



Regulating Armed Groups from Within: A Typology

The internal regulations of armed groups are crucial tools for exercising control over the actions of fighters and can determine the ultimate success or failure of an insurgent organization. They also have an effect on a group's respect for international humanitarian law and human rights, as well as on the incidence of armed violence in a group's area of operations.

This *Research Note*, based on a forthcoming Small Arms Survey publication, highlights internal regulations as a key to understanding the dynamics of armed groups—and to curbing their abuses. It provides a typology of different internal regulations, including oaths, standing orders, operation orders, military manuals, internal organization documents, and penal or disciplinary codes.

Minimizing abuses

Researchers, international tribunals, and humanitarian actors are paying increasing attention to armed groups' codes of conduct in order to better understand these organizations' structures, attribute responsibility for specific acts, and identify ways to promote fighters' respect for the laws of war (Florquin, Bongard, and Richard, 2010).¹

Enforcing proper conduct is a complex task that requires numerous measures to be effective; some armed groups are more able than others to control their men and women under arms. Abuses are not necessarily the result of a weak chain of command. Indeed, careful study of the Lord's Resistance Army, which had its origins in Uganda, shows that its atrocities have been well planned and controlled (Thams Olsen, 2007; Bevan, 2006, p. 278). Yet armed groups that are committed to the protection of civilians but rely on weak internal regulations are likely to face great difficulties in controlling their fighters and stopping them from committing abuses.

Understanding an armed group's rules is essential to appreciating the dynamics that can reduce the abuses it commits. El Salvador's Frente Farabundo Martí para la Liberación Nacional (FMLN) adopted a combination of

regulations to protect the civilian population, including a '15 principles' code of conduct, a 'normative framework', 'guidance to combatants' training, 'precautionary measures' for attacks, and sanctions (FMLN, 1988, pp. 6–7). These regulations appear to have had a positive impact: the United Nations Commission on the Truth for El Salvador attributed only five per cent of all documented violations against civilians in the Salvadoran conflict to the FMLN (UNCT, 1993, p. 43).

A typology of internal regulations

Oaths summarize what an armed group stands for and what its fighters must and must not do. Combatants are generally required to take an oral oath at a crucial time in the socialization process—typically when attaining full membership—which adds to the oath's effect and significance. Oaths tend to be very short and typically comprise about four rules. Regardless of the group's orientation, oaths usually focus on the objective of the 'struggle' and on the need to be ready to die for the cause, to obey the commanders, and to be loyal to the organization (see Box 1).

Codes of conduct are best defined as *the set of rules an organization expects its members to respect under all circumstances*. They outline key responsibilities within the group as well as what is considered proper practice. Although longer than oaths, codes remain relatively short. Among the more than 30 armed groups whose codes of conduct are accessible, the number of rules varies between 5 and 22—with most documents containing between 10

Box 1 Oath of the Kosovo Liberation Army

As a member of the Kosovo Liberation Army, I hereby swear that I will fight for the liberation of the occupied territories of Albania and their unification, that I will always be a loyal soldier, a worthy soldier of freedom, vigilant, brave, and disciplined, ready at all times, even unto death to struggle to protect the sacred interests of the FATHERLAND. If I break this oath, may I be punished by the most severe martial law and if I commit treason may my blood be spent. I SWEAR!

Source: KLA (1998)



Pages of the FMLN code of conduct from 1985. © Museo de la Palabra y la Imagen, San Salvador

Box 2 'Standing Orders for Armed Squads' of the Naxalites, drawn up by the Central Committee, Communist Party of India (Marxist-Leninist) People's War

1. Abide by squad discipline. Do not function according to one's wish.
2. Squad must move only in the formation that has been decided.
3. As soon as the squad reaches its den, the sentry must be posted and protective covers must be immediately taken.
4. Weapons must be cleaned every day in a proper order.
5. Roll call must be conducted every day and necessary matters must be instructed in brief.
6. Protective patrolling must be taken up every day around the den.
7. Everybody must keep their respective weapons by their side. It must not be given to civilians.
8. Only those who can throw grenades beyond 20 metres must be provided with them.
9. Read Jung [. . .]. Get others to read it on one's behalf.

Source: Chakravarti (2008, p. 21)

and 20. Available codes originate from four continents and span more than 60 years. They appear to be the most common type of regulation used by armed groups for shaping the general behaviour of their members.

Standing orders—or general orders—differ from codes of conduct in that they define behaviour that is expected in a specific situation as opposed to at all times. They tend to have a narrower focus than codes of conduct and are usually more precise, although they reach roughly the same length (see Box 2). **Standing operating procedures**—a subset of standing orders—spell out what a fighter or a unit must do when confronted with a given challenge. Quite a few have been made public, mostly after the end of a conflict.

All insurgent groups issue **operation orders** to their combatants before sending them on a specific mission. Operation orders have considerable

influence on the behaviour of fighters as their superiors literally tell them what to do at each stage of the planned operation. If an order is precise and relevant to the situation, the odds are that it will be followed. If the order is unclear, irrelevant, or open to interpretation, subordinates may improvise, which will negatively affect general efficiency. Unclear operation orders can also contribute to violations of international humanitarian law (Bangertter, 2010, p. 194). Operation orders vary in scope between very short oral briefings and multi-page written plans.

Military manuals allow insurgents to promote standard military behaviour. They provide the 'by-the-book' solution to generic problems and can address tactical, operational, and strategic issues as well as the use of weapons. They are seldom publicly available and armed groups tend to be very protective of them. Groups

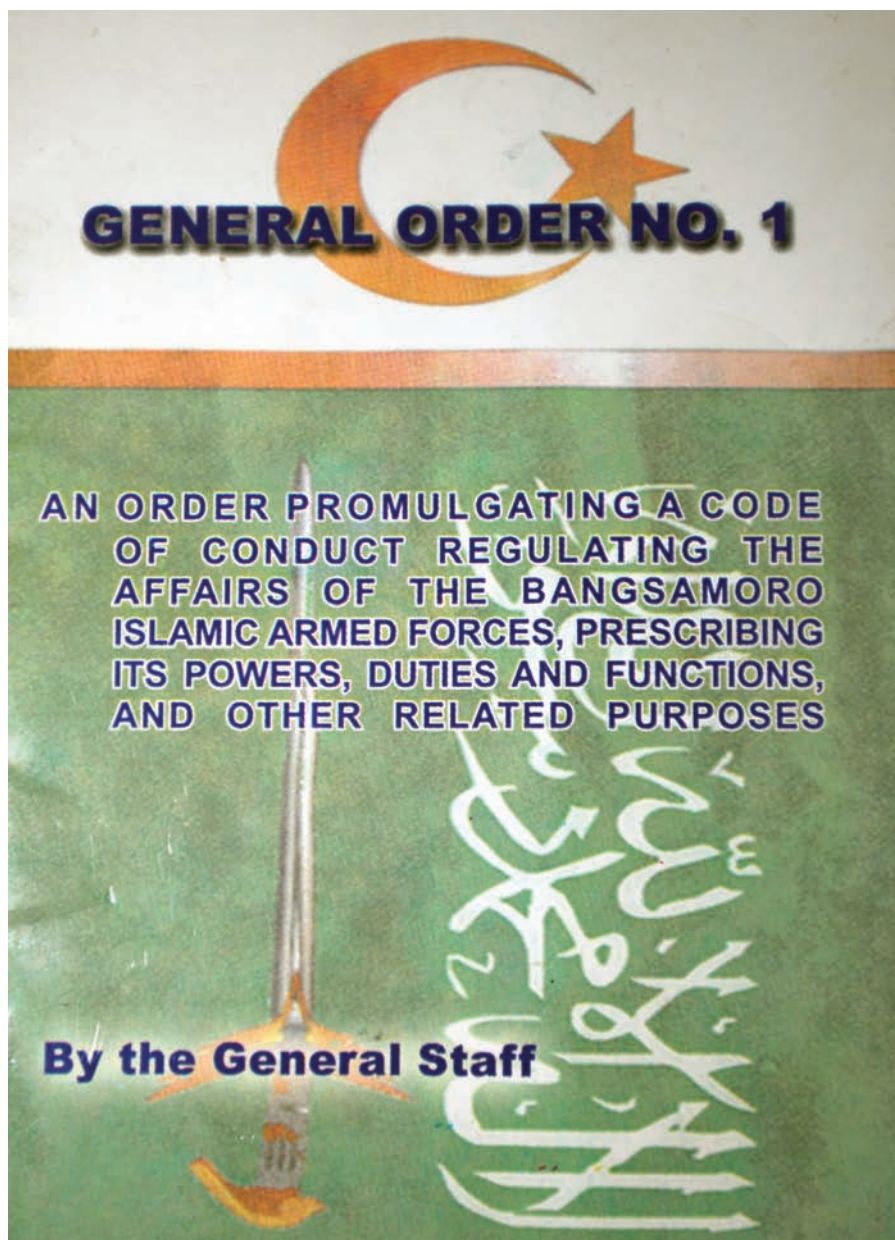
such as the Naxalites in India, the Fuerzas Armadas Revolucionarias de Colombia (FARC) in Colombia, the Afghan Taliban, and the Haqqani network in Afghanistan all have military manuals of well over 100 pages.²

Internal organization documents spell out the procedures to follow when taking decisions; they address issues such as the command structure, the decision-making process, the responsibilities and powers associated with different positions (delimitation of responsibilities), and how group members have to work together. Many insurgent groups have ‘regulations’ or other documents that inform their members about the operation of their organization. They are designed to promote predictability in the group’s work, a simplification of the decision-making process, and a limitation of internal discussions or negotiations of decisions. The best known of these documents are the Taliban *layhas*, which comprise between 30 and 85 articles (Clark, 2011).

Insurgents cannot hope to enforce standards of behaviour without sanction and reward mechanisms, which can be spelt out in **penal** or **disciplinary codes**. These codes have been adopted by groups as varied as the following:

- Forces pour la Défense de la Démocratie (Burundi);
- FARC (Colombia);
- Chin National Front, Karen National Liberation Army, and Zomi Re-unification Organisation (Myanmar);
- Fuerza Democrática Nicaragüense (Nicaragua);
- African National Congress (South Africa); and
- Sudan Liberation Movement–Unified Leadership and the Sudan People’s Liberation Movement/Army (Sudan).

The Sudan People’s Liberation Army 2003 code of justice exceeds 50 pages and contains 128 articles as well as an attached code of conduct with seven articles (SPLA, 2003).



Cover of the Moro Islamic Liberation Front (MILF) code of conduct. © ADS

Conclusion

It is important not to group all internal regulations together under the label ‘code of conduct’. Different regulations have discrete uses and provide distinct pieces of information on an armed group. Operation orders and military manuals, for instance, can provide very detailed guidance on arms use, storage, and accounting. Codes of conduct rarely go beyond stating that the group’s guns should only be used against armed enemies or opponents. The code of conduct of Uganda’s National Resistance Army, for one, dictates: ‘Never kill any member of the public or any captured prisoners, *as the guns should only be reserved for armed enemies or opponents*’ (Weinstein, 2007, p. 371, emphasis added).

Although more general, codes of conduct are also much more accessible to outsiders than other internal regulations, which groups usually consider strictly internal and confidential. While researchers and practitioners should take codes of conduct seriously, they should also be aware that they represent just one—partial—window into armed groups’ complex internal workings. Additional research is needed to understand how armed groups manage weapons, especially with respect to regulating their use, avoiding their misuse, addressing the stockpiling question, and preventing diversion to other players who would use them for criminal purposes, or to commit war crimes. ■

Notes

- 1 The Swiss-based NGO Geneva Call, for instance, has produced a searchable database of armed groups' regulations and policies as they relate to international humanitarian law; it will be available online as of mid-2012 at www.genevacall.org.
- 2 Bose (2009); Noticias Caracol (2011); Ali (2008); Moreau and Yousafzai (2011). The 332-page Naxalite manual is entitled *Buniyadi Sainik Pathyakram*; it contains 'detailed descriptions about aspects like principles of war zones, troupe formation, firing area, deployment, command, control, communication, identifying of targets and such aspects' (Bose, 2009).

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This Research Note is based on a forthcoming Small Arms Survey report on codes of conduct and other insurgent regulations by Olivier Bangerter. For additional information about armed groups, please visit: <<http://www.smallarmssurvey.org/armed-actors/armed-groups.html>>

About the Small Arms Survey

The Small Arms Survey serves as the principal international source of public information on all aspects of small arms and armed violence, and as a resource centre for governments, policy-makers, researchers, and activists. The Survey distributes its findings through Occasional Papers, Issue Briefs, Working Papers, Special Reports, Books, and its annual flagship publication, the *Small Arms Survey*.

The project has an international staff with expertise in security studies, political science, international public policy, law, economics, development studies, conflict resolution, sociology and criminology, and works closely with a worldwide network of researchers and partners.

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