

The Narrowing Path: Rebel Leaders Exile in the Age of Accountability

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Abstract:

Recent scholarship demonstrates that state leaders implicated in mass atrocities increasingly face hurdles in seeking exile, mainly due to heightened risks of prosecution for human rights violations. This study extends the inquiry to rebel leaders, examining whether the threat posed by the international justice regime similarly influences their decisions to flee. Utilizing an original dataset detailing the exile trajectories of rebel leaders, including their destinations and the timing of their departures, the study reveals two key findings. First, as rebel's home state becomes more susceptible to international justice regime, rebel leaders culpable for serious crimes are more likely to seek exile. Second, when pursuing asylum, rebel leaders strategically select destinations with a lower likelihood of legal repercussions. These insights contribute to the discourse on international justice and its effects on the dynamics of civil conflicts.

Key words: civil war, rebel leaders, exile, international justice

Today, the International Criminal Court (ICC) and other international legal regimes are among the primary responders to crimes committed during conflicts (Kersten, 2016). However, the impact of such interventions on peace remains a contentious debate among scholars of international law and conflict studies. A central point of contention is the argument that international justice undermines peace efforts. Many posit that the pursuit of justice eliminates bargaining options with warlords, such as amnesty provisions, thus obstructing negotiated settlements and potentially exacerbating violence (Goldsmith & Krasner, 2003; Snyder & Vinjamuri, 2003; Ginsburg, 2009).

Recent studies reveal a more nuanced role of the international legal regime's impact on peace, indicating a shift in international criminal justice: international criminal tribunals now pose a direct threat to *state* leaders, curtailing their options for exile (Krcmaric, 2018). As safe retirement is no longer assured, implicated leaders may be incentivized to cling to power more tenaciously.

This paper takes the literature and extend it by examining the impact of international justice regime on *rebel* leaders' exile. The phenomenon of rebel leaders' exile, though not uncommon, remains an underexplored aspect of civil conflicts. This paper introduces the first systematic examination of rebel leader exile using an original data, particularly its relationship with the international justice system.¹ My argument starts with the simple observation that rebel leaders confront the risk of legal action both within their country and abroad, while incumbent state leaders predominantly worry about international prosecution.

¹ ROLE dataset (Acosta, Huang & Silverman, 2022) is the first effort in the literature that examines rebel leaders' exile but it focuses on rebel leaders' experience of exile *before* conflict.

Before the advent of a global justice paradigm, the principle of state sovereignty dictated criminal jurisdiction, allowing states to offer amnesty for even the most heinous crimes. During this period, rebel leaders enjoyed greater flexibility in negotiating ways to avoid legal repercussions for serious offenses. I argue that such avenues for impunity are increasingly unfeasible in today's conflict contexts, compelling warlords to consider fewer options for negotiating immunity, and consequently, to be more inclined to select exile.

Yet, states vary in their susceptibility to the international justice regime—a system embodying a range of legal standards, principles, and frameworks aimed at prosecuting and preventing gross violations of international law, such as war crimes and genocide. I argue that the more a state is subject to the influence of this regime, the higher the probability that rebel leaders, accused of serious crimes, will seek exile. Moreover, while the international justice regime heightens the propensity for rebel leaders to opt for exile, I argue, it simultaneously narrows their options for exile destinations. In the past, rebel leaders could consider a wide array of countries as potential safe havens. However, the current landscape compels those culpable of violations to more meticulously seek havens, prioritizing locations with a reduced risk of arrest and prosecution by international and foreign courts exercising universal jurisdiction.

I test these claims using original dataset on rebel leader's exile. To examine state's susceptibility to the international justice regime – the main explanatory variable, I focus on two pivotal mechanisms through which international justice exerts influence on a country: 1) the degree to which a state honors international legal mandates to eliminate impunity for international crimes, and 2) the direct intervention of the International Criminal Court (ICC) on the country.

Using a propensity score weighting analysis, I find that a heightened commitment to international justice by home states and increased involvement of the ICC within a country lead to

a greater propensity for culpable rebel leaders to choose exile. Furthermore, culpable rebel leaders for serious crimes now choose to go exile into places with lower risk of international prosecutions, compared to non-culpable rebel leaders after the global justice cascade.

Exile as a Strategy to Evade Domestic Punishment

Exile is defined as a period of forced or voluntary absence from one's home country (Binningsbø et al., n.d.). The constrained reach of state legal jurisdictions beyond their borders complicates the home state's ability to prosecute or punish those crossed national borders, making exile a strategic exit option for political actors facing punitive prospects (Krcmaric 2018).

Historically, numerous rebel leaders have resorted to exile. Also, although the scholarly examination of rebel leaders' exile is limited, rebel leaders' exiles often bring critical impact on rebel group's leadership structure, rebel's sphere of operation, civil war outcomes, and the relations between rebel's home state and host state where the rebels reside.

For instance, Laurent Nkunda, the former Congo rebel leader of the National Congress for the Defense of the People (CNDP) fled to Rwanda after a negotiation failed, and the exile brought a leadership change in the CNDP and a significant reduction of its activity. Conversely, exiled rebel leaders frequently continue to direct their organizations from afar—which enable rebel leaders to prolong conflict with lower costs and risks associated with continued fighting. For instance, Afghan rebel leader Hekmatyar and Chadian rebel leader Erdimi both exercised prolonged remote leadership during their respective exiles, enduring for 22 and 17 years. In extreme cases, the presence of exiled rebel leaders can lead to violence in the host countries, as seen when Yasser Arafat's (head of the Palestine Liberation Organization; PLO) stay in Jordan and Lebanon triggered military conflicts with the Jordanian government and prompted Israel's invasion of Lebanon. These

instances highlight how the exile of rebel leaders is not merely a separate phenomenon but a crucial factor that can shed light on the dynamics of civil wars and interstate violence.

A productive entry point for researching rebel leader exile involves recognizing it as a strategy to circumvent domestic reprisal. The range and severity of potential state repercussions may vary—encompassing torture, legal prosecution, and extrajudicial executions, but regardless of this, rebel leaders strive to avoid such outcomes (Prorok 2015; Prorok 2017). Exile emerges as a crucial tool for these leaders to bypass repercussions or to buy time until conditions improve. This emphasizes that rebel leaders' decisions to seek exile are heavily influenced by the probability of facing domestic punishment, or stated differently, the extent to which rebel actors manage to avoid such punitive measures.

Room to Negotiate Impunity and the International Justice Regime

Rebel groups often safeguard themselves from domestic prosecution by negotiating impunity options, such as amnesty, with the government. Amnesties are legal provisions tailored to nullify the threat and repercussions of criminal liability for specific individuals or groups (Freeman 2009). These mechanisms mitigate rebel's fear of arrest and prosecution, thereby paving the way for peaceful negotiation. They encourage rebels to disarm and demobilize and to engage in peaceful conflict settlement with the government (Mason, Weingarten & Fett, 1999; Daniels, 2020). Consequently, the availability of such an impunity option diminishes the necessity for fleeing abroad.

However, the room to negotiate impunity is increasingly challenged by international legal developments. In the last two decades, there has been a growing consensus against impunity for serious crimes, marked by an uptick in human rights trials globally (Kim and Sikkink 2010) and

stronger obligations for states to prosecute international crimes such as war crimes and crimes against humanity. This evolving legal landscape, though varying by country, curtails states' discretionary power to offer amnesty for those accused of serious crimes against international law (Freeman, 2009; Goldsmith & Krasner, 2003; Snyder & Vinjamuri, 2003; Ginsburg, 2009).

(Uneven) State's Susceptibility to International Justice Regime

I argue that as the home state becomes increasingly susceptible to the international justice regime, its discretionary power to negotiate impunity options with rebels is undermined, consequently compelling rebel leaders responsible for international crimes to seek exile more frequently. I propose two theoretically distinct mechanisms that determine the extent of the international justice regime's impact on a state's ability to negotiate impunity: 1) a state's voluntary legal commitment to international justice, and 2) intervention by the International Criminal Court (ICC). The two mechanisms showcase contrasting country characteristics: the former is by adhering to international law and the other is by failing to do so (and hence triggering the intervention by the ICC).

State's Voluntary Commitment to International Justice

The international justice regime's impact on a country can first be exerted through a voluntary legal commitment to international justice. This mechanism hinges on a state's compliance with international justice norms and laws, reducing the likelihood of impunity for serious crimes, such as amnesty and pardon. A state's legal commitment to international justice can be largely demonstrated by 1) *domestic law* which incorporates anti-impunity principles for serious crimes, 2) ratifying *international treaties* which mandates the punishment of international

crimes, and 3) exercising *universal jurisdiction* to prosecute international crimes that occurred elsewhere. Given that this study focuses on the cases of granting amnesty to rebel actors that committed crimes in the country, the first two mechanisms are the most relevant in deciding the room to negotiate impunity between state and rebels.

These institutional commitments make it challenging for state actors to facilitate amnesty or other forms of impunity for serious crimes. Even if amnesty is initially promised, its implementation is likely to be impeded if the state is legally bound by its commitments. For instance, domestic courts in Nepal, Sierra Leone, and Argentina have invalidated amnesty previously granted to individuals responsible for serious human rights abuses. Similarly, the Inter-American Court of Human Rights invalidated amnesty laws that obstructed human rights trials in Peru and elsewhere. Such legal constraints that are to respect international legal norms reduce the leverage rebel leaders can negotiate for impunity and consequently drive them to consider exile more easily. While fleeing does not guarantee safety, the increased risk of prosecution within their home country is expected to drive rebels to consider alternatives abroad. This leads to the following set of hypotheses.

Hypothesis 1a: *The incorporation of domestic laws for the prosecution of international crimes increases the likelihood of rebel leaders responsible for such crimes choosing exile.*

Hypothesis 1b: *As states ratify more international treaties mandating punishment for international crimes, rebel leaders responsible for international crimes are more likely to go into exile.*

ICC Intervention

The second mechanism through which the international justice regime influences a country is by the ICC intervention. The Rome Statute, the treaty establishing the ICC, for the first time in the history of international law, explicitly states that "immunities" or special procedural rules, such as amnesties, do not impede the pursuit of justice (Article 27(2) of the Rome Statute; Jeffery 2014). Under this provision, the ICC may initiate investigations into crimes in countries deemed "unwilling" or "incapable" of independently administering justice, even in the presence of an amnesty agreement. Such involvement by the ICC influences peace processes. For example, during peace negotiations between the Ugandan government and the Lord's Resistance Army (LRA) in 2006, the ICC issued arrest warrants targeting the commanders of LRA, and it complicated the peace deal and ultimately led to the failure of the talks. Joseph Kony, the leader of the LRA, is known to have fled the country and still remains at large. As it shows, when the international justice regime impacts a rebel group's home country through proactive ICC intervention, a culpable rebel leader is more likely to anticipate a heightened risk of prosecution and see diminished opportunities to negotiate impunity. This leads to the following hypothesis:

Hypothesis 2: *As the ICC intervention increases in home state, rebel leaders responsible for international crimes are more likely to go into exile.*

Where to Flee?

An increasing threat of prosecution in their home country compels rebel leaders to seek exile, yet such a move does not ensure safety. If a rebel leader is responsible for serious crimes, such as war crimes, genocide, or crimes against humanity, he/she remains targets for the International Criminal Court and foreign courts exercising Universal Jurisdiction (UJ).

Many states have heightened surveillance mechanisms to identify and prosecute suspected war criminals among refugees and asylum seekers using UJ (Boaz and Schoenberg 2002; Johns, Langer, Peters 2022). For instance, between 2005 and 2012, UK immigration officials identified over 700 suspected war criminals within asylum-seeking populations (BBC 2013).² Reports of similar cases have surfaced from various regions, particularly in Europe. In the past two decades, over 20 rebel commanders faced UJ trials during their exile or asylum-seeking phase. Table 2 provides select examples of this unprecedented trend in international justice.

Table 1: Examples of Rebel Leaders Targeted by Foreign Courts (Universal Jurisdiction)

UJ Country	Leader Name (Group, Home Country)	Outcome
France	Mahamat Nouri (UFDD, Chad)	Arrested and detained
	Islam Alloush (Jaysh al-Islam, Syria)	Arrested and detained
	Kunti Kamara (ULIMO, Liberia)	Arrested and trialed in Switzerland
Germany	Ignace Murwanashyaka (FDLR, DRC)	Arrested and in custody
	Ibrahim AI F. (Ghurabaa al-Sham, Syria)	Arrested, trialed, acquitted
Switzerland	Aliou Kosiou (ULIMO, Liberia)	Arrested and trialed
Netherlands	Abu Khuder (Ghuraba'a Mohassan, Syria)	Arrested and trialed
Belgium	Martina Johnson (NPFL, Liberia)	Arrested and detained
USA	Mohammed Jabbateh (ULIMO, DRC)	Arrested and trialed

² <https://www.bbc.com/news/uk-23495314>

As shown in Table 1, a majority of UJ prosecutions targeting rebel leaders are carried out in European countries. [This means that rebel leaders are likely to face a higher risk of arrest and prosecution in these countries.](#) Even if a country has not had many opportunities to exercise UJ, states that are more committed to international legal norms for prosecuting international crimes are more likely to cooperate in the extradition of targeted criminals residing within their borders upon outside request (from international criminal tribunals or foreign courts), or to prosecute such individuals in their own courts in the future.

Lastly, akin to how the active involvement of the ICC in a rebel leader's home country increases the perceived risk of prosecution, rebel leaders would likely avoid entering countries with high ICC involvement. Given the range of options for exile, I expect that a culpable rebel leader would decide to go to countries with has a lower risk of UJ prosecution, lower commitment to international legal norms, and lower ICC involvement. Conversely, non-culpable rebel leaders, who are not associated with committing serious crimes, should care less about such factors. This leads to the last hypothesis:

Hypothesis 3: *Culpable rebel leaders will systematically choose exile destinations with significantly lower risk of international prosecution, whereas non-culpable rebel leaders will exhibit no significant preference in their exile destinations.*

Research Design

My theory posits that as states exhibit greater adherence to international law, the space for negotiating impunity diminishes, leading to more frequent instances of rebel leaders' exile. This theory applies specific to rebel leaders who committed serious crimes, since international law's restricting of amnesty focuses on those who committed serious violations against international law. In other words, my theory expects an interaction effect between a state's susceptibility to international justice and a leader's culpability for serious crimes on the likelihood of exile.

To explore this proposition, I employ original data on rebel leaders' exiles, supplemented with existing data on states' legal commitments to punishing international crimes, ICC intervention, and the culpability of rebels for serious crimes. The analysis is conducted at the leader-year level for to the period between 1989 and 2017.

Data

To analyze the exile patterns of rebel leaders, I constructed an original dataset which identifies dates and destinations of rebel leaders' exile and their relocation after the first exile, including their return to home country. The dataset is based on list of rebel leaders identified by Prorok (2016) who came to power between 1945 and 2011, and initial coding work by Prorok in leader's incident of rebel exile due to conflict. Building upon these, I have compiled and updated details on the destinations of exile and tracked their relocations after first exile up until 2023. The data set is composed of 452 rebel leaders of 244 unique rebel groups. The unit of analysis is the leader-year which yields 13,330 rebel-year observations.

Dependent Variable: Rebel Leader Exile

The dependent variable for the first two hypotheses is a binary indicator for whether a rebel leader goes into exile in a given year (Leader Exile). For observations, I coded the exile variable using news reports and secondary sources.³ Among 452 total rebel leaders, 91 rebel leaders went into exile (approximately 20.2%). Among those exiled, 75 leaders were living in exile while still holding leadership positions (82.4%).

Independent Variables: State's Susceptibility to International Justice

a) *Domestic Law*

The first independent variable is a dummy variable indicating whether a rebel's home state's *Domestic Law* incorporates anti-impunity principles for serious crimes. I code this variable using information on whether a state's law adopts Universal Jurisdiction for war crimes – obligating states to prosecute war crimes beyond traditional bases of criminal jurisdiction. This means that a state is obligated to prosecute war criminals even when the perpetrator is not a national, the crime was not committed within the state's territory or against its nationals, and the state's own national interests are not directly implicated. Although rebel groups are likely their own nationals, a state's legal commitment to punishing war crimes can effectively proxy the state's commitment to respect international legal norms to curb impunity – which is likely to be associated with the state's willingness to negotiate impunity options with rebel actors. This variable is coded by digitizing existing text-based data from the International Humanitarian Law (IHL) Databases, curated by the International Committee of the Red Cross (ICRC). This variable is codified as '1'

³ The dataset meticulously documents instances of exile and relocation, including sources with links for detailed information on each incident. Additionally, the dataset's "Note" column provides details on tricky cases and the rationale behind the variable coding. Three researchers cross-checked the coding.

for all years when a state incorporates laws that mandate punishment for war crimes, and ‘0’ otherwise. **Figure 1** illustrates the varying degrees of domestic legal adoption of Universal Jurisdiction in War Crimes after the year 2000. Most states (darker) had such domestic laws continuously after 2002, but some countries in lighter colors adopted the law intermittently after 2002.

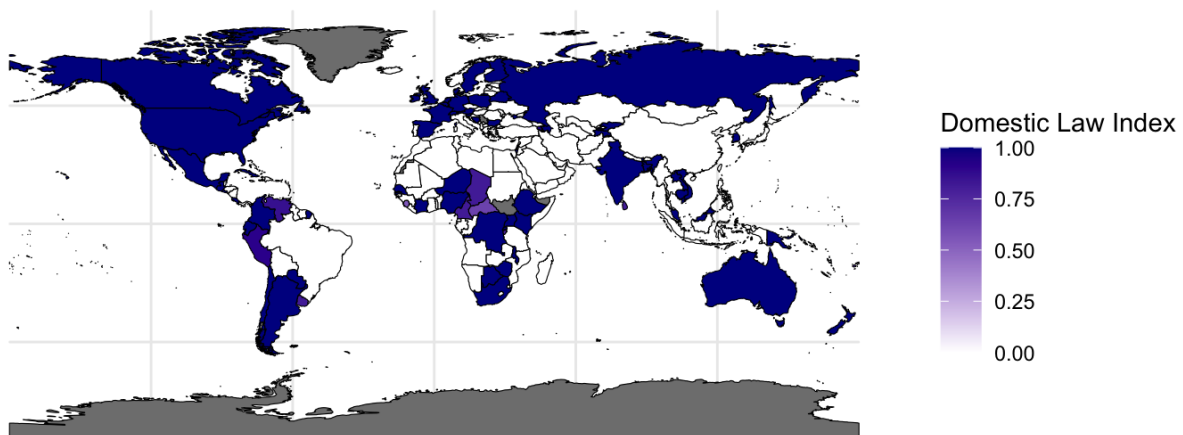


Figure 1: Domestic Legal Adoption of Universal Jurisdiction (UJ) in War Crimes after 2002.

b) International Treaty Ratification

The second independent variable pertains to a state’s *Ratification of International Treaties* mandating prosecution for international crimes. These treaties encompass twelve international agreements specified by International Humanitarian Law (IHL) as treaties related to the right of states to vest universal jurisdiction in their national courts over war crimes. They include: The Genocide Convention (1948), Geneva Conventions (1949), Hague Convention for the Protection of Cultural Property (1954), the Convention on Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (1968), the Convention against Torture (1984), The Inter-American Convention on Torture (1984), The Inter-American Convention on Forced

Disappearance of Persons (1987), Convention on the Safety of UN Personnel (1994), Convention on Certain Conventional Weapons (1996), Ottawa Convention on Anti-Personnel Mines (1997), the Rome Statute of the International Criminal Court (1998), and the International Convention for the Protection of All Persons from Enforced Disappearance (2010). Each treaty ratification year is assigned a value from 0 to 1, reflecting the ratio of international treaty ratifications. The denominator is the total number of treaties that could be ratified by the country in the given year, and the numerator is the total number of treaties the state has ratified. **Figure 2** illustrates the mean ratio of treaty ratifications by states after 2002, showing that countries in South America, Europe, and Canada exhibit the highest commitment to international justice, as proxied by their treaty ratification.

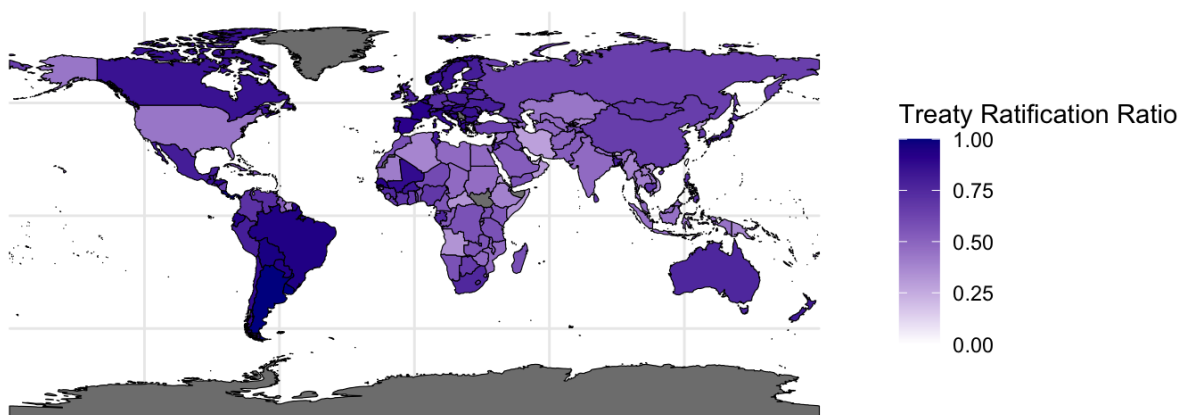


Figure 2: Mean ratio of treaties ratifications obligating punishment for war crimes after 2002.

c) *ICC Intervention*

The third measure of a state's susceptibility to international justice is *ICC intervention*. This variable, drawn from an existing dataset (Prorok 2017), encompasses cases of ICC involvement from 2002 to 2014. ICC intervention is treated as a continuous variable that captures the degree of the Court's engagement within a country. When the ICC initiates a case, it typically

conducts a broad investigation into crimes that have occurred within a specific country. Initial ICC actions are less threatening to state leaders than later-stage proceedings because the likelihood and imminence of punishment increase as cases advance. The variable is coded as 0 if there is no ICC involvement, with an increment of 1 for each subsequent action taken by the Court, such as initiating a preliminary examination or investigation, issuing arrest warrants, and conducting hearings or trials. The variable ranges from 0 to 14. For analytical purposes, the natural log is applied, resulting in a transformed range between -2 and 2. **Figure 3** illustrates the extent of ICC involvement after 2002.

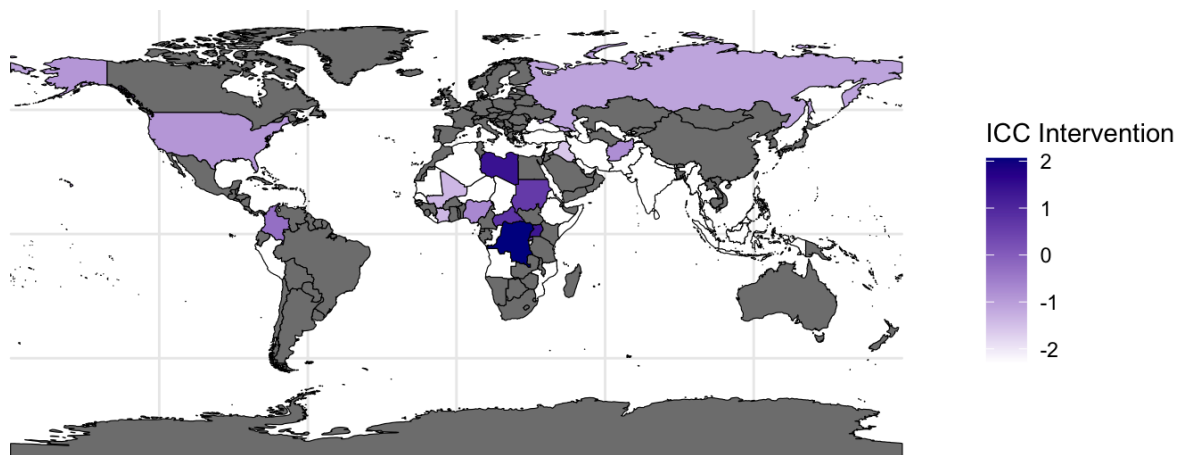


Figure 3: Extent of ICC Intervention Since 2002.

Conditioning Variable: Leader Culpability for Serious Crimes

The primary objective of this variable is to assess the likelihood of punitive actions against rebel leaders responsible for serious offenses. The underlying assumption is that individuals implicated in severe crimes are subject to punishment, even if they cease such activities in later periods. Notably, neither a decrease in the extent of targeting civilians nor a cessation of criminal activities in subsequent years exempts a leader from responsibility for previous violations.

To operationalize "Leader Culpability," I examine rebel groups' involvement in actions classified as war crimes under international law, specifically targeting civilians and engaging in slavery, over the course of their wartime leadership.

Civilian targeting is measured using One-Sided Violence (OSV), which quantifies the annual number of civilian fatalities from intentional attacks by a group, according to the GED dataset (Melander & Sundberg, 2013). A leader is coded as culpable (1) if responsible for at least 25 civilian deaths within a year, with this categorization continuing in subsequent years. Data suggest that 134 of 452 rebel leaders (29.6%) at some point crossed the Rubicon for OSV.

To evaluate *wartime slavery*, the Contemporary Slavery in Armed Conflict (CSAC) dataset is utilized which documents instances of enslavement during armed conflicts, including child soldiers, sexual exploitation/forced marriage, forced labor, and human trafficking (Smith, Datta, & Bales, 2022). A code of '1' is assigned if the group commits any form of slavery during the leader's tenure and in the years that follow. Data suggest that 314 of 452 rebel leaders (69.5%) crossed the Rubicon regarding wartime slavery.

Accordingly, the *Leader Culpability* variable is assigned a value of '1' starting from the first year in which the rebel group engages in any of the aforementioned crimes during the leader's tenure, and '0' for years without such grave offenses up to the year under investigation. 319 of 452 leaders (70.6%) at one point crossed the Rubicon and were deemed culpable for serious crimes.

Modeling Strategy

A state's vulnerability to the international justice regime is influenced by a multifaceted set of factors, such as geopolitical alignments, economic stability, and human rights records. These factors lead to a non-random distribution that complicates the direct attribution of rebel leader exile to a state's commitment to international law or ICC involvement.

To address potential bias from these confounders, I use Inverse Probability of Treatment Weighting (IPTW) with propensity scores estimated via boosted models (Zhu, Coffman, and Ghosh 2014). The boosted algorithm to estimate propensity score is particularly effective in addressing the curse of dimensionality, a common issue in traditional nonparametric density estimation methods (Zhu, Coffman, and Ghosh 2014). For binary treatments, I estimate standard propensity scores, whereas for continuous treatments, I estimate generalized propensity scores, reflecting the conditional densities of treatment levels given observed covariates (Fong, Hazlett, and Imai 2018; Hirano and Imbens 2004). I derive weights from these scores, inversely proportional to the estimated propensity, to balance covariate distributions across treatment levels, thereby reducing potential bias. These weights are applied in Generalized Linear Models (GLMs), which adjust for differences in covariate distributions across treatment levels.

To further enhance the robustness of my findings, I implement double robust estimation techniques, which adjusts for confounders in the outcome regression model (Bang and Robins 2005). The generalized propensity score estimators with inverse-probability weights are efficient when the outcome model is correctly specified, but unbiased when misspecified (Kang and Schafer 2007). Double robust estimation addresses this issue by providing valid estimates of treatment effects as long as either the model for the propensity score or the model for the outcome is correctly specified.

Control Variables

I adjust for several variables expected to influence a leader's decision to go exile, which may also contribute to the key treatment variables. I include control variables that can influence leader's decision to exile and state's incentive to make a peace deal.

First, I account for the State's One-sided Violence (*State OSV*) to address the assertion that a government's culpability for serious crimes might incentivize state officials to forgive crimes committed by the opposition (Nalepa and Powell 2016; Prorok 2017). This is a log transformed count of OSV by government in the given year. I also control a dummy variable indicating rebel's *Territorial Control*, derived from the NSA dataset (Cunningham, Gleditsch & Salehyan, 2012). If a rebel group controls territory, the leader is less likely to seek asylum abroad, preferring instead to remain within the controlled domestic area.

Furthermore, I control for *Conflict Duration* (ln), leader tenure (in months), *Rebel Strength* (from NSA dataset), and *Incompatibility* (whether conflict is for territory or/and government from UCDP) to address the conflict intensity and the military vulnerability of rebel groups, which can affect the likelihood of rebel exile.

I also control *External Support* rebel receives. Rebel groups with external backing are more likely to find refuge, thus facilitating exile. Also, studies show that rebel groups who receive external support are more or less prone to attack civilians (Salehyan et al., 2014; Fortna et al., 2018; Huang & Sullivan, 2020; Stein, 2022).

Lastly, I control for home state's *Regime Type*, since democracies may have built-in mechanisms for incorporating international law into domestic systems, so their interconnectivity might be deeper than state's susceptibility to international justice. I use V-dem's liberal democracy index which includes a rule of law component (Coppedge et al., 2023).

Results and Discussion

Utilizing the weighted dataset, Figure 1 presents coefficient estimates from a series of logistic regression models assessing the impact of key independent variables (IVs) conditioned by rebel leaders' culpability for serious crimes. Covariate balances and full regression results are detailed in the Appendix.

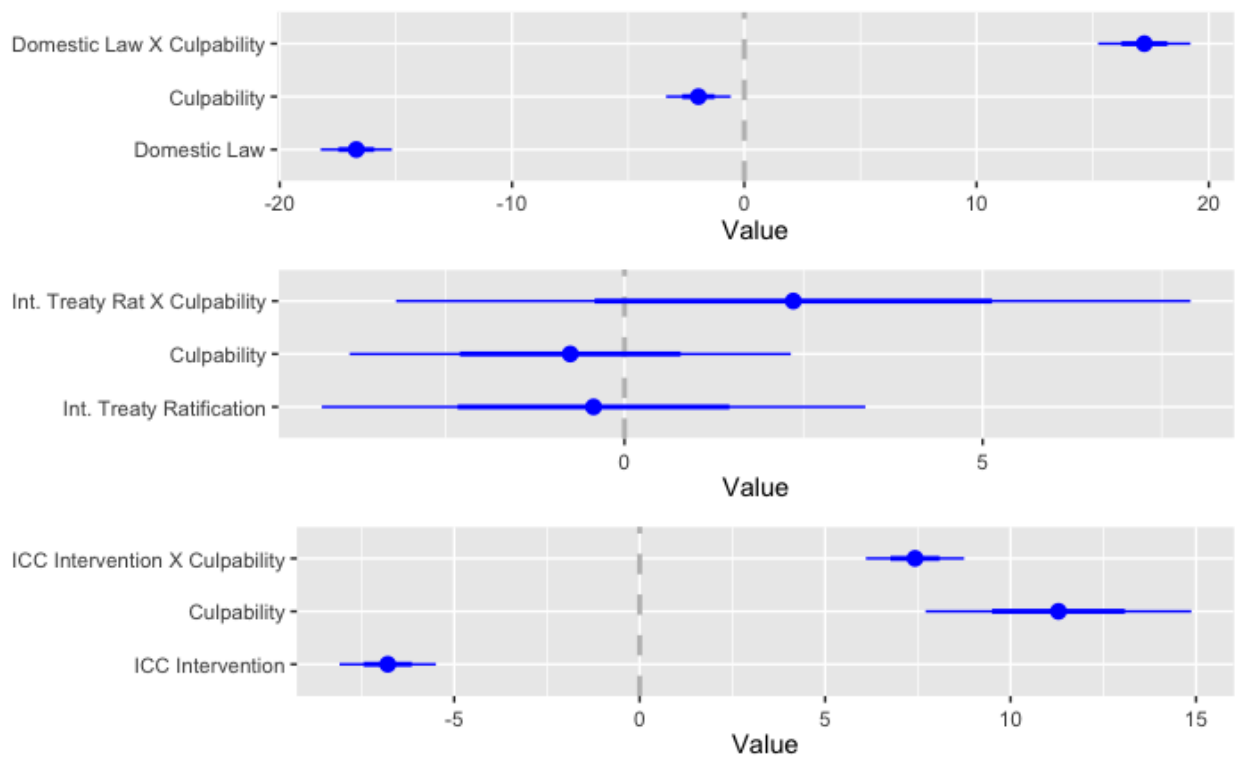


FIGURE 4: Effects of International Justice Regime on Rebel Leader Exile

Figure 1 illustrates the coefficient plots for key independent variables and their interaction with leaders' culpability. The result in the top pane shows that domestic legal adoption and leader culpability alone do not lead to more leader exile and may even result in less exile. However, when

the leader is culpable and domestic law adopts active punishment for war crimes, leaders are more likely to be exiled.

The middle pane indicates that a state’s international treaty ratification is not a significant predictor of rebel leader exile. Nevertheless, while ratification and culpability are negatively associated with leader exile, their interaction is associated with more leader exile.

Moving to the bottom pane, the result shows, ICC intervention itself is negatively associated with leader exile. However, when the leader is culpable for war crimes, increased ICC intervention leads to a higher likelihood of rebel leader exile.

Overall, the results consistently support the hypotheses: As a country's vulnerability to the international justice regime increases, so does the probability of a culpable rebel leader seeking exile. This effect is most pronounced with the state's incorporation of international legal norms into domestic law and ICC intervention.

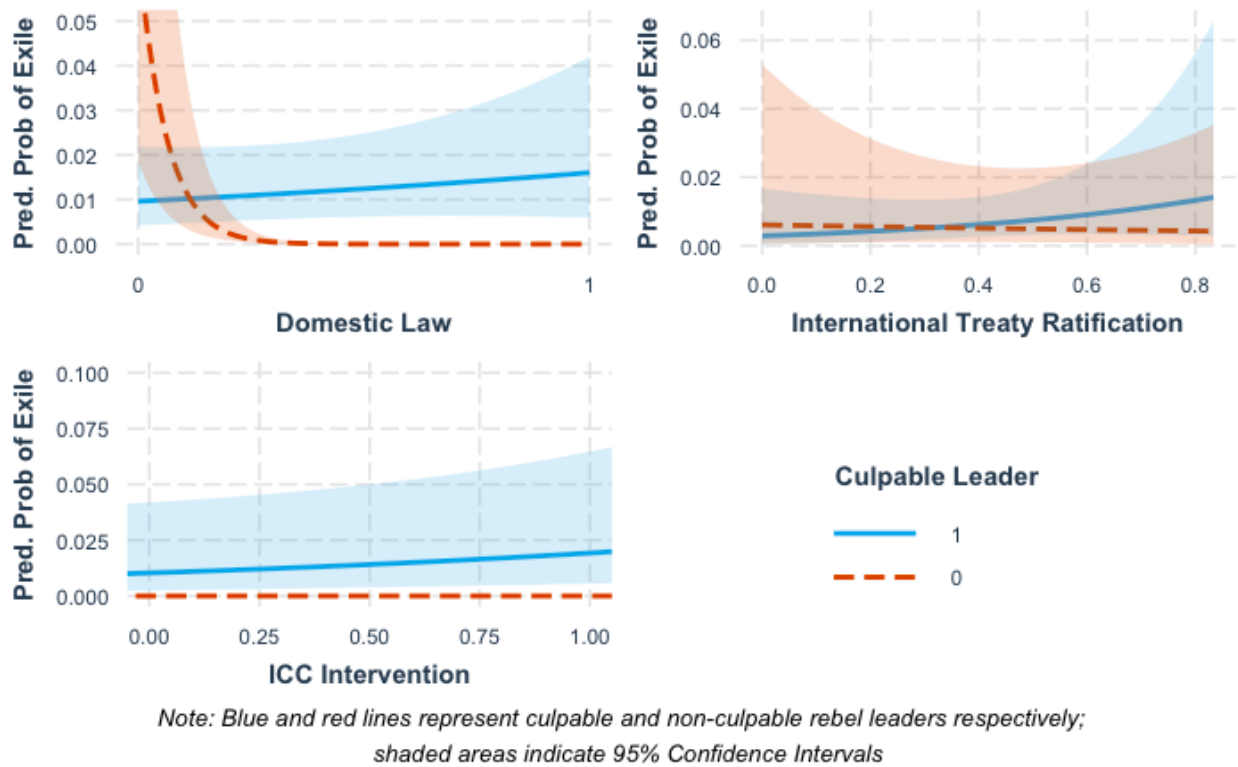


Figure 5: Predicted Probability of Rebel Leader Exile

Figure 5 presents the predicted probabilities derived from the same models as above. Consistent with the findings from the coefficient plots in Figure 4, culpable leaders are more likely to go into exile as the susceptibility to international legal measures increases within the home state. The effect is not found for exile pattern of non-culpable rebel leaders.

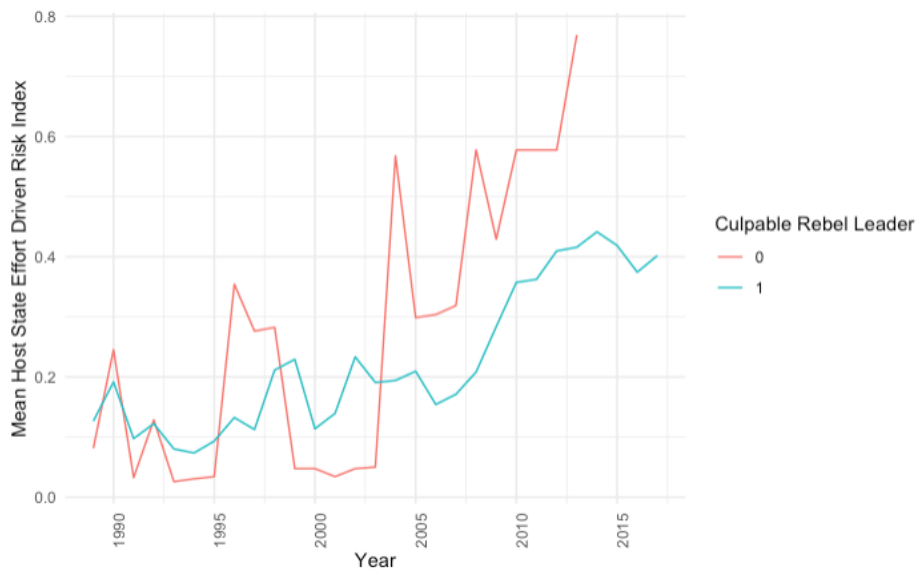
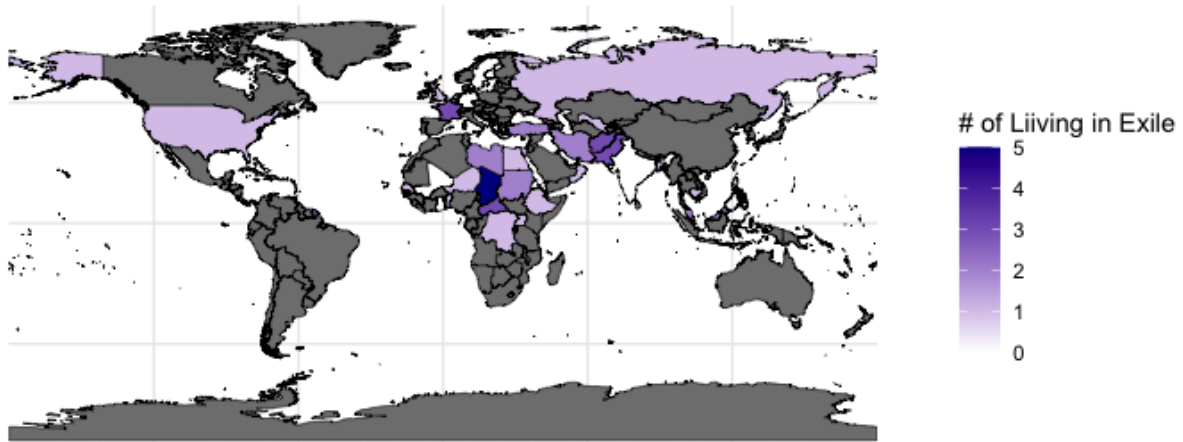


Figure 6: Mean State Commitment Index of Rebel Exile Destination

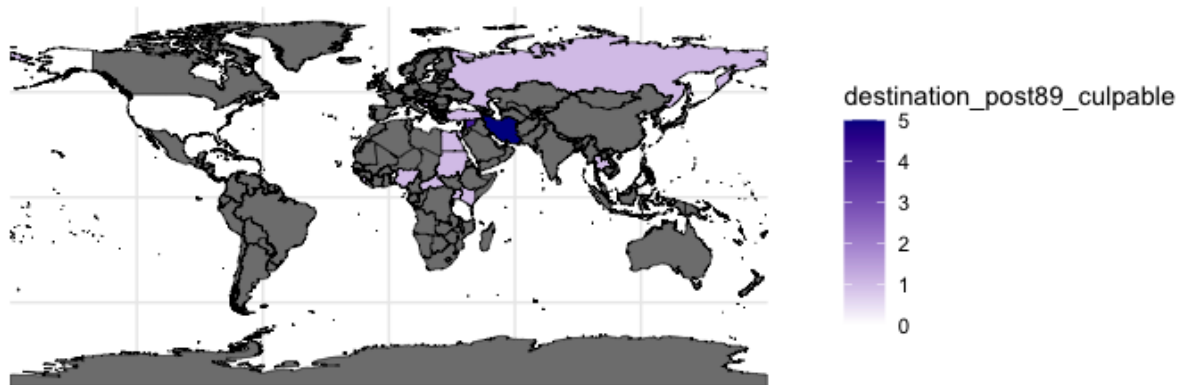
Regarding my last hypothesis about exile destination, I have not yet tested the hypothesis, but provide a descriptive assessment. **Figure 6** displays data on where rebel leaders sought exile between 1989 and 2017, with red and blue lines indicating the mean score of the host state’s commitment to international justice—a proxy for the potential risk of UJ prosecution. Due to systematic inflation, the risk index has risen over time for all states, owing to a growing number of international treaty ratifications and the recent increase in UJ practices. Nonetheless, Figure 6 reveals that from 2003 onwards, the exile destinations for culpable rebel leaders have a lower mean

risk score compared to those of non-culpable leaders, indicating that while non-culpable leaders may choose locations with higher risks, the options for culpable leaders are limited to areas with a lower threat of prosecution. Given the justice cascade of the late '90s and the first ICC indictment of a rebel leader in 2003, it is plausible that rebel leaders began to perceive the threat of international prosecution during this period, influencing their decision to seek exile in countries with reduced international/UJ prosecution risks.

Lastly, **Figure 7** depicts maps indicating the locations where non-culpable (top) and culpable exiled leaders (bottom) reside after their exile in the Post-98 era. This includes the destinations where rebel leaders relocated after their initial exile, excluding their home state. Due to the limited number of non-culpable leaders after 1998, I determined leader culpability based on the OSV crimes. The results suggest, as predicted by the theory, non-culpable rebel leaders reside in a broader range of countries — including some European countries and the United States — while culpable leaders have a narrower selection of countries to seek refuge in.



(Leaders Non-Culpable for Civilian Targeting)



(Leaders Culpable for Civilian Targeting)

Figure 7: Safe Havens for Rebel Leaders in Post-98

Conclusion

In this paper, I have demonstrated how the international justice regime influences rebel leaders' decisions to seek exile. Contrary to existing studies which shows that the international justice regime undermines the options for state leaders' exile, this study shows that its impact on rebel leaders might differ. Rebel leaders, unlike incumbent state leaders, must confront the risk of prosecution both domestically and internationally. This research has demonstrated that as a rebel's home country's adherence to the international legal regime strengthens, rebel leaders increasingly

consider exile, particularly as the prospect of negotiating impunity and evading punishment becomes more challenging. More specifically, the paper reveals that a state's incorporation of international norms into domestic law and the ICC's involvement enhance the likelihood of rebel leaders opting for exile, suggesting that the international justice regime diminishes the prospects for negotiated settlements. In terms of justice, this indicates that the international justice regime exerts a positive impact by restricting the options available to criminals.

Furthermore, I have discussed how exile does not ensure safety for culpable rebel leaders, who remain vulnerable to ICC and UJ prosecutions. The findings demonstrate that culpable rebel leaders are now more circumspect in their choice of exile destinations due to the increased prosecutorial threat posed by many countries. Considering that the UJ practice is growing rapidly in recent years, this trend is expected to grow more salient.

These findings have significant implications and open numerous avenues for future research in the literature on civil conflict, internationalized civil wars, and the impact of international legal organizations. First, previous studies indicate that rebels' access to safe havens escalates interstate violence between the rebels' home country and the host country, as well as increases in civilian killings by rebels. Future research should empirically assess how these dynamics are evolving in the current context, where rebels' access to safe havens is increasingly compromised. Moreover, further investigation is warranted into how this changing landscape broadly affects the operations and external support of rebel groups.

Second, this study sheds light on the nuanced impact of international legal norms and institutions. Contrary to the growing skepticism towards the International Criminal Court (ICC) and the international justice regime more broadly, our findings suggest that international justice

institutions are effectively narrowing the operational scope for those responsible for human rights violations, supporting Krcmaric's (2018) assertion.

Lastly, this study enhances the refugee and immigration literature by delineating overall trends in the refugee flows of individuals accused or convicted of war crimes, alongside significant policy implications. It posits that when a country vigorously enforces international legal norms against impunity and proactively seeks justice—such as by exercising Universal Jurisdiction—it can deter war criminals from entering its territory. This proactive stance against impunity not only demonstrates a commitment to international law but also influences the composition of refugee and immigrant inflows, effectively signaling to those implicated in serious crimes that their presence is fraught with significant legal peril.

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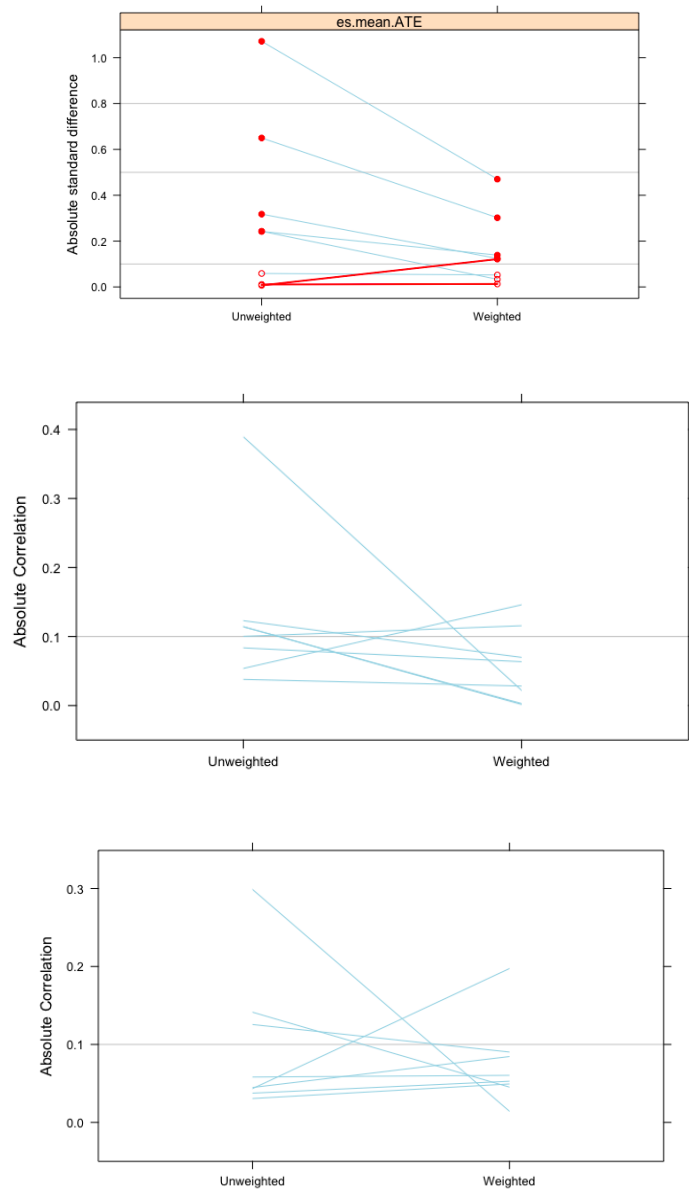
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Appendix

	M1	M2	M3
	Domestic Law	Treaty Ratification	ICC Intervention
Domestic Law	-16.70*** (0.77)		
Culpability	-1.98** (0.70)	-0.76 (1.54)	11.29*** (1.79)
Domestic Law X Culpability	17.22*** (0.99)		
Treaty Ratification		-0.43 (1.90)	
Treaty Ratification X Culpability		2.36 (2.77)	
ICC Intervention			-6.79*** (0.65)
ICC Intervention X Culpability			7.42*** (0.66)
Government OSV	-0.00 (0.00)	-0.00 (0.01)	-0.00 (0.02)
Leader Tenure (ln)	-0.00 (0.00)	-0.01** (0.00)	0.01 (0.00)
Territory Control	-0.78† (0.45)	0.12 (0.45)	-2.33 (2.06)
External Rebel Sponsorship	0.13 (0.54)	-0.79† (0.47)	1.54 (1.04)
Incompatibility	0.84 (0.53)	0.00 (0.41)	1.89* (0.93)
Conflict Duration (ln)	-0.36* (0.17)	-0.40* (0.16)	-0.05 (0.21)
Rebel Strength	-0.13 (0.31)	-0.17 (0.26)	0.05 (0.60)
Regime Type	-0.54 (2.06)	-2.49 (1.60)	-3.06 (2.89)
(Intercept)	-1.80† (1.04)	-1.51 (1.46)	-18.50*** (2.83)
Deviance	326.18	240.78	84.14
Dispersion	0.86	0.88	4.63
Num. obs.	1502	1502	619

*** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$; † $p < 0.1$

A. Table 1. Regression Table for Exile Leaders (M1-M3)



A. Figure1: Covariate Balance Before and After Propensity Scorer Weighting (For Model 1, 2, and 3 respectively)