

Systematic  
Violations of  
Property Rights by  
States series – 3



Authoritarian countries' use of Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) legislation as a tool of financial repression against dissidents

# Misuse of **FATF** (Financial Action Task Force) Standards as a Tool of Transnational Repression



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## EXECUTIVE SUMMARY

This report examines how **Anti-Money Laundering and Counter-terrorist financing (AML/CFT)** regulations are misused by authoritarian regimes as a tool for transnational repression. With the new dynamics brought by globalization, it has been observed that cross-border repression by states has increased, and it is known that oppressive regimes target not only individuals within their borders but also dissidents living abroad.

Transnational repression is carried out not only through traditional methods such as abduction, assassination, forced repatriation, misuse of consular services, and digital harassment but also through the instrumentalization of AML/CFT regulations. Authoritarian regimes manipulate AML/CFT regulations to exclude individuals and civil society organizations from the financial system, freeze bank accounts, and exploit international blacklisting mechanisms. The report specifically addresses the following points:

- **Mechanisms of Transnational Repression:** Various methods of repression employed by authoritarian states, including economic exclusion and financial manipulation against dissidents, have been analyzed.
- **Misuse of AML/CFT Regulations:** The report examines how AML/CFT regulations have been instrumentalized to target political dissidents and civil society organizations, deviating from their original purpose of protecting the integrity of the international financial system.
- **Concrete Case Studies:** Through examples such as educator and human rights activist S.T. and the humanitarian aid organization *Time to Help Belgium*, the report highlights how AML/CFT regulations have been abused and the resulting victimization.
- **International Responses:** The report evaluates how the United States, the European Union, and other international organizations have responded to the misuse of AML/CFT regulations by authoritarian regimes.

- Proposed Solutions: Recommendations include institutional reforms within FATF, oversight of data provider companies, sanctions against states that abuse AML/CFT regulations, and various policy suggestions for relevant stakeholders.

The report emphasizes the need for stronger democratic oversight of AML/CFT regulations and advocates for the development of policies that prevent authoritarian regimes from using these regulations as a tool of transnational repression.

## INTRODUCTION

With globalization, state control and repression mechanisms that transcend sovereignty boundaries have become more complex, and authoritarian regimes have developed systematic policies targeting not only individuals within their borders but also dissidents who have settled abroad. *Transnational repression* refers to the entirety of state-backed repression strategies employed by authoritarian governments against individuals who have moved to different countries or live in exile through various means such as intimidation, threats, and economic exclusion.

Transnational repression not only threatens individuals' fundamental rights and freedoms but also violates international legal norms, undermining the principle of state sovereignty and damaging the credibility of global institutions and cooperation frameworks. These repression mechanisms have evolved beyond traditional methods such as physical abductions, forced repatriations, assassinations, threats against the diaspora, surveillance activities, and digital harassment, becoming more complex through the misuse of financial instruments and international regulatory mechanisms.

At this point, Anti-Money Laundering (AML) and Countering the Financing of Terrorism (CFT) regulations are being misused by authoritarian regimes not only for combating crime but also to exclude and marginalize political dissidents from the economic system. These regulations are being diverted from their legitimate purposes and turned into a tool of political repression, arbitrarily isolating individuals and civil society organizations from the financial system and unlawfully subjecting them to economic sanctions.

In this context, the *Financial Action Task Force (FATF)* is a critical organization that sets international standards for combating money laundering and terrorist financing and shapes the regulatory framework of states' financial systems. **While FATF recommendations and standards aim to ensure the integrity and security of the global financial system and prevent illegal**

**financial activities, due to shortcomings in oversight mechanisms, some authoritarian regimes exploit AML/CFT regulations as a tool of political repression and legitimize transnational repression.**

Particularly, expanding the definition of "*terrorism*" to arbitrarily designate opposition groups as "terrorist organizations," freezing the bank accounts of individuals and institutions, blacklisting, and manipulating international financial cooperation mechanisms to exclude individuals/institutions from the economic system illustrate how AML/CFT regulations are misused by authoritarian regimes. These practices violate fundamental human rights such as freedom of expression, the right to establish businesses, the right to work, freedom of association, property rights, and the right to a fair trial. By restricting the financial mobility of individuals and civil society organizations, they also pose a threat to the integrity of the global financial system.

This study aims to examine the place and impact of transnational repression in today's international system by analyzing how AML/CFT regulations are systematically misused by authoritarian regimes through concrete examples. In this context, the report will:

- Address the concept of transnational repression and analyze it through current examples,
- Examine in detail how AML/CFT regulations are used as a tool of transnational repression,
- Assess the impact of this manipulation on human rights, international law, and the global financial system,
- Analyze real cases demonstrating how repressive regimes instrumentalize these regulations and reveal their tangible consequences,
- Provide policy recommendations for international organizations, civil society organizations, states, and other stakeholders to prevent transnational repression.

This report aims not only to contribute to academic literature but also to develop concrete policy recommendations for international policymakers, human rights organizations, and financial regulatory bodies. One of its primary objectives is to raise awareness of how AML/CFT regulations are being diverted from their legitimate purposes, such as counterterrorism and financial transparency, and instead used to suppress political dissidents. Additionally, the report seeks to encourage the international community to establish more effective intervention mechanisms to prevent such abuses.

## CHAPTER 1

### 1.1 Tools of Transnational Repression

Transnational repression encompasses systematic intimidation, surveillance, and prosecution strategies employed by states to target political opponents, dissidents, or critical voices beyond their borders. Transnational repression poses a significant threat to human rights, democratic institutions and state sovereignty while also reflecting a troubling manifestation of global authoritarianism. Around the world, some states utilize a diverse and aggressive set of tools to control or suppress their citizens abroad, and in some cases, even non-citizens. According to Freedom House<sup>1</sup>, transnational repression refers to a collection of tactics used by certain governments to silence diasporas and exiled dissidents by extending their reach beyond national borders. These tactics include:

1. Assassination/Killing
2. Unlawful Deportation
3. Abduction
4. Targeting Relatives and Collective Punishment
5. Misuse of Consular Services
6. Digital Transnational Repression
7. Abuse of Interpol Red Notices
8. Financial Exclusion through the Misuse of Anti-Money Laundering (AML) and Countering the Financing of Terrorism (CFT) Regulations

The groups targeted by authoritarian states typically include journalists, human rights defenders, political activists, dissidents, and civil society leaders. However, the victims of transnational repression are not limited to high-profile

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<sup>1</sup> <https://freedomhouse.org/report/transnational-repression>

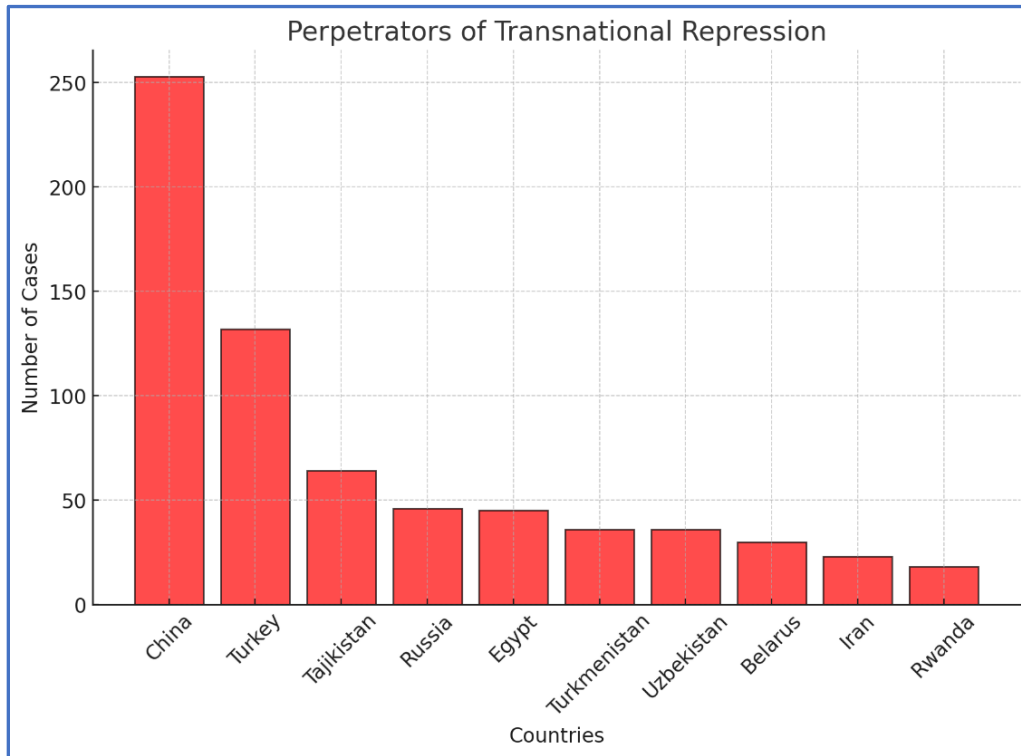
individuals such as political exiles and journalists; entire communities, including students, migrants, and refugees, can also be affected. This phenomenon constitutes a daily assault on civilians worldwide, including those residing in democratic countries such as the United States, the United Kingdom, Canada, Germany, Australia, and South Africa.

Transnational repression occurs globally. According to Freedom House, since 2014, 44 states have engaged in physical transnational repression in 100 host countries.<sup>2</sup> According to the Freedom House report, data has been collected on 1,034 cases of transnational repression over the past decade, and it has been recorded that 3.5 million people live under the threat of transnational repression. Freedom House identifies six countries as the most frequent users of transnational repression tactics: **China, Turkey, Tajikistan, Egypt, Russia, and Turkmenistan**. After China, Turkey is the second most frequent user of transnational repression tactics worldwide. In recent years, Freedom House has documented **253 cases in China**, followed by **132 cases in Turkey**.<sup>3</sup>

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<sup>2</sup> <https://freedomhouse.org/report/transnational-repression>

<sup>3</sup> <https://freedomhouse.org/report/transnational-repression>



From the Freedom House Website: Number of Cases of Transnational Repression by Country

Since engaging in physical actions such as assassinations and abductions in another country leads to serious political tensions between states and constitutes direct interference in another country's internal affairs, **authoritarian regimes have started to seek methods that allow them to exert more repression while facing less political pressure.** One of the most significant tools they have found is the abuse of international cooperation mechanisms, such as issuing INTERPOL notices and **manipulating AML/CFT regulations** by adding individuals to terrorism/watch/sanction lists. With these new methods, repressive states remain less visible while successfully suppressing dissidents by leveraging the institutions of other countries. The use of these tactics is becoming increasingly widespread.

## 1.2 Prominent Examples of Transnational Repression<sup>4</sup>

### **Assassination/Killing**

Jamal Khashoggi was killed by Saudi Arabia in Turkey in October 2018. As an outspoken journalist, Khashoggi left Saudi Arabia and settled in the United States in 2017 after falling out with authorities. He was murdered inside the Saudi consulate in Istanbul in an operation coordinated by high-ranking officials of the Riyadh government. It has been alleged that this operation was likely approved by Crown Prince Mohammed bin Salman<sup>5</sup>.

### **Unlawful Repatriations: Deportations, Extraditions, and Forced Returns**

In 2022, Serbia unlawfully extradited Bahraini political dissident Ahmed Jaffer Mohammed to Bahrain following an Interpol Red Notice that had been misused by Bahraini authorities. This extradition took place despite the risk of torture and ill-treatment he faced upon return<sup>6</sup>.

### **Abductions and Enforced Disappearances**

Slimane Bouhafis is an Amazigh activist who fled Algeria due to government persecution and was granted international protection by the *United Nations High Commissioner for Refugees (UNHCR)* in Tunisia. In August 2021, he disappeared in Tunisia. According to witnesses, unidentified individuals in civilian clothing arrived at Bouhafis' residence, placed a sack over his head, forcibly put him into a vehicle, and drove away. His whereabouts remained officially unknown for several days until he later appeared in an Algerian court<sup>7</sup>.

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<sup>4</sup> Human Rights Watch. (2024). "We will find you: A global look at how governments repress nationals abroad." Human Rights Watch. <https://www.hrw.org/report/2024/02/22/we-will-find-you/global-look-how-governments-repress-nationals-abroad>

<sup>5</sup> United Nations Office of the High Commissioner for Human Rights (OHCHR), "Khashoggi killing: UN human rights expert says Saudi Arabia is responsible for 'premeditated execution,'" June 19, 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24713>.

<sup>6</sup> <https://www.hrw.org/news/2022/01/27/serbia-bahraini-dissident-unlawfully-extradited>

<sup>7</sup> <https://www.frontlinedefenders.org/en/case/human-rights-defenders-kamira-nait-sid-and-slimane-bouhafis-released-prison>

## **Targeting Family Members and Collective Punishment**

Bahraini authorities targeted the family members of Sayed al-Wadaei<sup>8</sup>, the exiled founder of the *Bahrain Institute for Rights and Democracy*, who is living in the United Kingdom. In October 2016, Bahraini officials detained and interrogated Al-Wadaei's wife and young son at Manama Airport. During the interrogation, an officer reportedly told his wife, "*Deliver this message to your husband: I will catch him.*" In March 2017, Al-Wadaei's 18-year-old brother-in-law, Nazar Sayed Namaa al-Wadaei, was arrested in Jid Ali, Bahrain, and later reported that he had been subjected to torture.

## **Misuse of Consular Services**

Individuals living abroad occasionally need to obtain documents from their home country's consular services. Governments have misused consular services to target individuals abroad by revoking passports or denying such services. Rwandan embassies in Europe have restricted access to consular services for individuals who are not members of the Rwandan Community Abroad (RCA), a group affiliated with the Rwandan Ministry of Foreign Affairs.

## **Digital Transnational Repression**

Digital transnational repression refers to the use and abuse of digital technologies to target individuals living abroad, including surveillance and online harassment. In 2019, Faustin Rukundo, a former senior official of Rwanda's opposition party living in the UK, was informed by Citizen Lab, a Canada-based academic research center, and Amnesty International that his phone had been infected with the Pegasus<sup>9</sup> digital surveillance spyware.

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<sup>8</sup> <https://ishr.ch/defender-stories/human-rights-defender-story-sayed-ahmed-alwadaei-from-bahrain/>

<sup>9</sup> <https://www.bbc.com/news/technology-50249859>

## Misuse of the INTERPOL System

Hakeem al-Araibi, a Bahraini footballer who was granted refugee status in Australia after participating in the Arab Spring protests, was arrested by Thai authorities at the airport in November 2018 due to an INTERPOL Red Notice requested by Bahrain. Bahraini authorities sought al-Araibi for allegedly vandalizing a police station, despite evidence showing he was playing in a televised football match at the time of the alleged crime. He was detained in Thailand for 76 days.<sup>10</sup>

### 1.3 International Approach to Transnational Repression

The United States has been the first country to address transnational repression at the legal level and consistently implement it through law enforcement practices. The FBI<sup>11</sup> defines this phenomenon as harassment and intimidation activities conducted by certain governments against their own citizens residing in the U.S. These actions violate U.S. laws and individual rights and freedoms, targeting naturalized or U.S.-born individuals with family or other foreign connections abroad.<sup>12</sup>

Transnational repression can take various forms, including surveillance, harassment, cyberattacks, physical assaults, kidnapping attempts, forced or coerced repatriation, threats or detention of the victim's family members in their home country, freezing of financial assets, and online disinformation campaigns. In 2019, the U.S. Helsinki Commission, officially known as the Commission on Security and Cooperation in Europe, introduced the Transnational Repression Accountability and Prevention (TRAP) Act (H.R. 4330) to address the misuse of INTERPOL by autocratic regimes for political purposes. This act was later incorporated into the 2022 National Defense Authorization Act. In July 2022, the U.S. State Department issued a diplomatic note to the

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<sup>10</sup> <https://www.youtube.com/watch?v=BUaLUNeXhQo>

<sup>11</sup> <https://www.fbi.gov/investigate/counterintelligence/transnational-repression>

<sup>12</sup> Parliamentary Assembly of the Council of Europe. "Transnational repression as a growing threat to the rule of law and human rights". Accessed January 27, 2025. <https://pace.coe.int/en/files/33000>

heads of diplomatic missions in Washington, D.C., warning foreign diplomats against engaging in “various forms of harassment, intimidation, and repression” targeting individuals for exercising their human rights and fundamental freedoms peacefully. By the end of 2022, U.S. lawmakers introduced the Stop Transnational Repression Act, which seeks to criminalize transnational repression and enforce maximum penalties against perpetrators.<sup>13</sup>



An image from the FBI website regarding transnational repression<sup>14</sup>

In response to the increasing prevalence of repression, the European Parliament commissioned a report on the use of politically motivated INTERPOL Red Notices. The report concluded that the European Parliament, together with other international institutions, has consistently addressed the misuse of INTERPOL Red Notices and diffusion orders, particularly their political misuse.<sup>15</sup>

<sup>13</sup> Ibid.

<sup>14</sup> <https://www.fbi.gov/investigate/counterintelligence/transnational-repression>

<sup>15</sup> R. H. Wandall, “Ensuring the rights of EU citizens against politically motivated Red Notices”, Think Tank, European

Parliament (europa.eu), 1 February 2022. See also the following reports of the Committee on Legal Affairs and Human Rights: “Interpol reform and extradition proceedings: building trust by fighting abuse”, Doc. 14997, dated 15 October 2019 (rapporteur: Mr Aleksander Pocij, Poland, EPP/CD) and “Abusive use of the

Despite INTERPOL's internal reforms, such as the appointment of a Data Protection Officer, "reports of abuse continue to be identified. According to Freedom House, "the misuse of INTERPOL is the most well-documented form of transnational repression within the international system." This represents a form of cooperation where home countries instrumentalize INTERPOL's notification mechanisms to manipulate host states.<sup>16</sup>

More recently, in March 2023, the governments of Australia, Germany, Estonia, Kosovo, Latvia, Lithuania, the Slovak Republic, and the United States signed the Joint Statement on Countering Transnational Repression. According to the statement, "transnational repression is a threat to democracy and human rights worldwide."<sup>17</sup> This non-binding declaration urges democratic governments to acknowledge and combat transnational repression.

The Australian government enacted a law in 2018 in response to issues such as foreign interference and espionage, as well as the harassment, surveillance, and intimidation of diaspora communities. This law was largely adopted in response to allegations of Chinese government interference in Australia's domestic politics. Human Rights Watch documented that the Chinese diaspora community in Australia, particularly students and academics, had been subjected to intimidation. In February 2023, the Australian Federal Police launched a new program to advise communities in Australia on what to do if they believe they are being threatened or intimidated by foreign governments. This program includes community liaisons to provide victims with information and support<sup>18</sup>.

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Interpol system: the need for more stringent legal safeguards", Doc. 14277, dated 29 March 2017 (rapporteur: Mr Bernd Fabritius, Germany, EPP/CD).

<sup>16</sup> Freedom House, Y. Gorokhovskaia and I. Linzer, "Defending Democracy in Exile: Policy Responses to Transnational Repression" (2022).

<sup>17</sup> Ibid. "Transnational repression as a growing threat to the rule of law and human rights". Article 14.

<sup>18</sup> Human Rights Watch, "We Will Find You" A Global Look at How Governments Repress Nationals Abroad, February 2024, s. 39

Governments, along with regional and international institutions, have also begun working together to protect the victims of government repression and their families. At the 2022 G7 Summit, a statement presented by 12 countries and the European Union emphasized the need to build resilience against "*malicious foreign interference and transnational repression activities*." In the same year, during negotiations for a new cooperation agreement between the European Union and INTERPOL, the European Parliament recommended that the Commission explore ways to address politically motivated Red Notices of INTERPOL, such as establishing a verification mechanism that would allow EU member states to exchange information on the identification and removal of such notices. The European Parliament also commissioned a report titled "Ensuring the Rights of EU Citizens Against Politically Motivated Red Notices."<sup>19</sup>

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<sup>19</sup> Ibid., s.40

## CHAPTER 2

### 2.1 The Use of AML/CFT Regulations as A Tool of Transnational Repression

Transnational repression tools used by repressive, authoritarian states across national borders have evolved with globalization, newly developed international standards, international cooperation organizations, and technological advancements. The misuse of counterterrorism legislation, particularly **by designating individuals and groups opposing oppressive regimes as terrorist organizations**, has become increasingly prevalent. Similarly, the use of international economic and legal instruments, such as Anti-Money Laundering (AML) and Countering the Financing of Terrorism (CFT) regulations, as tools of transnational repression is an escalating concern.

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The misuse of counterterrorism legislation by declaring individuals and groups opposing oppressive regimes as terrorist organizations, along with the use of international institutions and economic and legal instruments such as Anti-Money Laundering (AML) and Countering the Financing of Terrorism (CFT) regulations as tools of transnational repression, is becoming an increasingly widespread problem.

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AML/CFT regulations are primarily designed to prevent the misuse of the international financial system for illegal purposes, block the financing of terrorism and money laundering, and ensure the integrity of the global financial system. **However, some authoritarian regimes exploit these regulations to target dissidents abroad. Their objective is to use legal tools like AML/CFT frameworks to add political opponents to lists that primarily include individuals and entities genuinely linked to terrorism.** This results in the financial blocking of dissidents (and their families) and institutions abroad, forcing them out of the financial system, restricting their economic freedoms, weakening them financially, and making their lives and those of their families

more difficult. In this way, individuals and organizations living outside their home country are subjected to repression.

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Some authoritarian regimes exploit AML/CFT regulations to target dissidents abroad. Their objective is to use legal tools like AML/CFT frameworks to **add** political opponents to terror/sanctions lists that primarily include individuals and entities genuinely linked to terrorism, thereby subjecting dissidents (and their families) and institutions to repression abroad.

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## 2.2. Steps in the Misuse of AML/CFT Regulations by Authoritarian States

**STEP 1:** Under FATF recommendations, obligated entities operating in the financial sector (financial institutions and Designated Non-Financial Businesses and Professions – DNFBPs<sup>20</sup>) are assigned specific duties and responsibilities.

**A- Customer Due Diligence (CDD):** In accordance with FATF Recommendation 10, obligated entities are required to take reasonable steps to identify and verify their customers' identities, identify and verify the beneficial owner, and understand the purpose and intended nature of the business relationship.

**B- Enhanced Due Diligence (EDD):** In accordance with FATF Recommendations 10 and 12, institutions must apply enhanced measures for high-risk customers, such as Politically Exposed Persons (PEPs), their family members, and close

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<sup>20</sup> **Financial Institutions:** Banks, Credit Institutions, Insurance Companies, Securities Dealers, Money or Value Transfer Services (MVTs), Currency Exchange Dealers, Payment Service Providers, Investment Firms, E-Money and Virtual Asset Service Providers (VASPs).

**Designated Non-Financial Businesses and Professions (DNFBPs):** Real Estate Agents, Lawyers, Notaries and Independent Legal Professionals, Accountants, Trust and Company Service Providers (TCSPs), Dealers in Precious Metals and Stones, Casinos, and Gaming Establishments.

associates. Additional scrutiny is required for complex or high-value transactions and customers from high-risk jurisdictions.

**C- Terrorist Financing Offense:** According to FATF Recommendation 5, countries must criminalize terrorist financing based on the Terrorist Financing Convention, covering not only the financing of terrorist acts but also the funding of terrorist organizations and individual terrorists, even if there is no direct link to a specific terrorist act.

**D- Targeted Financial Sanctions:** According to FATF Recommendation 6, obligated entities must implement measures to comply with United Nations Security Council (UNSC) sanctions related to terrorism and terrorist financing.

**STEP 2:** The need for obligated entities to obtain information about their customers arises as a requirement of FATF standards.

As required by the FATF standards mentioned above (Customer Due Diligence -CDD, Enhanced Due Diligence -EDD, Know Your Customer -KYC, identification of terrorist financing offenses, and targeted financial sanctions), obligated entities such as banks, insurance companies, and asset management firms must determine whether individuals or entities seeking to establish a business relationship with them are linked to terrorist financing or money laundering offenses.

**STEP 3:** To meet the information requirements of obligated entities (such as banks), third-party companies collect data and commercially sell it to these entities.

Obligated entities, which are made responsible under FATF standards, must fulfil their duties such as Know Your Customer (KYC), Customer Due Diligence (CDD), and Enhanced Due Diligence (EDD) for every transaction they conduct. This requires them to verify the identities of individuals or entities and check whether there is any data related to terrorist financing or money laundering associated with them. **Since it is not feasible for obligated entities to conduct**

**this information-gathering process for every individual or entity themselves, third-party companies specializing in financial intelligence have emerged to provide this data.**

According to **FATF Recommendation 17**, “countries may permit financial institutions to rely on **third parties** to perform elements (a)-(c) of the CDD measures set out in Recommendation 10 or to introduce business, provided that the criteria set out below are met. Where such reliance is permitted, the ultimate responsibility for CDD measures remains with the financial institution relying on the third party.”

Third-party data provider companies (**such as ComplyAdvantage, Refinitiv (LSEG), Dow Jones, LexisNexis, and Acuris**) assist obligated entities in financial transactions by offering **sanctions screening, adverse media monitoring, identity verification, data collection, processing, classification and preparation for use** at local, regional, and global levels. These data providers collect and process information from the internet and other sources, make it usable, **create profiles on individuals and entities**, develop search platforms, and sell this information to obligated entities for a fee.

**STEP 4:** Authoritarian states inject **politically motivated, legally ungrounded, distorted, and false data** into the financial system, contaminating the international financial system.

As previously stated, there is a growing trend of authoritarianism worldwide, with an increasing number of repressive, authoritarian states. The administrations of these countries, which disregard universal legal principles, exert pressure on individuals and groups opposing their regimes using every possible tool at their disposal. They detain and imprison dissidents within their own borders. Against dissidents abroad, they employ various transnational repression methods, including kidnappings, assassinations, arrests at airports misusing the INTERPOL system, and unlawful extraditions.

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With globalization, a **new tool of transnational repression** used by repressive states is the **misuse of international standards, institutions, cooperation mechanisms** (such as AML/CFT regulations) which were originally designed to maintain global order and stability.

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Authoritarian states feed **politically motivated, legally ungrounded, and false data** into the international financial system through **two main sources**.

**First Source of Manipulated, Politically-Motivated Information:** Official sanction, terrorism, terrorist financing, and asset-freezing lists prepared and published online by authoritative public institutions in repressive authoritarian states, allegedly related to terrorist financing and money laundering.

Just like other states, repressive countries, as internationally recognized entities, have the authority and capability to prepare official sanction, terrorism, and asset-freezing lists. These states publish lists related to terrorist financing and money laundering in line with international treaties addressing global security concerns.

However, a significant issue arises: authoritarian states not only include individuals linked to universally recognized terrorist organizations such as Al-Qaeda, ISIS, and Hezbollah but also add individuals and entities affiliated with opposition groups that are designated as terrorist organizations solely by their own regimes. This politically motivated misuse distorts international counterterrorism and financial crime mechanisms.

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Repressive states do not limit their **terrorist financing lists** to individuals linked to universally recognized terrorist organizations such as **Al-Qaeda, ISIS, or Hezbollah**. Instead, they **broadly interpret the concept of “terrorism”** to include individuals and entities affiliated with opposition groups that are designated as terrorist organizations solely by their own regimes.

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As will be examined in more detail in the following sections, a notable example is Turkey under the repressive leadership of Erdoğan, which, alongside a few ISIS-related names, has added hundreds of individuals linked to the Gülen Movement—a group that international institutions, courts such as the UN, ECtHR and the EU do not recognize as a terrorist organization—to its asset-freezing lists under the fabricated designation “FETÖ” (Fetullahist Terrorist Organization). Moreover, being listed in the politically motivated and legally baseless lists of repressive authoritarian states does not necessarily require affiliation with an opposition group. A statement or action critical against an authoritarian regime may be sufficient for an individual to be included in terrorism financing or asset-freezing lists. There are striking examples of this practice.

Russia, China, Turkey, Egypt, and Tajikistan, known for their **transnational repression practices**, publish **public sanction and watch lists** containing **thousands of individuals and entities**.

**The Russian Federation’s Financial Monitoring Service (Rosfinmonitoring)** maintains searchable lists of domestic and foreign entities and individuals it claims to have information on regarding extremist and terrorist activities. These national lists include 15,232 individuals and 611 entities<sup>21</sup>.

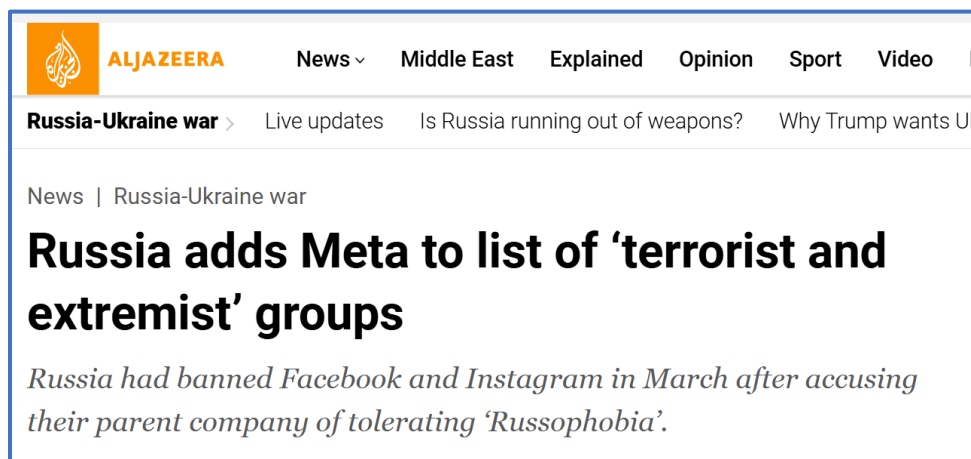
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<sup>21</sup> Rosfinmonitoring, Russian Federal Financial Monitoring Service, List of terrorists and extremists (entire list), <https://fedsfm.ru/documents/terrorists-catalog-portal-act>

- Russia designated 29 individuals<sup>22</sup>, including **Lithuanian Minister of Culture Simonas Kairys, Klaipėda Mayor Arvydas Vaitkus**, and several other Lithuanian politicians and public figures, as extremists and added them to its wanted list over the removal of Soviet monuments.

Due to their inclusion on Russia’s list, the Minister of Culture and other officials were warned to be cautious while traveling, as they could face unjust detention in another country.

- The Free Russia Foundation, headquartered in Brussels, Belgium, is listed as the top entity on Russia’s list of organizations allegedly linked to terrorism.
- Russian authorities have added **Meta, the owner of Facebook and Instagram**, to their list of terrorist and extremist organizations<sup>23</sup>.



Aljazeera News for Russia’s Listing of META to terrorist and extremist group list<sup>24</sup>

<sup>22</sup> <https://bnn-news.com/bnn-analyses-russia-searches-for-29-lithuanian-officials-who-are-advised-to-carefully-plan-their-travels-now-254247>

<sup>23</sup> <https://www.bbc.com/news/technology-63218095>

<sup>24</sup> <https://www.aljazeera.com/news/2022/10/11/russia-adds-meta-to-list-of-terrorist-and-extremist-groups>

- Additionally, allies of opposition leader Alexei Navalny, who died under suspicious circumstances in prison, and members of the Anti-Corruption Foundation living in Europe are also included on the list.<sup>25</sup>

**China**, in June 2021, enacted the Anti-Foreign Sanctions Law (AFSL), which allows the country to take countermeasures against foreign entities that impose "discriminatory and restrictive" measures on Chinese individuals or organizations.

The AFSL includes countermeasures such as visa denials, asset seizures, transaction restrictions, and other necessary actions. Additionally, foreign entities can be added to China's "**Unreliable Entity List**," restricting their ability to trade with China, make new investments, and imposing travel bans on senior executives.<sup>26</sup> China's sanction lists generally target U.S. officials<sup>27</sup>.

China has committed **serious human rights violations in the Uyghur region**, and individuals and organizations that speak out against these abuses have become **targets** of the Chinese government. In 2021, citing reasons such as "seriously harming China's sovereignty and interests" and "maliciously spreading lies and disinformation," China added the following individuals and institutions to its **sanctions list**:

- **Dutch politician** Sjoerd Wiemer Sjoerdsma
- **Belgian parliamentarian** Samuel Cogolati
- **Lithuanian MP** Dovile Sakaliene
- **Academics** Adrian Zenz (Germany) and Bjorn Jerden (Sweden)
- **Institutions**, including the Political and Security Committee of the Council of the European Union, the European Parliament's Subcommittee

<sup>25</sup> Euroactiv, 2022, <https://www.euractiv.com/section/ukraine/news/russia-adds-kremlin-critic-navalny-to-terrorists-list/>

<sup>26</sup> Global Sanctions, <https://globalsanctions.co.uk/sanctioning-state/china/>

<sup>27</sup> Xinhuanet, 2021, China announces sanctions on 28 U.S. individuals including Pompeo, [http://www.xinhuanet.com/english/2021-01/21/c\\_139684840.htm](http://www.xinhuanet.com/english/2021-01/21/c_139684840.htm)

on Human Rights, the Mercator Institute for China Studies in Germany, and the Alliance of Democracies Foundation in Denmark<sup>28</sup>.

Individuals listed on China's sanctions lists are prohibited from entering China and conducting business with the country. However, these sanctions lists are not limited to these restrictions. Those named on the lists may also be categorized as "**sanctioned individuals**" in financial intelligence databases such as ComplyAdvantage and World-Check. This profiling can have restrictive effects on these individuals and entities, potentially impacting their financial transactions and access to global financial systems.

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In 2021, China added Dutch politician Sjoerd Wiemer Sjoerdsma, Belgian parliamentarian Samuel Cogolati, Lithuanian MP Dovile Sakaliene, as well as institutions such as the Political and Security Committee of the Council of the European Union, the European Parliament's Subcommittee on Human Rights, the Mercator Institute for China Studies in Germany, and the Alliance of Democracies Foundation in Denmark to its sanctions list. The justification given was "seriously harming China's sovereignty and interests" and "maliciously spreading lies and disinformation."

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<sup>28</sup> <https://www.reuters.com/article/world/china-hits-back-at-eu-with-sanctions-on-10-people-four-entities-over-xinjiang-idUSKBN2BE1WB/>

According to the **national asset-freezing decisions list** published by the **Financial Crimes Investigation Board (MASAK)** of the **Republic of Turkey's Ministry of Treasury and Finance**, sanctions have been imposed on **1,334 individuals and entities**<sup>29</sup>.

- Many executives of international human rights organizations operating in Europe, such as Solidarity with Others, Human Rights Defenders, and the Stockholm Center for Freedom;
- **Journalist Bülent Keneş**, who resides in Sweden and became a subject of controversy due to Turkey's condition for his extradition in exchange for approving Sweden's NATO membership.
- Numerous **journalists residing in Germany, including Can Dündar, Cevheri Güven, and Sevinç Özarlan**, are listed on Turkey's sanctions lists.
- In the asset-freezing list<sup>30</sup> published by Turkey on December 24, 2021, the names of 770 individuals and 1 entity were included. Among these 770 individuals, 455 were subjected to asset-freezing measures on the grounds of their alleged ties to the Gülen Movement, which is recognized as a terrorist organization only by the Erdoğan administration, while UN and EU institutions have declared that it has no connection to terrorist activities.

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<sup>29</sup> Republic of Turkey Ministry of Treasury and Finance, Financial Crimes Investigation Board, TF Current List, [https://en.hmb.gov.tr/7madde\\_ing](https://en.hmb.gov.tr/7madde_ing) (As of August 2024)

<sup>30</sup> [https://ms.hmb.gov.tr/uploads/sites/12/2021/12/RESMI-GAZETE\\_24\\_ARALIK.pdf](https://ms.hmb.gov.tr/uploads/sites/12/2021/12/RESMI-GAZETE_24_ARALIK.pdf)

24 Aralık 2021 CUMA **Resmî Gazete** Sayı : 31699

**KARAR**

Hazine ve Maliye Bakanlığından:

**MALVARLIĞININ DONDURULMASI KARARI**

**Karar Sayısı : 2021/5**  
**Karar Tarihi : 20/12/2021**

1 – 6415 sayılı Kanunun 7 nci maddesinin 3 üncü fıkrası uyarınca, aynı Kanun'un 3 üncü ve 4 üncü maddesi kapsamında giren fiilleri gerçekleştirdikleri hususunda makul sebeplerin varlığına istinaden ekli listelerde adı geçen kişi, kuruluş veya organizasyonların Türkiye'de bulunan malvarlıklarının dondurulması kararlaştırılmıştır.

2 – Bu Karara karşı, 6415 sayılı Kanun'un 7 nci maddesinin 4 üncü fıkrası uyarınca, Ceza Muhakemesi Kanunu hükümlerine göre ilgili Ankara Ağır Ceza Mahkemesine itiraz edilebilir.

3 – Bu Karar yayımı tarihinde yürürlüğe girer.

4 – Bu Karar hükümlerini Hazine ve Maliye Bakanı yürütür.

**Süleyman SOYLU**  
İçişleri Bakanı

**Dr. Nureddin NEBATI**  
Hazine ve Maliye Bakanı

**HAKKINDA TÜRKİYE'DE BULUNAN MALVARLIĞININ DONDURULMASI KARARI ALINAN KİŞİLER**

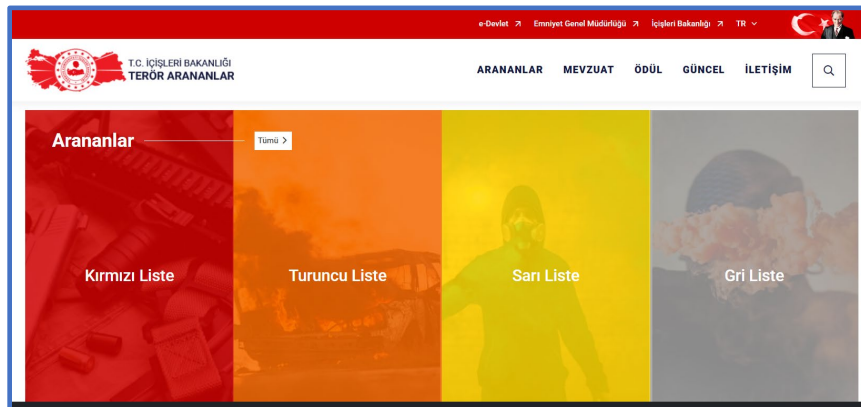
**Liste-1 (FETÖ/PDY Terör Örgütü)**

Sıra	TCKN	Mil İsmi	Akter Adı	Birlik Adı	Doğum Tarihi	Doğum Yeri	İşletti
1	13427482574	ABDULLAZİZ DİŞLİLİ AK	Arif	Hatun	18.08.1964	Kadif	FETÖ/PDY
2	14619259358	ABDULLAH KAMATAŞ	Osman	Osmun	17.03.1975	Yıldırım	FETÖ/PDY
3	13454380248	ABDULKADİR YILMAZ	Rosniye	Mulu Ali	9.01.1967	Kızılcama	FETÖ/PDY
4	23427523202	ABDULKERİM BALCI	Emine	Hilayet	15.10.1971	Deniz	FETÖ/PDY
5	41704681270	ABDULKERİM ÇOMÇE	Efif	Mahmut	26.03.1970	Ereğli	FETÖ/PDY
6	21919400739	ABDULLAH BOZKURT	Semra	Hakan	5.08.1971	Bandırma	FETÖ/PDY
7	12187115390	ABDULLAH ÇAT	Feride	Hakan	21.09.1964	Ankara	FETÖ/PDY
8	20717513762	ABDULLAH ÇÖKÇEK	Fatma	Kadir	7.03.1971	Ladiceköyü	FETÖ/PDY
9	2392599172	ABDULLAH ÖZÜK	Emre	Mevlâ	4.02.1972	Çiftlik	FETÖ/PDY
10	31990383522	ABDULLAH YETİK	Gökhan	Mehmet	16.06.1960	Çorum	FETÖ/PDY
11	1087373376	ABDURRAHMAN KARAKİS	Fatma	Hasan	17.08.1975	Bığdır	FETÖ/PDY
12	4969714434	ABDURRAHMAN KEŞKİN	Tarkan	Salimullah	13.08.1970	Bayburt	FETÖ/PDY
13	6064970624	ABDÜL KADİR AKÇAY	Efife	Duran	20.10.1973	Ereğli	FETÖ/PDY
14	2099035642	ADEM KALAC	Hanife	Kani	12.05.1964	Buca	FETÖ/PDY
15	4021190546	ADEM KUMCU	Şahin	Mehmet Zeki	15.12.1964	Gölcük	FETÖ/PDY
16	3903746656	ADEM ÖNAL	Duran	Mahir	7.07.1969	Karabük	FETÖ/PDY
17	2342690428	ADEM ÖZCAN	Meryem	Mehmet	24.05.1971	Kayseri	FETÖ/PDY
18	4442836998	ADEM YAVUZ ARSLAN	Pakiz	Mevlâ	1.01.1974	Silifli	FETÖ/PDY
19	10073021352	ADEM YAZGÖZ	Serife	Muhammed	16.07.1981	Üsküdar	FETÖ/PDY
20	49162560564	ADİL ÖKSÜZ	Zeynep	Muhammed	5.04.1967	Ankara	FETÖ/PDY
21	2372972608	ADNAN AZAK	Suzan	Bekir	3.04.1969	İstanbul	FETÖ/PDY
22	4625258128	AHMED SAİD LİNCİPİNAK	Mahmut	Colak	4.02.1974	Bayburt	FETÖ/PDY
23	3294196014	AHMET AKEN	Ahmet	Hilayet	28.03.1962	Diyadin	FETÖ/PDY
24	3895268748	AHMET BEDİR	Fatma	Mehmet	1.11.1964	İzmir	FETÖ/PDY
25	10256802944	AHMET BEYAZ	Fatma	Sani	20.10.1975	Konya	FETÖ/PDY
26	43250071838	AHMET CAN	Birgül	Drablan	27.05.1971	Kütahya	FETÖ/PDY
27	22276824272	AHMET CAĞLAYAN	Sema	Cemil	17.07.1965	İzmir	FETÖ/PDY
28	3373162184	AHMET ÇİÇEK	Fatma	Ali	22.01.1970	Karabük	FETÖ/PDY
29	12669660574	AHMET GÜZEL	Zübey	Mehmet	27.01.1977	Balı	FETÖ/PDY
30	2031796712	AHMET HANCI PAZILAK	Selma	Ali	1.05.1971	İstanbul	FETÖ/PDY
31	22252750018	AHMET HANCI YILMAZ	Serife	Ali	15.01.1970	Ladiceköyü	FETÖ/PDY
32	29035842030	AHMET HÜSEYİN TONGUC	Ülkür	Fevzi	21.05.1969	İzmir	FETÖ/PDY
33	1490975116	AHMET KARAMAN	Sultan	Seyit	30.08.1981	Ankara	FETÖ/PDY
34	14835110850	AHMET KORKMAKÇI	Araç	Burhan	1.01.1973	Erzurum	FETÖ/PDY

Within the scope of Law No. 6415 on Prevention of Financing of Terrorism, the asset freezing decision issued by Türkiye on 24.12.2021 and a section from the list of names for the Gülen Movement, which is considered a terrorist organization only by Türkiye

- In the asset-freezing list published by Turkey on December 24, 2021, names such as Y.K. and N.A., who are among the executives of the Solidarity with Others association operating in the field of human rights in Belgium, are also included. In the World-Check database, the profiles created for Y.K. and N.A. include a link to this asset-freezing list published by the Turkish state, and the inclusion of these individuals in Turkey's asset-freezing list has been cited in their profile information as the reason for categorizing them as high-risk.
- **The arbitrary misuse of counterterrorism laws** by the repressive Turkish government to add individuals to "asset-freezing" lists under terrorism charges has been widely criticized at the international level. Statements have emphasized that the Turkish government's purpose in adding these individuals and entities to the list is not to combat terrorist financing but rather to abuse the Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) system to exert pressure, marginalize, and obstruct them within the global financial system.

- For example, the Parliamentary Assembly of the Council of Europe (PACE) has explicitly condemned the misuse of counterterrorism financing measures to unjustly target individuals abroad, including those allegedly linked to the Gülen movement<sup>31</sup>.
- The Turkish Ministry of Interior announces that **2,566 individuals** are wanted for terrorism-related activities<sup>32</sup>. The ministry publishes the names of individuals it claims to be linked to terrorist organizations on the website <https://www.terorarananlar.pol.tr/> and states that rewards of varying amounts will be given to those who assist in capturing individuals listed<sup>33</sup>.



The Turkish Ministry of Interior categorizes individuals allegedly linked to terrorist organizations into **Red, Orange, Yellow, and Grey lists** and announces rewards for their capture on the website <https://www.terorarananlar.pol.tr/>.

- The United Nations Human Rights Council has criticized Turkey's "**terrorism wanted lists**" for unjustly targeting individuals and contributing to a "**bounty hunter economy**" in some cases. According to a UN report, the names of targeted individuals are published on the

<sup>31</sup>The Parliamentary Assembly of the Council of Europe, 2023, Resolution 2509 (2023): "Transnational repression as a growing threat to the rule of law and human rights," para. 6, available at: <https://pace.coe.int/en/files/32999/html>

<sup>32</sup> Republic of Turkey Ministry of Interior Wanted Terrorists List, <https://www.terorarananlar.pol.tr/> (As of August 2024)

<sup>33</sup> <https://www.terorarananlar.pol.tr/tarananlar>

monitoring list operated by the Turkish Ministry of Interior on the website <https://www.terorarananlar.pol.tr/>. This list is primarily used to target dissidents abroad rather than serving as a response to a genuine terrorist threat and has been explicitly condemned by the United Nations<sup>34</sup>.

- The UN has criticized Turkey's procedures for adding individuals or organizations to terrorism watch lists, stating that human rights defenders, political opponents, lawyers, and activists have been included without reasonable justification. The UN also noted that fundamental legal safeguards such as notification, the right to defense, appeal mechanisms, and judicial review are absent from this process. The UN emphasized that this practice contributes to a "**bounty hunter economy**" targeting human rights defenders both in Turkey and abroad<sup>35</sup>.

The 'list of terrorist groups and individuals' published by **Egypt's Anti-Money Laundering and Counter-Terrorism Financing Unit** includes 4,290 individuals and 8 organizations<sup>36</sup>

- In 2023, Egypt added 1,526 Egyptians, including political activists and human rights defenders, to its lists for a period of five years<sup>37</sup>.

**The National Bank of the Republic of Tajikistan** publishes<sup>38</sup> a list of individuals and entities designated as linked to terrorism at the national level. The lists

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<sup>34</sup> <https://documents.un.org/doc/undoc/gen/g24/131/98/pdf/g2413198.pdf>

<sup>35</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29351>

<sup>36</sup> Egypt's Anti-Money Laundering and Countering the Financing of Terrorism Unit, Lists of terrorist entities and domestic terrorists pursuant to UNSCR 1373, <https://mlcu.org/ar/3125/> (According to the August 4, 2024 update)

<sup>37</sup> Egyptian Initiative for Personal Rights, 2023, <https://eipr.org/en/press/2023/05/egypt-1526-citizens-terrorism-lists-additional-five-years-further-evidences-justice>

<sup>38</sup> Central Bank of the Republic of Tajikistan, [https://nbt.tj/en/financial\\_monitoring/perechni.php](https://nbt.tj/en/financial_monitoring/perechni.php), (As of August 2024)

include 38 organizations labeled as extremist or terrorist and 2,547<sup>39</sup> individuals.

- Among the extremist organizations listed is the opposition news website Pamir Daily News<sup>40</sup>.
- Members of Group24, a political opposition movement accused of extremism by the Tajik government, face transnational repression in Europe<sup>41</sup>.

**Second Source of Manipulated, Politically-Motivated Information:** Adverse media content, news, articles, and media content published about individuals and institutions by media organizations, newspapers, and social media accounts in oppressive, authoritarian countries.

The second source of politically motivated, legally ungrounded, and false data contaminating the international financial system is adverse media content produced by media outlets in authoritarian countries and published online about individuals and organizations. It is known that the databases of data providers accessed by obligated entities are not limited to officially listed individuals and entities. Even if they are not included in official lists, many individuals and organizations have profiles created about them based on adverse media content related to allegations of terrorism or terrorist financing.

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While the first source of politically motivated, legally ungrounded, and false data contaminating the international financial system is the official terrorism and sanctions lists prepared by repressive states, the second source is adverse

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<sup>39</sup> The list of terrorist individuals of the Central Bank of the Republic of Tajikistan is not available as of August 2024 and the number is retrieved from the website Asiaplustj.info.

<https://asiaplustj.info/ru/news/tajikistan/security/20240414/opasnii-kontent-o-zapretshennih-v-tadzhikistane-organizatsiyah>

<sup>40</sup> CPJ, 2023, <https://cpj.org/2023/07/tajikistan-bans-pamir-daily-news-as-extremist-organization/>

<sup>41</sup> HRW, 2023, <https://www.hrw.org/news/2024/04/16/tajikistan-eu-states-turkiye-should-not-return-dissidents>

media content produced by media outlets in authoritarian countries and published online about opposition individuals and organizations.

Acuris has announced that it scans global sanctions, politically exposed persons (PEPs) lists, local sanctions lists of various countries, and adverse media content worldwide and includes this information in its KYC6 database (formerly known as Acuris Risk Intelligence)<sup>42</sup>.

Acuris Risk Intelligence is now **KYC6**

### Data Offerings

#### Unmatched Compliance, Global Coverage

Effortlessly monitor global sanctions, PEPs, watchlists, and adverse media with advanced, evidence-based search and monitoring tools. Designed for compliance professionals, our solution ensures accurate, timely risk identification across 230+ jurisdictions, empowering efficient and effective risk management.

Read more

John Doe  
#356552

PEP
SAN

Profile Details
Associations
PEP Positions
Sanctions
Evidence
Collapse All Details

**Current Sanctions (1)**

OFAC - Russian Harmful Foreign Activities Sanctions  
Office of Foreign Assets Control (OFAC) - 35096 - United States

2 Sanction Types ^	24322945	
Non-Proliferation		
Territorial Violation	Captured	2024-07-03
1 Sanction Measure ^	Published	2024-07-03
Asset Freeze	Title	24322945
	Source	<a href="https://ofac.treasury.gov/recent-actions/20240703">https://ofac.treasury.gov/recent-actions/20240703</a>
2 Events ^	Datasets	<span style="background-color: #00aaff; color: white; padding: 2px 5px; border-radius: 3px;">SAN</span>
Amended		
2024-07-03		
1 Evidence ^	High Credibility Score	The information was published by an official government or institutional source

Another financial intelligence company, LexisNexis, has also announced that similar content is scanned and included in its WorldCompliance Data database. The WorldCompliance database contains various entries, including adverse media content<sup>43</sup>.

<sup>42</sup> <https://ionanalytics.com/kyc6/>

<sup>43</sup> <https://risk.lexisnexis.com/global/en/anti-money-laundering>

The screenshot shows the LexisNexis Risk Solutions website. The header includes the logo and navigation links: Solutions, Industries, Products, Insights and Resources, About Us, and Contact. The breadcrumb trail reads: Home > Our Products > WorldCompliance™ Data. The main heading is "WorldCompliance™ Data" with a red "Contact Us" button. Below this, a sub-heading reads: "Fortify screening with authoritative sanctions data and expertise." The main text states: "WorldCompliance™ Data delivers industry-recognized, robust compliance data and sanctions expertise to help your business efficiently screen transactions and mitigate costly risk." To the right, under "More Information", there is a link: ">> WorldCompliance™ Data Brochure".

The screenshot shows a grid of four service categories on the LexisNexis Risk Solutions website. Each category has an icon and a brief description:

- Identity Verification**: Quickly verify consumer or business information with succinct, multi-source identity insight to drive smarter decisions and keep customer acquisition in focus.
- Sanctions, PEPs and Enforcements Data**: Fortify risk-based sanctions screening by seamlessly connecting to a comprehensive database of sanctions, enforcements and global PEP lists that covers more than 50 risk categories.
- Account and Payment Screening**: Simplify screening with integrated anti-money laundering technology that provides a complete view of the relationship risk and opportunity throughout the customer lifecycle.
- Adverse Media**: Monitor relevant risk events that could impact your business with visibility into global adverse media profiles from over 35,000 leading worldwide sources.

The financial data firm ComplyAdvantage has also announced that, in addition to sanctions and watch lists, adverse media content is scanned and provided to its clients<sup>44</sup>.

<sup>44</sup> <https://complyadvantage.com/insights/holvi-case-study/>

**COMPLY ADVANTAGE** Solutions ^ Industries v Insights v Company v

<p><b>Customer Screening</b> Streamline onboarding with advanced AI to swiftly detect and assess risk from individual clients.</p> <p><b>Company Screening</b> Enhance your risk management by quickly evaluating the risk profiles of company entities.</p> <p><b>Ongoing Monitoring</b> Continuously track changes to customers and companies to</p>	<p><b>Transaction Monitoring</b> Monitor transactions for AML risk using rules &amp; ML algorithms, ID clustering &amp; graph analysis.</p> <p><b>Payment Screening</b> Boost sanctions compliance, reduce false positives and improve efficiency.</p> <p><b>Fraud Detection</b> Monitor transactions &amp; events in real-time for fraud using out-</p>
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intelligence with extensive coverage.

**Sanctions & Watchlists**

PEPs & RCAs

**Adverse Media**

Another data provider company, **Castellum.AI**, also offers similar content-based products<sup>45</sup>.

[Solutions](#)
[Developers](#)
[Resources](#)
[Pricing](#)
[Company](#)

Get An Enterprise Demo

	<p><b>AML Compliance</b></p> <ul style="list-style-type: none"> <li>Sanctions &amp; PEPs</li> <li>Sanctioned Beneficial Ownership</li> <li>Adverse Media</li> <li>Shelf Companies</li> </ul>	<p><b>By Process</b></p> <ul style="list-style-type: none"> <li>KYC Onboarding</li> <li>KYB Onboarding</li> <li>Transaction Screening</li> <li>Real-Time Monitoring</li> <li>Automated Alert Adjudication</li> <li>Sanctions Penetration Testing</li> <li>Investigations &amp; Due Diligence</li> <li>Lookbacks</li> </ul>	<p><b>By Industry</b></p> <ul style="list-style-type: none"> <li>Banking</li> <li>Fintechs</li> <li>Supply Chain</li> <li>Crypto Compliance</li> <li>Partners and Integrators</li> </ul>
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<sup>45</sup> <https://www.castellum.ai/>

Dow Jones compiles sanctions lists in its Dow Jones Risk & Compliance database, while adverse media content is provided through its Factiva database<sup>46</sup>.

The screenshot shows a webpage titled "What's Included in Dow Jones Risk & Compliance's Standard Watchlist". The page lists several categories of sanctions coverage:

- Global sanctions lists:** Lists of persons and entities subject to comprehensive or targeted restrictive measures under international and domestic sanctions regimes.
- Vessels:** Access information on vessels that are explicitly sanctioned, vessels listed on the U.S. Department of the Treasury's Office of Foreign Assets Control's (OFAC) advisories and ships that are not sanctioned but are linked to one of the following comprehensively sanctioned countries: Cuba, Iran, North Korea and/or Syria.
- Cities & ports:** Incorporate structured reference data for regions, sub-regions, cities, seaports, airports and free trade zones in sanctioned countries and regions. Coverage includes variations of the place names in English, Chinese, French, German, Spanish, Japanese and the official language of the country.
- Sanctions control & ownership:** Understand what subjects are owned or controlled by a sanctioned entity or individual. Our specialist research team has identified more than 49,000 companies owned or controlled by individuals, entities or regions sanctioned by OFAC, the EU, the UK, and seven other jurisdictions, including new levels of ownership for sanction-owned entities.
- Other specialist lists:** View profiles of individuals on global law enforcement lists persons and entities barred from engaging in certain activities (e.g. import, export, travel). Subjects on these lists are associated with potentially high-risk activities, such as serious crime and financial or professional enforcement actions or warnings.

<https://www.dowjones.com/professional/risk/sanctions-compliance/>

The screenshot shows a webpage for "Factiva - Global News Monitoring, Business Intelligence Platform". The page includes a navigation bar with "DOW JONES" and "FACTIVA" logos, and a search bar. The main content area features the text:

**Factiva - Global News Monitoring, Business Intelligence Platform**

Identify opportunities, accelerate decisions and manage reputation with trusted business intelligence.

Buttons for "CONTACT US" and "LOG IN" are visible.

There is also a promotional graphic for "Introducing Factiva Smart Summary" with the text: "Fill out the form below to schedule a personalized demo."

<sup>46</sup> <https://www.dowjones.com/professional/factiva/>

Similarly, Refinitiv (formerly LSEG), the owner of the World-Check database, has listed global sanctions lists, regulatory and law enforcement lists, as well as negative media content (adverse media content) among its data sources<sup>47</sup>.

Simplify your customer and third-party screening process through state-of-the-art technology combined with human expertise. The World-Check data is fully structured, aggregated, and de-duplicated. It can be easily absorbed into various workflow screening platforms in-house, cloud-based, or third-party solutions through a delivery method that suits your requirements.

Coverage includes:

- Politically exposed persons (PEP), close associates, and family members
- State owned entities and state invested enterprises
- Global sanctions lists
- Narrative and implicit sanctions
- Global regulatory and law enforcement lists
- Adverse media
- Iran economic interest (IEI)
- UBO
- Sanctioned securities
- Vessels information

Additional specific data sets available include:

- Marijuana related business
- Sanction Sets for payment screening

The number of names appearing in official sanction, watch, and asset-freezing lists published by public institutions in authoritarian countries is vastly exceeded by those mentioned in content produced by regime-aligned media outlets in these countries. For example, according to statistics from the **Turkish Ministry of Justice, between 2015 and 2022, more than two million people in Turkey were investigated for terrorism-related offenses, six hundred thousand people were prosecuted, and more than three hundred thousand were convicted.**

News reports covering these investigations and prosecutions, including the names of individuals, are published in the Turkish press. These reports are

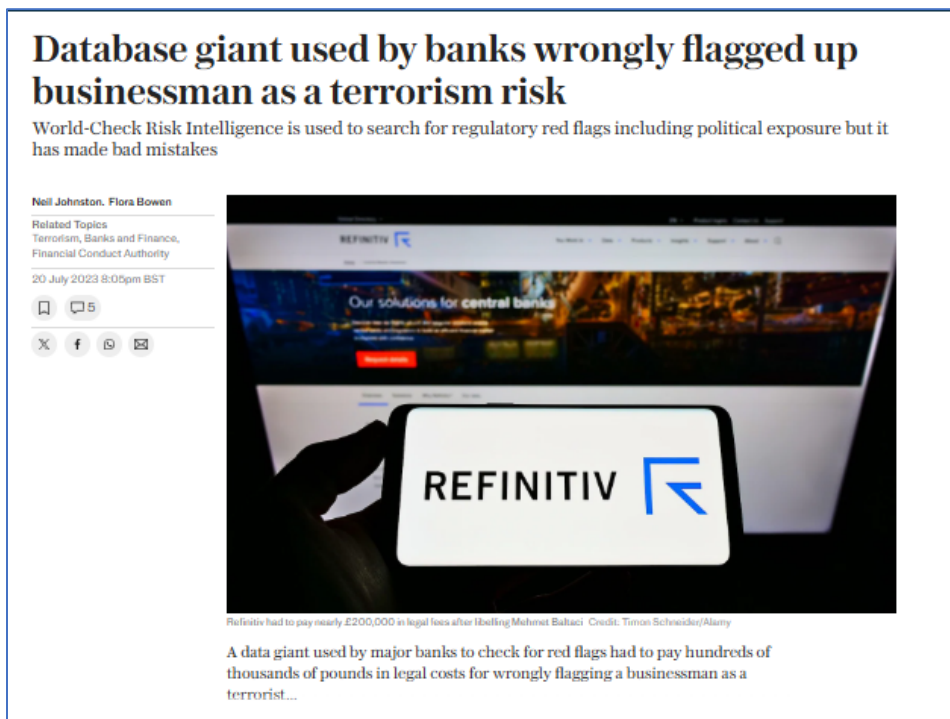
<sup>47</sup><https://www.lseg.com/en/risk-intelligence/search/world-check-kyc-screening>

then collected, processed, and marketed by data providers. Therefore, the actual number of individuals affected in Turkey is known to be significantly higher than the approximately four thousand names included in official lists.

For example, numerous reports have appeared in media outlets close to the government about a Turkish businessman living abroad whose name does not appear on the official sanctions, monitoring, wanted, or asset freeze lists published by Turkish authorities, due to his alleged ties to the Gülen Movement, which the Erdoğan regime considers a terrorist organization. One news report stated that *“a prison sentence of 7.5 to 15 years was sought for the former Chairman of the Board of Directors of ... Holding, who fled to Canada in 2014, on charges of ‘membership in an armed terrorist organization.”*

Although his name does not appear on the lists of public institutions, due to negative media coverage about him, a Turkish businessman profiled as “terror-related” in Refinitiv’s World -Check database as “terrorism-related.” Refinitiv was ordered to pay £200,000 in damages for wrongfully labeling a businessman as a “terrorist.”

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*Telegraph UK news<sup>49</sup>*

Another striking example of how negative media content about individuals contaminates the financial system is the case of S.T., a former executive of the Solidarity with Others association. S.T. is a human rights activist and educator based in Belgium.

As previously mentioned, although members of the Gülen Movement have no connection to terrorist activities, the Erdoğan administration in Turkey designates them as "members of a terrorist organization" solely due to their opposition to the regime. Due to S.T.'s affiliation with the Gülen Movement, the Ankara Chief Public Prosecutor's Office issued an "arrest warrant in absentia" against him on December 17, 2015. This arrest warrant was reported at the time by a local news website, Antalya Express<sup>50</sup>, which operates in Turkey's Antalya province. The news article stated that S.T., who had been living in Belgium for

<sup>49</sup> <https://www.telegraph.co.uk/news/2023/07/20/data-giant-refinitiv-wrongly-labelled-businessman-terrorist/>

<sup>50</sup> <https://www.antalyaekspres.com.tr/>

years, was among those for whom an arrest warrant had been issued. The content and link to this news article were later removed from the website<sup>51</sup>.

Due to this news report by the local news website Antalya Ekspres, which operates in Turkey's Antalya province, human rights activist S.T., who resides in Belgium, was added to the "TERRORISM" category in the World-Check financial intelligence database owned by Refinitiv on January 11, 2016, despite having no connection to terrorism.

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Due to a news report by the local news website Antalya Ekspres, which operates in Turkey's Antalya province, human rights activist S.T. who resides in Belgium, was added to the "TERRORISM" category in the World-Check financial intelligence database owned by Refinitiv on January 11, 2016, despite having no connection to terrorism.

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Due to a local newspaper report published online, S.T., who resides in Belgium, was labelled as a *terrorist* in the eyes of banks and financial institutions within the system developed for compliance with FATF standards. As a result of this report and its severe consequences, S.T.'s bank accounts were closed, he was excluded from the financial system, and both he and his family were subjected to numerous serious human rights violations. The case of S.T. will be examined in more detail in the following sections as an example of how FATF standards are exploited by authoritarian states.

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<sup>51</sup> <http://www.antalyaekspres.com.tr/haber/tutuklama-karari-cikti-/1728>

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<b>TERRORISM</b>
~ Ankara, Ankara ~ TURKEY
TURKEY
M
FETULLAHCI TEROR ORGUTU/PARALEL DEVLET YAPILANMASI
[BIOGRAPHY] Alleged associate (General) of Fetullahci Teror Orgutu/Paralel Devlet Yapilanmasi (FETO/PDY). [IDENTIFICATION] To be determined. [FUNDING] To be determined. [REPORTS] Dec 2015 - warrant of arrest issued by Ankara Chief Public Prosecutor in rela to FETO/PDY investigation.
<a href="http://www.antaeyakspres.com.tr/haber/tutuklama-karari-cikti-/1728">http://www.antaeyakspres.com.tr/haber/tutuklama-karari-cikti-/1728</a> <a href="http://www.yurthaber.com/gundem/fethullah-gulen-ve-61-hakkinda-tutuklama-karari-verildi-pek-fethullah-gulen-turkiyeye-getirelecek-mi-h3124.html">http://www.yurthaber.com/gundem/fethullah-gulen-ve-61-hakkinda-tutuklama-karari-verildi-pek-fethullah-gulen-turkiyeye-getirelecek-mi-h3124.html</a>
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**STEP 5:** Third-party data provider companies commercially scan public institutions' lists and adverse media content, create databases, and sell these databases to obligated entities.

To fulfil their obligations under FATF standards, such as KYC, CDD and EDD, banks require information about individuals with whom they intend to establish customer relationships. As briefly mentioned above, this information is provided by data providers such as Dow Jones, Reuters, LexisNexis, Acuris, and Refinitiv, which are considered "third-party" firms under AML/CFT regulations.

Since data provider companies operate for commercial purposes, they strive to create the largest and most comprehensive databases containing as many names as possible. To build these databases, they use advanced technologies such as artificial intelligence (AI). These companies, using AI and other technologies, collect not only names from government-published lists available online but also all types of positive and negative media content without any oversight or restrictions. They create profiles for any individuals whose names match their internal risk criteria, regardless of whether they appear on official lists.


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Data provider companies operate for commercial purposes and therefore strive to create the largest and most comprehensive databases containing as many names as possible. To build these databases, they use advanced technologies such as artificial intelligence. Using AI and similar technologies, data providers collect not only names from government-published lists available online but also all types of positive and negative media content without any restrictions.

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Globally renowned data provider companies, including Acuris KYC6 (formerly Acuris Risk Intelligence), LexisNexis WorldCompliance Data, Dow Jones Risk & Compliance and Factiva, and Refinitiv (formerly LSEG), have developed the

well-known World-Check database by scanning the internet for financial intelligence purposes. In the World-Check database, profiles have been created for individuals and entities based on the collected data. Refinitiv sells access to this database to banks, insurance companies, and other obligated entities for a fee. Other firms follow a similar approach, collecting data and commercially utilizing it.



**Uncover risk; take action**

LSEG World-Check is a risk intelligence database which helps organisations across the world to meet their regulatory obligations and make informed decisions. It also helps them avoid inadvertently being used to launder the proceeds of financial crime or unwittingly implicated in corrupt business practices.

**Global due diligence screening**

As regulatory demands increase and new laws are introduced, organisations face the burden of assessing, monitoring and disclosing risk – all while having to remain competitive.

Since its inception, World-Check has served the Know Your Customer (KYC) and third-party risk screening needs of the world's largest banks and financial institutions, corporates, law enforcement bodies and government and intelligence agencies. World-Check simplifies day-to-day customer onboarding and monitoring decisions by giving you the tools you need to fulfill your due diligence obligations. These include meeting your requirements under KYC, anti-money laundering (AML) and counterterrorist financing legislation plus anti-bribery and corruption customer and counterparty due diligence and screening. In addition, World-Check better enables you to:

- Understand who your customers are
- Understand the nature of hidden threats
- Reveal links between individuals and entities
- Highlight cases that require further scrutiny

*Refinitiv (formerly LSEG) published World-Check database brochure, page 2.*<sup>52</sup>

In the promotional brochure for the World-Check financial intelligence database provided by Refinitiv, it is stated that World-Check is a risk intelligence database developed in response to regulatory requirements and new laws mandating institutions to monitor and assess risks. The brochure also

<sup>52</sup>[https://www.lseg.com/content/dam/risk-intelligence/en\\_us/documents/brochures/world-check-risk-intelligence-brochure.pdf](https://www.lseg.com/content/dam/risk-intelligence/en_us/documents/brochures/world-check-risk-intelligence-brochure.pdf)

highlights that World-Check is used by the world's largest banks and financial institutions, corporations, law enforcement agencies, government bodies, and intelligence units. Additionally, the brochure specifies that the sources of the World-Check database include adverse media content available online, sanctions list, and lists related to AML and CFT regulations.

## A groundbreaking solution that defines the future

### A pioneer in the screening business

Developed to meet the Swiss banking community's KYC requirements, World-Check pioneered the provision of open-source intelligence for customer database entity screening. World-Check is a leading supplier of data for politically exposed person (PEP) monitoring, AML screening and financial crime control. Through its extensive negative media research, it acts as an early warning system for hidden risk.

- Sanctions screening
- PEP monitoring
- AML
- Countering the financing of terrorism
- Anti-bribery and corruption
- Organised crime
- Third-party risk

Refinitiv (formerly LSEG) published World-Check database promotional brochure, page.4 <sup>53</sup>

According to Refinitiv, the purpose of World-Check is to enable institutions to assess relevant publicly available information that they are required to consider in compliance with anti-money laundering and "Know Your Customer" (KYC) obligations. Refinitiv claims to report this information in a neutral and objective manner, providing its subscribers with access to the sources of the information. **In this process, the company states that World-Check does not attempt to assess the legitimacy of a sovereign country's actions.** For example, World-Check includes both U.S. sanctions on Iranian citizens and

<sup>53</sup>[https://www.lseg.com/content/dam/risk-intelligence/en\\_us/documents/brochures/world-check-risk-intelligence-brochure.pdf](https://www.lseg.com/content/dam/risk-intelligence/en_us/documents/brochures/world-check-risk-intelligence-brochure.pdf)

Iranian sanctions on U.S. citizens. Similarly, a conviction in China is included in World-Check and made available to subscribers, **even if it is alleged to be unfair or politically motivated**. The reason for this, according to the company, is that the compliance function of the international financial system critically depends on having access to both sanctions and convictions when conducting risk assessments and making decisions. However, how subscribers interpret or prioritize such information is a separate matter. In this regard, World-Check does not consider itself legally responsible. Data provider companies use advanced technological tools such as artificial intelligence to scan the internet for:

1. Terror lists and lists of individuals wanted for terrorism from all countries.
2. Financial sanctions lists and asset freeze lists published by government institutions worldwide.
3. Any positive or negative content about individuals, institutions available online.

In the data collection process, where there is no human intervention and artificial intelligence and advanced data-gathering technologies are used, names enter the databases of data provider companies (e.g., WorldCompliance, World-Check) in various ways:

1. On one hand, names associated with Al-Qaeda or ISIS based on UN Security Council sanction decisions are added.
2. On the other hand, as in the case of Russia, names of Lithuanian ministers and public officials involved in or planning acts such as toppling statues against the Russian regime are included.
3. Additionally, the name of a reputable businessman living abroad appears in the database due to news alleging his ties to terrorism.

4. Furthermore, the names of journalists like Bülent Keneş and Can Dündar, who reside abroad and have not engaged in any violent acts but have been critical of Erdoğan's oppressive regime in Turkey, are also included.

The loopholes that enable the misuse of AML/CFT regulations by repressive, authoritarian states occur at this stage. Therefore, the step where data provider companies collect data for obliged entities and commercially sell this data is both the root of the problem and the focal point for resolution efforts. The following issues have been identified regarding the data collection process of data providers:

1. Data provider companies, when collecting data, include not only terrorism lists prepared in accordance with UN Security Council resolutions and EU decisions, as well as those from countries that strive to adhere to universal human rights principles such as Belgium, the Netherlands, Canada, and Japan, but also lists from repressive, authoritarian states like China, Russia, and Turkey, which do not prioritize compliance with universal legal standards.
2. Repressive states such as China, Russia, and Turkey, when compiling their terrorism lists, include individuals associated with terrorist organizations recognized as such by the UN and the EU (e.g., Al-Qaeda, ISIS) while also adding individuals linked to opposition groups that they unilaterally designate as terrorist organizations. For example, Turkey's asset freeze list published on December 24, 2021<sup>54</sup>, contained names associated with globally recognized terrorist organizations such as Al-Qaeda, ISIS, and Hezbollah, alongside 455 individuals affiliated with the Gülen movement, which is merely an opposition group to Erdoğan's regime. Among them, **journalists Sevgi Akarçeşme and Sevinç**

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<sup>54</sup> [https://ms.hmb.gov.tr/uploads/sites/12/2021/12/RESMI-GAZETE\\_24\\_ARALIK.pdf?csrt=13076310225167126729](https://ms.hmb.gov.tr/uploads/sites/12/2021/12/RESMI-GAZETE_24_ARALIK.pdf?csrt=13076310225167126729)

**Özarslan**, who had to leave Turkey due to the regime’s unlawful repression, were labeled as “terrorists” and included in the asset freeze list solely for publishing critical reports against Erdoğan’s government.

Liste-3 (Dini İstisnar Eden Terör Örgütleri)							
Sıra	TCKN/KNK/Prizipet No	Ad-Soyad	Annesi Adı	Babası Adı	Doğum Tarihi	Doğum Yeri	Örgüt
1	3611028380	EDİP GEMÜŞ	Gire	Hasan	01.02.1958	Akca	HİZÜLLAH
2	59686501066	İSA ALTOY	Ayşe	Mehmet	01.01.1961	Beşiktaş	HİZÜLLAH
3	17797862940	ZEKİ SAVAS	Telli	Zülâf	01.01.1964	Beşiktaş	HİZÜLLAH
4	24418652620	NECMETTİN SANLI	Hediye	Mehmet Tevfik	13.01.1969	Ergani	HİZÜLLAH
5	40876093096	ŞENER DÖNÜK	Anaete	Sütlü	10.09.1978	Sivas	HİZÜLLAH
6	1348702200	HASHİM ALARABİK	Rahmete	Mehmet Arif	15.08.1976	Diyarbakır	HİZÜLLAH
7	2348006018	HACI YUSUF KIZILBAY	Zerife	Hikmet	26.07.1993	Adıyaman	DEAS
8	10231512432	KASIM DERE	Zeynep	Abuzer	18.04.1984	Samsat	DEAS
9	22633086268	MAHMUT GAZİ DÖNDAR	Atiye	Mehmet	01.07.1993	Adıyaman	DEAS
10	22636086104	ÖMER DENİZ DÖNDAR	Atiye	Mehmet	01.07.1993	Adıyaman	DEAS
11	1679279266	MEHMET İŞİK	Şerhan	Süleyman	01.01.1996	Adıyaman	DEAS
12	15891318864	MEHMET TAŞAR	Gülferi	Erkan	10.05.1994	Adıyaman	DEAS
13	24772018988	MUHAMMET ZANA ALKAN	Hacer	Abuzer	15.04.1993	Adıyaman	DEAS
14	12229432814	ERSEL OCAK	Zeynep	Mehmet	19.09.1994	Adıyaman	DEAS
15	12403427070	MAHMUT GAZİ TATAR	Yıldız	Abdullah	13.02.1991	Adıyaman	DEAS
16	23593053628	RECEP YAMAN	Eliif	Abuzer	24.04.1984	Adıyaman	DEAS
17	10193514488	KADİR GÖZKARA	Zehra	Hasan	03.04.1992	Adıyaman	DEAS
18	28521659426	METİN ÇEVİK	Nigar	Saban	09.01.1986	Gaziantep	DEAS
19	3086649380	MUSTAFA SERKAN ÜNAL	Ehvan	Ramazan	05.04.1989	Karayazı	DEAS
20	2596764836	HASAN HÜSEYİN UĞUR	Melik	Hüseyin	04.01.1985	Gaziantep	DEAS
21	34540483214	AHMET GÖNEŞ	Sabiha	Cemil	02.09.1987	Gaziantep	DEAS
22	45169719138	SADETTİN AKDAŞ	Cemile	Abdulaziz	22.08.1983	Sivas	EL KADİR
23	50191180678	EMİN EKİCİ	Kudret	Sükran	08.09.1970	Tarsum	HİZÜLLAH
24	32579181792	MUZAFFER DALMAZ	Ayten	Muazela	28.04.1968	Derecik	İBÖCİ isimli bankalar tarafından (Tehdit Solun) Kadıköy
25	64324209112	ÖĞÜZ DEMİR	Pınar	Adem	07.01.1971	Ankara	

388	24469132652	SERDAR ERGÜL	Rukiye	Kemal	31.01.1974	Aydın	FETÖ/PDY
389	54256315708	SERKAN ALPERTONGA	Emine	Şahin	2.03.1975	Malatya	FETÖ/PDY
390	14233148804	SERKAN BUDAK	Mejrem	Salim	9.11.1980	Ankara	FETÖ/PDY
391	13820550846	SERKAN ÇAĞLAR	Ayşe Meral	İsmail	22.06.1975	Pınarbaşı	FETÖ/PDY
392	12857721700	SERKAN ERGÜL	Esmâ	Fikret	19.02.1980	Salihli	FETÖ/PDY
393	18500284974	SEVGI AKARÇEŞME	Mühîbe	Hasan	11.01.1979	Şişli	FETÖ/PDY
394	18175461014	SEVİNÇ ÖZARSLAN	Fatma	Taner	26.05.1976	Hopa	FETÖ/PDY
395	15869446240	SEYFETTİN MERMERCİ	Şerife	Hüseyin	22.05.1973	Afındalık	FETÖ/PDY
396	18392394942	SEYİT ATAY	Fevziye	Anila	8.05.1968	Kayseri	FETÖ/PDY
397	31738376570	SITKI BAŞ	Ayşe	Osman	1.03.1972	Çivril	FETÖ/PDY
398	16015959950	SONER ÖNER	Münevver	Mehmet	11.04.1976	Keleşan	FETÖ/PDY
399	38831183814	SUAT KALDIRIM	Sultan	Halit	2.12.1970	Bayburt	FETÖ/PDY
400	12172904376	SUNAY ELMAS	Nesibe	Ramis	8.01.1971	Haskova	FETÖ/PDY
401	21866548246	SÜLEYMAN BAĞ	Ayşe	Mahmut Ali	8.05.1968	Korgan	FETÖ/PDY
402	11795845370	SÜLEYMAN BAĞÇECİ	Dilber	Mehmet	11.07.1970	Ula	FETÖ/PDY
403	24145223452	SÜLEYMAN GÜLEZ	Dürlane	Mustafa	20.02.1964	Çalkırca	FETÖ/PDY
404	1327710930	SÜLEYMAN KOÇABIYIK	Ayşe	Ahmet	5.11.1979	Sarıgöl	FETÖ/PDY
405	50341642858	SÜLEYMAN ÖZEREN	Muradiye	Nurettin	12.06.1974	Ladik	FETÖ/PDY
406	31441747360	SÜLEYMAN ÖZKAYNAKCI	Leyla	Yasir	1.10.1982	Sivas	FETÖ/PDY
407	51883203156	SÜLEYMAN SARGIN	Habibe	Süleyman	2.12.1974	Kemalpaşa	FETÖ/PDY

A section from the asset freeze list of 770 individuals published by Turkey on 24.12.2021 including journalists Sevgi Akarçeşme and Sevinç Özarslan

- Another issue in the data collection processes of financial intelligence data providers is that **they not only collect terrorism financing and terrorism-related lists prepared by public authorities but also gather adverse media content about individuals/institutions** from every country and use it in profiling processes. As stated above, lists prepared by public authorities can be politically motivated, distorted, and detached from universal legal principles, leading to misleading inputs in the financial system. The number of individuals unjustly listed by public authorities is significantly lower compared to those labelled as involved in terrorism financing or linked to terrorism due to negative media content. In authoritarian countries like China, Russia, and Turkey, media institutions controlled by repressive regimes produce millions of articles and reports, creating negative media content falsely associating individuals with terrorism. Data provider companies not only add

individuals from state-prepared lists to their databases without distinction but also use artificial intelligence programs to indiscriminately include millions of names associated with negative media content related to "terrorism" and "terrorism financing."

**STEP 6:** The purchase and use of databases created by third-party data provider companies by obliged entities to fulfill their obligations under FATF standards.

Data provider companies collect information from the internet to create profiles on millions of individuals, convert these profiles into searchable databases, and commercially sell them. Obligated entities such as banks and insurance companies that purchase these databases conduct searches whenever needed to determine whether there are any records on individuals or institutions in the databases.

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Obligated entities such as banks and insurance companies that purchase databases from data providers conduct searches whenever needed to check whether individuals or institutions have any records in these databases. As a result, banks and insurance companies refuse to establish business relationships with individuals or entities profiled as linked to "terrorism" in the database or terminate existing relationships without informing the customer.

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Banks and insurance companies (obliged entities) refuse to establish business relationships with individuals or institutions profiled as linked to "terrorism" in the database or terminate existing relationships without informing the customer. In such cases, although banks base their termination decisions on records in data providers' databases, they present the justification to customers as the bank's right to choose its clients, as stated in banking service agreements.

To illustrate the issue with an example: The Brussels branch of X Bank in Belgium is required to verify the identity of an individual seeking to open an account, such as Adam Johnson, and check whether there is any data related to him that could serve as the basis for a risk assessment, particularly concerning AML/CFT matters. When an X Bank Brussels branch employee, Julie, enters the customer's information into the system, the bank's system automatically connects to the World-Check database, which was purchased by X Bank's headquarters from Refinitiv, to check whether Adam Johnson has any financial intelligence records. Based on the search results, the bank branch decides whether Adam Johnson can open an account at X Bank Brussels. Once an individual's identity details are entered into the system, the software automatically scans the relevant databases, and decisions are made based on these search results.

**STEP 7:** The contamination of the financial system with politically motivated misleading information, the unjust exclusion of individuals from the financial system, and the use of foreign institutions by repressive states for transnational repression policies.

The inclusion of a person in a terrorism list prepared by an authoritarian state, despite having no real connection to terrorism, or the addition of a person's name to databases following media reports alleging links to terrorism, results in the financial system being flooded with **"a vast amount of data that is not based on reality and that no one has the means to verify."** This situation, in the truest sense, **leads to the financial system being contaminated with politically motivated, distorted, and unlawful data.**

A bank operating in the U.S., Europe, or the U.K. and striving to operate in compliance with the law (an obliged entity under FATF standards) becomes an instrument of the repression policies pursued by authoritarian states like Turkey and Russia against their dissidents due to flaws in the implementation of AML/CFT regulations. At this point, repressive states go beyond using

institutions within their own countries for their unlawful actions and also exploit institutions in other countries—without these institutions necessarily having such intent—as tools for their transnational repression policies. This situation is a grave issue with serious political and economic consequences that extend far beyond what is visible.

## CHAPTER 3

### 3. Explaining the Use of AML/CFT Regulations as a Tool for Transnational Repression through Case Studies

#### 3.1 The Case of S.T., an Educator and Human Rights Activist

In the previous section, we mentioned the case of human rights activist S.T. as an example of how negative media content processed unlawfully and uncontrollably by third-party data providers for commercial purposes, along with the arbitrary lists published by repressive states, easily enter the financial system under the pretext of AML/CFT compliance, ultimately contaminating the system with inaccurate, distorted, and politically motivated information. In this section, this case study will be examined in detail, demonstrating how AML/CFT regulations are exploited by repressive states, how these states manipulate international institutions for their own agendas, and the unjust victimization of individuals and organizations as well as other negative consequences that result from such misuse.

#### 1- **The Designation of the Gülen Movement as a Terrorist Organization and the Initiation of Terrorism Investigations and Trials Against Individuals Opposed to Erdoğan's Repressive Rule in Turkey**

Turkey's current president, Erdoğan, and his party came to power as the sole ruling government in 2003. Following the constitutional referendum in 2010, President Erdoğan and his government altered the separation of powers in their favour, increasingly implementing an authoritarian rule in Turkey.

The Gülen Movement, led by Fethullah Gülen, operated in Turkey and internationally in the fields of education, civil society, and intercultural dialogue. As it opposed the authoritarian shift in Turkey after 2010, it became a target of Erdoğan's repressive government and was declared the "*Fethullahist Terrorist Organization (FETÖ)*" in 2016 by security

institutions<sup>55</sup> without any judicial ruling. Since then, no state that adheres to universal legal principles or any international institution has recognized the Gülen Movement as a terrorist organization<sup>56</sup>.

After Erdoğan's government designated the Gülen Movement as a "terrorist organization" **solely due to its opposition to his political rule, severe unlawful actions amounting to persecution were carried out against individuals and institutions affiliated with the movement in Turkey**. According to statistics from the Turkish Ministry of Justice, between 2015 and 2022, more than **two million people** were investigated, **six hundred thousand people** were prosecuted, and **over three hundred thousand** individuals were convicted under terrorism-related charges<sup>57</sup>.

Approximately 130,000 public officials were dismissed from public service, with their full identity details published in the state's official gazette. For the past eight years, numerous reports on "FETÖ"-related investigations and prosecutions, including the names of hundreds of thousands of individuals, have been featured in the Turkish press and on social media platforms. Additionally, official lists published by the Erdoğan government, such as "wanted for terrorism" and "subject to asset freeze decisions," have included the names of approximately 4,000 individuals and institutions.

## **2- International Criticism of Turkey's Implementation of Anti-Terrorism Legislation**

The foundation of Turkey's transnational repression policies against dissidents abroad lies in categorizing targeted individuals and groups as "terrorists." The European Commission, in its 2024 Turkey Report, explicitly

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<sup>55</sup> <https://www.mgk.gov.tr/index.php/26-mayis-2016-tarihli-toplanti>

<sup>56</sup> <https://wapo.st/49G3ldl>

<sup>57</sup> <https://turkeyrightsmonitor.com/teror-sucu-istatistikleri>

stated that Turkey's anti-terrorism legislation **does not comply** with the standards of the European Court of Human Rights (ECtHR), the European Convention on Human Rights (ECHR), or EU norms, and that this issue has persisted for years. The Commission expects Turkey to take steps to address these concerns<sup>58</sup>. It has been noted that Turkey's definition of "terrorism" does not align with the universal definition, that the concept is **arbitrarily broad**, and that counterterrorism practices do not adhere to the principles of the rule of law, fundamental rights, and respect for freedoms.

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It has been stated that Turkey's definition of "terrorism" does not conform to the universal definition, that the term is arbitrarily broad, and that counterterrorism practices do not comply with the principles of the rule of law and respect for fundamental rights and freedoms.

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The European Commission also stated in the same report that Turkey must respect human rights in its efforts to combat money laundering and terrorism financing and should implement the recommendations of the Venice Commission in this regard.

In a resolution adopted in June 2023, the Parliamentary Assembly of the Council of Europe (PACE)<sup>59</sup> expressed **concerns over Turkey's transnational repression policies**, particularly targeting individuals alleged to be affiliated with the Gülen Movement following the attempted coup of July 2016. Additionally, a joint letter from the UN Working Group on Enforced or Involuntary Disappearances and several special

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<sup>58</sup> European Commission. Türkiye 2024 Report. 2024. Accessed January 27, 2025.

[https://neighbourhood-enlargement.ec.europa.eu/document/download/8010c4db-6ef8-4c85-aa06-814408921c89\\_en?filename=Türkiye%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/8010c4db-6ef8-4c85-aa06-814408921c89_en?filename=Türkiye%20Report%202024.pdf)

<sup>59</sup> PACE, Transnational repression as a growing threat to the rule of law and human rights, June 2023 (Rapporteur Sir Christopher CHOPE, United Kingdom, EC/DA), Paragraph 6

rapporteurs highlighted that the Turkish government systematically engages in state-sponsored transnational abductions and forced returns to Turkey.

According to a Freedom House report<sup>60</sup>, **Turkey is among the five most active countries in the world in conducting transnational repression.** Since 2014, Turkey has been responsible for 132 direct transnational repression cases, including abductions and torture. The same report also notes that PACE remains concerned about Turkey's continued use of transnational repression methods. Since the July 2016 coup attempt, Turkey has systematically targeted individuals alleged to be linked to the Gülen Movement, which Turkish authorities label as the "Fethullahist Terrorist Organization (FETÖ)."

Turkey's transnational repression campaign includes the misuse of extradition processes, the abuse of extradition procedures, the exploitation of INTERPOL Red Notices, the misapplication of counterterrorism financing measures, and the involvement of other states in unlawful deportations or the illegal transfer of individuals.

In this context, the European Court of Human Rights (ECtHR) ruled in 2018 that the Republic of Moldova unlawfully transferred seven Turkish teachers to Turkey, thereby violating all safeguards ensured by both domestic and international law and infringing upon their right to liberty under Article 5, Paragraph 1 of the Convention. Similar findings were also published by the United Nations Working Group on Arbitrary Detention, which issued warnings regarding abductions carried out from various regions, including Europe. Critics of the Turkish government and journalists living abroad have occasionally faced threats and intimidation attempts, sometimes requiring police protection.

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<sup>60</sup> Freedom House, Yana Gorokhovskaia, Nate Schenkkan, Grady Vaughan, Still Not Safe: Transnational Repression in 2022, Washington DC, April 2023, p. 1

According to the Stockholm Center for Freedom, Turkey's transnational repression efforts against dissidents abroad have not diminished. On the contrary, the Erdoğan government continues to develop new tools and methods to intimidate opponents and suppress dissent<sup>61</sup>.

The International Federation of Journalists has also reported<sup>62</sup> that **Turkey has used counterterrorism financing measures as a tool of transnational repression against individuals alleged to be affiliated with the Gülen movement.** In 2021, the government issued asset freeze decisions targeting certain individuals living abroad, which resulted in problems related to their bank accounts and credit cards. Some individuals reported that Turkish embassies in their respective countries visited banks to inform them about these decisions.

The assessment presented in the **December 2019 FATF Mutual Evaluation Report on Turkey** sheds significant light on the nature of requests originating from Turkey<sup>63</sup>. FATF expressed concerns that some of Turkey's requests appeared to have a political dimension. Furthermore, the report highlighted Turkey's ongoing difficulties in achieving international consensus on the assessment of terrorism and terrorism financing risks, particularly concerning the Gülen Movement, which the Turkish government refers to as the "Fethullahist Terrorist Organization (FETÖ)." This context underscores the need for a cautious and balanced approach when evaluating the accuracy and reliability of the content attributed to the profile created for S.T., which will be examined in the following sections.

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<sup>61</sup> Turkey's Transnational Repression: Abuse of asset freezing mechanisms under the pretext of prevention of terrorist financing - <https://stockholmcf.org/new-report-sheds-light-on-how-erdogan-govt-weaponizes-mechanisms-to-prevent-terrorist-financing-to-target-his-opponents/>

<sup>62</sup> [https://internationaljournalists.org/wp-content/uploads/2022/08/IJA\\_handbook\\_Rapor\\_MulkuneElKonulanGazeteciler.pdf](https://internationaljournalists.org/wp-content/uploads/2022/08/IJA_handbook_Rapor_MulkuneElKonulanGazeteciler.pdf)

<sup>63</sup> FATF, Mutual Evaluation Report, Turkey, December 2019, p.155, para.482.

<https://www.fatf-gafi.org/content/dam/fatf-gafi/mer/Mutual-Evaluation-Report-Turkey-2019.pdf>

As of June 2023, the Financial Action Task Force (FATF) has continued to call on Turkey to enhance its efforts in conducting comprehensive financial investigations in terrorism cases, **emphasizing the need to prioritize actions against terrorist organizations designated by the United Nations**<sup>64</sup>. This recommendation signals a shift in focus, suggesting that Turkey's current anti-money laundering and counterterrorism financing (AML/CFT) efforts are directed more toward political opponents, such as the Gülen Movement, rather than internationally recognized violent terrorist organizations.

### 3- False and Unjust Reports About S.T. in the Turkish Local Media

A large number of individuals affiliated with the Gülen Movement, which was categorized as a terrorist organization by the Erdoğan government due to its opposition, have been subjected to investigations and arrests in Turkey. One of these investigations targeted S.T., an educator and human rights activist residing in Belgium.

In December 2015, as part of an unlawful investigation conducted by the Ankara Chief Public Prosecutor's Office against the Gülen Movement, arrest warrants in absentia<sup>65</sup> were issued for 61 individuals. Educator and human rights activist S.T., despite residing in Belgium, was among those for whom an arrest warrant was issued.

According to universal legal principles, S.T. was not involved in any terrorist activities, yet a Turkish court issued an arrest warrant against him on charges of "being a leader of a terrorist organization" due to his

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<sup>64</sup> FATF, **Jurisdictions Under Increased Monitoring** – June 23, 2023. <https://www.fatf-gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/Increased-monitoring-june-2023.html>

<sup>65</sup> <https://www.diken.com.tr/paralel-yapi-operasyonunda-gulenin-de-oldugu-61-kisiye-yoklugunda-tutuklama-karari/>

affiliation with the Gülen Movement. This arrest warrant was later reported in both national and local media.

The following news websites also published reports on the arrest warrant issued for S.T., though the links were later removed. The site <http://www.antalyaekspres.com.tr>, which published an article linking S.T. to a terrorist organization, is a small local news website focused on Antalya. Similarly, <http://www.yurthaber.com> is not a widely popular news site.

- <http://www.antalyaekspres.com.tr/haber/tutuklama-karari-cikti>
- <http://www.yurthaber.com/gundem/fethullah-gulen-ve-61-kisi-hakkinda-tutuklama-karari-verildi-pek-fethullah-gulen-turkiyeye-getirelecek-mi-h3124.html>

These news links were cited as "external sources" in the World-Check financial database as the basis for the information contained in S.T.'s profile.

EXTERNAL SOURCES	<a href="http://www.antalyaekspres.com.tr/haber/tutuklama-karari-cikti-1728">http://www.antalyaekspres.com.tr/haber/tutuklama-karari-cikti-1728</a> <a href="http://www.yurthaber.com/gundem/fethullah-gulen-ve-61-kisi-hakkinda-tutuklama-karari-verildi-pek-fethullah-gulen-turkiyeye-getirelecek-mi-h3124.html">http://www.yurthaber.com/gundem/fethullah-gulen-ve-61-kisi-hakkinda-tutuklama-karari-verildi-pek-fethullah-gulen-turkiyeye-getirelecek-mi-h3124.html</a>
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#### **4- Inclusion of S.T.'s Profile in the World-Check Financial Intelligence Database Owned by Refinitiv**

The unlawful news published about S.T. in December 2015 were included in World-Check, a financial intelligence database owned by Refinitiv, which sells data for commercial purposes to obliged entities such as banks responsible for implementing AML/CFT regulations. On January 11, 2016, based on these reports, a profile was created under the "TERRORISM" category for S.T., a human rights activist and opponent of Erdoğan's repressive government. This profile was obtained from Refinitiv in accordance with personal data protection laws.



### **Key Aspects of the Profile Created for S.T. in the World-Check Database:**

- i. The Gülen Movement, which is globally recognized as having *no connection to terrorism or violent acts*, has been designated as a "terrorist organization" solely due to its opposition to Erdoğan's government and by courts under his influence. Numerous reports published by the U.S., EU, UK, UN, and other international institutions and states have explicitly stated that the Gülen Movement has no ties to violence or terrorism but rather holds a dissenting stance against Erdoğan's administration<sup>66,67,68,69,70</sup>.
  
- ii. S.T., as an educator and human rights activist residing in Belgium, has never engaged in any violent terrorist activities according to the definition in universal law. Similarly, the Gülen Movement, an educational and intercultural dialogue initiative, has never been involved in any acts of violence. Despite this reality, a Turkish court, under political pressure and in violation of the rule of law, unlawfully designated the Gülen Movement as a "terrorist organization" and labelled S.T. as a "terrorist" in its ruling.

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<sup>66</sup> <https://www.state.gov/reports/country-reports-on-terrorism-2019/turkey/>

<sup>67</sup> <https://www.state.gov/reports/country-reports-on-terrorism-2021/turkiye>

<sup>68</sup> <https://www.state.gov/reports/2021-country-reports-on-human-rightspractices/turkey/>

2021 Country Reports on Human Rights Practices: Turkey,

<sup>69</sup> <https://www.reuters.com/article/world/eu-says-needs-concrete-evidence-from-turkey-to-deem-gulen-network-as-terrorist-idUSKBNIDU0DU/>

<sup>70</sup> <https://www.government.nl/documents/reports/2021/03/18/general-country-of-origin-information-report-turkey>

- iii. After an authoritarian state, Turkey, unlawfully charged S.T. with "terrorism" for political reasons through a court ruling, this court decision was subsequently reported by Turkish media outlets.
- iv. The news website <http://www.antalyaekspres.com.tr> is a local news outlet in Turkey that primarily covers topics related to the Antalya province. Similarly, <https://www.yurthaber.com> is not a widely popular news site.
- v. The World-Check financial intelligence database, owned by Refinitiv and providing services to obliged entities such as banks for AML/CFT compliance, created its first profile on S.T. on 11.01.2016, linking him to "terrorism" based on reports from the local news site Antalya Ekspres and the not widely popular news site Yurt Haber.
- vi. The reliance of data provider companies on reports from an ordinary website for a matter as critical and sensitive as AML/CFT regulations (despite their claims of sourcing data only from reliable sources, which in reality proves otherwise) highlights a significant flaw in the implementation of AML/CFT regulations.
- vii. This example demonstrates that any individual can be included in the databases of data provider companies based on unverified news or information circulating on the internet.
- viii. The profile created for S.T. in January 2016 demonstrates that data provider companies generate profiles without human intervention, using technologies such as artificial intelligence to scan the internet and incorporating all retrieved information into profiles without any filtering. This operational method allows distorted, politically motivated, and unlawful data to enter the financial system established for AML/CFT compliance, ultimately contaminating the entire system.

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The operational system of data provider companies, as described above, allows distorted, politically motivated, and unlawful data to enter the financial system established for AML/CFT compliance, ultimately contaminating the entire system.

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- ix. The profiles created for S.T. in the World-Check database were updated on 26.10.2016 after his name appeared on the "wanted for terrorism" list prepared by the Turkish Ministry of Interior, leading to an update of his profile.
- x. The World-Check database, which initially created S.T.'s profile based on local media reports, used the Turkish Ministry of Interior's "wanted for terrorism" list as the justification for updating his profile.
- xi. As explained above, Turkey is one of the repressive and authoritarian states responsible for numerous human rights violations, a fact that has been consistently highlighted by international human rights organizations such as Amnesty International, Human Rights Watch, and Freedom House. Furthermore, as detailed earlier, Turkey continues to use various transnational repression tools, including abductions, passport cancellations, and politically motivated INTERPOL notices.

[REDACTED]
2016-10-26 06:01
TI [REDACTED]
Su [REDACTED]
TI [REDACTED]
TERRORISM
1965/00/00
U [REDACTED]
~ Ankara, Ankara ~ TURKEY
TURKEY
M
FETULLAHCI TEROR ORGUTU/PARALEL DEVLET YAPILANMASI
[BIOGRAPHY] Alleged associate (General) of Fetullahci Teror Orgutu/Paralel Devlet Yapilanmasi (FETO/PDY). [IDENTIFICATION] To be determined. [FUNDING] To be determined. [REPORTS] Dec 2015 - warrant of arrest issued by Ankara Chief Public Prosecutor in relation to FETO/PDY investigation. Oct 2016 - name appeared on the Grey List of wanted terrorists released by the Turkish Ministry of Interior.
TRMOI
<a href="http://www.antalyaekspres.com.tr/haber/tutuklama-karari-cikti-/1728">http://www.antalyaekspres.com.tr/haber/tutuklama-karari-cikti-/1728</a>
<a href="http://www.terorarananlar.pol.tr/detaylar/Sayfalar/Gritamliste.aspx?Paged=TRUE&amp;PagedPrev=TRUE&amp;p_ID=735&amp;PageFirstRow=511&amp;w=%7b2FBE9207-CB6C-471A-8574-7DE39234DB19%7d">http://www.terorarananlar.pol.tr/detaylar/Sayfalar/Gritamliste.aspx?Paged=TRUE&amp;PagedPrev=TRUE&amp;p_ID=735&amp;PageFirstRow=511&amp;w=%7b2FBE9207-CB6C-471A-8574-7DE39234DB19%7d</a> <a href="http://www.yurthaber.com/gundem/fethullah-gulen-ve-61-kisi-hakkinda-tutuklama-karari-verildi-pek-fethullah-gulen-turkiyeye-getirecek-mi-h3124.html">http://www.yurthaber.com/gundem/fethullah-gulen-ve-61-kisi-hakkinda-tutuklama-karari-verildi-pek-fethullah-gulen-turkiyeye-getirecek-mi-h3124.html</a>
2016-10-26 06:01
2016-01-11

- xii. In light of these explanations, it is evident that the "wanted for terrorism" list prepared by the Turkish Ministry of Interior does not solely include individuals involved in terrorism or violence. While this list contains organizations such as Al-Qaeda, ISIS, PKK, and DHKP-C recognized globally as terrorist organizations due to their engagement in violence—it also includes the Gülen Movement (referred to as FETÖ by the repressive Erdoğan regime), which has not been involved in any terrorist or violent acts but is politically opposed to Erdoğan's government. This demonstrates that the Erdoğan administration manipulates anti-terror laws for its own political objectives. While appearing to fight violent terrorist organizations on the surface, Erdoğan's government is simultaneously using these laws as a tool to suppress opposition groups<sup>71</sup>.

It is evident that the Erdoğan administration uses anti-terror laws on the surface to combat violent terrorist organizations, while in reality, it also employs them as a tool to suppress opposition groups.



A section from the "wanted for terrorism" list published by Turkey.<sup>72</sup>

<sup>71</sup> Turkey exploits post-9/11 counterterrorism model to target critics in exile,  
<https://www.washingtonpost.com/world/2024/12/09/turkey-us-terrorism-war-exiles-repression/>

<sup>72</sup> <https://www.terorarananlar.pol.tr/>

- xiii. Not every "terror list" prepared by states is created and implemented in accordance with universal legal principles. In Turkey, a government that operates outside the framework of universal law, the Erdoğan administration has the power to add or remove individuals and groups from the "terror list" at its own discretion.
- xiv. A very recent development has demonstrated that Turkey's "wanted for terrorism" list is prepared not based on legal justifications but under political influence. The Assad regime, which ruled Syria for nearly 60 years, came to an end in December 2024 when the opposition group **Hay'at Tahrir al-Sham (HTS)** seized control of Damascus. HTS had been covertly supported by the Erdoğan administration in Turkey but was officially designated as a terrorist organization due to its past links to Al-Qaeda and ISIS under international pressure. Because of this designation, a Turkish citizen named Ömer Çiftçi, affiliated with HTS, had been listed on Turkey's "wanted for terrorism" list by the Ministry of Interior<sup>73</sup> due to his connections with Al-Qaeda.

After HTS came to power in Syria, the HTS administration appointed Ömer Çiftçi, who was wanted on the red list for his connection with the Al-Qaeda terrorist organization, as a "brigadier general" in the Syrian army. Immediately after this appointment, the Turkish Ministry of Interior removed Ömer Çiftçi's terrorism record from the "wanted for terrorism" list without any court decision<sup>74,75,76</sup>.

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<sup>73</sup> <https://www.terorarananlar.pol.tr/>

<sup>74</sup> <https://www.odatv.com/dunya/suriyede-tuggeneral-yapilan-turk-htsli-omer-ciftci-turkiyenin-terror-listesinden-cikarildi-120079504>

<sup>75</sup> <https://x.com/clashreport/status/1873660538775048667>

<sup>76</sup> <https://www.evrensel.net/haber/538671/dun-turkiyenin-terror-listesindeydi-bugun-suriyede-general-oldu>



The page on the website of the Turkish Ministry of Interior showing that Ömer Çiftçi was wanted in connection with Al-Qaeda.

The oppressive Erdoğan regime in Turkey removed **Ömer Çiftçi** from the "Wanted for Terrorism" list published by the Turkish Ministry of Interior for political reasons, despite his ties to Al-Qaeda, a terrorist organization recognized as such by all states and institutions worldwide. The current Turkish administration, which operates outside the framework of universal values and the rule of law, is able to remove an individual linked to **Al-Qaeda** from the terrorism list at any time without even requiring a court decision. At the same time, it includes Mustafa Yeşil, an educator who has never been involved in terrorism or violence at any point in his life and has no judicial ruling against him in this regard, in the same list as a terrorist organization member solely due to his dissenting views against the Erdoğan government. (In the above image, Mustafa Yeşil appears side by side with Ömer Çiftçi on the same list.)

Turkey requested the extradition of Mustafa Yeşil from the United Kingdom based on allegations of membership in FETÖ (Fethullahist Terrorist Organization), placing him on the same list as Al-Qaeda member Ömer Çiftçi. On November 28, 2018, the Westminster Magistrates' Court in London ruled that Turkey's justifications for Mustafa

Yeşil's extradition were legally invalid and rejected the request<sup>77</sup>. The UK court's decision further demonstrates that politically controlled courts in Turkey fabricate baseless terrorism charges under the FETÖ label and systematically violate individuals' fundamental human rights through state-led persecution.



**AA** Turkey slams UK ruling against return of FETO suspects

By Ahmet Salih Alacaci

**ANKARA**

Turkey on Thursday criticized as "unacceptable and deeply disappointing" a British court ruling rejecting Turkey's extradition request for three accused members of the group behind the 2016 defeated coup.

The London Westminster Magistrate Court's decision to reject the extradition of Hamdi Akin Ipek, Ali Celik, Talip Buyuk and Mustafa Yesil was "entirely unsubstantiated," said Foreign Ministry spokesman Hami Aksoy

"Our expectation is the prompt return of these persons to Turkey in order to try them before Turkish courts," Aksoy stated, adding that Ankara would continue its efforts towards this end.

He underlined that Turkey had "strongly emphasized" to British authorities that rejecting Ankara's extradition request for the accused Fetullah Terror Organization (FETO) members is unacceptable.

The report by Turkey's official state news agency, Anadolu Agency (AA), regarding the rejection of Mustafa Yeşil's extradition request.<sup>78</sup>

Although independent UK courts have ruled that the terrorism charges against Mustafa Yeşil are baseless, he continues to be treated as a "terrorist" in financial databases due to his inclusion in the terror lists published by the Turkish state, facing numerous financial restrictions and difficulties.

<sup>77</sup> [https://www.mfa.gov.tr/sc\\_-77\\_-feto-mensuplarina-iliskin-iade-talebimiz-hk-sc\\_en.en.mfa](https://www.mfa.gov.tr/sc_-77_-feto-mensuplarina-iliskin-iade-talebimiz-hk-sc_en.en.mfa)

<sup>78</sup> <https://www.aa.com.tr/en/europe/turkey-slams-uk-ruling-against-return-of-feto-suspects/1325000>

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Although independent UK courts have ruled that Turkey's terrorism charges against Mustafa Yeşil are baseless, he continues to be treated as a "terrorist" in financial databases due to his continued inclusion in the terror lists published by the Turkish state, facing numerous financial restrictions and difficulties.

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- xv. As seen from the explanations and examples provided, the inclusion of S.T.'s name in the "terror" list prepared by the repressive Erdoğan government, and the subsequent update of S.T.'s profile in the World-Check financial intelligence database based on this list, demonstrates another loophole in the misuse of AML/CFT regulations—the politically motivated terrorism and terrorism financing lists.
- xvi. The World-Check database assumes that such lists are "lawfully prepared" simply because they are issued by a state. However, as explained above, repressive regimes can easily designate opposing individuals and groups as terrorists and create lists accordingly.
- xvii. The direct inclusion of a "terror list" prepared by repressive states into the financial system (enabled by the lack of oversight over data providers) contaminates the financial system and causes AML/CFT regulations to deviate from their original purpose of "preventing terrorism financing and money laundering," turning them instead into a tool of transnational repression that leads to the exclusion of dissident individuals and groups, particularly those living abroad, from the financial system.

**5- Following the creation of a profile for S.T. in the World-Check database due to adverse media content and unlawful terror lists, the bank account of Solidarity with Others, where S.T. serves on the board of directors, was closed.**

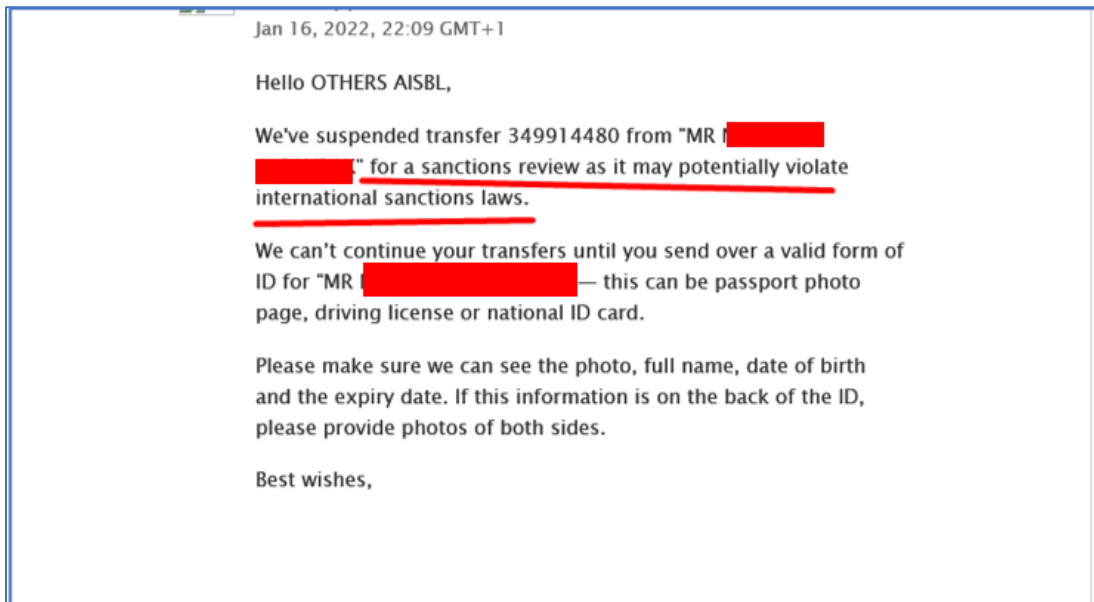
S.T. served on the board of directors of Solidarity with Others, a human rights organization in Belgium, alongside N.A. and Y.K. After World-Check recorded a "terrorism" entry for the organization's executives, including S.T., the online banking firm AAA (*the full bank name was not disclosed*) first blocked a fund transfer on January 16, 2022, citing "the potential violation of international sanctions." On January 18, 2022, AAA closed the bank account of Solidarity with Others and also shut down the personal bank accounts of all three board members.

**The Closure of the Individual Accounts of the Board Members of OTHERS by [REDACTED]**

20. [REDACTED] illegal actions were not limited to closing the business bank account of OTHERS, but also the individual bank accounts of 3 board members of OTHERS were closed.

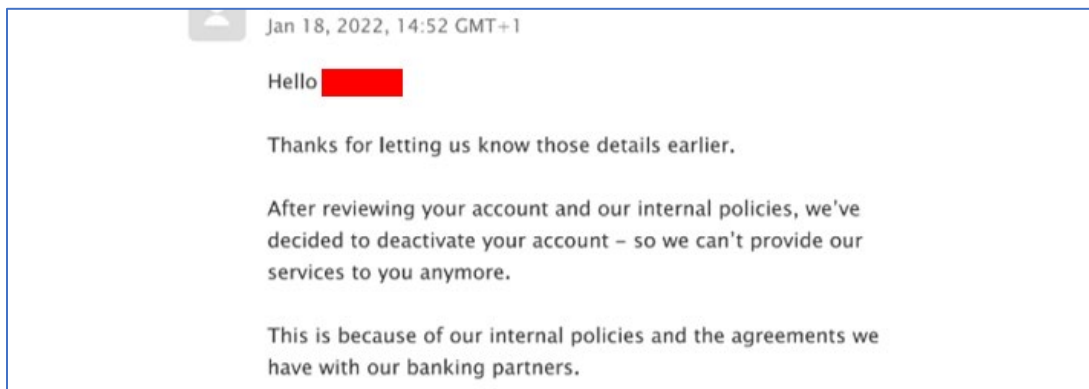
20.a. [REDACTED] k who was the C [REDACTED] ry of a university in Turkey for a long time, later started to live in Belgium and has engaged in educational activities. He also performs his duty as a board member of OTHERS. We would like to declare at the outset that Mr. [REDACTED] has not been involved in any acts related to terrorism or financing of terrorism, neither in Turkey, nor in Belgium, nor anywhere else in the world. Mr. [REDACTED]'s individual Wise bank account was closed without any justification.

*A part of objection letter sent by Solidarity with Others*



## 6- AAA bank justified the account closures based on the customer agreement.

AAA bank, in response to the initial objections, stated that it had the right to unilaterally close the accounts based on the provisions of the customer service agreement signed at the outset.



Your business account was suspended by us on 18 January 2022 in accordance with our Customer Agreement accepted by you upon the opening of your account on 28 October 2020. Precisely, under our Customer Agreement Section 25.2, we have the right to suspend or close an account at any time without notice in circumstances outlined in this Section 25.2.

7- However, after providing AAA bank with more information on the matter, the bank's response dated July 8, 2022 (approximately six months after the account closure) did not mention the World-Check database records regarding OTHERS Association executives S.T., N.A., and Y.K., but instead emphasized sensitivity towards Turkey-related sanctions.

However, please note and inform your board members that there may be additional regulatory obligations that [REDACTED] would need to comply with when conducting international payments, in particular payments to or receipts from Turkish residents. We would therefore strongly advise you and your board members not to make such transactions, as payments might be blocked in view of sanctions imposed by the Turkish government, and you may find any sums involved are unrecoverable.

8- According to information obtained from the association's executives, the closed bank account was the only bank account of Solidarity with Others, an organization operating in the field of human rights. The association used this account to receive donations necessary for its activities and to pay for the rent of its office and other expenses.

9- While it is nearly impossible for an ordinary person in Belgium to maintain daily life without a bank account (paying rent, bills, etc.), it is even more unfeasible for a human rights organization relying on donations to continue its activities without a functioning bank account.

10-Following the closure of its bank account, Solidarity With Others came to a standstill as of January 2022. Since the organization could no longer receive donations and had no other source of income, it was unable to pay either employees' salaries or office rent. The association's rent payments had to be attempted through the personal accounts of the association's president.

Good day,

It has been almost two months since we communicated a board member's account for you to transfer the remainder of our funds to.

Due to your failure to comply with or respond to our request, we have experienced delays in our regular bill, rent and salary payments.

We are an international association whose establishment was authorized by the Kingdom of Belgium and board member [REDACTED] is a Belgian citizen.

This is the last time we are reiterating our request. Transfer our funds to board member [REDACTED] or provide us with an explanation as to your failure to do so within two weeks. Otherwise, we will take legal action with competent Belgian authorities.

Regards,

11- After the bank account was closed, some regular donors of Solidarity with Others began questioning, "Could there be illegal activities occurring within the organization for the bank accounts to be closed?" As a result, they hesitated to continue making donations to the association.

12- As in the case of the misuse of AML/CFT regulations against S.T. and subsequently Solidarity with Others, the authoritarian Turkish state, which disregards universal legal principles, arbitrarily included opposition individuals and institutions in "terror," "financial sanctions," and "asset freeze" lists. After these lists were published, data provider companies incorporated this unlawful information into the financial system as "profiles" without any filtering. The online banking firm AAA, relying on these profiles, closed the only bank account used by the organization Solidarity with Others without justification. As a result of the account closure, the organization's activities came to a standstill.

13- As seen in this example, Turkish state authorities have exploited loopholes in AML/CFT regulations by publishing lists in their own country, using them to manipulate Belgian banks into supporting their repression policies. As a result, a human rights organization in Belgium actively fighting against terrorism was rendered incapable of operating. This

case clearly demonstrates how the repressive Turkish government has transformed AML/CFT regulations into a tool of transnational repression.

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As seen in this example, Turkish state authorities have exploited loopholes in AML/CFT regulations by publishing lists in their own country, using them to manipulate Belgian banks into supporting their repression policies, thereby rendering a human rights organization in Belgium, actively fighting against terrorism, incapable of operating.

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14-Following the objections, the bank AAA reopened the account of Solidarity with Others approximately six months later. However, the reactivation of the account did not allow the organization to resume its activities as smoothly as before. According to the organization's executives, after the account was reopened, a simple €200 transfer that previously took two hours sometimes took up to two weeks, with an additional background monitoring process applied to all financial transactions. This situation indicates that even after an individual appeal process, AAA continued to act with a protective approach toward financial authorities (Belgian Banking and Financial Authorities) in response to the unlawful list published by the Turkish state, and did not fully consider the individuals and institutions listed as "normal" entities.

Thanks for getting in touch!

I can see an incoming payment in the account for 200 EUR from the 19th of July.

The transfer is undergoing our regulatory routine checks as we're a regulated financial institution.

[You can read about this here.](#)

I do understand that your business account has recently undergone verification, but please note that these checks we carry out on transfers may not be in relation to the verification procedure itself.

Hello [REDACTED]

We need more info so that we can finish adding the payment of 75 EUR that was sent to your account.

[REDACTED] is a safe and regulated way to send money. And sometimes we need to double check some info about the person or business sending you money.

If the sender is a person, we need to know their full legal name, date of birth, and the country they live in.

And if they're a business, please let us know their full registered name and address.

You can do this by going to your account, or by clicking the button below.

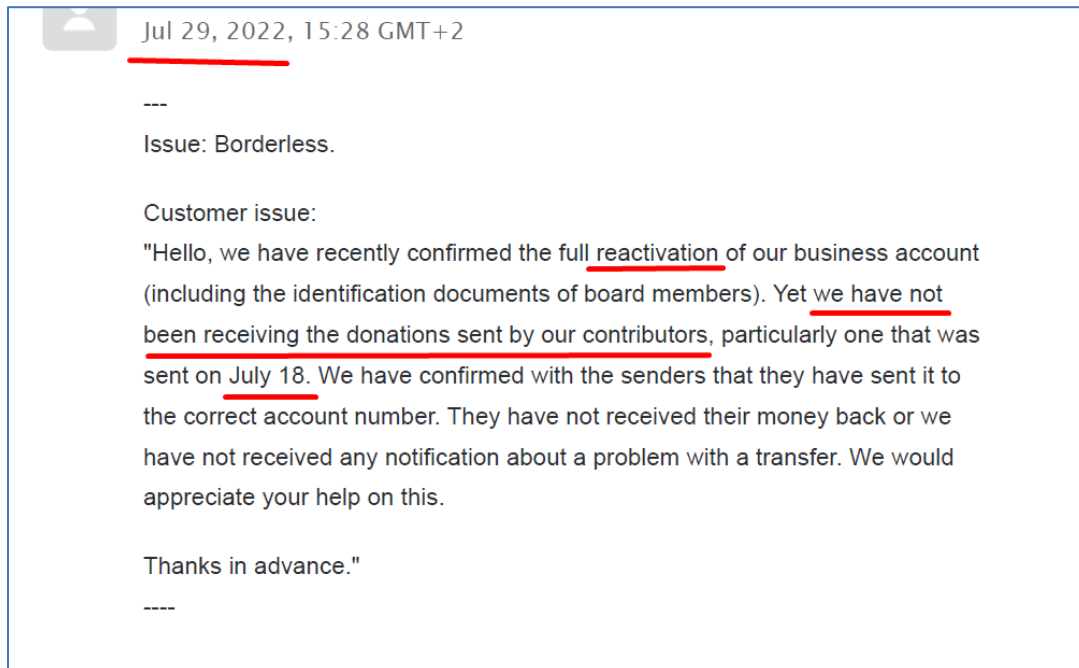
[Go to your account](#)

If we don't hear from you in the next 10 days, we'll need to refund any money to the sender.

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Thanks,

The [REDACTED] team



15-The fact that the bank AAA reactivated the account six months later but subjected banking transactions to additional control processes demonstrates how lengthy and ineffective individual appeal mechanisms are in cases of AML/CFT regulation abuse. This situation highlights that such abuses cannot be effectively addressed through individual objections alone but require systemic solutions through regulatory and supervisory bodies such as FATF, which must implement legislative and standard changes and introduce new centralized solutions to resolve these issues at their core.

16- As a result of the repressive Turkish state's misuse of AML/CFT regulations, S.T. and the Solidarity with Others association, who were victimized, continued to face difficulties with banks and other financial institutions as long as their names remained in financial intelligence databases. Both S.T. and the association attempted to open accounts with other banks, but most banks, although not explicitly stating it, either refused to establish a customer relationship from the outset due to the

"high-risk profile" flagged in financial databases or only provided a basic banking account after a prolonged process and extensive explanations.

17- Since there is currently no effective mechanism to prevent the misuse of AML/CFT regulations by authoritarian states, individuals and institutions victimized by this abuse attempt to seek redress through individual objections and legal proceedings. However, as observed in the cases of both S.T. and the Solidarity with Others association, the inability to achieve effective results from objections and lawsuits means that names cannot be removed from databases processing unlawfully prepared terrorism lists, and these objection and litigation processes can take years.

18- On 19 January 2023, S.T. filed a complaint with the Belgian Data Protection Authority (ADP)<sup>79</sup> against Refinitiv, alleging that the company unlawfully processed Turkey's asset freeze and wanted for terrorism lists through the World-Check database. The complaint was accepted on 9 February 2023, and an investigation was launched. In November 2024, the case was escalated to the Litigation Chamber, a sub-body of the Belgian Data Protection Authority, turning it into a formal lawsuit. The proceedings will include written defenses and hearings. The deadline for the defendant's response to the complaints has been set for April 2025. Once the defenses are submitted, a hearing is expected in June 2025, after which the Litigation Chamber will issue its ruling. The decision is anticipated to be delivered in early 2026.

19- The process of AML/CFT regulation abuse, which began with the closure of the bank account in January 2022, will take approximately four years

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<sup>79</sup> <https://www.dataprotectionauthority.be/citizen>

for a court ruling to be issued solely to remove the profile information stored by Refinitiv, the data provider company. Since this unlawful data will not be deleted between 2022 and 2026, S.T. has faced and will continue to face difficulties in all banking transactions. Additionally, considering that there are hundreds of data provider companies, the victim would need to file lawsuits against each one individually and wait for the outcome of legal proceedings that could take years.

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With the closure of the bank account in January 2022, the process of AML/CFT regulation abuse emerged, and obtaining a court ruling solely to remove the profile information stored by the data provider company Refinitiv will take approximately four years. Since this unlawful data will not be deleted between 2022 and 2026, S.T. has faced and will continue to face difficulties in all banking transactions.

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20- Removing wrongful data about individuals from the financial system through individual lawsuits takes years. What makes the situation even more alarming is that Refinitiv is not the only company processing such data. There are dozens of other financial data providers, including Acuris, Dow Jones, Reuters, and LexisNexis, along with their respective databases. For example, individuals cannot determine whether the profile information that AAA holds about S.T. was sourced from Refinitiv or from the LexisNexis database.

21-Therefore, the deletion of data from Refinitiv after four years does not mean that S.T.'s financial service issues will be resolved. Other data provider companies may have also added S.T. to their databases due to Turkey's unlawfully prepared terrorism list. In this case, S.T. would have to

file lawsuits against dozens of data providers individually and wait for the outcomes of legal proceedings that take years to conclude.

22- The above explanations demonstrate that the misuse of AML/CFT regulations cannot be resolved through individual lawsuits, applications, or objection processes, but rather by identifying the system's loopholes and restructuring it in a way that closes these gaps.

23- Similar findings have been identified in a report published by Human Rights Solidarity. According to the report, individuals whose names appear on published lists face various consequences, including the freezing or closure of their bank accounts, negative credit ratings, and financial and personal difficulties in Western countries. These individuals, despite residing in the West, are labelled as "terrorists" or "terrorism financiers" in financial risk intelligence databases used by banks and financial institutions, without undergoing any judicial process, solely because their names were arbitrarily included in a list published by their own governments<sup>80</sup>.

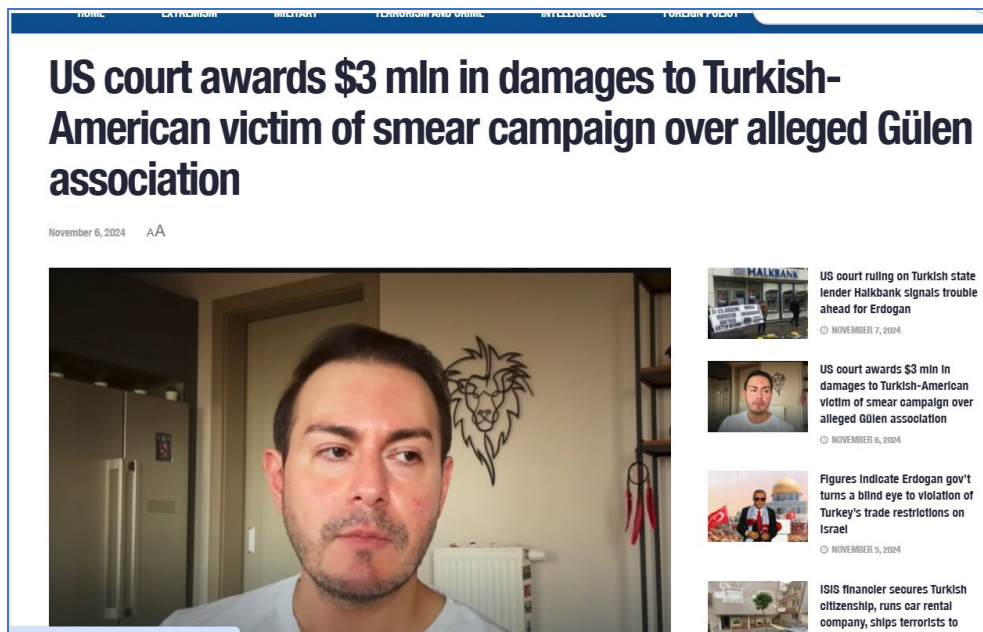
24- Making false "terrorism" accusations against individuals and ensuring that this information enters the global financial system as data leads to numerous human rights violations, including violations of human dignity, the right to work, the ability to engage in economic activities, protection from defamation, and the prohibition of discrimination. In addition to the violation of their fundamental human rights, these individuals also suffer significant economic losses due to false terrorism accusations.

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<sup>80</sup> <https://www.hrsolidarity.org/wp-content/uploads/2023/08/Transnational-repression-letter-special.pdf>

25- A significant case demonstrating the personal reputation and economic losses caused by false terrorism accusations has occurred. In 2021, social media influencer Emre Aksoy, in a broadcast on his YouTube channel, accused Emin Gün Sirer, the CEO of the cryptocurrency firm AVAX, of being a "FETÖ member" and a "Fethullahist terrorist organization member." Following this statement, the AVAX cryptocurrency and its related company suffered a significant loss in market value.

Emin Gün Sirer, a Turkish citizen residing in the United States, filed a lawsuit against Emre Aksoy in a U.S. court for making false terrorism allegations. In 2022, the U.S. court ruled that Emre Aksoy had falsely accused Emin Gün Sirer of terrorism without sufficient evidence and found that both AVAX and Emin Gün Sirer suffered substantial financial and reputational damages due to the false claim. As a result, the court ordered Emre Aksoy to pay \$3,000,000 in damages<sup>81</sup>.



<sup>81</sup> <https://nordicmonitor.com/2024/11/us-court-fines-a-turkish-man-over-3-million-for-smearing-turkish-american-on-alleged-gulen-association/>

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*A Turkish citizen residing in the United States, Emin Gün Sirer, filed a complaint against Emre Aksoy for making false terrorism accusations (calling him a FETÖ member) and initiated legal proceedings against him in a U.S. court. In 2022, the U.S. court ruled that Emre Aksoy had falsely accused Emin Gün Sirer of terrorism without sufficient evidence, determining that both AVAX and Emin Gün Sirer had suffered significant financial and reputational damages due to this baseless allegation. As a result, the court ordered Emre Aksoy to pay \$3,000,000 in damages.*

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26- The example above clearly demonstrates the financial and moral damages caused by individuals making false terrorism accusations against others. While the severe consequences of such baseless allegations made by individuals are evident, the scale of human rights violations and economic losses resulting from the mass false terrorism accusations made by repressive states like Turkey against hundreds of thousands of individuals and institutions is nearly impossible to calculate.

27- As seen in the Emin Gün Sirer case, there is a possibility, albeit a lengthy process, to challenge false terrorism accusations made by individuals through the judicial system. However, in the current political and legal framework, it is almost impossible to prevent repressive states from publishing a single list and victimizing thousands of people. Therefore, FATF and other relevant institutions must take responsibility for ensuring that AML/CFT regulations are implemented in compliance with human rights and universal legal principles, incorporating civil society

and relevant stakeholders' participation—including the findings presented in this report. In the next section, we will present our recommendations for preventing the misuse of AML/CFT regulations.

### 3.2. Time To Help Belgium Humanitarian Aid Association Case

Time To Help Belgium, formerly known as "All for Live," is a non-profit humanitarian aid organization established in 2010 in Brussels, Belgium. The organization aims to provide assistance and support to vulnerable communities both in Belgium and internationally. Time To Help Belgium's core mission is to aid individuals and communities affected by poverty, natural disasters, conflicts, and social injustices.

Time To Help Belgium is registered as a non-profit organization (ASBL/VZW) under Belgian law. Its headquarters are located in Brussels, and the organization operates in full compliance with all national and international laws governing humanitarian aid activities. On August 28, 2024, Turkey issued Decision No. 2024/6<sup>82</sup>, imposing an asset freeze on Time to Help Belgium ASBL, a legally established humanitarian aid association operating in Belgium under Belgian law. Turkey justified this decision by claiming that Time to Help Belgium ASBL was affiliated or connected with FETÖ (Fethullahist Terrorist Organization).

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<sup>82</sup> <https://ms.hmb.gov.tr/uploads/sites/12/2024/09/resmi-gazete-1.pdf>

**(FETÖ/PDY Terör Örgütü İltisaklı Tüzel Kişi ve Kuruluşlar)**

Sıra No	Dernek Adı	Diğer Adları	Ülke
1	TIME TO HELP e.V.		ALMANYA
2	TIME TO HELP – YARDIM ZAMANI VZW	TIME TO HELP BELGIUM	BELÇİKA
3	TIME TO HELP U.K.		BİRLEŞİK KRALLIK
4	TIME TO HELP DENMARK		DANİMARKA
5	LE TEMPS DU PARTAGE – TIME TO HELP FRANCE	TIME TO HELP FRANCE	FRANSA
6	STICHTING TIME TO HELP		HOLLANDA
7	TIME TO HELP SWITZERLAND		İSVİÇRE
8	TIME TO HELP TANZANIA		TANZANYA
9	İKBAY e.V.	INTERNATIONALE KULTUR- UND BILDUNGSKADEMIE YADİGAR e.V	ALMANYA
10	EMBRACE RELIEF	EMBRACE RELIEF FOUNDATION INC	ABD
11	FUNDATIA TUNA		ROMANYA
12	SYNESIS PİGİ AMKE	PİGİ KOİNSEP	YUNANİSTAN
13	RESPECT GRADUATE SCHOOL	RESPECT INSTITUTE INC.	ABD
14	PEACE ISLANDS INSTITUTE BOSTON		ABD
15	PEACE ISLANDS INSTITUTE NEW YORK		ABD
16	TURKISH CULTUREL CENTER BOSTON		ABD
17	ALLE KULTUREN MİTEİNANDER	AKM WIEN	AVUSTURYA
18	PEARL OF THE ISLANDS FOUNDATION		YENİ ZELANDA

The decision by Turkey to impose an asset freeze on the humanitarian aid organization Time to Help Belgium is a significant case that clearly demonstrates the misuse of AML/CFT regulations by repressive and authoritarian states, warranting a thorough examination. The following key points have been identified regarding this case:

- 1- Time To Help Belgium is a humanitarian aid association legally established in Belgium and operates under Belgian law. The organization has never been subject to any investigation or legal proceedings in Belgium. On the contrary, its humanitarian aid efforts have been recognized and appreciated multiple times by Belgian state institutions.
- 2- Time To Help Belgium does not have any assets in Turkey. The organization has no official ties with Turkey. Its only connection to Turkey stems from the fact that some of its executives are of Turkish origin.
- 3- Despite having no assets in Turkey, no connection to Turkish law, and being established and operating under Belgian law, Time to Help Belgium

was added to Turkey's "asset freeze" list by Turkish authorities based on Article 7 of Law No. 6415 on the Prevention of the Financing of Terrorism<sup>83</sup>.

- 4- Law No. 6415 on the Prevention of the Financing of Terrorism was enacted by the Turkish state in 2013 as part of its compliance with FATF standards. Articles 5 to 16 of Law No. 6415 regulate the asset freezing measure. Paragraphs 3 and 4 of Article 7 were added to the legislation on December 27, 2020.

Before this amendment on 2020, the Turkish executive authorities could not impose asset freezing measures under Law No. 6415 unless the assets were located in Turkey. Instead, they could only file a criminal complaint with the relevant public prosecutor's office against individuals suspected of financing terrorism. However, with the 2020 amendment to Law No. 6415, executive authorities were granted the power to add individuals to the asset freeze list and publish their names without a court decision, solely based on the signature of the relevant ministers.

Turkey has long been accused of interpreting the definition of terrorism broadly and using counterterrorism laws to suppress opposition groups. The 2020 amendment to Law No. 6415 has enabled Turkey to arbitrarily apply measures in an area that FATF and international institutions consider highly sensitive.

In FATF evaluations, Turkey claims that it has established counterterrorism financing laws within its legal system. However, the subsequent amendments to the legislation allow for arbitrary enforcement, a fact that Turkey conceals in its FATF reports. A detailed examination of Turkey's counterterrorism financing laws reveals that,

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<sup>83</sup> <https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=6415&MevzuatTur=1&MevzuatTertip=5>

contrary to its claims of compliance with FATF standards, the country has not implemented these regulations in line with universal legal principles. Instead, Turkey grants itself the authority to add individuals and groups to these lists at will, bypassing international legal norms. At first glance, Turkey may appear to have enacted legislation aligned with FATF standards, but a deeper analysis of its laws demonstrates that its counterterrorism financing framework is inconsistent with universal human rights principles and allows for arbitrary enforcement.

- 5- On August 28, 2024, Turkey issued an asset freeze decision against the humanitarian aid organization Time to Help Belgium, based on Article 7 of Law No. 6415 on the Prevention of the Financing of Terrorism. However, Time to Help Belgium has no assets in Turkey. The fact that Turkey has included a Belgium-based organization with no assets in Turkey in its asset freeze lists highlights how AML/CFT regulations are being used as a tool for transnational repression.
- 6- As explained in previous sections, the current Turkish government is a repressive and authoritarian regime that does not respect universal legal norms. This government considers the Gülen Movement a political opposition and, despite its designation lacking international recognition, classifies it as a terrorist organization.
- 7- The decision to include Time to Help Belgium in Turkey's asset freeze list was based on an investigation report dated July 22, 2024 (Report No. 2024/AR-1005-1), issued by MASAK (Financial Crimes Investigation Board), a body under the Turkish Ministry of Treasury and Finance.

### RAPORUN KONUSU

Güvenlik ve İstihbarat Birimleri tarafından Başkanlığımıza iletilen taleplere istinaden FETÖ/PDY Terör örgütüyle irtibatı ve iltisakı bulunduğu değerlendirilen kuruluşlar ve bu kuruluşlarla ilişkili kişilerin malvarlığının dondurulmasına ilişkin 6415 sayılı Terörizmin Finansmanının Önlenmesi Hakkında Kanununun “Yabancı devletlere yapılacak malvarlığının dondurulması talepleri ile Türkiye’de bulunan malvarlığı hakkında yapılacak işlem” başlıklı 7’nci maddesinin 3’üncü fıkrası kapsamında araştırılması.

### RAPORUN

Tarihi : 22.07.2024

Sayısı : 2024/AR-1005-1

A part from MASAK (Financial Crimes Investigation Board) report on Time to Help Belgium

8- In the MASAK report, the justification for adding Time to Help Belgium to the "asset freeze" list under Law No. 6415 on the Prevention of the Financing of Terrorism was based on findings such as the organization's own website content detailing its humanitarian aid activities, its legal fundraising efforts, its assistance to earthquake victims, and information obtained from security and intelligence agencies.

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In the MASAK report, the justification for adding Time To Help Belgium to the "asset freeze" list under Law No. 6415 on the Prevention of the Financing of Terrorism was based on findings such as the organization's own website content detailing its humanitarian aid activities, its legal fundraising efforts, its assistance to earthquake victims, and information obtained from security and intelligence agencies.

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## 1.2. TIME TO HELP – YARDİM ZAMANİ VZW / BELÇİKA

Time to Help Belgium (Belçika) hakkında Başkanlığımız veritabanından alınan veriler, güvenlik ve istihbarat birimlerinden alınan bilgiler ve açık kaynaklarda yapılan araştırmalar neticesinde;



- Belçika'da mukim FETÖ terör örgütü adına faaliyet yürüttüğü bilgisi istihbar edilen Time to Help Belgium ünvanlı kuruluşun 10.09.2010 tarihinde 'All for Lise ASBL' adıyla kurulduğu ve mevcut ünvanı olan '**Time to Help – Yardım Zamani VZW**' adını 03.07.2017 tarihinde aldığı<sup>1</sup>,
- Kuruluşun 'Paleizenstraat 27, 1030 Brussel / Belgium' adresinde faaliyet gösterdiği ve ticaret sicil numarasının '0828.902.909' olduğu,
- Kuruluşun x sosyal medya hesabı (@Timetohelpbe) üzerinden ülkemizde meydana gelen Kahramanmaraş deprem felaketi sonrası sözde yardım kampanyası başlattığı,
- Kuruluşun sözde kampanyalar için toplanacak yardımları BE43751204966801 IBAN bilgisinin paylaşıldığı,

Some excerpts from the report regarding the data presented as justification for the asset freeze decision towards Time to Help

**time to ...**  
**HELP TURKEY**

**IBAN: BE43 7512 0496 6801**

**timetohelp**  
www.timetohelp.be  
Paleizenstraat 27  
1030 Brussel

**NL +32 485 572 809**  
**FR +32 483 288 898**  
**info@timetohelp.be**  
**www.timetohelp.be**

Tablo – 6 (Derneğin sosyal medya hesapları üzerinden paylaştığı sözde deprem yardımı kampanyası)

9- In the MASAK report, it was alleged that the Time to Help Belgium association provided financial support to the FETÖ terrorist organization; however, no details were provided on how, when, or through which means this alleged financial support took place. As a result, without any legally proven evidence, but rather based on a few sentences from intelligence reports, MASAK (Financial Crimes Investigation Board)—which also represents Turkey within FATF—included a legally operating humanitarian aid organization in Belgium in the terrorism financing list through a report filled with unsubstantiated claims.

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MASAK (Financial Crimes Investigation Board), which represents the Turkish state within FATF, has added a legally operating humanitarian aid organization in Belgium to the terrorism financing list based on a report filled with unsubstantiated claims, relying solely on a few sentences from intelligence notes rather than legally proven evidence. While **MASAK** presents Turkey as compliant with AML/CFT regulations during FATF meetings, in practice, **MASAK misuses FATF's AML/CFT framework for political purposes.**

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10-MASAK (Financial Crimes Investigation Board), the institution that unlawfully added Time to Help Belgium to the Terrorism Financing List, also represents the Turkish state within FATF. While MASAK claims in FATF meetings that Turkey complies with AML/CFT regulations, in practice, it abuses FATF's AML/CFT framework for political purposes.

11- At this point, a striking example will be presented to illustrate how arbitrarily and broadly the crime of financing terrorism is interpreted in countries that do not apply counterterrorism laws in accordance with

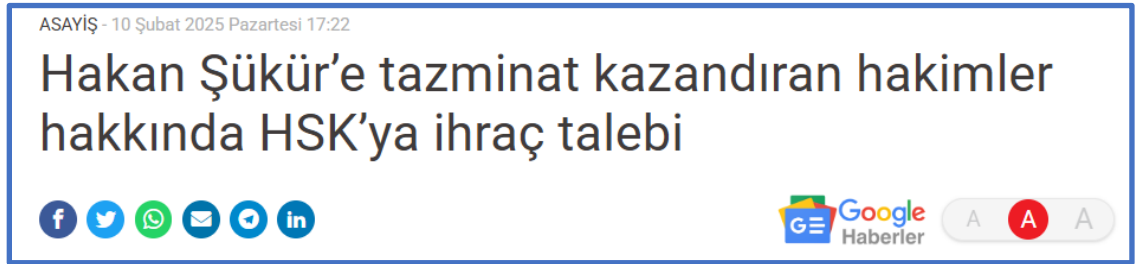
universal legal principles, and how authoritarian regimes use the charge of "financing terrorism" to justify unlawful decisions.

**Former Turkish national football team player Hakan Şükür**, who is globally recognized, has been politically targeted by the Turkish government due to his sympathy for the Gülen Movement (which the Turkish state classifies as a terrorist organization under the term FETÖ – Fethullahist Terrorist Organization). As a result, Hakan Şükür was subjected to insults and defamation on social media platforms. In response, through his lawyers, he filed defamation lawsuits in Turkey against individuals who had insulted him. Under Turkish penal law, courts ruled in favor of Hakan Şükür, awarding him compensation for the insults he had suffered. Due to his perceived affiliation with the Gülen Movement, the compensation legally awarded to Hakan Şükür became a subject of public discussion in Turkish media.

A Turkish lawyer named Muhammed Gömük filed a complaint with Turkey's Council of Judges and Prosecutors (HSK), arguing that the compensation payments granted to Hakan Şükür could be used to support the Gülen Movement. He further alleged that judges ruling in favor of Hakan Şükür were enabling a "terrorist" to generate income and should be prosecuted under Article 2 of Law No. 6415 on the Prevention of the Financing of Terrorism (terrorism financing) and Article 220 of the Penal Code (forming a criminal organization). He demanded that these judges be dismissed from the judiciary and criminally charged. The investigation into this complaint is still ongoing<sup>84</sup>.

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<sup>84</sup> <https://www.iha.com.tr/izmir-haberleri/hakan-sukure-tazminat-kazandiran-hakimler-hakkinda-hskya-ihrac-talebi-189617635>



The monetary compensation awarded to former national football player Hakan Şükür through court rulings in his defamation cases can easily be classified as terrorism financing in a repressive country like Turkey. Hakan Şükür's experience serves as a clear example of how arbitrarily terrorism and terrorism financing laws are applied in authoritarian regimes.

The experience of national football player Hakan Şükür is a clear example of how terrorism financing laws are arbitrarily applied in authoritarian countries like Turkey.

12-The repressive Turkish government is fully aware that Time To Help Belgium has no assets in Turkey, as this information is available in state records. Given that the organization has no assets in Turkey, it is clear that the asset freeze decision would have no effect within the country. The true intention behind this move is to prevent Time To Help Belgium, a humanitarian aid organization run by individuals affiliated with the opposition Gülen Movement, from operating abroad.

13-Following Turkey's asset freeze decision on August 28, 2024, the names of Time to Help Belgium and its board members were collected by data provider companies and added to their databases as profile information.

14-Immediately after the asset freeze decision, the bank accounts of the organization's executives were closed by banks without any justification. As a result, Time to Help Belgium began facing financial difficulties with banks and financial institutions.

15-At this point, it has become evident that the repressive Turkish government has abused FATF's AML/CFT regulations through this unlawful asset freeze decision. Turkey has wrongfully accused a humanitarian aid organization with no ties to terrorism of financing terrorism, causing the organization to encounter financial difficulties. This case demonstrates how Turkey has used AML/CFT measures to apply transnational repression against Time to Help Belgium, an organization that operates lawfully in Belgium with no official ties to Turkey. This transnational repression has been enabled by data provider firms that indiscriminately collect asset freeze lists without assessing them through a human rights framework, as well as Belgian banks that rely on these databases, ultimately causing financial hardship for the organization and its executives.

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At this point, it has become evident that the repressive Turkish government has misused FATF's AML/CFT framework through this unlawful asset freeze decision. Turkey has wrongfully accused a humanitarian aid organization with no ties to terrorism of financing terrorism, leading to financial difficulties for the Belgium-based organization.

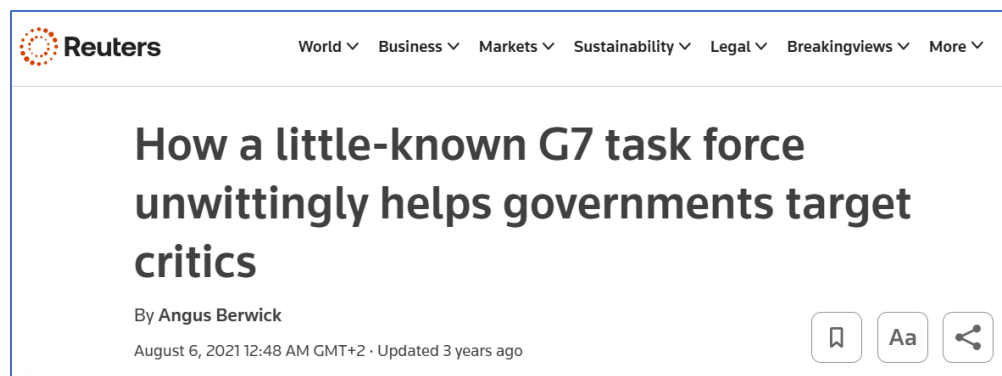
By leveraging AML/CFT regulations, Turkey has applied transnational repression against Time to Help Belgium, an organization operating lawfully in Belgium with no official ties to Turkey. This repression has been facilitated by data provider firms that indiscriminately collect asset freeze lists without assessing them through a human rights framework, as well as Belgian banks that rely on these databases. As a result, the organization and its executives have faced financial restrictions following this unlawful decision.

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## CHAPTER 4

### 4. Abuse of AML/CFT Legislation and Solution Suggestions

As we have tried to explain in previous sections, the standards and rules set forth by the FATF have led to significant progress in preventing money laundering and terrorist financing on a global scale. However, these standards set forth by the FATF are subject to similar abuse by some states acting unlawfully, such as the abuse of the INTERPOL system.<sup>85</sup>



Reuters' news on FATF, 06.08.2021

The fact that oppressive countries make false terrorism accusations against opposition figures and issue INTERPOL red notices about them prevents individuals from traveling. However, as a result of the misuse of FATF standards, individuals and their families are completely excluded from the economic sphere in the face of false terrorism accusations and they encounter this problem in every area of life. The misuse of AML/CFT legislation makes the targeted individuals and their families **“financially dead”** in a sense and pushes them out of the economic sphere. Therefore, the misuse of FATF standards leads to much more serious rights violations.

<sup>85</sup> Reuters' website, 06.08.2021, Reuters, "How a little-known G7 task force unwittingly helps governments target critics" <https://www.reuters.com/business/finance/how-little-known-g7-task-force-unwittingly-helps-governments-target-critics-2021-08-05/>

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As a result of the misuse of FATF standards, individuals facing false terrorism accusations are completely excluded from the economic sphere and encounter this issue in every aspect of life. The abuse of AML/CFT regulations effectively turns targeted individuals and their families into "financially dead" persons.

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#### 4.1. FATF's stance on misuse of AML/CFT regulations

FATF's primary objective is to ensure the integrity of the global financial system. After decades of developing and implementing AML/CFT regulations, FATF is aware of the practical challenges and seeks to prevent their misuse as a tool for transnational repression.

In 2021, FATF launched the initiative "Mitigating Unintended Consequences" to examine and address the unintended impacts of anti-money laundering and counter-terrorism financing (AML/CFT) measures<sup>86</sup>. FATF recognized that AML/CFT policies could, in some cases, lead to human rights violations, financial exclusion, and pressure on civil society. Therefore, it aims to take measures in the following areas:

- Financial Exclusion: Preventing banks from unjustly excluding individuals or organizations from the financial system due to excessive risk-averse policies.
- Interference with Freedom of Expression and Association: Ensuring that NGOs are not unfairly restricted under the pretext of "terrorism financing."
- Misuse of Legal Frameworks: Preventing governments from using AML/CFT regulations to suppress dissent or violate human rights.

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<sup>86</sup> <https://www.fatf-gafi.org/en/publications/FinancialInclusionandnpoissues/Unintended-consequences-project.html>

To mitigate these negative effects, FATF has been working on various reforms since 2021, including:

1. Strengthening the Risk-Based Approach: Issuing guidance to prevent states and financial institutions from treating all entities as high-risk by default.
2. Dialogue with Civil Society: Developing recommendations to ensure that legitimate NGO activities are not hindered.
3. Assessing Member States: Reviewing whether countries are abusing AML/CFT laws for political repression.

FATF continues to monitor the process, incorporating feedback from civil society organizations and encouraging proportionate enforcement measures.

According to Reuters, FATF officials have explicitly stated that the misuse of its standards to suppress legitimate non-profit activities or restrict individual rights is a serious concern and that such abuses cannot be tolerated under the framework of anti-money laundering and counter-terrorism financing measures<sup>87</sup>.

The findings in FATF's December 2019 Turkey Mutual Evaluation Report shed significant light on the nature of requests originating from Turkey. FATF urged Turkey to enhance efforts in conducting thorough financial investigations in terrorism-related cases and emphasized the prioritization of actions against terrorist groups designated by the United Nations<sup>88</sup>. This indicates a shift in focus, suggesting that Turkey's current AML/CFT initiatives have been increasingly directed at political opponents such as the Gülen Movement rather than internationally recognized terrorist organizations.

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<sup>87</sup> Reuters, <https://www.reuters.com/business/finance/how-little-known-g7-task-force-unwittingly-helps-governments-target-critics-2021-08-05/>.

<sup>88</sup> FATF, Jurisdictions Under Enhanced Monitoring - 23 Haziran 2023, <https://www.fatf-gafi.org/content/fatf-gafi/en/publications/High-risk-and-other-monitored-jurisdictions/Increased-monitoring-june-2023.html>

Additionally, in 2021, FATF placed Turkey on the "grey list" due to its failure to meet AML/CFT obligations. FATF President Marcus Pleyer, in his statement regarding the decision, emphasized that Turkey needed to demonstrate effective action against complex money laundering cases and prioritize<sup>89</sup> cases related to UN-designated terrorist groups such as ISIS and Al-Qaeda. This indirectly confirmed concerns about the Turkish government's misuse of AML/CFT regulations to target political dissidents.

While FATF has acknowledged these issues, there appears to be insufficient progress in addressing them in practice. For instance, despite being placed on the grey list in 2021, Turkey continued to define terrorism beyond UN standards, falsely accusing individuals and groups of terrorism, and publishing baseless terrorism-related lists. Despite failing to make meaningful improvements in this area, Turkey was removed from FATF's grey list in June 2024<sup>90</sup>.

## 4.2. Our Recommendations for Preventing the Misuse of AML/CFT Regulations

This report has been prepared to contribute to the objectives outlined in FATF's "Mitigating Unintended Consequences" initiative. Given that AML/CFT regulations involve multiple dimensions such as standard setting, implementation, oversight, and judicial processes, we present our recommendations for different areas below.

### 4.2.1. Recommendations on FATF's Institutional Structure to Prevent the Misuse of AML/CFT Regulations

#### 1. Ensuring Rapid and Effective Responses to Misuse

FATF was established to safeguard the integrity of the global financial system and has successfully introduced internationally recognized standards. However, in practice, AML/CFT regulations are increasingly being misused for purposes such as suppressing civil society, violating

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<sup>89</sup> <https://www.fdd.org/analysis/2021/10/22/turkey-on-anti-money-laundering-watchlist/>

<sup>90</sup> <https://www.aa.com.tr/tr/ekonomi/turkiye-gri-listeden-cikarildi/3260681>

fundamental rights, and financially excluding individuals. Authoritarian states act swiftly in abusing these mechanisms—for example, within a week of an arbitrary designation for terrorism financing, the affected individuals may find their bank accounts closed. FATF must implement effective and prompt measures to address these abuses and respond rapidly to states misusing the system. Taking quick and decisive actions against such practices will reinforce FATF’s founding mission and help preserve the integrity of the international financial system.

## 2. Establishing a Human Rights–Based Principles Agreement

FATF was founded by G7 countries as an intergovernmental body to prevent money laundering, but it was not established through a founding treaty. Typically, foundational treaties include binding principles that signatories must uphold. To address this gap, FATF should adopt a Principles Agreement that explicitly establishes universal human rights as a fundamental red line in the implementation of AML/CFT standards. This provision would provide a legal basis for holding countries accountable for misusing AML/CFT regulations as a tool of repression.

## 3. Integrating Anti–Abuse Measures into FATF’s Mutual Evaluation Process

FATF conducts regular “Mutual Evaluations” to monitor how member states implement AML/CFT regulations. A clear policy statement should be incorporated into FATF’s standards, declaring that the use of AML/CFT laws for transnational repression is illegitimate. This requirement should be actively monitored in FATF’s periodic evaluations and directly impact a country’s inclusion or removal from the grey list. The risk of **grey listing** could deter repressive governments from compiling arbitrary terrorism and asset-freezing lists, helping prevent abuse at its source.

For example, while FATF's previous president implicitly criticized Turkey's AML/CFT practices, this did not translate into practical consequences. *Turkey has continued misusing AML/CFT regulations, as seen in its August 2024 decision to blacklist Time to Help Belgium, along with other arbitrary asset-freezing actions.* The most effective tool to push governments like Turkey to comply with AML/CFT regulations in good faith is the risk of grey listing. A firm stance by FATF on grey listing states that engage in AML/CFT abuses would serve as a strong deterrent.

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The most effective tool to push law-deficient countries like Turkey to act responsibly in AML/CFT implementation is the risk of being placed on FATF's grey list.

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#### 4. Establishing a FATF Oversight Mechanism to Prevent AML/CFT Misuse

FATF was founded as an intergovernmental body to set AML/CFT standards, leaving the implementation of these standards to individual countries. While FATF monitors compliance through Mutual Evaluations, the actual enforcement power remains with national governments. Given that FATF does not have executive authority, it could benefit from methods developed by INTERPOL to prevent the misuse of its own system.

In INTERPOL's 2021 Annual Report, Secretary General Jürgen Stock emphasized that INTERPOL takes human rights protection very seriously. To prevent the misuse of Red Notices, INTERPOL established the Notices and Diffusions Task Force (NDF) <sup>91</sup>, which carefully examines each Red

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<sup>91</sup> Human Rights Watch, "We Will Find You" A Global Look at How Governments Repress Nationals Abroad, 2024, s.35.

Notice request to determine whether it violates INTERPOL's Constitution by being politically, militarily, religiously, or racially motivated.

For example, if Russia submits an unlawful Red Notice request against a refugee in the UK, INTERPOL investigates the case and, if it finds that the person is a recognized refugee, rejects the Red Notice request. This mechanism prevents INTERPOL from being exploited as a tool of transnational repression by authoritarian states like Russia.

### A Specialized FATF Unit to Monitor AML/CFT Misuse

INTERPOL's approach demonstrates how international institutions can establish dedicated units to monitor and counter misuse. While FATF lacks direct enforcement authority, it could create a specialized unit to track the misuse of AML/CFT regulations, collect relevant data, and propose solutions. Such a unit would enable FATF to integrate anti-abuse measures into its standard-setting processes and ensure that AML/CFT policies do not become tools for transnational repression.

### A Model from the UN: The 1267 Sanctions Committee Ombudsperson

A relevant example of an oversight mechanism within an international body is the UN Security Council's 1267 Sanctions Committee Ombudsperson. This office assists in evaluating requests for adding or removing individuals and entities from UN sanctions lists. RUSI (Royal United Services Institute) suggests<sup>92</sup> that a similar office within FATF should produce an annual public report on AML/CFT misuse, with a

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<sup>92</sup> Tom Keatinge, Stephen Reimer and Isabella Chase, "Good Intentions: The FATF Faces Its Own Unintended Consequences", 5 August 2021, <https://rusi.org/explore-our-research/publications/commentary/good-intentions-fatf-faces-its-own-unintended-consequences>

guaranteed speaking slot at each FATF Plenary meeting. Countries identified as violating AML/CFT regulations for political purposes should be required to formally respond and demonstrate corrective actions.

By implementing a specialized oversight unit, FATF can take an active role in preventing the misuse of its standards while ensuring that AML/CFT regulations serve their intended purpose without violating human rights.

5. FATF's inclusion of the concept of transnational repression in its updated standards and the prohibition of the misuse of AML/CFT regulations as a tool for transnational repression could be effective. Additionally, FATF member countries could be required to incorporate this issue into their national legislation. FATF should take a clear stance that the misuse of AML/CFT regulations as a transnational repression tool, leading to deliberate human rights violations, is being monitored.
6. The scope of the confidentiality prohibition under AML/CFT regulations needs to be clarified. In cases where AML/CFT regulations are misused by certain states, individuals affected by such unlawful actions seek to access their personal data to file lawsuits. However, obliged entities (banks) do not provide individuals with raw data about themselves or disclose the source of the data provider under the confidentiality prohibition of AML/CFT regulations, even in cases of evident injustice.

**Obliged entities (such as banks) generally broaden the scope of the confidentiality prohibition, applying it in an overly restrictive manner beyond its intended purpose.** The implementation of the confidentiality prohibition under AML/CFT regulations should ensure the secrecy of ongoing investigations, but extending it to prevent affected individuals from accessing any information facilitates the abuse of the system.

FATF's Recommendation 21 states that financial institutions should avoid disclosing certain customer information. However, **ambiguities exist regarding how this confidentiality prohibition should be applied.** In practice, obliged entities invoke AML/CFT regulations to overly broaden the scope of the confidentiality prohibition, treating all data used in their processes as confidential. However, factual data forming the basis for obliged entities' analyses—such as individual risk profiles provided by financial data providers—should not be considered confidential under this prohibition.

In this regard, the European Union's newly implemented Regulation (EU) 2024/1624 on the Prevention of Money Laundering and Terrorist Financing clarifies the scope of the confidentiality prohibition. Article 73 of this regulation states that certain information cannot be shared with customers or third parties, limiting the prohibition to reports submitted or to be submitted to Financial Intelligence Units and internal analyses. *Thus, publicly available third-party data (such as which data provider supplied a bank with an individual's profile information) is not subject to the confidentiality prohibition under the regulation.* Despite this, obliged entities misinterpret this rule broadly and refuse to disclose data even when requested.

For example, following Turkey's politically motivated listing of an executive from the Time to Help association in August 2024 and the subsequent creation and publication of a risk profile by financial data providers, a virtual asset service provider based in Estonia closed the executive's bank account. When requested, access to the risk profile that justified this decision was denied, citing "strict legal requirements preventing further disclosure" (here referring to the AML/CFT confidentiality prohibition). As seen in this case, despite the information

not being related to any report submitted to a Financial Intelligence Unit or the existence of any internal analysis, the virtual asset service provider interpreted the confidentiality prohibition broadly and categorized it as

With the above in mind, please note that we must adhere to strict regulatory requirements that prevent us from disclosing further details in regards to the reasons behind the decision to close ██████'s account. Please understand that this decision is based on our responsibility to comply with legal frameworks concerning both AML and data protection, and it is in no way intended to withhold information unnecessarily. In any case, based on Article 38.3 of the Terms, we may terminate a user's account for any reason based on our sole discretion.

*The relevant section from the response of the virtual asset service provider:*

restricted information.

In this regard, the FATF's publication of a guideline that sets clearer boundaries on the prohibition of disclosure will both reduce compliance costs in the global financial system and establish a more effective regulatory framework. Eliminating regulatory uncertainties is critically important for ensuring transparency and accountability, which are fundamental principles of AML/CFT systems. The FATF should issue additional guidance to clarify the scope of the prohibition on disclosure, develop regulatory frameworks to prevent misapplications by obliged entities, and promote a consistent and coherent approach at the global level. Such steps will enhance the effectiveness of the AML/CFT regime and contribute to making the international financial system fairer and more accountable.

7. The implementation of the FATF's recommendations on AML/CFT legislation at the country level is ensured by each country's financial supervisory and regulatory institutions. In the United States, these standards are monitored by the Financial Crimes Enforcement Network (FinCEN) and the Office of the Comptroller of the Currency (OCC); in Germany, by the Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin – Federal Financial Supervisory Authority); and in Belgium, by the Cellule

de Traitement des Informations Financières (CTIF-CFI – Financial Intelligence Processing Unit). The FATF could encourage financial supervisory and regulatory institutions in each country not only to oversee the enforcement of AML/CFT legislation but also to monitor and prevent its misuse as a tool of transnational repression.

#### 4.2.2. Recommendations for Data Providers Enabling the Misuse of AML/CFT Regulations

- 1- As we have detailed in previous sections, dissidents are unlawfully and easily accused of being "terrorists" by authoritarian states, and their names are added to terrorist lists. Moreover, authoritarian governments classify groups opposing their political rule as terrorist organizations and treat individuals affiliated with these groups as terrorists. Hundreds of thousands of negative media contents, such as news articles and reports, are produced against individuals associated with these groups and are disseminated freely on the internet.

Due to lists published by public institutions of authoritarian states or the negative media content produced against opposition groups and individuals in these countries, millions of people are categorized as "risky" by data provider companies. These individuals are then integrated into the financial system through the databases prepared by these providers.

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FATF holds obligated institutions responsible for the implementation of AML/CFT regulations. However, in practice, these institutions rely on the databases of data providers to obtain information about individuals. At this point, **FATF allows obligated institutions to use third-party services, provided that the responsibility remains with them.** According to FATF Standard 17, "Countries may permit financial institutions to rely on third parties to perform elements (a)-(c) of the CDD measures set out in Recommendation 10 or to introduce business, provided that the criteria set out below are met. Where such reliance is permitted, the ultimate responsibility for CDD measures remains with the financial institution relying on the third party."

**Holding obligated institutions (such as banks) responsible for the data provided by data providers (e.g., Acuris) in practice does not prevent the misuse of AML/CFT regulations.** In reality, obligated institutions merely include a clause in their contracts with data providers requiring compliance with legal standards, which the data providers accept, but this has no real impact in practice.

As explained in previous sections, data providers claim to collect only verified information from reliable sources. However, in practice, they use unverified local media reports—such as an article from the regional newspaper Antalya Ekspres—as a source when profiling individuals like educator and human rights activist S.T. This example demonstrates how data providers (e.g., Acuris, LexisNexis) indiscriminately integrate any AI-collected online information into the financial system through their databases.

To prevent this misuse of AML/CFT regulations, FATF should establish a new standard that holds not only obligated institutions but also data providers accountable for the implementation of CDD and KYC protocols.

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This misuse of AML/CFT regulations can be prevented by FATF establishing a new standard that holds not only obligated institutions but also data provider companies accountable for the implementation of CDD and KYC protocols.

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With the updated FATF standard, data providers, which will become accountable alongside obligated institutions for the implementation of CDD and KYC protocols, will be required to establish intermediary audit mechanisms similar to those developed by INTERPOL. Through these intermediary audit mechanisms, data providers will no longer be able to directly integrate all collected information into the financial system. Instead, they will assess the compliance of the information based on specific criteria, such as adherence to human rights and whether it has been generated with political motivation. Only information that meets these criteria will be included in their databases. By preventing politically motivated information from entering databases in this manner, the misuse of AML/CFT regulations as a tool for transnational repression will also be eliminated.

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A new update to FATF standards should explicitly state that data providers are responsible for the data they provide and, therefore, cannot process or integrate into the financial system any data that would result in violations of fundamental human rights and freedoms.

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- 2- Regional obligations should be facilitated regarding the implementation of FATF standards. For instance, regional regulations could be introduced to ensure that data provider companies supplying information to obligated institutions (such as banks and insurance companies) operating in EU countries may only include individuals and entities linked to organizations designated as terrorist groups by the UN, the EU, and the ECtHR in their databases. Data providers should be allowed to share the data they collect from Russia freely with the Russian state, but when selling data to banks in EU countries, they must apply the filters required by the EU.
  
- 3- Data providers should be required to process data not according to the legal framework of the country in which they are established but in accordance with the legal regulations of the countries where their data is used. For example, financial databases sold to banks operating in Belgium (such as the World-Check database owned by the UK-based Refinitiv) should only contain individuals and entities linked to organizations recognized as terrorist groups by Belgium and the EU. It should be legally mandated that financial databases used within EU territory may not include political-motivated "terrorist organization" lists and media content prepared by authoritarian states like China, Russia, and Turkey, except for universally recognized organizations.

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Legislation should be enacted to ensure that financial databases used within EU territory do not include politically motivated "terrorist organization" lists and media content added by authoritarian states such as China, Russia, and Turkey, except for organizations universally recognized as terrorist groups.

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4- As stated in the UN Human Rights Council's unanimously adopted resolution (A/HRC/RES/17/31, United Nations Guiding Principles on Business and Human Rights), all private enterprises have a responsibility to respect human rights, which requires them to avoid infringing on the rights of others and to address any adverse human rights impacts they are involved in. This responsibility to respect human rights is a global standard of expected conduct for all businesses wherever they operate<sup>93</sup>. It exists independently of the ability and/or willingness of states to meet their own human rights obligations and does not diminish those obligations. Moreover, beyond compliance with national laws and regulations protecting human rights, companies have a duty to uphold human rights. In this regard, data provider firms that supply financial intelligence to obligated institutions such as banks under AML/CFT regulations must ensure the protection of human rights at all stages of data collection, processing, and commercial use, as emphasized in the UN resolution. Otherwise, they bear responsibility under universal human rights law. Awareness of compliance with human rights legislation among data providers must be enhanced. Additionally, regulatory bodies such as FATF should clearly and explicitly inform data providers of these obligations. This notification can be incorporated into FATF standards or implemented through other practical methods deemed appropriate by FATF.

5- Once negative profile information is created about an individual, obligated institutions such as banks act upon this information. Individuals are generally unaware that a negative financial intelligence profile has been created about them until their bank accounts are closed

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<sup>93</sup>[https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf)

or credit applications are rejected. When a person whose bank account has been closed attempts to reopen it, banks typically justify their decision based on general clauses in the signed customer agreement. When individuals legally challenge their account closures or request their personal data under GDPR regulations, banks are then obliged to disclose that the closure is based on profile information about the individual. However, even in such cases, banks only reveal the data provider responsible for the decision (e.g., the Acuris database), but the individual remains unaware of which other data providers—among the many operating in this sector—may have also created an unfair profile about them.

The inability of individuals to identify the data providers that have generated negative profiles about them effectively prevents them from pursuing legal action, which is already a lengthy and difficult process. Obligated institutions cite AML/CFT provisions related to "non-disclosure of such information" as a justification for withholding details on unlawful data sources. Consequently, affected individuals cannot determine the origin of the unlawful data and are unable to seek legal recourse. At this point, international regulatory bodies like FATF, as well as national financial regulators in each country, must implement measures to ensure greater transparency. They should enforce regulations requiring obligated institutions, such as banks, to disclose the sources of data used in cases of unlawful profiling.

6- Enhancing Oversight of Data Providers: Data providers supplying financial intelligence under AML/CFT regulations should be subject to independent oversight to ensure compliance with human rights standards. Governments and regulatory bodies such as FATF should

impose stricter accountability measures to prevent the misuse of their databases

#### 4.2.3. Recommendations to Prevent the Abuse of AML/CFT Regulations by Certain Countries

1. The root cause of the misuse of AML/CFT regulations by authoritarian states lies in their definition of “terrorism.”

According to the United Nations, terrorism consists of violent acts<sup>94</sup> planned and deliberately carried out against civilian or non-civilian targets with the intent to intimidate a state or the civilian population. The 1999 UN International Convention for the Suppression of the Financing of Terrorism defines terrorism as “illegal violent acts carried out to create panic or coerce a state or international organization, causing harm to the public<sup>95</sup>.” The European Court of Human Rights (ECtHR) also considers terrorism as violent acts that pose a serious threat to fundamental rights<sup>96</sup>.

The common element in universally recognized definitions of terrorism is the presence of violence. However, authoritarian states manipulate the concept of “terrorism” by expanding its definition beyond internationally accepted legal standards to include individuals and groups opposing their political rule, even in the absence of violence.

These legally ungrounded definitions lead to the creation of politically motivated terrorist lists. As a result, thousands of individuals and

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<sup>94</sup> United Nations, In Larger Freedom: Towards Development, Security and Human Rights for All, Report of the Secretary-General, 21 March 2005, A/59/2005.

<sup>95</sup> United Nations, *International Convention for the Suppression of the Financing of Terrorism*, 9 December 1999, Treaty Series, Vol. 2178, p. 197.

<sup>96</sup> European Court of Human Rights, *Kudla v. Poland*, Application no. 30210/96, Judgment of 26 October 2000., <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-58920%22%5D%7D>

institutions are labelled as “terrorists” despite having no involvement in violent acts. Their inclusion in such lists causes them to be categorized as high-risk individuals in the global financial system, leading to significant financial restrictions and difficulties, as explained above.

To address this issue, FATF’s Recommendation 5 on the Criminalization of Terrorist Financing could explicitly require that terrorist designations and related financial blacklists adhere to the definitions of terrorism provided by universally recognized legal bodies, such as the UN and ECtHR. The principle that terrorism designations not based on universally accepted legal definitions should not be effective in the financial sector could be added to Recommendation 5. Moreover, FATF could incorporate the issue of politically motivated terrorist list-making into its country evaluation processes.

The inclusion of such provisions in Recommendation 5 would compel authoritarian states that misuse AML/CFT regulations to align their practices with international legal norms to avoid FATF’s grey list designation, thereby discouraging the abuse of counter-terrorism measures for political repression.

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A provision added to **FATF Recommendation 5** advising countries to align their practices with international terror legal norms would compel countries that misuse AML/CFT regulations for purposes beyond their intended scope to act more cautiously in order to avoid being placed on **FATF’s grey list**.

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#### 4.2.4. Recommendations for States That Do Not Misuse AML/CFT Regulations but Fail to Prevent Such Abuses Within Their Jurisdiction

1. The first country to legally address transnational repression, a global threat to democracy and human rights, is the United States. In 2022, the U.S. adopted the Transnational Repression Accountability and Prevention (TRAP) Act (H.R. 4330).

Although some steps have been taken in countries such as Canada, Australia, and the United Kingdom, outside of the U.S., other democratic countries have not legally addressed transnational repression or introduced specific criminal measures related to it.

In these countries, transnational repression should be recognized as a newly emerging crime within globalization and incorporated into criminal law to enable these countries to protect their own citizens and all individuals residing within their sovereign territory in terms of fundamental rights and freedoms.

This recommendation is also included in a report prepared by the Parliamentary Assembly of the Council of Europe (PACE). According to the PACE report<sup>97</sup>, the Assembly considers transnational repression acts as a violation of international human rights law, particularly the Convention. It recalls that the Convention applies to transnational violations and that when a contracting state targets and violates an individual's human rights in the territory of another contracting state, it undermines the effectiveness of the Convention as both a protector of human rights and a guarantor of peace, stability, and the rule of law in

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<sup>97</sup> Parliamentary Assembly of Council of Europe (PACE), Transnational repression as a growing threat to the rule of law and human rights, Doc. 15787, 05 June 2023.p.4 <https://rm.coe.int/transnational-repression-as-a-growing-threat-to-the-rule-of-law-and-hu/1680ab5b07>

Europe. PACE recalls that host states have a positive obligation to protect individuals within their jurisdiction from transnational repression by:

- Providing special protection to identified targets in cases where there is a real and imminent risk,
- Not becoming complicit in violations committed by foreign agents on their territory,
- Upholding the principles of non-refoulement and legality, ensuring that individuals are not made vulnerable to, transferred, deported, or extradited into transnational repression, especially when the requesting state poses a risk of violating one of the fundamental Convention rights, including through unlawful channels.

The report further states that transnational repression practices violate universal human rights law and should carry criminal penalties. PACE, therefore, considers that the Convention (ECHR), as interpreted by the ECtHR, provides a solid legal framework for member states to condemn, investigate, and, where appropriate, prosecute transnational repression acts.

For non-member states such as Belarus or former member states such as Russia, the Assembly recalls that similar obligations arise under the International Covenant on Civil and Political Rights (ICCPR) and the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, both of which these countries are parties to.

2. Countries that misuse AML/CFT regulations for the purpose of transnational repression deliberately suppress fundamental rights and freedoms. However, in cases where AML/CFT regulations are abused, the countries where these violations occur and the institutions within those countries (for example, a bank in Belgium closing an account based on

Turkey's unlawful lists) bear responsibility for facilitating these human rights violations.

Therefore, awareness-raising activities should be conducted for institutions in these countries to ensure that they do not unintentionally become instruments of transnational repression policies.

3. Experience-sharing can be facilitated with countries that have developed mechanisms against the misuse of international cooperation frameworks (such as the United States).
4. Stronger Oversight of Data Providers and Financial Institutions: Governments should impose stricter oversight on data provider firms and financial institutions operating within their jurisdiction to ensure that politically motivated or unlawful terrorist designations from authoritarian states is not integrated into risk assessment databases.
5. Mandatory Compliance with Universally Accepted Definitions of Terrorism: States should legally require that financial institutions operating within their jurisdiction adhere strictly to terrorism definitions established by the UN, the EU, and the ECtHR, preventing the use of politically motivated terrorist lists from authoritarian regimes
6. Legal Protections Against Discriminatory Financial Practices: Laws should be introduced to prevent financial institutions from denying services based on unverified or politically motivated data. Affected individuals should have the right to challenge such decisions through independent review mechanisms.
7. Accountability for Data Providers and Financial Institutions: States should impose legal and financial penalties on data provider firms and financial

institutions found to be complicit in the misuse of AML/CFT regulations, including their involvement in politically motivated blacklisting.

8. Regular Audits of Financial Data Providers: Governments should establish independent audit mechanisms to regularly review financial databases and risk assessment tools to ensure they comply with international human rights standards and are free from politically motivated content.

#### 4.2.5. Recommendations for Civil Society

- 1- Civil society organizations should focus more on the misuse of AML/CFT regulations and the resulting human rights violations. They should produce more reports and conduct studies on this issue.
- 2- NGOs should organize conferences, webinars, and events to raise awareness on this matter.
- 3- Awareness-raising meetings should be held for data provider companies, informing their legal departments and management about the misuse of AML/CFT regulations by oppressive states. The seriousness of the issue should be conveyed to data providers, citing cases such as the example in the UK, where a company was unjustly linked to terrorism and faced significant compensation claims. Data providers should be encouraged to exercise diligence in AML/CFT listings and update their internal procedures and processes in accordance with universal legal principles.

## CONCLUSION

Today, authoritarian regimes increasingly resort to transnational repression tools, leading to systematic human rights violations that contravene international law. These repressive mechanisms have evolved beyond traditional methods, becoming more sophisticated, particularly through the misuse of Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) regulations. This has emerged as a serious issue threatening the integrity of the global financial system. This report highlights the devastating impact of the instrumentalization of AML/CFT frameworks for political purposes on individuals, civil society organizations, and international financial structures.

While AML/CFT standards established by the Financial Action Task Force (FATF) play a crucial role in maintaining the stability of the global financial system, gaps in oversight mechanisms provide strong evidence of how authoritarian regimes manipulate these regulations to target political opponents, human rights defenders, and civil society organizations. Repressive states arbitrarily expand the definition of terrorism, adding dissident individuals and institutions to financial sanction lists, injecting misleading and politically motivated data into the global financial system. As a result, international financial regulations—designed to ensure transparency and security—are being transformed into tools of repression, leading to outcomes incompatible with human rights and democratic principles.

The case studies examined in this report illustrate how AML/CFT mechanisms are exploited as transnational repression tools, how individuals and organizations are excluded from financial systems, how international financial markets are manipulated, and how fundamental human rights and freedoms are eroded. If this threat to international human rights law and the legitimacy of the financial system remains unaddressed, confidence in FATF as the global financial system's regulator will diminish, human rights violations will increase,

and authoritarian regimes will expand their ability to manipulate international cooperation mechanisms.

In this context, urgent and comprehensive reforms are needed to prevent the misuse of AML/CFT regulations and align them with international human rights standards. FATF should not only ensure financial stability but also establish an independent monitoring and oversight mechanism to prevent its regulations from being used as tools for human rights violations. Similarly, banks, financial institutions, and data providers must act more responsibly and rigorously to counter political manipulation by governments.

As authoritarian states' repression tools transcend borders in an increasingly globalized world, international mechanisms designed to counter these pressures must be restructured with a human rights-centered approach, not merely through the lens of security and financial stability. Otherwise, the misuse of AML/CFT regulations will not only target individuals but also threaten the credibility of the global financial system, the reliability of international institutions, and the sustainability of the international legal order.

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The misuse of AML/CFT regulations will not only target individuals but also threaten the credibility of the global financial system, the reliability of international institutions, and the sustainability of the international legal order.

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In this regard, FATF, international organizations, states, and civil society actors must take concrete and effective measures to safeguard the integrity of the international financial system, protect individuals' fundamental rights, and prevent authoritarian regimes from manipulating financial mechanisms. Ensuring that the global financial system aligns with democratic values remains a cornerstone of international security, economic stability, and the protection of human rights.





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