**Janus-faced:**

**Rebel Groups and Human Rights**

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**Abstract**

Rebel groups are significant players in contemporary world politics, often portrayed as violators of human rights. We explore the Janus-faced nature of rebel groups toward human rights and show that rebel groups are human rights perpetrators but at the same time they are human rights advocates. This chapter unearths the patterns of rebel groups' commitment to human rights between 1990 and 2010. We specifically show that some rebel groups do express their intent to respect human rights when they are willing and capable. Specifically, rebel groups with autonomy aims, strong command and control structure, and strong military capabilities are the ones that have the will and power to engage in public relations for human rights. The findings demonstrate the evidence of “expanding” human rights to traditional outsiders such as rebel groups.

Word limit: 6,000 words (word count: 5,783)

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**Introduction**

Rebel groups are now significant players in world politics. Since 1945, about 500 rebel groups in various parts of the world have opposed national governments militarily. They have produced tremendous human suffering around the world. Another parallel trend in world politics is the “expanding” human rights, as the theme of this volume suggests. What is the link between these two parallel trends between rebel groups and human rights? How do rebel groups understand human rights to be? Would rebel groups care about human rights? Is the norm of human rights “expanding” to rebel groups as well? These are the questions this chapter delves into.

At face value, the two subjects of rebel groups and human rights seem to mix like oil and water. Rebel groups often evoke the image of violation of human rights – against the central notions of human dignity. What come to our mind are summary killing, torture, slavery, etc. Rebel groups are stereotyped to be often branded as the *violators* or *perpetrators* of human rights. We are reminded of amputations of children by the Revolutionary United Front in Sierra Leone;[[1]](#footnote-1) news of modern-day slavery by the Islamic State in Syria also reminds us rebel brutality[[2]](#footnote-2) – the very act that counters the norm of respect for human rights. Protection and preservation of human rights seems to be excluded from the dictionary of rebels, as these incidents show.

For sure, some rebel groups are well-known perpetrators of human rights. Less is known some strive to *respect* human rights, or at least they claim to do so. Rebel groups are the political military organizations that fight against national governments for *their own human rights* – rights to political, social, economic or religious freedom. During that armed struggle, it is so easy for rebel groups not care about human rights of *others* at all, while advancing of their own political and civil rights. To defeat the formidable adversary, namely government forces, rebel groups might have to violate human rights of other people such as ordinary civilians or government sympathizers – a lot and significantly. But recently, as this paper will demonstrate, rebels claim that they buy the central tenets of human rights or abide by international humanitarian rules. Some even comply with international humanitarian rules in waging their armed struggles against the government.[[3]](#footnote-3)

Given these empirical observations, the puzzle is why some rebel groups care about human rights at all. This chapter addresses the question of how rebel groups understand their human rights obligations to be. We will argue that *some* rebel groups have inherent interests to care about human rights and are capable of express their intent. In support for our argument, we will show that some rebel groups have a certain level of understanding of human rights by unearthing the patterns of human rights/humanitarian commitments in the Rebel Groups and International Law (RGIL) database.[[4]](#footnote-4) We will demonstrate that willing and capable rebel groups – with political autonomy aims, with military and internal control capabilities – are the ones that commit to human rights. The empirical evidence will show the expanding human rights on the part of rebel groups.

The inquiry into rebel groups and human rights matters for several reasons. The most obvious is for human security reasons. If rebel groups show respect for human rights, that will have ripple effects to general population in conflict-ridden areas. Second, from a scholarly perspective, the connection between rebel groups and human rights will aid our understanding of how norms develop over time. We show how human rights norms expand with what specificity in the case of rebel groups – where we least expect the notions of human rights operate – given the criminality of many rebel groups.

This chapter proceeds as follows. We first define the key terms – “rebel groups” and “human rights” and then set the background for understanding the status of norms regarding rebel groups, both legal and political. We next propose our argument about some rebel groups not ignoring human rights – that some *do* know human rights and *do* speak human rights. We present evidence that some rebel groups express “their” understanding of human rights vis-à-vis multiple audiences – civilians, governments, and international actors. Although rebel groups’ understandings about human rights might be slightly different from general understanding of human rights with the Janus-faced character, we show that rebel groups *are* within the bounds of human rights regime. We conclude with implications.

**Section II. Background**

In this section, we lay out the conceptual bounds and provide necessary background information. We first define “rebel groups” and “human rights.” The setting of this conceptual terrain is necessary to discuss what our key political agents are and how they related to the normative growth in the field of human rights. The description of key normative environments rebel groups are in will set the backdrop for the relationship between rebels and human rights. The definition and rebels’ normative environments will aid us to proceed to our arguments about rebel groups and human rights.

Definitions

“Rebel groups” are military organizations that fight against national governments with political aims. This definition excludes domestic terrorist groups that do not engage military battles, criminal organizations that engage in illicit economic activities without political goals, and disarrayed warlords without a certain level of organization. By nature, rebel groups will engage in actions that may violate fundamental human rights such as “right to life.” Also note that we are analyzing rebel “groups.” the unit of analysis at the group level means that the spread and acceptance of norms might not be uniform throughout the ranks within a rebel organization. It is plausible to think that rank-and file individual rebel soldiers might have different conceptions of human rights from those of rebel leadership. But our analysis will primarily focus on what is represented at the group-level, with empirical referents such as documents released by rebel leadership (e.g. military commanders or rebel spokesman).

“Human rights” are fundamental elements to preserve dignity for all persons. The actual examples include political rights, economic rights, social and cultural rights.[[5]](#footnote-5) The question of *whose* human rights is going to be important for the purpose of the subsequent discussion related to rebel groups. Rebel groups might have different understandings of *their* human rights from those of *others’* human rights. Sometimes, it might be a negative-sum game where the advancement of rebel groups’ own human rights might hurt other societal and political actors’ human rights. Human rights are usually defined as “human dignity” but the parameters of human dignity are sharply curtailed in wartime, and on the part of rebel groups.

The word “human rights” meant different things to rebel groups at different time periods. To rebel groups in 1970s and 1980s, “human rights” meant specific civil and political rights. During the negotiation of the Additional Protocol I to the Geneva Conventions, a dozen of liberation movements participated as observers (with voice but no votes).[[6]](#footnote-6) To those liberation movements, human rights meant self-determination, freedom of political actions, away from colonial domination. Now, the meaning of human rights is diverse across many rebel groups, as well as expansive, partly due to the normative development of human rights. To contemporary rebel groups, human rights include “right to life” of civilians, political rights and freedom of actions, as well as economic and social rights, women’s rights, and children’s rights.[[7]](#footnote-7) Rebel groups nowadays not only engage in advocacy of their political rights but also promote economic social rights in the territory they govern.[[8]](#footnote-8) For example, recent research finds that rebel groups that value gender equality are likely to have female combatants in their ranks.[[9]](#footnote-9) The trend from 1970s to recent shows that human rights are expanding to cover from primarily rebels’ “own” political rights (1970s) to civilians and “their” civil, political, economic, and cultural rights (2010s). [Josh the word cloud – comparing 1970s and 2010s – could be here, instead of later (as I currently outlined. What do you think?]

Depending on what human rights we talk about, rebel groups play different roles across different types of human rights. For political and civil rights, rebel groups are actually *advocates*. They challenge the human rights roles of governments, trying to improve their political and civil rights. Rebel groups often advocate minority rights (against discrimination) and recently addressing the questions of women’s and children’s rights. They also are adamant against torture and repression by the state, and often engage in war of words with the government actors. When they are engaged in armed conflicts, they often violate the norms of human rights through the acts of killing, pillaging, rape, etc. to advance their own human rights. This advocate-perpetrator Janus-face dimension of rebel groups is the starting point of our analysis.

Background

The normative environment regarding rebel groups and human rights is growing. In relation to rebel groups, human rights is not confined to the traditional meaning of human rights, as in the obligations to states – as exemplified in the key legal documents such as the ICCPR (International Covenant on Civil and Political Right) or ICESCR (International Covenant on Economic, Social, and Cultural Rights). Humanitarian rules are also pertinent and relevant to the discussion of rebel groups and human rights.[[10]](#footnote-10) Rebel groups operate during peacetime and armed conflicts, which put them in the normative environments governed by international humanitarian law (IHL) as well as international human rights law (IHRL). Although IHRL is usually applicable during peacetime; IHL during wartime, substantial overlap exists between IHRL and IHL.[[11]](#footnote-11) The two normative fields are being merged together especially for the regions of protracted low-level armed conflicts. The foundational notions of respect for life and human dignity are at the center of both IHRL and IHL. Right to life is the first article in ICCPR and the civilian protection is embodied in the principle of distinction between combatants and non-combatants in IHL. The core difference is that IHL operates during armed conflicts with regard to the specific wartime behaviors such as the ban on weapons, treatment of prisoners, etc.

Despite the growth, the normative environment is uncertain. International law presents some prescriptions and proscriptions for rebel groups with respect to wartime behavior and post-conflict behaviors. Wartime behaviors are regulated by international humanitarian law (commonly known as the laws of war); post-conflict behaviors present some boundaries, usually via peace agreements. But these laws are not as regulated, monitored or enforced, as domestic laws. Within the bounds of human rights norms, rebels’ human rights obligations are not certain, either, let alone their rights.[[12]](#footnote-12) There is no such thing as rebels’ human rights, although they have obligations to follow the broad human rights norms. This situation is unlike that of states. States are traditional rights-bears of human rights obligations.[[13]](#footnote-13) Rebel groups have traditionally outside of the law-making of international human rights. Unless rebels reach quasi-government stage with substantial governance functions and territorial control, they do not assume as much human rights obligations as states do.[[14]](#footnote-14)

Despite this uncertainty, rebel groups *do* have legal responsibilities under international law. Most of them are under international humanitarian law – including respect for civilian life, humane treatment of prisoners, protection of humanitarian workers, etc. It is debated whether human rights law is applicable in times of conflict, but basic human rights and human dignity should be respected and that there is substantial overlap between humanitarian principles and human rights principles. Legal responsibilities however do not mean that rebel groups would see political value in following legal responsibilities. Also, the legal responsibilities loosely bind rebel groups. Although the criminal law regime is established at the inception of the Rome Statute and the workings of the International Criminal Court, the reach of the criminal responsibility to rebel groups in the areas of crimes against humanity, war crimes and genocide appears to be present but weak.[[15]](#footnote-15) In other words, rebel groups are part of the pattern in “justice cascade”[[16]](#footnote-16) but the regime is in its infancy. It is this loose, uncertain normative environments rebel groups are operating within the realm of world politics in the context of growing and expanding human rights. Local norms also matter to them as part of human rights understanding. Taliban’s Code of Conduct (*Layeha*), for instance, lay out rules for local courts,[[17]](#footnote-17) catering right to justice. Rebel groups are navigating these international and local normative environments, and this fact will be important for our understanding of the nexus between rebel groups and human rights.

Rebel groups are very much part of “expanding” human rights landscape. Their notions of human rights were confined to their political rights in the 1970s, as reflected on the participation of dozen of national liberation movements during the diplomatic negotiation of the Additional Protocol.[[18]](#footnote-18) Now, fast forward to the current scene, they are part of the expanding human rights regime. In the issue of weapons use affecting civilians, about 50 rebel groups have signed the Deed of Commitment to ban the use of anti-personnel mines, with the Geneva Call. A dozen of rebel groups have signed the United Nations action plans to stop the use of child soldiers. A various NGOs engaged local communities and rebel soldiers to reduce the incidences of sexual violence in the Democratic Republic of Congo.[[19]](#footnote-19) Many rebel groups now participate in the peace negotiations that include human rights clauses.[[20]](#footnote-20) Some rebel group leadership follows the Facebook pages of the UN Human Rights Committee, using the modern day social medium. Recognition of human rights and partnership with IGOs or NGOs are all signs of “expanding” human rights on the part of rebel groups.

**Section II. Argument**

*A Theory of Rebel Commitment*

Now that we have laid out the grounds for rebel groups and human rights, we want to tackle the core puzzle of this paper: why rebel groups talk and commit to human rights related ideas. Our explanation hinges on the credible commitment mechanism[[21]](#footnote-21) – how rebel groups can commit credibly facing their key audiences. Rebel groups’ talk can be cheap – they are not paying a lot of costs by “talking human rights.” The commitments are not binding in a strict sense. Rebel expressions or bilateral agreements are not binding documents and often are regarded as expressions of rebel policy at best. The violations of those commitments are not necessarily monitored, enforced or punished. On the other hand, these public relations exercise can be potentially rewarding, debasing the government and bolstering their political agenda. Expressions of human rights therefore can mean something but they could easily be meaningless.

The key twist is how rebel groups can credibly commit without the usual institutional devices that national governments have at their disposal, such as ratification, rule of law, and governments' enforcement power. Would “saying” or “signaling” with loose commitment language be credible?

In order for signals to be credible, they have to carry some weight. We argue, in rebels’ case, willingness and capability can add credibility to the commitment. Which rebel groups “need” these kinds of credible commitment? Which rebel groups “can” commit credibly? The willingness and capacity of rebel groups will be important in determining rebel groups’ commitment to/expression of human rights. First, willingness matters. Rebel groups that seek political autonomy are also going to want to commit to human rights in the hope that their messages. Recent studies show rebel diplomacy is prominent in the case of secessionist groups,[[22]](#footnote-22) and the promotion of human rights can be part of these diplomatic efforts.

Second, capacity also matter in producing expressions of human rights. Rebel groups that have strong command and control, for example, can credibly commit because they can clean their houses with a relative order and with a signal that orders higher up would be respected at the lower ranking level. Also, rebel groups with strong capability or capacity are likely to commit to human rights, given their public relations capabilities and fighting capacity. Therefore, we expect that militarily strong groups can commit due to their existing capacity. Although the talk can be cheap and not followed through later on, militarily strong groups also have strong motivations to debase governments’ legitimacy and might want to commit.

Rebels’ social environment will also matter. One of the ways to maintain contact with local population is to have political wing of some kind. Rebel political wing is associated with occasional election, local bureaus to advance their political goals, and organized representatives to connect to local population. Also, one of the interactions with international organizations or NGOs can be to receive sponsorship from states with a well-developed civil society. If a rebel group is sponsored by or gets funds from states with civil society, it is likely that those organizations are going to interact with rebel groups, which might increase the chance rebel groups express their commitments to human rights. We call these conjectures related to rebel network structures as “social rebel hypothesis.”[[23]](#footnote-23) Social rebels are the ones that build special relationships with their domestic constituencies via political wings; they are the ones that interact with human rights actors on the international level. Social networks of rebel groups can the key to understanding as to why some rebel groups would want to express their intent to abide by human rights.

Through willingness, capability, and social environment: these are the ways with which credible commitment might emerge in the institution-light environment rebel groups are usually situated. We will sum our explanation as the theory of “credible commitment in an institution-light environment.” Rebel groups can craft their own commitment devices, internally and externally. The internal device includes streamlining command and control structure. The external device includes garnering help and assistance from local population or human rights/humanitarian international organizations or NGOs.

Collecting the considerations for rebels’ willingness, capability and social environment, the empirically testable hypotheses with regard to rebel human rights commitment are three-fold:

[Willingness Hypothesis]

H1: rebel groups with autonomy aims are more likely to commit to human rights than those without autonomy aims.

[Capability Hypotheses]

H2: rebel groups with strong command and control are more likely to commit to human rights than those with weak command and control.

H3: rebel groups with strong military capabilities are more likely to commit to human rights than those with weaker capabilities.

[Social-Rebel Hypotheses]

H4: rebel groups with political wings are more likely to commit to human rights than those without political wings.

H5: rebel groups with sponsorship from states with civil society are likely to commit to human rights than those without such sponsorship.

**Section III. Evidence**

The goal of this section is to present a test of our theory of rebel group human rights talk. In order to do so, we first present the measurement of our key variables, report the patterns of rebel commitment database,[[24]](#footnote-24) and present logit analysis of rebel commitment. Our primary focus will be to test the conditions under which rebel groups commit to human rights by exploring the patterns of rebel commitment dataset in the Rebel Group and International Law database.

*Data and Variables*

Unit of analysis is rebel-year. The dataset records 266 rebel groups with average longevity of 3 years for each group. The treatment of rebel-year means we count the same groups several times, but we think this is reflective of the amount of commitment. We try to deal with dependences by employing robust standard errors in the logit analysis.

We measure our dependent variable “rebel human rights commitment” as a binary one. The source is from TheirWords project conducted by the Geneva Call, a non-governmental organization that focuses on humanitarian issues.[[25]](#footnote-25) TheirWords is a directory of armed non-state actor humanitarian commitments, but the database also includes documents created by rebel groups related to general human rights. That is because the Geneva Call employed an expansive definition of humanitarian commitments. Most documents are unilateral declarations, bilateral agreements with international organizations or non-governmental organizations, or peace agreements with governments that contain human rights related clauses.

In our subsequent analysis, “Human rights” category includes many subjects related to political, social and economic rights. Political rights include freedom to organize, freedom to express, freedom of assembly, open free and fair elections, right to vote, etc. These remind us the elements of the International Covenant on Civil and Political Rights (ICCPR). It is no wonder these are expressed in the documents released or negotiated by rebel groups, given that most rebel groups fight for their political rights. Ethnic religious minorities are especially in this category of expressing human rights in these terms. Human rights against repression are also expressed. The mentions of personal liberty, prohibition on slavery, torture or cruel, inhumane or degrading treatment appear in this human rights category. Other social rights include freedom of movement, rights of children, equal rights of men and women.

We want to note a couple of things about the measure of our dependent variable. First, it is perfectly feasible that some rebel groups might not express their views via the medium of these documents, even though they might hold human rights consistent views. So, the measure purports to be comprehensive but might miss some opportunities to detect human rights intent of obscure groups. Second, we want to note that the legal force of these general human rights commitments is disputed.[[26]](#footnote-26) Some would even argue whether some documents are really commitments or not, since there is no binding force on rebel groups. We take the position that these are “expressions” of commitments, not necessarily analogous to treaty-commitments of states.

In Table 1, we list other types of rebel documents, such as the ones that deal with the issue of child protection, anti-personnel mines, civilian protection, child soldier, and peace agreements, to show how they compare to general human rights related documents we coded and analyzed in this chapter.

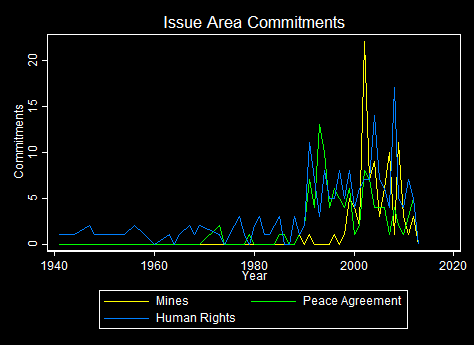
**Table 1: Composition of Rebel Commitment Database**

|  |  |  |
| --- | --- | --- |
| Issue Area | Number of Documents | Example |
| Human Rights | 208 |  |
| Anti-Personnel Mines | 91 |  |
| Child Protection | 46 |  |
| Civilian Protection | 77 |  |
| Peace Agreement | 113 |  |
| Action Plan to Ban Child Soldiering | 39 |  |
|  | Total: 540 |  |

[Josh, can you fill out the examples and discuss those cases in one paragraph?]

Figure 1 tracks the incidence of the three most common human rights/humanitarian commitments by rebels. Broad human rights commitments occur in small numbers prior to the 1990s, the occurrence of these commitments becomes substantial after 1990. Years 2001 and 2002 see a spike in rebel commitments to stop the use of anti-personnel mines, which likely reflects implementation of the 1997 Mine Ban Treaty. Human rights commitments have varied heavily from year to year, which raises the question of what explains the variation.

**Figure 1: Issue Commitments over time**

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[Josh, let’s get this with “white” background with “black” font. Also, publishers will not like colors (very costly to publish colored pages), so let’s use dash, dotted line, and solid line; y-axis should be the number of documents? Also take out the title. Legend is okay]

Whose human rights? Most of the human rights language pertain rebels’ own political, civil, economic, and social rights. Political and civil rights include rights to vote and organize; economic and social rights involve the division of natural resources or cultural rights. What human rights? Right to life and self-determination are often expressed. This is not new because rebellion usually starts with sense of political exclusion. We further explore these issues by drawing up a word cloud from the text data.

Figure 2 presents the word cloud of human-rights-talk by rebel groups. We collected the text data of human rights related documents issued by rebel groups and selected frequently used words to make the word cloud. We want to emphasize human rights related words, from general to specific.[[27]](#footnote-27) General words include “human” “right” or “respect.” Specific words include those related to political rights (“elect”, “govern”), economic rights (“development”), as well as conflict related words (“war”, “militaries” “force” “peace”). The word cloud demonstrates that rebels also do rights-talk.

Figure 2: Human Rights Word Cloud Said by Rebel Groups



Now we turn to our discussion on measurement of independent variables. *Autonomy Aim* is the binary variable for secessionist groups or groups that seek political autonomy. Secessionist groups usually seek out for territorial as well as political autonomy, but there are other groups that seek political autonomy, shy of territorial ambitions.[[28]](#footnote-28) This measure is the recoded version of conflict type in the Non-State Actor dataset. Strength of Central Command and Control is the variable that measures the capacity of a rebel group, as well as Rebel Strength variable. Both are from the Non-State Actor dataset. *Strength of Central Command and Control* is an ordinal variable ranging from low (1), medium (2), to high (3). *Rebel Strength* is an ordinal variable that measures the rebel military strength relative to the opposing government, with five-scales, from much weaker (1), weaker (2), parity (3), stronger (4), and much stronger (5). *Rebel Political Wing* is the degree of links to political wing of a rebel group in four-scales, no (1), alleged link (2), acknowledged link (3), and explicit link (4). *Human Rights Sponsorship* measures the number of human rights groups in the rebel group’s state sponsor. The number ranges from 0 to 71.

*Statistical Analysis of Rebel Commitment*

With the above measurement of variables, we present the results from a multivariate logit analysis of human rights commitment in Table 2. The dependent variable is whether a rebel group expressed their human rights intent in a document, as described in the previous section. The first three models test the hypotheses outlined in the theory section respectively.

Model 1 tests whether willingness of a rebel group, in the form of autonomy aim, affects the commitment to human rights. We see support for the hypothesis: rebel groups with autonomy aim are more likely to commit to human rights in some form. These may be advocating for their own human rights or for other civilian rights as they are deeply rooted in social environment in their respective regions.

Model 2 tests whether rebel capability, in the form of command and control or military strength, affects the commitment to human rights. The capability hypotheses also get some support based on the rebel commitment data. Capable rebels – with strong central command and control and/or with military strength – are more likely to commit. We interpret this evidence that rebels with internal controls are more likely to be able to credibly commit; also, that military strength is translated into public relations capability, including commitment to human rights.

Model 3 looks at social rebel hypothesis – rebel groups’ links with human rights based state sponsors or the presence of rebel political wings – influence their human rights commitment behaviors. We do not have support for this hypothesis. There does not seem to be relationship between rebel political wing and commitment to human rights.

Table 2: Logit Models of Rebel Group Commitment to Human Rights

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Model 1 | Model 2 | Model 3 | Model 4 |
|  | Willingness Hypothesis | Capability Hypothesis | Social Rebel Hypothesis | All |
|  |  |  |  |  |
| Autonomy Aim | 0.246\*\* |  |  | 0.658\*\*\* |
|  | (0.122) |  |  | (0.150) |
| Command and Control |  | 0.212\*\* |  | 0.399\*\*\* |
|  |  | (0.108) |  | (0.131) |
| Military Strength |  | 0.569\*\*\* |  | 0.608\*\*\* |
|  |  | (0.102) |  | (0.129) |
| Rebel Political Wing |  |  | -0.051 | -0.075 |
|  |  |  | (0.049) | (0.054) |
| HRO Sponsorship |  |  | -0.002 | -0.010 |
|  |  |  | (0.011) | (0.011) |
|  |  |  |  |  |
| Observations | 1,165 | 1,066 | 907 | 799 |

Robust standard errors in parentheses \*\*\* p<0.01, \*\* p<0.05, \* p<0.1,

constants suppressed to save space

Predicted probabilities of various scenarios can give more contexts to the interpretation of the results.[[29]](#footnote-29) We report those estimation results in Table 3. Rebel groups with autonomy aim are 48% likely to commit to human rights. Rebel groups without autonomy aim are 32% likely to commit. This is 16% difference. With respect to capability, rebel groups with low level of command and control capabilities are 30 % likely to commit whereas rebel groups with high level of command and control capabilities are 49% likely to commit to human rights related documents. This is 19% difference. The numbers indicate some support for our willingness and capability hypotheses.

Table 3: Predicted Probabilities for Rebel Commitment to Human Rights: Various Scenarios

|  |  |  |
| --- | --- | --- |
| Scenario #1 | Scenario #2 | Difference |
| Without autonomy aim  0.3260 [ 0.2795, 0.3725] | With autonomy aim  0.4829 [ 0.4317, 0.5340] | 16% |
| Command and control, low strength  0.3032 [ 0.2369, 0.3695] | Command and control, high strength  0.4916 [ 0.4223, 0.5608] | 19% |
| Much weaker rebel groups  0.3091 [ 0.2654, 0.3529] | Much stronger rebel groups  0.8361 [ 0.7148, 0.9574] | 53% |

**Section IV. Summary of Findings, Implications, and What to do**

Conventional wisdom is that rebel groups are human rights perpetrators. We find that the picture is more nuanced and that rebel groups are Janus-faced in the face of human rights. They are human-rights-advocates and human-rights-perpetrators at the same time. Our research demonstrates that rebel groups are strong advocates of their own human rights, and in some cases, they care about general population’s human rights.

The implication of expanding human rights to rebel groups is huge. Our work shows that rebel groups do not live outside the realm of human rights politics. They can no longer ignore expanding human rights norms. But the incentive to violate human rights is generally strong in fighting against government. Human rights of the government sympathizers may be violated, in particular. But we also have to note that some rebel groups are willing to express their human rights credentials and capable of doing so.

We now know that some rebel groups know and care about human rights – theirs as well as civilians (or their key constituencies). Next, the question is “how to bind the players [rebel groups] to agreements across space and time (North 1998).”[[30]](#footnote-30) Getting to the agreement and recognition of human rights is the first step, but the more important step is how to ensure human rights of rebel groups and general population at the same time. Prioritizing rebel groups’ civil and political rights might hurt those of general population when civil and political rights are exercised in an abusive manner. Respecting the majority rights might sacrifice the minority rights, and many of them rebel groups that take up arms dissatisfied with the political status quo. Then the question is essentially how to balance between majority and minority rights.

The present research leaves some questions behind. We focused on the rebel groups’ understanding and expression of human rights. But the natural next-step question is whether rebel groups follow through their promises and expressive signals. Once rebel groups say that they care about human rights, do they actually behave as such? Are the expressions just public relations exercise or do rebel groups mean what they say?[[31]](#footnote-31) Are the signals ultimately credible and effective advancing human rights? The answer to this inquiry warrants a careful attention to rebel groups’ motivations and conflict situations.

Another pressing question is the international responses to rebel groups and civil wars in general. What is the best way to promote human rights in the areas of the world prone to civil conflicts? Encouraging governments to improve minority rights? Sanctioning rebel groups to behave? Engaging rebel groups diplomatically so that rebel groups are more aware and assisted with capacity to improve human rights? Or, no policy intervention would be the way to go? Future research should tackle these important questions.

**References**

Andreopoulos, George. 2006. “On the Accountability of Non-State Armed Groups” in Arat, [Zehra F. Kabasakal](https://www.google.com/search?tbo=p&tbm=bks&q=inauthor:%22Zehra+F.+Kabasakal+Arat%22), George Andreopoulos, and Peter Juviler (eds.) 2006. *Non-State Actors in the Human Rights Universe*. New York: Kumarian Press.

Arjona, Ana, Nelson Kasfir, Zachariah Mampilly (eds.). 2015. *Rebel Governance in Civil War*. Cambridge University Press.

Alston, Philip and Ryan Goodman. 2013. *International Human Rights*. Oxford University Press.

Bell, Christine. 2000. *Peace Agreements and Human Rights*. Oxford University Press.

Blum, Gabriella. 2011. “On a Differential Law of War.” *Harvard International Law Journal*. 52.

Bothe Michael, Partsch Karl, and Solf Waldemar. 1982. *New Rules for Victims of Armed Conflicts: Commentary on the two 1977 Protocols Additional to the Geneva Conventions of 1949*, The Hague, M. Nijhoff.

Clapham, Andrew. 2006. “Human Rights Obligations of Non-State Actors in Conflict Situations.” *International Review of the Red Cross*. 863.

Coggins, Bridget. 2014. *Power Politics and State Formation in the Twentieth Century: The Dynamics of Recognition*. Cambridge University Press.

Fazal, Tanisha. 2016. “Rebellion, War Aims, and the Laws of War.” *Dædalus*.

Gal-Or, Naomi, CedricRyngaert, and Math Noortmann (eds.) 2015. *Responsibilities of the Non-State Actor in Armed Conflict and the Market Place*. Leiden/Boston: Brill Nijhoff.

Huang, Reyko. 2016. “Rebel Diplomacy in Civil War,” *International Security*.

Jo, Hyeran. 2015. *Compliant Rebels: Rebel Groups and International Law in World Politics*. Cambridge University Press.

Jo, Hyeran and Beth Simmons. 2016. Can the International Criminal Court Deter Atrocity? *International Organization*.

Johonson, Thomas and Matthew DuPee. 2012. “Analyzing the New Taliban Code of Conduct (Layeha): an Assessment of Changing Perspectives and Strategies of the Afghan Taliban.” *Central Asian Survey*. 31(1): 77-91.

Lake, Milli. 2014. “Organizing Hypocrisy: Providing Legal Accountability for Human Rights Violations in Areas of Limited Statehood.” *International Studies Quarterly*. 58(3): 515-526.

Nagamine,Yoshinobu. 2015. *The Legitimization Strategy of the Taliban’s Code of Conduct. Through the One-Way Mirror*. Palgrave Macmillan.

Nilsson, Desirée. 2012. “Anchoring the Peace: Civil Society Actors in Peace Accords and Durable Peace” *International Interactions* 38(2):243-266.

North, Douglas. 1993. “Institutions and Credible Commitment.” *Journal of Institutional and Theoretical Economics* (JITE) / Zeitschrift für die gesamte Staatswissenschaft, The New Institutional Economics Recent Progress; Expanding Frontiers, 149(1):11-23.

Provost, Rene. 2012. “Asymmetrical Reciprocity and Compliance with the Laws of War” in Benjamin Perrin (ed.) *Modern Warfare: Armed Groups, Private Militaries, Humanitarian Organizations, and the Law*. UBC Press.

Roberts, Anthea, and Sandesh Sivakumaran. 2012. “Lawmaking by Non-state Actors: Engaging Armed Groups in the Creation of International Humanitarian Law” *Yale Journal of International Law*. 37(1): 107-152

Rodenhäuser Tilman. 2015. “International legal obligations of armed opposition groups in Syria,” *International Review of Law* http://dx.doi.org/10.5339/irl.2015.2

Scheffer, David. 2013. *All the Missing Souls: A Personal History of the War Crimes Tribunals (Human Rights and Crimes against Humanity)*. Princeton University Press.

Sikkink, Kathryn. 2011. *The Justice Cascade: How Human Rights Prosecutions are Changing World Politics*. Norton.

Staniland, Paul. 2014. *Networks of Rebellion: Explaining Insurgent Cohesion and Collapse*. Cornell University Press.

Weiss, Michael and Hassan Hassan. 2015. *ISIS: Inside the Army of Terror*. Regan Arts Publishers.

Thomas, Jakana, and Reed Wood. 2015. “The Social Origins of Female Fighters.” Paper presented at the annual meeting of the American Political Science Association, San Francisco, CA.

1. Scheffer 2012. [↑](#footnote-ref-1)
2. U.N. H.R.C. Rep. of the independent international commission of inquiry on the Syrian Arab Republic, Nov. 2011-Feb. 2012. Also see Weiss and Hassan 2015. [↑](#footnote-ref-2)
3. Jo 2015. [↑](#footnote-ref-3)
4. The database is featured at [http://hyeranjo.wix.com/compliantrebels](http://hyeranjo.wix.com/compliantrebels" \t "_blank) [↑](#footnote-ref-4)
5. Alston and Goodman 2013. [↑](#footnote-ref-5)
6. Perrin 2012. [↑](#footnote-ref-6)
7. MILF for example had announced the straight-18 norm will be observed within their ranks. [↑](#footnote-ref-7)
8. Arjona et al. 2015. [↑](#footnote-ref-8)
9. See Thomas and Wood 2015 for rebel groups and women’s rights. [↑](#footnote-ref-9)
10. In particular, Geneva Convention Common Article 3 as well as Additional Protocols. [↑](#footnote-ref-10)
11. Andreopoulos 2006. [↑](#footnote-ref-11)
12. Clapham 1996. [↑](#footnote-ref-12)
13. US and EU opposed the language “gross violation of human rights perpetrated by terrorist groups” in the UN Resolution because they did not want to equate terrorists with states (Alston and Goodman 2013, 1503). [↑](#footnote-ref-13)
14. See the discussion in Sivakumaran 2014, 87-100. Also see Rodenhäuser 2015 for specific situation in Syria. [↑](#footnote-ref-14)
15. Jo and Simmons 2016. [↑](#footnote-ref-15)
16. Sikkink 2011. [↑](#footnote-ref-16)
17. Nagamine 2015; Johnson and DuPee 2012. [↑](#footnote-ref-17)
18. Bothe et al. 1982. [↑](#footnote-ref-18)
19. Lake 2014. [↑](#footnote-ref-19)
20. Nilsson 2012; Bell 2000. [↑](#footnote-ref-20)
21. North 1993. [↑](#footnote-ref-21)
22. Fazal 2016; Huang 2014; Coggins 2014. [↑](#footnote-ref-22)
23. See Staniland 2014 for this social network approach. [↑](#footnote-ref-23)
24. Figure: commitment histogram over time (to show that HR understanding is expanding); also, peace agreements increasingly include HR language. [↑](#footnote-ref-24)
25. <http://theirwords.org/> We note some selectivity in this list. Many groups are heavily drawn from the interactions with the Geneva Call. Some weak groups might not be represented in this list, so we might not have the “voice” of the weak and small rebel groups. [↑](#footnote-ref-25)
26. Roberts and Sivakumaran 2012. [↑](#footnote-ref-26)
27. Note that some words are “stemmed” in making the word cloud. For example, “forc” is a stem word for “force” or “forces.” [↑](#footnote-ref-27)
28. MILF is one example. The group wanted to get political autonomy, disenchanted by the previous MNLF’s cooptation with the government on the autonomous region. [↑](#footnote-ref-28)
29. All the predicted probabilities were calculated based on Model 4, using –prvalue- command from Long’s SPost suite in STATA. [↑](#footnote-ref-29)
30. North 1993, 11. [↑](#footnote-ref-30)
31. To borrow the words of Shakespeare, “Talking isn't doing. It is a kind of good deed to say well; and yet words are not deeds (Henry VIII).”  [↑](#footnote-ref-31)