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1.2.3. Judiciary

The functioning of the judicial institutions nationwide decreased by 95 % since the beginning of the conflict in 2023. As of June 2025, courts or formal legal proceedings were not functioning in most regions.^{[83](#)} Reporting indicated that Sudan's judiciary has been systematically weaponised to criminalise humanitarian action, silence dissent, and intimidate displaced persons and perceived opponents.^{[84](#)}

Prosecutorial and judicial oversight was inadequate, as noted by Human Rights Watch (HRW) in April 2026, with detainees having no or limited access to legal counsel.^{[85](#)} Lawyers seeking to assist civilians detained on charge of collaboration with the RSF in SAF-controlled areas reportedly were 'harassed, threatened, and sometimes accused of the same charges as their clients.'^{[86](#)}

In an interview to Dabanga in February 2025, a legal expert raised concerns that the constitutional changes have undermined judicial independence and the capacity of domestic courts to provide effective oversight of accountability.^{[87](#)} As noted by Syrians for Truth and Justice in January 2026, 'across multiple jurisdictions' in Sudan, judicial 'proceedings marked by due process violations' have reportedly resulted in 'death sentences and long prison terms based on coerced or fabricated evidence, political retaliation, or ethnic profiling.'^{[88](#)} A lawyer and human right defender reported in February 2026 that the absence of a unified judiciary has made it difficult to assess the integrity of legal proceedings, with the justice system increasingly used 'to perpetuate violence and discrimination'.^{[89](#)} In February 2026, the Emergency Lawyers, a Sudanese human rights monitoring and legal advocacy group, noted that justice institutions in areas controlled by the SAF and the RSF were suffering severe dysfunction.^{[90](#)}

In August 2025, Wahbi Mohamed Mukhtar was appointed president of the Constitutional Court. However, the membership of the Court remained incomplete, limiting its powers. The appointment was criticised and the move called 'unconstitutional'.^{[91](#)} The Constitutional Court had been inactive since its term expired in January 2020, without the appointment of new judges.^{[92](#)}

- [83](#)

ACJPS, Sudan Human Rights Newsletter, June 2025, [url](#), p. 6

- [84](#)

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