Contents—Detailed

Tab	le of Cases	XV
Tab	le of Instruments	xxi
Tah	le of Other Materials	XXV
List	of Abbreviations	xxxi
	2. The ICCPR and ICESCR villanous laged to	
	I. INTRODUCTION	
BII		3
1.	The state of the s	3
	 Introduction Definition of Accountability 	5
	2. Definition of Accountability3. Scope of the Book	8
	4. Background to Legal Debate	8
	5. Damage to the Accountability Framework	15
	6. Theories Relied upon by Accountability Mechanisms	18
	7. Design of the Book	21
2	Added Value of Application of International Human Rights	
2.	Law to Armed Groups	27
	1. Introduction	27
	2. Relationship between IHRL and IHL	28
	3. Assessment of the Added Value of IHRL in Non-International	
	Armed Conflicts	35
	4. Relationship between Territory and Added Value	65
	5. Conclusions	67
	Control of Territory is Not Newsonsharquiral strigin natural to	
	II. LEGAL PERSONALITY OF ARMED GROUPS	
	UNDER HUMAN RIGHTS LAW	
		267
3.	Evaluative Framework: Legal Personality under International Law	71
	1. Introduction Commend in Acron State annian Commendation	71
	2. Rationale behind Evaluative Framework on Legal Personality	73 75
	 Introduction to Evaluative Framework on Legal Personality States-Only Conception of International Legal Personality 	76
	5. Recognition Conception of International Legal Personality	77
	6. Background to Individualistic, Formal, and Actor Conceptions	II T
	of International Legal Personality	78
	7. Individualistic Conception of International Legal Personality	80
	8. Formal Conception of International Legal Personality	82
	9. Actor Conception of International Legal Personality	84
	10. Commonalities and Differences between the Conceptions	
	of International Legal Personality	87

4		e Law on Belligerency and Insurgency, and International Legal	
		sonality	90
		Introduction Management of the Control of the Contr	90
		Law on Belligerency	91
		Legal Personality of Belligerent Armed Groups	97
		Insurgency and the Legal Personality of Armed Groups	104
	5.	General Intercourse between Armed Groups and States as a	sida!
	,	Source of Legal Obligations	107
	6.	General Functionality on International Sphere as a Source	to mi
	7	of Legal Personality	111
		Conclusions	113
5.		ernational Humanitarian Law and International Legal Personality	118
		Introduction	118
		Threshold of IHL: Procedural Perspective	118
		Threshold of IHL: Material Perspective	125
		Threshold of IHL: Theoretical Perspective	142
	5.	Conclusions States Line English And Conclusions	149
6.	Int	ernational Legal Personality of Armed Groups under Human	
	Rig	hts Law	152
	1.	Introduction	152
	2.	International Legal Personality Exists Along a Spectrum	152
		Legal Personality Can Be General or Specific	153
		Legal Personality of Different Armed Groups	154
	5.	Legal Frameworks Can Accommodate High Degree	
		of Heterogeneity Within Category 'Armed Groups'	154
	6.	International Legal Personality of Armed Groups May Have	
		Different Sources	155
	7.	Link between Legal Personality of Armed Groups and	
		Control of Territory is Not New	155
	8.	Legal Threshold for Application of Human Rights Law	
		to Armed Groups	157
	9.	Role of Armed Groups in Creation of Customary	
		International Law	
	10.	Conclusions	173
	III.	HOW AND WHEN ARE ARMED GROUPS BOUNI	D
		BY HUMAN RIGHTS LAW?	
		Change is a second to nondeposite mention of	
7.		w are Armed Groups Bound by International Humanitarian Law?	177
		Introduction Whatovis' lagar temphanism to	177
		Existing Theories on How Armed Groups are Bound by IHL	178
	3.	Armed Groups Bound as Third Parties to	
		the Geneva Conventions	179

	Contents—Detailed	xiii
	4. Armed Groups Bound as a Result of the Domestic	
	Implementation of Treaty Law	
	5. Armed Groups Bound Directly through Constituent	A 2
	Members or as an Entity and American London Members or as an Entity	
	6. Armed Groups Bound as a Result of Controlling Territory	199
	7. Armed Groups Bound through Customary International Law	
	8. Conclusions	206
8.	Armed Groups and Treaty Law	209
	1. Introduction small supplemental years and has appointed	/
	2. The ICCPR and ICESCR	210
	3. The Convention against Torture and Other Cruel, Inhuman	
	or Degrading Treatment or Punishment (CAT)	217
	4. The Optional Protocol to the Convention on the Rights	
	of the Child on the Involvement of Children	Mr. 22. 32.
	in Armed Conflict	226
	5. The African Union Convention for the Protection and	
	Assistance of Internally Displaced Persons in Africa	Report
	(the Kampala Convention)	232
	6. Conclusions	238
9.	Control of Territory and Human Rights Obligations	
	of Armed Groups	240
	1. Introduction	240
	2. Principle of Effectiveness	242
	3. Law on State Responsibility Regarding Armed Groups	246
	4. Case Law from the General Claims Commission	Market (
	of 1923 between the United States and Mexico	254
	5. Case Law from the American Civil War	258
	6. ICJ Namibia Principle and European Court	
	of Human Rights Jurisprudence	260
	7. Cases from the Franco-Italian Conciliation Commission	264
	8. Comparison of Emerging Conclusions with Political Science	
	Analysis of Armed Conflict	267
	9. Conclusions on Circumstances in which Acts of an Armed	22,003,346
	Group Can Be Considered an Act of State	268
	10. Conclusions for International Humanitarian Law	271
	11. Conclusions for International Human Rights Law	272
	12. Implications for How Armed Groups are Bound	070
	by Human Rights Law	273
	13. A Bottom-Up Approach: Rights Devolving with Territory	07/
	and Population	274
	14. Allocation of Responsibility for Internationally Wrongful Acts	
	Committed by Armed Groups	276
	15 Conclusions	281

285 286 303 307
303
307
307
001
321
323
323
324
334
355
359
359
361
361
366
387
391
392
372
395