



INTERNATIONAL STANDARDS OF LIABILITY FOR THE FINANCING OF TERRORISM

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Abstract

This article examines international legal standards of criminal liability for the financing of terrorism. It analyzes the stages of the formation of the international legal framework, beginning with the academic debates of the early 20th century and ending with the adoption of universal and regional acts. Particular attention is paid to the provisions of the 1999 International Convention for the Suppression of the Financing of Terrorism, including issues of criminalization, the subjective aspect of the offense, the liability of legal entities, the freezing and confiscation of assets, as well as international cooperation and extradition. The significance of UN Security Council Resolution No. 1373 (2001), FATF standards, and acts of the European Union and the CIS countries is considered. Law enforcement issues associated with differences in national legal systems are identified, primarily in terms of determining intent and holding legal entities liable. A conclusion is drawn about the key role of integrating international standards into national legislation to ensure effective counteraction to the financing of terrorism.

Keywords: Terrorist financing; international standards; criminal liability; criminalization; 1999 Convention; UN Security Council Resolution No. 1373; FATF; asset freezing; extradition; international cooperation; liability of legal entities; CIS; European Union.



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Terrorist financing represents one of the most serious threats to international security, requiring a comprehensive and coordinated response from states. In this context, international standards play a key role in creating an effective legal framework to combat this crime.

The role of the international community in countering terrorism is key and multifaceted, encompassing various levels of cooperation and coordination. In the context of globalization and the growth of transnational threats, terrorism has become a problem requiring the collective efforts of all countries.

From this point of view, the emergence of international documents regulating and coordinating legal relations between countries in the fight against terrorism is key.

When it comes to methods of combating terrorist financing, countering terrorist financing is one of the most effective methods of countering this phenomenon. Funding enables terrorist groups to carry out their activities, and therefore, stopping it can significantly reduce the level of terrorist activity.

Terrorist financing is a deliberate activity aimed at securing financial resources for terrorist acts. As Sergei Butkevich notes in his article, "disrupting terrorist financing processes involves eliminating funding sources and creating conditions that hinder terrorists' access to financial resources ¹. The development of scientific guidelines for improving current legislation and law enforcement practices in the area of implementing criminal and criminological measures to counter terrorist financing" is a necessary step to improving the fight against terrorism ².

Therefore, the international community decided to develop international standards for regulating countering the financing of terrorism.

One of the key tools in this fight should be the application of specific measures outlined in specific international legal documents. The legal framework for the fight against terrorism is quite broad and was formed on the basis of regulations adopted in the early 20th century, which laid down its fundamental principles.

¹ Butkevich Sergey Anatolyevich Financing of terrorism: conceptual apparatus and directions of counteraction // Bulletin of the Control and Investigation Department of the Ministry of Internal Affairs of Russia. 2016. No. 3 (33).

²Bogomolov, Stanislav Yuryevich. Abstract. Responsibility for the Financing of Terrorism: A Criminal Law and Criminological Study



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Building on the decisions of the First International Congress on Criminal Law, held in Brussels in 1926 under the auspices of the International Association of Penal Law, conferences devoted to the problem of terrorism were organized. The global community focused on the creation and approval of legal instruments regulating various aspects of the fight against this phenomenon.

At this conference, the main directions of counter-terrorism were approved, where one of the main directions of the fight against terrorism became the criminalization of terrorism and its financing.

However, it is worth noting that the most important direction has been the recognition of the financing of terrorism as a criminal offence at the international level ³.

Although discussions of terrorist financing began as early as 1926, the actual legal framework for its regulation was established much later. This development is also emphasized in scholarly works . In particular, Bogomolov states the following: "Although the concept of terrorist financing was recognized, the actual criminalization of this act at the international level remained a gap until the end of the 20th century ⁴." This confirms that initial efforts were not sufficiently systematized and did not lead to the creation of effective mechanisms to combat this phenomenon.

For most of the 20th century, terrorist financing was not considered a distinct criminal offense. As S. V. Averin notes, "attempts to criminalize terrorist financing at the international level were fragmented and insufficiently systematized ⁵." The first serious steps in this direction were taken only in the late 1990s, when international organizations began to recognize the scale of the problem.

A key moment was the adoption of the International Convention for the Suppression of the Financing of Terrorism in 1999, which for the first time universally enshrined the obligation of states to criminalize the financing of

³Polyansky N.N. International justice and war criminals. Moscow; Leningrad: Publishing house of the USSR Academy of Sciences, 1945. Pp. 51-52.

⁴Bogomolov Stanislav Yuryevich Reasons for financing terrorism: criminological and sociological study // Legal science and practice: Bulletin of the Nizhny Novgorod Academy of the Ministry of Internal Affairs of Russia. 2016. No. 2 (34).

⁵Andronova Inna Vitalievna, Gusev Nikolay Pavlovich, Zavyalova Elena Borisovna Financing of terrorism: new challenges for international security // Bulletin of international organizations: education, science, new economy. 2020. No. 1.



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terrorist activities. This convention became the basis for the development of legal regulation of this issue at the international level.

Since the adoption of the International Convention for the Suppression of the Financing of Terrorism in 1999, states have been obligated to criminalize the financing of terrorist activities. This convention marked an important step in unifying approaches to countering terrorism globally, establishing a clear framework for defining and prosecuting such crimes.

Academic research confirms the importance of criminalizing terrorist financing at the national level. For example, the article by Hasan and Saidulaeva emphasizes that terrorist financing poses a threat to public security and requires a comprehensive approach to combating it ⁶.

The Convention for the Suppression of the Financing of Terrorism, adopted in 1999, not only criminalizes this crime but also requires states to implement the necessary mechanisms to control financial flows ⁷. These measures are key in the fight against terrorism, as effectively tracking and limiting the financial resources of terrorist groups can significantly reduce their ability to carry out attacks.

The Convention for the Suppression of the Financing of Terrorism, adopted in 1999, is an important international instrument aimed at combating terrorist financing. It establishes norms and obligations for member states, including measures for criminal prosecution, asset freezing, and law enforcement cooperation.

The preamble to the 1999 Convention for the Suppression of the Financing of Terrorism emphasizes that terrorism poses a serious threat to international peace, security, and human rights. The Convention identifies financing as a key element enabling terrorist acts, and its suppression is a crucial step in the fight against terrorism. The preamble also emphasizes the need for international cooperation, calling on states to work together, exchange information, and coordinate actions. It also notes that the fight against terrorist financing must be carried out with respect for the sovereignty and legal systems of member states, as well as with

⁶Hasan H.H.A., Saidulaeva L.M., Shamrin M.Yu. 2019. Counteracting the Financing of Terrorist Activities as a Form of Prevention of International Terrorism. *Moscow Journal of International Law*. No. 1. pp. 89–99. DOI: 10.24833/0869-0049-2019-1-89-99

⁷Ruban Dmitry Evgenievich. Criminal liability for the financing of terrorism (theoretical and legal aspects) // *Gaps in Russian legislation*. 2017. No. 3.



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respect for human rights. These principles form the basis for global cooperation in countering terrorist threats.

One of the key provisions of this convention was the criminalization of terrorist financing. Article 2 of the 1999 Terrorist Financing Convention establishes the legal provisions defining the offence of terrorist financing. This section of the Convention describes which actions are considered criminal and also sets forth the criteria for classifying certain actions as criminal offences.

Thus, the first paragraph of Article 2 of this Convention defines the elements of the crime of financing terrorism.

The Convention provides that any person commits an offence if he:

Directly or indirectly, unlawfully and knowingly provides or collects funds for the purpose of financing terrorist activities. "Funds" may include money, property, financial assets, or economic resources of any kind.

This clause also defines two criteria of intentions (subjective side:

The first criterion: The person acts with the intention that the funds be used to commit an offence under one of the treaties listed in the annex to the Convention. These treaties include international counter-terrorism agreements, such as the Convention for the Suppression of Unlawful Seizure of Aircraft (1970) or the Convention for the Suppression of Terrorist Bombings (1997).

Second criterion: The person understands that the funds could be used to commit acts intended to harm civilians or persons not actively participating in armed conflict, to intimidate the population, or to influence the actions of a government or an international organization.

That is, the convention determines that such a crime is committed with direct or indirect intent.

Paragraph 2 provides flexibility to States Parties with respect to the international treaties listed in the Annex to the Convention. A State may declare that it does not recognize certain treaties in the Annex if it is not a party to them. This provision also allows a State to withdraw its declaration when the relevant treaty becomes binding on it.

The Convention explicitly states that the offence does not require that the funds be actually used to commit a terrorist act. The key element is the intentional



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provision or collection of funds with the intent to use them or with the knowledge that they will be used for terrorist activities.

In addition to the actual commission of a crime, the Convention provides for liability for the attempted commission of a crime, which strengthens preventive measures and allows law enforcement agencies to intervene at the early stages of preparation. In other words, the Convention also provides for liability for unfinished crimes.

Section 5 sets out additional offences for Complicity, organisation and assistance.

Complicity in the crimes referred to in paragraph 1 or 4 of Article 2. This applies to persons who may not have collected the funds themselves, but were involved in the process by assisting or encouraging the actions.

Organizing and directing the activities of others for the purpose of committing a crime. These provisions take into account the participation of leaders and organizers who coordinate the actions of groups.

Assisting a criminal group: A person is found guilty if they intentionally assist a group of persons pursuing a common goal in committing crimes. To prove guilt, it must be established that the assistance was intended either to support the group's criminal activity or to assist the group in its intention to commit one of the crimes.

However, despite the extensive nature of the Convention's regulation of such legal relations, there are problems with interpreting the intentional nature of actions. The definition of intent and awareness of the potential use of funds is a key aspect that may vary depending on national legislation. In the article by M. Pieth " Criminalizing the Financing of Terrorism » ⁸discusses how differences in the interpretation of intent create difficulties in extraditing criminals and joint international investigations. In some countries, individuals are held criminally liable for terrorist financing and for acts committed through negligence.

In addition, Article 4 of this convention requires countries to criminalize the crime of terrorist financing.

⁸Mark Pieth . Criminalizing the Financing of Terrorism. November 2006. Journal of International Criminal Justice 4(5) DOI:10.1093/ jicj /mqj062



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Paragraph (a) of this article obliges states to incorporate the provisions of the Convention into their national legislation. That is, each state party must adapt its domestic law so that the offences defined in Article 2 of the Convention (for example, the unlawful and intentional provision or collection of funds for terrorist activities) are criminally punishable in the given jurisdiction. This requires legislative amendments that specify actions related to terrorist financing and their legal classification.

This measure contributes to the unification of the international legal system in the fight against terrorism, as participating countries harmonize their internal definitions and approaches to the classification of crimes related to the financing of terrorism ⁹.

Paragraph (b) of this article requires states to establish strict and proportionate penalties and to take into account the gravity of the crimes. The severity of the sanctions imposed for such crimes must reflect their gravity and the danger they pose to society. The Convention leaves specific sanctions to the discretion of states, but they must be sufficiently stringent to have a deterrent effect and reflect international counter-terrorism standards.

Furthermore, the penalty must take into account the potential consequences of terrorist financing, which facilitates large-scale terrorist attacks that harm citizens and destabilize state institutions. This requirement emphasizes that the penalty must not only be deterrent but also fair, given the scale of the consequences.

Proportionality of punishment is important, particularly in legal systems where there is no uniform legislation on terrorism, and there is a call for the introduction of sanctions that can effectively prevent the financing of terrorist activities ¹⁰.

Furthermore, the 1999 Terrorist Financing Convention provides States Parties with the ability to hold legal entities involved in terrorist financing accountable, as reflected in Article 5. Unlike criminal liability, which States typically apply to individuals, the Convention allows for flexibility in its approach to legal

⁹ Clapham, Andrew, *Human Rights Obligations of Non-State Actors* (2006; online edn, Oxford Academic), <https://doi.org/10.1093/acprof:oso/9780199288465.001.0001>.

¹⁰ Gurule, Jimmy. (2008). *Unfunding Terror: The Legal Response to the Financing of Global Terrorism*. SSRN Electronic Journal. 10.2139/ssrn.1135796.



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entities, allowing for criminal, administrative, or civil liability, depending on national legislation. The primary goal is to ensure that companies, financial institutions, and other organizations knowingly involved in terrorist financing are held accountable for their actions. For example, J. Gurule's study "Unfunding Terror : The Legal Response to the Financing of Global Terrorism »¹¹ highlights that banks' obligations to comply with regulations aimed at preventing terrorist financing have increased significantly since the adoption of the Convention, particularly in the United States, where legal entities can be subject to significant sanctions for failing to take appropriate measures.

However, the practical implementation of these provisions faces a number of challenges. First, proving the intent of a legal entity is challenging, as financial institutions or companies often claim ignorance of the final use of the funds. Second, approaches to legal entity liability vary among countries, creating obstacles to effective international cooperation. For example, in some countries, such as France and the Russian Federation, legal entities are primarily subject to administrative liability, while the United States and the United Kingdom impose criminal liability on organizations involved in terrorist financing. It is noted that uniformity in law enforcement remains a challenge, limiting the Convention's effectiveness globally¹².

The 1999 Convention for the Suppression of the Financing of Terrorism also provides fundamental principles for international cooperation and mutual legal assistance in combating terrorist financing. This cooperation is regulated by Articles 8–12, which aim to facilitate the exchange of information, coordinate investigations, and ensure the extradition of those suspected of financing terrorist activities. In the face of the growing global threat of terrorism, these provisions play a vital role in ensuring joint efforts by states to suppress and prevent the financing of terrorist organizations.

Article 8 of the Convention establishes the obligations of States Parties to cooperate with each other in conducting investigations related to terrorist financing. Cooperation includes the exchange of information, coordination of

¹¹ There same

¹²ROMANIUK, P. (2010) 'Institutions as swords and shields: multilateral counter-terrorism since 9/11', *Review of International Studies*, 36(3), pp. 591–613. doi: 10.1017/S0260210510000653.



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investigations, and ensuring prosecution. As noted in the study by T. Biersteker and S. Eckert " Countering the Financing of Terrorism , " ¹³international cooperation on terrorist financing faces a number of challenges, such as differences in national legal systems and resource constraints within individual states. For example, financial intelligence units (FIUs) play a key role in sharing information with international partners, which facilitates a better understanding and tracking of financial flows.

Article 9 of the Convention requires each State Party to take appropriate measures necessary to fulfill its obligations to prevent terrorist financing. These measures include the development of national regulations and procedures to implement the provisions of the Convention at the national level. Developing and implementing effective regulations in developing countries remains challenging due to a lack of necessary resources and weak law enforcement agencies. In this context, international cooperation is essential, providing the transfer of knowledge and experience, as well as financial and technical support. Article 10 regulates the extradition of persons accused of terrorist financing. The Convention stipulates that such crimes must be considered extraditable and included in existing extradition treaties between states. This is particularly important for combating terrorist financing, as criminals often seek refuge in countries with which there are no bilateral extradition treaties. As noted in D. Bantekas's work " International Criminal Law » ¹⁴, the extradition process in terrorism-related cases can face obstacles due to differences in legal systems and approaches to human rights issues. An example is the situation where some states refuse to extradite suspects if they fear their rights will be violated in the requesting country.

In CIS countries such as Belarus and Russia, the extradition of terrorist financing suspects is often a complex procedure due to legal and political differences. Interstate cooperation agreements in this area should be strengthened to enhance the effectiveness of law enforcement.

¹³Eckert, Sue & Biersteker , Thomas. (2008). Countering the Financing of Terrorism.

¹⁴ Bantekas , Ilias & Nash, Susan. (2007). International criminal law: 3rd edition. International Criminal Law : 3rd Edition . 1-594. 10.4324/9780203867921.



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Article 11 provides for mutual legal assistance in the investigation and prosecution of crimes related to the financing of terrorism. Mutual legal assistance includes the exchange of evidence, access to banking information, and the coordination of investigative actions. However, implementing the provisions of this article faces a number of challenges related to the sovereignty of countries and the differences in their legal systems. The need to protect banking secrecy and personal data may limit the exchange of information between countries, complicating joint investigations.

Article 12 establishes obligations to freeze and confiscate funds and assets used to finance terrorist activities. These measures are aimed at preventing terrorist financing at an early stage by restricting access to financial resources. Freezing assets is an important counterterrorism tool, but it requires close coordination between financial institutions and law enforcement agencies.

International cooperation and mutual legal assistance, as provided for in Articles 8–12 of the 1999 Convention for the Suppression of the Financing of Terrorism, play a vital role in the global fight against terrorist financing. These articles provide a framework for coordinating the actions of states and facilitate effective information exchange, investigations, and prosecutions. However, the practical implementation of these provisions faces numerous challenges related to differences in legal systems, political interests, and resource constraints. Despite these challenges, the active participation of CIS states in international and regional counter-terrorism initiatives improves law enforcement practices and enhances the effectiveness of international cooperation in this area.

Thus, the 1999 Convention for the Suppression of the Financing of Terrorism represents an important instrument of international law aimed at preventing and suppressing the financing of terrorist acts. The Convention's key provisions include obligations for State Parties to criminalize terrorist financing, introduce national measures to prevent and control financial flows, and engage in international cooperation and mutual legal assistance. These measures provide for strict sanctions for the provision of funds, intentional facilitation of terrorist activity, and attempts to commit such acts. The Convention also promotes closer cooperation between States on extradition and the exchange of legal information, enabling the effective suppression of terrorist activity at the



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international level. However, successful implementation of its provisions requires a comprehensive approach and the adaptation of national legal systems, which is especially important for countries with different legal and political traditions. Despite existing difficulties, the Convention remains a key international mechanism for protecting global security and maintaining law and order in the face of new challenges related to terrorist financing.

Following the September 11, 2001, terrorist attacks in the United States, the United Nations adopted Resolution 1373¹⁵, aimed at strengthening measures to suppress the financing of terrorism. This tragic incident demonstrated the scale of the threat posed by international terrorism and required fundamental changes in approaches to its prevention. The resolution was adopted by the UN Security Council on September 28, 2001, in accordance with Chapter VII of the UN Charter, making it binding on all Member States. The resolution obligated states to take effective measures to prevent the provision of financial support to terrorist organizations, as well as to establish and promptly implement legal mechanisms aimed at suppressing all financial flows related to terrorism. The provisions of Resolution 1373 include a ban on the collection and provision of funds to terrorist groups, obligations to freeze the assets of individuals and organizations involved in terrorist activities, and the establishment of national institutions to monitor financial flows. The resolution also obliges participating countries to provide mutual legal assistance in investigating crimes related to terrorist financing and to exchange information to suppress terrorist activity. Resolution 1373 marked a significant turning point in international counter-terrorist financing practices, as it laid the foundation for a systematic and coordinated approach to this issue at the global level¹⁶.

Furthermore, Resolution 1373 obliges states to establish clear measures to prevent their territories from being used as a base for financing and preparing terrorist acts. One significant consequence of this resolution has been the tightening of national legislation regarding suspicious financial transactions, as well as the creation of financial intelligence units responsible for identifying and

¹⁵Resolution 1373 (2001), adopted by the Security Council at its 4385th meeting, on 28 September 2001// https://www.unodc.org/pdf/crime/terrorism/res_1373_russian.pdf

¹⁶Eckert, Sue & Biersteker, Thomas. (2008). Countering the Financing of Terrorism.



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preventing terrorist financing flows. For example, structures such as the US Financial Intelligence Unit (FinCEN) and similar institutions in EU countries have come to play a key role in monitoring financial flows and sharing information with international partners.

Countering terrorist financing in continental Europe has become an independent area, actively developing within the European Union. The founding documents in this area were the Single European Act, adopted in 1986, and the Treaty on European Union, signed in 1992. ¹⁷These legal acts clearly outlined the need for cooperation among EU member states in the fight against terrorism and actions that facilitate its spread.

The Treaty on European Union (TEU), signed in Maastricht in February 1992, established the EU's three-pillar architecture. It included not only economic cooperation but also a common foreign and security policy, as well as cooperation in justice and home affairs. This treaty clearly outlined the need for member states to work together to combat terrorism and terrorist financing. In particular, it facilitated the creation of mechanisms for information exchange and coordination between law enforcement agencies of EU countries.²³

Furthermore, one of the key documents in the fight against terrorist financing was Council Regulation No. 881/2002 of 27 May 2002, ¹⁸adopted in response to the growing terrorist threat, including the increasing number of terrorist attacks both within the European Union and globally. This regulation aimed to undermine the economic foundations of terrorist organizations, particularly al-Qaeda , which is held responsible for organizing several major terrorist attacks, including the September 11, 2001, attacks.

The main mechanism proposed in the regulation was a mandatory freeze for all EU member states on financial assets owned or controlled by individuals and entities involved in the activities of al- Qaida and related groups. This approach included:

¹⁷Single European Act. Treaty on European Union / edited by Yu. A. Borko , M. V. Kargalov , Yu. M. Yumashev. - M., International Publishing Group "Pravo", 1994. P. 7-43.

¹⁸Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network// <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32002R0881>



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Asset freezing - EU countries are required to identify and freeze bank accounts, funds, and other assets owned or controlled by individuals associated with al-Qaeda. This is aimed at reducing the ability to finance terrorist attacks and support terrorist activities (European Commission , " Counter-Terrorism Strategy and Financial Sanctions »).

Strengthened control over financial flows - in order to prevent terrorist financing, EU member states coordinate the exchange of information on suspicious transactions, which allows for more effective tracking of financial resources that may support terrorist networks (EU Counter-Terrorism Policy , European Council publications).

Legal framework and international cooperation - Regulation No. 881/2002 also laid the foundation for EU countries to cooperate in the fight against terrorist financing, allowing for the tracking and freezing of assets through international cooperation and legal integration.

One of the key international regulatory frameworks in the area of combating terrorist financing are the standards developed by the Financial Action Task Force on Money Laundering (FATF). These standards define the basic principles and recommendations that countries can use to create legal and institutional frameworks aimed at combating terrorist financing.

In response to the growing threat of terrorism, in 2001, the Financial Action Task Force (FATF) stepped up its efforts by adopting eight special recommendations aimed at combating terrorist financing. These recommendations have become an important part of the international counterterrorism strategy, supporting countries' efforts to develop and implement legislative and financial measures to prevent the movement of funds associated with terrorist activities ¹⁹.

There are several key provisions of the FATF standards in relation to terrorist financing ²⁰.

The core provisions of the FATF counter-terrorist financing standards cover several key aspects aimed at preventing terrorists from accessing financial

¹⁹ Podobed T.S. International legal recommendations for countering the financing of terrorism and their consideration in its prevention // Russian investigator. 2012. No. 7. P. 44-48.

²⁰ Recommendations : International Standards on Combating Money Laundering, Terrorist Financing and the Financing of the Proliferation of Weapons of Mass Destruction / Translated from English. — Moscow: MUMTSFM, 2012. — 191 p.



resources and enhancing international coordination in this area. These key provisions include:

- Criminalization of Terrorist Financing (Recommendation 5). The FATF requires countries to establish a legal framework that criminalizes terrorist financing. This covers both the direct financing of terrorist activities and the raising of funds for terrorist groups and individuals. The FATF stipulates that states must criminalize terrorist financing in accordance with the Terrorist Financing Convention. This should include not only the financing of specific terrorist acts but also support for terrorist organizations and individuals, even if their actions are not related to a specific terrorist act.
- Freezing and confiscation of assets (Recommendations 4 and 6). Countries should have legal mechanisms to freeze, confiscate, and freeze the assets of individuals and entities linked to terrorist activities. This provision is aimed at eliminating financial support for terrorist operations.
- Customer Identification and Verification (KYC) (Recommendation 10). FATF standards require mandatory "know your customer" (KYC) procedures, requiring financial institutions to verify the identity of their customers to prevent anonymous transactions potentially linked to terrorist financing.
- Suspicious Transaction Reporting (Recommendation 19). Financial institutions and other entities are required to identify and report suspicious transactions that may be related to terrorist financing. These reports help law enforcement agencies identify and trace illicit financial flows.
- Strengthened oversight of non-profit organizations (Recommendation 8). The standards require oversight of the activities of non-profit organizations that could be used to raise funds for terrorist activities. The recommendations are intended to prevent the misuse of charitable foundations and other non-profit organizations.
- Oversight of Alternative Remittance Systems (Recommendation 14). The FATF recognizes that informal systems such as hawala and other alternative remittance channels can be used for terrorist financing. The standards require oversight of such systems, ensuring the transparency and accountability of such transfers.



➤ International Cooperation and Information Exchange (Recommendations 36-40). The FATF emphasizes the importance of international cooperation in combating terrorist financing. Countries should exchange information and coordinate efforts to more effectively monitor and block terrorist-related financial flows.

➤ Licensing and Registration of Money Transmitters (Recommendation 19). All companies and organizations engaged in money transmission must be licensed and registered to ensure their operations comply with the law and prevent their use for terrorist financing.

These provisions provide a framework for the implementation of globally agreed measures against terrorist financing.

In the post-Soviet space, efforts to combat terrorism and its financing are actively underway. Numerous regulations exist in this area that govern liability for terrorist financing. Key documents include:

Treaty on Cooperation between the CIS Member States in Combating Terrorism (1999) ²¹, which establishes a framework for joint work in preventing and investigating terrorist acts.

The Shanghai Convention on Combating Terrorism, Separatism and Extremism (2001) ²², aimed at coordinating the efforts of countries in these areas.

Treaty on Combating Money Laundering and the Financing of Terrorism (2011) ²³, which regulates the movement of cash across customs borders.

In addition, countering the financing of terrorism is outlined in paragraph 7 of part 1 of article 6 of the Customs Code of the Customs Union ²⁴, which emphasizes the need for the active participation of customs authorities in controlling the movement of currency and valuables across borders.

Integrating international standards into national legislation is essential for effectively combating terrorist financing. Uzbekistan, following FATF recommendations and international obligations, has adapted and is adapting its

²¹TREATY on cooperation between the member states of the Commonwealth of Independent States in the fight against terrorism// <https://docs.cntd.ru/document/901824672>.

²²SHANGHAI CONVENTION ON COMBATING TERRORISM, SEPARATISM AND EXTREMISM// <https://lex.uz/docs/2066678>

²³"Agreement on countering the legalization (laundering) of proceeds from crime and the financing of terrorism when moving cash and (or) monetary instruments across the customs border of the Customs Union" (Signed in Moscow on 19.12.2011) (as amended on 20.07.2021) // https://www.consultant.ru/document/cons_doc_LAW_123791/

²⁴Customs Code of the Customs Union [Electronic resource]. URL: <http://tktsrf.ru/#tkts>



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legislation to more effectively respond to terrorist threats. This includes both the creation of new regulations and the refinement of existing ones.

Thus, international standards play a decisive role in shaping criminal liability for terrorist financing. Their integration into national legal systems allows countries to more effectively combat this threat, ensuring security both at the national level and internationally.

Conclusion

Terrorist financing is regulated by several international conventions, decisions of regional associations of countries, UN Security Council Resolutions, FATF Recommendations and other international documents that are binding upon ratification.

Terrorist financing poses a serious threat to international security, requiring coordinated international efforts. International standards aimed at combating this phenomenon include provisions criminalizing terrorist financing and requiring the implementation of controls over financial flows. The foundation of the international legal framework is the 1999 Convention for the Suppression of the Financing of Terrorism, which obliges states to incorporate its provisions into national legislation. The Convention requires states to suppress terrorist financing through criminal sanctions and asset freezing, and also provides for international cooperation measures to exchange information and facilitate extradition.

Following the September 11, 2001, terrorist attacks, UN Resolution 1373 became a significant step in strengthening measures to block terrorist financial resources. The European Union and CIS countries also adopted corresponding acts to harmonize their efforts in this area. The FATF standard, which includes recommendations on criminalization, asset freezing, suspicious transaction monitoring, and oversight of non-profit organizations, became the primary instrument for ensuring global coordination .

Despite the international community's efforts, problems remain related to differences in national legal systems and approaches to determining intent. These differences complicate extradition and international investigations. However, integrating international standards into national law enforcement



systems allows countries to more effectively combat terrorist financing and ensure global security.

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