportionate, risk-based approaches that balance security and civil society space.

3.4. CÔTE D'IVOIRE

3.4.1. Country Context

Côte d'Ivoire, a West African nation of approximately 29 million people, has experienced significant economic growth and political stabilization in the decade following the 2010-2011 post-electoral crisis.⁷² The country is the largest economy in the West African Economic and Monetary Union (UEMOA) and a major regional hub for trade and finance.⁷³ However, it faces ongoing security challenges, including the threat of terrorism spilling over from the Sahel region, which has influenced its approach to AML/CFT regulation.⁷⁴

Côte d'Ivoire is a member of GIABA. The country underwent a mutual evaluation by GIABA in 2022, with the final report adopted in June 2023.⁷⁵ In October 2024, Côte d'Ivoire was placed under “Increased Monitoring” by the FATF.⁷⁶ This listing has created intense political pressure for rapid reform, which has significantly shaped the country’s recent legislative approach to civil society regulation.

The civil society sector in Côte d'Ivoire was historically governed by Law No. 60-315 of September 21, 1960, on associations.⁷⁷ However, in a major reform, this law was repealed and replaced by Ordinance No. 2024-368 of June 12, 2024, on

⁷² World Bank, “Côte d'Ivoire Overview,” available at <https://www.worldbank.org/en/country/cotedivoire/overview>.

⁷³ International Monetary Fund, “Côte d'Ivoire - 2024 - Article IV Consultation, Third Reviews Under Extended Arrangement Under the Extended Fund Facility and the Arrangement Under the Extended Credit Facility, Request for Modification of a Quantitative Performance Criterion, and Second Review Under the Resilience and Sustainability Facility Arrangement,” IMF Country Report No. 25/91, April 2025. <https://www.imf.org/-/media/files/publications/cr/2025/english/1civea2025001-print-pdf.pdf>.

⁷⁴ United Nations Security Council, “Twenty-sixth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2610 (2021) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities,” S/2025/88, February 6, 2025, available at <https://www.un.org/securitycouncil/sanctions/1267/monitoring-team/reports>.

⁷⁵ GIABA, “Mesures de lutte contre le blanchiment de capitaux et le financement du terrorisme: Côte d'Ivoire - Rapport d'évaluation mutuelle,” June 2023, 267 pages (on-site visit: June 6-24, 2022; report adopted: June 2023), available at <https://www.fatf-gafi.org/content/dam/fatf-gafi/fsrb-mer/Cote-d-Ivoire-MER-Giaba-2023.pdf.coredownload.inline.pdf>.

⁷⁶ Internal ICNL research document, “Contexte Pays: Côte d'Ivoire - Analyse Spécialisée pour la Recherche FATF et Espace Civique,” 2024 (noting October 2024 grey-listing). On file with ICNL.

⁷⁷ Law No. 60-315 of September 21, 1960, on associations (Côte d'Ivoire) (repealed 2024).

Côte d'Ivoire FATF overview



Placed on grey list:

October 2024

Removed from grey list:

N/A

Key finding:

The government responded to the listing with rapid legislative action, specifically Ordonnance n° 2024-368, which designates the Ministry of Interior as the primary NPO supervisor for AML/CFT.

Early findings indicate this centralization has increased administrative friction. Banks are awaiting clear directives and applying pre-emptive caution, while NPOs express concern that financial oversight is being politicized, particularly in the pre-electoral context.

the Organization of Civil Society.⁷⁸ This new ordinance represents the most radical transformation of the associative sector since independence and directly integrates AML/CFT obligations into civil society legislation.

This chapter examines what can be termed the “Ivorian paradox”: a situation in which the country has recently adopted comprehensive legislative reforms and expressed commitment to international standards, yet NPOs continue to face significant challenges in accessing financial services and navigating an increasingly complex regulatory environment. The rapid pace of reform, driven by the urgency to exit the FATF grey list, has created implementation challenges that affect the operational capacity of legitimate NPOs.

3.4.2. Legal and Regulatory Framework

National AML/CFT Legislation

Côte d’Ivoire’s AML/CFT framework underwent a complete overhaul with the adoption of Ordinance No. 2023-875 of November 23, 2023, on the fight against money laundering, terrorist financing, and the proliferation of weapons of mass destruction.⁷⁹ This ordinance replaced earlier legislation and established comprehensive obligations for financial institutions, designated non-financial businesses and professions (DNFBPs), and, significantly, created a framework that affects NPOs.

The 2023 ordinance defines money laundering and terrorist financing offenses in detail, establishes customer due diligence requirements, and creates obligations for suspicious transaction reporting. Article 45 of the ordinance defines NPOs or OBNLs (*organismes à but non lucratif*) as “any association, foundation, non-governmental organization, or entity established in accordance with legislative and regulatory texts in force, having as its principal objective the collection or distribution of funds for charitable, religious, cultural, educational, social, or fraternal purposes, or for other types of good works.”⁸⁰

While NPOs are not explicitly listed among the entities subject to AML/CFT obligations in Article 26 of the ordinance (which focuses on financial institutions and DNFBPs), the framework creates indirect obligations and pressures on NPOs through the enhanced due diligence requirements imposed on banks and other financial service providers when dealing with NPO clients.⁸¹

78 Ordinance No. 2024-368 of June 12, 2024, on the Organization of Civil Society (Côte d’Ivoire), published in *Journal Officiel de la République de Côte d’Ivoire*, June 21, 2024, pp. 238-242.

79 Ordinance No. 2023-875 of November 23, 2023, on the fight against money laundering, terrorist financing, and the proliferation of weapons of mass destruction (Côte d’Ivoire), published in *Journal Officiel de la République de Côte d’Ivoire*, Special Issue No. 16 BIS, December 1, 2023, pp. 545-589.

80 *Ibid.*, Article 45.

81 *Ibid.*, Article 26.

The ordinance established the National Financial Intelligence Unit (CENTIF-CI - Cellule Nationale de Traitement des Informations Financières) as Côte d'Ivoire's financial intelligence unit responsible for receiving, analyzing, and disseminating suspicious transaction reports.⁸² At the regional level, the Banking Commission of the UEMOA serves as the regional banking supervisor responsible for ensuring compliance with AML/CFT obligations by financial institutions.⁸⁵

GIABA Mutual Evaluation and FATF Grey-Listing

Côte d'Ivoire underwent a mutual evaluation by GIABA from June 6-24, 2022, with the final report adopted in June 2023.⁸⁴ The evaluation assessed Côte d'Ivoire's compliance with the FATF's 40 Recommendations and 11 Immediate Outcomes, identifying several areas for improvement that would ultimately contribute to the country's grey-listing in October 2024.

Regarding NPOs specifically, the GIABA report rated Côte d'Ivoire as "Non-Compliant" with FATF Recommendation 8 on NPOs.⁸⁵ The evaluation identified several critical gaps that remain relevant despite the subsequent legislative reforms:

The country had not conducted a comprehensive risk assessment of the NPO sector to identify the subset of NPOs that may be vulnerable to terrorist financing abuse. The evaluation found that Côte d'Ivoire had not provided evidence of awareness-raising and education campaigns aimed at NPOs and the donor community on the potential vulnerabilities of NPOs to misuse for terrorist financing purposes.⁸⁶ No initiatives had been taken to work with NPOs to develop best practices that enable them to respond to terrorist financing risks and vulnerabilities. While a legal framework for NPO supervision existed, the evaluation found that this framework was not effectively implemented in practice, with no clear designation of a supervisory authority for NPOs and no evidence of risk-based supervision being conducted.⁸⁷

These findings contributed to Côte d'Ivoire's placement on the FATF grey list in October 2024.⁸⁸ The grey-listing has created intense political pressure on the Ivorian government to demonstrate rapid progress in addressing these deficiencies. This urgency has shaped the approach to implementing the new legislative framework, sometimes at the expense of careful consultation with affected stakeholders and proportionate implementation.

82 GIABA Mutual Evaluation Report, June 2023, pp. 64-76.

83 Ibid., pp. 131-134.

84 Ibid., cover page and p. 1.

85 Ibid., p. 158; see also FATF, "Côte d'Ivoire's measures to combat money laundering and terrorist financing," available at <https://www.fatf-gafi.org/en/publications/Mutualevaluations/mer-cote-d-ivoire-2023.html> (showing "NC" rating for Recommendation 8).

86 GIABA Mutual Evaluation Report, June 2023, p. 158.

87 Ibid., p. 159.

88 Internal ICNL research document, "Contexte Pays: Côte d'Ivoire," 2024.

Regulatory Framework for Non-Profit Organizations

The most significant recent development in Côte d'Ivoire's regulatory framework for civil society is the adoption of Ordinance No. 2024-368 of June 12, 2024, on the Organization of Civil Society.⁸⁹ This ordinance, published in the Official Journal on June 21, 2024, repeals the 1960 law on associations and establishes a comprehensive new framework that directly integrates security and financial transparency concerns into civil society regulation.

The ordinance defines NPOs as political or non-political groupings with no vocation to conquer or exercise state power. It establishes four categories of NPOs: associations, cultural organizations, non-governmental organizations (NGOs), and foundations.⁹⁰

The new framework maintains a declaratory system for most NPOs (except foundations, which require prior authorization), meaning that organizations can be formed without prior government approval. However, the ordinance introduces several provisions that create significant regulatory burdens and potential restrictions on civil society:

■ REGISTRATION REQUIREMENTS

NPOs must file a prior declaration with the competent authority of the ministry in charge of Territorial Administration (the Direction Générale de l'Administration du Territoire, or DGAT). The declaration must include proof of payment of registration fees, three copies of statutes and internal regulations, minutes of the founding general assembly, lists of founding members and governing body members with detailed personal information, and other documentation.⁹¹

■ MORALITY INVESTIGATION

Article 12 of the ordinance requires that members of the administration or direction of an NPO be subject to a "morality investigation" (enquête de moralité) conducted by the gendarmerie or police at the cost of the NPO. The results of this investigation must be communicated to the competent authority within one month. If the investigation is deemed unfavorable, the authority may propose new members or suspend the NPO's activities for one month.⁹² This provision creates significant uncertainty and potential for arbitrary application, as the criteria for a "favorable" morality investigation are not clearly defined.

⁸⁹ Ordinance No. 2024-368 of June 12, 2024, on the Organization of Civil Society (Côte d'Ivoire).

⁹⁰ Ibid., Articles 1-2.

⁹¹ Ibid., Articles 7, 10.

⁹² Ibid., Article 12.

■ PROCESSING TIME AND SUSPENSION

The competent authority has 23 days to issue a receipt of declaration. However, during the morality investigation period, if the investigation is judged unfavorable, the authority may suspend NPO activities for one month, effectively delaying the organization's ability to operate.⁹³

■ BROAD DISSOLUTION GROUNDS

Article 22 of the ordinance establishes broad grounds for dissolution of NPOs. Organizations whose activities constitute a threat to public order and security, national territorial integrity, or the republican form of the state, or which compromise social cohesion, provoke hatred between ethnic or religious groups, cause political troubles, discredit political institutions, incite citizens to break laws, or harm the general interest of the country, can be dissolved by decree of the Council of Ministers.⁹⁴ The vague and expansive nature of these grounds creates significant potential for abuse and restricts the ability of NPOs to engage in legitimate advocacy and criticism of government policies.

■ FINANCIAL OBLIGATIONS

NPOs are required to present annual financial statements and an inventory of their movable and immovable property. They must have tax declarations and maintain bank accounts in national financial institutions.⁹⁵ While financial transparency is a reasonable expectation, the requirement to maintain accounts only in national institutions may create challenges for organizations that work internationally or receive funding from abroad.

■ PENALTIES

The ordinance establishes penalties for representatives or directors of NPOs who are guilty of fraud or who refuse to comply with requirements from the Ministry of Territorial Administration.⁹⁶

The designation of the Direction Générale de l'Administration du Territoire (DGAT) as the primary supervisory authority for NPOs on AML/CFT issues is particularly significant. DGAT, which is attached to the Ministry of Interior and Security, brings a security-oriented perspective to civil society supervision. This choice contrasts with the more technical approach that might have been offered by authorities such as the Treasury or CENTIF-CI, and raises concerns among civil society actors about the potential politicization of AML/CFT supervision.⁹⁷

93 Ibid., Articles 14, 16.

94 Ibid., Article 22.

95 Ibid., Articles 33-34.

96 Ibid., Articles 35, 53.

97 Internal ICNL research document, "Contexte Pays: Côte d'Ivoire," 2024.

3.4.3. Stakeholder Perspectives

Non-Profit Organizations

Interviews with NPOs in Côte d'Ivoire reveal a complex picture of challenges and concerns. While some organizations report relatively smooth access to banking services, others describe significant difficulties, particularly when receiving international transfers or working on sensitive issues.

A women's rights organization reported that it has experienced delays and requests for additional documentation when receiving funds from international donors.⁹⁸ The organization noted that these challenges have become more pronounced in recent years, as banks have tightened their compliance procedures in response to increased regulatory pressure. Bank officials often request extensive information about the organization's projects, beneficiaries, and funding sources, sometimes requiring documentation that is difficult or impossible to provide. The organization expressed frustration with the lack of clear and consistent requirements, which makes it difficult to anticipate what information will be needed and can lead to delays in project implementation.

A peacebuilding network reported similar experiences, noting that banks often classify organizations working on conflict-sensitive issues as higher risk, leading to enhanced scrutiny and, in some cases, account closures or refusals to open new accounts.⁹⁹ The organization described a situation in which it had to change banks three times in two years due to account closures, each time facing lengthy delays in opening new accounts and transferring funds. These disruptions had significant impacts on the organization's ability to implement its programs and maintain relationships with beneficiaries and partners.

An umbrella organization for NPOs highlighted the need for improved dialogue between the banking sector, regulators, and civil society.¹⁰⁰ The organization noted that there is a

⁹⁸ Interview with a women's rights organization, Côte d'Ivoire, December 2025 (anonymized). On file with ICNL.

⁹⁹ Interview with a peacebuilding network, Côte d'Ivoire, December 2025 (anonymized). On file with ICNL.

¹⁰⁰ Interview with an umbrella organization, Côte d'Ivoire, December 2025 (anonymized). On file with ICNL.



An umbrella organization for NPOs highlighted the need for improved dialogue between the banking sector, regulators, and civil society. The organization noted that there is a general lack of understanding on all sides.

general lack of understanding on all sides: banks do not fully understand the work of NPOs and tend to apply generic risk assessments that do not reflect the diversity of the sector; NPOs do not fully understand the compliance obligations of banks and the pressures they face from regulators and correspondent banks; and regulators have not provided clear guidance to bridge this gap or facilitate proportionate, risk-based approaches.

The umbrella organization also expressed concerns about the new Ordinance No. 2024-368, particularly the provisions on morality investigations and the broad grounds for dissolution. The organization noted that these provisions create significant uncertainty and potential for arbitrary application, which may have a chilling effect on civil society activism. Organizations working on sensitive issues such as governance, human rights, or transparency may face increased risks of administrative harassment or closure, leading to self-censorship and a reduction in the diversity and vitality of civic space.

A civil society platform working on governance issues reported that the rapid pace of legislative reform, driven by the urgency to exit the FATF grey list, has not allowed for meaningful consultation with affected stakeholders.¹⁰¹ The organization noted that NPOs were not substantively involved in the drafting of either the 2023 AML/CFT ordinance or the 2024 civil society ordinance, and that the government has not provided adequate guidance or capacity-building to help organizations understand and comply with the new requirements. This lack of consultation and support has created confusion and anxiety in the sector, with many organizations unsure of their obligations and fearful of inadvertent non-compliance.

Banking Sector

An interview with a representative of the Professional Association of Banks and Financial Institutions of Côte d'Ivoire (APBEF-CI) provided insight into the banking sector's perspective on the challenges of serving CSO clients in the current regulatory environment.¹⁰²

The representative explained that banks in Côte d'Ivoire are under significant pressure to comply with both regional (UEMOA) and international AML/CFT standards. This pressure comes from multiple sources: the UEMOA Banking Commission, which conducts regular inspections and can impose substantial penalties for non-compliance; international correspondent banks, which are essential for processing international transactions and which have become increasingly risk-averse in the wake of global de-risking trends; and the reputational risks associated with any involvement, however inadvertent, in money laundering or terrorist financing.

In this context, the representative noted, NPOs are often classified as higher-risk customers due to several factors: their reliance on international funding sources, which

¹⁰¹ Interview with a civil society platform, Côte d'Ivoire, December 2025 (anonymized). On file with ICNL.

¹⁰² Interview with APBEF-CI representative, Côte d'Ivoire, December 2025 (anonymized). On file with ICNL.

can be difficult to verify; their work in potentially sensitive areas such as human rights, governance, or conflict resolution; the perception that they may be vulnerable to misuse for illicit purposes; and the complexity of conducting effective due diligence on organizations that may have diverse activities, multiple funding sources, and operations in remote or conflict-affected areas.

As a result of these risk perceptions, banks apply enhanced due diligence measures to NPO accounts, which can include requests for extensive documentation on the organization's governance structure, funding sources, programmatic activities, and beneficiaries; more frequent monitoring of transactions; and, in some cases, restrictions on certain types of transactions or account closures. The representative acknowledged that these measures can create significant challenges for legitimate NPOs, but emphasized that banks have a legal obligation to manage their risks and that the consequences of non-compliance, including regulatory penalties, loss of correspondent banking relationships, and reputational damage, can be severe.

The APBEF-CI representative also highlighted the lack of clear guidance from regulators on how to apply a risk-based approach to NPO customers. While the FATF standards and the 2023 AML/CFT ordinance call for a risk-based approach, in which the level of due diligence is proportionate to the assessed risk, the representative noted that regulators have not provided specific guidance on how to assess the risks of different types of NPOs or what due diligence measures are appropriate for different risk levels. In the absence of such guidance, banks tend to adopt conservative approaches to avoid regulatory penalties or the loss of correspondent banking relationships, which can result in blanket de-risking of entire categories of NPO customers.

The representative expressed a willingness to engage in dialogue with NPOs and regulators to find solutions that balance security concerns with the need to preserve access to financial services for legitimate organizations. The representative suggested that several measures could help improve the situation: the development of standardized due diligence requirements for NPOs, created in consultation with all stakeholders, which would provide clarity and consistency; capacity-building for bank compliance staff on the NPO sector and the specific risks associated with different types of organizations; the establishment of a regular forum for dialogue between banks, NPOs, and regulators to address emerging challenges and share best practices; and the development of sector-specific risk assessments by regulators, which would provide banks with a more nuanced understanding of NPO risks and enable more proportionate approaches.

Regulatory Authorities

While direct interviews with regulatory authorities were not conducted for this study, documentary evidence and stakeholder reports provide insight into the perspectives and approaches of key regulators.

The Direction Générale de l'Administration du Territoire (DGAT), as the designated supervisory authority for NPOs, has taken a security-oriented approach to its new responsibilities. Stakeholders report that DGAT officials emphasize compliance and control, with less attention to the operational challenges faced by NPOs or the need for proportionate, risk-based approaches. This orientation is consistent with DGAT's traditional mandate of territorial administration and association control, but it raises concerns about the potential for overly bureaucratic or politically motivated supervision.¹⁰³

CENTIF-CI, the financial intelligence unit, has focused on building its capacity to analyze suspicious transaction reports and develop typologies of money laundering and terrorist financing risks. However, the unit faces significant resource constraints that limit its ability to conduct sophisticated analysis or provide detailed guidance to reporting entities. Stakeholders note that CENTIF-CI has not yet developed specific guidance on the risks associated with the NPO sector or on appropriate due diligence measures for NPO customers.¹⁰⁴

The UEMOA Banking Commission, as the regional banking supervisor, has issued general instructions on AML/CFT compliance but has not provided specific guidance on NPO customers. The Commission's inspections focus on technical compliance with regulatory requirements, with less attention to the effectiveness or proportionality of banks' risk management approaches. This focus on technical compliance, combined with the potential for substantial penalties for non-compliance, creates incentives for banks to adopt conservative, risk-averse approaches rather than nuanced, risk-based strategies.¹⁰⁵

3.4.4. Analysis

The Ivorian Paradox: Rapid Reform Without Effective Implementation

The situation in Côte d'Ivoire can be characterized as a paradox. On the one hand, the country has recently adopted comprehensive legislative reforms, the 2023 AML/CFT ordinance and the 2024 civil society ordinance, that establish detailed frameworks for addressing money laundering and terrorist financing risks. The government has expressed commitment to meeting international standards and exiting the FATF grey list. On the other hand, NPOs continue to face significant practical challenges in accessing financial services, navigating an increasingly complex regulatory environment, and maintaining their operational capacity.

This paradox can be understood as a gap between legislative ambition and implementation capacity. The rapid pace of reform, driven by the political urgency of grey-listing, has

103 Internal ICNL research document, "Contexte Pays: Côte d'Ivoire," 2024.

104 Ibid.

105 Ibid.

resulted in the adoption of comprehensive legal frameworks without adequate preparation for their effective implementation. Regulators lack the capacity, expertise, and resources to implement proportionate, risk-based supervision. Banks, facing pressure from multiple sources and lacking clear guidance, adopt conservative, risk-averse approaches that result in de-risking of NPO customers. And NPOs, excluded from the reform process and lacking guidance or support, struggle to understand and comply with new requirements while maintaining their programmatic activities.

The designation of DGAT as the primary supervisory authority for NPOs exemplifies this implementation challenge. While DGAT has experience in association registration and control, it lacks the technical expertise in financial risk assessment that would be necessary for effective, proportionate AML/CFT supervision. The security-oriented approach that DGAT brings to its new responsibilities, while understandable given its institutional mandate, may not be well-suited to the nuanced, risk-based approach called for by international standards. This mismatch between institutional capacity and regulatory responsibility creates risks of both under-supervision (failure to identify genuine risks) and over-supervision (disproportionate burdens on legitimate organizations).

The Chilling Effect of Broad Regulatory Powers

The 2024 civil society ordinance, while maintaining a declaratory system for most organizations, introduces several provisions that create significant potential for restrictions on civic space. The morality investigation requirement, the broad grounds for dissolution, and the designation of a security-oriented authority as the primary supervisor all contribute to an environment in which NPOs may feel constrained in their activities and advocacy.

The morality investigation provision is particularly concerning. While background checks on organization leaders may be a reasonable measure in some contexts, the lack of clear criteria for what constitutes a “favorable” investigation, combined with the authority’s power to propose new mem-



Côte d'Ivoire's morality investigation requirement, the broad grounds for dissolution, and the designation of a security-oriented authority as the primary supervisor all contribute to an environment in which NPOs may feel constrained in their activities and advocacy.

bers or suspend activities based on an unfavorable investigation, creates significant potential for arbitrary application. Organizations working on sensitive issues or led by individuals who have been critical of government policies may face particular risks of unfavorable investigations, leading to a chilling effect on civil society activism.

The broad grounds for dissolution established in Article 22 of the ordinance similarly create uncertainty and potential for abuse. Terms such as “compromise social cohesion,” “discredit political institutions,” and “harm the general interest of the country” are vague and subject to wide interpretation. While governments have legitimate interests in public order and national security, the use of such expansive and undefined terms as grounds for dissolution creates risks that these powers will be used to silence legitimate criticism or advocacy.

These provisions, combined with the practical challenges of banking access and the increased administrative burdens of AML/CFT compliance, create a cumulative effect that may significantly constrain civic space in Côte d’Ivoire. Organizations may engage in self-censorship, avoiding sensitive topics or refraining from criticism of government policies out of fear of administrative harassment or closure. This self-censorship, while difficult to measure, may have profound effects on the diversity and vitality of civil society and on the quality of democratic governance.

The Missing Element: Dialogue and Proportionality

A consistent theme across stakeholder perspectives is the lack of meaningful dialogue between regulators, banks, and NPOs. The rapid pace of reform, driven by the urgency of grey-listing, has not allowed for the consultative processes that would be necessary to develop shared understandings, build trust, and create proportionate approaches that balance security concerns with the need to preserve civic space.

This lack of dialogue has several consequences. Regulators, lacking input from NPOs and banks, adopt frameworks that may not reflect operational realities or may create unintended consequences. Banks, lacking clear guidance from regulators and understanding of the CSO sector, adopt conservative, risk-averse approaches that result in blanket de-risking. NPOs, excluded from policy development and lacking guidance or support, struggle to comply with new requirements and face increasing operational challenges.

The FATF standards, while establishing important principles for combating money laundering and terrorist financing, explicitly call for a risk-based approach in which measures are proportionate to identified risks. This approach requires nuanced understanding of different sectors, including the NPO sector, and the development of tailored measures that address genuine risks without imposing disproportionate burdens on legitimate actors. Effective implementation of a risk-based approach requires dialogue, consultation, and collaboration among all stakeholders.

Côte d'Ivoire's current trajectory, rapid legislative reform without adequate consultation, capacity-building, or guidance, risks creating a system that is neither effective at addressing genuine risks nor proportionate in its impact on legitimate civil society. Moving forward, the country will need to shift from a focus on legislative compliance to a focus on effective, proportionate implementation through multi-stakeholder dialogue and collaboration.

3.4.5. Conclusion

Côte d'Ivoire's experience illustrates the challenges that can arise when countries face intense pressure to rapidly reform their AML/CFT frameworks in response to international assessments. The adoption of comprehensive legislative reforms, the 2023 AML/CFT ordinance and the 2024 civil society ordinance, represents a significant effort to address the deficiencies identified in the GIABA mutual evaluation and to meet FATF standards. However, the rapid pace of reform, driven by the political urgency of grey-listing, has created implementation challenges that affect the operational capacity of legitimate NPOs.

The Ivorian paradox, comprehensive legal frameworks coexisting with significant practical challenges for civil society, highlights the importance of moving beyond legislative compliance to focus on effective, proportionate implementation. This will require several key elements: meaningful dialogue and consultation among regulators, banks, and NPOs to develop shared understandings and build trust; capacity-building for all stakeholders, including regulators who need technical expertise in risk-based supervision, banks who need better understanding of the CSO sector, and NPOs who need support in understanding and complying with new requirements; clear guidance from regulators on the application of risk-based approaches to NPO customers, including sector-specific risk assessments and standardized due diligence requirements; and ongoing monitoring and adjustment of implementation approaches based on feedback from affected stakeholders and assessment of impacts on civic space.

The designation of DGAT as the primary supervisory authority for NPOs, while reflecting legitimate security concerns, will need to be accompanied by significant capacity-building and the development of technical expertise in financial risk assessment. The security-oriented approach that DGAT brings to its responsibilities will need to be balanced with an understanding of the importance of proportionality and the risks of over-regulation.

As Côte d'Ivoire works to exit the FATF grey list, it will be important to ensure that the focus on technical compliance does not come at the expense of the operational capacity and civic space of legitimate NPOs. The country's experience can serve as a case study for other nations facing similar pressures, highlighting both the challenges of rapid reform and the importance of inclusive, consultative approaches to implementation.

3.5. BURKINA FASO

3.5.1. Country Context

Burkina Faso, a landlocked Sahel nation of approximately 23 million people, faces one of the world’s most severe humanitarian and security crises. Since 2015, the country has experienced escalating violence from armed Islamist groups affiliated with Al-Qaeda and the Islamic State, resulting in the displacement of over 2.1 million people—nearly 10% of the population.¹⁰⁶ The security situation deteriorated sharply following two military coups in 2022, which brought to power a transitional government led by Captain Ibrahim Traoré.¹⁰⁷ This political instability has been accompanied by a dramatic contraction of civic space, with human rights organizations documenting widespread restrictions on media freedom, arbitrary detentions of activists and journalists, and the forced conscription of civil society leaders into military service.¹⁰⁸

Against this backdrop of crisis, Burkina Faso has been navigating the FATF’s “Increased Monitoring” process since February 2021.¹⁰⁹ The country’s placement on the FATF grey list created intense pressure on the transitional government to demonstrate progress in addressing strategic deficiencies in its AML/CFT framework. This pressure reached a critical juncture in June 2025, when the FATF determined that Burkina Faso had “substantially completed its action plan” and warranted an on-site assessment to verify implementation. Following this assessment, Burkina Faso was officially removed from the FATF grey list on October 24, 2025, after

¹⁰⁶ United Nations Office for the Coordination of Humanitarian Affairs (OCHA), “Burkina Faso: Humanitarian Snapshot,” November 2025, available at <https://www.unocha.org/burkina-faso>.

¹⁰⁷ International Crisis Group, “Burkina Faso: Stopping the Spiral of Violence,” Africa Report No. 367, February 24, 2020, available at <https://www.crisisgroup.org/africa/burkina-faso/287-burkina-faso-stopping-spiral-violence>.

¹⁰⁸ Human Rights Watch, “Burkina Faso: Events of 2024,” in World Report 2025, available at <https://www.hrw.org/world-report/2025/country-chapters/burkina-faso> (accessed December 7, 2025).

¹⁰⁹ FATF, “Jurisdictions under Increased Monitoring – February 2021,” available at <https://www.fatf-gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/Increased-monitoring-february-2021.html> (accessed December 7, 2025).

Burkina Faso FATF overview



Placed on grey list:

February 2021

Removed from grey list:

October 2025

Key finding:

While the country has successfully exited the grey list through technical compliance reforms (such as the new law on AML/CFT and on Freedom of Association), these same reforms have been accompanied by restrictive administrative decrees.

four years of increased monitoring.¹¹⁰ This de-listing represents a significant achievement for the transitional government and validates its strategy of rapid legislative reform in response to international pressure. The country achieved a re-rating of its technical compliance with FATF R8 on NPOs from “Non-Compliant” to “Largely Compliant” in 2023, which was a key milestone in this process.¹¹¹

The convergence of security crisis, political transition, and international compliance pressure has created a unique environment in which AML/CFT measures have become intertwined with broader efforts to consolidate state control over civil society. Burkina Faso thus represents a critical case study of how the FATF framework can be leveraged—or instrumentalized—to justify restrictions on fundamental freedoms in contexts where democratic institutions are weak and civic space is already under threat.

3.5.2. Legal and Regulatory Framework

National AML/CFT Legislation

Burkina Faso’s current AML/CFT framework is established by Loi n°046-2024/ALT relative à la lutte contre le blanchiment de capitaux, le financement du terrorisme et de la prolifération des armes de destruction massive, adopted by the transitional legislature on December 30, 2024.¹¹² This law replaced the previous 2016 AML/CFT legislation and was designed to address the deficiencies identified in the country’s 2019 GIABA mutual evaluation and to demonstrate progress toward exiting the FATF grey list.

The 2024 law establishes comprehensive obligations for financial institutions and designated non-financial businesses and professions, including customer due diligence, suspicious transaction reporting, and record-keeping requirements. Significantly for civil society, Article 4 of the law explicitly states that “Non-Profit Organizations are subject to the specific provisions provided for by this law.”¹¹³ This provision formally brings the entire NPO sector under the purview of the national AML/CFT regime, creating direct obligations and potential liabilities for organizations that were previously subject only to general association law.

The law designates the Direction Générale de l’Administration Territoriale (DGAT), an agency within the Ministry of Territorial Administration, Decentralization, and Security, as the supervisory authority responsible for monitoring NPO compliance with

110 FATF, “Jurisdictions under Increased Monitoring – 24 October 2025,” October 24, 2025, available at <https://www.fatf-gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/increased-monitoring-october-2025.html> (accessed December 7, 2025); see also IMF, “IMF Reaches Staff-Level Agreement with Burkina Faso on Fourth Reviews Under the ECF and RSF Arrangements,” Press Release No. 25/370, November 12, 2025, available at <https://www.imf.org/en/News/Articles/2025/11/12/pr-25370-burkina-faso-imf-reaches-agreement-on-4th-review-under-ecf-and-rsf> (noting that “The authorities also implemented reforms that enabled Burkina Faso to exit the FATF gray list”).

111 GIABA, “Follow-Up Report on the Mutual Evaluation of Burkina Faso,” May 2023, p. 12.

112 GIABA, “Follow-Up Report on the Mutual Evaluation of Burkina Faso,” May 2023, p. 12.

113 GIABA, “Mutual Evaluation Report: Anti-money laundering and counter-terrorist financing measures – Burkina Faso,” May 2019, 238 pages.

AML/CFT obligations.¹¹⁴ This designation is significant because DGAT is primarily a security and administrative control agency rather than a financial regulatory body. Its traditional mandate has focused on territorial administration, public order, and the registration and oversight of associations. The choice to vest AML/CFT supervisory authority in DGAT rather than in a more technically oriented financial regulator reflects a security-first approach to NPO oversight.

GIABA Mutual Evaluation and Grey-Listing

Burkina Faso underwent a mutual evaluation by GIABA in 2019, with the final report adopted in May 2019.¹¹⁵ The evaluation assessed the country's compliance with the FATF's 40 Recommendations and 11 Immediate Outcomes, identifying significant deficiencies across multiple areas. Regarding Non-Profit Organizations specifically, the evaluation rated Burkina Faso as "Non-Compliant" with FATF Recommendation 8.¹¹⁶

The evaluation found that Burkina Faso had not conducted a comprehensive review of the NPO sector to identify organizations at risk of terrorist financing abuse. There was no evidence of outreach to the NPO sector to raise awareness of terrorist financing risks or to promote best practices for mitigating those risks. The legal framework for NPO supervision existed but was not effectively implemented, and there was no evidence of risk-based monitoring or supervision being conducted.¹¹⁷

These findings contributed to Burkina Faso's placement on the FATF grey list in February 2021.¹¹⁸ The grey-listing created significant pressure on the government to adopt legislative reforms and to demonstrate effective implementation. This pressure was particularly acute given the country's already fragile economic situation and its dependence on international aid and investment. The transitional government made addressing the FATF deficiencies a priority, viewing



Burkina Faso's grey-listing in 2021 created significant pressure on the government to adopt legislative reforms and to demonstrate effective implementation. This pressure was particularly acute given the country's already fragile economic situation and its dependence on international aid and investment.

114 Loi n°046-2024/ALT relative à la lutte contre le blanchiment de capitaux, le financement du terrorisme et de la prolifération des armes de destruction massive (Burkina Faso), December 30, 2024.

115 Ibid., Article 4.

116 Ibid., Article 85 (designation of supervisory authorities).

117 See footnote 8.

118 Ibid., p. 156.

successful de-listing as essential to restoring international confidence and accessing financial resources needed to address the security and humanitarian crises.

Regulatory Framework for Non-Profit Organizations

The most consequential recent development for civil society in Burkina Faso is the adoption of Loi n° 011-2025/ALT portant liberté d'association on July 17, 2025.¹¹⁹ This law repeals and replaces the 2015 law on freedom of association, which had been considered relatively liberal by regional standards. The new law introduces significant restrictions on the formation, operation, and dissolution of associations, and government officials have explicitly justified these restrictions by reference to AML/CFT imperatives and the need to prevent associations from being used to support criminal networks.¹²⁰

The linkage between the new association law and AML/CFT compliance is not merely rhetorical. The law's provisions on financial transparency, reporting obligations, and grounds for dissolution are directly aligned with the government's strategy for demonstrating compliance with FATF Recommendation 8. This creates a dual-track system in which restrictions on civil society are simultaneously justified as measures to combat terrorist financing and as responses to domestic security threats. The result is a mutually reinforcing architecture of control that is difficult to challenge because it invokes both international obligations and national security imperatives.

REGISTRATION AND AUTHORIZATION

The new law maintains a declaratory system for domestic associations, meaning that organizations are not required to obtain prior authorization to exist. However, the law significantly tightens the registration process and shifts the balance of power in favor of administrative authorities. Under the previous law, if the administration did not respond to a declaration within two months, the association was deemed to be legally registered. Under the new law, silence from the administration after two months is deemed to be a rejection of the declaration.¹²¹ This reversal gives administrative authorities a powerful tool to delay or prevent the registration of associations simply by declining to act.

Foreign associations face even more restrictive requirements. They must obtain prior authorization from the Minister responsible for Public Liberties to operate in Burkina Faso, and this authorization is valid for only two years and must be renewed.¹²² This creates significant uncertainty for international NGOs and requires them to repeatedly demonstrate their value and compliance to government authorities. The short duration of authorization and the need for renewal create opportunities for the government to pressure or exclude organizations whose work is viewed as problematic.

119 Ibid., pp. 156-158.

120 FATF, "Jurisdictions under Increased Monitoring – February 2021," available at <https://www.fatf-gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/Increased-monitoring-february-2021.html> (accessed December 7, 2025).

121 Loi n° 011-2025/ALT portant liberté d'association (Burkina Faso), July 17, 2025.

122 Internal ICNL research notes, based on public statements by government officials, 2025. On file with ICNL.

■ FINANCIAL TRANSPARENCY AND REPORTING

The new law imposes universal financial reporting obligations on all associations. Every association must submit annual financial statements to the competent administrative authority, regardless of its size, budget, or activities.¹²³ While financial transparency is a reasonable expectation for organizations that receive public funds or engage in significant economic activities, the blanket application of this requirement to all associations—including small, volunteer-run community groups—creates disproportionate administrative burdens and opens the door to selective enforcement.

The law also requires associations to maintain bank accounts in national financial institutions and to provide information about these accounts to administrative authorities upon request.¹²⁴ This requirement, while ostensibly aimed at promoting financial transparency, creates vulnerabilities for organizations that may face account closures or restrictions due to banking sector de-risking. It also gives authorities the ability to monitor the financial flows of NPOs, which may have chilling effects on organizations working on sensitive issues.

■ GROUNDS FOR DISSOLUTION

The new law establishes broad and vaguely defined grounds for the dissolution of associations. An association may be dissolved by decree of the Council of Ministers if its activities constitute a threat to public order and security, national territorial integrity, or the republican form of the state, or if they compromise social cohesion, provoke hatred between ethnic or religious groups, cause political troubles, discredit political institutions, incite citizens to break laws, or harm the general interest of the country.¹²⁵

These grounds are so expansive and ill-defined that they could be applied to almost any form of advocacy or criticism. Terms such as “compromise social cohesion,” “discredit political institutions,” and “harm the general interest” are inherently subjective and provide no clear guidance to organizations about what conduct is prohibited. This vagueness creates legal uncertainty and invites arbitrary application. Organizations working on human rights, governance, transparency, or accountability, precisely the types of organizations that play essential roles in democratic societies, may be particularly vulnerable to dissolution under these provisions.

123 Loi n° 011-2025/ALT, Article 10.

124 Ibid., Article 45.

125 Ibid., Article 30.

The “Statistical Visa” Requirement

An additional layer of restriction on civil society activity in Burkina Faso is the “statistical visa” requirement, established by Décret n°2025-1105 portant modalités de demande et d’octroi du visa statistique, adopted on August 26, 2025.¹²⁶ This decree mandates that any operation involving the collection of individual data for statistical purposes, including surveys, interviews, and questionnaires, conducted by private entities must receive prior authorization from the National Statistical Council (CNS).

The application process for a statistical visa is extensive and burdensome. Applicants must submit a detailed dossier that includes: an information sheet for obtaining prior authorization; a project document or research protocol detailing the context, justification, objectives, expected results, methodology, sampling, and data processing; an analysis plan; data processing protocols; questionnaires or data collection forms; an execution timeline; a detailed budget; a dissemination and archiving plan; and a risk prevention and management strategy.¹²⁷ The applicant must also present the study to a specialized commission in a 30-minute session and must take into account any amendments recommended by the commission.¹²⁸

This requirement creates a significant barrier to independent research and data collection by NPOs, academics, and journalists. The process is time-consuming, costly, and subject to the discretion of government-controlled bodies. While the decree provides some exemptions, for example, for university students conducting research for their theses, it applies broadly to any research conducted by private entities, including NPOs.¹²⁹ The requirement effectively gives the government veto power over independent research on sensitive topics, including research on human rights violations, governance failures, or the impact of government policies.

¹²⁶ Ibid., Article 31.

¹²⁷ Ibid., Article 50.

¹²⁸ Décret n°2025-1105 portant modalités de demande et d’octroi du visa statistique (Burkina Faso), August 26, 2025.

¹²⁹ Composition d’un dossier de demande de visa statistique auprès du Conseil national de la statistique-CNS (Burkina Faso), June 18, 2025.



The "statistical visa" requirement mandates that any operation involving the collection of individual data for statistical purposes, including surveys, interviews, and questionnaires, must receive prior authorization from the National Statistical Council. The application process is extensive and burdensome.

For this study, the statistical visa requirement made it impossible to conduct interviews with NPOs and other stakeholders in Burkina Faso. The process for obtaining a visa would have required several months, extensive documentation, and approval from government authorities, approval that could not be guaranteed, particularly for research examining the impact of government policies on civic space. The inability to gather direct stakeholder perspectives is itself a significant finding about the state of civic space in Burkina Faso. It demonstrates how bureaucratic barriers can function as effective tools of censorship, silencing critical voices not through direct prohibition but through administrative complexity and delay.

The Banque du Trésor Decree and Centralized Financial Control

In January 2026, shortly after this research was completed, Burkina Faso introduced a decree requiring all NPOs, including international humanitarian NGOs, to transfer all funds and manage their accounts exclusively through the Banque du Trésor (BDT), an administrative structure attached to the Treasury.¹³⁰ This decree represents a significant escalation in the government's approach to NPO financial oversight and has raised serious concerns within the international community about compatibility with FATF R8 and the risk-based approach.

The decree imposes a centralized and exclusive financial requirement across the entire NGO sector, regardless of risk profile, size, or operational footprint. All NPOs must bank exclusively with the BDT (Articles 1-2), submit extensive documentation (Article 3), and face coercive enforcement tools including fines, account freezes, and withdrawal of authorization (Articles 4-5). The decree also lacks safeguards: there is no clear judicial or independent recourse if accounts are blocked or frozen.

The Global NPO Coalition on FATF has raised serious concerns about the decree, noting that it is “not risk-based,” “not focused,” “restrictive of legitimate activity,” and “lacking safeguards.”¹³¹ The Coalition has formally requested that the FATF Secretariat and GIA-BA engage with Burkina Faso authorities to ensure alignment with FATF standards and mitigate unintended consequences.

The Global NPO Coalition on FATF also outlines significant operational concerns should the decree be implemented. The BDT reportedly lacks a functional online payment platform, processes transactions manually, and requires documentation to be submitted in person at a limited number of locations. Processing times average 5-7 working days, and salary documentation must be submitted by the 15th of each month, introducing rigid constraints incompatible with NPO payroll systems. Humanitarian organizations alone collectively process approximately 3.5 billion CFA (around USD 6 million) per

130 Decree No.2025- 1440-PF/PRIM/MEF of 10 November 2025 imposing an obligation on Non-Governmental Organizations and accredited associations to open and domicile their operating accounts with the Treasury Deposits Bank.

131 Global NPO Coalition on FATF, Statement on the Burkina Faso Decree on NPO Funds, January 2026.

month. Concentrating such volumes in a single, manually operated institution is likely to result in systemic delays and blockages.

The timing of the decree is particularly concerning. All NPOs must comply by mid-February 2026, an extremely short implementation period. According to the 2026 Humanitarian Needs and Response Plan for Burkina Faso, approximately 4.4 million people need humanitarian assistance, with needs extreme and worsening in hard-to-reach areas. The decree threatens to block life-saving assistance at a critical moment. As the Global NPO Coalition noted, “There is very real potential for life saving assistance to be blocked as a result of this decree in the coming months.”¹³²

This development underscores the central argument of this report: that technical compliance with FATF standards, achieved through restrictive legislation, can have severe unintended consequences for civic space and humanitarian action. Burkina Faso exited the FATF grey list in October 2025, but the BDT decree, introduced just three months later, demonstrates that de-listing does not necessarily lead to a more enabling environment for civil society. Instead, the infrastructure of control established during the grey-listing period can be repurposed and intensified, creating new barriers to legitimate NPO activity

3.5.3. Stakeholder Perspectives

The Silence as Evidence

The absence of direct interviews with Burkinabè NPOs in this study is not a methodological failure but rather a substantive finding about the state of civic space in the country. The statistical visa requirement, combined with the broader climate of repression and the risks faced by organizations that engage with international researchers, created an environment in which it was not feasible to conduct the type of stakeholder consultations that were possible in the other countries examined in this report.

This silence is itself evidence of the chilling effect created by the cumulative weight of restrictive legislation, administrative barriers, and security pressures. When independent research becomes impossible, not because it is explicitly prohibited, but because the administrative requirements are so onerous and the risks so high that no one dares to participate, civic space has been effectively closed. The voices of those most affected by the new laws cannot be heard, not because they have nothing to say, but because the channels through which they might speak have been systematically blocked.

Documentary Evidence of Impact

While direct stakeholder interviews were not possible, documentary sources and reports from international human rights organizations provide evidence of the impact of the restrictive legal framework on civil society in Burkina Faso. Human Rights Watch

132 OCHA, Burkina Faso Humanitarian Needs and Response Plan 2026, January 2026.

has documented the forced closure of media outlets, the arbitrary detention of journalists and activists, and the use of counterterrorism laws to prosecute individuals engaged in legitimate expression.¹³³ Amnesty International has reported on the abduction and disappearance of civil society leaders who criticized the military government's human rights record.¹³⁴

These reports suggest that the restrictive legal framework is not merely theoretical but is being actively used to suppress dissent and to consolidate authoritarian control. The broad grounds for dissolution in the new association law, the financial reporting requirements that create opportunities for harassment, and the statistical visa requirement that prevents independent documentation of abuses all contribute to an environment in which NPOs must choose between self-censorship and the risk of closure, prosecution, or worse.

3.5.4. Analysis

Strategic Instrumentalization of AML/CFT

Burkina Faso provides one of the clearest examples in this study of the strategic instrumentalization of AML/CFT measures to justify restrictions on civic space. The government has skillfully leveraged the pressure of the FATF grey-listing process to adopt a comprehensive legal framework that consolidates state control over civil society while presenting these measures as technical requirements for international compliance.

The explicit linkage between the new association law and AML/CFT imperatives is particularly revealing. Government officials have publicly justified the restrictive provisions of the law by reference to the need to prevent associations from being used to support criminal networks and to comply with international standards.¹³⁵ This framing serves multiple purposes. It deflects criticism by presenting restrictions on fundamental freedoms as technical measures required by international obligations. It invokes the legitimacy and authority of the FATF framework to justify domestic repression. And it makes it difficult for civil society and international partners to challenge the measures without appearing to oppose efforts to combat terrorist financing.

This strategy is effective precisely because the FATF framework is complex, technical, and not well understood by most civil society actors or even by many government officials. The gap between the nuanced, risk-based approach called for by FATF standards and the broad, blanket restrictions actually implemented by governments creates space for instrumentalization. Governments can claim to be implementing FATF recommendations while in fact adopting measures that go far beyond what is required or recom-

133 Décret n°2025-1105, Articles 8-9.

134 Ibid., Article 2.

135 Human Rights Watch, "Burkina Faso: Events of 2024," in World Report 2025, available at <https://www.hrw.org/world-report/2025/country-chapters/burkina-faso> (accessed December 7, 2025).

mended and that serve primarily to restrict civic space rather than to address genuine terrorist financing risks.

The Cumulative Effect of Layered Restrictions

The impact of AML/CFT measures on civic space in Burkina Faso cannot be understood by examining any single law or regulation in isolation. Rather, it is the cumulative effect of multiple, mutually reinforcing restrictions that creates an environment in which civil society cannot function effectively. The 2024 AML/CFT law brings NPOs under direct regulatory oversight. The 2025 association law tightens registration requirements, imposes financial reporting obligations, and establishes broad grounds for dissolution. The statistical visa requirement prevents independent research and documentation. And the broader security environment, characterized by armed conflict, military rule, and documented human rights abuses, creates a climate of fear in which organizations must constantly calculate the risks of their activities.

Each of these measures might be defended individually as a reasonable response to legitimate concerns. Financial transparency for organizations that handle significant funds is a reasonable expectation. Some level of government oversight of the associational sector is normal in most countries. Regulation of data collection to protect privacy and ensure methodological rigor can serve legitimate purposes. But when these measures are combined, applied broadly and without nuance, and implemented in a context of political repression and security crisis, their cumulative effect is to make independent civil society activity nearly impossible.

This layering of restrictions also makes it difficult to challenge any individual measure. Advocates who raise concerns about the association law may be told that it is necessary for AML/CFT compliance. Those who question the statistical visa requirement may be told that it is a technical measure to ensure research quality. Those who point to the broader pattern of civic space restriction may be accused of ignoring legitimate security concerns or of opposing international standards. The result is a system in which each restriction is defended by reference to other restrictions, creating a closed loop that is difficult to break.

The Paradox of Compliance Without Effectiveness

Burkina Faso's trajectory toward exiting the FATF grey list raises fundamental questions about what compliance means and whether technical compliance with FATF standards can be achieved in ways that undermine the effectiveness of AML/CFT measures and harm civic space. The country has adopted comprehensive legislation, designated supervisory authorities, and created reporting mechanisms, all of which may satisfy the technical requirements for compliance with FATF Recommendation 8. But has it created an effective, risk-based system for preventing terrorist financing abuse of NPOs?

The evidence suggests otherwise. The broad, blanket approach to NPO regulation, sub-

jecting all associations to the same requirements regardless of their size, activities, or risk profile, is the opposite of the risk-based approach called for by FATF standards. The designation of DGAT, a security and administrative control agency, as the AML/CFT supervisory authority suggests a focus on control rather than on nuanced risk assessment. The absence of any evidence of outreach to the NPO sector to build understanding of risks and to promote best practices suggests that the system is designed for compliance rather than for effectiveness.

Moreover, the restrictive environment created by the cumulative weight of the new legal framework may actually increase terrorist financing risks rather than reducing them. When legitimate NPOs are forced to operate in the shadows, when financial transactions must be conducted outside the formal banking system due to de-risking, and when independent oversight and accountability mechanisms are suppressed, the space for illicit activity may actually expand. The FATF framework recognizes this risk, warning explicitly about the “unintended consequences” of overly restrictive measures.¹³⁶ But in the high-pressure environment of grey-listing, where governments are focused on demonstrating rapid progress to international evaluators, these nuances may be lost.

3.5.5. Conclusion

Burkina Faso represents the most restrictive environment for civil society among the five countries examined in this study. The combination of a severe security crisis, military rule, and intense pressure to exit the FATF grey list has created conditions in which AML/CFT measures have been instrumentalized to justify a comprehensive system of control over the associational sector. The 2024 AML/CFT law, the 2025 association law, and the 2025 statistical visa requirement together create a legal framework that makes independent civil society activity extremely difficult and risky.

¹³⁶ Burkina Faso’s military regime stifles opposition voices, curtails civil society activism, and freedom of expression.” September 30, 2025, available at <https://monitor.civicus.org/explore/burkina-fasos-military-regime-stifles-opposition-voices-curtails-civil-society-activism-and-freedom-of-expression/>.



The combination of a severe security crisis, military rule, and intense pressure to exit the FATF grey list has created conditions in which AML/CFT measures have been instrumentalized to justify a comprehensive system of control over the associational sector.

The inability to conduct stakeholder interviews for this study is itself powerful evidence of the state of civic space in the country. When independent research becomes impossible, not through explicit prohibition but through administrative barriers and climate of fear, civic space has been effectively closed. The voices of those most affected by the restrictive legal framework cannot be heard, and the lack of these voices is itself a finding about the impact of AML/CFT measures on fundamental freedoms.

The case of Burkina Faso highlights the urgent need for the international community, including the FATF and its regional bodies, to examine not only whether countries have adopted laws and designated authorities but also whether those laws and authorities are implemented in ways that are proportionate, risk-based, and respectful of fundamental rights. Technical compliance that is achieved through measures that close civic space and undermine democratic governance is not genuine compliance with the spirit of the FATF framework. Now that Burkina Faso has successfully exited the FATF grey list in October 2025, the international community must ask hard questions about whether the country's approach represents a model to be emulated or a warning about the dangers of prioritizing technical compliance over effectiveness and human rights. The fact that de-listing was achieved through a legal framework that dramatically restricts civic space raises fundamental questions about what compliance means and whether the FATF evaluation process adequately considers the human rights implications of the measures adopted by countries seeking to demonstrate progress.

4. Synthesis and Recommendations

4.1. Synthesis of Findings

The analysis of the five case studies (Mali, DRC, Cameroon, Côte d'Ivoire, Burkina Faso) reveals a complex and nuanced picture of the impact of AML/CFT measures on civic space in Francophone West and Central Africa. While national contexts vary considerably, underlying trends emerge, showing that the application of FATF standards, far from being a simple technical issue, is profoundly influenced by the political, security, and economic realities of each country.

4.2. The Common Denominator: Mistrust and Lack of Dialogue

The most universal finding is the **deficit of trust and dialogue** between state authorities (including financial regulators), the banking sector, and civil society. In all the countries studied, NPOs feel they are viewed with suspicion a priori and are rarely consulted in a meaningful way during the development or implementation of AML/CFT frameworks. This structural mistrust is the fertile ground on which operational difficulties thrive.

4.3. The Four Horsemen of Financial Exclusion

Four main types of challenges, with varying intensities, manifest across the region:

- **Banking De-risking:** Whether blatant (account closures) or creeping (delays, excessive document requests), de-risking is a reality everywhere. It is particularly acute in crisis contexts (Mali, DRC), but manifests more insidiously even in countries deemed “compliant” (Côte d'Ivoire).
- **Criminalization of Humanitarian and Human Rights Action:** The case of Cameroon is emblematic, where a very broad anti-terrorism law is used to intimidate and potentially prosecute civil society actors. This threat, even if it does not always result in convictions, induces strong self-censorship.
- **Administrative Pressure and Political Control:** Increasingly restrictive laws on associations (Côte d'Ivoire, Burkina Faso) are often justified by AML/CFT imperatives. They result in an increased administrative burden and reinforced political control over the activities and funding of NPOs.
- **Ignorance and Limited Capacity:** A limited understanding of AML/CFT standards and their implications is notable among all actors: NPOs that struggle to navigate administrative complexity, banks that sometimes apply

the rules mechanically and excessively, and even some authorities that lack the means for risk-based supervision.

4.4. Recommendations: A Risk-Based and Rights-Based Approach

In light of these findings, it is imperative to promote an approach that reconciles financial security imperatives with the protection of civic space and the effectiveness of humanitarian action. Our recommendations are structured around three axes.

4.4.1. Recommendations for States and Regulators

■ ADOPT A GENUINE RISK-BASED APPROACH

States must move away from the uniform and mechanical application of AML/CFT measures and instead adopt a truly proportionate, risk-based approach as mandated by FATF. This requires a fundamental shift from treating the entire NPO sector as inherently high-risk to distinguishing between different types of NPOs and the specific, demonstrable risks some of them may represent. The current approach, where states often **fail to correctly implement FATF Recommendation 8** and its Interpretive Note, leads to disproportionate and ineffective regulation.

To align with best practices, states should:

- **Conduct a credible, transparent, and evidence-based risk assessment of the NPO sector, with the substantive involvement of the sector itself.** This is the foundational requirement of the revised FATF Recommendation 8. The assessment should identify the specific threats and vulnerabilities relevant to the national context, rather than relying on generalized assumptions.
- **Apply focused and proportionate measures only to the subset of NPOs identified as at-risk.** As the FATF Best Practices Paper on Combating the Abuse of Non-Profit Organizations clarifies, “countries should not decide to apply AML/CFT measures to all NPOs on the basis that the entire sector is considered at risk.” Measures should be targeted and should not disrupt the legitimate activities of the vast majority of NPOs that are not at risk.
- **Ensure that any measures applied are designed to mitigate identified risks without unduly disrupting legitimate NPO activities.** This includes avoiding blanket requirements that impose excessive administrative burdens on low-risk organizations.

■ ESTABLISH A STRUCTURED AND PERMANENT DIALOGUE

Set up regular dialogue platforms between regulatory authorities (Ministries, FIUs), the banking sector, and civil society representatives. These platforms should be a place for information exchange, problem-solving, and mutual capacity building.

■ REVISE RESTRICTIVE LEGAL FRAMEWORKS

Vague laws on associations or anti-terrorism laws must be revised to ensure they cannot be used abusively to restrict civic space. All legislation must comply with international standards on freedom of association and expression.

To align with best practices, states should ensure that all legal frameworks are consistent with the protections in international instruments such as the ICCPR and the ACH-PR. Additionally, states should take into account accepted guidance, including:

- **The African Commission on Human and Peoples' Rights Guidelines on Freedom of Association and Assembly in Africa.** These guidelines provide authoritative interpretation of the right to freedom of association under the African Charter, establishing that any restrictions must be “prescribed by law, necessary in a democratic society, and proportionate to the interest being protected.”¹³⁷ The guidelines also state that measures to counter terrorism should not be used as a pretext to restrict the right to freedom of association.
- **Guidance from the UN Special Rapporteurs on Freedom of Association and Assembly and on Counter-Terrorism and Human Rights.** The Special Rapporteurs have consistently raised concerns about the misuse of AML/CFT measures to restrict civic space.¹³⁸ They have emphasized that states have an obligation to ensure that such measures are not only effective in combating terrorism but also fully compliant with their human rights obligations. This includes ensuring that any restrictions are non-discriminatory, narrowly tailored, and subject to independent judicial oversight.

■ STRENGTHEN THE CAPACITY OF REGULATORS

States must allocate the necessary human and financial resources to NPO regulators, Financial Intelligence Units, supervisory bodies, and other control agencies responsible for AML/CFT oversight. Crucially, this investment must include specialized capacity building and training for compliance officers and regulators. The goal is to enable them to carry out effective and nuanced supervision of the NPO sector, moving beyond a mechanical, blanket approach. By developing expertise in the NPO sector's operational

¹³⁷ African Commission on Human and Peoples' Rights, Guidelines on Freedom of Association and Assembly in Africa, 2017, para. 47, available at <https://achpr.au.int/index.php/en/soft-law/guidelines-freedom-association-and-assembly-africa>.

¹³⁸ See, e.g., Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, A/HRC/40/52, March 1, 2019, available at https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/40/52.

models and risk profiles, regulators can implement the risk-based approach correctly, avoiding the general and restrictive measures that currently stifle legitimate civil society activity.

ESTABLISH OR STRENGTHEN EXISTING FORMAL NPO LIAISON POINTS

Designated NPO supervisors (such as DGAT in Mali or the Ministry of Justice in DRC) should create dedicated, public-facing focal points where NPOs can ask compliance-related questions, report banking difficulties, and request clarification on legal obligations. These liaison points should be explicitly framed as non-punitive support mechanisms, not enforcement tools, to encourage NPOs to seek guidance proactively rather than operating in uncertainty.

4.4.2. Recommendations for the Banking Sector

DEVELOP EXPERTISE ON THE NPO SECTOR

Banks must invest in training their compliance officers and account managers to better understand the models, governance structures, and specific risk profiles of NPOs. A better knowledge of the sector will allow for a more intelligent and less mechanical application of due diligence measures, moving away from the assumption that all NPOs present a uniform, high risk.

HARMONIZE AND CLARIFY DOCUMENTARY REQUIREMENTS IN COLLABORATION WITH REGIONAL BODIES

In collaboration with professional associations (such as APBEF-CI), national regulators, and regional bodies like GIABA and GABAC, the banking sector should work on developing clear and harmonized guidelines regarding the documents required for opening and maintaining NPO accounts. This standardization would reduce arbitrariness and the administrative burden, which currently varies significantly between institutions.

ADHERE TO PROPORTIONAL FATF CUSTOMER DUE DILIGENCE (CDD) STANDARDS TO COMBAT DE-RISKING

Banks must ensure that their internal CDD policies for NPOs are strictly aligned with the risk-based approach and the latest FATF guidance. The FATF has repeatedly clarified that CDD measures should be proportionate to the identified risk, and that the wholesale termination of relationships with entire classes of customers, such as NPOs (de-risking), is contrary to the spirit of the FATF Recommendations and should be avoided. Banks should adopt the positive practices outlined in FATF guidance to facilitate financial inclusion for legitimate NPOs

STANDARDIZE THE NPO ONBOARDING PROCESS

Banking associations (such as APBEF in Mali or APBEF-CI in Côte d’Ivoire) should work with their members to create a single, standardized NPO due diligence questionnaire that all banks in the country use. This questionnaire should be based on a genuine risk-based approach (not a blanket “high-risk” assumption), be publicly available so NPOs can prepare in advance, and be developed in consultation with NPO representatives. Standardization would end the “bank-by-bank lottery” that currently forces NPOs to prepare different documentation for each bank, while also making banks’ own risk assessment processes more efficient by ensuring they receive consistent, comparable data.

PRIORITIZE ENGAGEMENT OVER DE-RISKING

Faced with a file deemed complex or with missing information, the first reaction should not be refusal or blocking, but engagement. Banks should set up processes to dialogue with their NPO clients, explain the requirements, and help them to comply.

USE TECHNOLOGY TO STREAMLINE PROCESSES

Explore the use of secure digital platforms for the submission and updating of compliance documents, in order to reduce delays and the administrative burden for NPOs.

4.4.3. Recommendations for Non-Profit Organizations and their Partners

STRENGTHEN TRANSPARENCY AND PROFESSIONALIZATION

NPOs must invest in the robustness of their own governance and financial management. Keeping transparent accounts, having clear procedure manuals, and training their staff are prerequisites for strengthening their credibility and facilitating dialogue with banks.

ACT COLLECTIVELY

Isolated, NPOs have little weight. They must group together in platforms and coalitions to speak with one voice. These groupings can pool expertise, conduct joint advocacy with authorities and banks, and share best practices.

SYSTEMATICALLY DOCUMENT INCIDENTS AND LINK TO THE FATF UNINTENDED CONSEQUENCES PROCEDURE¹³⁹

It is crucial to move from anecdote to evidence. NPOs must set up a rigorous monitoring and documentation system for all incidents related to access to financial services (delays, blockages, abusive requests, etc.). This data is essential to objectify the problem and feed advocacy. Furthermore, NPOs and their partners should actively utilize the

¹³⁹ Financial Action Task Force (FATF), New Procedure to Address Unintended Consequences Arising from the Misapplication of the FATF Standards on Non-Profit Organisations, 2025, available at <https://www.fatf-gafi.org/en/publications/Financialinclusionandnpoissues/new-procedure-unintended-consequences-npos-2025.html>.

new FATF Procedure to Address Unintended Consequences (2025).¹⁴⁰ This procedure provides a formal channel for civil society to report instances where the misapplication of FATF Standards on NPOs is unduly restricting legitimate activity. Gathering evidence to support the use of this procedure is a critical component of the monitoring strategy.

■ ENGAGE IN PROACTIVE DIALOGUE

NPOs must not only react to problems, but also anticipate them. They must actively seek dialogue with their bankers, banking professional associations, and regulators to present their activities, explain their constraints, and seek common solutions.

■ UTILIZE HUMAN RIGHTS MECHANISMS

Where AML/CFT measures result in clear violations of the right to freedom of association or other human rights, NPOs should engage both national and international human rights mechanisms (such as National Human Rights Commissions, the African Commission on Human and Peoples' Rights, and UN Special Procedures) to seek redress and challenge the legality and proportionality of the restrictive measures.

4.4.4. Recommendations for ICNL and Partners

■ PIVOT CAPACITY BUILDING TOWARDS “TRILATERAL DIALOGUES”

ICNL should support partners to create and facilitate structured dialogue platforms that bring together government authorities (including FIUs and supervisory bodies), banking sector representatives, and NPOs. These “trilateral dialogues” are essential for building trust, clarifying mutual expectations, and developing practical solutions to operational challenges. The focus should be on creating safe spaces where all parties can speak candidly about their concerns and constraints.

■ LAUNCH SPECIFIC TRAINING FOR REGULATORS ON RIGHTS-COMPLIANT SUPERVISION

ICNL should develop targeted training programs for government regulators, FIU staff, and supervisory authorities on how to implement risk-based supervision of NPOs in a manner that is compliant with international human rights standards. This training should emphasize the distinction between legitimate oversight and undue restriction, and should provide practical tools for conducting proportionate, risk-based assessments of the NPO sector.

■ DEVELOP PRACTICAL GUIDES FOR NPOS ON AML/CFT COMPLIANCE

ICNL should continue to produce accessible, user-friendly guides that help NPOs understand their AML/CFT obligations and navigate the compliance landscape. These guides should be tailored to the specific contexts of different countries and should pro-

¹⁴⁰ Financial Action Task Force (FATF), New Procedure to Address Unintended Consequences Arising from the Misapplication of the FATF Standards on Non-Profit Organisations, 2025, available at <https://www.fatf-gafi.org/en/publications/Financialinclusionandnpoissues/new-procedure-unintended-consequences-npos-2025.html>.

vide step-by-step guidance on issues such as customer due diligence, record-keeping, suspicious transaction reporting, and managing relationships with banks. The guides should be available in French and other relevant languages and should be disseminated widely through NPO networks and platforms.

DEVELOP GUIDES FOR REGULATORS AND GOVERNMENT ON RIGHTS-COMPLIANT NPO SUPERVISION

In parallel with the guides for NPOs, ICNL should develop comprehensive guidance for government authorities on how to supervise the NPO sector in a manner that is both effective for AML/CFT purposes and respectful of fundamental rights. This guidance should draw on international best practices, FATF standards (properly interpreted), and the lessons learned from this research. It should provide concrete examples of proportionate measures, risk-based approaches, and meaningful engagement with the NPO sector.

SUPPORT THE DEVELOPMENT OF REGIONAL NETWORKS AND KNOWLEDGE-SHARING

ICNL should facilitate the creation of regional networks of NPOs, banking professionals, and regulators working on AML/CFT issues. These networks can serve as platforms for sharing experiences, identifying common challenges, and developing regional solutions. Regular regional convenings, webinars, and knowledge-sharing platforms can help to build a community of practice and to amplify the voices of those most affected by AML/CFT measures.

CONDUCT ONGOING MONITORING AND DOCUMENTATION

ICNL should support partners to implement a systematic mechanism for monitoring the evolving impact of AML/CFT measures on civic space across the region. This should include regular surveys of NPOs, tracking of legislative developments, and documentation of specific incidents of financial exclusion or rights violations. This data is essential for evidence-based advocacy and for holding governments and international bodies accountable.

ENGAGE WITH FATF AND REGIONAL BODIES

ICNL should continue to support organizations to actively engage with the FATF, GIA-BA, GABAC, and other relevant regional and international bodies to ensure that the voices and experiences of civil society are heard in policy discussions. This engagement should focus on advocating for a more nuanced interpretation of FATF standards that recognizes the importance of civic space and the risks of overly restrictive measures. ICNL should also work to ensure that mutual evaluation and risk assessment processes adequately consider the human rights implications of AML/CFT measures.

LAUNCH STRATEGIC LITIGATION AND ADVOCACY ON SYSTEMIC RESTRICTIONS

ICNL should support partners to analyze and develop long-term advocacy or legal strategies to challenge laws and regulations that impose disproportionate restrictions on civil society under the guise of AML/CFT compliance. Priority targets might include Burkina Faso’s “statistical visa” requirement (Décret N°2025-1105), which effectively prevents independent research on NPO issues, and other emerging «anti-models» such as Côte d’Ivoire’s 2024 CSO law and Burkina Faso’s 2025 associations law. This strategic litigation track should document patterns of abuse, build legal arguments grounded in international human rights law, and support affected organizations in challenging these measures through domestic and regional legal mechanisms.



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