

LGBTI-related Jurisprudence in Africa:

Useful Law, Policy and Jurisprudence Databases

2022

This document provides links to and descriptions of relevant databases for locating laws, policies and jurisprudence in Africa relevant to lesbian, gay, bisexual, transgender, intersex (LGBTI) and human rights issues. It includes databases to HIV and health-related human rights issues, since this is often inclusive of the rights of LGBTI persons within the framework of HIV-related ‘key populations’.

- **Section A** includes LGBTI, HIV and health related law, policy and jurisprudence databases that include resources from across the world, including Africa.
- **Section B** includes additional legal multi-country, regional and international databases, with access to resources from often primarily Anglophone, but also Francophone and Lusophone Africa.
- **Section C** includes national databases (in alphabetical order), with a particular focus on priority countries for UNDP’s Inclusive Governance Initiative (IGI) project.

Each database in Sections A and B includes:

- A link to the database
- A broad description of the database
- A broad description of the categories of information and search options available, with reference to LGBTI-related jurisprudence in Africa, and/or priority IGI countries in Africa.

Note: The database includes websites that appeared to be updated on a fairly regular basis, and functional, at the time of publication. Word searches of key terms were used to identify useful databases.*

** Key word searches included terms such as carnal knowledge, homosexual, same sex, sodomy, gay, lesbian, transgender, intersex, penal code, sexual intercourse, gender.*

Section A: LGBTI, HIV and Health-related Databases

Human Dignity Trust

- International database that focuses on LGBTI issues and the law, including key court rulings, research and reports.
- Resources are available by type (court decision, publication etc.), topic (gay, lesbian etc.), country or region.
- Includes jurisprudence from across Africa, including a search revealed limited resources from Francophone and Lusophone Africa, and from IGI-specific countries.

Global Health & Human Rights

- International database that focuses on health and human rights law, including a fully indexed website of case law, national constitutions and international instruments.
- Resources are available by type (court decisions, constitutions), by topic (e.g. HIV and AIDS, sexual and reproductive health; human rights), country or region.
- Includes jurisprudence from across (primarily Anglophone) Africa, mostly relating to HIV and rights to health care.

HIV Policy Lab

- International database that focuses on HIV-related laws and policies adopted by countries across the world.
- Resources are available by policy topic (e.g. same-sex sex non-criminalization; gender-based violence) and by country, although the website does not provide keyword search options.
- Includes laws and policies from across Africa, including IGI countries.

HIV Justice Network

- International database that focuses on HIV criminalization laws (and analysis of the laws), case law, and organizations working against HIV criminalization.
- Resources are available by type (laws, cases, organizations) and by country.
- Includes law and jurisprudence from across Africa, including IGI focus countries, relating to HIV and to LGBTI.

Centre for Human Rights (currently undergoing re-development)

- Regional database of African human rights law and case law, as well as documents on specific issues including HIV and human rights, sexual minority rights and indigenous peoples' rights.
- Resources are available by type (case law, treaties, laws, advocacy tools, reports), by topic (human rights, sexual minority rights, HIV) and by country or region.
- Includes jurisprudence and law from various countries, including IGI focus countries.

Section B: Multi-country, regional and international law, policy and jurisprudence databases

[The African Legal Institute](#)

- Regional database that focuses on national case law, regional court and tribunal findings, legislation and reports in Africa, including links to various country and regional databases.
- Resources are available by type (judgement, law), by topic (human rights law, commercial law, environmental law), by regional body (African Commission on Human and Peoples' Rights, African Court) and by country.
- Includes jurisprudence and law from various country databases, including IGI focus countries.

[Southern African Legal Information Institute](#)

- Regional database (although strong focus on South Africa) of case law, law, legal articles and related documents, including links to other databases, such as the courts of other African countries and the African Human Rights Journal.
- Resources are available by country or region, by court, and by law journal.
- Includes jurisprudence and articles on LGBTI, HIV and human rights issues, including from Anglophone African countries.

[Commonwealth Legal Information Institute](#)

- Multi-country database that focuses on laws and jurisprudence from Commonwealth countries, including several African and UNDP IGI project countries, and that includes links to various country databases.
- Resources are available by country, by type (legislation, case law, treaties and international agreements, parliament) and by topic (human rights, women and the law).
- Includes access to country-specific databases; limited inclusion of LGBTI-specific resources or jurisprudence.

[Juricaf](#)

- International database that focuses on Supreme Court jurisprudence from Francophone countries, including in Africa.

- Resources are all jurisprudence, available by country, court and date and are also searchable by key words.
- Includes jurisprudence on LGBTI issues, but limited focus on IGI countries.

[Droit Afrique](#)

- Regional database of selected laws and links to selected websites from Francophone African countries.
- Resources are available by type (laws, journals) and by country.
- Includes limited results of jurisprudence relating to LGBTI issues or IGI countries.

[Legis-Palop](#)

- Regional database that focuses on law and jurisprudence in Lusophone African countries
- Resources are available by type (case law, legislation) and by country.
- Includes jurisprudence and laws relating to human rights in Lusophone countries; however full access requires registration and subscription.

[Guide to Law Online](#)

- International database of the American Law Library of Congress, that focuses on legislation, jurisprudence and related documents in the United States and countries across the world, and includes links to other databases, including international law school libraries (e.g. Harvard Law school library and the New York Law School library).
- A range of resources are available by country, by type (constitution, statute, case law), and by topic (LGBTQ+, gender and women's studies).
- Includes some resources on LGBTI issues, but not on African or IGI focus countries.

[New York University Law Global](#)

- International database that focuses on laws, case law and related legal literature in Africa, primarily through links to other databases set out above.
- A range of resources are available by country, by type (legislation, case law) and by topic (criminal law, health law, human rights law).
- Includes laws and jurisprudence for all IGI focus countries, including on health and human rights-related issues.

Section C: National and IGI country-specific databases

Angola

[The Government Portal Site](#) provides a searchable database of legislation.

[Assembleia Nacional de Angola](#) links to the legislative branch of the government of Angola.

[Tribunal Constitucional](#) links to the Constitutional Court for legal and constitutional affairs.

[Tribunal Supremo](#) links to the Angola Supreme Court.

Cabo Verde

[The Assembleia Nacional Website](#) includes legislation in force and some jurisprudence.

[Government Portal Site](#) links to the national governmental library, including laws and other general documents.

Cote d'Ivoire

[The Official Government Website](#) has links to selected laws.

DRC

[Cour Constitutionnelle](#) links to the Constitutional Court.

[Droit de la Republique Democratique du Congo](#) provides legal documents arranged into subject categories and includes provincial legislation, jurisprudence, books, articles, studies and a legal bibliography.

[Leganet](#) is a Belgium-based webpage that provides information on legislation and jurisprudence of the DRC.

[Assemblée Nationale](#) contains legislation from the National Assembly.

[Senat Republique Democratique Du Congo](#) contains collections of legislative documents.

[Journal Officiel de la Republique Democratique du Congo](#) is the official gazette for new legislation, from 1800s to the present.

Eswatini

[SwaziLII](#) includes numbered acts, legislation, decisions from the Industrial Court of Appeal, the High Court, Industrial Court, and Supreme Court, CMAC awards, and other legal materials.

Ghana

[Ghana legal Information Institute](#) provides a collection of journals, judgment and legislation from Ghana.

Kenya

[Kenya Law Reports](#) from the National Council for Law Reporting provides an up-to-date edition of the Laws of Kenya in a searchable database. Cases from the High Court and Court of Appeal (1980-) are also searchable but not all the cases are online.

Lesotho

[The Lesotho Legal Information Institute \(LesLII\)](#) provides free access to law from Lesotho, including legislation; judgments from the Court of Appeal and the High Court, from the High Court Constitutional division, from the High Court Constitutional Division.

Liberia

[Liberia Legal Information Institute \(LiberLII\)](#) includes Liberian Code of Laws (last updated 2011), Acts (through 2014), Supreme Court decisions and executive orders.

[Liberian Law at Cornell](#) includes a digitized collection of documents and statutes relating to the foundation of the state.

[The Judiciary Republic of Liberia](#) provides an overview of the Liberian court system, including legislation and jurisprudence.

Madagascar

[The President's Official Website](#) includes decrees, declarations, and links to the National Assembly.

[L'Assemblée Nationale Website](#) includes Acts from 2003 to date.

[Ministère de la Justice](#) provides codes, laws and other legislation.

[Haute Cour Constitutionnelle](#) makes constitutional court decisions available from 2002.

Malawi

[Malawi Legal Information Institute](#) (MalawiLII) provides access to a selection of Malawi legislation (1965-2012); judgments from the Supreme Court of Appeal, the High Court: General Division, and Lilongwe & Zomba Magistrate decisions (2018-).

[The Official Malawi Government Website](#) includes links to the Parliament (with Acts, Bills and Hansards from 1998) and the Malawi Law Commission.

[Malawi Ministry of Justice and Constitutional Affairs](#) links to a selection of bills and newly enacted legislation.

Mozambique

[The Official Government Portal Website](#) provides links to legislation organized by sector and to series III of the official gazette *Boletim da República* (2006-current).

Namibia

[NamibLII](#) provides access to judgments from the Supreme Court of Namibia; High Court of Namibia, legislation and the official government gazette.

[Namibia Law Library](#) provides links to the constitution, government gazette, court judgments, and other legal information.

[The Official Government Website](#) includes links to selected Acts and policies.

[NamibLII](#) includes links to legislation by title or by year.

Rwanda

[The Ministry of Justice](#) provides the Laws and Codes of Rwanda in English and French.

[The Prime Minister's website](#) provides the Official Gazette (Journal Officiel) from 2004 in English, French, and Kinyarwanda. It also has a list of ministries, several of which have legislation in their area of responsibility.

[The official website of the Judiciary of Rwanda](#) provides access to [court laws & rules](#) and to [judgments](#) (in Kinyarwanda) for many courts including the Supreme Court, Intermediate Courts, Commercial Courts, High Courts, and Primary Courts.

São Tomé and Príncipe

[Assembleia Nacional website](#) includes some legislation and activities of the Assembly.

Seychelles

[Seychelles Legal Information Institute \(SeyLII\)](#) includes the Seychelles Law Reports, Constitutional Court decisions, Supreme Court decisions and Court of Appeal decisions.

Togo

[Ministère de la Justice](#) has a collection of laws published in the Journaux Officiels (1920-2014) and decisions from the Cour Constitutionnelle (1997-2014) and Cour Supreme (1963-2014).

[Official Gazette - Journal Officiel de la République Togolese](#) includes laws, court decisions, jurisprudence and other legislative materials.

Zimbabwe

[Zimbabwe Legal Information Institute \(ZimLII\)](#) includes the Laws of Zimbabwe, Acts of Parliament, and decisions from the Supreme Court (1983-2018), Constitutional Court, Harare High Court, Bulawayo High Court, and Labour Court.

[The Parliament of Zimbabwe](#) website includes legislation arranged by broad topic and other legislative materials.

Note:

See also [Sources of Online Legal Information for African Countries](#) which served as an important source of information for this document.