Legal status refers to legal personality i.e. the capacity to have rights and bear responsibilities under a legal system.

The humanitarian rules of the law of armed conflict [1], and the special agreements [2] for which they provide, do not affect the status of the parties to the conflict - i.e. armed groups [3] - or of an occupied territory [4]. IHL applies without further implication as to their legal personality under other branches of international law. Hence, the application of IHL to armed groups, for instance, does not imply that they have acquired international legal personality or does not amount to the recognition of belligerency. This is explicitly mentioned in Common Article 3 of the Geneva Conventions.

See Status [5]; Armed groups [3];
Common 3/4 [8] (see ICRC updated Commentary [9])

PI, 4 [10] and 5/5 [11]

CASES

ICRC, International Humanitarian Law and the challenges of contemporary armed conflicts in 2015 [12] (Paras. 101 [13], 110 [14], 113 [15], 114 [16])

Colombia Peace Agreement [17]

Source URL: https://casebook.icrc.org/glossary/legal-status-parties

Links

[3] https://casebook.icrc.org/glossary/armed-groups
conflicts-2015#challenges-2015-para101


