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2.8. LGBTIQ+ persons

2.8.1. Legal framework

○ (a) Sexual orientation

Legislation on same-sex sexual acts and judicial practice

Article 152 of the Sudanese Criminal Act as amended by Law 12 of 2020 criminalises 'indecent and immoral acts' for 'anyone who commits an act of a sexual nature in a public place or issues signals with sexual meanings that cause harassment of the public's feeling or public modesty' while article 151 criminalises 'gross indecency'.[587](#)

Article 148 of the Sudanese Criminal Act of 1991 criminalises 'sodomy'.[588](#) Before 2020, the punishment for sodomy included flogging for first and second conviction, and capital punishment for third conviction. Law No 12 of 2020 amended certain provisions of the Sudanese Criminal act and removed flogging and capital punishment as possible sentences and replaced them with up to five years imprisonment for first time offenders, seven years imprisonment for second time offenders, and up to life imprisonment for third time offenders.[589](#)

In a book published in 2022 titled 'Queer lawfare in Africa', the authors also stated that there was no widespread enforcement of article 148 of the Criminal Act in Sudan, but rather that persons with diverse SOGIESC 'faced risk of arrest and harassment by public order police' on the basis of several articles of the Criminal Act related to 'honour' and 'morality'.[590](#)

The 1991 Criminal Act as amended in 2009 was reportedly used to criminalise same-sex activities for both men and women.[591](#) While the corporal and capital punishment were abolished from the legislation in 2020, it was still reported by NGOs that flogging was being used for offenses of 'sodomy'.[592](#) In 2014, the Swedish International Development Cooperation Agency (Sida) noted that two other legal provisions of the

Criminal Act had been used at times to prosecute LGBTIQ+ persons: Article 153 on 'material and displays that violate public morals' and Article 156 on 'seduction'.[593](#) These legal provisions were amended in 2020 and still in effect.[594](#) For additional information see below [\(d\) Freedom of expression on SOGIESC](#).

Legislation on same-sex partnership

There is no legal framework in relation to same-sex partnerships in Sudan, but same-sex marriage is not recognised, making it de facto unavailable.[595](#) The Sudanese personal status law defines marriage as 'a contract between a man and a woman'.[596](#)

○ (b) Gender identity

The Sudanese legislation does not allow transgender persons to change their legal gender.[597](#) The Sudanese Criminal Act of 1991 states under the 'interpretation and explanations' section (Art. 3) that "'man" means the adult male, and "woman" means the adult female'.[598](#)

○ (c) Sex characteristics

ILGA World Database noted that name change was 'nominally possible' through judicial procedure, based on Article 30 of the Civil Registry Act of 2011 stating that 'no correction or amendment shall be made in the civil registry except by a final ruling from the competent court that the original registration falls in the area of its jurisdiction'.[599](#)

○ (d) Freedom of expression on SOGIESC

Article 153 of the Sudanese Criminal Act of 1991 as amended by the Amendments Law of 2020 criminalises 'materials and displays that violate public morals'. The provision imposes penalties of fines and imprisonment of up to one month for making, designing, trading or possessing such material, and up to three years of imprisonment for

‘whoever deals in materials that violate public morals or manages an exhibition, theater, cabaret, showroom, or any public place that violates public morals or allows it to be presented’.⁶⁰⁰ Equaldex reported that this Article was used to censor the expression of LGBTIQ+ issues in Sudan.⁶⁰¹ An incident was documented in 2021, where a Sudanese newspaper was suspended for three days after reporting on a demonstration in Khartoum where demonstrators demanded the abolition of article 148 of the Criminal Act.⁶⁰²

- [587](#)

Sudan, Ministry of Justice, General Administration of Legislation - Department of the Official Gazette, Issue no. 1904 on 13-07-2020, Unofficial translation by Redress, n.d., [url](#), p. 7; Sudan, 2020/07/13 - مرسوم الة دة رة لة بة شة عة رة شة لة لة مة الة لة رة الة لة - مة رة دة لة لة [General Directorate of Legislation, Official Gazette Division - Official Gazette - Issue No. 1904 dated 13/07/2020], 13 July 2020, [url](#)

- [588](#)

Sudan, Sudan: 1991 Criminal Act as Amended in 2009, 21 May 2009, [url](#), art. 148

- [589](#)

ILGA World Database, Sudan, Area 1 Legal Framework, criminalization of consensual same-sex acts, [url](#); Equaldex, Sudan, homosexual activity in Sudan, [url](#)

- [590](#)

Queer lawfare in Africa: Legal strategies in contexts of LGBTIQ+ criminalisation and politicisation, A. Jjuuko, S. Gloppen, A. Msosa and F. Viljoen, 2022, ISBN 978-1-7764116-8-9, [url](#), chapter 13

- [591](#)

Human Dignity Trust, Sudan Country Profile, 6 January 2026, [url](#); UN HRC, Report of the Independent International Fact-Finding Mission for the Sudan, A/HRC/57/CRP.6, 23 October 2024, [url](#), para. 302

- [592](#)

USDOS, 2023 Country Reports on Human Rights Practices: Sudan, n.d., [url](#); The report did not specify which NGOs reported on the continued use of flogging.

- [593](#)

Sida, The Rights of LGBTI People in Sudan and South Sudan, November 2014, [url](#), p. 1

- [594](#)

- مرسوم الراجحة بعش عريشت للامعالة اإلإ ١٣-٠٧-٢٠٢٠، [url](#); Sudan, 2020/07/13 [General Directorate of Legislation, Official Gazette Division - Official Gazette - Issue No. 1904 dated 13/07/2020], 13 July 2020, [url](#)

595

Germany, BAMF, Länderkurzinformation Sudan SOGI (Sexuelle Orientierung und geschlechtliche Identität): Situation von LGBTIQ-Personen; Stand: 04/2025 [Country brief Sudan SOGI (Sexual Orientation and Gender Identity): Situation of LGBTIQ people; current status: 04/2025], 7 April 2025, [url](#); ILGA World Database, Sudan, Area 1 Legal Framework, n.d., [url](#) section 14; Equaldex, LGBT Rights in Sudan, n.d., [url](#), section on same-sex marriage

596

Sudan, The Muslims Personal Status Act, 24 July 1991, [url](#), art. 11

597

Equaldex, Sudan right to change legal gender in Sudan, [url](#); Germany, BAMF: Länderkurzinformation Sudan SOGI (Sexuelle Orientierung und geschlechtliche Identität): Situation von LGBTIQ-Personen; Stand: 04/2025 [Country brief Sudan SOGI (Sexual Orientation and Gender Identity): Situation of LGBTIQ people; current status: 04/2025], 7 April 2025, [url](#), para. 1.1

598

Sudan, 1991 Criminal Act as Amended in 2009, 21 May 2009, [url](#), article 3

599

ILGA World Database, Sudan, Area 1 Legal Framework, n.d., [url](#)

600

Redress, unofficial translation of the Republic of Sudan Official Gazette Issue no. 1904 on 13-07-2020, [url](#);

- Sudan, ١٩٠٤ ةرادإل 2020/07/13 في خرؤمل, [General Directorate of Legislation, Official Gazette Division - Official Gazette, Issue No. 1904 issued on 13/07/2020] 13 July 2020, [url](#)

601

Equaldex, Sudan, censorship of LGBT issues in Sudan, nd.[url](#)

602

Darfur24, Al-Dar newspaper Suspended for three days, 18 August 2021, [url](#); Dabanga, Sudanese tabloid suspended for 'false news' about gay demo, 21 August 2021, [url](#)

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