

DESCRIPTION FOR THE GENERAL PUBLIC

The terrorist organization the Islamic State, also known as the Islamic State of Iraq and al-Sham, the Islamic State of Iraq and Syria (ISIS), was founded already in 1999 as Jama'at al-Tawhid wal-Jihad, which had beginnings in Al-Qaeda. The peak of the atrocities it committed, including the massacre of Yazidi population in the Sinjar valley in Northern Iraq, falls to the 100 day offensive in 2014. It has been assessed, that before and since that year, the ISIS fighters had been committing an array of international crimes including the crimes of genocide, incitement to genocide, and a variety of crimes against humanity and war crimes.

The main scientific problem of this project is that of the personal jurisdiction over ISIS fighters. So basically, who can be prosecuted for such crimes. The research question to which giving an answer will be attempted is: could ISIS fighters be brought before the international justice system, and which international entity could have jurisdiction over international crimes they committed? In this research a comprehensive analysis of the legal possibilities for the fighters of a terrorist organization ISIS to be prosecuted before international justice system will be made.

The project will be conducted to answer the research question. Doctrinal analysis of legislation and sources of law. Moreover, analysis of case law, as well as International Criminal Court Prosecutor's decisions related to the issues of personal jurisdiction, both, over nationals of state parties to the ICC committing international crimes on the territory of non-state parties to the ICC, and nationals of non-state parties to the ICC committing on the territory of state parties. Additionally, empirical research of case files, will be conducted - to infer how the facts of the particular case could be applied to the new state of facts in the future prosecutions.

The issue of terrorist fighters committing international crimes on territories of Iraq and Syria is not an alienated situation. Currently, there are several armed conflict situations in the MENA region, in which one of the parties to the conflict committing international crimes are terrorist organizations fighters. Moreover, the newly created organization employing terrorist methods has established itself in Syria and started its operation on territories reclaimed from the Islamic State. The HTS aim is to displace Assad and introduce Sharia law. Some of the ISIS fighters have already joined the HTS. Bearing in mind the activities and terrorist methods employed by the terrorist organizations from which the HTS emerged as well as the rebirth of ISIS under the new leader after Al Baghdadi's death, there is a possibility that its fighters will also commit international crimes.

In this situation choosing such a research topic seems to be very important.