

On 24 December 2015, 11 men were **arrested** on suspicion of offenses under Section 319. The court released them four days later, but their faces and identities had been shared on social media, stirring huge public homophobia. The **backlash** to their release was led by the Islamic organisation, Jamra. Around 90% of the population is estimated to be Muslim (Sufi), but Senegal borders with Northern Nigeria where Boko Haram are active, and its neighbor, Gambia, recently declared itself an Islamic state.

In its 2nd cycle UPR cycle in October 2013, the Government of Senegal received 13 SOGI recommendations, seven of them (from Belgium, Greece, Germany, Ireland, Netherlands, Switzerland and Mexico) to repeal the above-mentioned article. The Government **rejected** them and argued that Article 319 must be interpreted as a punishment for “unnatural acts committed in public”, and that nobody has been imprisoned for same-sex sexual activity in the country.

In March 2016, in the context of discussions around Constitutional reform, the President of Senegal was **unequivocal** that the law penalising same sex sexual relations will never be repealed under his tenure. Later in March, campus **violence** broke out concerning a young gay man.

SIERRA LEONE



Offences against the Person Act 1861.

[BUGGERY]

Section 61

“Whosoever shall be convicted of the abominable crime of buggery, committed either with mankind or with any animal, shall be liable, at the discretion of the court, to be kept in penal servitude for life or for any term not less than ten years.”

Both the *Being LGBT in West Africa report* (at 63) and Kaleidoscope Trust’s *Speaking Out* (at 24) describe very hostile socio-political environments in Sierra Leone.

In April 2014, the Human Rights Committee made a strong clear **statement** to Sierra Leone in its first Concluding Observations for that State under the ICCPR: “The State party should review its Constitution and legislation to ensure that discrimination on the grounds of sexual orientation and gender identity is prohibited, including by decriminalizing sexual relations between consenting adults of the same sex, in order to bring its legislation into line with the Covenant. The State party should also take the necessary steps to put an end to the social stigmatisation of homosexuality and send a clear message that it does not tolerate any form of harassment, discrimination or violence against persons based on their sexual orientation or gender identity”.

In its 2nd UPR in January 2016 six States made recommendations to Sierra Leone (three Latin American, three European). Four of these **urged** the State to repeal the 1861 Act (decriminalise), while five contain language urging non-discrimination or anti-stigmatisation initiatives. The Sierra Leone delegation ‘noted’ (functionally rejected) all six recommendations.

SOMALIA



Penal Code, Legislative Decree No. 5/1962.

Article 409. Homosexuality

[INTERCOURSE WITH A PERSON OF THE SAME SEX]

“Whoever has carnal intercourse with a person of the same sex shall be punished, where the act does not constitute a more serious crime, with imprisonment from three months to three years. Where the act committed is an act of lust different from carnal intercourse, the punishment imposed shall be reduced by one-third.”