



Senegal's 2026 Anti-LGBTQIA+ Law & Developments LEGAL ANALYSIS & IMPACT FOR AID AGENCIES

On 27 March 2026, Senegal **adopted [anti-LGBTQIA+](#) amendments to its Penal Code**, doubling the sentence for same sex intimacy and criminalising the 'promotion' of homosexuality and transgender identities for the first time. The adoption of this law follows a dramatic spike in anti-LGBTQIA+ sentiment in Senegal in recent years, and coincides with an aggressive government crackdown on people with diverse sexual orientations, gender identities or expressions, or sex characteristics (SOGIESC) that has resulted in **over 100 arrests since February 2026**. These developments have resulted in **largescale movement of LGBTQIA+ people**, who are fleeing Senegal for neighbouring countries and further abroad. This movement is expected to continue. This briefing covers:

Background & details
on crackdown

What the laws say

Impact on public
health &
displacement

Human rights
implications

Recommendations
for aid agencies

Background

Senegal has criminalised 'indecent or unnatural acts committed with a person of the same sex' since 1965, made punishable by up to five years imprisonment in **Article 319 of the country's Penal Code**. For at least 15 years, human rights and LGBTQIA+ groups have reported that this law has been relied on by the police to harass, extort, and arrest members of the queer community. Prior to 2026, incidents of individuals being charged and convicted under these laws were **sporadic**, but did happen.

Anti-LGBTQIA+ sentiment has starkly increased in Senegal in recent years, in part due to the advocacy of Samm Jikko Yi – a collective of anti-LGBTQ+ activists that has been campaigning for tougher sentences on LGBTQIA+ relations since [at least 2020](#). Certain Members of Parliament [tried unsuccessfully](#) to introduce new anti-homosexuality laws in 2022 and 2024. In March 2026, [Reuters reported](#) that Samm Jikko Yi began working with the US-based anti-gender group [MassResistance](#) (designated as anti-LGBT hate group by the [Southern Poverty Law Center](#)) since 2024 to push for the adoption of new anti-LGBTQIA+ legislation. In May 2025, Samm Jikko Yi and a coalition of other Islamic anti-gender groups organised large anti-homosexuality protests in Dakar, prompting a government spokesperson to announce that legislators had begun working with religious groups on updating the laws relating to homosexuality. These discussions led to the drafting and adoption of the amendments to the Penal Code discussed in this briefing.

The laws: new and old

The 2026 amendment to Senegal's Penal Code

Senegal's National Assembly [passed an amendment](#) to its **Penal Code** on 11 March 2026, by a vote of **135 to zero**, with three abstentions. This amendment was signed into law by President Bassirou Diomaye Faye on 27 March 2026. It introduces the following:

Harsher penalties

- **Doubles the maximum penalty** for 'unnatural acts' to a mandatory five to ten years' imprisonment.
- Provides that those found guilty will be **deprived of the civic and family rights** in Art 34 of the Penal Code (including rights to vote, hold public office, and parental rights) for 10 years.

The offence of 'promotion'

- Criminalises '**promoting or glorifying** homosexuality, bisexuality, [or] transsexuality' through 'any means whatsoever', including speech, writing, and images.

The offence of providing support to 'promotion'

- Criminalises **financing or supporting** activities or organisations engaged in 'promotion'.



A carve-out for organisations doing public health programming

Clarifies that activities carried out by 'duly authorised health structures and organisations' for public health purposes shall not be considered offences under the law.

2010 HIV/AIDS Legislation

Senegal's 2010 Law on HIV and AIDS criminalises the 'intentional transmission' of HIV, which it makes punishable by up to ten years' imprisonment. The law:

- Does not require the actual transmission of HIV – only that someone who knew they had HIV had unprotected sex.
- This criminalises exposure, not transmission.

- Requires the person to **intend** to transmit HIV to their sexual partner. This is extremely difficult to prove.
- In practice, courts are **ignoring this requirement**. (Courts have convicted people even where they have an undetectable viral load, meaning they cannot transmit, for example.)

- Includes punitive penalties for the violation of its **confidentiality regulations** and for **imposing forced HIV testing**.
- Senegalese authorities have been **violating** these sections of the law with impunity. The Gendarmerie Nationale (a section of the military that undertakes policing duties) has been conducting forced HIV tests on those arrested, and in some cases has published the individuals' HIV status on their social media pages.

Events of 2026

Since February 2026, Senegalese authorities have **arrested more than 100 people** in a systematic campaign targeting individuals on the basis of their real or perceived SOGIESC. **The use of HIV/AIDS legislation to prosecute gay men has become a common feature of the crackdown**, with the [HIV Justice Network reporting](#) at least 25 arrests for HIV transmission in 2026. Local LGBTQIA+ organisations [have reported](#) that **anyone arrested under Article 319 is being subjected to forced HIV testing**. In at least one case, the HIV status of the arrested individuals was [made public](#) on the social media pages of the Senegal's Gendarmerie Nationale. The crackdown has already resulted in at least [two convictions](#), with many more people waiting to stand trial. This is a notable difference to the situation following the passage of the Anti-Homosexuality Act (AHA) in Uganda and other similar laws passed across the continent – which generally cause a significant increase in police harassment and abuse of LGBTQIA+ communities, but rarely lead to trials or result in convictions. **Most of those currently in detention are reported to be gay men.**

The mass arrests have ignited widespread anti-LGBTQIA+ sentiment in Senegal. Social media platforms [have been flooded](#) with calls to 'out' individuals from the community. Mainstream media outlets [have published articles](#) with headlines such as 'Big Homo Clean-Up' and conflated the crackdown with an unrelated child sex abuse case. An Islamic NGO, Jamra, [has claimed](#) to hold a list of 635 names of alleged homosexual persons, which it proposes to use to seek the dismantling of 16 LGBT+ rights NGOs.

Impact on public health and displacement

HIV treatment uptake

Government data and health officials [have reported](#) a **25.6% drop in attendance at some HIV treatment centres within a single month of the crackdown**. This is occurring in a country already struggling to control the epidemic: between 2010 and 2024, new HIV infections in Senegal [rose by 36%](#), making it one of only four countries in West and Central Africa to record an increase over that period; while recent aid cuts were [already restricting](#) the ability of the country's HIV+ population to access treatment.

On 26 February 2026, the National Alliance Against AIDS (ANCS), a Senegalese public health organisation working with Key Populations,¹ [sent an email](#) informing partners it was **'suspending interventions aimed**

¹ Key Populations are those at particular risk of HIV, who must therefore be targeted in HIV management and prevention programming.

at the groups most exposed to HIV/AIDS, in particular MSM and transgender people.’ The email, which was sent out before the new law came into effect, attributed the move to ‘*the difficult working environment*’ created by the arrests. According to the [HIV Justice Network](#), many other HIV-focused organisations have shut down their websites and phone lines.

Senegal’s National AIDS Council (CNLS) [has warned](#) that the wave of arrests is dismantling hard-won gains in HIV prevention and treatment. After tracking the 25.6% drop in attendance at 22 HIV treatment centres in February, the Council interviewed more than 50 MSM who had not received their regular treatment, and found they were **avoiding the clinics because they feared being outed, harassed, or arrested**. UNAIDS has [released a statement](#) voicing concern about the new law and warning that criminalisation causes at-risk HIV+ patients to turn away from health services.

Displacement

There are early indications of a **significant increased displacement of LGBTQIA+ people** from Senegal to neighbouring countries and further abroad. Senegalese LGBTQIA+ organisations report that [most people are fleeing](#) to Côte d'Ivoire, Benin, and Togo, and some to Gambia. Human Rights Watch [has confirmed](#) that it has provided supporting letters to Senegalese activists applying for asylum in France, Belgium, Switzerland, and Germany. Many of those fleeing are becoming displaced within Senegal before leaving the country – especially those who have been outed, causing them to lose family support, livelihoods, and a place to stay. The drastic increase in LGBTQIA+ persons needing shelter and support in Senegal has coincided with LGBTQIA+ organisations who provide these services coming under severe threat. Free Senegal, an NGO assisting LGBTQIA+ people to relocate, [closed its Dakar safe house](#) due to fear of being infiltrated in 2025 – in response to a wave of arrests, but before the 2026 crackdown began. LGBTQIA+ organisations continuing to offer such services are under **severe stress, danger, and risk of shutting down**.

Human rights violated by the new law and the crackdown

The amendment to Senegal’s Penal Code, the weaponisation of the HIV law and the crackdown on the LGBTQIA+ community violates the following rights, protected under the Senegalese constitution and regional and international law – including the African Charter on Human and People’s Rights (African Charter), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

Right	Legal basis of right	Violations of right
<i>Right to equality</i>	• Constitution (Art 7) • African Charter (Art 2) • ICCPR (Art 2)	The UN Human Rights Committee and the African Commission have found that violations against people on the basis of their SOGIESC violates the right to equality.
<i>Right to privacy</i>	• Constitution (Art 13) • ICCPR (Art 17) • African Charter (implied)	The large-scale arrest of individuals for consensual acts carried out in private, forced HIV testing, and the publicization of their HIV statuses all constitute grave violations of this right.
<i>Freedom of expression</i>	• Constitution (Art 10) • African Charter (Arts 8, 9) • ICCPR (Art 19)	Criminalising the ‘promotion’ of LGBTQIA+ identities through speech, writing, and other means criminalises the expression of certain thoughts and opinions.
<i>Freedom of association</i>	• Constitution (Art 12) • African Charter (Art 10) • ICCPR (Art 22)	The new law criminalises operating or supporting LGBTQIA+ organisations, which violates the right to freedom of association.
<i>Right to health</i>	• Constitution (Art 17) • ICESCR (Art 12) • African Charter (Art 16)	The systematic targeting of LGBTQIA+ communities and the punitive focus on HIV+ individuals have drastically impeded the ability to access HIV testing and treatment.

Likely impact on aid programming

The promotion and financing provisions of the new law will inevitably ignite fear within aid agencies. The experience of Uganda following the passage of the AHA – the first law on the continent to criminalise the ‘promotion of homosexuality’ – offers a **cautionary precedent** of what can result from organisational responses based in this fear. Following the passage of the Uganda AHA, **many aid agencies defaulted to over-reaction and “fear-based” compliance, self-censoring and making programme and operational changes well beyond what the law actually required** – badly damaging the ability of LGBTQIA+ people to access aid and essential services and contributing to the mass flight of queer people from the country. **The current crisis in Senegal demands that international aid organisations maintain and strengthen their engagement with LGBTQIA+ communities and local organisations – not retreat from it.**

Public health

The 2026 law contains an **explicit public health safeguard clause**, providing that activities carried out by duly authorised health structures and organisations for public health reasons continue to be legally permitted. International health, humanitarian and development organisations should rely on this carve-out to **maintain all health-related programming – and to put proactive measures in place to ensure that these services reach SOGIESC minorities**. UNAIDS has confirmed that it will continue to carry out activities intended to reach all people in need of services, including Key Populations. Other international organisations should adopt the same position.

Other services

LGBTQA+ communities in Senegal are in more urgent need than ever of support that goes beyond public health – including the provision of emergency shelter, legal aid and assistance, mental health support, and documentation of and response to violent attacks. Such support **must not be interpreted by aid agencies as constituting the ‘promotion or glorification’ of homosexuality or transgender identity** within the meaning of the law. Providing life-saving services and protection to vulnerable people is the core of the humanitarian mandate. International organisations, who carry significantly lower legal risk in providing such services than their local counterparts, **must not allow that mandate to be eroded by expansive self-censorship**.

Refugee and displacement actors

Organisations working on internal displacement and refugee response must urgently expand their analysis to **include the mass displacement of LGBTQIA+ Senegalese people**, including those displaced internally and those fleeing to neighbouring countries. This population has **distinct protection needs** that require specific competencies. Organisations should invest now in the relevant guidance, staff training, and partnership frameworks needed to respond to this displacement effectively and safely.

Recommendations for aid agencies

The PRIDE Centre makes the following recommendations to UN agencies, NGOs, INGOs, and donors.

1. Avoid fear-based over-compliance.

Aid organisations operating in Senegal should conduct an immediate review of their programming in light of the 2026 law – but this review must be grounded in a **precise legal reading of what the law actually requires, as well as their obligations under international law and their own policy frameworks** and human rights obligations – not in institutional risk-aversion.

The PRIDE Centre has risk assessment and mitigation tools available to agencies to assist their ability to *accurately* identify and mitigate risks without resorting to self-censorship and over-correction.

2. Consider relocating regional staff and offices from Dakar.

Dakar serves as the West African regional headquarters for a significant number of INGOs and UN agencies. Given the 2026 law's broad promotion and financing provisions, organisations should assess **whether maintaining regional headquarters in Senegal is compatible with their legal obligations, ability to abide by the humanitarian principles, and commitments to their own LGBTQIA+ staff and LGBTQIA+ communities and beneficiaries across the region**. Where the legal risk to staff — particularly LGBTQIA+ staff — cannot be adequately mitigated, organisations should give serious consideration to **relocating regional functions to alternative hubs**.

Beyond its operational rationale, such a decision would send a significant signal to the Senegalese government about the reputational and economic consequences of the 2026 law.

3. Use the public health carve-out as an entry point.

Aid organisations with health mandates should **confirm that they will continue non-discriminatory programming that proactively serves Key Populations**; operationalise this through clear internal guidance; and advocate with the Senegalese Ministry of Health for formal guidance that gives legal certainty to local implementing partners.

Other countries with similar restrictions, including Uganda, have implemented these protections.

4. Provide life-saving services to LGBTQIA+ populations.

The provision of emergency shelter, response to violent attacks, healthcare, legal assistance, and psychosocial support to LGBTQIA+ people **does not constitute the promotion** or glorification of homosexuality within the meaning of the 2026 law. **Aid organisations must actively ensure that LGBTQIA+ individuals are able to access these services**. Given the climate of fear documented in this briefing, organisations must treat the identification and removal of barriers to access as a matter of urgency.

5. Expand refugee and displacement programming to include Senegalese fleeing SOGIESC-based persecution

UNHCR, IOM, INGOs and other organisations working on urban displacement and mixed migration must **urgently expand their analysis and programming to include the growing population of LGBTQIA+ Senegalese people fleeing both within the country and across borders**. These organisations should formally recognise individuals who have been forcibly displaced from their homes or communities within Senegal as IDPs, in line with the [UN Guiding Principles on Internal Displacement](#) and the PRIDE Centre's position. Data collection on the scale, routes, and destinations of internal displacement and refugee flight routes should begin immediately, and findings should be systematically shared across the humanitarian system.

Support systems and staff must also be trained and sensitised to receiving, assisting, and assessing the needs of LGBTQIA+ persons and ensuring safe spaces for them throughout their displacement. LGBTQIA+ persons have unique and specific needs across shelter, health, SGBV, SRHR, and other aid sectors.

6. Support LGBTQIA+ organisations and fund safe shelters

Local LGBTQIA+ organisations are the primary providers of shelter, protection, legal assistance, and community support to queer people in Senegal, and are under severe and immediate threat. International donors and INGOs should make **flexible, multi-year funding available to these organisations**. These grants should be awarded following risk assessments and mitigation plans developed in coordination with LGBTQIA+ civil society.

The PRIDE Centre

The PRIDE Centre (Protection, Rights, Inclusion in Displacement & Emergencies) provides legal and policy analysis, preparedness, and programming tools for emergency response agencies to ensure inclusive programming for LGBTQI+ persons in emergency, humanitarian, and development settings. For questions about this briefing or to discuss how the PRIDE Centre may be able to support your operations, please contact InternationalPrideCentre@pridecentre.org.

The PRIDE Centre is rooted in a foundation of anti-racism and aid decolonisation across all outputs and operations. We embrace SOGIESC communities in all their diversity, inclusive of indigenous understandings of non-CIS sexual identity and gender expression and identity.