

**Mandates of the Special Rapporteur on the independence of judges and lawyers; the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on the situation of human rights defenders**

Ref.: AL SDN 2/2025  
(Please use this reference in your reply)

8 September 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the independence of judges and lawyers; Working Group on Arbitrary Detention; Working Group on Enforced or Involuntary Disappearances and Special Rapporteur on the situation of human rights defenders, pursuant to Human Rights Council resolutions 53/12, 51/8, 54/14 and 52/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning allegations of the enforced disappearance and incommunicado detention since 22 December 2024 of Sudanese lawyer **Khaled Omar Al-Sadiq**.

Information suggests that his case highlights the reported pattern of persecution against legal professionals in Sudan, who continue to face arbitrary arrests, enforced disappearances, and judicial harassment for carrying out their professional duties.

Khaled Omar Al-Sadiq is a 61-year-old lawyer and human rights defender who has dedicated his professional career to defending human rights defenders, activists, and marginalized communities in Sudan. For decades, Mr. Al-Sadiq has worked on cases involving arbitrarily detained political prisoners, victims of human rights abuses, and individuals persecuted under repressive laws. Mr. Al-Sadiq had previously represented pro-democracy activists, journalists, and civilians facing unjust military trials, particularly in the aftermath of the 2018-2019 revolution. He has been widely recognized within the Sudanese community for his commitment to justice and, up until his disappearance, remained one of the few remaining practicing lawyers in his region following the beginning of the conflict in 2023.

Due to his legal advocacy, Mr. Al-Sadiq had been a target of harassment and intimidation for several years, receiving threats from security forces and facing restrictions on his professional work. Despite these risks, he remained committed to providing legal services to marginalized communities and those most in need of legal aid, especially amid the deteriorating situation in Sudan.

On 22 December 2024, members of the Rapid Support Forces (RSF) abducted Khaled Omar Al-Sadiq in front of his home in Khartoum. According to reports, he was taken by military vehicle in the presence of at least seven individuals, without any legal basis or warrant being presented for his arrest. Shortly after his abduction, RSF forces raided his home and confiscated his belongings, including his computer and legal case files, providing, according to reports, a strong basis to the allegation that this abduction was directly linked to his work as a lawyer.

Since his apprehension, Khaled Omar Al-Sadiq has been held incommunicado, with no access to his family or legal representation. To date, no information has been made available about his fate or whereabouts, raising serious concerns regarding his safety and respect for his human rights, as previous reports of incommunicado detentions have been coupled with testimonies of violence and grave inhumane treatment. Furthermore, due to pre-existing health conditions, including scleroderma and impaired vision, Mr. Al-Sadiq's situation is particularly critical.

The information suggests that the apprehension of Mr. Al-Sadiq is not an isolated case but reflects a systematic crackdown on lawyers in Sudan. Reports indicate that since 2023, more than 500 law offices in Sudan have been raided and looted by the RSF, and numerous lawyers, especially those working on human rights cases, have faced arbitrary detention, enforced disappearance, torture, and even extrajudicial executions, violating human rights law, humanitarian law, and article 48 of the Sudanese Lawyers Act. In particular, lawyers who played a role in the 2018–2019 revolution have been deliberately targeted and attacked for their legal work and advocacy for human rights.

Without prejudging the veracity of the allegations, we would like to highlight our serious concern at the allegations of the enforced disappearance of Mr. Al-Sadiq. Detaining a person without a warrant, without access to a lawyer, without judicial oversight, without formal charges, and without access to the outside world, contravenes article 9 of the Universal Declaration of Human Rights and the right of everyone not to be arbitrarily deprived of his or her liberty and to challenge the lawfulness of his or her detention before a court of law and without delay. Without access to a lawyer or family members, detainees are at increased risk of all forms of cruel and inhuman treatment, including torture. We wish to recall that prolonged incommunicado detention amounts to torture and to enforced disappearance<sup>1</sup>.

We would like to express our grave concern that Mr. Al-Sadiq remains missing, allegedly in custody of RSF forces, with his whereabouts unknown. It is deeply disturbing that his family and lawyers have no access to Mr. Al-Sadiq. The circumstances of his disappearance suggest that it could constitute direct retaliation for his legitimate activities as a lawyer and human rights defender.

We are concerned that what has happened to Mr. Al-Sadiq may have a chilling effect on all lawyers in Sudan attempting to carry out their functions and we would like to express our serious concern at information describing actions that appear to seek to impede the work of legal professionals.

We would like to emphasize that the free exercise of the legal profession contributes to ensuring access to justice, oversight of state power, protection of due process and judicial guarantees. These actions are also not in line with the Basic Principles on the Role of Lawyers. Principle 16 states that lawyers: "shall not be subject

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<sup>1</sup> CCPR, *El-Megrissi v. Libya*, Communication 449/1990, 23 March 1994, para 5.4; see also *Celis Laureano v. Peru*, Communication 540/1993, 25 March 1996, para 8.5; *Mukong v. Cameroon*, Communication 458/1991, 24 July 1994, para 9.4; *El Alwani v. Libyan Arab Jamahiriya*, Communication 1295/2004, 11 July 2007, para 6.5; *Medjnoune v. Algeria*, Communication 1297/2004, 14 July 2006, para 8.4.

to, or be threatened with, prosecution or administrative, financial or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics".

Reprisals aimed at stopping the work of these lawyers, such as against Mr. Al-Sadiq, may also have an impact on the fair trial rights of clients in specific cases. International standards on the right to a fair trial state that accused persons should have adequate time and facilities for the preparation of their defence and should be able to communicate with a lawyer of their choice. Clients, especially human rights defenders and those accused of crimes for having exercised their right to protest could be deprived of independent legal representation if lawyers face consequences for representing them.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide detailed information on the current whereabouts and status of Mr. Al-Sadiq, including his state of health.
3. Please provide specific information on the measures taken to investigate the alleged crimes, and if no measure has been taken explain why.
4. Please indicate what measures have been taken to ensure that lawyers, especially those working on human rights issues, are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any kind.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the letter of allegation and the regular procedure.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the

accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

Margaret Satterthwaite  
Special Rapporteur on the independence of judges and lawyers

Matthew Gillett  
Vice-Chair on communications of the Working Group on Arbitrary Detention

Gabriella Citroni  
Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

## Annex

### Reference to international human rights law

We would like to draw the attention of your Excellency's Government to the applicable international standards and norms, in particular the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR), ratified by Sudan on 18 March 1986.

First of all, it is worth highlighting article 3 of the Universal Declaration of Human Rights and articles 6, 7, 9 and 16, read on their own and in conjunction with article 2.3. of the ICCPR, which guarantee the right of everyone to life, personal integrity and security of person. We recall that the right to life, the prohibition of enforced disappearance and the prohibition of torture, cruel, inhuman or degrading treatment or punishment constitute *jus cogens* norms, applicable to everyone at all times and which cannot be derogated from under any circumstances. We also stress article 2(3) of the ICCPR which establishes the right to an effective remedy for human rights violations.

Article 9 of the ICCPR provides that no one shall be subjected to arbitrary arrest or detention except on such grounds and in accordance with such procedure as are established by law. Furthermore, article 9(2) provides that any person arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly notified of the charge against him. Article 9(3) states that pre-trial detention should be used only as an exception, i.e. when it is necessary, proportionate and as a last resort. Furthermore, under article 9(4), any person deprived of his or her liberty must have the right to an effective remedy to enable him or her to challenge his or her arrest or detention judicially, which must be capable of securing the person's release if it is decided in his or her favour. A decision to hold someone in any form of detention is arbitrary if its justification is not regularly reassessed (Human Rights Committee general comment No. 35, paragraph 12).

We would also like to draw your attention to article 9(3) of the ICCPR: "Everyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall have the right to trial within a reasonable time or to release. It shall not be a general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees of appearance at trial, at any other stage of the judicial process, and, if opportunity arises, to the execution of sentence." Article 14 stipulates that: "Everyone shall have the right to a fair and public hearing by a competent, independent, and impartial tribunal established by law." In this context, the Human Rights Committee stated in its general comment No. 32 that the right to equality before the courts and tribunals, in general terms, guarantees, in addition to the principles mentioned in the second sentence of article 14, paragraph 1, the principles of equal access and equality of arms, and ensures that the parties to the proceedings in question are treated without discrimination. Furthermore, in its general comment No. 32, it indicated that "lawyers should be able to advise and represent persons charged with a criminal offense in accordance with generally recognized professional ethics, without undue restriction, influence, pressure, or interference from any party."

In this context, we refer to the International Convention for the Protection of All Persons from Enforced Disappearances, ratified by Sudan on 10 August 2021, and in particular 1, 2, 12, 17-20 and 24, which guarantee the following rights: the right to a prompt and effective judicial remedy as a means of determining the whereabouts of persons deprived of their liberty; access by competent national authorities to all places of detention; the right to be held in officially recognized places of detention and to be promptly brought before a judicial authority after arrest; to have promptly and accurately reported information on the person's detention and the place(s) where they are being held provided to their family members, their lawyer, or any other person with a legitimate interest in knowing such information; and to maintain an up-to-date official register of all persons deprived of their liberty in every place of detention.

The Working Group would like to draw your attention to the United Nations Declaration on the Protection of All Persons from Enforced Disappearances,<sup>2</sup> which establishes the right to a prompt and effective judicial remedy must be guaranteed as a means of determining the whereabouts or state of health of persons deprived of their liberty (article 9), it sets out the necessary protection relating to the rights to be held in an officially recognized place of detention; to be brought before a judicial authority promptly after detention; to accurate information on the detention of persons and their place of detention being made available to their family, counsel or other persons with a legitimate interest; and to the maintenance in every place of detention of official up-to-date registers of all detained persons (article 10), that all persons deprived of liberty must be released in a manner permitting reliable verification that they have actually been released and, further, have been released in conditions in which their physical integrity and ability fully to exercise their rights are assured (article 11), and that each State shall establish rules under its national law indicating those officials authorized to order deprivation of liberty, establishing the conditions under which such orders may be given, and stipulating penalties for officials who, without legal justification, refuse to provide information on any detention (article 12).

The Working Group would like to recall that the Guiding Principles for the Search for Disappeared Persons of the United Nations Committee on Enforced Disappearances<sup>3</sup> establish that the search for the disappeared should be undertaken without delay (principle 2); should follow a differential approach, ensuring that the entities responsible for the search pay special attention to cases involving disappeared children and adolescents, and develop and carry out search actions and plans that take into account their extreme vulnerability. In addition, officials should respect the principle of the best interests of the child at all stages of the search (principle 4) and the search should be considered a continuing obligation (principle 7).

In its study on enforced or involuntary disappearances and economic, social and cultural rights<sup>4</sup> the Working Group has called States to “ensur[e] the existence of and respect for cultural diversity and the existence of space where multiple opinions, positions and interpretations of history can find their expression in the public sphere diminishes the level of vulnerability of those questioning in one way or another mainstream ideas and positions. ”

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<sup>2</sup> [Declaration on the Protection of all Persons from Enforced Disappearance | OHCHR](#)

<sup>3</sup> [CED/C/7\\*](#)

<sup>4</sup> [A/HRC/30/38/Add.5](#)

We would like to draw the attention of your Excellency's Government to the fundamental norms set out in the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders). In particular, we would like to refer to articles 1 and 2 which declare that everyone has the right to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels and that each State has the primary responsibility and duty to protect, promote and fulfil all human rights and fundamental freedoms. Furthermore, article 12, paragraphs 2 and 3, stipulates that the State shall ensure the protection of everyone from violence, threats, retaliation, discrimination, denial in law or in fact, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the Declaration.

We would also like to refer to Human Rights Council resolution 13/13, which recognises the immediate need to put an end to threats and harassment, among other aggressions, by States and non-State actors against those engaged in the promotion of human rights and fundamental freedoms, and to take concrete measures to prevent them.

We would like to remind your Excellency's Government of the due process guarantees provided for in article 14 of the ICCPR. Indeed, this article provides that everyone is entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law in the determination of any criminal charge against him or of his rights and obligations in a suit at law.

In this context, the Human Rights Committee clarified in general comment No. 29 on States of Emergency (2001) that non-derogable rights cannot be suspended even during emergencies. It emphasized that that "fundamental requirements of fair trial must be respected during a state of emergency. Only a court of law may try and convict a person for a criminal offence. The presumption of innocence must be respected. In order to protect non-derogable rights, the right to take proceedings before a court to enable the court to decide without delay on the lawfulness of detention, must not be diminished by a State party's decision to derogate from the Covenant." (para. 16).

We would also like to underline that the UN Basic Principles on the Independence of the Judiciary provide that "judges shall decide matters before them impartially, on the basis of the facts and in accordance with the law, without any restrictions and without undue influence, inducement, pressure, threats or interference, direct or indirect, from any quarter or for any reason" (principle 2).

Further, we would like to refer Your Excellency's Government to the Basic Principles on the Role of Lawyers, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana, Cuba, from 27 August to 7 September 1990.

Principle 16 of the Basic Principles requires States to take all appropriate measures to ensure that lawyers are able to perform all their professional functions without intimidation, hindrance, harassment or improper interference, and to prevent lawyers from being threatened with prosecution or administrative, economic or other

sanctions for any action taken in accordance with recognised professional duties, standards and ethics. Where the security of lawyers is threatened as a result of the exercise of their functions, the authorities should protect them adequately (principle 17). Furthermore, lawyers should not be identified with their clients or their clients' cases as a consequence of the exercise of their functions (principle 18).