



Colonial Homophobia: France's Unexplored Legacy

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In 1791, France became the first Western European country to decriminalize “sodomy.” Nevertheless, French authorities continued to [police sexual diversity](#) as a means to control colonial subjects.¹ This legacy is alive in six former French colonies, mandates, or protectorates today—Algeria, Cameroon, Lebanon, Morocco, Senegal, and Tunisia—where existing laws that criminalize same-sex sexual acts can be traced, in one way or another, to French rule.

Homophobia is a colonial legacy. Four out of five countries that criminalize same-sex sexual acts inherited such prohibition from colonial times. This is the key finding of Outright International's [new map](#): among the countries in which same-sex intimacy is a crime today, 52 out of the 65 countries, or 80 percent, inherited these homophobic laws from colonial rule.² These laws were imposed as a form of social control, and they persist in [enabling discrimination and violence](#) against lesbian, gay, bisexual, trans, intersex, and queer (LGBTIQ) people every day.³ While the majority of countries in this category inherited criminalizing laws from the British Empire, the

¹ “France decriminalized consensual homosexual conduct in 1791. (It did, however, impose sodomy laws on some French colonies as means of social control, and versions of these survive in countries such as Benin, Cameroon, and Senegal.)” Human Rights Watch, *This Alien Legacy: The Origins of “Sodomy” Laws in British Colonialism*, December 2008,

https://www.hrw.org/sites/default/files/reports/lgbt1208_webwcover.pdf, 6-7. “French colonizers – despite having dropped laws against homosexuality in France itself in 1791 – imposed laws against sodomy or same-sex relations in countries including Morocco, Tunisia, Algeria, and Lebanon in the late 1800s and early 1900s.” Human Rights Watch, *Audacity in Adversity: LGBT Activism in the Middle East and North Africa*, April 2018, https://www.hrw.org/sites/default/files/media_2026/01/lgbt_mena0418web.pdf, 6.

² Outright International, “Global Map: Criminalization of Same-Sex Conduct and Colonial Legacy,” accessed May 27, 2026, <https://outrightinternational.org/global-map-criminalization-same-sex-conduct-and-colonial-legacy#algeria>.

The map is being updated, as of the time of publication of this commentary, to reflect our latest findings.

³ See UN General Assembly, Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Victor Madrigal-Borloz, UN Doc. A/78/227, July 25, 2023, <https://docs.un.org/A/78/227>.



underexplored role of French colonial authorities in criminalizing same-sex intimacy merits attention.

To right these historical wrongs, France must do more to advance the rights, safety, and inclusion of LGBTIQ people worldwide. At the same time, it must recognize its role in exporting legal homophobia and ensure that French “rainbow diplomacy” does not put sexual and gender minorities in danger.

Pre-Colonial Sexual Diversity

In the nineteenth and early twentieth centuries, French colonizers regarded the indigenous populations they violently conquered from a position of moral superiority, judging them as sexually decadent and perverse. From the novels of French author André Gide to military journals, there is a [rich body of work](#) that conjures an image of Africa and other colonized lands as a sexual free-for-all that permitted what social conventions back home could not.⁴

There is [robust evidence](#) of sexual and gender diversity on the African continent [before the arrival](#) of Christian missionaries and European colonizers.⁵ Some pre-colonial African societies embraced some forms of gender diversity, as demonstrated by the social status of the [góor-jigéen](#) (“man-woman” in the Wolof) in Senegal, the [mudoko dako](#) in Uganda, the *mashoga* in East Africa, and the [bambomukunda](#) of the Shona group in Zimbabwe, to name a few.⁶ Same-sex

⁴ Robert Aldrich, *Colonialism and Homosexuality* (Routledge, 2003), 1, 11; Robert Aldrich, “Homosexuality in the French Colonies,” *Journal of Homosexuality* 41, no. 3 (2002): https://doi.org/10.1300/J082v41n03_14.

⁵ Mohammed Elnaïem, “The ‘Deviant’ African Genders That Colonialism Condemned,” *Black Radicals*, April 29, 2021, <https://daily.jstor.org/the-deviant-african-genders-that-colonialism-condemned/>; University of Pretoria Centre for Human Rights Faculty of Law, “Colonialism and sexual orientation and gender identity in Africa,” 2023, <https://www.ohchr.org/sites/default/files/documents/cfi-subm/2308/subm-colonialism-sexual-orientation-of-h-university-pretoria-input-4.pdf>.

⁶ Elnaïem, “The ‘Deviant’ African Genders”; Babacar M’Baye, “Afropolitan Sexual and Gender Identities in Colonial Senegal,” *Humanities* 8, no. 4 (2019): <https://doi.org/10.3390/h8040166>, 2-3; Black Thrive Lambeth, “Queerness is African! – Challenging Myths & Misconceptions,” February 28, 2025, <https://lambeth.blackthrive.org/blogs/lgbtq/queerness-is-african-challenging-myths-misconceptions/>; Nolwazi Nadia Ncube, “Challenging the Western gender taxonomy: through African eyes,” *African*

intimacy is widely documented in written accounts of French colonial rule. For example, French military doctor Georges Saint-Paul [lamented](#) that heterosexual men “become homosexuals” under the influence of colonized populations, “and sometimes remain so,” although it is certainly equally true that sexual diversity existed in France.⁷

However, today, some African leaders are flipping the narrative. The claim that queerness is “un-African” is [gaining ground](#) and being used as justification for laws that criminalize same-sex conduct and attempt to silence advocacy for equal rights.⁸ In the past two years, the military juntas in three former French colonies, Mali (2024), Burkina Faso (2025), and Niger (2026), criminalized same-sex intimacy for the first time. The Malian junta leader Assimi Goïta justified this move—framed as part of a broader pivot away from French and Western influence—by [saying](#), “We will not accept our customs and values being violated by people from elsewhere.”⁹

Activists are pushing back against these narratives. A critical part of this work is understanding the extent to which French colonialism robbed colonized peoples of the ability to shape their legal systems according to values that pre-dated colonization. Beyond its legal imprint, European colonialism shaped social structures, including by imposing binary gender norms and [elevating the nuclear family](#) as a

Identities (2026):

<https://www.tandfonline.com/doi/epdf/10.1080/14725843.2026.2618173?needAccess=true>, 8.

⁷ “Tels qui n’eussent été homosexuels vont aux colonies, y deviennent homosexuels et parfois le demeurent.” *Mémoire des sexualités*, “Avant les années 50: XIXème siècle,” accessed January 22, 2026, <https://www.memoire-sexualites.org/xixeme-siecle>. Similarly, the French general Louis Juchault de Lamoricière, who participated in the Algerian military campaigns, reportedly said, “There [in Africa], we were all [pederasts].” Aldrich, *Colonialism and Homosexuality*, 60, citing Michel Larivière, *Homosexuels et bisexuels célèbres : Le Dictionnaire* (Deletraz, 1997).

⁸ Chelsea Cohen and Otilia Anna Maunganidze, “Anti-gay laws: Africa’s human rights regression,” *Institute of Security Studies*, September 27, 2024, <https://issafrica.org/iss-today/anti-gay-laws-africas-human-rights-regression>; European Parliamentary Research Service, *LGBTIQ+ in Africa: Unabated discrimination against people with non-conforming sexual orientations and gender identities*, May 2025, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2025/772863/EPRS_BRI\(2025\)772863_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2025/772863/EPRS_BRI(2025)772863_EN.pdf).

⁹ AFP, “Mali Transition Council Passes Anti-gay Law,” *Barron’s*, November 1, 2024, <https://www.barrons.com/news/mali-transition-council-passes-anti-gay-law-1cb35801>.

model characterizing “civilized” as opposed to “savage” societies, while simultaneously “actively destroying the kinship systems of colonised peoples.”¹⁰

The French Connection

Tracing France’s homophobic colonial legacy is not straightforward. France decriminalized sodomy in 1791, more than a decade before the First French Empire was founded in 1804. By comparison, Britain punished private, consensual same-sex sexual acts between men until 1967. British colonial-era “sodomy,” “buggery,” and “gross indecency” laws persist today in 38 of the 65 UN member states that criminalize same-sex intimacy.¹¹

In contrast, France actually sparked the [first wave of decriminalization](#) through the French Revolution and the First French Empire.¹² Even after Napoleon’s imperial enterprise ended, the influence of French criminal law resulted in decriminalization [beyond Europe](#), from Latin America and the Ottoman Empire to Japan.¹³

¹⁰ Many postcolonial African governments ultimately adopted the European nuclear family model as an ideal, though its relation to African “tradition” or “culture” is tenuous at best. See Haley McEwen, “Nuclear power: The family in decolonial perspective and ‘pro-family’ politics in Africa,” *Development Southern Africa* 34 (2017): <https://doi.org/10.1080/0376835X.2017.1318700>, 742-743. See also UN Doc. A/78/227, par. 11, 45.

¹¹ Outright International, “Global Map: Criminalization.”

¹² In 1791, following the French Revolution, the new French penal code without criminalizing provisions extended to its overseas (Haiti) and continental possessions (Andorra, Belgium, Luxembourg, Monaco, and Switzerland). The Napoleonic Penal Code of 1810 (in force in France until 1994), which it exported across the world, did not expressly prohibit same-sex sexual acts. Napoleon’s imperial ambitions from 1804 to 1814, when most of Europe was under French rule, also invalidated sodomy provisions in territories that are today known as (or are now part of) Germany, Italy, and the Netherlands. Jean-François Mignot, “Decriminalization of homosexuality since the 18th century,” *Annales de démographie historique* 143, no. 1 (2022):

<https://shs.cairn.info/revue-annales-de-demographie-historique-2022-1-page-115?lang=en>; Human Dignity Trust, “A History of LGBT Criminalisation,” accessed April 19, 2026, <https://www.humandignitytrust.org/lgbt-the-law/a-history-of-criminalisation>.

¹³ **Spain** and **Portugal** adopted French-inspired penal codes in the 19th century, decriminalizing same-sex intimacy in the Iberian Peninsula and inspiring similar penal modernization efforts in their colonies in Latin America. Following the second French occupation (1862-1867) and due to the intellectual influence of the French Revolution, **Mexico** decriminalized same-sex intimacy in 1872. In **Japan**, the Meiji Legal Code of 1873 criminalized anal sodomy for the first time. In 1881. This provision was dropped under the supervision of Gustave Boissonade, a French legal scholar, who helped Japan modernize its legal system by mirroring French law. See Mignot, “Decriminalization of homosexuality,” 118; Inaki Tofino, “Spain and the ‘Mediterranean Model’,” *The Gay & Lesbian Review*, May 2003, <https://glreview.org/article/spain-and-the-mediterranean-model>; Human Dignity Trust, “A History”; Gregory

However, in **some colonies**, French authorities cast same-sex intimacy as a form of moral transgression upon which legal, political, and religious authorities could and should exert control.¹⁴

Exporting the Prohibition on “Public Indecency”

While the 1810 Napoleonic penal code did not reinstate the explicit criminalization of homosexuality, it codified the crime of *outrage public à la pudeur* or public indecency (Article 330). While initially framed in neutral terms, this law was used to [repress homosexuality](#) in France.¹⁵ Further:

- In 1942, the Nazi-allied Vichy regime [modified Article 334](#) to set a higher age of consent for same-sex intimacy, criminalizing “indecent or unnatural acts with a minor of the same sex under the age of twenty-one.”¹⁶ It was only repealed in 1982.
- In 1960, France [amended Article 330](#) to provide a harsher sentence of six months to three years’ imprisonment in public indecency cases involving “acts against nature with a person of the same sex,” a provision that was only repealed in 1980.¹⁷

M. Pflugfelder, *Cartographies of Desire: Male-Male Sexuality in Japanese Discourse 1600-1950* (University of California Press, 2000), 174.

¹⁴ FIDH, “The colonial legacy of LGBTQ+ phobias,” November 18, 2025, <https://www.fidh.org/en/issues/lgbtqi-rights/the-colonial-legacy-of-lgbt-phobias>; Human Rights Watch, *This Alien Legacy*, 6-7.

¹⁵ In Paris, for example, the majority of public indecency convictions concerned cases of same-sex intimacy. See Hélène Molinari, “À Paris, comment l’outrage public à la pudeur servait à réprimer l’homosexualité,” *Actu-Juridique.fr*, February 24, 2021, <https://www.actu-juridique.fr/theorie-droit-sociologie/a-paris-comment-loutrage-public-a-la-pudeur-servait-a-reprimer-lhomosexualite>. It was also applicable in There is also evidence of enforcement in French overseas departments (DOM), including Guadeloupe, Martinique, Guyane and Réunion. See Jérémie Gauthier and Régis Schlagdenhauffen, “Les sexualités « contre-nature » face à la justice pénale. Une analyse des condamnations pour « homosexualité » en France (1945-1982),” *Déviance et Société* 43, no. 3 (2019): <https://shs.cairn.info/revue-deviance-et-societe-2019-3-page-421?lang=fr>, 421-459.

¹⁶ République française, LOI n° 744 du 6 août 1942 modifiant l’article 334 du code pénal, <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000000705020>, art. 1.

¹⁷ “Article 330 of the Penal Code is supplemented by the following paragraph: ‘Where public indecency consists of acts against nature with a person of the same sex, the penalty shall be imprisonment for a term of six months to three years and a fine of 1,000 NF to 15,000 NF.’” République française,

The prohibition on public indecency made its way to other countries and is still present in Algeria, Morocco, and Senegal, as discussed more extensively below.

Maintaining Colonial Provisions

Of the 15 former French colonies, mandates, and protectorates in Africa that criminalize consensual same-sex conduct today, **Algeria, Tunisia, and Morocco** stand out as the only former French colonies that directly retained criminalizing provisions from colonial rule.¹⁸

Algeria, ruled as multiple departments of France from 1848 to 1962, retained colonial provisions and extended criminalization. The French penal code's Article 330, with its gender-neutral prohibition on public indecency, a vague and undefined term, directly applied to Algeria. From 1960 until independence in 1962, the amendment to Article 330 criminalizing "acts against nature with a person of the same sex" was also on the books.

The post-independence authoritarian regime of Colonel Houari Boumédiène ironically borrowed from colonialism at the same time that Boumédiène sought to position himself as a flagbearer of anti-France, pro-Islam nationalism. In 1966, Algeria's first post-independence [penal code](#) directly retained Article 330 of the French penal code, as amended in 1960, as its Article 333.¹⁹ On top of maintaining the provision on public indecency, the 1966 Algerian penal code also added Article 338 to punish "acts of homosexuality." Both provisions remain in force today.

Ordonnance n° 60-1245 du 25 novembre 1960 relative à la lutte contre le proxénétisme, <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000000517663/>, art. 2. The sentence for public indecency not involving persons of the same sex was three months to two years imprisonment.

¹⁸ Six former French colonies in Africa have criminalizing laws inherited from or inspired by colonial rule: Algeria, Cameroon, Lebanon Morocco, Senegal, and Tunisia. The laws in nine other former French colonies in Africa that criminalize same-sex intimacy are of local origin: Burkina Faso, Chad, Comoros, Guinea, Mali, Mauritania, Niger, Syria, and Togo.

¹⁹ République algérienne, Ordonnance no. 66-156 du 8 juin 1866 portant code pénal, https://www.equalrightstrust.org/ertdocumentbank/code_penal.pdf, art. 333.

There is [rich documentation](#) on how French colonial administrators in Algeria regarded homosexuality as “native” to the indigenous population and as a moral problem to resolve.²⁰

The **Tunisian** legal system generally [mirrors](#) French law.²¹ A commission set up by the French protectorate, largely composed of French officials, [drafted](#) the 1913 penal code.²² Article 230, which still applies today, criminalizes sodomy in the [French](#) version and both *liwat* (male) and *musahaqa* (female) same-sex sexual acts in the Arabic version, published shortly after the French version.²³

In **Morocco**, the penal code “is [partly inspired](#) by anti-sodomy laws formulated by the French colonial authorities.”²⁴ The [dahir \(decree\) of 1953](#), promulgated by the

²⁰ For example, a French jurist used court proceedings on sexual assault against children to condemn sodomy as the “customary vice of the natives” and characterize Algerians as “corrupt peoples. E. Claire Cage, “Prosecuting Child Sexual Assault in Nineteenth-Century French Algeria,” *The Journal of the Western Society for French History* 50, no. 2 (2024): <https://doi.org/10.3998/wsfh.5418>. A French doctor claimed in 1863 that homosexuality was “so ingrained among the Arabs that one must almost despair of finding an effective means of repression.” Camille Ricque, “Études sur la médecine légale chez les Arabes,” *Gazette médicale de Paris* 10, no. 7 (March 1863), cited in Cage, “Prosecuting Child Sexual Assault.” In a speech before the French Chamber of Deputies in 1914, deputy Paul Cuttoli defended a racist proposal to extend the disciplinary powers of French administrators in “mixed” communities in Algeria by saying, “The [Algerian] man is bestial. He shares with oriental peoples the practice of sodomy.” République française, Journal officiel de la République française, Débats parlementaires, Chambre des députés : compte rendu in-extenso, January 27, 1914, <https://gallica.bnf.fr/ark:/12148/bpt6k6264519d/f1.item#>, 250; cited in Judith Surkis, *Sex, Law, and Sovereignty in French Algeria, 1830-1930* (Cornell University Press, 2019), 218-219.

²¹ International Commission of Jurists, “Tunisia: Legal tradition,” February 24, 2015, <https://www.icj.org/cijlcountryprofiles/tunisia/tunisia-introduction/tunisia-legal-tradition>.

²² “Though membership appears to have evolved somewhat over the course of several years, the make-up of the commission in 1912—during the final stages of the code’s drafting—consisted of six French and two Tunisian members.” See Ramy Khouli and Daniel Levine-Spound, *Article 230: A History of Criminalization of Homosexuality in Tunisia*, July 2019, <https://article230.com/wp-content/uploads/2019/07/Livre-Article-230-Eng-WEB.pdf>, 23.

²³ Republic of Tunisia, Code Penal 2015, <https://ihl-databases.icrc.org/en/national-practice/criminal-code-1913-february-2015>, art. 230. “...it is noteworthy that the authoritative Arabic translation of the text, published soon after the publication of the French version, replaces “sodomy” with “Liwat” (masculine homosexuality) and “El Mousahaka” (female homosexuality).” See Khouli and Levine-Spound, *Article 230*, 26.

²⁴ The Danish Immigration Service, Morocco: Situation of LGBT Persons version 2.0, <https://www.ecoi.net/en/file/local/2016114/COInotatMOLGBT03092019.pdf>, 38, 54, 55. See also Ghita Zine, “Maroc : Aux origines coloniales des lois sur les mœurs,” *Yabiladi*, September 13, 2019, <https://www.yabiladi.com/articles/details/83209/maroc-origines-coloniales-lois-moeurs.html>. In general, the Moroccan penal code is largely inspired by French law: “Au Maroc, le Code pénal fut promulgué le 18

French resident-general, enacted a penal code that criminalized “public indecency” and “sodomy.”²⁵ In 1963, Morocco's first [post-independence penal code](#), in force until today, criminalized “public indecency” (Article 483) and “indecent or unnatural acts with a person of the same sex” (Article 489).²⁶

Legal Mimicry

In most former French colonies, the contemporary provisions criminalizing same-sex conduct were enacted after independence. However, some of these laws also have colonial origins. As Human Rights Watch [asserted](#), France “[imposed] sodomy laws on some French colonies as means of social control, and versions of these survive in countries such as...Cameroon, and Senegal.”²⁷

- In **Senegal**, from 1946 until independence in 1960, French criminal law applied to all residents, after the [removal of the dual legal regime](#) wherein indigenous subjects were judged according to a separate legal system.²⁸ The 1942 French law criminalizing “indecent or unnatural acts with a minor of the same sex

novembre 1953, influencé dans une large mesure par le Code français.” Mahmoud Mostafa, *Principes de droit pénal des pays arabes* (Librairie générale de droit et de jurisprudence, 1972), 17.

²⁵ Article 253 of the 1953 penal code criminalized “outrage public à la pudeur,” while Article 259 prohibited “sodomie.” Protectorat de la République Française au Maroc, Dahir du 24 octobre 1953 (15 safar 1373) formant code pénal marocain, https://www.sgg.gov.ma/BO/bo_fr/1953/bo_2142-bis_fr.pdf. See also Tachfine Baida, “La dimension morale dans la politique et la pratique pénale des affaires liées à l’homosexualité au Maroc,” <https://hal.science/hal-03500834/document>, 1.

²⁶ Article 483 is phrased identically in the French and Arabic versions of the current penal code, and follows the formulation of Article 253 of the 1953 code as “outrage public à la pudeur.” The French version of Article 489 bans “un acte impudique ou contre nature avec un individu de son sexe,” while the Arabic version criminalizes “an act of homosexuality with a person of the same sex.” They both differ from the 1953 code’s provision on “sodomie.” Kingdom of Morocco, Penal Code, consolidated version of July 5, 2018, https://www.onousc.ma/storage/code_penal.pdf (French); <https://www.cour-constitutionnelle.ma/Documents/Lois/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9%20%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86%20%D8%A7%D9%84%D8%AC%D9%86%D8%A7%D8%A6%D9%8A.pdf> (Arabic).

²⁷ Human Rights Watch, *This Alien Legacy*, 6-7; *Audacity in Adversity*, 6.

²⁸ “From a substantive standpoint, the decree of April 30, 1946, specifies that offenses will be ‘adjudicated in accordance with the legislation applicable before these courts,’ that is, in practice, in accordance with the French Penal Code. From now on, there is only one category of defendants who enjoy the same rights and protections established by metropolitan legislation.” Mamadou Badji, “Dire le droit en AOF aux 19e et 20e siècles : entre idéal de justice et stratégie coloniale,” in *Dire le droit en Afrique francophone*, ed. M. Badji, O. Devaux and B. Gueye (Presses de l’Université Toulouse I Capitole, 2013), https://afrilex.u-bordeaux.fr/wp-content/uploads/2021/03/Droit_senegalais_11.pdf, 46.

under the age of twenty-one” was, therefore, applicable in Senegal under colonial rule.²⁹ In 1965, Senegal’s first post-independence penal code, which [borrowed heavily from French law](#) in all or most regards, was enacted.³⁰ It did not explicitly criminalize same-sex intimacy. However, in 1966, Senegal [amended the code](#) to criminalize “anyone who commits an indecent or unnatural act with a person of the same sex” (Article 319), mirroring the language of French penal provisions on public indecency.³¹

- Similarly, in **Cameroon**, under the French mandate, French criminal law [applied from 1946 until independence in 1960](#).³² The 1942 French law criminalizing same-sex sexual acts for persons aged 18 to 21 was, therefore, equally applicable to French Cameroon. Post-independence, Cameroon underwent a process of [“legal mimicry”](#) and prohibited “homosexuality” or “sexual relations with a person of the same sex” 12 years after independence.³³

²⁹ The 1942 French law set the age of consent for same-sex sexual acts at 21, while the 1965 Senegalese law provided that the maximum penalty of five years’ imprisonment be applied to cases of “indecent or unnatural acts...committed with a person under the age of 21.” This language was also used in the 1960 French law amending Article 330 on public indecency. See footnote 17.

³⁰ It is the “daughter of French legislation,” as emphasized by Mr. Khar N’dofene Diouf, Chairman and Rapporteur of the Committee on Legislation, Justice and General Administration and Rules of Procedure, during debates before the adoption of the penal code in 1965. *Journal officiel de la République du Sénégal. Débats parlementaires de l’Assemblée nationale* du 12 juillet 1965, p. 1426, on file with Outright International, as cited in Boris Bertolt, “The Invention of Homophobia in Africa,” *Journal of Advances in Social Sciences and Humanities* 5, no. 3 (2019):

https://www.academia.edu/39223014/The_Invention_of_Homophobia_in_Africa, 657;

³¹ Article 319, as amended by Loi n° 66-16 du 1er février 1966, punishes with one to five years of imprisonment “quiconque aura commis un acte impudique ou contre nature avec un individu de son sexe. Si l’acte a été commis avec un mineur de 21 ans, le maximum de la peine sera toujours prononcé.” République du Sénégal, Loi de base No. 65-60 du 21 juillet 1965 portant code pénal, <https://www.wipo.int/wipolex/fr/legislation/details/6336>.

³² In 1946, France issued two decrees that removed indigenous courts’ competence in criminal matters, repealed the indigenous penal code, and guaranteed that, “in Cameroon, French courts shall have exclusive jurisdiction in criminal matters.” See Samuel Tepi, “L’ineffectivité de la représentation des coutumes devant les juridictions de droit traditionnel au Cameroun,” *Afrilex* 2 (2001): <https://afrilex.u-bordeaux.fr/wp-content/uploads/2021/03/2doc9tepi.pdf>, footnote 54.

³³ Bertolt, “The Invention of Homophobia,” 657; Human Rights Watch, *This Alien Legacy*, 6-7. Cameroon has a bi-jural legal system based on French civil law and English common law, although the influence of French law is dominant as it applies in eight of the ten provinces of the country, and forms the basis of “most of the uniform laws that are now being introduced.” See Charles Manga Fombad, “Researching Cameroonian Law,” *GlobaLex*, June 2007, <https://www.nyulawglobal.org/globalex/cameroon.html>.

“Indecent or unnatural acts”

In at least five other former French colonies, mandates, and protectorates, laws criminalizing same-sex intimacy adopted after independence use the language of “indecent or unnatural acts...with a person of the same sex.” In July 1946, French metropolitan law [directly applied](#) in present-day Comoros, Guinea, Mali, Mauritania, and Togo, when a decree transferred exclusive jurisdiction over criminal matters to French courts and repealed the indigenous penal regime.³⁴ This meant that courts were, since then, able to charge people under the 1942 French law criminalizing “indecent or unnatural acts with a minor of the same sex under the age of twenty-one,” and, depending on the year of independence, the 1960 amendment banning public indecency involving “acts against nature with a person of the same sex.”

Organizations like Human Dignity Trust have categorized the criminalizing laws in these countries as of local origin and, in the case of [Comoros](#) and [Mauritania](#), primarily shaped by Shariah.³⁵ However, the use of “indecent or unnatural acts” and the direct applicability of French criminal law from 1946 until independence suggest a colonial link.

Country	Period of French rule	Year the current provision was introduced	Criminalizing provision in force
Comoros	French overseas territory from 1946 to 1975	1981, through the country's first post-independence penal code	“...quiconque aura commis un acte impudique ou contre nature avec un individu de son sexe ” (“anyone who has committed an indecent or

³⁴ The decree mandated that from July 1, 1946, “French courts shall have exclusive jurisdiction in criminal matters, in accordance with the applicable legislation before such courts and to the exclusion of any indigenous courts, over all offenses committed by indigenous persons” in French West Africa (AOF: present-day Mauritania, Senegal, Mali, Guinea, Benin, Burkina Faso, Niger, Côte d'Ivoire), French Equatorial Africa (AEF: present-day Gabon, Republic of Congo, Central African Republic and Chad), and present-day Madagascar, Comoros, Cameroon, Togo, and Djibouti. It also repealed the indigenous penal codes enacted by France in French West Africa, French Equatorial Africa, Cameroon, and Togo. République française, Décret n° 46-877 du 30 avril 1946, portant suppression de la justice indigène en matière pénale, dans les territoires relevant du Ministère de la France d'Outre-Mer, <https://sgg.cg/JO/1946/aef-jo-1946-12-bis.pdf>, art. 1-2.

³⁵ See Human Dignity Trust, “Country Profile: Comoros,” accessed June 21, 2026, <https://www.humandignitytrust.org/country-profile/comoros>; “Country Profile: Mauritania,” accessed June 21, 2026, <https://www.humandignitytrust.org/country-profile/mauritania>.

			unnatural act with a person of the same sex” ³⁶
Guinea	Constituent of French West Africa from 1891 to 1958	1998 , through the country’s first post-independence penal code ³⁷	“Tout acte impudique ou contre nature commis avec un individu de son sexe ” (“any indecent or unnatural act committed with a person of the same sex ” ³⁸
Mali	Constituent of French West Africa from 1891 to 1960	2024 , through a revised penal code. The country’s first post-independence standalone penal code in 2001 did not explicitly criminalize same-sex sexual acts.	“...tout acte de caractère sexuel contre nature commis avec un individu de même sexe ” (“...any unnatural sexual act committed with a person of the same sex ” ³⁹
Mauritania	Constituent of French West Africa from 1920 to 1960	1983 , through the country’s first post-independence penal code	“...un acte impudique ou contre nature avec un individu de son sexe ” (“an indecent or unnatural act with a person of the same sex ” ⁴⁰
Togo	French League of Nations mandate from 1922 to 1946 and UN trust territory from 1946 to 1960, administered through French West	1980 , through the country’s first post-independence penal code ⁴¹	“...tout acte impudique ou contre nature commis avec un individu de son sexe ” (“...any indecent or unnatural act committed with a person of the same sex ” ⁴²

³⁶ Union des Comores, Code pénal: Partie relative aux crimes et délits (Loi n°81-007 du 19 novembre 1981), <http://comoresdroit.comores-droit.com/wp-content/dossier/code/penal.pdf>, art. 318.

³⁷ République de Guinée, Loi n° 98/036 du 31 Décembre 1988 portant Code pénal, <https://www.refworld.org/sites/default/files/attachments/5ac32cb44.pdf>, art. 325.

³⁸ République de Guinée, Loi n° 2016/059/AN, du 26 octobre 2016 portant Code pénal, https://www.unodc.org/cld/fr/document/gin/2016/loi_n2016059an_portant_code_penal.html, art. 274

³⁹ République du Mali, Code Pénal 2024 (Loi n° 2024-027 du 13 Decembre 2024 portant Code Penal), <http://faolex.fao.org/docs/pdf/mli233185.pdf>, art. 325-2.

⁴⁰ République Islamique de Mauritanie, Ordonnance 83-162 du 09 juillet 1983 portant institution d’un Code Pénal, https://bwcmplementation.org/sites/default/files/resource/Mauritania_PenalCode.pdf, art. 308.

⁴¹ République togolaise, Loi n°80-1 du 13 août 1980 portant Code pénal, <https://www.refworld.org/legal/legislation/natlegbod/1980/fr/63568>, art. 88.

⁴² République togolaise, Loi n° 2015-010 du 24 novembre 2015 portant nouveau Code pénal, https://www.unodc.org/cld/uploads/res/document/tgo/1980/code_penal_html/code_penal.pdf, art. 392.

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Moral and Political Ambivalence

In **Lebanon**, Article 534 of the penal code (1943), adopted by the Lebanese president around eight months before the end of the French mandate, criminalizes “any unnatural sexual act.” This law has been enforced against persons accused of engaging in same-sex sexual acts, although some courts have [refused](#) to use this law for this end.⁴³

The French Mandate, which lasted from 1920 to 1943, had a [significant influence](#) on the Lebanese legal system, even though the French penal code did not directly apply to Lebanon.⁴⁴ This can be seen in Article 534, which [mirrors](#) the language of “unnatural acts” used in the 1942 French law.⁴⁵ The 1858 Ottoman Penal Code, in force in Lebanon until the enactment of the 1943 penal code, did not contain similar language.⁴⁶

Another [study](#) argued that Article 534 was the product of “Jesuit moral theology and a conservative Maronite” ethical and legal tradition.⁴⁷ Maronite Catholics gained political dominance in Lebanon in large part because French authorities

⁴³ Human Rights Watch, “Lebanon: Same-Sex Relations Not Illegal,” July 19, 2018, <https://www.hrw.org/news/2018/07/19/lebanon-same-sex-relations-not-illegal>; Human Dignity Trust, “Country Profile: Lebanon,” accessed April 19, 2026, <https://www.humandignitytrust.org/country-profile/lebanon>; Claude Assaf, “In a landmark decision, a Lebanese military tribunal decriminalizes homosexuality,” *L'Orient Today*, April 4, 2019, <https://today.lorientlejour.com/article/1164847/in-a-landmark-decision-a-lebanese-military-tribunal-decriminalizes-homosexuality.html>.

⁴⁴ Firas El Samad, “The Lebanese Legal System and Research,” *GlobaLex*, November 2008, <https://www.nyulawglobal.org/globalex/lebanon.html>.

⁴⁵ Human Rights Watch, *Audacity in Adversity*, 6; Ghassan Makarem, “Lebanon & LGBT : The Story of HELEM,” *Europe Solidaires Sans Frontières*, September 1, 2011, <https://www.europe-solidaire.org/spip.php?article24200>; Wahid Al Farchichi and Nizar Saghiyeh, *Homosexual Relations in the Penal Codes: General Study Regarding the Laws in the Arab Countries with a Report on Lebanon and Tunisia*, n.d., <https://daleel-madani.org/sites/default/files/Resources/HelemStudy.pdf>, 19, 35, 37.

⁴⁶ Like the 1810 Napoleonic Penal Code, it addressed public indecency, with Article 202 “the abominable act publicly contrary to modesty and sense of shame.” However, it does not use the language of “unnatural acts.”

⁴⁷ Ivan Strenski, “On the Jesuit-Marionite Provenance of Lebanon's Criminalization of Homosexuality,” *Journal of Law and Religion* 35, no. 3 (2020): <https://doi.org/10.1017/jlr.2019.42>, 405.



institutionalized the confessional political system that [favored the Maronites](#), among other strategies to ensure that the new Lebanon would be ruled by a dependable ally.⁴⁸ [Jesuit presence](#) in Lebanon, which began before the French Mandate, was part of the wave of European Catholic missionaries that [helped solidify the moral and religious justification](#) for European colonialism in the region.⁴⁹

What Role Should France Play?

Fund Francophone LGBTIQ Movements and Development Assistance

LGBTIQ groups in Francophone Africa are among the most underfunded in the world, receiving [less than one percent of all LGBTIQ funding](#) from 2013 to 2020 in an area inhabited by about five percent of the world's population.⁵⁰ As with other civil society groups that advance human rights and inclusion, some Francophone queer organizations were [hit hard](#) when the U.S. government terminated most foreign assistance in early 2025.⁵¹

Canada is by far [outperforming France](#) in government funding for LGBTIQ movements, representing 0.24 percent of its official development assistance in

⁴⁸ Richard David Barnett, "French Mandate," *Britannica*, January 22, 2026, <https://www.britannica.com/place/Lebanon/French-mandate>; C.R. Pennell, "The French Mandate and the creation of the Lebanese state," *fanack*, December 24, 2024, <https://fanack.com/lebanon/history-of-lebanon/lebanon-the-french-mandate-and-the-road-to-independence>; Konrad Sztylek, "The security services in Lebanon and Syria: The mark of the French architect," *Arab Reform Initiative*, August 2012, https://s3.eu-central-1.amazonaws.com/storage.arab-reform.net/ari/2012/08/31141625/Arab_Reform_Initiative_2012-08_Research_Paper_en_the_security_services_in_lebanon_and_syria_the_mark_of_the_french_architect.pdf, 2.

⁴⁹ Yasmina El Chami, "A Jesuit-Lyonnais Project in Nineteenth-Century Beirut: Multiplicities of the Local and Global at the Université Saint-Joseph," *Varia* 19 (2021): <https://doi.org/10.4000/abe.12690>; Serkan Gul, "The French Catholic Missionaries in Lebanon Between 1860 and 1914," May 2015, unpublished dissertation, <https://etd.lib.metu.edu.tr/upload/12618780/index.pdf>.

⁵⁰ Global Philanthropy Project and Égides, *Global Resources Report: A Francophone Perspective*, May 2023, <https://globalphilanthropyproject.org/wp-content/uploads/2023/05/GPP-English-Francophone-Brief-Web.pdf>, 3.

⁵¹ See Outright International, *Defunding Freedom – Impacts of U.S. Foreign Aid Cuts on LGBTIQ People Worldwide*, February 2025, <https://outrightinternational.org/our-work/human-rights-research/defunding-freedom-impacts-us-foreign-aid-cuts-lgbtqi-people>.

2023–2024, compared to just 0.025 percent for France.⁵² Due to this gap, Francophone LGBTIQ activists often [approach Canada](#), not France, for support.⁵³

Beyond underfunding queer movements in its former colonies, France is further hindering the advancement of LGBTIQ equality by [slashing development aid](#) across the board.⁵⁴ Development aid, even when it does not reach queer communities directly, strengthens the enabling conditions for the fulfillment of LGBTIQ people's human rights: it contributes to good governance, [democratization](#), protection of [civil liberties](#), and improved attitudes toward [gender equality](#).⁵⁵

“Rainbow Diplomacy” That Puts Communities First

Today, France is one of three countries whose foreign policy architecture includes an Ambassador for LGBT+ Rights.⁵⁶ The establishment of this position is consistent with France's feminist foreign policy and its position on the universality of human rights.

⁵² Global Philanthropy Project, *2023–2024 Global Resources Report: Government & Philanthropic Support for LGBTI Communities*, June 2026, https://globalresourcesreport.org/wp-content/uploads/2026/06/GRR_2023-2024_Web_Spread_Color.pdf, 43. See also Global Philanthropy Project, *2021–2022 Global Resources Report: Government & Philanthropic Support for LGBTI Communities*, June 2024, https://globalresourcesreport.org/wp-content/uploads/2025/04/GRR_2021-2022_WEB-Spread-Colour_EN.pdf, 44.

⁵³ The Canadian Press, “French-speaking LGBTQ+ activists want Canada to do more to address funding gap,” *CJME*, December 9, 2024, <https://www.cjme.com/2024/12/09/french-speaking-lgbtq-activists-want-canada-to-do-more-to-address-funding-gap>.

⁵⁴ Focus 2020, “France reneges on its Official Development Assistance commitments,” November 14, 2025, <https://focus2030.org/en/france-reneges-on-its-official-development-assistance-commitments>.

⁵⁵ Chuanhong Zhang and Zhenqian Huang, “Foreign Aid, Norm Diffusion, and Local Support for Gender Equality: Comparing Evidence from the World Bank and China's Aid Projects in Africa,” *Studies in Comparative International Development* 58 (2023): <https://doi.org/10.1007/s12116-023-09381-4>, 584–615; Adea Gafuri, Nora Olmås and Anna Persso, “Foreign Aid for Human Rights: A Theoretical Framework and Evidence From 121 Aid-Receiving Countries, 2002–2021,” *Political Research Quarterly* 79, no. 2 (2026): <https://doi.org/10.1177/10659129261430650>; Rachel M. Gisselquist and Miguel Niño-Zarazúa, “Foreign aid can help stem the decline of democracy, if used in the right way,” *The Conversation*, April 2021, <https://www.wider.unu.edu/publication/foreign-aid-can-help-stem-decline-democracy-if-used-right-way>;

Allison Carnegie and Nikolay Marinov, “Foreign Aid, Human Rights, and Democracy Promotion: Evidence from a Natural Experiment: FOREIGN AID, HUMAN RIGHTS, AND DEMOCRACY PROMOTION,” *American Journal of Political Science* 61, no. 3 (2017): <https://doi.org/10.1111/ajps.12289>.

⁵⁶ The other countries are Spain and the United Kingdom. Argentina, Italy, and the United States previously established such positions but have scrapped them.

While some may question the utility of this mandate, particularly in a context in which France is defunding development, it nevertheless shows a commitment to LGBTIQ equality amid global backlash.

It is also an opportunity to right colonial wrongs. A significant challenge, however, is how to navigate a rising tide of queerphobic nationalism in formerly colonized countries that positions queer identities as Western imports, where anything that might be perceived as Western intervention could further endanger sexual and gender minorities.

This dilemma was put to the test in 2023, when Cameroon [rejected](#) a proposed visit from Jean-Marc Berthon, France's Ambassador for LGBT+ Rights, to chair a conference on gender and sexuality at the French Institute.⁵⁷ This highly mediatized incident led to a [wave of online hate](#) and threats of violence against sexual and gender minorities in the country.⁵⁸

France is considering [introducing a resolution](#) at the UN Human Rights Council in September 2026 for the universal decriminalization of homosexuality.⁵⁹ France's

⁵⁷ Terrence Khatchadourian, "« Tension » au Cameroun après l'annonce d'une visite de l'Ambassadeur français pour les droits des personnes LGBT+," *STOP Homophobie*, June 21, 2023, <https://www.stophomophobie.com/tension-au-cameroun-apres-lannonce-dune-visite-de-lambassadeur-francais-pour-les-droits-des-personnes-lgbt/>; "Cameroon says French ambassador for LGBT rights isn't welcome," *RFI*, June 22, 2023, <https://www.rfi.fr/en/africa/20230622-cameroon-says-french-ambassador-for-lgbt-rights-jean-marc-berthon-not-welcome>.

⁵⁸ Larissa Kojoué, "Au Cameroun, incitation à la haine en ligne contre les personnes LGBT," *Human Rights Watch*, July 11, 2023, <https://www.hrw.org/fr/news/2023/07/11/au-cameroun-incitation-la-haine-en-ligne-contre-les-personnes-lgbt>.

⁵⁹ After co-leading the 2008 Declaration on Sexual Orientation and Gender Identity at the UN, the French government continues to "campaign at the United Nations for the universal decriminalization of homosexuality." France Diplomatie, "French action for LGBT+ rights," March 9, 2026, <https://www.diplomatie.gouv.fr/en/the-ministry-in-action/action-for-peace-and-respect-for-human-rights/promoting-human-rights/french-action-for-lgbt-rights>. In April 2026, Ambassador for LGBT+ Rights Jean Marc Berthon also confirmed that this remains to be a priority for France. Les Enjeux internationaux, "Six ans de prison pour homosexualité : pourquoi le Sénégal durcit-il la répression ?," *Radio France*, April 17, 2026, <https://www.radiofrance.fr/franceculture/podcasts/les-enjeux-internationaux/six-ans-de-prison-pour-homosexualite-pourquoi-le-senegal-durcit-il-la-repression-7909344>, 10:33-10:50.



commitment to consolidating a clear international position against criminalization is, at first glance, commendable. But over 140 LGBTIQ organizations, in a letter, [raised concerns](#) on a number of fronts.⁶⁰

One is that hostile governments “may use a high-profile international resolution such as the one proposed to...double down with punitive measures, legitimize acts of violence, strengthen the ‘foreign agenda’ argument, and, in certain scenarios, even re-criminalise homosexuality or strengthen laws and punishments.” The stakes are high: backlash against a well-intentioned initiative at the UN will not stay in the UN but will translate to legal and policy changes in countries, and perhaps an increase in discrimination and even violence against LGBTIQ persons in some of the places that can least afford for that to happen.

The proposal by France was made in the absence of any meaningful consultation with global LGBTIQ civil society. Years of planning, coalition, and trust-building have contributed to [other advancements](#) on sexual orientation, gender identity, and sex characteristics at the UN.⁶¹ A resolution led by a former imperial power, one that bears responsibility for a colonial legacy of criminalization, risks derailing progress in an environment in which [the very concept of gender](#) is being contested in UN spaces.⁶² A divisive resolution, put forward without civil society support, would also

⁶⁰ “Call from Civil Society Organisations to Reconsider a Human Rights Council Resolution on Decriminalisation,” June 24, 2026,

<https://docs.google.com/document/d/17eFtAdNGqyTkM71RQ3LEcxAk2ftpdrEr>.

⁶¹ See ILGA World, “Compilation of the Adoption of the 2016 SOGI Resolution,” August 25, 2016, <https://ilga.org/news/compilation-adoption-2016-sogi-resolution>; Wendy Zeldin, “U.N. Human Rights Council: First Resolution Against Discrimination Based on Sexual Orientation,” Library of Congress, June 28, 2011,

<https://www.loc.gov/item/global-legal-monitor/2011-06-28/u-n-human-rights-council-first-resolution-against-discrimination-based-on-sexual-orientation>. See also Outright International, “Resolution on Sexual Orientation and Human Rights: Campaign Dossier,” April 23, 2003, <https://www.ighrc.org/sites/default/files/213-1.pdf>.

⁶² Outright International, “UN Disability Resolution Passes After LGBTQ Language Cut,” December 17, 2025,

<https://outrightinternational.org/press-release/un-disability-resolution-passes-after-lgbtq-language-cut>; Damilola Banjo, “Washington Fails Once Again to Redefine ‘Gender’ at UN Gathering,” *PassBlue*, March 19, 2026, <https://passblue.com/2026/03/19/washington-fails-once-again-to-redefine-gender-at-un-gathering>.



take away much-needed diplomatic and civil society energy from efforts to fight hostile UN resolutions and defend existing global standards on gender justice.

In this moment, France can rather make a significant impact by providing queer movements the resources they need to fight criminalization, violence, and anti-trans mobilizations from the ground up—a proven strategy for change that French rainbow diplomacy has largely ignored.

Acknowledgment and Apology for Colonial Wrongs

A UN resolution on decriminalization may also be seen as disingenuous without a recognition of the historical role of European colonialism in exporting legal homophobia, which France, for its part, has never acknowledged.

Britain, in contrast, publicly apologized in 2018 for spreading criminalizing laws. Affirming the important role that recognition plays, the UN Independent Expert on sexual orientation and gender identity [said of Britain's public apology](#) that “acknowledgment of the facts and acceptance of responsibility” is “a valuable building block in the process of eradication of violence and discrimination based on sexual orientation and gender identity.”⁶³

France's willingness to acknowledge other colonial wrongs has been uneven. It has [recognized](#) the transatlantic slave trade as a crime against humanity.⁶⁴ President Macron used the same term to describe the colonization of Algeria before being elected in 2017, but [later said](#) France would offer “no repentance nor apologies” for its actions.⁶⁵

⁶³ UN Doc. A/78/227, par. 54.

⁶⁴ Fondation pour la mémoire de l'esclavage, “25 ans de la loi Taubira : l'esclavage est un crime contre l'humanité,” <https://memoire-esclavage.org/les-25-ans-de-la-loi-taubira-reconnaissant-lesclavage-comme-crime-contre-lhumanite>; Coumba Kane, “Macron opens the door to 'reparations' for slavery,” *Le Monde*, May 22, 2026, https://www.lemonde.fr/en/le-monde-africa/article/2026/05/22/macron-opens-the-door-to-reparations-for-slavery_6753709_124.html.

⁶⁵ Al Jazeera, “Macron rules out official apology for colonial abuses in Algeria,” January 20, 2021, <https://www.aljazeera.com/news/2021/1/20/macron-rules-out-official-apology-for-colonial-abuses-in-algeria>.

Some political actors and social justice movements in former French colonies—perhaps most notably the government of Algeria, which [passed a law in 2025](#) that classified French colonial atrocities as crimes not subject to statutes of limitations—are pressing France to pay its “moral debt” through colonial reparations.⁶⁶ Due to criminalization and social hostility, LGBTIQ people are generally invisible in these important discussions. In both [Mali](#) and [Senegal](#), politicians’ demands for reparations have closely coincided with new laws criminalizing queerness, suggesting either a lack of awareness of France’s homophobic legacy or a cynical willingness to pick and choose colonial harms to protest.⁶⁷

Meaningful repair starts with acknowledgment. France should recognize its role in exporting legal homophobia.

Walk the Talk at Home

While France has made steady progress toward equal rights for LGBTIQ people, its queer diplomacy would be more effective if it enacted reforms to [fill critical gaps in legal protection](#). France does not prohibit nonconsensual medical interventions on intersex children. Trans people must undergo a court proceeding to change their

⁶⁶ Driss Rejichi, “New Algerian law criminalising French colonialism reflects rising anger across Africa,” *Mediapart*, December 31, 2025, <https://www.mediapart.fr/en/journal/international/311225/new-algerian-law-criminalising-french-colonialism-reflects-rising-anger-across-africa>.

⁶⁷ Another example is the military junta in **Mali**, which has adopted a hostile policy toward France after years of the latter’s significant military, economic, and financial control in the country. In 2024, protests were held to demand colonial reparations from the French. In October of the same year, the junta adopted the country’s first law criminalizing same-sex intimacy. Mohammed Dahiru Lawal, “REVEALED: The AES Shadow Game Fueling Anti-ECOWAS, Anti-Western Disinformation Across West Africa,” DAIDAC, July 22, 2025, <https://daidac.thecjid.org/revealed-the-aes-shadow-game-fueling-anti-ecowas-anti-western-disinformation-across-west-africa>; Outright International, “Country Overview: Mali,” last updated January 22, 2026, <https://outrightinternational.org/our-work/sub-saharan-africa/mali>. In **Senegal**, President Bassirou Diomaye Faye, who signed a law that doubled the penalties for same-sex sexual acts in March 2026, had previously called for a dialogue on reparations and justice for victims of the massacre of Senegalese soldiers by French troops in Thiaroye in 1944. See Ousmane Goudiaby, “Le président Faye appelle a un dialogue sur les réparations,” *Senepius*, December 2, 2025, <https://www.seneplus.com/article/le-president-faye-appelle-un-dialogue-sur-les-reparations>.

legal gender markers, and nonbinary identities are not recognized.⁶⁸ Macron in 2024 crassly [dismissed](#) gender self-identification, a rights-based approach backed by a decade and a half of evidence, as “ludicrous” and “gruesome.”⁶⁹

Queerphobic harassment, threats, and physical violence have been steadily increasing since 2016, [exacerbated](#) by the country’s lack of a “real criminal justice policy aimed at prosecuting perpetrators of LGBTI-phobic crimes” and the government’s meager implementation of existing policies against anti-LGBTI+ hate and discrimination.⁷⁰ The [worsening situation](#) is fuelled by the rise of anti-queer forces in politics, with the far-right *Rassemblement National* (National Rally) [ahead in the polls](#) for a consequential presidential election in 2027.⁷¹

⁶⁸ STOP homophobie, “Rainbow Map 2026 : la France stagne à la 15e place des droits LGBTQIA+ en Europe,” May 12, 2026, <https://www.stophomophobie.com/rainbow-map-2026-la-france-stagne-a-la-15e-place-des-droits-lgbtqia-en-europe>; STOP Homophobie, *État des droits LGBTI+ en France*, May 2026, <https://www.stophomophobie.com/rapport-stop-homophobie-2026-etat-des-droits-lgbti-en-france>.

⁶⁹ Alice Kachaner, “Changer de sexe en mairie” : les associations LGBT+ ‘atterrées’ par les propos d’Emmanuel Macron,” *Radio France*, June 19, 2024, <https://www.radiofrance.fr/franceinter/podcasts/l-info-de-france-inter/l-info-de-france-inter-6348732>; Victor Goury-Laffont, “Macron draws fire on trans rights comments,” *Politico*, June 19, 2024, <https://www.politico.eu/article/macron-divides-with-own-ranks-party-comments-trans-rights-left-manifesto>.

⁷⁰ STOP Homophobie, *État des droits*, 92. In March 2026, the National Consultative Commission on Human Rights criticized the “National Plan for the Equality of Rights, Against Anti-LGBT+ Hate and Discrimination” (2023-2026), pointing to the fact that barely 20 percent of planned measures were effectively implemented. See Commission nationale consultative des droits de l’homme, *Évaluation du « Plan national pour l’égalité, contre la haine et les discriminations antiLGBT+ (2023-2026) »*, March 2026, https://www.cncdh.fr/sites/default/files/2026-03/26.03.19%20Avis%20Evaluation%20LGBT%2B_1.pdf, 31.

⁷¹ Ministre de l’Intérieur, “Les infractions anti-LGBT+ enregistrées par les services de sécurité en très légère augmentation en 2025,” May 13, 2016, <https://www.interieur.gouv.fr/actualites/communiqués-de-presse/infractions-anti-lgbt-enregistrees-par-services-de-securite-en-tres-legere-augmentation-en-2025>. See also SOS Homophobie, *Rapport sur les LGBTIphobies 2026*, May 2026, <https://www.sos-homophobie.org/informer/rapport-annuel-lgbtiphobies>; Outright International, *Queering Democracy: The Global Elections in 2024 and How LGBTIQ People Fared*, September 2025, https://outrightinternational.org/sites/default/files/2025-09/092625_Outright_Elections2024_online.pdf, 69-7; Ifop, “Les intentions de vote dans la perspective de la prochaine élection présidentielle,” March 5, 2026, <https://www.ifop.com/article/les-intentions-de-vote-dans-la-perspective-de-la-prochaine-election-presidentielle-2>.



Meanwhile, France has been [turning its back](#) on migrants, refugees, and asylum seekers, including those who are queer, through “a government policy that is making the reception of asylum seekers in general increasingly precarious.”⁷²

We Need French Solidarity Now More Than Ever

France [must do more](#) to support queer movements worldwide, especially in its former colonies.⁷³ This includes providing meaningful financial support to LGBTIQ movements on the ground. It means listening to what LGBTIQ persons need from their international allies right now, and hearing that a resolution on decriminalization of same sex sexual acts is not the priority, and indeed is potentially dangerous. France holds historical responsibility as a colonial power that laid the ground for the criminalization of queerness. It must walk the talk of its “rainbow diplomacy”: promoting “total respect for all rights of LGBT+ people” beyond decriminalization.⁷⁴ If it is able to do all this, France can be a leading player in the global alliance to protect and promote the rights of LGBTIQ persons, but it has a journey to walk first.

Against the threat of austerity and the rise of anti-queer political forces, France must rise to this challenge of advancing *liberté, égalité, fraternité, and solidarité* for all.

⁷² RFI, “En France, le long parcours d’obstacles des réfugiés LGBTQ+,” November 20, 2024, <https://www.infomigrants.net/fr/post/61276/en-france-le-long-parcours-dobstacles-des-refugies-lgbtq+>.

See also Ardhis, “CNDA en lutte : le droit d’asile pour les personnes LGBTI+ recule en France,” October 13, 2021, <https://ardhis.org/cnda-en-lutte-le-droit-dasile-pour-les-personnes-lgbti-recule-en-france>.

⁷³ See a statement of 22 French LGBTIQ groups demanding stronger French action for LGBTIQ people’s rights worldwide: Solidarité Internationale LGBTQI, et al., “France, ne tourne pas le dos aux communautés LGBTQI dans le monde !,” *Têtu*, May 15, 2026, <https://tetu.com/2026/05/15/tribune-17-mai-journee-internationale-lutte-lgbt-homophobie-france-solidarite-monde>.

⁷⁴ France Diplomatie, “French action.”