

## CHAPTER V

### CONCLUSION, LIMITATION, AND RECOMMENDATION

#### A. Conclusion

After the elaboration and in-depth discussion in the above chapters, there are some conclusions that can be concluded to this research with the title International Law Approaches to the Terrorism Conduct of Islamic State of Iraq and Syria (ISIS) follows:

1. State recognition can regard if theory of state, recognition *de facto* and recognition *de jure* fulfilled. Since ISIS cannot qualify as a state in recognition *de jure* and as evidence presented throughout ISIS, ISIS can rightfully be regarded as a terrorist organization, rather than a state, and that categorizing as a terrorist group. With facts of ISIS attacks in several countries that causes death, civilians' injury and making inconvenience public to peace and security, according to the United Nations Security Council Resolutions 1566, article 2 paragraph 1 International Convention for The Suppression of Terrorist Bombings, ISIS category as a terrorist group.
2. The Security Council has primary responsibility under the United Nations Charter, for the maintenance of international peace and security that clearly list on article 24 in Charter of United Nations. The Security Council had carry out the theory

repressive legal protection by adopting a Security Council resolution, take legal action against ISIS after attacks civilians.

According to the article 5 and 6 Rome Statute International Criminal Court, ICC has a jurisdiction over the crimes against

humanity and genocide that committed by ISIS. Since ICC has a jurisdiction but prosecuting is difficult because conflict is ongoing in Iraq and Syria starting the legal process for

prosecution is almost impossible, group's members of ISIS hail from every corner of the globe and because the group itself is not a subsidiary of any national government and in ISIS's case

since neither Iraq nor Syria are parties to the *Rome Statute*, the ICC cannot legitimately commence an investigation into the group's alleged crimes.

3. International community has taken a lot of efforts to unite to stop ISIS with like air strikes, sending the members of soldiers, delivering hundred tones of military supplies to Iraq, but until now, ISIS still exist. The main are reason weak of the government of Iraq to build a strong unity government, President Bashar Assad of Syria demonstrators that creating a civil war, to spread their ideology and recruit members from social media, millions of dollars in oil revenue to funding financing and the spread of fanatical group ISIS also the main reason why ISIS still exist.

## **B. Limitations**

Although this research was well-prepared, but may still far from being perfect, particularly because:

1. There is a limitation in interviewing the proficient. The researcher should have done an interviewing with the proficient of international terrorism to support this research.
2. The limitation of books and references the researcher can get regarding to this research.
3. The limitation in preparing good and correct grammar in English.
4. There is one more thing to discuss about the human rights victims of terrorism in this research. And the researcher hope it is the time that the next researcher could research the core issue prompt to this.

## **C. Recommendation**

Based on the result of research conducted by the researcher, the researcher gives some recommendations regarding to the title of this research, as follows:

1. ISIS that was originally formed with a good purpose and objective that establish an Islamic State to uphold Islamic Law, can be returned to its original purpose, as well as much a part of the international community in maintaining world peace and security.

2. In order to fight ISIS more effectively, it is necessary to evaluate why the current measures are not working and look at potential alternatives to stopped it.

3. The acts of ISIS terror cannot be tolerated. The international community must unite against ISIS. First, the government in each state need to increase national awareness of terrorist acts following the radical group ISIS that increasingly troubling to the international community. Second, each state must to prosecute crimes committed by ISIS in their own state by using their national law. If they could not stopped ISIS by using the national law then collected the evidence and bring them to International Criminal Court.