

Sudan Abolishes Flogging and Death Penalty of Sodomy's Article, 148 of the Penal Code 1991



On July 9, 2020, the Sudan's Sovereign Council approved new laws, and passed [a package of amendments](#) to the existing ones; these amendments are to reform the justice system in Sudan. Most notably this package of amendments voided; 1) the penalty of apostasy, 2) crimes of freedom of belief and thought, 3) the practice of repentance for apostates, 4) the authority of the National Security to summon and inspection, 5) death penalty against children and persons over the age of 70, and 6) articles that undermine the human dignity of women; this includes criminalizing Female Genital Mutilation, and recognizing women's right to accompany their children while traveling outside Sudan without requiring the permission of their fathers.”

Laws' reformation also included [Article 148 of the 1991 Penal Code](#) (Sodomy Law)¹, which removed; 1) "with shipping a hundred lashes" from the first paragraph, 2) "with shipping a hundred lashes" from second paragraph and instead added imprisonment of jail time not more than seven years, and 3) the word " Death" from the third paragraph.

Although Article 148 is still active, the queer movement in Sudan is fully aware of the importance of its continues and dedicated work to advocate for decriminalization. [Bedayaa Organization](#) considers passing these laws and amendments as a great step toward reforming the justice system in Sudan; this would pave the path for new amendments for change. As 'Freedom, Peace and Justice' was and will remain the slogan of the Sudan Revolution, justice will not exist without institutions that apply the role of law on the basis of freedom and equality.

¹ There shall be deemed to commit sodomy, everyman who penetrates his glans or the equivalent thereof , in the anus of a woman or another man's or permits another man to penetrate his glans or its equivalent in his anus. (a) Whoever commits the offence of sodomy, shall be punished, with shipping a hundred lashes, and he may also be punished, with imprisonment, for a term, not exceeding five years; (b) Where the offender is convicted for the second time he shall be punished with whipping a hundred lashes, and with imprisonment for a term not exceeding five years (c) Where the offender is convicted for the third time, he shall be punished with death, or with life imprisonment.)