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Kayla Salehian April 10, 2023

A Typology of Rebel Commitments & Compliance to International Humanitarian Law

By

Kayla Salehian

Dr. Emily Gade
Adviser

Dr. David Davis

Adviser

Political Science

Dr. Emily Gade

Adviser

Dr. David Davis

Adviser

Dr. Dan Reiter

Committee Member

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An abstract of
a thesis submitted to the Faculty of Emory College of Arts and Sciences
of Emory University in partial fulfillment
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Abstract

A Typology of Rebel Commitments & Compliance to International Humanitarian Law

By Kayla Salehian

Non-state actors in civil conflicts demonstrate varying levels of commitment and compliance to international humanitarian law (IHL). What explains this variation in rebel group behavior? This study investigates the conditions under which groups abide or fail to abide by the principles of IHL. I develop a typology of rebel group commitment and compliance behavior, categorizing non-state actors into four groups based on their incentives and group-level and conflict-level variables. I conduct a plausibility probe of nine prominent groups in the Syrian Civil War and utilize process tracing to determine which factors contribute to the likelihood that groups comply or fail to comply to IHL. In the Syrian Civil War, groups who are religiously motivated and/or have global territorial aspirations are more likely to violate the principles of IHL. The centralization of group leadership and the recruitment strategies groups utilize impact their ability to ensure militants abide by the law of armed conflict (LOAC). By discovering the conditions under which groups are likely to abide by IHL, state sponsors and international actors can better distribute resources to ensure aid is directed towards groups who uphold IHL values. By better understanding the factors that influence a group's likelihood of IHL compliance, international humanitarian lawmakers can develop laws that directly apply to non-state actors, create incentives for compliance, and include accountability mechanisms, minimizing the harmful impact civil wars have on civilians.

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Acknowledgements

A very special thank you to Dr. Gade for the mentorship and support you have given me these past four years at Emory. I am extremely appreciative of the incredible guidance and feedback you have provided me throughout this project, and throughout my time in the lab. Thank you for helping me create a meaningful research project that combines my interests. Your support has been invaluable, and I am beyond excited to see how this project continues to progress.

To Dr. Davis, thank you for inspiring my interests in human rights research and for aiding in my understanding of research processes. I have learned so much from your classes and mentorship, and I am grateful for your time and guidance.

To Dr. Reiter, thank you for serving on my committee and for exposing me to theories of war and conflict which have ignited my interests in international conflict and resolution. I have thoroughly enjoyed my experiences in your classes, and I sincerely appreciate your feedback.

To the entire O/R lab, thank you for your support and camaraderie the past few years – you have all inspired in me a love for research and shown me how collaborative and supportive academia can be.

Finally, I could not do any of this without the love and support of my family and friends. Thank you for encouraging me throughout this process.

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Introduction

Civil wars result in thousands of innocent lives lost, displaced, and subject to instability each year. While violence against civilians is perpetuated by both state and non-state forces, these actors differ in their obligations to abide by international humanitarian law (IHL). Rebel groups, unlike state parties, do not have the opportunity to sign and ratify treaties governing IHL (Roberts and Sivakumaran 2012). The LOAC outlined in the four Geneva Conventions and three Additional Protocols apply to signatory state parties and are applied to rebel groups when states formally recognize the group as violent and posing a threat to overall stability, which rarely occurs (Rubin 1972; Simmons 2010). Yet, rebel groups make public commitments to abide by the law of armed conflict (LOAC) outlined in the Geneva Conventions through soft commitments – in the form of unilateral declaration, bilateral agreements with governments, agreements with existing international organizations, agreements with non-governmental organizations (NGO's), membership statements, founding doctrines of groups, etc. (Jo 2015; Sivakumaran 2011). While some rebel groups are genuine in their commitment to uphold IHL, other groups make IHL commitments with little intention of abiding by them in conflict.

Indeed, rebel groups may have significant incentives to lie. State sponsors provide non-lethal or arms aid to rebel groups who have created a positive reputation internationally for committing to IHL (Jo 2015). Yet, sponsors are physically distanced from the conflict and cannot always effectively monitor the conflict behaviors of the groups they support (Fazal 2018). State sponsorship of groups who violate the LOAC perpetuate violence against civilians and increase human atrocities (Bangerter 2011), which can be catastrophic for state actors and civilians on the ground alike. Powerful state sponsors, such as the United States, need to be able to distinguish between groups who will abide by claims of commitment and groups who harbor ulterior

motives. Determining which factors make it more likely that groups are honest in their commitments to IHL will have important policy implications for states whose sponsorship decisions greatly impact the outcome of a conflict.

What does this look like in practice? The Free Syrian Army, a rebel group in the Syrian Civil War, states in the code of conduct all members sign before joining:

> "I will respect human rights in accordance with our legal principles, our tolerant religious principles, and the international laws governing human rights – the very human rights for which we struggle today and which we intend to implement in the future Syria" (ICRC, 2012).

Yet, despite this public agreement and commitment to IHL, in a report of human rights violations in Syria, the Free Syria Army engaged in launching mortars and indiscriminately shelling government-controlled areas, killing over six children and wounding more than 20 civilians (Idris 2017). Despite claiming to uphold IHL values, the FSA engages in indiscriminate forms of violence, highlighting how insurgency groups' actions in conflict do not always align with the practices they claim to abide by. This could be because groups never had an intention of abiding by these commitments to begin with (Ryngaert and Meuleubroucke 2012), because groups lack command and control of their forces (Green 2018), or because of on the ground incentives, as the war unfolds, that require groups to engage in dastardly tactics that they did not plan for at the outset (Downes 2007).

When comparing rebel groups' commitments of compliance and violent actions, groups demonstrate extensive variation in their messages and subsequent behaviors, both within and between conflicts (Bangerter 2011). While some rebel groups claim compliance and actively break LOAC in everyday battles, other groups never claim compliance in the first place, but uphold the principles outlined in the Geneva Conventions in their conflict behaviors (Jo 2015). Rebel groups have both incentives to act like states (and thus uphold international law) and

incentives to do what they must in order to survive (which may involve violating international humanitarian law). What explains how groups make this choice?

Existing literature on rebel behavior heavily focuses on civilian victimization and the reasons groups utilize various violent tactics to achieve specific goals (Jo 2015; Stathis 2006). But the *motivations* rebel groups have when determining whether to genuinely engage in IHL, to avoid it, or to engage discursively is not yet theorized. Groups have strategic incentives to commit acts of violence in the most effective way possible, minimizing overall costs and providing the group with territorial or military gains (Jo 2015; Salehyan et al. 2014; Weinstein 2006). In the study of rebel relationships with international law, groups are treated as relatively homogeneous, and assumed to have similar motivations in conflict. My thesis seeks to address this theoretical gap.

This thesis investigates the conditions in which groups are likely to engage in various commitment and compliance behaviors. I construct a typology of groups based on the presence of public commitments to IHL and their compliance or noncompliance to the LOAC. Based on this typology, I theorize that features about rebel groups are likely to dictate the incentives they face regarding the implementation or non-implementation of IHL commitments. From this theoretical frame, I draw out a series of expectations which depict how features of rebel groups and their conflict environment may make their use of IHL more or less likely. First, I consider how the type of conflict rebels participate in (secessionist, multi-party vs. two-party) impacts the likelihood that groups will 1) make public commitments to IHL and 2) follow through on these commitments in conflict practices. I also expect that group-level variables, such as religious and territorial aspirations, along with relative group power, impact the likelihood of commitment and subsequent compliance. I argue that groups who are relatively weaker and/or are operating in a

multi-party conflict are more likely to make public commitments to international law, but actively break the LOAC in their compliance behaviors. Groups who are strongly motivated by religious and/or territorial aspirations are more likely to abstain from making public commitments to IHL and to break the LOAC, as they denounce international law as a Westernized institution. Groups in regional conflicts who want to control a specific territory within a country are more likely to abstain from making public commitments but demonstrate a respect for IHL through conflict behaviors.

I use a series of vignettes to consider the viability of this theoretical frame. I nest my study in the Syrian Civil War, and evaluate which factors influence the likelihood that groups fall within the four categories outlined in the typology: legitimacy-seekers, resource-seekers, local support-seekers, and revisionists. I conduct an in-depth analysis comparing my expectations of groups to their actions in conflict, using their commitments to IHL, post-conflict goals, relative power, sponsorship, ideology and IHL-related conflict behaviors. Data is collected from unilateral declarations and statements, groups' founding doctrines, news reports, human rights reports and interviews with group leaders conducted by journalists in the field.

In the initial analysis conducted, I found that my expectations for legitimacy seeking groups were met, as groups who are motivated by religious ideological beliefs and territorial expansion are more likely to reject IHL as an institution and violate the LOAC in the context of the Syrian Civil War. For legitimacy-seeking groups, I found that IHL compliance is dependent on a group's ability to effectively control and manage the actions of its militants. When group leadership is decentralized and militants lack a sense of accountability, groups are more likely to violate IHL commitments. Centralized leadership is necessary to ensure that signed agreements are enforceable. For resource seekers, I found some evidence that groups who receive state

sponsorship and resources after committing to IHL violate the LOAC to some extent in their conflict behaviors. This analysis sheds light on the incentives and motivations groups possess to engage with international law when they are not legally obligated to do so. Since international law does not allow rebel groups or other non-state actors to formally make commitments in treaty-like form, the results of this analysis may inform international stakeholders of the importance of engaging non-state actors in humanitarian law. Given the especially violent nature of intra-state conflicts, understanding the incentives that make groups more likely to abide by IHL can better inform state sponsor decision-making and third-party resolution efforts.

International Humanitarian Law

The four Geneva Conventions, established in the Hague, Netherlands in 1949, require parties to abide by humanitarian law in an effort to guide the types of violence states engage in – both in intrastate and interstate conflicts. The rules outlined in the Geneva Conventions and the Three Additional Protocols apply in times of armed conflict, and primarily provide protection for civilians and individuals who are no longer taking part in hostilities. In the first and second Geneva conventions, protections are guaranteed for those who are wounded or sick, on land and sea (ICRC 2010). The third Geneva convention outlines how parties must provide humane treatment to prisoners of war, prohibiting: violence to life and person, cruel treatment and torture and violations of personal dignity and judicial procedures (ICRC 2010). The fourth Geneva convention provides protections to civilians (ICRC 2010). These together give us the notion that violence is constrained in armed conflict, as IHL aims to limit the effects of armed conflict to the greatest extent possible. Given that non-state actors are perpetrators of violence against civilians and non-combatants, it is important to determine the incentives groups have to comply or not comply with the LOAC.

To abide by IHL, violence must be discriminately targeted at combatants, as it is against the LOAC to utilize means of warfare – bombs, air strikes, mass shootings – that harm civilians in an effort to defeat an opposing party (Cassese 1984). Yet, rebel groups may find these methods of warfare more effective at harming the regime they are rebelling against, creating an incentive for rebels to break the LOAC (Bangerter 2011). Common Article 3 is an identical provision in all the aforementioned conventions and further highlights the responsibilities parties must follow in armed conflict, which include protecting individuals who are wounded or sick (Cassese 1984). This provision highlights how violence targeted at medical facilities, or at aid relief operations facilitated by the Red Cross among other organizations, violate the LOAC. As I refer to the LOAC or IHL throughout this thesis, I am specifically referencing the LOAC outlined in the four Geneva Conventions and the three Additional Protocols.

Rebel groups have been excluded from formal international law-making and consequently, cannot sign or ratify international treaties (Roberts and Sivakumaran 2012). States, as the primary framers of IHL, had little interest in legitimizing rebellion movements and domestic challengers, resulting in the exclusion of rebel groups from IHL treaties (Fazal 2018). It is unsurprising that international actors are reluctant to formalize IHL agreements with rebel groups, as these groups challenge the foundation of the international legal system: state sovereignty (Fazal 2018). Consequently, rebel groups who want to engage with IHL must make commitments through other means– signing commitments with NGO's, outlining IHL practices in codes of conduct or in group doctrines, or through public videos and statements about the group's beliefs.

Groups are not bound to the LOAC in the same manner as states who have ratified the Geneva Conventions. Scholars argue that international law imposes obligations on certain parties

in internal armed conflict irrespective of any recognition granted by the state they are fighting against or by any third-party state (Clapham 2006). While groups may be legally bound to the LOAC if the state they are rebelling against is a signatory of the Geneva Conventions, accountability mechanisms for non-state actors are weak (Rubin 1972). State parties to IHL treaties often violate the LOAC, increasing the likelihood that rebel groups will similarly violate IHL practices (Sivakumaran 2011).

Though groups vary in their incentives to engage in state-like behavior, scholars have found that only 20% of contemporary rebel groups have expressed commitments to international law, and even fewer groups abide by these commitments in practice (Jo et al. 2021). Rebel groups demonstrate commitments to abide by the LOAC through unilateral declarations, bilateral agreements with governments, agreements with non-governmental organizations (NGO's), membership statements, founding doctrines of groups, among other means. (Jo 2015). The law of armed conflict constrain the actions rebel groups are able to take against the state and opposing forces, contributing to the question at hand: why and under what conditions do groups claim to abide by the LOAC and follow through with these commitments, and when do they lie?

Rebel groups face incentives and opportunities to actively break the LOAC, complicating the reasons they might voluntarily claim adherence. For instance, in conflict environments in which territorial control is constantly shifting between opposing groups, there may be limited and fleeting opportunities to inflict damage upon a rival rebel group or pro-government militia, making it more challenging for rebel groups to abide by the LOAC. Rebel groups may view discriminate targeting of fellow combatants as a burden that would set them behind relative to other groups, as this method of conflict requires more resources, planning, and fighters, with a lower probability of success (Fazal 2018). Prior research has found that rebel groups have

strategic incentives to attack civilians to prohibit coordination between state forces and civilians (Stanton 2020). Attacking civilians can break down resolve from opposition forces, as state governments may be more willing to make concessions when conflict costs and civilian deaths are increasing (Stanton 2020). Therefore, rebel groups strategically target civilians or view discriminate violence as costly and disadvantageous for gaining power and territory in a conflict. Compliance to the LOAC may also be impacted by the policies enacted by the state government groups are rebelling against. State governments threaten individual participation in rebel groups, raising the stakes for rebel groups and lowering incentives to comply to IHL. For instance, in the case of Syria, the Assad regime established that any individual fighting against the state is considered to be a "terrorist" and is therefore *not* granted combatant-like status in the conflict (Ruys 2014). This furthers the incentives for groups in Syria to break the LOAC, as the Syrian Government Forces are not obliged to abide by IHL when facing insurgency groups (Ruys 2014). Given the fact that rebels are often fighting state governments with large capacities, abiding by the LOAC places a limitation on groups as they may view discriminate forms of violence as more challenging to engage in successfully (Wood 2010).

This thesis investigates factors that contribute to the likelihood that rebels' actions line up with their claims to abide by IHL. Rebel groups have incentives to lie, especially when accountability mechanisms in civil conflicts are lacking (Stanton 2020). Prior studies argue that given the relatively low percentage of rebel groups that make expressive commitments to international law, there must be costs associated with IHL commitments (Jo et al. 2021). Yet, these commitments lack precision, obligation, and delegation, since rebel groups are not legally bound to IHL in the same way as states who have ratified the Geneva Conventions (Jo et al. 2021). Therefore, rebel groups' expressed commitments may serve as a signal to international

actors that the group engages in state-like diplomatic conduct and respects humanitarian law. Given the potential benefits groups may gain from claiming adherence to international law, rebel groups may have incentives to lie about their values and genuine commitment to IHL. There is a gap in the existing literature regarding whether groups who commit to IHL norms actually abide by the LOAC in practice. Therefore, the present study investigates whether rebel groups' public commitments to IHL are mirrored in their conflict practices and the factors that contribute to this congruence or incongruence.

Theory

Typology of Compliance

Commitment to IHL is defined by scholars as "some expression of restraint in the conduct of warfare" (Jo and Niehaus 2018, 104). Compliance to IHL is "behavioral conformity to international rules and standards by rebel groups in civil conflicts (Jo 2015, 88). When analyzing why rebel groups would constrain themselves when they are not legally bound to do so, it is important to consider the potential benefits groups may gain from making public commitments. Rebel groups who have state-like goals and ambitions may strategically commit to IHL for the purposes of gaining respect from the international community (Jo 2015). In *Compliant Rebels,* Jo posits a typology of rebel group compliance, demonstrating that it may be more or less advantageous for rebel groups to comply with international law at various points in the conflict (2015). Jo categorizes rebel groups as persistent compliers, switchover compliers, and persistent non-compliers based on the presence and duration of compliance behavior throughout the conflict (2015). Jo finds that groups are more likely to publicly claim adherence to the LOAC if they have political aims, want support from domestic constituencies, or want support or recognition internationally from third party states and organizations (2015).

Since rebels have incentives to lie, it is important to consider how a group's messaging is related to a group's decision to abide by, or break, laws of conflict. Yet, given the fact that a rebel group is not obligated through international law to abide by the LOAC, why would a group publicly lie about adherence to the LOAC when their actions clearly contradict their public commitment? To investigate this question, I expand upon Jo's typology of compliance and categorize rebel groups into four categories, based on the presence of public IHL commitments and group conflict behaviors (see Table 1).

Table 1: Typology of Compliance & Messaging of Rebel Groups

	Compliance	Non-compliance
Public Commitments of Compliance	LEGITIMACY SEEKERS	RESOURCE SEEKERS
No Commitments of Compliance	LOCAL SUPPORT SEEKERS	REVISIONISTS

Groups that make public commitments of compliance to IHL, and whose actions in conflict reflect compliance, ultimately seek international legitimacy. Rebel groups who publicly commit to following the LOAC, whose actions contradict claims of compliance, ultimately seek resources to bolster their strength in the conflict. Groups who comply with the LOAC but fail to make any public commitments or messages about compliance ultimately seek local support. Groups who do not make commitments to following IHL, and do not comply with the LOAC in

their actions ultimately seek a new system of international governance entirely, motivated by religious ideals and goals for territorial expansion.

Legitimacy Seekers

Legitimacy is extremely important to rebel groups seeking to overthrow the existing regime, as international recognition can help resolve disputed territories and increase public support for a rebel group (Stanton 2020). Therefore, groups may claim adherence to the LOAC because the group genuinely values international law, desires third party recognition, and has state-like goals. Given that rebel groups do not have opportunities to formally engage with IHL, groups may engage with the international legal system by making soft commitments and adopting existing language found in international agreements (Jo 2015). By demonstrating willingness to abide by IHL, albeit not obligated to, rebel groups signal their legitimacy to international actors (Stanton 2020). Legitimacy-seeking groups may be more likely to abide by their commitments because they care about perception and support from constituencies (Jo 2015). Groups whose post-conflict goals include obtaining governing authority benefit from gaining trust and respect from civilian populations. In this manner, rebel groups use restraint intentionally to attract support from civilians, Western governments and intergovernmental organizations (Jo 2015).

By publicly committing to uphold practices of IHL, rebel groups limit the types of violence they can engage in. Commitments to respect civilians require groups to utilize discriminatory forms of violence, which require more training, resources, and strategy in order to be successful (Wood 2010). Indiscriminate violence results in more civilian casualties but may be more effective at gaining a short-term victory against an opposing rebel group or against the

state regime (Bangerter 2011). Groups who make public commitments to IHL render themselves vulnerable to criticism from international actors if their conflict practices violate the LOAC they have agreed to (Jo and Thomson 2013).

If rebel groups are interested in building a positive reputation domestically, or internationally, one way to do so is by following through on commitments made in the agreements, declarations, doctrines, and statements mentioned earlier. Even when the state engages in conflict practices that do not align with international humanitarian law principles, rebel groups may prioritize building a positive reputation among civilians and internationally, in order to gain support for their movement (Bangerter 2011). Fighting against enemy forces that actively break the LOAC may cause short-term setbacks for groups. However, eventual recognition of the group's validity may outweigh short term disadvantages that occur in conflict. For secessionist movements, such as the Kurds, compliance with the LOAC is a strategic way to signal to international actors their respect for human rights (Fazal 2018; Jo 2015). Secessionist groups have strong incentives to abide by international norms and practices to achieve their long-term goal of state recognition (Fazal 2018). Targeting civilians would be counterproductive for secessionist groups for two reasons: 1) civilians closest in proximity to secessionist groups likely embody the population of their new state and 2) violating IHL would negatively impact the group's reputation among the international community, damaging long-term political aspirations (Fazal 2018). Scholars have found secessionist groups to be most likely to engage in international humanitarian law-making conventions for these reasons (Fazal 2018; Jo 2018). Based on the factors of legitimacy-seeking groups, I posit:

Hypothesis 1A: *Rebel groups engaging in secessionist conflicts are more likely to make public claims of compliance and demonstrate patterns of compliance through actions in conflict.*

Hypothesis 1B: *Rebel groups engaging in actual attempts at overthrowing the state government, in the form of a true revolution, are more likely to make public claims of compliance and demonstrate patterns of compliance through actions in conflict.*

Resource Seekers

Rebel groups strategically make public commitments and sign agreements with international organizations or NGO's to momentarily boost their reputation, with the hope of gaining support from third party sponsors (Fazal 2018). Rebel groups rely upon material resources to sustain their movement, especially in ongoing intrastate wars (Jo 2015). State and non-state actors can provide rebel groups with weaponry, funding, training, personnel, intelligence, among other resources. By making soft commitments to IHL, groups in need of resources have a higher likelihood of gaining the attention of third-party sponsors (Fazal 2018).

It is important to distinguish how resource-seekers differ from groups who seek legitimacy. While both groups make official commitments to international humanitarian law, the incentives to follow through on these commitments in conflict vary. Once sponsorship is gained and material resources are distributed, resource-seeking militant groups may feel less obligated to abide by their commitments, since their short-term goal is accomplished, and accountability mechanisms are weak. State sponsors, who are not physically present in the conflict, have challenges ensuring that groups abide by IHL commitments (Jo 2015). This causes groups to feel a lack of accountability as sponsors are far removed from day-to-day operations and are unaware of the use of tactics that harm civilians or violate other aspects of IHL. This physical distance,

coupled with the lack of accountability groups feel if the state government and opposing rebel groups are engaging in similar tactics, impacts the group's decision to violate their commitments to IHL. Prior research has found that rebel groups who commit for the purpose of attaining short-term benefits are likely to only comply for a short period of time, if at all (Jo 2015, 87). Jo explains how the Forces armées des forces Nouvelles (FAFN) in Côte d'Ivoire resumed using child soldiers after the group was taken off the UN's child soldier list, following the signing of the United Nations Action Plan of 2006 (2015, 87). The group's commitment to an aspect of IHL allowed them to gain the short-term benefit of being removed from an international accountability mechanism that highlights groups who violate laws of conflict, and once this was achieved, resumed using child soldiers (Jo, 2015, 87).

Incentives to break commitments are exacerbated when rebel groups are operating in conflicts with high group density, as the number of groups involved in the conflict may provide anonymity to groups, increasing the likelihood that violations against IHL will occur (De la Calle 2017). The number of groups involved may also increase the need for sponsorship, as groups have to spend resources fighting the state and opposing militias (Gade, Hafez, and Gabbay 2019). In battles that involve multiple groups, harm against civilians may be less attributable to one group in specific, allowing groups to feel less responsibility for their actions.

Rebel groups that are militarily weaker may perceive greater benefits to violence, as indiscriminate attacks utilize less resources and may be more effective at defeating rival groups (Stanton 2020). If groups are smaller, they may not have enough fighters to effectively engage in battles on the ground without using bombs, anti-personnel mines, and other forms of indiscriminately violence, which harm civilians. Groups who are weaker in a conflict may also be more desperate to engage in violent tactics, because they have adopted the mentality that they

have nothing else to lose (Bangerter 2011). These groups may utilize suicide bombing as a tactic to harm the opposition and increase the fear and instability in a conflict. Groups who are unable to fight the state militarily harm civilians in an effort to pressure the state government to act on their demands (Stanton 2020). Weaker insurgency groups may intentionally harm civilians to deter civilians from aiding opposition forces during territorial contestation (Stanton 2020). Groups harm civilians to send signals of the group's capacity in order to deter any potential defectors or government collaborators (Fazal 2018). These factors make it more likely that resource-seeking groups would claim compliance to IHL, while violating these laws in practice.

Groups that are already weaker relative to the opposition may struggle with voluntary recruitment from civilian populations, contributing to a group's decision to utilize coercion and/or recruitment of minors to gain militants (Stanton 2020). Groups lacking resources may be unable to pay militants, negatively impacting voluntary recruitment. The recruitment of child soldiers directly violates the LOAC outlined in the Geneva Conventions but remains a popular tactic among insurgency groups, as children are easier to recruit, coerce, intimidate, and exploit (Somasundaram 2002). Civilians are much more vulnerable to targeting from rebel groups who are not reliant upon the civilian population for aid or support (Fazal 2018).

Because of the incentives resource-seeking groups share, I posit:

> ***Hypothesis 2A:*** *Rebel groups who are relatively weaker to other groups in the conflict are more likely to claim adherence to the laws of conflict and demonstrate non-compliance patterns through their actions in conflict.*
>
> ***Hypothesis 2B****: Rebel groups engaging in conflicts with high group density are more likely to have higher visibility, and claim adherence to laws of conflict while demonstrating non-compliance patterns through their actions in conflict.*

Local Support Seekers

Local support seekers seem to comply with the LOAC outlined in the Geneva Conventions, yet do not make formal, public commitments to IHL. Rebel groups in this category have regional goals, which more heavily rely on the support of civilian populations. Groups that utilize restraint can broaden support among domestic constituencies (Jo, 2015). Insurgency groups that value or rely upon international support may need to demonstrate their willingness to uphold international humanitarian law through a public commitment, such as implementing human rights provisions in codes of conduct or utilizing social media to promote the group's values. Yet, groups that are not interested in national revolutions and are merely aiming to take over a region do not share the same incentives. Public commitments may be less important to a group if support from the international community is not crucial to the group's post-conflict aspirations. When post conflict aspirations are locally focused, the role of international actors is diminished (Bangerter 2011).

Groups who aim to control a specific region rely heavily on the opinions of the civilian and local population, as these are the constituents the group is aiming to govern. Scholars have found that some rebel groups, such as the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka, engage in non-violent practices against civilians because they are dependent upon civilian support, which can take the form of neutral cooperation, non-betrayal to enemies, and providing information and intelligence (Lilja 2009). In an analysis of LTTE's methods in Sri Lanka, scholars found that the group mainly engaged in non-violent techniques aimed at spreading rebel propaganda and engaging civilians in LTTE civil service roles (Lilja 2009). When groups are reliant upon the civilian population for support, they are less likely to utilize violence as a tactic, as this is counterproductive to their post-conflict goals. Winning the respect of the local

population allows groups to build loyalty and trust in the communities they seek to govern (Bangerter 2011).

Groups who uphold the LOAC are better able to build rapport among the civilian population, especially when the state and competing groups are violating IHL (Wood 2010). Subsequently, greater support among constituents may increase the group's perceived power in the area, strengthening its bargaining position against the state (Jo 2015; Al-Hawat and Elhamoui 2015). By earning the support of civilians, groups are able to focus their efforts on regional control, as cooperation from civilians can help groups negotiate with the state or defeat opposing rebel groups (Bangerter 2011).

Based on the incentives of local support seekers, I posit:

> ***Hypothesis 3:*** *Rebel groups operating regionally, as opposed to nationally, are more likely to abide by laws of conflict in their actions without publicly claiming to do so.*

Revisionists

Extensive variation exists among rebel groups regarding their incentives to uphold IHL (Fazal 2018; Jo 2015). Revisionists consist of groups who aim to change the international order entirely and choose not to engage with the existing international legal system. International law is heavily influenced by Western, democratic ideals which many revisionist groups actively denounce (Van Engeland 2008). Groups may feel as if existing institutions are not representative or inclusive of their beliefs, creating a desire for groups to operate under a different structure entirely (Fazal 2018). For instance, Western ideals traditionally uphold religion and state as separate institutions altogether, guaranteeing freedom of religious expression as a human right (Van Engeland 2008). However, revisionist groups may consider religion and state as fundamentally intertwined institutions, making it less likely for groups to want to engage with

the current international legal system. For instance, in Islam, freedom of religious expression can only occur within the limits of respect for the Sharia, conflicting with the interpretation of the right to freely express one's religion in Western countries (Van Engeland 2008). Scholars have highlighted that rebel groups who abide by religious law may have divine obligations that override IHL values, as groups view the divine as the main source of sovereignty (Fazal 2018; Van Engeland 2008). Groups who are motivated by ideological goals may believe it is their responsibility to spread divine beliefs globally, providing an incentive for global territorial expansion.

In contrast to groups who publicly commit to international humanitarian law, revisionist groups may actively denounce IHL with the goal of spreading the divine faith they ascribe to (Van Engeland 2008). For some Jihadist rebel groups, violence is a justifiable way to defend Islam and spread religious ideals (Van Engeland 2008). It is important to clarify that not all Jihadist groups operate the same, as jihad can justify a war against "unbelievers" or establish humanitarian rules and limits for battlefield practices (Van Engeland 2008). Some jihadist groups, such as ISIS and al-Qaeda, have transnational agendas and reject the existing international order, ultimately aiming to impose a stringent version of Islamic rule using force and violence (Fazal 2018; Hiltermann 2018). Since these groups reject IHL standards, violations of the LOAC are frequent, as groups justify the means they use to achieve their ultimate goal of spreading Islam (Fazal 2018). It is therefore unsurprising that groups who are invested in overturning the existing legal system commit atrocities more frequently – destroying cultural artifacts and harming civilians, as these actions are considered to be just by the perpetrators (Fazal 2018). Groups may view war as ethical and moral if it is waged in the defense of Islam, as

it is believed by religious groups such as ISIS, that "Islam is the bringer of peace to humanity" (Bangerter 2011; Van England 2008).

Groups who receive foreign aid from governments unconcerned by the group's IHL violations are less likely to make appeals to Western states, as they do not wish to operate under the existing framework of IHL. These groups determine that the benefits of utilizing violence to spread their beliefs ultimately outweigh any incentives for exercising restraint (Fazal 2018). Because revisionists seek to operate under a different international system entirely, I posit:

> ***Hypothesis 4A****: Groups with strong religious motivations are more likely to abstain from claiming compliance to international law while actively breaking laws of conflict through their actions.*
>
> ***Hypothesis 4B****: Groups with global territorial motivations are more likely to abstain from claiming compliance to international law while actively breaking laws of conflict through their actions.*

Methods and Data

Because the primary contribution of this thesis is theoretical, I seek to conduct a plausibility probe to prove the validity of my theory. There is no dataset that exists to evaluate rebel groups' actions in conflict in comparison to their claims of commitment to IHL, and doing so would require creating a cross-national, group-year dataset, which is beyond the scope of an undergraduate thesis project. Researching and compiling data about rebel groups takes a substantial amount of time because data comes from a variety of sources including security reports, news media outlets, statements from rebel groups, reports by international NGO's, etc. In order to evaluate whether my hypotheses bear weight under scrutiny, I use process tracing to

determine whether my expectations of rebel groups in the Syrian conflict match their conflict behaviors.

The Syrian Civil War has hundreds to thousands of rebel groups actively involved in the decade-long conflict (Ghany, 2023). Furthermore, rebel groups in Syria offer significant variation in their post-conflict aims, ideological beliefs, capacity/resource strength, and third-party sponsorship (Gade, Hafez and Gabbay 2019). Institutions such as the International Committee of the Red Cross have openly reported concerns about the conflict's impact on civilians, as both the Syrian Government Forces and rebel groups have inflicted severe harm across Syrian communities and governorates (Ruys 2014). There have been more than 200,000 civilians killed and more than 14 million citizens displaced throughout the conflict (Ghany 2023). In Syria, insurgency groups vary in the ways in which they utilize media to communicate the group's goals and values (Gade et al. n.d.). Some groups publish founding doctrines which outline their principles and commitments to the LOAC, while other groups actively denounce IHL altogether. This allows for significant variation on the dependent variable, as groups hold different beliefs and incentives to abide by the LOAC. By comparing rebel groups within Syria, I am able to demonstrate how insurgency groups, even under similar conditions, vary in the ways in which they uphold IHL.

Before data collection began, I utilized prior research to generate scales of the independent variables central to the hypotheses being tested: relative group power, religious ideological beliefs, and territorial aims (see Appendix 1). Along with these scales, I utilized a coding guide with specific steps on how to categorize each variable based on the information found to decrease the likelihood that selection bias would impact my results (see Appendix 1). Information on rebel groups was mainly collected from security reports, media statements,

scholarly analysis of the conflict, group doctrines and unilateral declarations and statements, and UCDP data. After conducting in-depth research on groups, I categorized the groups utilizing the independent variable scales and analyzed the differences between group compliance behaviors.

Independent Variables

Independent variables relative to the analysis conducted in this plausibility probe include state sponsorship, group power, and group ideological beliefs (political, religious, and territorial). In this study, relative group power is determined by the group's overall size and powerbroker status, which the ISW defines as a "group that has successful military operations against the Assad regime or ISIS, is strategically located and/or plays a leading role in governance" (Carafella and Casagrande, 2016). The ISW also has a potential powerbroker category, which is "a group that could achieve significant battlefield effects against Jabhat al Nusra and/or ISIS in western Syria upon receipt of increased outside support, including securing direct military gains and cohering other smaller brigades into new coalitions" (Carafella and Casagrande, 2016). Groups are categorized as powerbrokers and potential powerbrokers in the governorates in Syria in which they have the biggest impact. Therefore, powerbroker status and group size are used to demonstrate a group's level of influence and relative power in the conflict.

In order for a state to be considered a sponsor of a group, the state has to provide resources to the entirety of a group, as opposed to providing support to individual members. State sponsorship needs to come from the government of a country as opposed to private individuals within a country. Once this condition is met, support then needs to occur in some sort of tangible manner, including material resources, training, verbal support, territory and intelligence.

Group ideology is measured across three scales, capturing the group's religious beliefs, political structure, and territorial aims (see Appendix 1). A group's political ideology is defined as the type of political order the group desires to implement post-conflict. Group religious ideology consists of how important it is that religion is embedded in the law and in the state post-conflict. A group's territorial ideology consists of their territorial aspirations and goals within/outside of the civil conflict. Ideology is captured across three scales to capture nuance in the ideological similarities and differences among rebel groups.

Dependent Variable

The dependent variable in this thesis is the presence or absence of claims of commitment to IHL and the conflict behaviors groups engage in, that either violate or abide by the LOAC. In this analysis, the presence of public commitments to abide by IHL is conceptualized as a binary choice by actors; groups either commit to follow aspects of IHL or they choose not to. The extent to which groups abide by their commitments and international humanitarian law more broadly is measured through violations of the LOAC outlined in the Geneva Conventions. The Uppsala Conflict Data Program (UCDP) tracks actors, organized violence, and fatalities within civil conflicts. In each profile of actors involved in a conflict, UCDP lists the number of deaths associated with each group and relevant location/year information but does not distinguish whether the fatalities totaled are solely civilians or whether combatant deaths are included in the total. Therefore, respect for civilian lives and for individuals no longer taking part in hostilities is measured through civilian death count (if UCDP data is available). The following indicators will also be captured to determine the extent to which groups violate IHL: the use of child soldiers, harm to medical/relief personnel, and treatment of prisoners of war.

Alternative Explanations

When utilizing process tracing, it is important to consider what alternative explanations exist that may explain or alter the relationship between the independent variable and dependent variable, before conducting analysis. Alternative factors that could explain why groups comply or fail to comply to the LOAC include: individual leader preferences who determine the values of a group; alliances with groups who have previously made commitments to IHL; foreign fighters who might be more willing to kill Syrian civilians; location of fighters who may be less willing to harm civilians in their own community; group hierarchical structure which may impact the ability of the group to control its members' actions. By actively looking for and evaluating paired comparisons for alternative explanations, I can better analyze the relationship between the independent and dependent variable.

In causal inference testing, it is crucial to establish what confirming and disconfirming evidence would entail before conducting analysis (Collier, 2011). For the "legitimacy seekers" hypothesis, disconfirming evidence includes secessionist groups harming civilians in the region they hope to gain control over, or groups seeking to gain international support using child soldiers or harming prisoners of war. Confirming evidence would consist of groups, namely secessionists, who engage with IHL through soft commitments, abiding by the LOAC even when they face state government forces or opposing rebel groups who violate these laws in practice. This would demonstrate that the group is willing to sacrifice conflict capabilities in order to gain validity and recognition from the international community.

When testing the "resource seekers" hypothesis, confirming evidence would be present if I find that groups who are smaller in size and/or are not classified as a powerbroker/potential powerbroker violate IHL commitments after gaining resources from state sponsors. Other types

of confirming evidence include: weaker groups violating IHL more frequently than powerbrokers; a higher proportion of child soldiers utilized by weaker groups. Smoking gun evidence of this theory would entail a group who violates IHL commitments when it first starts out in the conflict and is relatively weaker, but as it becomes a larger group with more resources and influence, the group commits less violations of the LOAC. Disconfirming evidence of the "resource seekers" theory would entail weaker groups abiding by IHL standards consistently, even after resources are gained from a third-party sponsor. Other pieces of disconfirming evidence include smaller, weaker groups making stronger connections to the local population and avoiding indiscriminate forms of violence.

Disconfirming evidence of the "local support seekers" hypothesis would entail a group, who seeks to gain control over a specific region, engaging in coercion and manipulation of civilians in order to gain power and territory. Other disconfirming evidence includes: groups with local aspirations harming or killing civilians, or engaging in the use of child soldiers. Confirming evidence of my theory would entail smaller groups who do not publicly commit to abiding by the LOAC building trust and support among civilians by providing resources, protection, shelter, etc., and respecting the LOAC even when facing opposition groups who openly violate these principles. An example of smoking gun evidence would entail a group who starts out smaller, with solely local aspirations and cooperates with civilians to gain resources and territory, abiding by the LOAC without making a public commitment to do so. As the group grows larger in capacity, and its interests expand to controlling an entire country as opposed to a region, the rebel group makes a public commitment to IHL to signal to international actors that the group values the international community and is willing to uphold the LOAC.

For revisionists, disconfirming evidence of my theory includes groups who are strongly religiously motivated, making public commitments to abide by the LOAC and demonstrating compliance through their conflict practices. Furthermore, disconfirming evidence of my theory entails groups who seek territorial expansion but appear to abide by the LOAC in practice, even when faced with opposition groups who violate the LOAC. If groups who are motivated by religious beliefs publicly commit to abiding by the LOAC, this demonstrates they seek to operate within the existing international order, weakening the logic of my theory. Confirming evidence of my theory entails if groups who are highly religious and motivated by territorial expansion actively denounce the LOAC and IHL and demonstrate noncompliance to these principles in conflict practices. Smoking gun evidence of my theory would entail a group who starts out religiously motivated to some extent but abides by the LOAC and respects civilian lives. If after undergoing a shift in ideological beliefs, the group becomes more extremist, seeks global territorial expansion, and begins actively killing civilians and breaking the LOAC, this would strengthen the logic of my theory.

Illustrative Examples: Syrian Rebel Groups

I consider the relationships between my proposed IVs and DVs for nine prominent rebel groups in the Syrian Civil War as a plausibility probe for this theoretical frame. All hypotheses were evaluated except for Hypothesis 3A, as it was challenging to find groups in the Syrian conflict who only had regional goals and was not interested in participating in the revolution against the regime. Groups were selected based on the variation they provide in group capacity, state sponsorship, political, religious and ideological beliefs, and the presence or absence of IHL commitments. Groups were categorized as legitimacy-seekers, resource-seekers, local-support

seekers, and revisionists based on the above variables. Groups in each category were evaluated to see if expectations of commitment and compliance behavior were met.

Table 2: Groups and Key Variable Indicators[1]

Group	Group ID	Group Size	Power-broker	Potential Power-broker	State Sponsors	Ideol_ Religion	Ideol _ Terr	Ideol_ Political	Civilian Death Count
Free Syrian Army	FSA	50,000	Aleppo (2016)	Qalamoun, Idlib, Latakia, Hama	Saudi Arabia, Qatar, Libya, USA, Great Britain, Turkey	3	1	1	1,968
Hazm Movement	HAZM	5,000	n/a	n/a	USA	3	1	1	138
Ansar al-Sham Battalions	AASB	2,500	n/a	n/a	Saudi Arabia	3	1	1	Cannot Determine
Jaysh al-Islam	JAI	25,000	Damascus	Idlib, Latakia, Homs, Quneitra, Daara	Saudi Arabia, Qatar, Turkey	4	1	2	948
Jund al-Aqsa	JAA	2,000	n/a	n/a		4	1	3	517
Al-Sham Legion	ASL	7,500	Aleppo	Idlib, Latakia	Saudi Arabia, Turkey, Qatar, USA	3	1	2	Cannot Determine
People's Protection Unit	YPG	60,000	n/a	n/a	USA, Russia	1	2	1	1,235

[1] The sources used when coding each group according to the ontology provided by the O/R Syria Project are listed in Appendix 2, separate from the references used throughout the thesis.

Islamic State and the Levant	ISIL	30,000	n/a	n/a	Iran	4	4	3	10,023
Al-Mujahideen Army	AMB	6000	Aleppo	n/a	USA, Qatar, Turkey	3	1	2	41

Group Expectations

Although a smaller battalion, Ansar al-Sham formed early in the Syrian Civil Conflict, as a result of a merger of 11 battalions in the Latakia governorate of Syria (Mapping Militants 2017). The ultimate goal of Ansar al-Sham is to overthrow the Assad regime and establish a Sunni Islamic state in Syria. The group's intentional vagueness surrounding the specifics of the Islamic ideology it ascribes to allows it to build more support among local populations and within the international community (Hussein 2014). I expect this group to be a "legitimacy seeker" because the group relies upon its international reputation for state sponsorship and external resources. The group posts videos engaging in community building and commitment to public service, demonstrating to the international community and the local population that the group's goals should be supported and taken seriously. For these reasons, I categorize the group as a "legitimacy seeker."

The People's Protection Units (YPG) emerged in 2011 as a Kurdish militant group, with the primary goals of guaranteeing the rights of the Kurdish people in Syria and defeating the Islamic State and the Levant (ISIL) (Perry 2022). I expect this group to be a "legitimacy seeker" because the group is aiming to establish a fully autonomous Kurdish region in Syria, which is reliant upon support and state recognition from the international community. I expect the political priorities of the YPG to outweigh short-term gains they may receive from violating the LOAC.

The Free Syrian Army emerged in 2012 as a coalition of armed groups who advocate for a democratic and pluralistic Syria (Laub 2017). The group's ultimate goal is to defeat the Assad regime and gain governmental control post-conflict (Asal and Rethemeyer 2015). I expect the Free Syrian Army to be a "legitimacy seeker" because the group desires political control and relies upon support from the international community in order to gain power and validity in the conflict.

The Al-Sham Legion emerged as a coalition of moderate Islamist groups who similarly oppose the ideals and operations of the Islamic State and the Levant (Lefèvre and Yassir 2014). Previously associated with the Muslim Brotherhood, the Al-Sham Legion seeks to establish a better international reputation, where it is known as a coalition that promotes democracy and ends injustices perpetrated by extremist groups (Lefèvre and Yassir 2014). The group aims to take over territories controlled by ISIL and weaken their power and influence in Syria. For these reasons, I expect the Al-Sham Legion to be a "resource seeker" as the group relies upon state sponsorship for resources to accomplish its goals and operates in Aleppo, an area of Syria with high group density. Therefore, the group may feel as if it has higher visibility to violate the LOAC.

I expect the Al-Mujahideen Army to be a "resource seeker" because the group's ultimate goal is defeating the Islamic State of Iraq and the Levant (ISIL) and its reliance upon external resources to do so. The group strategically formed the first day of fighting against ISIL and consists of about 6,000 fighters, which is relatively weak in comparison to its rivals of ISIL and the Al-Nusrah Front (Perry 2014). The group has not discussed its goals of Syria post-conflict and instead, focused on broadcasting its short-term territorial gains and small wins against

opposition forces in interviews and media statements (Perry 2014). For these reasons, the group is categorized as a "resource seeker."

The Hazm Movement formed as a merger of twenty-two separate rebel groups in January 2014, with the goal of bringing down the Syrian regime and "seeking to restore the freedom and dignity of the Syrian people" (White 2014). I expect this group to be a "resource seeker" because it is relatively smaller than other groups in the conflict, with only about 5,000 fighters (Sly 2014). Although the group's founding leader, Abdullah Awda, publicly stated the group's goal for the new Syrian government is "a democratic state that rules over all of Syria with equality and freedom for all citizens, free of fascism and dictatorship," the group itself "does not work under the influence of politics" (Rupar, 2014). The leadership of the Hazm Movement describes the group as a military movement, with no intention of establishing ruling control over Syria in the post-conflict order (Rupar, 2014). The group relies on support from external sponsors to be military successful in the conflict, contributing to why I expect the Hazm Movement to be a "resource seeker" (White 2014).

Jund al-Aqsa (JAA) emerged in 2013 after splintering from Jabhat al-Nusra because of problems related to group capacity and resource strength (Mapping Militants 2019). It engaged in attacks as an autonomous organization against the regime and Alawite civilians (Mapping Militants 2019). The group's ultimate goal is to overthrow the Assad regime and implement a state based on Sharia, Islamic rule. The group believed in an Islamist caliphate and was sympathetic to the ideas expressed by the Islamic State and the Levant (Mapping Militants 2021). Through coding ideological statements of the group, I determined the JAA calls for the most extreme implementation of Sharia law in society. For these reasons, I expect the JAA to be

a revisionist group, as its justification of cleansing non-believers falls outside of the realm of IHL.

Jaysh al-Islam (JAI) was formed through a merger of fifty smaller groups in the Damascus area of Syria and its primary goals are overthrowing the Syrian regime and establishing a Sunni theocracy (Mapping Militants 2019). The group has publicly disapproved of secular democracies and the influence of Western governments on countries in the Middle East (Carafella and Casagrande 2016). The main leader of the group, Zahran Alloush, calls for a strict sharia-based Sunni theocracy and has expressed a desire to cleanse Damascus of all Shiites and Alawis (Mapping Militants 2019). For these reasons, I expect the group to engage in revisionist behavior.

The Islamic State in Iraq and the Levant (ISIL) is a Salafi-Jihadist militant organization that emerged in the early 2000s with the ultimate goal is to establish a global Islamist caliphate (Mapping Militants 2021). This group applies the Islamic concept of *takfir*, which includes excommunicating Muslims and declaring individuals "non-believers," to Shia Muslims, secular governments in the Middle East, governments partnered with Westernized institutions, and Sunni Muslim communities that reject a strict interpretation of Sharia law (Kirdar 2011). ISIL considers the aforementioned institutions and communities to be potentially enemies, which the group uses as a justification for the use of violence (Mapping Militants 2021). For these reasons, I expect ISIL to be a revisionist group.

Results & Discussion

Legitimacy Seekers

The political priority of the YPG is "guaranteeing the rights of the Kurdish people in Syria, legally and constitutionally" (Perry 2014). In order to accomplish the group's larger

objective of establishing an independent Kurdish state, the YPG engages with the international community through soft IHL commitments (Center for Preventative Action 2023). The People's Protection Units (YPG) signed several Deeds of Commitments under Geneva Call including the protection of children in armed conflict, the prohibition of sexual violence in armed conflict and adherence to a total ban on Anti-Personnel Mines (Geneva Call 2014). After expressing these commitments, the YPG gained international attention and support by the United States, who has provided air support, material resources, and training throughout the conflict (Portez 2020). The United States sponsored YPG, among other opposing rebel factions, in an effort to prevent the expansion and influence of ISIL (Portez 2020). The Syrian Human Rights Report attributes 1,235 civilian deaths to the People's Protection Units, demonstrating how the YPG does not abide by IHL to the extent it claims to (SNHR 2021). In a report released by the UN Commission of Inquiry in 2018, the YPG is accused of conscripting children in their battalions against their will, which violates the LOAC (Lund 2016).

This is disconfirming evidence of Hypothesis 1A, as I posited that groups who value international support, and specifically, rely on international support for state recognition in secessionist movements, are unlikely to violate the LOAC. Despite engaging in a secessionist movement and relying on the support of external sponsors such as the United States, the YPG violates the LOAC through the killing of civilians in battle, and the use of child soldiers (Perry 2017). Yet, confirming evidence of my theory includes the response of the YPG following the release of the report. YPG leaders responded with a letter to Human Rights Watch, promising to demobilize child soldiers and to punish officers who contributed to the violations of IHL perpetuated by militants within the YPG (Yisti 2020). In a separate declaration, the YPG urges militants to stop employing child soldiers -- representing that the group cares to some extent

about its international reputation as the group leaders repeatedly attempt to clarify the intentions and values of the group (Geneva Call 2014).

The Free Syrian expressed commitments to international humanitarian law both through internal rules and regulations and signed unilateral declarations and statements (Geneva Call 2014). At the group's unification meeting, leaders created a code of conduct that respects human rights and explicitly prohibits violence against civilians and activists; physical torture or murder of prisoners or informants; practices of rape, mutilation or degradation for prisoners of war; the use of death or corporal punishment; and practices of theft or looting (Geneva Call 2014). The Local Coordination Committees are tasked with spreading the code of conduct to existing militants and require new battalions and fighters to sign onto the code before officially becoming a part of the Free Syrian Army (Geneva Call 2014). In addition to the code and conduct, the Free Syrian army also released a declaration which "pledges to abide by the law of war when fighting the Syrian regime and its allies, which includes the four Geneva Conventions and the Additional Protocols Therein" (Geneva Call "Declaration" 2016). Along with these expressed commitments, various factions of the Free Syrian Army have signed specific deed of commitments under the Geneva Call for the protection of children and for the prohibition of sexual violence.

This endeavor expanded the militant size of the Free Syrian Army, which totaled around 50,000 fighters, making the FSA the largest opposition to the Syrian regime (Asal and Rethemeyer, 2015). The Free Syrian Army's ultimate goal is to create a democratic and pluralistic Syria (Laub 2017). Based on the IHL commitments expressed by the FSA and the group's potential to beat opposing groups and the state government forces, multiple state sponsors provided resources and funding to the FSA, including Turkey, Saudi Arabia, Qatar, and Libya (Asal and Rethemeyer, 2015; Lister 2016). Britain and the United States also provided

non-lethal aid and training to the FSA, but shortly discontinued support due to concerns that less moderate factions of the FSA were utilizing resources. The discontinuation of support represents confirming evidence of my theory, which posits that state sponsors will provide material resources to groups whose conflict practices match IHL commitments and values.

When comparing FSA's commitments to their conflict practices, human rights organizations and the UN Commission of Inquiry (COI) for Syria have repeatedly found human rights violations perpetrated by factions of the Free Syrian Army (United States Department of State 2020). According to UCDP data, 1,968 deaths are attributable to the Free Syrian Army (Davies, Pettersson, and Öberg 2022). Along with civilian deaths, early in the conflict in a report issued by the UN COI, officials found that 60% of child soldiers involved in the Syrian conflict were part of Free Syrian Army brigades (Eliason 2021). The FSA responded to allegations of the use of child soldiers by signing a Deed of Commitment claiming to protect children in armed conflict and declared they would no longer be utilizing child soldiers in any of their brigades (Geneva Calls 2016). Despite this expressed commitment, journalists conducting interviews of child soldiers in the Syrian conflict found that the majority of soldiers ages 14 to 17 belonged to branches of the Free Syrian Army in Daraa, Homs, and Idlib (Matt 2016). The children interviewed explained how they do not receive steady wages from FSA leaders and seldomly receive payment for fighting on the front lines (Matt 2016). In areas controlled by the Syrian government forces, FSA brigades have utilized indiscriminate shelling in an attempt to gain territorial control – resulting in civilian deaths and injuries (Idris, 2017). After the rebranding of the FSA as the Syrian National Army (SNA) in 2019, human rights violations perpetrated by the group worsened (Hamit and Zontur 2019). According to the Syrian Network for Human Rights, the SNA has arbitrarily detained at least 162 civilians and engages in torture, abduction, and ill-

treatment of detainees to extract “confessions” (Roth 2022). The UN COI found that SNA members engage in torture and sexual assault of minors in its investigation of SNA detention facilities (U.S. Syria Embassy 2021). SNA fighters have been found to loot, steal, and coerce civilians to flee their homes, in order to gain resources and shelter (United States Department of State 2020).

The FSA’s repeated violations of IHL provide disconfirming evidence of Hypothesis 1B, which posits that groups with true revolutionary aims are more likely to abide by their IHL commitments, because they value support and validity from the international community. While I initially believed the FSA operated as a unified coalition, further research suggests that leadership in the FSA is weak and decentralized, as militants are not subjected to accountability mechanisms by local commanders (Asal and Rethemeyer 2015). While the SMC of the FSA and its founding leaders may have genuinely believed in the IHL commitments made, it is challenging to enforce these commitments among thousands of fighters in different battalions. According to principle-agent theory, insurgency groups with weak centralized control are more likely to commit violations of the LOAC as tactical decisions are delegated to militants, who have greater incentives to harm civilians for personal benefit (Abrahms et al. 2015). The disconfirming evidence provided in the case of the FSA demonstrates the scope of my theory – as expectations may only be met when analyzing individual groups, as opposed to coalitions.

Ansar al-Sham informally commits to IHL by condemning the violence against civilians perpetrated by ISIL and posting videos highlighting the group’s commitment to providing local humanitarian aid (Hussein 2014). The group delivers humanitarian relief to displaced civilians and families and has white tents with the Ansar al-Sham logo displayed in the areas the group has control over (Hussein 2014). The group’s decision to highlight its humanitarian aid through

its Youtube channel and media services demonstrate its desire to show the international community, along with local constituencies, its respect for IHL (Hussein 2014). The group appears to gain support of local populations through its humanitarian relief programs as civilians describe the group favorably when interviewed by journalists (Hussein 2014). This favorable view may be due to the fact that commanders of the Ansar al-Sham do not actively engage in religious indoctrination of civilians and opposing groups. Instead, the group delivers religious lectures to local communities, but does not force civilians to convert to their beliefs (Hussein 2014). The humanitarian relief to civilians facilitated by the Ansar al-Sham provides confirming evidence for Hypothesis 1B, as my expectation is that groups who wish to govern post-conflict will build trust among constituents. The Ansar al-Sham received financial support from Saudi Arabia, however, it is unclear whether this was as a result of the IHL commitments made (Mapping Militants 2017). UCDP data is not available for Ansar al-Sham, making it challenging to determine the extent to which the group upholds the LOAC. However, journalists report that the militants of the Ansar al-Sham are all local, which may impact the motivations rebels have to commit atrocities against civilians in the areas they consider to be home (Hussein 2014). The group does not engage in coercion or the use of child soldiers, as recruitment strategies are effective because militants in Ansar al-Sham receive a salary of about $60 per month (Hussein 2014). For these reasons, it is likely that Ansar al-Sham did not engage in conflict practices that harm civilians, but additional data is needed to confirm this conclusion.

Resource Seekers

The Hazm Movement made public commitments to IHL through its signed deeds of commitment under Geneva Call for the prohibition of sexual violence and adherence to total ban on anti-personnel mines, which include victim-activated explosive devices (Geneva Call 2014).

The Hazm Movement carefully branded itself through media interviews and statements as a military group with the ultimate goal of toppling the regime and prioritizing freedom in the post-conflict order. The leader of the group, Abdullah Awda's, public statements about the future of Syria, along with the IHL commitments the Hazm Movement expressed through unilateral declarations, attracted attention from interested third party sponsors (White, 2014). The Hazm Movement was one of the first rebel groups to gain support from the United States, with the U.S. providing nonlethal American aid (vehicles and medical supplies) after vetting the political beliefs, associations with fellow groups, and capacities of the Hazm Movement (Sly 2014). Along with nonlethal aid, the United States, as part of the "Friends of Syria" Western alliance provided TOW antitank missiles and funding for the group (Sly 2014). Support from external sponsors as a result of expressed IHL commitments provide confirming evidence of my theoretical expectation that state sponsors will fund groups who align with their IHL values.

When comparing the Hazm Movement's IHL commitments to conflict practices, the UCDP attributes 138 deaths in total to the Hazm Movement, demonstrating that the group violated their IHL commitments to some extent (Davies, Pettersson, and Öberg 2022). Aside from harming civilians, existing reports and interviews on the rebel group fail to articulate any violations of the LOAC perpetuated by the group (Davies et al. 2000, Sly 2014; White 2014; Rupar 2014). The group did not engage in the use of child soldiers, as the recruitment process for militants require interviews and formal military training (Sly 2014). The actions of the Hazm Movement provide some confirming evidence for Hypothesis 2A, as the group received aid from the United States as a result of expressed commitments to IHL and gained a reputation internationally for being a moderate group worthy of international support and attention (White 2014). It appears as if, despite expressed commitments, the Hazm Movement did engage in a

form of violence that harms civilians, demonstrating that weaker groups violate their IHL commitments to some extent. However, more confirming evidence would be needed to fully demonstrate the relationship between group capacity and the likelihood of abiding by IHL commitments.

The Al-Sham Legion publicly commits to IHL through signed Deeds of Commitment for the protection of children from the effects of armed conflict and for the protection of health care in armed conflict (Geneva Call). In interviews, the group's leader cites the goals of the group include "ending injustices by extremist groups, promoting democracy and defending religion" (Lefèvre and Yassir 2014). The group desires unification among Syrian moderate Islamists and is part of a network of rebel groups sponsored by the Commission for the Protection of Civilians (Lefèvre and Yassir 2014). The coalition of groups that embody the Al-Sham Legion banded together, in part, to distance themselves from the Muslim Brotherhood, in order to attract sponsorship from Saudi Arabia, and subsequently gain more resources and power in the conflict (Lefèvre and Yassir 2014). This strategy proved to be successful, as Saudi Arabia, among Turkey and the United States, provided funding and material resources to the group (Cafarella and Casagrande 2016). In terms of their conflict behaviors, little information is known about the extent to which the Al-Sham Legion violated the LOAC as UCDP data is unavailable. However, in one of the security centers of the group, a civilian named Al-Nuaimi was tortured to death by Al-Sham militants because they falsely believed he was working for the People's Protection Units (Human Rights Journalism 2022). This demonstrates that to some extent, the Al-Sham Legion violated the LOAC despite prior IHL commitments, as militants used abusive practices in security centers. The group's leadership publicly admitted to the death of al-Nuaimi, apologizing to his family and arresting the interrogation committee and members in charge of the security

center where the crime occurred (Human Rights Journalism 2022). The immediate response of the group's leadership demonstrates the group values its IHL reputation and wants to hold militants accountable for their actions. Since it is unclear the extent to which the Al-Sham Legion violates IHL, it is challenging to connect the group's conflict behaviors to their IHL commitments. However, some evidence of my Hypothesis 2AB is confirmed, as the group admitted to rebranding as a coalition with the ultimate purpose of receiving sponsorship and resources from state sponsors (Lefèvre and Yassir 2014).

The Al-Mujahideen Army endorsed human rights in its charter and the group's leader, Colonel Muhammad Bakour, showed willingness to engage with IHL by attending the Riyadh opposition conference and maintaining support of the High Negotiations Commission delegation throughout meetings with UN Special Envoy (Cafarella and Casagrande, 2016). Leaders of the Al-Mujahideen Army publicly stated in interviews their desire to implement a post-Assad Syrian State that guarantees the protection of minority rights (Cafarella and Casagrande, 2016). These actions demonstrated the group's beliefs in IHL, contributing to the decision of the United States to provide funding, material resources and training for the group (Cafarella and Casagrande 2016; Perry 2014). After completing training from U.S. soldiers in Qatar, militants in the Al-Mujahideen Army returned with a better understanding of conflict tactics needed to defeat opposition forces (Perry 2014). This sponsorship helped the group become more skilled in battles against the Islamic State, but the leader of the Al-Mujahideen Army stated that without additional training or arms support, they will not be able to effectively defeat ISIL forces (Perry 2014). When comparing the group's commitments to IHL to their conflict practices, the UCDP attributes 41 civilian deaths to the Al-Mujahideen Army (Davies, Pettersson, and Öberg 2022). Information related to violations of IHL perpetrated by the group is scarce, yet, militants in the

Al-Mujahideen army forced a Christian humanitarian activist to wear a hijab while knowing her religious beliefs (Dark 2014). When she refused, fights broke out among activists and militants, and she was arrested and taken to a rebel Sharia court (Dark 2014). She remained unharmed and was eventually freed, but only after signing an agreement to wear a hijab moving forward (Dark 2014). The commander of the Al-Mujahideen army issued an apology for the actions caused by his militants, but the ruling still took effect (Dark 2014).

Confirming evidence of my expectation in Hypothesis 2B includes the violation of the group's commitment to uphold minority rights (Dark 2014). Because the Al-Mujahideen army operates in Aleppo, an area of Syria with high group density, the group may be more likely to break IHL commitments because of high visibility in the conflict. Disconfirming evidence of my theoretical expectations include the group's activity in local governance efforts, as the group engages in community building and was a founding member of the Sharia Court of Aleppo and its countryside (Perry 2014). The group's positive engagement with local populations goes against my expectations in Hypothesis 2B.

Revisionists

The actions of Jaysh al-Islam reflect my expectations of a revisionist group, as outlined in Hypotheses 4A and 4B. Unsurprisingly, there is no record of any IHL commitments signed by JAI leaders, as the group openly stated its distrust in Westernized institutions and governments (Mapping Militants 2019). According to data collected from UCDP, 948 deaths are attributable to JAI (Davies, Pettersson, and Öberg 2022). While the group's founding leader, Zahran Alloush, originally expressed a desire to cleanse the Damascus area of all Shiites and Alawis, Alloush later stated that the group tolerates criticism from resident civilians in the area it controls (Mapping Militants 2019). Yet, residents interviewed in the Eastern Ghouta area told journalists

that JAI imposes extremely repressive policies, arresting anyone who opposes or criticizes the group (Al-Dimashqi 2016). JAI controlled the Al-tawba prison and frequently tortured and imprisoned civilians who criticized the group in any manner, including children under the age of 16 (Al-Dimashqi 2016). Journalists who have spoken out against JAI have received death threats and have been forced to go into hiding to avoid retaliation from the group (Al-Dimashqi 2016). The group is also suspected to be responsible for the disappearance of human rights activists, which has led to multiple complaints of the group filed by human rights organizations, including the International Federation for Human Rights (FIDH), the Syrian Center for Media and Freedom of Expression (SCM) and the Ligue des Droits de L'Homme (LDH) (McDonald and al-Aswad 2022).

The SCM has provided human rights groups with documents, testimonies, videos, and pictures of the war crimes perpetrated by JAI, clearly indicting the leaders of the group in the planning and execution of these IHL violations. This provides confirming evidence of Hypotheses 4A and 4B as revisionist groups are not expected to abide by existing IHL norms, since these groups seek to establish a different international order entirely. Alloush's initial rejection of individuals who do not ascribe to the strict Sunni Islam beliefs of JAI demonstrates how religious beliefs can be used to justify cleansing an area or region of "non-believers" leading to additional violence (Militant Mapping 2019). The leader of JAI, Islam Alloush, was arrested in France on charges related to torture, war crimes and forced disappearances - becoming one of the first rebel groups in the Syrian Civil War to see international action because of a group's violation of IHL (Kaijo, 2020).

Similarly to JAI, Jund al-Aqsa did not make any commitments to IHL and their conflict behaviors demonstrate the group does not abide by the LOAC, providing confirming evidence

for Hypothesis 4A. The UCDP profile of Jund al-Aqsa attributes 517 deaths to conflict behaviors perpetrated by the group and states that it is one of the Syrian insurgency groups who engages in one-sided violence (Davies, Pettersson, and Öberg 2022). In their first major attack, the militants of Jund al-Aqsa attacked civilians and Syrian government forces in the Alawite-majority village of Maan in the Hama province, killing at least sixty civilians (Militant Mapping 2019; UN Security Council 2014). After this attack, the United States Department officially designated the group as terrorists, in an effort to notify the international community that the group engages in behaviors that violate the LOAC (UN Security Council 2014). The group repeatedly targets Alawite civilians and moderate groups who claim militants in Jund al-Aqsa are apostates (Militant Mapping 2019). The tactics the group engages in reflect violations of the LOAC as the group uses suiciding bombing, execution of prisoners, and extrajudicial killings of civilians because of their religious view (Reuters 2016). The actions of Jund al Aqsa provide confirming evidence of my theoretical expectations for revisionists, as this group justifies its use of violence for the greater purpose of spreading Islam and establishing a Sunni Islamic state based on Sharia law (Militant Mapping 2019).

The Islamic State and the Levant actively denounces Westernized institutions and international law (Militant Mapping 2021). Subsequently, the group has committed substantial atrocities against civilians in Syria, violating the LOAC to a great extent (Laub 2023). UCDP data attributes 10,023 civilian deaths to the Islamic State in the Levant, stating that the group is a perpetrator of one-sided violence in the conflict (Davies, Pettersson, and Öberg 2022). In areas under ISIL control, the group enforced oppressive laws against local communities, persecuting non-Sunni religious groups and citizens, along with queer people and secular leaders (Kirdar 2014). ISIL has engaged in a variety of military tactics that violate the LOAC, including suicide

bombings, abductions and extrajudicial executions, torture, the use of IEDs, among other violent means (Militant Mapping 2021). The group uses brutal acts of violence against journalists or aid workers from Western countries, such as the United States, to gain popularity among their supporters and prove their capabilities. As opposed to the leaders of resource-seeking and legitimacy-seeking groups who apologized for the violent actions of their militants, ISIL uses videos and images of beheadings and torture as a way to spread their beliefs and intimidate opposition groups (Yourish 2015). The actions of ISIL align with my expectations of the group in Hypothesis 4A and 4B, as their religious beliefs and global territorial aspirations are used as a justification to perpetrate violence against non-believers and violate the LOAC.

Summary of Expectations

Confirming evidence was found consistently for Hypotheses 4A and 4B, which posited that groups with strong religious motivations and global territorial aspirations are more likely to reject IHL and violate the LOAC. While this evidence does not confirm the relationship between the IVs and DVs, it does highlight that my theoretical expectations hold some weight under a closer analysis. For Hypotheses 2A and 2B, there was some confirming evidence, as groups claimed commitments to IHL and violated those commitments in practice, after receiving resources from external sponsors. However, limited data was available for some groups analyzed, making it challenging to fully determine the extent to which group capacity contributed to my expectations for resource-seeking groups. For Hypotheses 1A and 1B, disconfirming evidence highlighted that my theory of legitimacy seekers may be limited in scope and solely apply to individual groups and battalions, as opposed to coalitions. However, YPG and FSA repeatedly condemned IHL violations by their own militants, demonstrating these groups care about their international reputation to some extent.

Conclusion

The incentives of rebel groups in civil conflicts influence both the likelihood that groups will make public commitments to IHL and the likelihood that groups will follow through with their commitments and abide by the LOAC. While not empirically tested in this study, the initial plausibility probe demonstrates interactions between a group's motivations and their subsequent adherence or lack thereof to the LOAC. Groups who are strongly motivated by religious beliefs and global territorial aspirations are more likely to reject IHL altogether and violate the LOAC, based on the initial expectations met in this analysis. Groups who claim adherence to IHL in the hope of gaining resources may be less likely to abide by their commitments in practice. Groups who seek legitimacy need centralized leadership and accountability mechanisms in place to hold militants accountable of violations of the LOAC. Prior research has assumed that groups share similar motivations in conflict, negatively impacting our ability to decipher the reasons why some groups make commitments with no intention of following them, while others are genuine in their commitment to IHL. This thesis provides a theoretical contribution to the literature by explaining how motivations of groups are related to commitment and compliance patterns and categorizing groups as legitimacy-seekers, resource-seekers, local support-seekers, and revisionists.

Existing data on rebel group compliance to IHL lacks accuracy, as large N studies have challenges quantifying the myriad of human rights violations that occur during civil war (Clarkand and Sikkink 2013). This thesis provides a novel contribution by conducting in-depth analysis that accurately compares theoretical expectations to the IHL commitments and conflict behaviors of nine rebel groups in the Syrian Conflict. Initial analysis justifies a larger, empirical

study and the creation of a cross-national, group-year dataset of rebel group commitments to IHL and subsequent compliance behaviors.

This study has a few limitations that should be addressed in future research of rebel groups and IHL. This analysis does not account for switchover or "flip flopping" compliance behavior of rebel groups, as this is outside the scope of my theory, which assumes independent variables remain relatively stable over the course of conflict. However, analyzing whether groups change the extent to which they abide or fail to abide by the LOAC based off of the conflict's progression may yield important insights about the variables during conflict that affect group decision-making. Future research could compare groups who remain relatively stable in their compliance patterns to groups who demonstrate switchover compliance to determine what variables impact the durability of IHL compliance. This study does not account for the extent to which rebel groups commit to IHL and whether the types of commitments expressed (informal comments in interview vs. unilateral declaration and statement) impact the likelihood that groups will abide by the LOAC. The way groups commit to IHL may affect international support and the degree to which groups feel a sense of accountability to abide by their commitments.

Understanding the factors that contribute to a group's decision to abide by IHL commitments is beneficial for decision-making by international organizations and state sponsors. When rebel groups receive aid and support from third parties, they become more powerful and the decisions the group makes can negatively impact civilians and extend conflict duration. If scholars can better understand what influences a group's decision to express commitment to IHL and abide by these commitments in practice, IHL can be improved to allow for better engagement with IHL by non-state actors. By better understanding the factors that influence a group's likelihood of IHL compliance, international humanitarian lawmakers can develop laws

that directly apply to non-state actors, create incentives for compliance, and include accountability mechanisms, minimizing the harmful impact civil wars have on civilians. This study yields insight into some of the factors that impact rebel group compliance with IHL commitments, justifying a larger, quantitative study of rebel groups cross-nationally to determine which factors are most important at influencing rebel compliance behaviors with IHL.

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Appendix 1: Coding of Variables

This ontology was drawn from the O/R Lab Syria Project.

State Sponsorship: Sponsorship can take the form of material resources, training, verbal support, territory, and intelligence. It is important that the sponsorship is specifically from the government of a country and not private individuals within that country. If after a substantial amount of effort and time is spent trying to find this information (around one hour of active searching), then enter a "no" in this column to indicate that it has not been found whether a state sponsor exists for this group. If there is information about the year a state sponsors or stops sponsoring a group, make sure to code this column as a "yes" or "no" in the correct year row and provide the country codes in the following columns. *For sponsorship, if you find evidence that a state actor started sponsoring a given actor in a given year, and don't find evidence that they stopped at any point, it is ok to assume they continued to sponsor the group in subsequent years.* If you are answering yes, there will be subsequent columns about the state sponsor, and the types of resources given, so please pay attention to that while coding. It is likely that articles discussing state sponsorship will also have useful information about the types of resources given.

State Sponsorship_Group ID: f there is evidence of a state sponsor, in this column enter ISO3 code for the country, as understood by the World Bank: Country Codes. For example, if Libya is the state sponsor of a group, then the corresponding country ISO3 code would be LBY. If there are multiple state sponsors of a group, separate the country ISO3 codes with semicolons.

Ideol_polity_political (ordinal)
What is the political order (e.g. type of government) that the rebel group aims to create post-conflict? How do they envision their government post-conflict? Keep in mind that this may change throughout the conflict, since some groups claim to support elections early on but later change. For this column, enter the number in which the rebel group falls on this spectrum:

1 – Full democracy – prioritizes representative government through elected officials
2 – Hybrid regime – combines features of democratic and autocratic regimes; often holds regular elections but is also characterized by political repression
3 – Authoritarian – prioritizes concentrated and centralized power under a single leader or a small elite cohort

Ideol_polity_religious (ordinal)
What is the religious order (e.g. involvement of religion with the state) that the rebel group aims to create post-conflict?

For this column, enter the number in which the rebel group falls on this spectrum:

1 – Secular but group is not bound by religious goals – e.g.
2 – Secular but religion is important to membership – e.g.

3 – Moderate religious order – laws have a basis in religious texts but allows flexibility in private conduct
4 – Strict religious order – prioritizes order governed by religious law in all aspects of life. E.g. calling for strict Sharia.

Ideol_polity_territorial (ordinal)
Does the rebel group want to gain territory? If so, what are their aspired boundaries? For this column, enter whether the armed group seeks status quo, separatism, bounded autonomy, or global aims.

1 – Status Quo – The rebel group likes the physical borders of the state but wishes for a different governmental order. EX: Free Syrian Army, Al-Nusrah Front, etc.
2 – Bounded autonomy – Group seeking partial political separation from parent state and/or seeking self-determination with the ability to govern themselves under auspices of central authority. EX: Front de 56iberation du Québec
3 – Separatist – Group seeking full political separation from parent state; seeking self-determination as a fully independent state or seeking to be incorporated within another state. EX: Kurds, Northern Ireland, Eastern Ukrainian separatists, etc.
4 – Global – Are they trying to actively take over *new* territory and found their own empire? EX: Islamic State

Appendix 2: References for Table 2

Free Syrian Army

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