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STATE-SPONSORED HOMOPHOBIA

**A WORLD SURVEY OF SEXUAL ORIENTATION LAWS:
CRIMINALISATION, PROTECTION AND RECOGNITION**

12TH EDITION

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Penal Code 1991 (Act No. 8 1991).**Section 148. Sodomy****[SODOMY]**

- "(1) Any man who inserts his penis or its equivalent into a woman's or a man's anus or permitted another man to insert his penis or its equivalent in his anus is said to have committed Sodomy.
- (2) (a) Whoever commits Sodomy shall be punished with flogging one hundred lashes and he shall also be liable to five years imprisonment.
- (b) If the offender is convicted for the second time he shall be punished with flogging one hundred lashes and imprisonment for a term which may not exceed five years.
- (c) If the offender is convicted for the third time he shall be punished with death or life imprisonment."

Section 151. Indecent Acts**[GROSS INDECENCY]**

"Whoever commits an act of gross indecency upon the person of another person or any sexual act which does not amount to Zina or Sodomy shall be punished with not more than forty lashes and shall also be liable for imprisonment for a term which may not exceed one year or fine."

157 Qadhf (Casting Accusation of In chastity)**[QADHF]**

- "(1) Whoever imputes to any honourable living or dead person by express words, implicitly, by writing or indicative signs accusation of Zina or Sodomy or illegitimacy is said to commit Qadhf.
- (2) A person is said to be honourable (Chaste) if he has not been convicted for Zina, Sodomy, Rape, Incest or Practising Prostitution.
- (3) Whoever commits Qadhf shall be punished with flogging eighty lashes."

In its 1st cycle UPR in 2011, the State made no mention of the civil society submissions (JS 5, JS 7 and JS 11) that were available to it that referenced sexual orientation or gender identity. In its 2nd cycle review in May 2016, Sudan 'noted' (declined to accept) two recommendations given by Honduras ("Adopt measures in the legislative and political spheres, including appropriate budget allocation, to guarantee, prevent and eradicate discrimination on religious grounds, ethnic composition, gender or sexual orientation"), and Chile ("Push forward for the elimination of discriminatory provisions affecting lesbian, gay, bisexual, transgender and intersex persons"). In early-2017, an insightful short video on LGBT life in Sudan was released, illustrating an underlying brutality in social attitudes towards sexual and gender diversity.