



STATE-SPONSORED HOMOPHOBIA

GLOBAL LEGISLATION OVERVIEW UPDATE

2020

Updated Edition

ilga.org

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Suggested citation

ILGA World: Lucas Ramon Mendos, Kellyn Botha, Rafael Carrano Lelis, Enrique López de la Peña, Ilia Savelev and Daron Tan, *State-Sponsored Homophobia 2020: Global Legislation Overview Update* (Geneva: ILGA, December 2020).

Names of countries and territories in this publication

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Co-Secretaries' General Foreword

By Luz Elena Aranda¹ and Ymania Brown²

This year has been a heavy blow for most members of our communities and has left many of us struggling to survive, and trying to make a living amidst hostile contexts that became even more expulsive, unequal and violent.

The COVID-19 global pandemic has affected our communities and our organising capacity deeply. Resilience and creativity have allowed many of us to remain connected and find new ways of advocating for our rights. But in numerous places, lockdowns meant the abrupt and complete interruption of activities, gatherings became impossible, events and Prides got suspended, and safe spaces dramatically shrunk overnight with extremely little to no notice.

Uncertainty suddenly is the new normal for the whole world and will continue to be the case for a while. As we write these lines, numerous organisations are struggling to survive financially, logistically and spiritually and staff and activists/defenders also have mental health and remote working burnout to contend with.

The physical distancing required to curb the spread of the virus meant that our interactions had to move into the virtual world and that our connection with our chosen families and our friends now depended on technology. Under these circumstances, the millions of members of our communities who still cannot access the Internet have experienced the highest levels of isolation and vulnerability. So much so, that they will may never ever get to read these lines.

In this context of increasing restrictions carried out in discriminatory manners, explicit legal protections against violence and discrimination have become—more than ever—a key tool to prevent further harm, to demand respect for our rights and human dignity, and to repair the violations we suffer. Hence, the importance of keeping up with our work of tracking and updating the state of law in all countries around the globe. Indeed, this update of the Global Legislation Overview attests to the fact that our quest for equality goes on—even amid this global pandemic—and, equally important, that our detractors may use (and are in fact using) these circumstances as an excuse to continue to oppress, persecute, scapegoat, and to violently discriminate against us, often with little to no regard for our human rights and with lethal consequences.

Despite the difficulties that we are all going through, we are glad to share that ILGA World's Research Program has redoubled its efforts to widen the depth and scope of its work to better reflect the current state of sexual orientation law in all 193 UN Member States and, as of now, in non-independent territories around the world as well.

Thousands of valued members of our communities live in these territories and are engaged in activism at the local and regional level. At the international level, however, many of their victories are not as publicised as the ones taking place in UN Member States, so we are really excited that, for the first time, they will find themselves among the list of jurisdictions for which we track legal progress,

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² **Tuisina Ymania Brown** Tuisina Ymania Brown is trans fa'afafine woman of colour from Samoa and is a survivor of child rape, institutionalised discrimination, spousal gender-based violence and abuse, racial profiling, and trans violence & persecution all her life. She is a public speaker, an intellectual property attorney, and a working mum to two adopted sons, and has over 20 years of volunteer experience in international NGOs and has affiliations with Astraea Lesbian Foundation for Justice (New York, International Advisory Board Member), Global Interfaith Network on Sex, Sexual Orientation, Gender Identity and Expression (Former Co-Chair), Samoa Faafafine Association (Apia, Former Technical Advisor), Copenhagen2021 (International Advisory Board) and currently heads; International Trans Fund (New York, Co-Chair), ILGA World (Geneva, Co Secretary-General).

rollbacks and backtracking. As a global family, we are committed to our members regardless of the official status of their territory.

This new update to the Global Legislation Overview of *State-Sponsored Homophobia* shows how our global community has, against all odds, collectively achieved progress in every single legal category that we track. From the death penalty to “conversion therapies”, in times when the future looks particularly gloomy and uncertain, in each section of this report, it is our hope that you, our members, our stakeholders, researchers, States and readers will find hope for a better tomorrow.

A tomorrow in which we will come out again in full strength and solidarity to reclaim each one of the human rights that belong to us as members of the human family, because we, we are “born free and equal in dignity and rights”³, and these rights should have never been taken away from us.

***To all those involved in the production of this update,
our sincere appreciation.***

³ UN General Assembly. (1948). Universal Declaration of Human Rights (217 [III] A). Paris

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Acknowledgements

ILGA World has partnered with Cooley (UK) LLP. Cooley is an international law-firm committed to fighting systemic discrimination, bias and injustice in all its forms, and is a long-standing supporter and advocate for LGBTQ+ equality. This valuable partnership has allowed ILGA World to expand the scope and depth of its legal research and many of the findings presented in this report are the result of the hard work carried out by Cooley's team. We are particularly grateful to **Juan Nascimbene**.

We are particularly grateful to **Professor Kees Waaldijk** (Leiden University, NL), who generously assisted the team with his legal expertise and profound knowledge. His work is an inspiration to the authors of this report and the fact that his contributions have been acknowledged in previous editions of this report and even in ILGA's Pink Books, dating back to the early 1990s, speaks to his life-long commitment to our cause.

The lead author is most appreciative of **Julia Ehrt's** constant support and guidance.

We are also grateful to **André du Plessis**, **Gabriel Galil** and **Kseniya Kirichenko** for their support. The work of **J. Andrew Baker**, **Polyxeni Kallini**, **Natalia Voltchkova** and **Paula Klik** continued to make our work possible.

Alejandro Hilarión Moncada continued to assist the team as a volunteer. We are particularly appreciative of his generous assistance.

Daniele Paletta and **Maddalena Tomassini** provided the team with enormous support. This report reaches the whole world thanks to their commitment.

Ming Huey Wong, **Juan Francisco Mareque** and **Nicolás Ferretti** played a key role in the process of gathering relevant data for many sections of this report. Their contributions have considerably enriched this publication.

The lead author wholeheartedly extends his gratitude to the five co-authors **Kellyn Botha**, **Rafael Carrano Lelis**, **Enrique López de la Peña**, **Ilia Savelev** and **Daron Tan** for their remarkable commitment and inspiring passion. Working with them in the production of this report has been a huge privilege.

The production of this update was also possible thanks to the support, contributions and assistance provided by numerous people, many of whom need to remain anonymous for safety reasons.

We extend our special thanks to:

- Alexander Belik (Russian LGBT Network);
- Association Coeur Arc-en-ciel (Congo)
- Cristian Cabrera (Researcher Human Rights Watch);
- Dalia de la Peña Wing (Mexico);
- Drew Dalton (Report Out);
- Hanna Lytvynova ("Insight" Public Organization);
- Helen Kennedy (Egale Canada);
- Iranian Lesbian & Transgender Network (Iran);
- Íris Angola (Angola)
- Japan Alliance for LGBT Legislation (J-ALL);
- Jeff Redding (LUMS Shaikh Ahmad Hassan School of Law);
- Juliet Nnedinma Ulanmo (Legal Practitioner and ILGA Board Member)
- M. Andrew (Rwanda);
- Marcos Felipe Lopes de Almeida (TODXS, Brazil);
- Maša Jeričević Šušteršič (Legebitra, Slovenia);
- Matthew Nelson (SOAS University of London);
- Monika Antanaityte (Lithuanian Gay League);
- Nai-chia Chen (Researcher of Taiwan Equality Campaign);
- Nicolás Alarcón Loayza (Adastra);
- Paola Migueles (Assistant at Observatory of Hate Crimes against LGBT people in México, coordinated by Fundación Arcoiris);
- Paula Sebastiao (Master's in international law and International Relations and anti-racist gender and sexuality activist);
- Queerala (India);
- R. Douglas Elliott LSM (Canada);
- Sara Tosoni (Global Campus of Human Rights-Europe);
- Siavash Rahbari (International Development Law Organization);
- Talwasa (Afghanistan);
- Tashi Tsheten (Bhutan)
- Tashwill Esterhuizen (Southern African Human Rights Lawyer)

Methodology

In this latest update to the Global Legislation Overview of the State-Sponsored Homophobia Report, our team has worked to dive deeper than ever into the data and legislation which impacts our communities based on their sexual orientation around the globe.

In this edition, while working to improve and expand upon tried and tested methods and tools that have made this report successful in the past, several improvements and changes were made to the way data is collected and systematised.

ILGA World's research team has devoted considerable time to read, discuss, and take note of some of the more common critiques made and published by scholars and activists to previous editions of this report and a good faith attempt to address many of them has been made.

This section, then, serves to outline and clarify our methodologies and thought processes, acting both as a guide on how users can effectively navigate this document—and as a statement on our own thinking, planning, and limitations, for the sake of clarity and transparency.

1. Focus on sexual orientation legal issues

This publication focuses exclusively on legal issues as they pertain to individuals and communities of diverse sexual orientations. The legal categories that we cover in this report monitor the ways in which people are affected by laws that—explicitly or implicitly—make reference to sexual orientation, and track changes within multiple countries and territories over time. Conversely, this publication does not cover legal issues related to gender identity, gender expression, or sex characteristics.

This report focuses almost exclusively on the law, barring occasional comments around recent social developments for the sake of contextualisation. While we understand that the nuances of lived realities cannot be fully captured simply by highlighting what is written on paper by governments, an in-depth analysis of the human rights situation on the ground is still beyond the scope and capacity of this publication.

There are, however, at least three exceptions to this rule. Two of them fall under the “restriction” part of the report, where we track legal barriers to the rights of freedom of expression¹ and freedom of association.² For these legal categories, providing information that goes beyond the mere black-letter-law is often indispensable in determining whether barriers to the fulfilment of such rights are actually in place, given that in many cases restrictions are not as explicit as other legal categories covered by the report.

Likewise, this exception also applies to the section in which we track criminalising countries,³ where we now make an effort to track and highlight different instances of enforcement of a country's criminalising provisions. This divergence from our focus on legislation is in large part due to our view that criminalisation is one of the most pressing issues covered in our report. Criminalisation can deprive our community members of their lives, livelihoods, freedom and safety in ways many other provisions we document normally cannot. Hence, we see an urgency in understanding the extent to which these provisions are actually being applied on the ground.

Another reason for this departure from our legalistic focus is due to the fact that the “State-Sponsored Homophobia” report is a tool frequently used by human rights defenders working on cases of persons seeking asylum from persecution as a source of Country of Origin Information (COI) research. In this sense, evidence of enforcement of criminalising provisions may be crucial for applicants in finding refuge from the daily danger they may have been facing. Without evidence of such enforcement, regressive and violent legislation alone may not always be enough to secure safety.

The law then clearly paints only a partial picture of the situation in the countries we cover in this report. This is a key statement that should serve as a major caveat when relying on this publication. How hostile or safe a country is cannot be derived exclusively from what said country's legal framework looks like. In other words, how the law of any given country reads on the books cannot be used as a proxy to measure how safe a country is. Nevertheless, it cannot be denied that laws on the books—whether enforced or not—have a tremendous impact on our communities, and speak volumes about the political and moral values of those holding power in a country.

¹ See “Legal barriers to freedom of expression on sexual and gender diversity issues” under the “Restriction” section of this report.

² See “Legal barriers to the registration or operation of CSOs working on sexual and gender diversity issues” under the “Restriction” section of this report.

³ See “Consensual same-sex sexual acts between adults in private: illegal” under the “Criminalisation” section of his report.

The current title of this publication is a remnant of the original, much more limited, scope of the report: when initially conceived, “State-Sponsored Homophobia” covered only the institutionalised prohibition (criminalisation of consensual same-sex sexual acts between adults in private). The scope of the report was progressively expanded, especially since 2015, to further include issues related to protection and recognition of rights of persons of diverse sexual orientations. However, the publication maintained its focus on legal aspects as they relate to sexual orientation, while other documents produced by ILGA World covered issues related to other statuses and identities.⁴

2. Data collection and sources

This report congregates data that has been gathered over many years by an ever-changing team of researchers.⁵ It is thanks to their commitment and selfless work that ILGA World’s publications became the leading reference on the state and evolution of legal frameworks affecting our communities globally. On the publication of each new edition, the content is updated, and some alterations are made where necessary to ensure the accuracy and proper contextualisation of information. In gathering and verifying information for the final report, the research team relies on a number of different sources, including:

1. **Legislation:** Where possible, we work to cite the primary governmental source of any law outlined within this report. Where that is not possible, we include archived material, translated copies, or other documents which contain the entire law but which might not be considered original or official copies. Legislation is cited by using the official (translated) name, number, and year of passage whenever possible, which also acts as a hyperlink to the source used by ILGA World so that readers can access and read these documents themselves.
2. **Case law:** While we do not offer comprehensive coverage of case law, judicial decisions which represent the legal basis for a right, or which enforce rights or laws not enacted by legislative or executive bodies, are included. Examples of bodies which may be cited in this instance include the Supreme Courts of India and the United States, the Federal Supreme Court of Brazil, and the Constitutional Court of Colombia, to name a few. Much like legislation, case law is cited by reference to the original (translated) name of the ruling, and hyperlinked in order for readers to access the source themselves.
3. **Executive orders, decrees, or governmental agencies:** Many times, one may find that rights are protected by executive orders, ministerial declarations, or resolutions, etc., rather than more extensive laws. These are named with full title or number (translated) and hyperlinked in the same way as legislation and case law.
4. **Unpassed bills:** Bills and other pieces of legislation being drafted, debated, or voted on by governments offer key insights into how likely a State is to make progress, and what developments readers can expect even after the publication of this report. Until laws are formally passed and/or brought into effect by a State, any relevant insights into pending legislation and recent developments in that State may be covered in the “*Is there more?*” section of the entry, rather than in the main chart.
5. **National Human Rights Institutions (NHRIs):** Where documentation for the above sections cannot be found, the research team will look to reports, litigation, or other verifiable works by NHRIs and national independent human rights organisations. As with other sources that are not laws, decisions, or decrees, any publications by such bodies cited by ILGA World will be included in the footnotes, rather than hyperlinked.
6. **International Human Rights Bodies:** Thanks to the successful advocacy work carried out by activists and civil society organisations, international human rights mechanisms now incorporate a sexual and gender diversity approach to their work. The outputs of that systematic work carried out by the United Nations bodies and agencies, as well as by regional bodies, are relied upon for the production of this report. These include recommendations issued by UN mechanisms, decisions by international courts, thematic reports and other relevant sources. However, these sources are not systematically tracked by our team, and are only included in the report

⁴ Even though editions of “State-Sponsored Homophobia” between 2010 and 2013 did cover a few categories related to gender identity and expression, starting in 2016 ILGA has published a specific report on laws related legal gender recognition and, since 2020, on criminalisation of trans and gender diverse people: The Trans Legal Mapping Report, a publication that focuses on legal developments affecting people based on their gender identity or gender expression. The edition published in 2020 deals with legal gender recognition and criminalisation of trans and gender diverse people. For more information see: ILGA World: Zhan Chiam, Sandra Duffy, Matilda González Gil, Lara Goodwin, and Nigel Timothy Mpemba Patel, *Trans Legal Mapping Report 2019: Recognition before the law* (Geneva: ILGA World, 2020).

⁵ The original report was written and updated by Daniel Ottosson from 2006 to 2010. Subsequently by Eddie Bruce-Jones and Lucas Paoli Itaborahy in 2011; by Lucas Paoli Itaborahy in 2012; by Lucas Paoli Itaborahy and Jingshu Zhu in 2013 & 2014; by Aengus Carroll and Lucas Paoli Itaborahy in 2015; by Aengus Carroll in 2016; by Aengus Carroll and Lucas Ramón Mendos in 2017, and by Lucas Ramón Mendos in 2019 (main edition in March, updated in December, with Daryl Yang, Lucía Belén Araque and Enrique López de la Peña as main research assistants).

where it may be relevant to contextualise the legal situation of a given country.

7. **Civil Society Organisations (CSOs):** Local and international non-profit and activist organisations are extremely useful in providing supporting information which shows how the law is being enforced, either to protect or to target sexual and gender diverse communities. Materials by such groups are thus footnoted with the link to the original source. Reports from civil society organisations and international bodies are also indispensable in confirming the validity of the information.
8. **Media outlets:** Media reporting—both mainstream and community-based—is a vital source in alerting our team to developments around the globe. Media content can act as supporting and contextualising information for various purposes (such as the development of an issue over time, the legal process behind the passage of laws, or as evidence that laws are used to target our communities). These sources are always footnoted with links to the original publication, but as far as possible any information gathered from the media is backed up by other sources in order to ensure as high a level of accuracy as possible.
9. **Academia:** Mostly used to evince trends, the historic evolution of laws cited, and to provide nuance in the application of a law, academic publications are a valuable and verifiable source both in expanding on laws, or in offering understanding where original sources are hard to come by. Academic publications cited in this document are placed in the footnotes, with links to the original publication wherever possible.
10. **Local activists:** A valuable resource in our work is the existing connections ILGA World has with activists all over the globe, who assist us where required in double-checking information and provide us with understandings of local situations where the law is not clear.

3. Scores and tallies: tracking global progress

One of the most interesting and useful outputs of our tracking work at the global level is the overall numbers and scores reflecting the progress (or the backtracking) that has been cumulatively achieved by our communities in regard to legal issues. These numbers are relied upon by our readership to assess the pace of legal change in each region and at a global scale. The number of “criminalising countries”—currently at 69⁶—is considered to be among the global

indicators of state-sponsored hostility against sexual diversity. It represents a number that many in our communities work relentlessly to reduce. Conversely, the ever-increasing number of countries that adopt progressive legislation explicitly including “sexual orientation” evinces the direction of State practice in this regard and the emerging belief that granting this protection stems from a legal obligation rooted in the principle of equality and non-discrimination.

In this subsection, the logic that supports our figures is explained. Many of the arguments below explain why other stakeholders that follow different methodologies may rightfully share different figures, higher or lower, depending on their chosen criteria for counting jurisdictions.

3.1. Focus on UN Member States

The total figures listed in this report are based on UN Member States only. We understand that this is bound to carry some level of controversy, however, our reasons for this system are twofold.

The notion of a UN Member State is clear-cut (it’s a “you are”/“you are not” question) whereas the notion of “country”/“nation”/“state” can be defined in multiple ways. There is no universally adopted notion of “country”. Countries that are not recognised, secessionist movements, *de facto* independent regions, and jurisdictions under territorial disputes are referenced when relevant information is available.

Further, a large part of ILGA World’s advocacy work revolves around the UN. Therefore, our focus remains on those numbers and figures which allow us to carry out our work before the UN. As ILGA World is an ECOSOC-accredited organisation with consultative status at the United Nations, the report covers all 193 UN Member States, following UN-recommended naming protocols for countries and territories.

For these reasons, and considering the report’s advocacy purposes, only UN Member States are numbered in the primary table of each report section. However, even if not included in the overall scores, the report has largely increased the coverage of non-UN Member jurisdictions. As stated by our Co-Secretaries General in the foreword to this report, ILGA World values our communities regardless of the political status of their territory.

3.2. States that are not UN Member States

These include countries which are recognised as independent nations, such as the Vatican City, but also those which are not recognised by the entire international community, but which maintain *de facto* sovereignty over their territory (for example, Kosovo and Palestine).

⁶ 67 countries have laws which criminalise consensual same-sex sexual activity, while Egypt and Iraq have *de facto* criminalisation, relying largely on other legal mechanisms to target our communities.

3.3. *Non-Independent Territories*

In this edition of the report, we have sought—for the first time—to outline the legal situations in autonomous territories which are governed by external powers. These include British Overseas Territories, French Collectivities, Dutch territories in the Caribbean, Danish territories, and so forth.

Each one of these entities received specific entries, distributed according to geographic location rather than the country to which they belong, so that the situation of the laws applied on the ground within ILGA World's regional chapters can be better reflected.

3.4. *Subnational jurisdictions within UN Member States*

Another important step is that, for the first time, we are “piercing” through the national level of legislation to show the legal frameworks in place in subnational jurisdictions such as cantons, provinces, and prefectures. Thus, in some cases, the tables in this document will reflect legislation in force at the subnational level.

This disaggregation will only happen where there is no nationwide legislation or judicial ruling relating to the issue being analysed and is limited to first-order subnational divisions.⁷ It should be noted that in countries where there is no nationwide legislation in force regarding the recognition of certain rights for our communities, the threshold for inclusion into the main table is for at least 50% of the population to reside within a jurisdiction which legally recognise said right. Barring that, subnational jurisdictions may be included in the “*Is there more?*” chart, below the main table.

4. *Structure of sections and relevant data*

In this section, we explain the rationale for locating the data within each of the legal categories that the report covers, namely the “Highlights”, the main charts, and the “*Is there more?*” section.

4.1. *Highlights*

At the beginning of each legal category, we paint a general picture of the situation as it stands globally, referring where relevant to international developments and human rights standards. It is also

here that we indicate the percentage and number of UN Member States that have enacted the kind of legislation that meets the threshold of each category under analysis.

4.2. *Main Chart*

The bulk of data presented in each section comes in the form of the light brown main chart, which lists and numbers the UN Member States applicable to the category. Each section has its own methodological criteria for the inclusion of countries into the chart given the diverse ways in which different rights can be implemented or denied.

Each UN Member State is numbered so that readers can understand how we calculate the total numbers, with non-UN Member States in the chart not numbered, or included elsewhere in the document.

States are located under regional groups according to their constituent ILGA Chapter geographic regions,⁸ and from there listed alphabetically per UN-mandated English spelling protocols.⁹

4.3. *“Is there more?”*

This section provides additional relevant information regarding countries and territories which do not fit the full criteria for inclusion into the main chart. This section covers:

1. Countries that do not make it to the main chart because legal protection is only offered at the subnational level.
2. Countries where bills have been introduced but have not yet been passed or brought into effect. Inclusion of such countries into this section is not comprehensive (see section below entitled “Tracking and documenting legislation and legal developments”). The inclusion of this additional data reflects discussions, occasional negative legal developments, and work in progress in each jurisdiction.
3. Countries where statements by political figures, lawmakers and media outlets have had demonstrable impact on legal trends, either towards recognition or detraction of protections for our communities. Changes in the status of rights as they pertain to sexual orientation which have not yet been made official may fall into this category.

⁷ Exceptionally, information on protection against discrimination based on sexual orientation available at lower levels of administrative divisions (cities and municipalities) is included for Peru and The Philippines.

⁸ Exceptionally, Central Asian UN Member States are listed under “Asia” although they fall under the purview of ILGA Europe. Additionally, all Caribbean jurisdictions are listed under the “Latin America and the Caribbean” even though the English and Dutch Caribbean came under the purview of the ILGA region of North America and the Caribbean in 2020. As for non-independent jurisdictions, they are listed in the corresponding region where they are geographically located regardless of where their metropolis may be located.

⁹ The order in which jurisdictions appear is adapted to the alphabetical order in each language version of the report.

4. Special cases: In the adoption section it should be noted that territories that have a legal framework that potentially allows for adoption, but that do not seem to have the de facto possibility to formalise adoptions (either for same- or different-sex couples, because there is no permanent population, for instance) were included in this chart. In this light it must be noted that the criteria for exclusion from or inclusion in this chart are at the discretion of the research team, as there are myriad situations in which countries and territories warrant mention, but do not fit into the main chart.

5. Methodology notes for specific sections of the report

Some legal categories tracked in the report require further explanation on the methodology followed to classify and systematise the information and the ways in which jurisdictions are listed.

5.1. Criminalisation

The first two legal categories covered in the Global Legislation Overview concern criminalisation. Thus, they point out jurisdictions where criminal provisions in force impose penalties for consensual same-sex sexual acts between adults in private (“illegal”), as well as where these provisions are absent (“legal”).

5.1.1. Terminology: acts, not identities

In this section, the term “criminalisation of consensual same-sex sexual acts” is adopted to describe the specific type of criminalised conduct that we track in the report. This language focuses on the criminalisation of *acts* and *behaviours*—which is the object of criminal law—as opposed to identities or sexual orientations.

ILGA World expressly refrains from using certain expressions and ways of framing this issue that other stakeholders may favour. This is especially the case of non-specialised media outlets, where the need to summarise and avoid complex phrasing or legal jargon for effective communication may justify other terminological decisions.

In particular, ILGA World refrains from using expressions such as “criminalisation of homosexuality”, countries “where it is illegal to be gay or lesbian”, and more technically “criminalisation of same-sex *relations*”. These terminological decisions are informed by our advocacy work and the need to be specific about the content of the provisions that are still in force in all criminalising countries.

In defending or justifying these laws, several States have presented arguments that hinge on legal technicalities. Although many of these arguments can be easily rebutted with contextual information, oftentimes these capricious technical arguments may survive strictly legal assessments. More specifically, countries that still have criminalising provisions in place argue that they do not penalise “homosexuality” or “being gay” *per se*, and even that they are not applying criminalisation based on the person’s sexual orientation.

For instance, in 2019, Brunei, a UN Member State where consensual same-sex sexual acts can be punished with death by stoning, stated during its third UPR cycle that “the Sharia Penal Code Order does not criminalize a person’s status based on sexual orientation or belief, nor does it victimize” and stressed that “Brunei’s society regardless of the sexual orientation have continued to live and pursue activities in the private space”.¹⁰ In the same vein, Barbados explained that although “buggery” is criminalised by Section 9 of the Sexual Offences Act, “same-sex relations are not criminalised” in their legislation – “what is criminalised is buggery”.¹¹

It goes without saying that these provisions clearly target particular communities and identities, even if not explicitly. By penalising “sodomy”, “buggery” or “sexual acts with people of the same sex”, legal frameworks impose criminal punishments upon one of the activities that is relevant in defining such identities. In many places, these acts are even “presumed” when people are reported or arrested under these provisions solely based on their appearance or being in the company of people of the same sex at a gathering. Therefore, the result is the same: impeding persons of diverse sexual orientation to live a full life free from violence and discrimination.

5.1.2. Acts involving consenting adults only

The report tracks the criminalisation and decriminalisation of consensual same-sex sexual acts between adults. This criterion also informs the way in which we report on documented cases of enforcement of criminalising laws by setting the focus almost exclusively on cases that affect people above 18 years, in line with the standard definition for child established under Article 1 of the Convention on the Rights of the Child, regardless of whether domestic legislation sets lower ages of consent.

Tracking cases of enforcement on consensual same-sex sexual acts is particularly difficult for several reasons. When laws criminalise all forms of same-sex sexual acts—consensual or not—under the same provision, special efforts need to be made to corroborate several aspects of reported cases.

¹⁰ See: ILGA World, [33rd UPR Working Group Sessions SOGIESC Recommendations 6–17 May 2019](#) (Geneva: ILGA, November 2019), 14.

¹¹ “UPR- Barbados”, *ILGA Website*, 23 January 2018, Section C.

Specifically, additional information regarding the circumstances of each case and the ages (at the time of the incidents) of those involved is always required to ascertain whether any given case reportedly brought under these provisions is actually about consensual same-sex sexual acts between adults. In other words, a major challenge in our tracking work is that the consensual nature of reported cases might not always be clear when we look at media coverage about this topic around the globe.

The reporting of cases of arrests or prosecutions for “sodomy”, for example, include cases involving consenting adults and rapists alike. To name only a few examples, in September 2001, a man in his thirties was reportedly sentenced to death by stoning “for sodomy” by an Upper Sharia Court in Kebbi State, Nigeria. However, further information on the facts of the case showed that it was actually a case of sexual abuse of a seven-year-old boy.¹² Likewise, in September 2003, another adult man was sentenced to death by stoning after he was found guilty of “sodomy”. However, the victims in this case were again three boys between the ages of ten and thirteen years (one of whom was reportedly given six strokes of the cane for accepting money for sexual services).¹³ Even though the case may have been labelled as a “sodomy” case, the non-consensual nature of the act in question is evinced when specific information on the circumstances of the case becomes public. Likewise, in the Caribbean, cases of men prosecuted for “buggery” often involve men who abused underage children.¹⁴

Even more problematic, many cases of rape are labelled as cases brought against “homosexuals”. To cite only one example, in 2018, the Nigerian newspaper, *The Independent*, published an article entitled “Nigerian Suspected Homosexual Remanded in Sokoto”, reporting on the case of a 22-year-old man who was prosecuted for “carnal knowledge” of a boy “against the order of nature”.¹⁵ While this is an example of a news report containing enough information to discard it completely as an instance of enforcement of criminalising laws against consenting adults, these facts are not always available. The lack of key data renders monitoring activities through the press particularly difficult, given that corroboration is not always possible. This is compounded by the high rates of underreporting of such instances, so the actual number of cases flying below our radars is hard to estimate.

Furthermore, besides posing difficulties to the tracking of cases, the fact that the same provisions serve as the legal basis to prosecute both consensual and non-consensual sexual acts reinforces the

troubling conflation of homosexuality with sexual predation. For instance, when a staff member of the Barbados Boy Scouts Association sexually assaulted a 12-year old member, the head of the Association spoke out against “homosexuality”, as opposed to paedophilia.¹⁶ In 2016, then-Prime Minister Freundel Stuart stated, “Rape is the offence committed against in a heterosexual relationship and buggery is the offence committed in a same-sex relationship”.¹⁷

Even if all people reportedly involved are adults, the consensual nature of the act cannot be automatically assumed. As explained in the entry for Iran in the special dossier on the death penalty, legal frameworks may incentivise people who consented to sexual acts to report them as non-consensual to be spared from harsh punishments themselves.

In conclusion, it is with special caution that we look into reports of enforcement of criminalising provisions. Whenever available information indicates that the relevant case involved minors or the consensual nature of the acts is not clear, cases are either discarded or inserted with specific caveats that may cast doubt about the actual circumstances of the reported incident.

5.1.3. Private and public spheres

Another criterion we follow is whether or not the criminalisation of consensual acts include those which take place in private. We do not place under the “illegal” category States that still keep criminalising provisions for same-sex sexual acts committed in public.

We are aware that, in the last four decades, the focus on the right to private life and the projection of our private life into the public sphere has been the subject of debates informing legal strategies in our quest for equality. Seminal cases, including early decisions by the European Court of Human Rights and at the UN in the landmark case *Toonen v. Australia* (1994), hinged mainly around the protection of the right to private life. Later on, there was a shift towards an approach based on the right to equality before the law and non-discrimination.

The incompatibility of criminalising private consensual sexual acts with international human rights law is now a well-established minimum standard that States need to abide by. As this report was idealised to function as an advocacy instrument, the original aim was to track laws that States kept in contravention of this principle.

¹² Human Rights Watch, “*Political Shari’a? Human Rights and Islamic Law in Northern Nigeria*” (2004), 33.

¹³ Gunnar Weimann, *Islamic Criminal Law in Northern Nigeria: Politics, Religion, and Judicial Practice* (Amsterdam: UvA, 2010), 47. See also: “*Sex offender won’t be stoned*”, *News24*, 24 March 2004.

¹⁴ “*Photographer charged with buggery*”, *Nation News*, 8 December 2015; “*No bail for cop on buggery charge*”, *Nation News*, 3 February 2017.

¹⁵ “*Nigerian Suspected Homosexual Remanded in Sokoto*”, *The Independent*, 8 March 2018.

¹⁶ “*Zero Tolerance*”, *Nation News*, 7 July 2013.

¹⁷ Arshy Mann, “*What does Barbados’ prime minister have to say about the country’s harsh buggery laws?*”, *Daily Xtra*, 19 April 2017.

However, we understand that in many contexts certain acts—which do not amount to intercourse and are legitimate expressions of love, such as public displays of affection—can definitely play a role in how people of diverse sexual orientations are oppressed and persecuted under the law. Where such information is available, we make an effort to identify and emphasise it in the country entry, even if the State is placed under the “legal” section.

Last but not least, the process of decriminalisation has not always been clear cut in all States. In other words, many countries did not move from full criminalisation to full decriminalisation but opted for gradual changes in the way consensual same-sex sexual acts were restricted. While repealing acts in private, many countries kept residual provisions penalising crimes such as “scandalous sodomy” (i.e. Costa Rica), “public displays of homosexuality” (i.e. Cuba), or raised the age of consent to legally engage in same-sex sexual activity. These nuances have been captured to a limited extent, but even when we track them the critical date for decriminalisation is fixed at the time of decriminalisation of consensual sexual activity between adults in private.

5.1.4. *De facto* criminalisation

As a general rule, this report only covers legal aspects and provisions. Thus, it is limited to the law enforced in each country, not analysing broader contexts with regard to the social reality. However, one exception could be pointed out in relation to our definition of “*de facto* criminalisation”.

While in most cases we only consider that a country criminalises same-sex sexual acts if there is an *explicit* legal provision in that regard (or terminology widely known to mean the same thing, such as “acts against nature”), there are two States in which we understand that *de facto* criminalisation is in place: Egypt and Iraq. To enter into this category, there must be substantial and consistent reports from the ground that provide evidence that persons have been arrested or prosecuted because of their actual or perceived sexual orientation or the engagement of same-sex intercourse despite there being no law explicitly criminalising such acts or identities. Therefore, we only label a given country under that category after identifying a repeating pattern that falls under these listed criteria. We do this so that isolated cases, in which a single judge may have applied an unorthodox interpretation of law, are not presumed to represent the broad situation within the country.

And it is for this same reason that some countries in which we have identified unusual cases of arrest for the practice of consensual same-sex activity, have not been categorised as having *de facto* criminalisation, such as in the Central African Republic, Democratic Republic of the Congo, and Côte d’Ivoire. If the situation in such countries changes in the coming years, they might require recategorisation.

At the time of publication, Indonesia (at the national level), appears to be moving towards becoming a country that could be considered for such

recategorisation. ILGA World will keep track of unfolding events in provinces that do not have criminalising provisions to assess whether the whole country should future be labelled as *de facto* criminalising.

5.1.5. Dates of decriminalisation

A complex issue our team has faced is how best to establish the date of decriminalisation of such acts in each country. As we have stipulated, the report tracks criminalisation of consensual same-sex acts between adults in private. Thus, the date of decriminalisation should correspond to the year when the last piece of legislation criminalising these acts in the country’s territory was repealed. As mentioned above, the date of the repeal of laws criminalising certain forms of public sexual activity is not taken into account to determine the date of decriminalisation.

5.1.6. Primary forms of criminalisation

When it concerns criminalisation, the main sources that we look at to ascertain whether the country indeed decriminalised are the criminal codes. For that reason, we do not *systematically* cover other types of regulations that might be used to criminalise same-sex sexual activity, although we mention it when it has come to our attention (as is the case for Peru or El Salvador).

Moreover, we prioritise the year when the country approved a national ban on criminalisation, rather than at the subnational level, when defining the main date of the entry. However, we do also indicate when the first subnational and the last jurisdiction decriminalised in countries where the process was gradual at the subnational level (as in the USA).

5.1.7. Statehood and decriminalisation

In this edition, we have decided to incorporate scholarly feedback concerning the definition of the date of decriminalisation in countries that suffered periods of colonisation and that became independent under a jurisdiction in which there was no prohibition on the practice of same-sex sexual acts. Most of these cases are early dates of decriminalisation that took place during the 19th and 20th centuries due to historical reasons largely unrelated to human rights activism. In these cases, we had three different options to choose from in order to establish the relevant date:

The first one, which is mostly what had been applied in previous editions of this report, was to settle the year of independence as the one that marked decriminalisation, provided that there was no subsequent enactment of criminalising legislation following the independence. This route in essence holds that before a State formally exists, it can neither criminalise nor decriminalise anything.

Another possibility that has also been applied in past editions was to consider the year of approval of the country’s first post-independence penal code as the

decriminalising milestone. This would reflect that, in its first sovereign decision as an independent State regarding criminal laws, the country chose not to penalise same-sex sexual acts.

However, the above options might lead to some misunderstanding and have indeed been controversial among our readership. For example, territories in which such acts were never actually criminalised might be presumed to have once enacted penalties for this behaviour if the reader looks to the chart and sees either the date of independence or the date of approval of the country's first criminal code. For that reason, in this edition we note where countries appear to have never criminalised same-sex acts, and have decided to take as a reference any relevant legislation which came into effect prior to a State's formal independence.

This has led to a change in the data displayed with regard to a number of African and Asian States. In several cases, when investigating previous records of criminalisation, we found no reliable evidence as to whether the country actually ever had any criminalising laws. Thus, considering the absence of accurate information, at least available in public records, no specific year for decriminalisation was inserted for Burkina Faso, Djibouti, Vietnam, and many others.

5.1.8. Gaps and transitions from colonial laws

It is important to point out that broad research on the application of colonial law in several regions has been conducted, however this has largely been limited to documents available in desktop research and without access to local archives.

In some cases, as in the former Spanish colonies, it was possible to identify that the law of the colony and the metropolis were not implemented in complete synchrony. Therefore, several colonies continued with the application of the provision from "Las Siete Partidas" (which registered the crime of "sodomy" under [Title XXI – Of those who make a sin of lust against nature, Partida No. 7, Volume III](#), where it states that, if the act is proved, the person who committed it "shall die"), even after the approval of Spanish codes. As a general rule for countries that were colonised by Spain, when we indicate the year for decriminalisation as the one in which the country approved its first Penal Code, it means that we believe that the criminalising provisions from "Las Siete Partidas" were still in force until they were completely repealed by the new code.

In other situations, as in the case of the former French colonies, a dual regime was identified, with an asymmetry between the laws applied to natives and to those considered "French citizens" present in the same territory. In view of this, and considering the difficulty of ascertaining when or how the law applied to natives because of the legal uncertainty associated with it, we decided to indicate as the date of decriminalisation the year in which French laws became valid in such territories, although noting reservations with regard to the asymmetry of application.

5.2. Legal barriers to freedom of expression on sexual and gender diversity

The limitations on freedom of expression may take many forms: from the laws explicitly naming issues of sexual and gender diversity to the norms containing vague language relating to public morality, and apparently unrelated laws which are used to restrict free exchange of ideas on LGBT topics.

Even though this report is focused on sexual orientation issues only, in this section, we understand it is problematic to try strictly set apart legal restrictions related to issues of sexual orientation from those that relate to gender identity and gender expression. Legislators use a plethora of legal proxies to target LGBT issues, from ambiguous "non-traditional sexual relationships" and "gender theory" to offensive terms describing issues of sexuality which, in practice, are used to target people of diverse gender identities and expressions. Therefore, dividing the laws based on whether they target sexual orientation only or combined with other characteristics has little practical value.

Additionally, in this edition, we have decided to reclassify countries into two main tiers based on the explicitness of the language used in the legal barriers to freedom of expression as they relate to our communities.

5.2.1. TIER 1: Explicit legal barriers

The entries in Tier 1 include countries that have legislative or other governmental rules and regulations that explicitly outlaw forms of expression related to sexual and gender diversity issues.

We take a note of non-ambiguous targeting because they play an important role in both elucidating and crystallising an official position with regard to sexual and gender diversity issues. Moreover, such explicit language eliminates the interpretational gap that provides space for certain forms of legal advocacy.

It is enough for a country to have at least one legislative act explicitly limiting freedom of expression on SOGIE issues to be treated as a jurisdiction limiting the freedom of expression of LGBT+ people and to be included in Tier 1.

5.2.2. TIER 2: Non-explicit legal barriers

The entries in Tier 2 include countries that have interpretations of legal provisions, religious norms, and law-enforcement practices which target but do not explicitly refer to sexual and gender diversity issues. It is noteworthy that the language of legislative provision does not correlate with the frequency or severity of its enforcement.

The "Is there more?" section includes examples of bills and legislative initiatives aimed at restricting the freedom of expression of LGBT+ people, as well as cases of governmental crackdowns, prosecution of individuals, or other information relevant to limitations of freedom of expression on SOGIE issues.

5.3. *Legal barriers to the registration or operation of CSOs working on sexual and gender diversity issues (freedom of association)*

Mapping the legal barriers to the registration or operation of sexual orientation-related (SOR) civil society organisations can be quite challenging. Unlike other laws, which may be more straightforward in their wording or effects, the barriers that usually prevent the registration or operation of organisations can be more abstract.

Therefore, in order to confirm the existence of a legal barrier, additional information needs to be gathered with regard to the official response or explanation given to a failed attempt to register an organisation. In this regard, this section does not pretend to be exhaustive. Other countries with legal barriers may be included if more information becomes available.

In this section we also list States in two tiers.

5.3.1. TIER 1: confirmed legal barriers

ILGA World has found that there may be an explicit prohibition against CSO activities or associations, where the law specifically forbids CSOs working on sexual and gender diversity issues from registering. Although these kinds of prohibitions exist, they are quite rare. Most cases include countries with NGO laws that prohibit the registration of groups that engage in illegal, immoral or “undesirable” activities or purposes. These provisions may be interpreted to prohibit the registration of organisations working on sexual and gender diversity issues, which is often the case in countries where consensual same-sex sexual acts are criminalised.

Tier 1 countries are those for which we were able to corroborate that local groups have been denied registration based on a provision of law against working on these issues. Reference to the source in which the rejection was documented is always provided.

5.3.2. TIER 2: legal barriers very likely to exist

This tier includes countries for which ILGA was not able to find evidence of official rejection but where criminalisation of same-sex intimacy, restrictive NGO laws and generalised hostility (state-sponsored or otherwise) make it very unlikely that a request for registration will be accepted. Lack of evidence of official rejection can be due to various factors.

First, in several countries no SOR CSO or civil society groups are known to exist on the ground. In others, for various reasons (exposure, governance, interference, cost, etc.), groups expressly choose not to pursue NGO

status, and opt for other creative strategies to be able to operate at the policy level. For example, in countries with the death penalty or other harsh penalties for same-sex consensual acts, where activists may find it too dangerous to organise or come out, it is highly likely that any attempt at registration will be denied. Additionally, when the legal terminology used to criminalise same-sex intimacy is the same as or similar to that used in the provisions on CSO registration, the likelihood of a legal barrier increases.

Additionally, as most laws on NGOs and associations prohibit the registration of organisations with “illegal purposes”, the criminalisation of same-sex activity can be indicative of a legal barrier to register an organisation working on sexual and gender diversity issues. However, this cannot be taken as a hard and fast rule given that in many countries which still criminalise, local courts have argued that advocating for the rights of LGBT people cannot be equated with the sexual acts that fall under sodomy laws. Therefore, not every criminalising country is included in this second tier.

5.4. *Protection against discrimination: constitutional, broad and employment protection.*

Three sections cover the different levels of legal protection against discrimination based on sexual orientation which we have chosen to focus on in this report, namely: (1) constitutional protection, (2) broad protection, and (3) employment protection.

For the country to be included in each of these sections, the relevant legal basis or authority must *explicitly* mention sexual orientation (or any equivalent terms, such as “sexual preference”, “homosexual orientation”, or “sexual option”).¹⁸

These three categories are the only three that follow a rough hierarchical pattern, according to which “constitutional protection” is considered the highest level of protection, “broad protection” as the immediate next, and “employment protection” as the narrowest of the three. All countries that appear in the “constitutional” section appear in both “broad” and “employment” protection sections. This order of precedence reflects the hierarchy of laws within the legal frameworks that adopt a written constitution, in that constitutional provisions are expected frame and guide the drafting of all other norms of inferior hierarchy. In other words, if the constitution prohibits discrimination based on sexual orientation, in theory no legal provision in that country can discriminate based on sexual orientation.

However, it must be noted that, in practice, this is not always the case. The most salient examples that can be cited are the constitutions of Bolivia and Ecuador, which prohibit discrimination based on sexual orientation but at the same time restrict the right to

¹⁸ Specific notes are included where more ambiguous terms—such as “sexual minorities” or “gender orientation”—are used.

legal protection for same-sex couples and adoption by same-sex couples, respectively. This legal collision is possible as well between the constitution and discriminatory laws that remain unchallenged on the books. Additionally, in many countries formal laws are required to implement the rights enshrined in the constitution and when no specific action is taken to enact these laws, a constitutional clause may end up being a mere expression of desire rather than an enforceable provision (oftentimes referred to as “justiciable clauses” as opposed to “programmatic provisions”).

For all these reasons, the hierarchy of the legal provisions should not always be understood as a stronger or more robust protection. Assessing the effectiveness of the protection of each of the legal provisions in this report goes well beyond its scope and would require in-depth research at a scale that is unfeasible when covering all 193 UN Member States and more than 45 non-UN member jurisdictions.

The “broad protection” category includes explicit legal protections against discrimination based on sexual orientation in health, education, housing and the provision of goods and services. For a country to be included in the main chart and counted as offering “broad” protection, it must provide protection against discrimination in at least three (3) different areas (including in employment).

Those that have some level of protection, but do not accomplish the “three-areas criterion” are included in the “*Is there more?*” entries. As a separate section is dedicated to it, employment protection is not mentioned under this section.

With notable exceptions, employment protection is regularly among the first protective measures to be enshrined in legislation.¹⁹ As of December 2020, all 57 UN Member States offering “broad protection” against discrimination based on sexual orientation also ensure employment protection, and 24 more offer employment protection only. Hence, 81 countries are reported as offering employment protection in the relevant category.

ILGA World’s map additionally features a fourth category labelled “Limited/Uneven protection”. This category is explained in detail in Section 7 below.

6. Tracking and documenting legal developments

Even though tracking the existence of provisions relevant to our communities may appear to be a relatively straightforward task, there are certain

complexities that the research team has had to consider in undertaking this work. When ILGA World tracks and reports on legal developments these specificities come into play and inform the way in which progress or backtracking is documented and described. In this section we offer our readers a basic overview of many of these issues.

6.1. How laws come into being

The process by which laws are incorporated into the legal framework varies across countries (and across time) and it usually takes a considerable amount of research to learn the substance and the formalities of these procedures.

However, a few concepts can be generally identified in most systems. Granted, each of the following lines will have numerous exceptions or may not apply entirely in several countries. In this section we only aim to broadly explore the critical moments along the process by which laws generally come into being.

6.2. How it all starts

The very first step towards making progress in the legal arena may begin with informal discussions among relevant stakeholders. Advocacy by civil society organisations plays a fundamental role in this seminal stage, where a plethora of strategies can be deployed at the local level according to the opportunities available.

When these efforts are aimed at obtaining legal protections for any right, one of the first steps towards achieving that goal is the formal introduction of the proposal into a legislative body. This proposal is usually referred to as a “bill”. Who is entitled to take this first step varies greatly across countries.

For the purpose of our work, this is usually the first indication that a subject matter is potentially among the issues that the relevant legislative body will discuss. In many countries the introduction of a bill does not guarantee that such discussion will take place or even be given any significant consideration.

In this report we only track bills to a very limited extent and in a non-systematic way. Information on these initiatives is not always easily accessible or available online. Therefore, countries where legislative bodies do not have updated, publicly available records may be underrepresented in the tracking of bills. Moreover, where civil society or media outlets do not report on the introduction of bills, initiatives at this seminal stage become hard to track globally.²⁰

¹⁹ In numerous countries, data protection is also an area of law where seminal progress is being made. These laws usually label “sexual orientation” as sensitive information that cannot be legally shared or disclosed. This legal category is not systematically tracked in this report.

²⁰ Special attention should be given to the fact that media outlets or statements by advocacy groups may report on initiatives or proposals that “are being considered” even before the formal introduction of the bill takes place. This is usually the case when “drafts” are reported or made public before a bill is introduced.

6.3. Discussion (and its coverage)

If the necessary steps are taken, a bill would normally go through different stages of discussion. It can also be abandoned without further discussion, let alone a vote, or become defunct due to the passage of time according to applicable rules.²¹

When a bill starts to make its way through the required procedures, careful attention should be given to media outlets reporting on this progress given that the accomplishment of one formal step along the whole process can sometimes be mistaken for the “adoption” of the law if not clearly reported as such.

One of the most common cases of confusion arises when the relevant legislative body is bicameral (composed of two chambers) and the adoption by one of the chambers is made public. Bicameral systems usually require bills to be approved by both chambers in order to be adopted. Moreover, in numerous countries—bicameral or otherwise—legislative bodies can be organised in thematic commissions, committees or task forces that have specific roles in the discussions. Further, the expected linear progress made towards the adoption of a bill can be complicated when amendments are made, requiring additional readings, sessions, or reapproval. Given all these intricacies, it is always necessary to be familiar with the processes through which any given bill must go before being formally adopted.

6.4. Legislative approval may not mean final adoption

In numerous countries, a positive outcome in the legislative branch is not the final step in the process to creating laws. Other authorities may have the power to affect the process and prevent the final adoption of the law. Terminology varies greatly—and translation at the international level may not always accurately reflect local linguistic specificities—but it can be said that, generally speaking, a law becomes such when it is formally enacted.²²

The authority empowered to this end and the formalities involved therein are also considerably different in each country. Additionally, in most legal frameworks, some sort of formal publication of the relevant law or bill is required. This is usually done in an “official gazette”. The publication itself may even be given specific legal effects. These gazettes are the

most reliable source to confirm that a law has been enacted and has full legal effect as such.

In some countries, the judiciary may also have a role to play, where constitutional courts are required to carry out a constitutional assessment of proposed legislation.

However, the most common scenario involves the executive branch. In effect, where the executive takes part in the creation of laws, it is usually the case that specific action by the incumbent executive authority is required to enact the law by means of an executive order or decree. Many countries also empower the executive to completely or partially “veto” a law that has been passed by the legislative body. If a law is vetoed, it means that it is rejected and will not come into effect.²³

A very recent example of a law that would have been relevant for this report but was vetoed by the executive is the Ecuadorian Organic Health Code,²⁴ which contained specific provisions relevant to so-called “conversion therapies”.²⁵

6.5. Enactment may not mean entry into force

The specific date for the law to come into force may not coincide with the date in which it was enacted. In many cases, a delay in the entry into force may be due to the need to adapt infrastructure, proceedings or other aspects required for the implementation of the law. For instance, in the past some legislative bodies have delayed the entry into force of same-sex marriage laws to make the necessary adjustments for their implementation.

Relevant to this report, the year included in all entries next to each relevant legal development corresponds to the year of entry into force.²⁶ Furthermore, at least two laws that will enter into force in 2021 have been included as enacted laws, but not yet in force: the Angolan Penal Code (2019) and the law granting rights to same-sex couples in Montenegro.

In effect, this is the basic requirement for the inclusion of laws in this report. ILGA World is not currently able to track actual implementation of laws, or the issuance of the necessary regulations for laws to become fully operative (see below).

²¹ Some countries establish a period within which the bill has to be discussed, otherwise it lapses and becomes invalid, having to be proposed again.

²² It could also be said that a bill becomes “law” when approved by the legislative and, if action by the executive is required, such acts will determine its entry into force. These terminological differences are not always relevant for the purpose of tracking laws at the international level.

²³ What happens after an approved law is vetoed varies greatly according to country. In some legal frameworks, the legislature has the possibility of “insisting” (overriding the veto) if certain conditions are met.

²⁴ “El veto al Código Orgánico de Salud de Ecuador es “decepcionante”, dicen expertos en DDHH”, *Noticias ONU*, 21 de octubre de 2020.

²⁵ “Aprueban en Ecuador Ley de salud que prohíbe las terapias de conversión”, *Anodis.com*, 10 September 2020.

²⁶ For some entries, especially for legal developments dating back more than 30 years, it may not have been totally possible to discern discrepancies between the date of enactment and the date of entry into force if such difference existed.

6.6. *Entry into force may not mean that the law is fully operative*

In some countries, for a law to become “operative” (i.e. the relevant authorities can actually implement the law) further action by the executive branch—besides enactment—may be required. This is usually the case when the law contains clauses that depend on decisions that have to be made by a relevant authority and, especially, where express action is required from the government. In these cases, an additional executive order or decree establishing further rules and regulations may be required to implement the law.

For example, as reported in 2019, the law establishing a 1% labour quota for trans and *travesti* people in the Province of Buenos Aires (which was passed by the legislature, enacted and entered into force) was rendered inoperative by the fact that the governor in office decided to shelve the executive order regulating the implementation of the law.²⁷ Scholars have argued that such omissions by the executive are an irregular way of imposing a *de facto* veto on laws in force.²⁸

6.7. *ILGA World's reporting on Angola's Penal Code*

In January 2019, ILGA World received the news that the Parliament of Angola had just *approved* a new Penal Code in which consensual same-sex sexual acts were not only decriminalised, but new provisions anti-discrimination provisions were also introduced. Several sources, including reputable organisations such as Amnesty International²⁹ and Human Rights Watch,³⁰ reported on this major achievement, after a lengthy legal reform process came to an end.

At that point in time, given the reliable information ILGA had on file, including from local activists, and understanding that the publication of laws can sometimes take time, Angola was removed from the list of criminalising countries in the 13th edition of the report published in March 2019. This was done with a note specifying that the official gazette with the new Penal Code had not yet been made available and a link to the draft code that had been reportedly approved.

However, the publication of the code in the official gazette was reported to have taken place only in November 2020, almost two years after the approval. Reports indicated that after the code was approved, the executive requested amendments to some provisions unrelated to consensual same-sex sexual acts or protections based on sexual orientation. The series of events that followed the formal approval of the code by the legislative branch and the technicalities of the process remain unclear to ILGA

World, but full legal certainty about the enactment of the law now comes from the recent publication of the code, which is set to enter into force in 2021.

Upon accessing the published code, only the relevant date had to be amended, as all reported changes and improvements remained untouched.

6.8. *ILGA World's decision to recategorize South Korea*

Based on a methodological decision adopted in this update South Korea has been removed from the list of countries offering broad and full employment protections against discrimination based on sexual orientation at the national level.

This decision hinges on the fact that further research on certain aspects of the law that was used as the legal basis to include the country under that category (the [National Human Rights Commission Act, 2001](#)) and feedback received by multiple sources clarified the legal character of the available protections. In fact, the term “sexual orientation” is explicitly included in the provision that empowers the Commission to carry out investigations and offer certain forms of remedy of limited enforceability.

Even though this explicit reference is relied upon by subnational legislation to prohibit discrimination based on sexual orientation, under the methodology we follow, the clause in the National Human Rights Commission Act does not meet the threshold to ascertain that the legislation in force unequivocally prohibits discrimination in the way that an enforceable (justiciable) law does.

South Korea has been kept in the “*Is there more?*” chart where this limited protection and the protection effectively available in certain subnational jurisdictions is developed. This decision obeys purely to a methodological question and does not reflect any actual change or amendment of the law in question.

6.9. *Judicial rulings*

Another important aspect regards legal developments that are promoted by the courts, whether by declaring the unconstitutionality of a criminalising law or by extending the scope existing norms that provide protection against discrimination.

In the case of Belize, for instance, the country's Supreme Court declared unconstitutional the colonial-era sodomy law which criminalised consensual same-sex sex acts between adults. This first ruling occurred in 2016 and although an appeal was still pending, we

²⁷ Inter-American Commission on Human Rights, [Report on Trans and Gender-Diverse Persons and Their Economic, Social, Cultural, and Environmental Rights](#) (2020), para. 312; “Cupo trans, la ley que Vidal no reglamentó”, *La García*, 30 June 2020; Damián Belastegui, “A cinco días de irse, Vidal reglamentó leyes que le reclaman desde que asumió”, *Letra P*, 5 December 2019.

²⁸ Diana Maffia, “*Leyes sin reglamentar, la historia continua*”: Informe sobre la reglamentación de leyes en la Ciudad de Buenos Aires (2010), 2.

²⁹ Paula Sebastião, “[Raising the LGBTQI flag in Angola](#)”, *Amnesty International*, 29 June 2019.

³⁰ Graeme Reid, “[Angola Decriminalizes Same-Sex Conduct](#)”, *Human Rights Watch*, 23 January 2019.

have established 2016 as the year for decriminalisation in the country.

In this sense, even if an appeal can still overturn the decision—provided that the ruling is already applicable and its effects are *erga omnes* (which means it applies to everyone, and not only to the parties involved in the lawsuit)—the ruling is considered as cause for a country's inclusion in the main chart. If an appeal later reverses the decision, the country would be removed from the main chart, as if it had “re-criminalised” such acts.

7. ILGA World Map on Sexual Orientation Law

Another important resource available both in this report and as a separate file is the [Sexual Orientation Laws Map](#), which is translated into several languages.³¹ The purpose of the map is to serve as a visual tool highlighting general situation in across the globe in regard to sexual orientation laws. It thus covers the main legal categories explored in the report.

The different colours—which have been selected to render the map readable to community members living with varying types of colour-blindness—represent variations on a scale from full protections at one extreme to criminalisation with severe punishments at the other.

The map looks at the following categories:

i) constitutional protection; ii) broad protection; iii) employment protection; iv) limited/uneven protection; v) no protection/no criminalisation; vi) de facto criminalisation; vii) criminalisation with up to eight years imprisonment; viii) criminalisation with ten years to life imprisonment; ix) criminalisation with death penalty.

The protection categories reflect the total number of countries that fall under each one of them, but the cumulative nature of the first three means that the number of jurisdictions with a certain shade of blue will not match, as they get the highest shade possible. In other words, countries that have both constitutional protection and broad protection, will only take the darkest shade of blue, and so forth. The following definitions can be used as a legend to read these categories:

1. **Constitutional Protection:** the text of the Constitution *explicitly* prohibits discrimination based on sexual orientation.
2. **Broad Protection:** protections against discrimination based on sexual orientation cover at least three of the following fields:

employment, health, education, housing and provision of goods and services.

3. **Employment:** legislation in force explicitly protects workers from discrimination based on their sexual orientation in the workplace. The scope of such protection varies from country to country and may or may not cover issues of unfair dismissal, social security, benefits, and so on.
4. **Limited/Uneven Protection:** This category groups a set of countries where protections do not amount to any of the criteria listed above, or where employment or broad protection is only available unequally in a few subnational jurisdictions. Currently only 7 UN Member States—Argentina, Dominican Republic, El Salvador, Japan, Philippines, South Korea, and Vanuatu) and 3 non-UN Member jurisdictions—Hong Kong (SAR China), Guernsey (UK), and the Northern Mariana Islands (USA)—fall under this category.

In addition to the colours selected for each country on the map, we have included a set of symbols where relevant which indicate the status of other issues such as: i) marriage or other forms of legal union for same-sex couples; ii) adoption open to same-sex couples; iii) legal barriers to freedom of expression on issues relating to sexual orientation (and occasionally also gender identity and expression); iv) legal barriers to the registration or operation of civil society organisations working on sexual and diversity issues.

As with the rest of the report, the map only reflects the legal situation of the countries as they exist on paper. In other words, nothing in this map speaks to the social attitudes towards sexual diversity, the lived realities of people on the ground, or levels of violence or prejudice in each country. Readers should be aware that several countries listed as having enacted protections may still be unsafe for our communities, either due to widespread discrimination and prejudice, or through heightened levels of violence that takes place despite legal provisions.

Similarly, some countries which criminalise same-sex sexual activity may have thriving, vocal activist communities. As such, this map remains but one tool out of many that readers and researchers can use. In a nutshell, we provide only a small part of a wider picture.

7.1. Disclaimers

It must be noted that the map is not meant to be used for cartographical reference. In this regard, ILGA World would like to clarify that:

³¹ While the State-Sponsored Homophobia Report is translated into English and Spanish, we were able to translate the 2019 update of the [World Map](#) into Arabic, Chinese (simplified and traditional), Dutch, English, French, German, Italian, Japanese, Korean, Malay, Polish, Portuguese, Russian, Spanish, Swahili, Swedish, Tagalog, Thai and Vietnamese.

The shapes and borders of all countries have been simplified to improve the readability of the map. Many small islands, peninsulas, bays and other geographical features have been deleted or altered to this end. Additionally, with the exception of the Caspian Sea, all internal water bodies have been deleted.

Most country exclaves have also been deleted, and when a country is too small to be seen on the world map, it is represented by a circle that is considerably larger than its actual land area.

In Oceania, given both the small size of the individual islands that make up many nations and the wide geographic distribution that these nations have

throughout the Pacific Ocean, we have worked to find a balance in keeping the relative positions of these states and the need to fit them onto the map in a readable format.

Nothing in the shape or borders of countries should be read as an indication of ILGA World's position regarding territorial disputes, sovereignty claims, or the political status of any jurisdictions.

Any adaptations have the sole purpose of enhancing the map's usability as an advocacy tool for sexual diversity issues only.

6	 Indonesia (MOST PARTS)	NEVER CRIM ³	Having achieved independence from the Netherlands in 1945, the Indonesian Penal Code has had no provisions outlawing same-sex sexual relations. However, Articles 290 and 292 of the Penal Code, as well as the Law on Child Protection (2002), establish a higher age of consent for same-sex sexual acts than for different-sex sexual acts. Several jurisdictions in Indonesia do, however, criminalise consensual same-sex sexual acts between adults. See: entry for Indonesia in the “Criminalisation” chapter of this report.
7	 Israel	1988	The Criminal Code Bill (1936) penalised “carnal knowledge of any person against the order of nature” under Article 152(2). After the country’s independence the provision was replaced by Article 351 of the Penal Law (1977) that kept the same content. Finally, the provision was repealed by Penal Law (Amendment no. 22) in 1988. ⁷⁰
8	 Japan	1882	Consensual same-sex sexual activity was never criminalised in modern Japan, with the exception of a very short period from 1873 to 1881, when “male sodomy” was considered a crime under Article 266 of the Meiji Legal Code of 1873. ⁷¹
9	 Jordan	1951	Jordan is one the few Middle Eastern countries where consensual same-sex sexual acts are not criminalised. The Criminal Code Bill (1936), established by the British Mandate of Palestine and Transjordan penalised “sodomy”. With the approval of the country’s Penal Code (1951) this legislation was repealed. ⁷²
10	 Kazakhstan	1998	With independence from the USSR, Kazakhstan’s Criminal Code of 1997 (in force 1998) removed earlier provisions that penalised consensual same-sex sexual acts between adults in private.
11	 Kyrgyzstan	1998	With independence from the USSR, Kyrgyzstan’s Criminal Code of 1997 (in force 1998) removed earlier provisions that penalised consensual same-sex sexual acts between adults in private.
12	 Laos	NEVER CRIM ³	Prior to and following independence from France in 1954, the country’s Penal Code made no provisions to criminalise consensual same-sex sexual acts.
13	 Mongolia	1961	In 1961, under the Mongolian People’s Revolutionary Party, consensual same-sex sexual acts were decriminalised. This position remained through the 2002 Criminal Code .
14	 Nepal	2007	Article 1 of Chapter 16 of Part 4 of the National Code (locally referred to as “Muluki Ain”) enacted in 1963 criminalises “unnatural sexual intercourse”, a term which was undefined and open to different interpretations. ⁷³ The uncertainty, however, was clarified in <i>Sunil Babu Pant and Others v. Nepal Government and Others</i> , where the Nepal Supreme Court ruled that same-sex sexual intercourse was not to be construed as “unnatural”. ⁷⁴ Though the new Criminal Codes Act which replaced the <i>Muluki Ain</i> appears to continue to criminalise “unnatural sex”, ⁷⁵ it should be read in light of this case.

⁷⁰ The year and number of the amendment that finally repealed criminalising provisions from the Penal Code are confirmed by the Supreme Court of Israel in *El Al Israel Airlines Ltd. v. Yonatan Danilowitz and The National Labor Court* (1994). See: Supreme Court of Israel (sitting as the High Court of Justice), *Case no. 721/94: El Al Israel Airlines Ltd. v. Yonatan Danilowitz and The National Labor Court*, 30 November 1994.

⁷¹ Yuki Arai, “Is Japan Ready to Legalize Same-Sex Marriage?” *Cornell Law School LL.M. Student Research Papers*. Paper 4 (2014), 127.

⁷² Jehoeda Sofer, “Sodomy in the Law of Muslim States” in Arno Schmitt and Jehoeda Sofer (eds.), *Sexuality and Eroticism Among Males in Moslem Societies* (New York and London: Routledge, 2011), 250.

⁷³ Blue Diamond Society (BDS) et al., *The Violations of the Rights of Lesbian, Gay, Bisexual, Transgender, and Intersex Persons in Nepal: Submitted to the Human Rights Committee on Relevant Issues Prior to Reporting (LOIPR)* (2013), 13.

⁷⁴ Kyle Knight, *Bridges to Justice: Case Study of LGBTI Rights in Nepal* (Astraea Lesbian Foundation for Justice, 2015), 23.

⁷⁵ UNDP and USAID, *Being LGBT in Asia: Nepal Country Report* (2014), p. 29; ICJ, *Serious Crimes in Nepal’s Criminal Code Bill, 2014: A Briefing Paper* (2017), 20.

			The government has used these laws to shut down newspapers and websites with content related to sexual orientation.⁶² In this line, the Head of Iran's High Council for Human Rights reportedly stated in 2013: "In our country, homosexuality is a form of sickness. It is illegal to promote homosexuality, and we have strict laws in this regard".⁶³ In July 2020, an assistant to the Iranian president was charged with "spreading moral corruption and depravity" after she "accidentally" authorised a publication with a rainbow family infographic.⁶⁴
7	 Jordan	1998	Article 28 of the Press and Publication Law (1998) allows an editor-in-chief to refuse to publish any content that is "contrary to public morals". Under the original version of the Law, Article 37 prohibited the publication of content that "encourages perversion or lead to moral corruption". In July 2017, the Jordanian Audio-visual Commission blocked access to an LGBTQIA-inclusive online magazine on the basis that they had not applied for a license.⁶⁵ In 2016 and 2017, the Jordanian government banned Mashrou' Leila, a Lebanese rock band whose frontman is openly gay, from performing in Jordan as the band's opinions and songs contradicted religious beliefs,⁶⁶ and were "against the religion and norms of the country".⁶⁷
8	 Kuwait	2006 2016	Article 21 of the Press and Publications Law (Law No. 3) (2006) prohibits the publication of anything that would insult public morals or instigate others to violate the public order or to violate the laws or to commit crimes, even if the crime did not occur. This law was extended to include online publications under the Law Regulating Electronic Media (Law No. 8) (2016). In 2017, the Ministry of Information prohibited the screening of a Disney film ("The Beauty and the Beast") that contained what the director called "an exclusively gay moment".⁶⁸ In October 2019, the same Ministry gave a last-minute order to cancel a performance by a Korean pop band in Kuwait for its alleged "failure to adhere to local customs and values".⁶⁹ While no further details were officially provided, several media outlets reported that the cancellation was due to a rumour that all of the band's members were gay.⁷⁰
9	 Lebanon	1943	Article 531 and 532 of the Penal Code (1943) prohibit violation of public morals by public actions, movements, speaking, and screaming. In addition, Article 533 criminalises manufacturing, exporting, supplying, or acquiring "writings, drawings, manual or photographic images, suggestive films, or other indecent items with the intention to trade or distribute them, or announce or inform how to obtain them". In May 2018, media outlets reported that authorities detained a member of Beirut Pride for organising a demonstration that incites immorality.⁷¹ In 2018, authorities shut down an LGBTQ+ conference, sending security officers to the event venue.⁷²

⁶² Global Initiative for Sexuality et al., *The Violations of the Economic, Social, and Cultural Rights of Lesbian, Gay, Bisexual, and Transgender (LGBT) Persons in the Islamic Republic of Iran*, (2013), 18–19.; 6Rang (Iranian Lesbian & Transgender Network), *It's a great honor to violate homosexuals' rights: Official hate speech against LGBT people in Iran* (December 2017).

⁶³ Hossein Allzadeh, "UN to Iran: Protect LGBT People. Iran's Spin Doctor Responds with Bad Medicine", *Huffington Post*, 01 June 2013.

⁶⁴ "Iran official charged for cartoon of loving same-sex parents", *Erasing 76 Crimes*, 18 July 2020.

⁶⁵ "Jordan blocks access to LGBTQ online magazine", *Committee to Protect Journalists*, 08 August 2017.

⁶⁶ "Mashrou' Leila: Jordan bans Lebanese rock band with gay singer", *BBC News*, 27 April 2016.

⁶⁷ Tamara Qiblawi, "Jordan bans Lebanese rock band after furore over queer frontman", *CNN*, 16 June 2017.

⁶⁸ Kate Feldman, "'Beauty and the Beast' pulled from theaters in Kuwait by censors", *New York Daily News*, 20 March 2017.

⁶⁹ "The reason why the Korean band D-Crunch was not allowed to perform in Kuwait", *Arab Times Kuwait*, 28 October 2019.

⁷⁰ "Because You're GAY! K-Pop Band 'D-Crunch' Got Kicked off Stage in Kuwait", *Al Bawaba*, 28 October 2019.

⁷¹ Hugo Lautissier, "Beirut Pride's Hadi Damien Q&A: Lebanon's LGBT movement is 'growing'", *Middle East Eye*, 19 May 2018.

⁷² "Lebanon: Security Forces Try to Close LGBT Conference", *Human Rights Watch*, 4 October 2018.

4		Jordan	2008	Article 3 of the Law of Societies (Law No. 51) (2008), as amended by Law No. 22 of 2009, prohibits the registration of any society which has illegal goals or purposes. Additionally, for non-Jordanian sources of funding, Article 17 requires that the source of donation be not contrary to public order or morals. On several occasions, officials have publicly stated that no authorisation would be given to LGBT groups to legally operate in the country, including in 2009,⁷⁴ 2015,⁷⁵ and, more recently, in 2017, when—in the aftermath of an inquiry discussed by MPs against a queer-inclusive magazine—the Minister of Interior issued a letter to the Minister of Political and Parliamentary Affairs stating that Jordan “would never endorse any charter or protocol acknowledging homosexuals” or would grant them any rights “as it is considered a deviation from Islamic law and Jordanian Constitution”, and that “any initiatives by those who have sexual deviancy are violating the provisions of Islamic religion and the general system”.⁷⁶ He also denied having permitted the establishment of any organization or association that representing LGBT people and reaffirmed that such activities “would never be tolerated”.⁷⁷
5		Kazakhstan	1996	Article 5 of the Law on Public Assembly (1996) states that the formation and operation of public association infringing the health or moral principles of the citizens, as well as the activity of unregistered public associations are not allowed. Feminita, a queer feminist collective, has been rejected multiple times since 2015 allegedly because of their focus on LGBT rights,⁷⁸ the most recent of these refusals having occurred in September 2019.⁷⁹ According to an Amnesty International report, there is no registered SOR CSO in operation as “obtaining registration for an NGO is a bureaucratically arduous process, and registration is often refused on spurious grounds”.⁸⁰
6		Kyrgyzstan	1999	Article 12 of the Law on Non-Commercial Organizations (Law No. 111) (1999) states that non-commercial organizations shall have the right to conduct “any type of activity which is not prohibited by Law”. While there are several registered groups,⁸¹ the Ministry of Justice of the Kyrgyz Republic denied registration to the public association Alliance and Social Services of Gays and Lesbians Pathfinder in January 2011 because it deemed that the “designation of the words ‘gay and lesbian’ in a name of the legal entity promotes the destruction of moral norms and national traditions of the people of Kyrgyzstan”.⁸²
7		Lebanon	1909	The Ottoman Law on Associations (1909) prohibits organisations that are founded on an “unlawful basis” and requires notification to the government upon the founding of an organisation, which will respond with a receipt that officially recognises the organisation.

⁷⁴ “بسيسو تنفي تلقي طلب ترخيص جمعية للشواذ جنسيا” [Bseisu denies receiving a license application for a gay sex association], *Khaberni*, 19 March 2009; Aaron Magid, “Little protection for gays in Jordan”, *AL-Monitor*, 12 August 2014.

⁷⁵ “التنمية «تنفي ترخيص جمعية للشواذ أو السماح باحتفالهم»” [Al-Tanmia denies licensing an association for homosexuals or allowing their celebration], *Assabeel*, 27 May 2015.

⁷⁶ MJ Movahedi, “Gay-bashing in Jordan - by the government”, *The New Arab*, 30 August 2017.

⁷⁷ A copy of the letter provided by Human Rights Watch can be accessed [here](#).

⁷⁸ “Kazakhstan’s Queer Feminist Uprising is Now”, *Queer Here*, 5 October 2015.

⁷⁹ “Kazakhstan: Feminist Group Denied Registration”, *Human Rights Watch*, 13 September 2019.

⁸⁰ Amnesty International, *Less Equal: LGBTI Human Rights Defenders in Armenia, Belarus, Kazakhstan, and Kyrgyzstan* (2017), 29.

⁸¹ *Id.*, 33.

⁸² Kyrgyz Indigo and Labrys, *Alternative Report on the Implementation of the Provisions of ICCPR Related to LGBT People in Kyrgyzstan*, (2014), 16.

N	CN	COUNTRY	CRIMINALISATION			PROTECTION						RECOGNITION			
			SAME-SEX SEXUAL ACTS LEGAL?	DATE OF DECRIM	MAX PENALTY	CONST.	BROAD PROT.	EMPLOY.	HATE CRIME	INCITEMENT	BAN CONV. THERAPIES	SAME SEX MARRIAGE	CIVIL UNIONS	JOINT ADOPTION	SECOND PARENT ADOPTION
76	22	Mexico	YES	1872	-	YES	YES	YES	LIMITED	YES	LIMITED	YES	LIMITED	LIMITED	LIMITED
		Montserrat (UK)	YES	2001	-	N/A	YES	YES	LIMITED	NO	NO	NO	NO	NO	NO
77	23	Nicaragua	YES	2008	-	NO	NO	YES	YES	NO	NO	NO	NO	NO	NO
78	24	Panama	YES	2008	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
79	25	Paraguay	YES	1990	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
80	26	Peru	YES	1924	-	NO	YES	YES	YES	YES	NO	NO	NO	NO	NO
		Puerto Rico (USA)	YES	2003	-	N/A	NO	YES	YES	NO	YES	YES	NO	YES	YES
		Saba (NL)	YES	1869	-	N/A	YES	YES	NO	YES	NO	YES	YES	NO	NO
		Saint Barthelemy (FR)	YES	1878	-	N/A	YES	YES	YES	YES	NO	YES	YES	YES	YES
81	27	Saint Kitts & Nevis	NO	-	10	NO	NO	NO	LIMITED	NO	NO	NO	NO	NO	NO
		Saint Martin (FR)	YES	1791	-	N/A	YES	YES	YES	YES	NO	YES	YES	YES	YES
82	28	Saint Lucia	NO	-	10	NO	NO	YES	LIMITED	NO	NO	NO	NO	NO	NO
83	29	Saint Vinc. & the Gren.	NO	-	10	NO	NO	NO	LIMITED	NO	NO	NO	NO	NO	NO
		Sint Eustatius (NL)	YES	1869	-	N/A	YES	YES	NO	YES	NO	YES	YES	NO	NO
		Sint Maarten (NL)	YES	1869	-	N/A	YES	YES	NO	YES	NO	NO	NO	NO	NO
		South Georg. & Sand. (UK)	YES	2001	-	N/A	NO	YES	NO	NO	NO	YES	NO	-	-
84	30	Suriname	YES	1869	-	NO	YES	YES	NO	YES	NO	NO	NO	NO	NO
85	31	Trinidad and Tobago	YES	2018	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
		Turks and Caicos (UK)	YES	2001	-	N/A	YES	YES	NO	NO	NO	NO	NO	NO	NO
86	32	Uruguay	YES	1934	-	NO	YES	YES	YES	YES	LIMITED	YES	YES	YES	YES
		US Virgin Islands (USA)	YES	1985	-	N/A	NO	NO	YES	NO	NO	YES	NO	YES	YES
87	33	Venezuela	YES	1836	-	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO
NORTH AMERICA															
		Bermuda (UK)	YES	1994	-	N/A	YES	YES	YES	YES	NO	NO	NO	YES	YES
88	1	Canada	YES	1969	-	NO	YES	YES	YES	YES	LIMITED	YES	YES	YES	YES
		Greenland (DN)	YES	1933	-	N/A	NO	NO	NO	YES	NO	YES	NO	YES	YES
		Saint Pierre et Miq. (FR)	YES	1814	-	N/A	YES	YES	YES	YES	NO	YES	YES	YES	YES
89	2	United States	YES	1962-2003	-	NO	LIMITED	YES	YES	NO	LIMITED	YES	LIMITED	YES	YES
ASIA															
90	1	Afghanistan	NO	-	DEATH (P)	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
91	2	Bahrain	YES	1976	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
92	3	Bangladesh	NO	-	10	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
93	4	Bhutan	NO	-	1	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
94	5	Brunei Darussalam	NO	-	10	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
95	6	Cambodia	YES	NEVER CRIM	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
96	7	China	YES	1997	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
97	8	East Timor	YES	1975	-	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO
		Hong Kong (SAR China)	YES	1991	-	N/A	NO	LIMITED	NO	NO	NO	NO	NO	NO	NO
98	9	India	YES	2018	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
99	10	Indonesia ¹	YES	NEVER CRIM	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
100	11	Iraq	DE FACTO	-	UNDETERM.	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
101	12	Iran	NO	-	DEATH	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
102	13	Israel	YES	1988	-	NO	YES	YES	NO	LIMITED	NO	NO	YES	YES	YES
103	14	Japan	YES	1882	-	NO	LIMITED	LIMITED	NO	NO	NO	NO	LIMITED	NO	NO
104	15	Jordan	YES	1951	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
105	16	Kazakhstan	YES	1998	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
106	17	Kuwait	NO	-	7	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
107	18	Kyrgyzstan	YES	1998	-	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO