The main stages of the case of Darfur:
Taking a closer look at the Commission of Inquiry on Darfur, the Security Council, and the International Criminal Court

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Academic Year 2009/10

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Abstract

The text at hand deals with the situation in Darfur which has been referred by the Security Council via Resolution 1593 to the International Criminal Court. An analysis of the Report of the Commission of Inquiry on Darfur which prompted the referral will be conducted as well as an analysis of Security Council Resolution 1593 itself. In addressing the Report of the Commission of Inquiry on Darfur focus will also be placed on the Commission applied provisions concerning genocide.

Another part of this thesis deals with the practice of the Prosecutor. In so doing the question of why the prosecutor needed more than one and half a year to issue the first arrest warrants will be addressed. Also the Prosecutors interpretation of the elements of the offence of genocide will be discussed and illustrated. Finally, the question of personal immunity accruing to head of states will be ventilated as Pre-Trial Chamber one issued an arrest warrant against President Al Bashir who holds the position of sitting head of state of the Republic of Sudan.
AC       Appeals Chamber
CAT      Convention Against Torture
GA       General Assembly
GVs      Geneva Conventions
ICC      International Criminal Court
ICL      International Law Commission
JEM      Justice and Equality Movement
PDF      Popular Defence Forces
SC       Security Council
SLM/A    Sudan Liberation Movement/Army
TC       Trials Chamber
UNHCHR   United Nations High Commissioner for Human Rights
UNSG     United Nations Secretary General
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2010

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https://doi.org/20.500.11825/1052

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