

Volume 93 Number 882 June 2011

INTERNATIONAL REVIEW

of the Red Cross

Humanitarian debate: Law, policy, action

Understanding armed groups
and the applicable law



ICRC

Aim and scope

The International Review of the Red Cross is a periodical published by the ICRC. Its aim is to promote reflection on humanitarian law, policy and action in armed conflict and other situations of collective armed violence. A specialized journal in humanitarian law, it endeavours to promote knowledge, critical analysis and development of the law and contribute to the prevention of violations of rules protecting fundamental rights and values. The Review offers a forum for discussion about contemporary humanitarian action as well as analysis of the causes and characteristics of conflicts so as to give a clearer insight into the humanitarian problems they generate. Finally, the Review informs its readership on questions pertaining to the International Red Cross and Red Crescent Movement and in particular on the activities and policies of the ICRC.

International Committee of the Red Cross

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening international humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.

Members of the Committee

President: Jakob Kellenberger

Vice-President: Olivier Vodoz

Permanent Vice-President: Christine Beerli

Christiane Augsburger

Paolo Bernasconi

François Bugnion

Bernard G. R. Daniel

Paola Ghillani

Jürg Kesselring

Claude Le Coultre

Yves Sandoz

Rolf Soiron

Bruno Staffelbach

Daniel Thürer

André von Moos

Editorial Team

Editor-in-Chief: Vincent Bernard
Editorial assistants: Mariya Nikolova
and Michael Siegrist

Publication assistant:

Claire Franc Abbas

Special advisor on armed groups:

Olivier Bangerter

International Review of the Red Cross

19, Avenue de la Paix

CH - 1202 Geneva

t +41 22 734 60 01

f +41 22 733 20 57

e-mail: review@icrc.org

Editor-in-Chief

Vincent Bernard

ICRC

Editorial Board

Rashid Hamad Al Anezi

Kuwait University, Kuwait

Annette Becker

Université de Paris-Ouest Nanterre La

Défense, France

Françoise Bouchet-Saulnier

Médecins sans Frontières, Paris, France

Alain Déléroz

International Crisis Group, Brussels,

Belgium

Helen Durham

Australian Red Cross, Melbourne,

Australia

Mykola M. Gnatovskyy

Kyiv National Taras Shevchenko

University, Ukraine

Bing Bing Jia

Tsinghua University, Beijing, China

Abdul Aziz Kébé

Cheikh Anta Diop University, Dakar,

Senegal

Elizabeth Salmón

Pontificia Universidad Católica del Perú,

Lima, Peru

Marco Sassòli,

University of Geneva, Switzerland

Yuval Shany

Hebrew University, Jerusalem, Israel

Hugo Slim

University of Oxford, UK

Gary D. Solis

Georgetown University, Washington DC,

USA

Nandini Sundar

Delhi University, New Delhi, India

Fiona Terry

*Independent researcher on humanitarian
action, Australia*

Peter Walker

Feinstein International Center,

Tufts University, Boston, USA

Volume 93 Number 882 June 2011

INTERNATIONAL
REVIEW
of the Red Cross

Humanitarian debate: Law, policy, action

**Understanding
armed groups and
the applicable law**

CONTENTS

261 **Editorial by Vincent Bernard, Editor-in-Chief**

269 **New editorial board of the *Review***

Understanding armed groups and the applicable law

279 **Interview with Ali Ahmad Jalali**
Distinguished Professor at the National Defence University, Washington D.C.

Articles

Today's armed groups: structure, actions and strategic options

287 **Armed groups and intra-state conflicts: the dawn of a new era?**
Arnaud Blin

311 **Armed groups' organizational structure and their strategic options**
Abdulkader H. Sinno

333 **Economic dimensions of armed groups: profiling the financing, costs, and agendas and their implications for mediated engagements**
Achim Wennmann

353 **Reasons why armed groups choose to respect international humanitarian law or not**
Olivier Bangerter

385 **Photo gallery**

Armed groups and international law

395 **International law: armed groups in a state-centric system**
Zakaria Daboné

Articles published by the Review reflect the views of the author alone and not necessarily those of the ICRC or of the Review. Only texts bearing an ICRC signature may be ascribed to the institution.

- 425 Debate: Should the obligations of states and armed groups under international humanitarian law really be equal?**
Marco Sassòli and Yuval Shany
- 437 The move to substantive equality in international humanitarian law: a rejoinder to Marco Sassòli and Yuval Shany**
René Provost
- 443 The applicability of international humanitarian law to organized armed groups**
Jann K. Kleffner
- 463 Lessons for the law of armed conflict from commitments of armed groups: identification of legitimate targets and prisoners of war**
Sandesh Sivakumaran
- 483 A collection of codes of conduct issued by armed groups**

Selected articles on international humanitarian law

- 503 Confronting Duch: civil party participation in Case 001 at the Extraordinary Chambers in the Courts of Cambodia**
Eric Stover, Mychelle Balthazard and K. Alexa Koenig

Reports and documents

- 547 International Committee of the Red Cross (ICRC) policy on torture and cruel, inhuman or degrading treatment inflicted on persons deprived of their liberty**
Policy adopted by the Council of the Assembly on 9 June 2011

Books and articles

- 563 New Edition: How does Law Protect in War?**
- 564 Recent acquisitions of the Library and Research Service, ICRC**