
In her comprehensive and elaborated study under review, Liesbeth Zegveld undertakes to shed some light into the darkness surrounding the legal obligations of armed opposition groups which continue to haunt the conscience of public international law despite its efforts to attribute insignificance to their legal status in furtherance of the state's territorial integrity. In her quest towards identifying who is accountable under international law for the acts committed by armed opposition groups or for the failure to prevent or repress these acts, she touches upon individual criminal responsibility for violations of humanitarian law, international human rights applicable to armed opposition groups, and the law of state responsibility. The book is divided into two main parts: Part I termed "The Normative Gap" examines whether international law provides any legal restraints on and substantive obligations of armed opposition groups as such (pp. 9-96), while Part II, as the intellectual core of her study, is dedicated to formulating what she calls the "Accountability Gap" (pp. 97-30) by investigating into the accountability of group leaders (pp. 97-132), the accountability of armed opposition groups as such (pp. 133-163), and the accountability of the state for acts of armed opposition groups (pp. 164-219); she closes Part II with her "quest for accountability" (pp. 220-228) as a prelude to her conclusions (pp. 229-230).

In addressing the legal restraints on armed opposition groups as such (pp. 9-58), she starts by evaluating the relevant treaty law, namely Common Article 3 of the 1949 Geneva Conventions and Additional Protocol II. Turning to the question of the specific mechanism through which armed opposition groups become bound to the treaty obligations enshrined in Common Article 3 and the Protocol II, the author discusses the two main doctrinal views usually expressed in this regard: according to one school, these groups are bound to international humanitarian law rules as a matter of their limited legal personality that exists side-by-side with the established authorities; according to the other, they are bound by humanitarian norms because they are inhabitants of the state that has ratified the relevant conventions (pp. 15-16). Unfortunately, the author does not further dwell on this challenging doctrinal riddle, which continues to vex international law, nor does she discuss the different variations of both schools that have been promulgated by prominent scholars. Instead, the author

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8 For example, Professor Cassese suggests to apply the rules concerning "third party obligations" enshrined in the 1968 Vienna Convention on the Law of Treaties, *i.e.* Arts. 34-36. He arrives at the conclusion that according to the intentions of the states, as the drafters of the Geneva Conventions and their Protocols, and in view of the attitude of rebels which gives rise to a "tacit agreement", the rules applicable to internal armed conflicts are binding upon the rebels; *see* A. Cassese, "The Status of Rebels Under the 1977 Geneva Protocol on
swiftly turns to the relevance of consent by armed opposition groups to the applicability of international norms to themselves (pp. 16-17), provides a short discussion of special agreements under Common Article 3 and Protocol II (p. 17) and ends up comparing these facets with national liberation movements (pp. 17-18). Having rapidly dealt with treaty obligations applicable to armed opposition groups, the author identifies and discusses ample evidence in the practice of international bodies that both, Common Article 3 and various articles of Protocol II reflect customary international law (p. 18-26), before addressing other treaty rules of humanitarian law applicable to armed opposition groups, namely Amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices to the Conventional Weapons Convention, of 3 May 1996, the 1954 Cultural Property Convention, and the Second Protocol to the Cultural Property Convention of 26 March 1999 (pp. 26-28). Turning to customary obligations other than those enshrined in Common Article 3 and Protocol II, she hints to the jurisprudence of various international bodies, such as the ICTY and the UN Commission on Human Rights, according to which basic humanitarian principles on the conduct of hostilities apply in all armed conflicts, although they were originally associated with the protection of civilians in international armed conflict (pp. 30-33), and concludes that based on a tendency to shift the perspective to the protection of individuals, “international practice thus demonstrates a trend to diminish the relevance between the law applicable to international and internal armed conflicts” (p. 34). As a justification the author argues that armed opposition groups often possess the ability to comply with the humanitarian norms and thus that it is “important to distinguish between the possible reluctance by armed opposition groups to comply with the rules and their actual capability to do so” (p. 35). However, she also emphasizes that the distinction has not been abolished and that “there is uncertainty also exactly which rules apply to internal conflicts” (p. 36). In search for further sources of obligations binding armed opposition groups, Zegveld discusses whether these groups are and should be bound by international human rights obligations (pp. 38-55). Proceeding from the common understanding that human rights obligations do not, at least by treaty law, bind armed opposition groups, she thoroughly examines the practice of international bodies and discusses decisions by the Inter-American Commission, the UN Commission on Human Rights and the UN Security Council which purported to extend human rights obligations to armed opposition groups (pp. 47-49). Furthermore, she addresses special (peace or ceasefire)

Non-International Arms Conflicts”, 20 ICLQ 416, 428 (1981). Professor Bothe, on the other hand, argues that there existed a rule of customary international law which would extend the effects of the ratification made by a state to insurgents in the territory of that state; M. Bothe, “Conflits Armés Internes et Droit International Humanitaire”, 82 RGDIP 82, 92 (1978).

9 In this regard, see also M. Schoiswohl, “De Facto Regimes and Human Rights Obligations – The Twilight Zone of Public International Law?”, 6 ARIEL 45 (2001).