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978-1-107-11004-5 - Compliant Rebels: Rebel Groups and International Law in World Politics

Hyeran Jo

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Compliant Rebels

Seventeen million people have died in civil wars, and rebel violence has disrupted the lives of millions more. In a fascinating contribution to the active literature on civil wars, this book finds that some contemporary rebel groups actually comply with international law amid the brutality of civil conflicts around the world. Rather than celebrating the existence of compliant rebels, the author traces the cause of this phenomenon and argues that compliant rebels emerge when rebel groups seek legitimacy in the eyes of domestic and international audiences that care about humanitarian consequences and human rights. By examining rebel groups' different behaviors, such as civilian killing, child soldiering, and allowing access to detention centers, *Compliant Rebels* offers key messages and policy lessons about engaging rebel groups with an eye toward reducing civilian suffering in war zones.

Hyeran Jo is an assistant professor of political science at Texas A&M University. Her primary research topics are the role of international organizations and non-state actors in contemporary world politics, and she has published articles in various academic journals including the *British Journal of Political Science* and the *Journal of Conflict Resolution*.

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Compliant Rebels

Rebel Groups and International Law in World Politics

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Dedicated to my parents

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Acknowledgments

This book focuses on rebel groups and why they might choose to comply with the international laws of war. I have written this book not to celebrate the compliant rebels, but to understand why compliant rebels emerge. When I first floated the idea to study this topic to my colleague, Jon Bond, he asked, “Aren’t rebel groups, by definition, not compliant?” This puzzle is why I have been interested in this question. In general, rebel groups are non-conformists. When do they conform to existing rules? How do rebel groups move from non-compliance to compliance? What are the motivations and political processes that produce compliant rebels?

As it turned out, the answer to these questions can be found only in an interdisciplinary endeavor engaging not only politics, but also economics, sociology, and law. I had to understand legal foundations that governed rebel groups, dig deeper into the social relationships between rebels and ordinary people around them, analyze the financial portfolios of rebel groups to figure out how they support their warfare, and discover how savvy and uncanny some rebel leaders are in advertising their compliance with the international laws of war.

This inquiry has not always been objective. Although I tried to keep my hat as a political scientist I sometimes found the task challenging and realized that one cannot be entirely impassionate while studying this topic of rebel violence. Many stories I read during my research reminded me how brutal humans can be to each other. I cannot imagine what life would be like for a 12-year-old boy with an amputated arm between rebel and government fighting in the Democratic Republic of the Congo (DCR). I also shudder when I remember a story about a young boy in Uganda who was instructed by the rebels to, “First, kill your family.” Also ingrained in my memory are the old pictures of the Korean War where the same ethnic

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Koreans killed each other for accusing each other of being “rebels” – although, the Korean War is often classified as a civil war.

Four people, especially, have shaped my thinking and influenced my experience on this topic: James Morrow at the University of Michigan, Beth Simmons at Harvard, Quan Li at Texas A&M University, and Jongryn Mo at Yonsei University. They have been my intellectual beacons during my formative years as a scholar. The book idea germinated from my collaboration with Jim on his project on the laws of war, and his continuing engagement with this line of inquiry shaped this book. Beth has given me invaluable vision and advice on pursuing this topic, let alone the detailed comments on the book manuscript. Quan and Jongryn have been my good mentors both at personal and professional levels.

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Additionally, many in academia encouraged this project and sharpened my thinking. Special thanks to Sara Mitchell, Reyko Huang, and Nisha Fazal for reading the full manuscript and participating in my book workshop. Sara helped me to grow professionally over the years from my graduate years through programs such as the Journeys of World Politics and the Visions in Methodology conference. Nisha spurred my interests in this topic and gave me useful feedback, for example, by using my related work at her graduate seminar at Columbia University. Reyko and I shared many conversations on rebel groups, and I thank her for being a great sounding board for me.

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Ratner, Thomas Risse, Idean Salehyan, Ian Shapiro, Kathryn Sikkink, Sandesh Sivakumaran, Jessica Weeks, and Reed Wood.

This book is a product of many collaborative works. Chapter 5, on civilian killing, benefited from a collaborative project with Beth Simmons. Chapter 7, on detention visits, draws on the materials developed in collaboration with my graduate students Catarina Thomson and Kate Bryant. My Rebel Groups and International Law research team deserves special mention: Josiah Barrett, Yvette Isidori, Dillon Lucas, Erin Mitchell, Carly Potz-Nielsen, Mitch Radtke, Kade Rhodes, Grant Schauer, Kaitlyn Simpson, Katie Walantas, Wendy Wang, and Clay Webb. My professional editor, Paul Morsink, made this book more accessible to readers.

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This is an academic book, but the writing process has also been a personal journey. This book would have not been possible without the support of my family. My husband was with me throughout the ups and downs of the writing process. I cannot thank him enough for engineering my life for the better. I also thank my in-laws for their tireless guidance and advice. My son Dureh, who while in my womb, had to read many horrible stories of war with me. His happy smile has the magic to erase all the images of troubling episodes of rebel violence I read while working on this book. Dureh is a little rebel who still teaches me a lot of lessons about compliance and defiance. My brother and sisters always gave me emotional support when I needed it. Lastly, I thank my parents. They have always, without fail, had the patience to wait. I dedicate this book to them.

Rebel Group Abbreviations

Readers will find that the book usually refers to rebel group names in English with their most frequently used abbreviations (e.g., Kurdistan Workers' Party (PKK)). The following abbreviations provide a list of alternate names, both in English and in their native language, along with their abbreviations:

ABSDF	All Burma Students' Democratic Front (Myanmar)
ABSU	All Bodo Students' Union (India)
ADF	Allied Democratic Forces (Uganda)
AFDL	Alliance of Democratic Forces for the Liberation of Congo-Zaire (Democratic Republic of the Congo)
AFRC	Armed Forces Revolutionary Council (Sierra Leone)
AMB	Al-Majd Brigades/Al-Aqsa Martyrs Brigades (Israel)
ANM	Arab Nationalist Movement (Israel)
AQAP	Al-Qaeda in the Arabian Peninsula (Yemen)
AQIM	Al-Qaeda in the Islamic Maghreb (Algeria, Mauritania)
ARDUF	Afar Revolutionary Democratic Union Front (Ethiopia)
ARIF	Arakan Rohingya Islamic Front (Myanmar)
ARS/UIIC	Alliance for the Re-liberation of Somalia/Union of Islamic Courts (Somalia)
ATNMC	Alliance touarègue du Nord-Mali pour le changement (<i>North Mali Tuareg Alliance for Change</i>) (Mali)
ATTF	All Tripura Tiger Force (India)
BDK	Bundu dia Kongo (<i>Kingdom of Kongo</i>) (Democratic Republic of the Congo)
BdSF/NDFB	Bodo Security Force/National Democratic Front of Bodoland (India)

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BLA	Baluchistan Liberation Army (Pakistan)
BMA	Burmese Muslim Association (Myanmar)
BRA	Bougainville Republican Army (Papua New Guinea)
CNDD	Conseil national pour la défense de la démocratie (<i>National Council for the Defense of Democracy</i>) (Burundi)
CNDD-FDD	Conseil national pour la défense de la démocratie– Forces pour la défense de la démocratie (<i>National Council for the Defense of Democracy–Forces for the Defense of Democracy</i>) (Burundi)
CNDP	Congrès national pour la défense du peuple (<i>National Congress for the Defense of the People</i>) (Democratic Republic of the Congo)
CNR	Conseil national de redressement du Tchad (<i>National Council of Chadian Recovery</i>) (Chad)
CPI-Maoist	Communist Party of India-Maoist (India)
CPJP	Convention of Patriots for Justice and Peace (Central African Republic)
CPN-M/UPF	Communist Party of Nepal-Maoist/United People's Front (Nepal)
CPP	Communist Party of the Philippines (Philippines)
CRA	Coordination de la résistance armée (<i>Coordination of the Armed Resistance</i>) (Niger)
CSNPD	Comité de sursaut national pour la paix et la démocratie (<i>Committee of National Revival for Peace and Democracy</i>) (Chad)
DHD-BW	Dima Halim Daogah–Black Widow (India)
DKBA	Democratic Buddhist Karen Army (Myanmar)
EIJM	Eritrean Islamic Jihad Movement (Eritrea)
ELN	Ejército de Liberación Nacional (<i>National Liberation Army</i>) (Colombia)
EPL	Ejército Popular de Liberación (<i>Popular Liberation Army</i>) (Colombia)
EPLF	Eritrean People's Liberation Front (Ethiopia)
EPR	Ejército Popular Revolucionario (<i>Popular Revolutionary Army</i>) (Mexico)
EPRDF	Ethiopian People's Revolutionary Democratic Front (Ethiopia)
ETA	Euskadi Ta Askatasuna (<i>Basque Homeland and Freedom</i>) (Spain)
EZLN	Ejército Zapatista de Liberación Nacional (<i>Zapatista Army of National Liberation</i>) (Mexico)
FAFN	Forces armées des forces nouvelles (<i>Armed Forces of the New Forces</i>) (Côte d'Ivoire)

FARC	Fuerzas Armadas Revolucionarias de Colombia (<i>Revolutionary Armed Forces of Colombia</i>) (Colombia)
FARF	Forces armées pour la république fédérale (<i>Armed Forces for a Federal Republic</i>) (Chad)
FDLR	Forces démocratiques de libération du Rwanda (<i>Democratic Forces for the Liberation of Rwanda</i>) (Rwanda)
FDN/Contras	Fuerza Democrática Nicaragüense–Contras (<i>Nicaraguan Democratic Force–Contras</i>) (Nicaragua)
FDR	Front démocratique du renouveau (<i>Democratic Front for Renewal</i>) (Niger)
FDSI-CI	Forces de défense et de sécurité impartiales de Côte d'Ivoire (<i>Defense Forces and Impartial Security of the Ivory Coast</i>) (Côte d'Ivoire)
FDU	Forces démocratiques unies (<i>United Democratic Forces</i>) (Congo–Brazzaville)
FIAA	Front islamique arabe de l'Azawad (<i>Arab Islamic Front of Azawad</i>) (Mali)
FIS	Front islamique du salut (<i>Islamic Salvation Front</i>) (Algeria)
FLAA	Front de libération de l'Aïr et l'Azaouad (<i>Aïr and Azawad Liberation Front</i>) (Niger)
FLEC	Frente para a Libertação do Enclave de Cabinda (<i>Front for the Liberation of the Enclave of Cabinda</i>) (Angola)
FLEC-FAC	Frente para a Libertação do Enclave de Cabinda– Forças Armadas de Cabinda (<i>Front for the Liberation of the Enclave of Cabinda–Armed Forces of Cabinda</i>) (Angola)
FLRN	Front pour la libération et la reconstruction nationales (<i>Revolutionary Front for the Liberation of Haiti</i>) (Haiti)
FMLN	Frente Farabundo Martí para la Liberación Nacional (<i>Farabundo Martí National Liberation Front</i>) (El Salvador)
FNI	Front des nationalistes et intégrationnistes (<i>Nationalist and Integrationist Front</i>) (Democratic Republic of the Congo)
FNT	Front national tchadien (<i>National Front of Chad</i>) (Chad)
FPR	Front patriotique rwandais (<i>Rwandan Patriotic Front</i>) (Rwanda)
FRCI	Forces républicaines de Côte d'Ivoire (<i>Republican Forces of Côte d'Ivoire</i>) (Côte d'Ivoire)

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FRUD	Front pour la restauration de l'unité et de la démocratie (<i>Front for the Restoration of Unity and Democracy</i>) (Djibouti)
FRUD-AD	Front pour la restauration de l'unité et de la démocratie-Ahmed Dini (<i>Front for the Restoration of Unity and Democracy-Ahmed Dini</i>) (Djibouti)
FUCD	Front uni pour le changement démocratique au Tchad (<i>United Front for Democratic Change in Chad</i>) (Chad)
FUNCINPEC	Front uni national pour un Cambodge indépendant, neutre, pacifique, et coopératif (<i>National United Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia</i>) (Cambodia)
FUNCINPEC/ANS	Front uni national pour un Cambodge indépendant, neutre, pacifique, et coopératif/Armée nationale Sihanoukiste (<i>National United Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia/Sihanoukist National Army</i>) (Cambodia, Vietnam)
GAM	Gerakan Aceh Merdeka (<i>Free Aceh Movement</i>) (Indonesia)
GIA	Groupe islamique armé (<i>Armed Islamic Group</i>) (Algeria)
IGLF	Issa and Gurgura Liberation Front (Ethiopia)
IMU	Islamic Movement of Uzbekistan (Tajikistan)
INPFL	Independent National Patriotic Front of Liberia (Liberia)
ISI	Islamic State of Iraq (Iraq)
JEM	Justice and Equality Movement (Sudan)
JIG	Jihad Islamic Group (Uzbekistan)
JSS/SB	Jana Samhati Samiti/Shanti Bahini (Bangladesh)
JVP	Janathā Vimukthi Peramuṇa (<i>People's Liberation Front</i>) (Sri Lanka)
KCP	Kangleipak Communist Party (India)
KDP/PDK	Kurdistan Democratic Party/Partiya Demokrat a Kurdistanê (Iraq)
KDPI	Partiya Demokrat a Kurdistan-Îran (<i>Kurdish Democratic Party of Iran</i>) (Iran)
KIO	Kachin Independence Organization (Myanmar)
KLA	Kosovo Liberation Army (<i>Ushtria Çlirimtare e Kosovës</i>) (Yugoslavia)
KNF	Kuki National Front (India)
KNPP	Karen National Progressive Party (Myanmar)
KNU	Karen National Union (Myanmar)

KPNLF	Khmer People's National Liberation Front (Cambodia, Vietnam)
LRA	Lord's Resistance Army (Uganda)
LRM	Lao Resistance Movement (Laos)
LTTE	Liberation Tigers of Tamil Eelam (Sri Lanka)
LURD	Liberians United for Reconciliation and Democracy (Liberia)
MCC	Maoist Communist Centre of India (India)
MDD[-FANT]	Mouvement pour la démocratie et le développement– Forces armées nationale du Tchad (<i>Movement for Democracy and Development–National Armed Forces of Chad</i>) (Chad)
MDJT	Mouvement pour la démocratie et la justice au Tchad (<i>Movement for Democracy and Justice in Chad</i>) (Chad)
MEK	Mujahadeen-e-Khalq (<i>People's Mojahedin of Iran</i>) (Iran)
MFDC	Mouvement des forces démocratiques de la Casamance (<i>Movement of Democratic Forces of Casamance</i>) (Senegal)
MILF	Moro Islamic Liberation Front (Philippines)
MJP	Mouvement pour la justice et la paix (<i>Movement for Justice and Peace</i>) (Côte d'Ivoire)
MKP	Maoist Komünist Partisi (<i>Maoist Communist Party</i>) (Turkey)
MLC	Mouvement de libération du Congo (<i>Movement for the Liberation of Congo</i>) (Democratic Republic of the Congo, Zimbabwe, Angola, Namibia, Chad)
MNDAA	Myanmar National Democratic Alliance Army (Myanmar)
MNJ	Mouvement des Nigériens pour la justice (<i>Nigerien's Movement for Justice</i>) (Niger)
MNLF	Moro National Liberation Front (Philippines)
MNLF-HM	Moro National Liberation Front–Habier Malik (Philippines)
MNLF-NM	Moro National Liberation Front–Nur Misuari (Philippines)
MODEL	Movement for Democracy in Liberia (Liberia)
MPA	Mouvement populaire Anjouanais (<i>Anjouan People's Movement</i>) (Comoros)
MPA	Mouvement populaire de l'Azaouad (<i>Azawad People's Movement</i>) (Mali)
MPCI	Mouvement patriotique de Côte d'Ivoire (<i>Patriotic Movement of Côte d'Ivoire</i>) (Côte d'Ivoire)

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MPIGO	Mouvement populaire ivoirien du Grand Ouest (<i>Ivorian Popular Movement of the Great West</i>) (Côte d'Ivoire)
MPS	Mouvement patriotique du salut (<i>Patriotic Salvation Movement</i>) (Chad)
MQM	Muttahida Qaumi Movement (Pakistan)
MRTA	Movimiento Revolucionario Túpac Amaru (<i>Túpac Amaru Revolutionary Movement</i>) (Peru)
MTA	Mong Tai Army (Myanmar)
NDFB-RD	National Democratic Front of Bodoland–Ranjan Daimary (India)
NDPVF	Niger Delta People's Volunteer Force (Nigeria)
NLFT	National Liberation Front of Tripura (India)
NMSP	New Mon State Party (Myanmar)
NPFL	National Patriotic Front of Liberia (Liberia)
NRF	National Redemption Front (Sudan)
NSCN	Nationalist Socialist Council of Nagaland (India)
NSCN-K	National Socialist Council of Nagaland–Khaplang (India)
NTC	National Transitional Council of Libya (Libya)
OLF	Oromo Liberation Front (Ethiopia)
ONLF	Ogaden National Liberation Front (Ethiopia)
OPON	Otryad Politsii Osobogo Naznacheniya (<i>Special Purpose Police Unit</i>) (Azerbaijan)
Palipehutu-FNL	Parti pour la libération du peuple hutu–Forces nationales de libération (<i>Party for the Liberation of the Hutu People–National Forces of Liberation</i>) (Burundi)
PDK	Party of Democratic Kampuchea (Cambodia)
PFLP	Popular Front for the Liberation of Palestine (Israel)
PFNR	Popular Front for National Renaissance (Chad)
PIJ	Palestinian Islamic Jihad (Israel)
PIRA/IRA	Provisional Irish Republican Army/ Irish Republican Army (United Kingdom)
PJAK	Partiya Jiyana Azad a Kurdistanê (<i>Party of Free Life of Kurdistan</i>) (Iran)
PKK/Kadek	Partiya Karkerên Kurdistan/Kongreya Azadi Demokrasiya (<i>Kurdistan Workers' Party/Congress for Freedom and Democracy in Kurdistan</i>) (Turkey)
PLA	People's Liberation Army (India)
PLO	Palestine Liberation Organization (Israel)
PNA	Palestinian National Authority (Israel)
PREPAK	People's Revolutionary Party of Kangleipak (India)
PUK	Patriotic Union of Kurdistan (Iraq)
PULF	People's United Liberation Front (India)

PWG	People's War Group (India)
RAFD	Rassemblement des forces démocratiques au Tchad (<i>Rally of Democratic Forces of Chad</i>) (Chad)
RCD	Rassemblement congolais pour la démocratie (<i>Rally for Congolese Democracy</i>) (Congo/Zaire, Zimbabwe, Angola, Namibia, Chad)
RFDG	Rassemblement des forces démocratiques de Guinée (<i>Rally of Democratic Forces of Guinea</i>) (Guinea)
RIRA	Real Irish Republican Army (United Kingdom)
RJF	Reform and Jihad Front (Iraq)
RSO	Rohingya Solidarity Organisation (Myanmar)
RUF	Revolutionary United Front (Sierra Leone)
SCIRI	Supreme Council for the Islamic Revolution in Iraq (Iraq)
SL	Sendero Luminoso (<i>Shining Path</i>) (Peru)
SSA-S	Shan State Army–South (Myanmar)
SLM/A	Sudan Liberation Movement/Army (Sudan)
SLM/A-MM	Sudan Liberation Movement/Army–Minni Minnawi (Sudan)
SNM	Somali National Movement (Somalia)
SPLM	Sudan People's Liberation Movement (Sudan)
SPLM/A-N	Sudan People's Liberation Movement/Army–North (Sudan)
SPM	Somali Patriotic Movement (Somalia)
SRRC	Somalia Reconciliation and Restoration Council (Somalia)
SSLM/A	South Sudan Liberation Movement/Army (Sudan)
SSPP	Shan State Progress Party (Myanmar)
TNSM	Tehreek-e-Nafaz-e-Shariat-e-Mohammadi (<i>Movement for the Enforcement of Islamic Law</i>) (Pakistan)
TTP	Tehrik-i-Taliban Pakistan (<i>Student Movement of Pakistan</i>) (Pakistan)
UCK	Ushtria Çlirimtare e Kombëtare (<i>National Liberation Army</i>) (Macedonia)
UFDD	Union of Forces for Democracy and Development (Chad)
UFDR	Union des forces démocratiques pour le rassemblement (<i>Union of Democratic Forces for Unity</i>) (Central African Republic)
UFR	Union des forces de résistance (<i>Union of the Forces of Resistance</i>) (Chad)
UFRA	Union des forces de la résistance armée (<i>Union of Forces of Armed Resistance</i>) (Niger)

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UIFSA	United Islamic Front for the Salvation of Afghanistan (Afghanistan)
ULFA	United Liberation Front of Asom (India)
UNITA	União Nacional para a Independência Total de Angola (<i>National Union for the Total Independence of Angola</i>) (Angola, Cuba, Namibia)
UNLF	United National Liberation Front (India)
UNLF	Uganda National Liberation Front (Uganda)
UPA	Uganda People's Army (Uganda)
URNG	Unidad Revolucionaria Nacional Guatemalteca (<i>Guatemalan National Revolutionary Unity</i>) (Guatemala)
USC	United Somali Congress (Somalia)
UTO	United Tajik Opposition (Tajikistan, Russia, Uzbekistan)
UWSA	United Wa State Army (Myanmar)
WNBF	West Nile Bank Front (Uganda)
WSB	West Side Boys (Sierra Leone)

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Legal Instruments

The following lists the legal instruments cited or referenced in *Compliant Rebels* with regard to international humanitarian law, organized according to the human rights issue addressed. This list is not exhaustive, but purports to enumerate important legal milestones for each issue discussed in Chapters 5, 6 and 7.

CHAPTER 5. CIVILIAN KILLING

St. Petersburg Declaration (1868)

Geneva Conventions I–IV (1949)

Additional Protocols I and II to the Geneva Conventions (1977)

Rome Statute (1998)

CHAPTER 6. CHILD SOLDIERING

Additional Protocol II to the Geneva Conventions (1977)

Cape Town Principles (1977)

Convention on the Rights of the Child (1989)

Paris Principles (1991)

Rome Statute (1998)

Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (2000)

CHAPTER 7. DETENTION ACCESS

Common Article 3 to the Geneva Conventions I–IV (1949)

International Covenant on Civil and Political Rights (1966)

Additional Protocol II to the Geneva Conventions (1977)