

CIVIL SOCIETY KAMPALA DECLARATION ON COUNTERING THE FINANCING OF TERRORISM (CFT) WHILE SAFEGUARDING CIVIC SPACE IN AFRICA

A collective of the African civil society organizations comprising Spaces for Change | S4C West Africa, Defenders Protection Initiative, Civic Advisory Hub, Haki Africa and Vocal Africa have been working to ensure the effective implementation of countering the financing of terrorism (CFT) measures while safeguarding civic space in sub-Saharan Africa. Jointly, they put forward this Declaration for the consideration of African governments, intergovernmental and regional bodies, including security agencies, development and multilateral organizations. This Declaration is titled, *African Civil Society Kampala Declaration on Countering the Financing of Terrorism (CFT) Measures While Safeguarding Civic Space in sub-Saharan Africa—shortened as African Civil Society Kampala Declaration.*

Recognizing that “terrorism has a real and direct impact on human rights, with devastating consequences for the enjoyment of the right to life, liberty and physical integrity of victims. In addition to these individual costs, terrorism can destabilize Governments, undermine civil society, jeopardize peace and security, and threaten social and economic development.¹”

Acknowledging that “the resurgence of unconstitutional changes of government; the expanding threat of terrorism and violent extremism across the (African) continent, including the influx of foreign terrorist fighters, private military companies and mercenaries, the proliferation of armed groups, as well as transnational organized crime, have negatively impacted

¹ [OHCHR'S Factsheet No 32: Human Rights, Terrorism and Counter-terrorism](#)

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the peace, security, stability, sovereignty and territorial integrity of some Member States’!²

Noting that “the measures adopted by States to counter terrorism have themselves often posed serious challenges to human rights and the rule of law. Repressive measures have been used to stifle the voices of human rights defenders, journalists, minorities, indigenous groups and civil society. These practices, particularly when taken together, have a corrosive effect on the rule of law, good governance and human rights.”³

Concerned that “governments across the world, including African countries, are extending the application of stringent terrorism-financing regimes to non-profit organizations (NPOs) and charities carrying out humanitarian, service provision and other types of good works to populations in greatest need. These new layers of stringent regulatory measures—ranging from multiple registration points, costly licensing and renewal procedures, duplicated reporting obligations, overlapping regulatory oversight—tilt towards over-regulation of charities, and considerably narrow the operating space for civil society in the continent.”⁴

Reminding that the diversity of voices within civil society working on diverse issues ranging from humanitarian assistance, peacebuilding, conflict prevention, youth development, gender justice, legal empowerment, community engagement and countering violent

² [African Union, Declaration on Terrorism and Unconstitutional Changes of Government in Africa, May 2022](#)

³ [OHCHR'S Factsheet No 32: Human Rights, Terrorism and Counter-terrorism](#)

⁴ SPACES FOR CHANGE (2024) Background Paper: Counterterrorism, Human Rights and Civic Spaces in Africa

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extremism have also been playing major roles in the fight against terrorism. It is now imperative for African governments, intergovernmental and regional bodies, including security agencies, development and multilateral organizations to strengthen their partnerships with civil society, and commit to taking the following concerted steps to safeguard the civic space while countering the financing of terrorism in the continent:

1. Commit to increasing collaboration and engagement with civil society in the design and implementation of national and regional counterterrorism initiatives; not limited to knowledge-sharing, awareness-creation, and sensitization aimed at preventing and combating acts of violent extremism, terrorism, terrorism-financing, and proliferation financing. This commitment aligns with the provisions of both the [Global Counter-Terrorism Strategy](#) and the United Nations [PVE Plan of Action](#) which recognized that engaging civil society is an important element of implementing mandates related to preventing and countering terrorism and violent extremism.
2. Pledge to place international human rights law (IHRL) and international humanitarian law (IHL) at the center of their counterterrorism operations in line with Pillar 4 of the United Nations Global Counter-Terrorism Strategy which emphasizes respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism. This pledge encompasses (a) continuous investments in training and capacity-building for key security and law enforcement personnel on the application of the principles of IHRL and IHL to all armed conflicts situations and (b) removing all subsisting regulatory restrictions hampering humanitarian assistance from reaching some hard-to-reach localities, including giving full effect to the United Nations Resolution 2664 (2022) relating to “humanitarian

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carve-out’ or humanitarian exemption to the asset freeze measures imposed by United Nations sanctions regimes.

3. *Decide to reform national and regional anti-terrorism legislations susceptible to misinterpretation and over-regulation of NPOs and civil society organizations. Legal reforms must focus on addressing the following areas: non-definition and vagueness of legal concepts (like national security and terrorism), cumbersome registration and licensing procedures, invasive approval protocols for program budgets and work programmes; multiple regulatory agencies with overlapping functions, costly licensing and renewal procedures, and removing NPOs from the national lists of accountable persons or obliged reporting entities as mandated by revised Recommendation 8 of the Financial Action Task Force (FATF) Standards.*
4. *Ensure that counter-terrorism operations—whether of a kinetic or non-kinetic nature—do not collide with civic freedoms, especially the right to speak, participate, organize, associate and assemble freely, both physically and (in this digital age) virtually, to propagate and realize their common aspirations. This undertaking involves the duty to remove restrictions on, and the suppression of public gatherings, including protests and the flow of information systems digitally or otherwise. In the context of elections, the ability to associate freely exists where political parties, interest groups, political opposition and associations can assemble to advance their collective interests without fear or hindrance.*
5. *Institutionalize the whole-of-society approaches to tackling insecurity, extremism and terrorism, ensuring the meaningful participation,*

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leadership, and representation of civil society, women, youth, victims of terrorist activities, traditional and religious institutions as well as recognizing the prior roles they have played in conflict management, resolution, prevention and countering extremist narratives that fuel sympathy, enlistment and recruitment into terrorist and proscribed groups.

6. Undertake to adequately address the root causes and structural drivers of terrorism, violent extremism in Africa and accordingly, strengthen inter-agency cooperation and coordination between several departments, states, regional stakeholders across both the law enforcement and non-law enforcement sectors. This should be in collaboration with relevant CSOs and community leaders through capacity-development, knowledge-transfer, exchange programs and information sharing consistent with the African-led and African-owned approach to countering terrorism agreed to by African governments in Abuja in April 2024.
7. Commit to prioritize the inclusion of women and youth in the design and implementation of national action plans (NAPs) and PCVE programs, with emphasis on education, economic empowerment and supporting the reintegration of survivors of sexual violence (especially resulting from forced abductions and forced marriages to armed fighters), reducing their stigmatization, building social cohesion and community resilience to counter violent extremism in all its forms. This should be undertaken in alignment with the African Union's multidimensional and proactive approach in empowering the youth by reinforcing peace education, tolerance and coexistence.⁵

⁵ [African Union, Declaration on Terrorism and Unconstitutional Changes of Government in Africa, May 2022](#)

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8. *Ensure that security and counterterrorism laws do not suppress press freedoms, including the digital and traditional channels for disseminating and transmitting information, nor censor opinions and fair commentary expressed on televisions and radio, newspapers, magazines, tracts, social media while affording equal opportunities to receive, seek and impart information by any means of communication without any discrimination for reasons of race, color, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition as enunciated in Principle 3 of the Declaration of Principles of Freedom of Expression and Access to Information in Africa.⁶*

9. *Introduce adequate regulatory oversight and controls on digital and surveillance technologies procured by countries to ease the detection and deterrence of security threats, ensuring that they are strictly utilized for the fight against terrorism and criminality. Controls such as tightening the import and export of malicious cyber weapons, preventing the indiscriminate and untargeted collection, storage, analysis, sharing or interception of personal communications as well as restraining unlawful surveillance undertaken by State and non-State actors are necessary to prevent the misuse of these technologies to abuse fundamental human rights.*

10. *Take effective legal and other measures to investigate, prosecute and punish perpetrators of crackdowns on civil society organizations*

⁶ This Declaration was adopted by the African Commission on Human and Peoples' Rights (the African Commission) at its 65th Ordinary Session which was held from 21 October to 10 November 2019 in Banjul, The Gambia.

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and other civic actors. Consistent with the Marrakesh Declaration of 2018, measures include instituting accessible public complaints systems within national human rights institutions for addressing and adjudicating complaints regarding varying forms of civic space closures in accordance with established rules and codes of conduct, and without any political, commercial or any other undue interference.

As African Civil Society;

Concerned that regional discourse on countering the financing of terrorism (CFT) measures while safeguarding civic space in sub-Saharan Africa has not been consistent between NPOs and security institutions across the African continent, we hereby endorse the establishment of the Africa Civil Society Initiative on Countering of Terrorism Financing While Safeguarding Civic Space as an all-inclusive platform to spearhead this discourse in Africa on part of the NPOs. This initiative should cascade to other regional economic communities (RECs) across South-Sharan Africa.