

**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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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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