



“Is it because I am LGBT?”

**Discrimination based on sexual orientation
and gender identity in Viet Nam**

Lương Thế Huy • Phạm Quỳnh Phương
The Institute for Studies of Society, Economy and Environment

 NHÀ XUẤT BẢN HỒNG ĐỨC

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“People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite.”

(Nelson Mandela)

“If we give each other a chance to love, to empathize and to be generous then all the trouble would melt away and imagine how better life could be.”

(A respondent)

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FOREWORD

“Is it because I love a person of the same sex?”

“Is it because I am a transgender person?”

“Is it because of my expression, gestures and movements?”

Every lesbian, gay, bisexual, or transgender person (“LGBT”) must have at least once wondered and self-doubt about those questions when they faced unfair treatments from others. What makes them so different/ different in the eyes of others, what makes those differences reasons for negative attitudes and reactions from the outsiders?

Perhaps humans should not have created terminologies such as “homosexual”, “bisexual” or “transgender” ever in the first place. However, the progress towards reconciliation, tolerance and social equality must always pass the stage where disenfranchised groups must assert their identity and become more vocal of their problems.

Every society aims for equality, celebrates and honors diversity, but nobody dares admitting that discrimination or stigma against a group still exists in their society, or in themselves. We seek excuses for our views, with the purpose to prove that our discrimination at a particular context is justified and acceptable.

“I do not oppose LGBT, but...”

“I befriend many LGBT people, but...”

Discrimination is a peril, as it does not only victimize a minority group, but also transform the whole society into perpetrators, by segregating humans into classes, granting privileges for the majority and measuring individual dignity based on how an individual differs from the masses, then by normalizing and standardizing it.

“Is it because I am LGBT?” is an effort to understand discrimination against LGBT people in Vietnam, thereby providing initial explanations to incentivize more debates in the future to counter discrimination based on sex orientation and gender identity, for the purpose that people shall be free and fearless about who they are or who they love.

Research team
February 2016

GLOSSARY, DECIMAL MARKS

Yogyakarta Principles	Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity
CCIHP	Center for Creative Initiatives in Health and Population
CECEM	Centre for Community Empowerment
CSAGA	Center for Studies and Applied Sciences in Gender - Family - Women and Adolescents
ICS	ICS Center
iSEE	The Institute for Studies of Society, Economy and Environment
LGBT	lesbian, gay, bisexual, and transgender people
LGBTI	lesbian, gay, bisexual, transgender and intersex people
PFLAG Vietnam	Parents, Families and Friends of Lesbians and Gays of Vietnam
HCMC	Ho Chi Minh City
Save The Children Vietnam	The Save The Children Fund in Vietnam
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
UPR	Universal Periodic Review

Using of the decimal marks: In this report, the decimal mark is a dot “.” and the fraction shall be rounded off one digit.

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EXECUTIVE SUMMARY AND DISCUSSIONS

Equality and non-discrimination is one of the fundamental principles of the laws of Vietnam as well as of the international treaties to which Vietnam is a party.

In this study, 2,363 respondents from 63 provinces in Vietnam have completed the online questionnaires, along with 10 in-depth personal interviews, two group discussions with eight respondents who were randomly selected from those who answered the questionnaire about their experience of discrimination, harassment and violence because of their sexual orientation and gender identity.

One in three respondents who participated in the survey stated that they feel they had been subject to discrimination because of their sexual orientation and gender identity within 12 months preceding the survey, with high frequency. In general, throughout the study, transgender people, both trans guys and trans girls, are always the ones who experience the highest degree of discrimination. Bisexual people experience least discrimination.

Family, schools, workplaces are the environments where discrimination most occurs against LGBT people.

However, it should be understood that one group's perception of discrimination also depends on the degree of that group's presence and rights awareness. For example, groups with less public presence, such as bisexual people, are less sensitive to unfair treatment. While occasionally, groups with frequent experience to discrimination,

such as transsexual people, become familiar with the discrimination, to the extent that they stop paying attention to the frequently-occurred discriminatory acts.

When conducting interviews, we observed that people who are not open to anyone that they are LGBT usually have less experience to discrimination. However, when comparing the results from the survey, it shows that that they are not open to anyone about their sexual orientation does not necessarily mean they would avoid completely the possibility of being discriminated.

Family

Forcing to change appearance, gestures (62.9%) and scolding, pressuring (60.2%) are the most common abuses that LGBT people are subject to in their families. The acts of violence such as being confined, holded, forced or suggested to leave their families, battered were experienced by about 13-14% of the total survey respondents.

The discriminatory acts primarily aim to prevent the disclosure of information about the LGBT family members, to attempt changing the sexual orientation and gender identity of LGBT persons with medical, spiritual, or living style intervention, and to inhibit their intimate relationships. One fifth of LGBT people were forced to visit the doctor, a quarter of them were subject to forced marriage with those they do not desire.

Transgender group has a highest experience rate in all discriminatory acts compared to the homosexual and bisexual groups, particularly in acts such as forcing to visit the doctor, to change their appearance, gestures.

In the Vietnamese society, the family values are enshrined in conjunction with the obedience to the wills of parents. Many parents consider prevention against children so they are "no longer" homosexual, bisexual, or transgender people represents their love and care for the offsprings. On that understanding, pressures from parents are transformed into violence against their children. In other words, parents of LGBT people have also become victims of sexual orientation discrimination.

Schools

Beside family, schools are the environment in which the majority of people under 18 spend most of their time to develop their faculties, form character and establish relationships. Inherently, this environment is expected to promote diversity and tolerance, but the findings pointed out that the truth is far from that. More than half had been bullied by friends, and nearly a quarter of students had been harassed, bullied by teachers, school officials because they were considered to be LGBT. Notably, nearly a third said they were treated unfairly because of their pro-LGBT perspectives.

Similar to in families, gestures, appearance, posture, hairstyle are factors where LGBT people are discriminated against and pressured the most. Gender indic-

ative uniforms are a significant obstacle affecting the quality of learning as well as the psychology of transgender people. The discrimination from school and family often is usually closely related.

Workplaces

Almost 30% of LGBT people were denied of job applications for being LGBT. Notably, the percentage of transgender people with rejected job applications (59.0%) is thrice higher than those of homosexual and bisexual people (19.6%). Transgender people also face discrimination in payment or work promotion, which results into that they often occupy low level, basic positions with little chance to move to managerial positions or higher.

LGBT people encounter negative comments and foul acts from colleagues, superiors and clients, as well as partners, at the rate of around 33% to almost 50%. The discriminatory acts that respondents shared also include: being constantly asked about their intimate partners, partner matching with opposite sex coworkers.

Once again, the uniform problem of transgender people is highlighted. While the reasons for such discriminatory acts are often not openly discussed but concealed by other reasons, most LGBT people could often tell that they are unfairly treated for "being LGBT".

Finding workplaces owned by LGBT people, or dominated by LGBT people, is often not the best solution because they

would be subject to discrimination from people within the community.

The business environment is often regarded as a place for professionalism, where private issues are not to be discussed. However, it does not mean that people has no right to express or must conceal their sexual orientation, gender identity. Having to conceal, avoid being who they are only adds pressure and negative energy on LGBT people. Conversely, when one can comfortably show his or her true self, that will be an important factor to increase their engagement with the workplace, unleash creativity and dedication, enhance performance and markedly improve spiritual life for everyone

Healthcare

One in every four LGBT people has heard, seen the negative comments and action from the medical staff. The discrimination within the medical environment mainly focuses on ignoring the standards of medical procedures such as excessive curiosity about individuals, advice irrelevant to the examination and treatment, and verbal insult. The specific needs of transgender people have not been noted, which explains why the rate of transgender people seeking medical assistance is lower than other groups.

LGBT people also experience denial or difficulty from receptionists and medical staffs in both emergency treatment (5.4%) and regular medical care (7.9%). These behaviors are likely to cause serious impact on the health of others.

While health organizations around the world (such as the World Health Organization, American Psychiatric Association) have unanimously confirmed that homosexual, bisexual, transgender are not diseases or psychological disorders, and already given warnings, specific guidance on this subject, in Vietnam, the practice of many hospitals and doctors have yet to reflect this update.

Combined with the discrimination and the collusion of families, many LGBT people are forced to see the doctor for forced compliance measures such as psychiatric treatment, forced change in living style, nutrition, or, in some cases, families are encouraged to control their children and avoid "contact with the homosexual", causing serious consequences on the physical and mental health of LGBT people.

In a study about the attitudes of health workers towards MSM patients (iSEE, 2012), due to the nature of doctor – patient relationship, gay men have tendency to declare their risk behavior during the examination. Most of the medical staff endeavor to create the friendliest service for their patients regardless of personal views. These friendly service practices are often found at the community assistance centers, or entities which provide examination, treatment and counseling services. While to many other health workers, labeling and bias of these medical personnel has resulted into negative attitudes and reactions.

The initial interaction between patients and healthcare workers often focuses on the verbal communication in the exam-

ination period. This explains why "verbal insults" appears the most. The most discriminatory attitude is criticism on the notion that anal sex is unnatural and unhealthy. (iSEE, 2012) That the medical workers express their different values during their communications with LGBT patients largely affects the quality of services and drives them away from these services, or discourages from accessing to any other healthcare services.

Housing

Trans girls have experience of discrimination at most when it comes to renting. One in three trans girls is denied with rental and forced to vacate during the rental period. Half of trans girl tenants used to be disturbed by their co-tenants.

On social networking sites and some real estate leasing sites, there are many bulletins from rent-seekers with clear request that the co-tenants must also be LGBT. This represents that to many LGBT people, a co-tenant who is understanding, sharing, and not harassing them is very important and decisive to their choice of rental place.

Other living aspects

The results show that at more popular areas, more LGBT people are subject to discrimination: public washrooms (28.7%), dressing rooms, public bathroom (25.0%), entertainment venues (24.4%), shopping places (23.9%) or restaurants, cafes (21.9%).

Half of LGBT people avoided holding hands with their lovers or showing affection in public out of the fear of being insulted, threatened. This is the average number compared with many countries around the world.

The use of public washrooms for transgender people remains a huge obstacle. For transgender people, the percentage of the other living aspects is also higher than the overall rate from two to three times.

The world is witnessing a washrooms "neutralization", "gender-neutralization" movement. The solution is to create privacy in the washrooms so that everyone can use.

Exercising the rights and obligations to the state

Discriminatory acts that LGBT people most commonly encountered are rejection, obstruction, laughing or verbal insult when they gather, group, perform procedures where documents with names and genders are shown (notably within the transgender people group). Transgender people also have much higher difficulty when travelling by plane or public transport.

The situations may stem from the lack of LGBT-sensitive legal provisions, or that the legal provisions do not aim to create discrimination, but the authorities becomes the main cause leading to the difficulties or obstacles in the exercising of the rights and obligations of the LGBT people.

Violence attacks and reporting to authorities

When comparing the information about the perpetrators and the sites of violence, it is noteworthy that LGBT people face violence mainly from the acquaintances at school, families, or workplaces, rather than from outsiders. This is the difference compared to some other countries, where acts of violence are mainly committed by strangers.

In this section, gay people, trans guys are subjected to violence at the highest percentage (45.5% and 18.2 respectively%). In-depth interviews record many cases of trans girls being seriously attacked, but with low score in the survey samples, this information is not highlightable. It is possible that because violence is a factor fairly associated with masculinity (by both the perpetrators and the victims), therefore this behavior occurs less frequently with the groups associated with femininity.

Approximately 4.5% of LGBT people have experienced violence in the last 12 months. However, only 2% of them reported to the authorities, with the main reason for failure to report is that the violence occurs too frequently or that they do not believe the incident will be resolved in appropriate manner. The solution they chose was not to turn to state agencies for help, but seek assistance from relatives and organizations working on LGBT or resolve the problem themselves...

In 2% of people who reported the incident, only 14.3% said that the incident

were resolved completely. This returns to the trust issue in seeking protection from the authorities in cases of discrimination. Although all current relevant laws disuniformly include provisions on anti-discrimination, a mechanism for resolving discrimination cases in Vietnam is still not really easy to access and inefficient.

The settlement mechanisms should be more diverse: as regulated in many countries, the incidents are only required to be informed to courts or equality inspectors and the investigation will be carried out by inspection agencies and referred to courts if a discriminatory act is detected. Therefore, a universal anti-discrimination law could also be an effective mechanism, "unify" all the general principles as status quo.

Rights awareness

Three-quarters of the survey respondents have no knowledge about which law in Vietnam could protect LGBT persons in case of discrimination. The existence of many different, separate, individual legal provisions makes it uneasy for LGBT people to aware and apply when needed. Constituencies usually pay attention to proposed laws which has been discussing that are directly related to them. The legislation advocacy movements enormously influence to the communities on how they could learn and implement their rights.

Although violent attacks are much less common than other forms of discrimination such as verbal insults, online abuses, showing false knowledge and opposition

attitude is very common. These behaviors do not bring immediate physical injuries, but leave much impact on psychological and quality of life for LGBT people. While, violence attacks are very sudden and vicious, and leave serious physical damages. Over 90% of respondents rated the proper knowledge about LGBT remains less popular in Vietnam. The common phenomenon such as insulting, mockery, results into that only a few public figures have chosen to come out openly as LGBT.

Expectation and demands

Research respondents expect some solutions against discrimination to be made and emphasized on the importance of amending laws relating to same-sex marriage and sex reassignment.

The respondents also insinuate groups of measures to raise social awareness which focus heavily on the dissemination of proper knowledge for everyone.

Anti-discrimination legislation is considered important and it is necessary to have a separate and overarching law because the current disuniform provisions of anti-discrimination prove to be ineffective. In parallel, in order for the anti-discrimination legislation to be effectively implemented, the process of raising awareness about LGBT must also continue.

RECOMMENDATIONS FROM THE STUDY

Although in the current specific laws, there are scattered provisions on anti-discrimination, a mechanism for resolving discrimination cases in Vietnam is considered not really easy to access and inefficient to use. Therefore, an Anti-Discrimination Law, or the Law of Equality, which generally set out the platform and implementation mechanisms, are really essential. Besides, it is considerable to integrate LGBT issues to the current Gender Equality Law.

This is in line with Vietnam's commitments in the second Universal Periodic Review ("UPR") at the United Nations' Human Rights Council in June 2014. Vietnam has accepted a recommendation that it will pass a law against discrimination, regardless of sexual orientation or gender identity of a person. The implementation of UPR commitments is the responsibility of the state and shall be reported at the next UPR, to be expected in early 2018 in the case of Vietnam. (OHCHR, A/HRC/RES/5/1)

In addition, in order for a good enforcement, reporting mechanisms and settlement should be diversified and efficiently implemented: the courts or equality inspections as in many other countries.

Beside the improvement of the legal provisions, the overall solution is to raise awareness about LGBT for the entire society, especially people with authority (parents, teachers, government officials, public police, medical personnel...), strengthen the associations' activities, groups and or-

ganizations of LGBT people, introducing LGBT as a topic to education program by way of including into sex education programs, emphasize and promote values on equality, diversity appreciation and individual liberties.

Besides, there are also a number of specific recommendations:

- Family: Establish counseling centers for parents of LGBT people, LGBT Parents' Association. Enhance the state responsibility in resolving domestic violence based on sexual orientation and gender identity discrimination. Further research on the pressures and discrimination that the parents of LGBT people are facing.

- Schools: School psychological counseling models need to preempt the psychological and physical development of students to provide well-timed educational support. Perform the collection of opinions, questions from the students to build proper extracurricular programs. Respect students' choice of uniform to fit with their desired gender. Besides, faculties need to be updated with proper LGBT knowledge, during when there is a lack of proper knowledge on LGBT, faculties must restrain from imposing their own stigma or negative and discriminatory attitudes to any student.

- Employment: Consider integrating gender discrimination issue in the Labor Code. Promote LGBT-friendly culture in the businesses. Many legal foundations in the world dedicated a law on equal employment, mentioning specifically the issues of discrimination in employment on the basis of gender, age, physical condition and sexual orientation. This creates a more effective mechanism to protect workers against discrimination in recruitment, payment or other labor regimes. Besides, measures of social education are still long-term and the most thorough solution for the employers to be aware of the benefits of human evaluation through capacity rather than other factors. Many large enterprises around the world have started to become pioneers in aligning its image with messages of support and friendliness with the LGBT community. Many business owners have come out openly as LGBT people and donated for projects and activities to promote LGBT rights.

- Health: Vietnamese health sector has never officially confirmed the globally-recognized scientific knowledge about LGBT and has never prohibited acts trying to "cure" homosexuals, transgenders. This is extremely significant and urgent that the health sector must take the initiative to address this problem. Documents, medical care guides for transgender people should be quickly issued to realize transgender rights which have been recognized in the Civil Code (Amended) 2015.

INTRODUCTION

This report sets out findings from the first-ever-in-Vietnam a complete survey about the experience of discrimination based on sexual orientation and gender identity. This is the output by 2,363 respondents from 63 provinces in Vietnam who had completed the online surveys, 10 personal in-depth interviews, two group discussions among eight respondents in Ho Chi Minh City (“HCMC”) and Hanoi about their experience on discrimination, harassment, and violence because of their sexual orientation and gender identity.

RESEARCH OBJECTIVES

“A society of fairness, democracy and civilization” is one of the leading social development objectives of Vietnam. On that basis, the concept of “fairness” is best illustrated when everybody has the right to pursuit happiness and create social conditions for achieving happiness. In addition, “civilization” does not only mean the technology and material civilization but also includes spiritual civilization, civilization in human interactions, civilization as the quality of life and living style, where universal values and human rights are guaranteed and respected.

In the recent years, Vietnam has witnessed many positive changes to its laws and society in the debates and protection of the rights of homosexual, bisexual, and transgender people (“LGBT”). The Law on Marriage and Family 2014 excludes any prohibition and penalties against same-sex marriage, although it has not legally recognized same-sex marriage. The Civil Code (Amended) 2015 legalizes the gender assignment and re-issuance of identification for transgender people. More coverage from the press as well as its better attitude is extended for LGBT people. Many new initiatives and organizations for LGBT people are established and operated across many provinces and in many sectors, which enhances the society awareness about LGBT.

However, there exists stigma and discrimination against LGBT in the current laws and general social attitude. Many recent researches show that there is a clear demand that more efforts must be mobilized

to guarantee the equality and non-discrimination for the LGBT people in Vietnam. Nevertheless, it still needs a more concrete evidence and verifiable data to transform the discussions on discrimination against LGBT into scientific debates and initiatives for resolving such existing issues for this group of citizens.

The study “*Is it because I am LGBT?*” aims at the collection of specific data in each sector, and provision of a comparative approach to contribute to the building of a positive legal policy in order to guarantee social justice for everybody.

This study aims at the following objectives:

- Studying the experience of discrimination based on sexual orientation and gender identity, the frequency and tendency of the discriminatory acts in popular living fields, as well as in each LGBT group.
- Considering the relationship between experience of discrimination and economic, cultural, and social specifics of the respondents.
- Providing more evidence and stories about the discrimination against LGBT people, awareness on rights and settlement mechanism against discrimination, and as a result, contributing to the building of a policy on anti-discrimination in Vietnam.

OVERVIEW ON PAST RESEARCHES ABOUT LGBT DISCRIMINATION

In Vietnam, there have been a volume of researches from many organizations on homosexual, bisexual, transgender group individually or the LGBT as a whole. The first researches are common researches about men who have sex with men (“MSM”), where the topics on homosexual, bisexual, and lesbians were touched (Khuat Thu Hong, 2005; Vu Ngoc Bao and Girault, 2005; Vu Ngoc Bao et al, 2008). Other studies focused on specific groups such as gay men (Nguyen Cuong Quoc, 2009), lesbians, women who love women (iSEE, 2010), LGBT street children (Nguyen Thu Huong et al., 2012), transgender people (iSEE, 2013), or on the other specific topics such as portrayal of homosexual people on the media (iSEE, 2011), same-sex union relationship (iSEE, 2013), adoption (UNDP-USAID, 2013), transgender people’s legal need (iSEE, 2014).

Other studies explored the stigma and discrimination against LGBT (iSEE, Overview discrimination against LGBT, 2010; iSEE, Study of public opinion on lesbian and gay people, 2010).

Some studies dedicated to discrimination from healthcare workers against patients who are men that have sex with men (iSEE, 2011), or discrimination based on sexual orientation and gender identity in schools (CCIHP, 2011; UNESCO, 2015).

Many findings from the above studies illustrated experience about discrimination of the LGBT people. According to the on-

line study named “A study of socio-economic characteristics of MSM in Viet Nam” (iSEE, 2008), 86% of gay men have to conceal their sexuality; 15% gay men admitted that they had been scolded by their families when they came out. A study on lesbian (iSEE, 2009) showed that families which are informed about their children’s homosexuality are usually disappointed and try to persuade or restrict their children to love a girlfriend or to communicate with other lesbian, or threaten to stop financial aid, or force them to get married with a man.

An online study of “Stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school” (CCIHP, 2011) showed that 45% of LGBT students admitted that they used to be subject to violence and discrimination at school in many forms (physical, psychological, sexual and economical); 18% of violence and discriminatory incidents were caused by faculties and school’s staffs; 38% of the victims of violence at school admitted that they feel hopeless about their future; 31% of the victims nurtured suicidal thoughts.

OVERVIEW OF CURRENT LEGAL AND POLICY FRAMEWORK

VIETNAM'S REGULATIONS ON ANTI-DISCRIMINATION

Equality and non-discrimination is one of the fundamental and important principles of Vietnamese laws.

Vietnam's Constitution 2013 stipulates that:

Article 16.

- 1. Everyone is equal before the law.*
- 2. No one shall be discriminated in their political, civil, economic, cultural and social life.*

The Civil Code (Amended) 2015, touted as “Constitution” for private laws for civil relationship, also stipulates non-discrimination to be the fundamental principle of the civil laws:

Article 3. Fundamental principles of civil laws

- 1. Every natural and legal person is equal and free from discrimination under any justifications; whose personal and property rights are equally protected by the law.*

Many other laws requote the principle of non-discrimination. Law on Gender Equality 2006 (No. 73/2006/QH11) defines: “*Discrimination based on gender is the limitation, exclusion, non-recognition or disregards of roles and positions of men*

or women, causing imbalance between men and women in areas in social and family life” (Article 5.5). In the same Law, it defines “*Gender indicates the characteristics, positions and roles of man and woman in all social relationships”* (Article 5.1). Therefore, sexual orientation and gender identity could be deemed as characteristics of gender. On that basis, this Law strictly prohibits “*[d]iscrimination based on gender in any forms”* or “*[v]iolence based on gender.”* (Article 10).

Despite being a country which does not criminalize homosexuality, Vietnamese law stipulates in a very limited way rights of LGBT people. Law on Marriage and Family (No. 52/2014/QH13) does not prohibit same-sex marriage, but it “*[...] does not recognize marriage between same-sex spouses”* (Article 8.2) which results into that the right to marry of a same-sex couple is still not legal.

In a very long time, Vietnamese law only stipulated the “gender re-determination” for intersex people without regulating “gender reassignment” for transgender people. On 24 November 2015, Vietnam's National Assembly had passed the Civil Code (Amended), where the gender reassignment is officially legalized in Vietnam. Although it will be effective from 1 January 2017, there will required more guiding legal instruments before the transgender people could effectively exercise this right.

Under the Vietnam's Second Universal Periodic Review ("UPR") at the United Nations' Human Rights Council in June 2014, Vietnam has accepted Chile's recommendation to issue an anti-discrimination law, regardless of sexual orientation or gender identity of a person. (A/HRC/26/6/, line 143.88] The performance of this commitment shall be reported at Vietnam's next UPR session, expected in 2018. Therefore, with the commitment before the Human Rights Council, Vietnam shall for the first time issue a new, overarching anti-discrimination law.

In general, Vietnam's state and society has developed a better attitude and attention to issues on discrimination based on sexual orientation and gender identity which LGBT people are subject to.

ANTI-DISCRIMINATION INTERNATIONAL TREATIES WHICH VIETNAM IS A PARTY TO

As a full member to the United Nations from 1977, Vietnam has joined the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in 1982, the Convention on the Rights of the Child (CRC) in 1990, and the Convention on the Rights of Persons with Disabilities (CRPD) in 2014... It illustrates that Vietnam has expressed its commitments to respect all individual dignity and rights.

Article 1 of the Universal Declaration of Human Rights clearly expresses:

"All human beings are born free and equal in dignity and rights"; Then Article 2 follows: "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

General Comment 20 adopted by the United Nations' Committee on Economic, Social and Cultural Rights (E/C.12/GC/20, 2/7/2009, paragraph 32) explains: *" 'Other status' as recognized in article 2(2) includes sexual orientation. States parties should ensure that a person's sexual orientation is not a barrier to realising Covenant rights, for example, in accessing survivor's pension rights. In addition, gender identity is recognized as among the prohibited grounds of discrimination; for example, persons who are transgender, transsexual or intersex often face serious human rights violations, such as harassment in schools or in the work place."*

After many decades when "sexual orientation" and "gender identity" were rarely officially discussed, concerns about human rights violations had driven the Human Rights Council to prioritize these issues for discussion, and officially adopted joint statements about rights of LGBT people. These joint statements on human rights, sexual orientation and gender identity were initially proposed at Human Rights Council sessions in 2006 and 2008. Discussions were around political concerns about anti-discrimination laws and state responsibilities in performing international human rights law.

In 2011 and 2012, the question on rights of homosexual, bisexual and transgender people had been strongly promoted. In March 2011, 85 countries and territories co-signed a *Joint Statement on Ending Acts of Violence and Related Human Rights Violations Based On Sexual Orientation and Gender Identity*. In June 2011, a Resolution (Resolution 17/19) addressing violence against LGBT people were adopted at 17th Session of Human Rights Council. Supports from members of the Council all over the world has paved the way for the introduction of the first ever detailed report of the Office of United Nations High Commissioner for Human Rights (A/HRC/19/41) in November 2011, summarizing the issues of violence and discrimination against homosexual, bisexual and transgender people worldwide.

The report provided evidence of systematic violence and discriminatory acts based on sexual orientation and gender identity around the world. The report also extended its recommendations to states on protection rights of homosexual, bisexual and transgender people.

On 26 September 2014, the United Nations' Human Rights Council continued to adopt a resolution on anti-discrimination and anti-violence against LGBT community. 25 out of 46 of the member states of the Council, Vietnam including, voted in favor of this resolution.

Resolutions and reports of the United Nations' Human Rights Council clearly show the legal responsibility of the states to guarantee the rights of homosexual, bisexual and transgender people (LGBT), as well as intersexual people (people born

with atypical gender characteristics of men or women): General Comment 20 of CESCR (E/C.12/GC/20, 2/7/2009), General Comment 28 of CEDAW (CEDAW/C/GC/28, 16/11/2010), General Comment 14 of CRC (CRC/C/GC/14, 29/5/2013), reports from the Special Rapporteurs (A/57/138, July 2, 2002, A/HRC/20/27, 21 May 2012, A/HRC/20/27/Add.3, 19 June 2012, A/HRC/23/34, 14 March 2013).

SOCIAL DEVELOPMENT ON ANTI-DISCRIMINATION

Universal and stable development of the economy, mobilization of all social forces has been becoming the priority in development strategy of Vietnam. As a contribution to this objective, LGBT people must be free from discrimination at work places, schools or in enjoying health care services. Discrimination and unfair treatment against any group of people causes negative impact to economic development and social solidarity.

Media, culture, and arts contributes greatly to the development of social awareness in Vietnam about the issue of discrimination against LGBT people. More articles, movies, and positive information about LGBT community exist, which help cancelling prejudice and alter negative perspective about LGBT, and, as a result, lower stigma and discrimination.

IMPORTANT CONCEPTS AND TERMINOLOGIES

Subjects of the study are those who self-identify as homosexual, bisexual, and transgender. Discrimination experience is divided into two campuses being sexual orientation and gender identity.

The report uses the term LGBT to cover all the respondents of surveys and interviews. Where necessary, each analysis shall mention the LGBT's sub-groups, as we understand that issues in these sub-group may vary. Economic and social factors of the respondents were also accounted.

The following terms are based on the *Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity* (in short “*Yogyakarta Principles*”), which are used by many United Nations’ agencies such as the Human Rights Council, United Nations High Commissioner for Human Rights, the United Nations’ Committee on Economic, Social and Cultural Rights.

Sexual orientation is “*each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.*” According to the most wide-accepted understanding, person with sexual orientation toward others of the same gender is called a **homosexual person**, toward others of the different gender is called a **heterosexual person**, toward others of both genders is called a **bisexual person**.

Gender identity is “*each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification or bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms.*” Persons whose gender identity does not correspond with sex assigned at birth is usually called **transgender people**. This term applies for those who have not had surgery, or those who dress intersexually without identity themselves as either men or women. If they self-identify as men (women as birth, but identify as men), they are called **trans guys**. If they self-identify as women (men as birth, but identify as women), they are called **trans girl**.

Gender expression is external manifestation of gender identity, through the behavior, appearance, personality, appearance as “feminine”, “masculine” or “neutral.” Since the experience about discrimination based on sexual orientation and gender identity often relates to perceptions about gender expression, this study shall use the term “gender expression” in several cases.

Discrimination is behaving against particular persons or group of persons differently, especially in a more negative way compared to the behavior against others, based on factors such as races, gender, sexuality, etc.

There are a few accepted exceptions in discrimination. Firstly, these are special work requirements: for example, women are exclusively recruited to become actresses. Secondly, these are short-term special measures or positive discrimination with the aim to compensate for disadvantages, or to move toward long-term equality such as affirmative policies for minorities.

Discrimination is divided into two categories:

- *Direct discrimination*: to be the less favorable treatment against persons or group of persons because of factors such as race, gender, age, marital status, disability... It requires three factors to determine direct discrimination. First, actual damage (physical assault, promotion denial...); Second, matching elements, damages are consequences of less favorable treatment in comparison with others in different groups (race, gender, sexuality...) but having the same conditions (capacity, job qualifications...) and; Third, causality, unfair treatment because of factors as gender, race, disability...

- *Indirect discrimination*: Harder to identify. Indirect discrimination is when a person sets out the same conditions and limits for everybody, but those conditions are difficult to satisfy by a small group of people, which leads to actual damages. For example, a company extends its hiring qualifications to be that candidates must be higher than 170cm. As a result, smaller women shall more likely fail to be recruited.

In this report, “discrimination based on sexual orientation and gender identity” is shortened in some cases as “discrimination because of being LGBT” but it does not mean it limits to persons who self-identify as LGBT. (See “*Not identify as LGBT but participate to the surveys*”)

METHODOLOGY

HOW WAS THE SURVEY DONE?

The online surveys were designed and sited at www.toilalgbt.com (closed), from 4 October 2015 to 8 November 2015.

The survey was mainly advertised via the official Facebook channel of the Institute for Studies of Society, Economy and Environment (“iSEE”). The average time to complete the survey is 25 minutes and 40 seconds.

The survey was named in short as **“Is it because I am LGBT?”** in order to attract the attention from those who self-identify as LGBT. It was shared on 10 Facebook pages of LGBT groups and sent via iSEE’s email system.

From 28 October to 03 December 2015, the research team had conducted 10 in-depth interviews and two group discussions among eight respondents in Ho Chi Minh City and Hanoi in order to learn further about the findings unveiled in the online surveys, as well as to reinforce the findings with stories shared by respondents.

The selection of subjects for interviews was based on the list of respondents who completed the surveys and shared their contact details. Quantity and criteria for selection was based on ages, sexual orientations, gender identities and experiences in topics that the research team desired to analysis further after the surveys.

In addition, the report also quotes testimonies from the respondents in order to illustrate their discriminatory experience.



Photo 1: Online banner of the survey

QUESTIONS ABOUT DISCRIMINATION EXPERIENCE

When we asked the question about discriminatory experience, we used the concept “feeling discriminated”. A behavior could be felt as discrimination by a person while others may not feel the same. Therefore, the feeling of “being discriminated” is very important as discrimination exists as an issue only when it is felt negatively by the subject.

However, it should be understood that the feeling of discrimination also depends on the degree of presence and rights awareness among each group. For

example, group with less open presence such as bisexual people is less sensitive to unfair treatment. On the other hand, groups that are frequently discriminated such as transgender people become familiar with the discrimination to the point where they could neglect frequently-occurred discrimination.

In the questionnaire, all questions about discriminatory experience are set out in the form “Have you ever... for being deemed as LGBT?” to emphasize the sexual orientation and gender identity and repeatedly remind the respondents of excluding other discriminatory experience because of other factors.

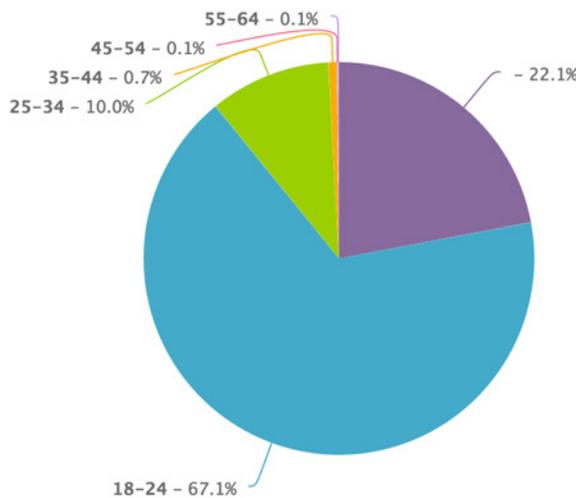


Chart 1: Ages of the respondents

Question 3. What is your age? Source: iSEE, *Is it because I am LGBT?*, 2015

WHO ARE THE RESPONDENTS?

There are total of 5,498 people who participated the surveys, of which 2,362 people completed the survey (therefore, only 2,362 people are deemed as “respondents”). All are living in Vietnam. By age, most respondents are from 18-24 years of age (67%). Under-18 respondents comprise of 22%, while respondents between 25-34 years of age comprise 10%. Over-35 respondents are rare, even though we had targeted this group by changing our advertisement platforms on Facebook to focus on this group.

Most respondents live in Ho Chi Minh City, comprising of 40.6%, then in Hanoi (19.9%), Can Tho (4.1%), Dong Nai (2.8%), Da Nang (2.2%), Hai Phong (2.0%), Binh Duong (1.9%), Khanh Hoa (1.8%), Tien Giang (1.4%), An Giang (1.3%), Ba Ria – Vung Tau (1.2%), Ca Mau (1.2%), Vinh

Long (1.1%), Thua Thien – Hue (1.1%), Kien Giang (1.0%), Tay Ninh (1.0%), and in other provinces which each comprise less than 1.0%.

Notably, every of 63 provinces has people who participated in the survey. Although there are 36 provinces with less than 10 respondents each, it still demonstrates that the survey was nation-wide, and it aims for a national study in the future about LGBT people outside metropolitans.

Accessibility to the Internet might be an issue for over-45 respondents. However, in in-depth interviews, some LGBT people in the range of 35-44 years of age stated that they do not come out, or limit their coming-out to a small group of close friends, therefore their experience about discrimination is simpler and irrelevant to the study.

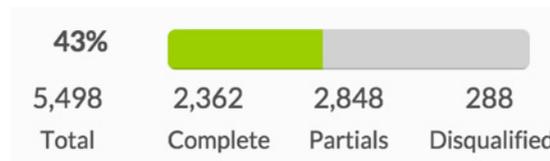


Photo 2: Number of respondents and percentage of those who completed the surveys

AGE AND SELF-IDENTITY

When learning about discrimination against LGBT groups, each small group of sexual orientation and gender identity have experience discrimination differently. Therefore, when analyzing the survey results, we always take into account the differences among homosexual, bisexual, and transgender groups.

In addition, on the question of self-identity, respondents' feedbacks shall be used to personalize for subsequent questions, for example *"Have you ever been discriminated because of [answers] in the last 12 months?"* instead of *"Have you ever been discriminated because of sexual orientation and gender identity in the last 12 months?"*

This will make the answers more accurate and avoid answers with discrimination based on other factors.

Respondents are mostly gay (one-third 33.4%), then lesbians (one-quarters, 20.3%), bisexual women (17.1%), trans guys (17.2%), bisexual men (6.5%).

Trans girls participated the least into the surveys with only 1.4%. In many other studies, the participation of this group was always the lowest. This also affects the representation of this group in the survey. Although it may be contradicting to social observations that trans girls have most social presence, it demonstrates that online survey and general studies do not attract the participation of transgender people.

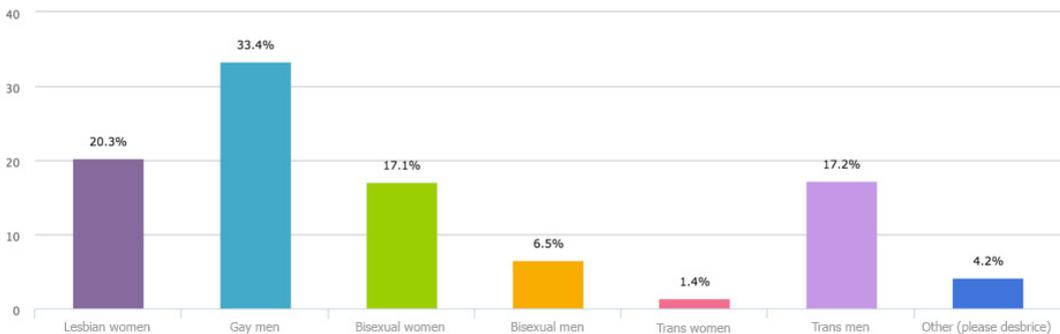


Chart 2: Respondents' sexual orientation and gender identity

Question 5. Do you identify yourself as... Source: iSEE, Is it because I am LGBT?, 2015

RESPONDENTS WHO DO NOT SELF-IDENTIFY AS LGBT

We do not automatically exclude respondents who self-identify their sexual orientation or gender identity as non-LGBT from the survey. In fact, many people do not categorize themselves into any LGBT sub-group but rather seek and rely to a diversity of identities. This survey also recorded many other self-identities such as: gender queer, gender fluid, non-binary, or other combined identities such as trans gay, trans bisexual, etc.. Under the scope of this study, we do not dedicate to explain the origins and meanings of these concepts.

This survey aims at the discrimination based on sexual orientation, gender identity and gender expression rather than just the self-identity of each person. Therefore, we do not exclude respondents who do not identify as LGBT. If they love people of a different gender, and having the gender identity corresponding to gender assigned at birth (cisgender heterosexual) and accidentally responded to the survey, the subsequent questions shall become irrelevant to them and there is a high likelihood that the person will abandon the survey. This may explain while the completion rate of the survey only reached 40%.

SURVEY RESULTS

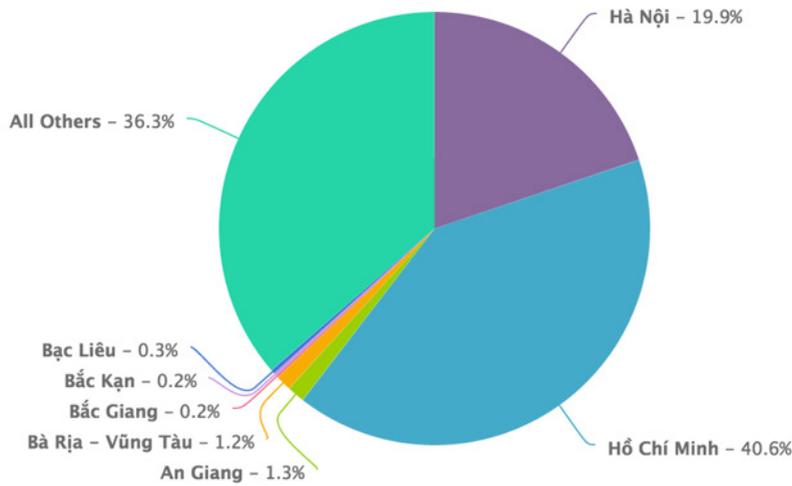


Chart 3: Respondents' residency

Question 6. Where are you living? Source: iSEE, *Is it because I am LGBT?*, 2015

CHARACTERISTICS OF THE RESPONDENTS

One-third (34.4%) of the respondents said that they are living at places other than their hometowns. The main reason (72.2%) is the requirements from families, work, or studying... Although only 1.5% of the respondents admitted that they left their hometowns because of being LGBT and

desires a friendlier environment, respondents who cited that being LGBT is a part of their reasons to leave the hometowns comprises one-fourth of the total (26.3%). It is safe to assume that with these respondents, their decision for relocation was not driven because they are LGBT, but being LGBT is a factor contributing to their decision to relocate to a friendlier place.

I see that most of the LGBT people nurture a thought that they need to relocate to a more developed place than their hometown for a freer life. Somewhere that is wide enough for them to spread their wings without any obstacles. I have that thought, too, very usually.

(Trans girl, 25-34, HCMC)

Most of the respondents are living with their parents, siblings, grandparents (68.7%), single (98%), pursuing a tertiary, college, or university degree (61.1%), or working in the private sector (77.8%). Respondents are most active in occupations being merchanting, general business (19.6%), restaurants, hotel, catering businesses (11.6%), education (8.7%), manufacturing (6.9%), freelancing (6.8%), media and advertising (4.9%), arts and entertainment (4.5%), health and medicine (4.5%), computing and telecommunication (4.2%), while other occupations each comprise less than 4.0%.

Other occupations which are closely related to LGBT people do not comprise a large portion, such as fashion and make-up (1.7%), which is lesser than those who work in state agencies (2.4%), or in arts and

entertainment (4.5%). This demonstrates that LGBT people are active in many fields and sectors. Occupations only influence the openness of LGBT people at work and their presence. Occupations such as restaurant waiting staffs, hoteliers, or bartenders are deemed to be LGBT-friendly.

I have worked for a restaurant group for about three years. Since 2013, I have been working in this sector. I encounter almost no obstacles at the restaurants. They even respect me. Even when I ask them to consider me as a man, address me as Mr and do not require me to wear female uniforms, they always say yes and treat me like a man.

(Trans guy, 25-24, Hanoi)

Almost nine out of ten respondents (88.3%) has already come out with at least one friend. Half (48.9%) of the respondents has already come out with at least one family member. The percentages of people coming out with colleagues or neighbors are less. This shows that people at their younger age (average age of respondents is 19.1) has a tendency to accept more easily with the coming-out of LGBT people.

Because I am LGBT and I'd like to live more openly	1.5%		12
Other reasons (family, work, study...)	72.2%		576
Both of the above reasons	26.3%		210
Total			798

Chart 4: Reasons that the respondents do not live at their birthplace

Question 8. *Is this your birthplace?* Question 9. *If not, why do you not live in your birthplace?*

Source: iSEE, *Is it because I am LGBT?*, 2015

	HAVE NOT COME OUT	ALREADY COME OUT	TOTAL
FAMILY	48.8%	48.9%	2274
NEIGHBORS	78.4%	18.0%	2231
FRIENDS	10.5%	88.3%	2340
COLLEAGUES	47.2%	38.0%	2236

Table 1: Percentage of respondents who have come out with families, neighbors, friends, colleagues

Question 23. *How many people have you come out as [LGBT] to? Answer: 'A few', 'Many people', 'All'. Percentage applies only to those who told that this question is relevant to them.*

Source: iSEE, *Is it because I am LGBT?* 2015

Other information of the respondents:

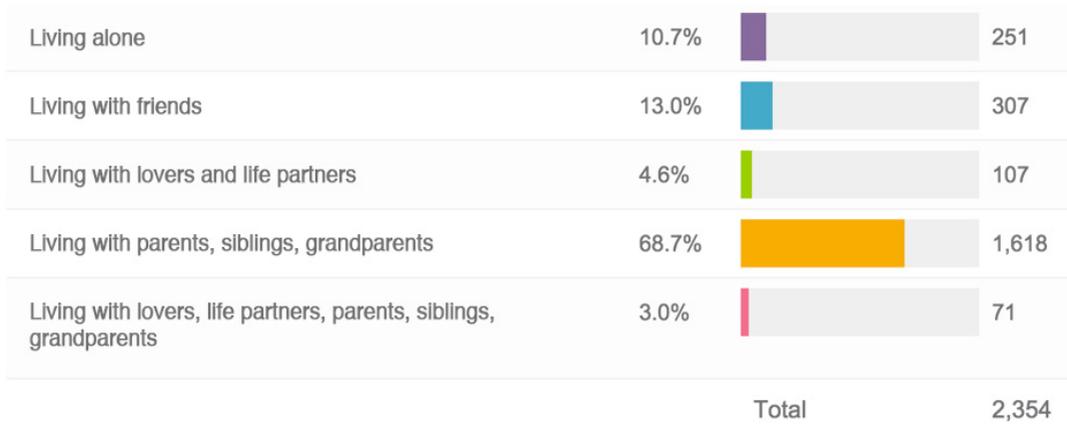


Chart 5: Respondents' current living status
 Question 10. What is your current living status?
 Source: iSEE, Is it because I am LGBT? 2015

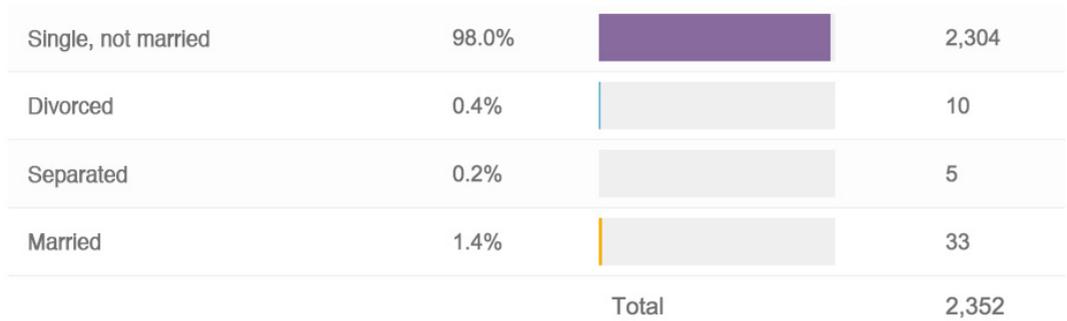


Chart 6: Respondents' marriage status
 Question 11. What is your marital status?
 Source: iSEE, Is it because I am LGBT? 2015

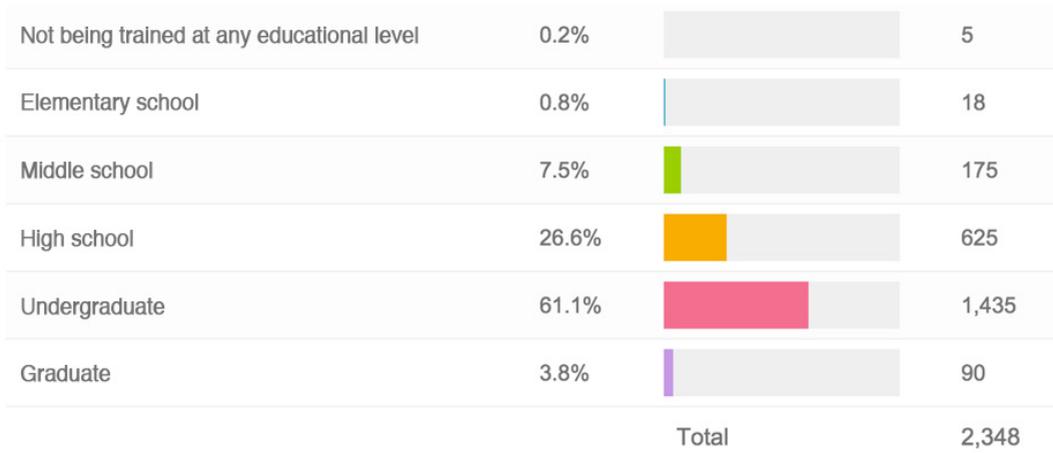


Chart 7: Respondents' educational level

Question 12. What is the highest educational level you have achieved?

Source: iSEE, *Is it because I am LGBT?* 2015

GENERAL FEELING ABOUT DISCRIMINATION

One-third (31.6%) of the respondents told us that they felt discriminated for being LGBT for the last 12 months prior to the survey. (Hereinafter “in the last 12 months”)

For each sub-group, transgender people have the most discrimination experience (49.4% for trans guys and 48.5% for trans girls). However, there were less respondents

who are trans guys comparing to other sub-groups, therefore the absolute number of this sub-group may differ.

On the frequency of the discrimination, half (49.9%) of the respondents who have felt discriminated said that they have been discriminated from once to five times in the last 12 months. Notably, more than one-fourth (27.6%) of the respondents told that they have been discriminated for more than 10 times in the last 12 months.

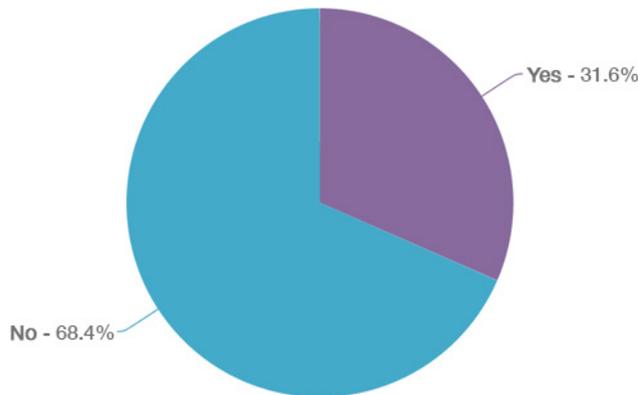


Chart 8: Percentage of respondents who has been subject to discrimination in the last 12 months
Question 35. In the last 12 months, have you ever been discriminated because of being LGBT?

Source: iSEE, Is it because I am LGBT? 2015

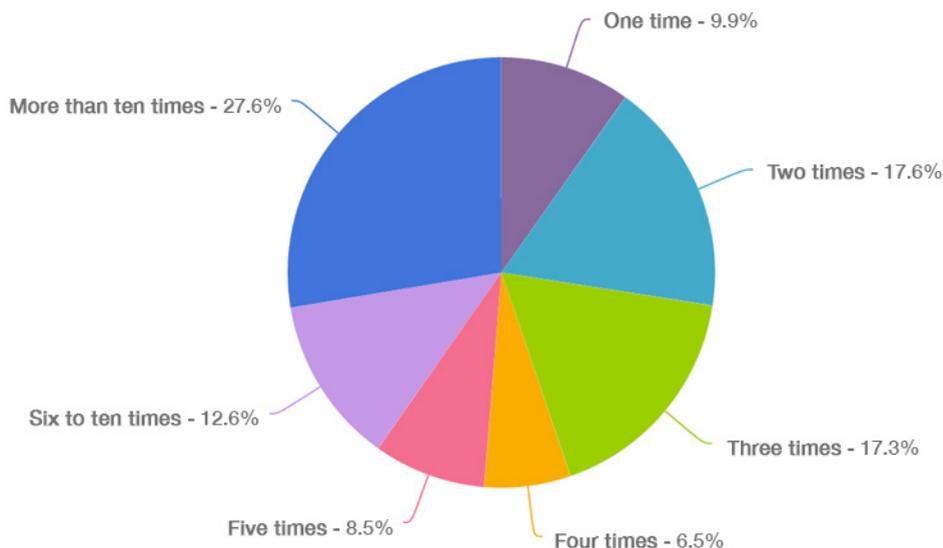


Chart 9: Frequency of discrimination of the respondents in the last 12 months
 Question 36. How many times have you been discriminated in the last 12 months?
 Source: iSEE, Is it because I am LGBT? 2015

Specifically, in the group of LGBT people who have been discriminated for more than 10 times in the last 12 months, trans girls had most discrimination experience (41.7%), one-half greater than the overall rate.

Lesbian	Gay	Bisexual women	Bisexual men	Trans girls	Trans guys
31.30%	31.40%	15.00%	14.60%	41.70%	29.90%

Table 2: Percentage among each group of LGBT people who have been discriminated in the last 12 months

INTERSECTIONAL DISCRIMINATION

With the question “*Apart from that you feel discriminated for being LGBT, do you consider that you have been discriminated in the last 12 months for any following factors?*”, factors such as race, age, religions, locality, disability are agreed by 2.6% to 17.7% of the respondents.

Intersectional discrimination is a notable factor and must be accounted for in analysis of experience of the respondents. Sometimes, people who are discriminated are unsure on whether the discrimination is “because of being LGBT” or is because of any other factors such as appearance, locality, economic condition. For exam-

ple, local dialect influences the possibility in recruitment more than that he/she is homosexual, or transgender people’s unnatural appearance is the main reason for being mocked.

Gender is regarded by 69.2% of the respondents as factor for double/intersectional discrimination beside sexual orientation and gender identity. This shows that the discrimination based on gender is closely related to discrimination based on sexual orientation and gender identity. That means a lesbian is subject to gender bias as a woman, or a trans girl who used to have a male body is subject to social expectations for a man.

	Yes	No	Do not know	Total
Race	36	488	90	614
	5.90%	79.50%	14.70%	
Gender	442	118	79	639
	69.20%	18.50%	12.40%	
Age	108	420	83	611
	17.70%	68.70%	13.60%	
Religions	37	493	80	610
	6.10%	80.80%	13.10%	
Disability	16	515	77	608
	2.60%	84.70%	12.70%	
Locality	79	453	82	614
	12.90%	73.80%	13.40%	

Table 3: Percentage of intersectional discrimination among LGBT groups

Question 37. Apart from that you feel discriminated for being LGBT, do you consider that you have been discriminated in the last 12 months for any following factors?

Source: iSEE, *Is it because I am LGBT?* 2015

Among us, we think a lot about discrimination against LGBT but we usually overlook that locality is also a factor for discrimination. I come from the South. Before I move here, I had worked for a pharmaceutical company. But after I have been in a relationship with my lover who is a Northerner, I decided to move here. But when I am here, everything is worse than I thought. People dislike my appearance, and they distaste my accent. They refer to those two excuses.

(Lesbian, 25-34, Hanoi)

I think I am discriminated most because I am LGBT, then the remaining 50% is because of my appearance. Not everybody is favorable to my appearance.

(Lesbian, 25-34, HCMC)

Intersectional discrimination is also a note for us to provide recommendations and solutions to uphold equal treatments. When the fair treatment and values are promoted, not only LGBT issues need to be emphasized but it also needs to expand that every group with different characteristics or factors must be respected.

COMING OUT AND OTHER FACTORS IN RELATION TO DISCRIMINATION

Respondents who are under-18 (35.5%), living in suburb (37.3%), having monthly income from 5-10 million (34.7%), having the highest educational level to be middle school (37.9%), being in agriculture, forestry, fishery business (57.1%) belong to groups which have tendency to feel discriminated in the last 12 months more than average among others.

However, there are a few groups which have higher educational levels or work in a place deemed as friendlier but have felt more discrimination. Groups with highest educational level being graduate feels second most discrimination among other educational levels (36.7%). Or groups who work in non-state, non-profit sectors (32.4%) have more discrimination experience than groups who work in private sector (31.8%) or state (28.4%).

Or groups who are active in arts and entertainment (50%) have the second highest experience in comparison to other groups. It can be explained that among groups who are in closed environment (elder, higher education, state workers), coming outs are unpopular, resulting to that the respondents within these groups have less chance to experience discrimination. On the other hand, in more open environment, LGBT people are more exposed to situations which attracts discrimination, resulting to that they are more sensitive to discrimination.

During in-depth interviews, we observed that those who have not come out to anybody usually have less discrimination experience. From that basis, we would study more about the relationship between coming out and discrimination experience.

One out of three LGBT people who have come out (33.3%) have felt discriminated in the last 12 months. At the same time, for those who have not come out with anybody (family, neighbors, friends, colleagues), there are still one-sixth (16.4%) of them who have felt discriminated in the last 12 months. That means, that one does not come out to anybody does not guarantee a freedom from discrimination based on sexual orientation and gender identity. These statistics could be used as reference for the question by many LGBT people on whether not coming out would prevent discrimination experience. That one does not come out may help reducing 17% of the likelihood of being discriminated.

DISCRIMINATION FOR BEING LGBT IN THE LIVING ASPECTS

1. DISCRIMINATION FOR BEING LGBT IN FAMILIES

	Lesbian women	Gay men	Bisexual women	Bisexual men	Trans women	Trans men	Average
Confined or holded at home	16.6%	9.4%	17.0%	3.6%	16.7%	16.0%	13.3%
Forced or encouraged to leave home	20.1%	9.6%	11.1%	3.6%	21.7%	18.6%	13.9%
Physical assaulted	10.8%	11.1%	10.1%	7.0%	20.8%	18.9%	12.7%
Scolded or verbally pressured	66.2%	44.9%	55.4%	50.8%	61.5%	79.9%	60.2%
Silent, refused to communicate	52.9%	35.7%	49.4%	36.7%	42.3%	58.4%	46.9%
Restricted in relationships	62.4%	43.5%	55.6%	45.2%	50.0%	62.3%	53.8%
Forced marriage	25.4%	27.9%	20.8%	25.4%	26.9%	21.8%	24.3%
Forced to see doctors	17.5%	14.6%	11.4%	17.5%	30.8%	29.2%	19.1%
Forced to go through rituals	10.8%	6.9%	6.9%	6.8%	20.0%	14.1%	9.7%
Forced to change appearance, gesture	64.0%	47.5%	57.1%	53.0%	75.0%	86.7%	62.9%
Forced medication	5.0%	5.2%	2.2%	6.9%	7.7%	10.9%	6.6%
Forced to change dietary	17.3%	18.6%	23.2%	17.2%	15.4%	26.4%	20.9%
Pressured the lovers or their families	38.9%	18.0%	27.9%	17.5%	42.3%	34.4%	28.0%
Lover is physically assaulted	5.6%	4.1%	3.0%	1.9%	8.3%	8.3%	5.2%
Financial control	35.5%	22.4%	30.5%	22.8%	26.9%	37.9%	30.2%
Indicate or declare disinheritance	12.7%	8.0%	7.7%	3.7%	15.4%	12.4%	9.7%

Table 4: Discrimination against LGBT people in families

Question 25. During your encounter with family members, have you ever been through any of the following situation because you are deemed as [LGBT]? Answer: 'Rarely', 'Occasionally', 'Often'. Percentage applies to those who told that the question relates to them. Source: iSEE, Is it because I am LGBT? 2015

Forcing to change appearance, gestures (62.9%) and scolding, pressuring (60.2%) are the most common abuses that LGBT people are subject to in their families. The acts of violence such as being confined, holded, forced or suggested to leave their families, battered were experienced by about 13-14% of the total survey respondents.

The discriminatory acts primarily aim to prevent the disclosure of information about the LGBT family members, to attempt changing the sexual orientation and gender identity of LGBT persons with medical, spiritual, or living style intervention, and to inhibit their intimate relationships. One fifth of LGBT people were forced to visit the doctor, a quarter of them were subject to forced marriage with those they do not desire.

Transgender group has a highest experience rate in all discriminatory acts compared to the homosexual and bisexual groups, particularly in acts such as forcing to visit the doctor (29.3%), to change their appearance, gestures (85.9%) and other pressures to their romantic relationship (35.0%).

Discriminatory acts for being LGBT in families could be divided in the following groups:

- Violence such as confining, holdings, assaulting, beating.
- Psychological pressure such as scolding, verbal insults, refusing to communicate.
- Manipulating authority to force, interfere in private life such as restricting relationship, forced marriage, forcing to change appearance and gestures.

- Applying medical or traditional measures to change sexual orientation and gender identity such as forcing to visit doctors, medication, change of dietary, rituals.
- Discrimination against children's lovers such as pressuring the lovers or their families, physical assault the children's lovers.
- Financial control, implied or expressive disinheritance.

Other discriminatory acts the respondents reported include: stared by relatives and neighbors, treated as a bad example to deter kids, forbidden to go to school and converse with friends, pressured on the job, threatened to inform the school and workplace to deter them from loving a same-sex person...

That day was very hectic, beating and knifing. My dad took a sword and declared: "Either you or I must die, you must choose." I must follow my parents' wish. I am used to my secret life. My grandparents always push me into marriage. Once I brought a book "I am homosexual" hoping they would read. They tore it apart and burnt it.

(Gay, 25-34, HCMC)

1.1. DOMESTIC VIOLENCE AGAINST LGBT AND CONSEQUENCES

The two most common forms of discriminatory acts LGBT people encounter from family members are emotional abuse (yelling, humiliation, pressure, psychological trauma) and physical violence (assault, beatings, detained, held captive). While there have been many studies on gender-based violence, for example, between spouses (Vu Hong Phong, 2006; Hoang Ba Thinh, 2009; Nguyen Van Anh et al, 2008; GSO, 2010), the violence assaults on the basis of sexual orientation and gender identity have not been documented and studied adequately.

In the study by CCIHP and iSEE (2011) about violence against gay group, 13 out of 17 cases of violence were caused by family members. The consequences of violence, whether physical or mental, are seriously affecting the lives of LGBT people. In all 17 cases in the CCIHP, iSEE study (2011), LGBT people were experiencing depression in varying degrees, with six unsuccessful suicide cases. Mental pressure is still the most common behavior, particularly, the study also showed that the pressuring on a third person who is influential to LGBT people (lovers/ intimate partners) is also employed frequently (28.0%).

The discrimination from family has close links with discrimination in schools. A family supportive to their LGBT children will provide them with energy and confidence to not be affected much from the difficulties occurring at schools. In contrast, when parents deny their children, these LGBT children will have increasingly harder time in the educational environment. In some cases, family plays as the cause that interferes with LGBT people's studying, employment opportunities and romantic affairs.

My nature is that whatever I dislike, I won't obey. Once my mom gathered the whole family and told everyone, my grandmother, uncles, aunties that I was a black sheep who rejected to wear ao dai and she was helpless with me. Then my whole family interfered but I still chose to quit school.

(Trans guy, 18-24, HCMC)

1.2. PARENTS AND CHILDREN ARE ALL VICTIMS

A study in the United States (Williams Institute, 2012) showed that 40% of street children identify as LGBT, and the leading cause for these children to involve in street life is the that family not accepting their sexual orientation and gender identity. Another study in Vietnam (Nguyen Thu Huong et al, 2012) about LGBT street children showed that the time when children leave home coincides with when they become aware of their gender characteristics and sexual orientation, while they have to suffer a backlash from the family and the community and nobody could share with them.

In the Vietnamese society, the family values are enshrined simultaneously with the expectation of obedience to parents' desires. With many parents, trying to prevent their children from being homosexual, bisexual, transgender is regarded as the love for children. It is scientifically and factually proven; no parents have ever been successful in converting their children from homosexual to heterosexual. But parents still try every way, with very severe to very tearful way. Many parents simply think that they are doing good

things for their children, without knowing that the children have suffered serious injuries. Beating, scolding, mental stress, depression... never can be deemed as true expression of love.

Sometimes, it is not that the parents could not accept that their children are homosexual, it is that they could not bear the way society treating homosexuals. Since then, they become concerned that their families would be subject to prejudice and pressure, then, as a result, shifting all the fear and pressure on their children. In other words, parents of homosexual people have also been victimized by homosexual discrimination. This may explain the act that parents who "forced to change their appearance, gestures," ranks the highest (62.9%) because these are the things concern parents the most when outsiders realize and suspect about their children.

Therefore, when researching on the discrimination toward LGBT individual in each household, we probably will need more data about the pressures and discrimination that the parents of LGBT people are facing. This may be a hint towards a new research in the future.

Law on Marriage and Family 2014

Article 69. Obligations and rights of parents [...]

4. Not to discriminatorily treat their children due to their gender [...]

Law on Anti and Prevention of Domestic Violence

Article 2. Domestic violence acts

1. The acts of domestic violence consist of:

- a) Corporal beating, ill-treating, torturing or other purposeful acts causing injuries to one's health and life;
- b) Insulting or other intended acts meant to offend one's human pride, honour and dignity;
- c) Isolating, shunning or creating constant psychological pressure on other family members, causing serious consequences;
- d) Preventing the exercise of the legal rights and obligations in the relationship between grandparents and grand children, between parents and children, between husbands and wives as well as among brothers and sisters.
- d) Forced sex;
- e) Forced child marriage; forced marriage or divorce and obstruction to freewill and progressive marriage
- g) Appropriating, demolishing, destroying or other purposeful acts to damage the private properties of other family members, or the shared properties of family members;
- h) Forcing other family members to overwork or to contribute more earning than they can afford; controlling other family members' incomes to make them financially dependent;
- i) Conducting unlawful acts to turn other family members out of their domicile.

2. DISCRIMINATION FOR BEING LGBT IN SCHOOLS

	Lesbian women	Gay men	Bisexual women	Bisexual men	Trans women	Trans men	Average
Bullied, disturbed by schoolmates	29.0%	75.7%	25.0%	79.4%	60.7%	47.3%	53.8%
Bullied, disturbed by faculties, school officials	17.4%	20.7%	12.8%	23.7%	29.6%	40.7%	23.0%
Forced to change uniforms	22.1%	3.1%	12.4%	3.4%	36.0%	59.6%	20.4%
Forced to change hairstyles, gestures	38.6%	30.7%	31.8%	33.0%	50.0%	62.5%	39.3%
Publicly criticized	9.5%	7.5%	8.7%	5.7%	18.5%	18.5%	10.6%
Parents informed to criticize	15.4%	9.0%	10.3%	9.1%	11.5%	27.0%	14.3%
Unfairly treated for being supportive to LGBT	26.0%	28.7%	39.0%	27.7%	33.3%	35.2%	30.8%
Rejected with extracurriculum activities	4.1%	6.8%	3.8%	7.9%	8.0%	8.4%	6.2%
Rejected with stay-in	1.6%	2.4%	1.2%	2.4%	0.0%	2.4%	2.0%
Skip classes because of discrimination	7.2%	11.7%	4.4%	6.5%	7.7%	14.6%	9.8%
Drop out because of discrimination	5.0%	6.9%	1.1%	2.3%	8.0%	4.9%	5.0%
Heard negative comments from schoolmates	61.7%	68.9%	61.6%	70.8%	66.7%	74.0%	67.5%
Heard negative comments from faculties, school officials	35.5%	30.1%	31.6%	33.7%	65.4%	58.0%	38.2%

Table 5: Discrimination against LGBT people in schools

Question 26. During your student's life (before 18 years old), have you ever been through any following situations because of being [LGBT]? Answers: 'Rarely', 'Occasionally', 'Often'. Percentage applies only to those who told that this question relates to them. Source: iSEE, Is it because I am LGBT? 2015

Beside family, schools are the environment in which the majority of people under 18 spend most of their time to develop their faculties, form character and establish relationships. Inherently, this environment is expected to promote diversity and tolerance, but the findings pointed out that the truth is far from that. More than half had been bullied by friends, and nearly a quarter of students had been harassed, bullied by teachers, school officials because they were considered to be LGBT. Notably, nearly a third said they were treated unfairly because of their pro-LGBT perspectives.

Similar to in families, gestures, appearance, posture, hairstyle are factors where LGBT people are discriminated against and pressured the most. Gender indicative uniforms are a significant obstacle affecting the quality of learning as well as the psychology of transgender people. The discrimination from school and family often is usually closely related.

Among those who went to schools prior to their 18th year, two out of three respondents had heard or witnessed negative comments or actions from schoolmates. One out of three respondents used to hear or witness negative comments or actions from faculties or school officials. Nearly one-third of the respondents felt unfair treatment by faculties for being pro-LGBT in their presentation or topical exercises.

Once, I did a presentation about [LGBT], which was well received. But the teacher did not give me a good mark, she also challenged my presentation with an uncooperative attitude.

(Bisexual women, 18-24, Hanoi)

2.1. BULLIES, NIGHTMARE OF THE LGBT STUDENTS

A study of school violence (CCIHP, 2012) showed that 40.7% of LGBT people have experienced violence and discrimination in schools, 13.2% of the respondents were abused by faculties. This study also provided some additional information on the context of the violence: the average age of the victims when they face first time abuse is 12.39, 15% of the respondents are subjected to daily violence, most commonly at break time, the location is in the classroom, with the leading causes to be dressing, gesture, appearance. Compared with the findings in the study "Is it because I am LGBT?", in the corresponding questions, the trend tends to be not diminished.

A recent study on school violence based on gender with LGBT students (UNESCO, 2015) in 20 countries in Asia, including Vietnam, showed that 70% of LGBT students experienced verbal bullying (name calling and teases), the highest compared to other countries in the survey being Australia, China, Hong Kong, Japan, Korea, Thailand. This 70% figure is fairly consistent with the finding that 67.5% of LGBT people have heard, witnessed the comments, negative actions from schoolmates

Other discriminatory acts which the respondents reported include: schoolmates stop befriending after they discover that the respondent is LGBT, being gossiped about appearance, ostracized in class... these discrimination leads to consequences such as truancy (9.8%) or even dropping out (5.0%).

Students come to school not to learn discrimination or hatred. In Vietnam, bullies among students are often seen as "childish things" and too often its severity to the victims is underestimated. In fact, the consequences of this discrimination extends to their lives and negatively affect the personality and ability of students to integrate. Bullying often prolongs, and occurs continuously, which features with the increases in level and the "normalization" of bullying. LGBT students become depressed, afraid of befriending, impaired learning ability, leading to pressure from family and then they continue concealing, deteriorating education as a vicious circle.

My tenth grade was so horrible! I used to be a good student from the first to ninth grade but my academic result was dropped down to mediocrity in my tenth grade. When my mom asked me, I confessed that I considered dropping out. My mom threatened to tell my dad who would scold me. After that, I decided to continue going to school. I was subject to bully everyday, almost everyday.

(Trans girl, 18-24, Hanoi)

2.2. MALE STUDENTS WEAR AO DAI, FEMALE STUDENTS WEAR SHORTS

For transgender people, they suffer mostly higher discrimination experience. Especially, more than half of the transgender people used to be forced to change the uniforms (57.7%) and forced to change their hairstyles, gestures (61.5%).

Costumes, hairstyles and poses are very important to the identity of transgender people. In October 2015, a photo-voice project initiated by a Vietnamese transgender group entitled "Gender is not Uniform" was widely received and shared by transgender people along with their messages and testimonies.

Mr Vo Duc Chinh, the rector of Nguyen Viet Hong High School in Ninh Kieu District, Can Tho said to the press:

I was assigned to this school in 2012. Back then, I started to create my Facebook page to serve as a bridge between my students and myself. It was then that I started to learn about earnest aspirations of my LGBT students: "I and many of my friends love to join the school activities. But I don't want to wear ao dai, or to be precise, I am very afraid of ao dai... If I can be in male uniform, I promise that I will be active." That gave me many thoughts. I perceived that uniforms are supposed to cancel the wealth gap between students, represent the neediness but I overlooked that uniforms also dictate students' characteristics. If uniforms makes LGBT students to drop out, or to suffer, should we open up in this issue? I had struggled a lot internally to decide that my LGBT students should be allowed to wear uniforms that fit them"

(Thanh Nien, 18/12/2015)

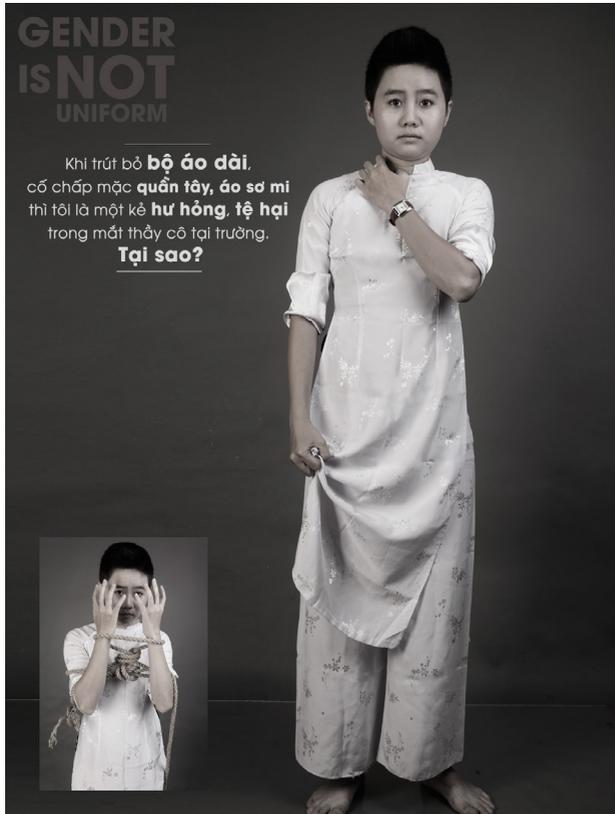


Photo 3: A photo in the series of “Gender is not Uniform” on issues about uniforms of transgender pupils
(Photo: Huynh Tri Vien and group)

Law on Education

Article 10. Rights and obligations to learn of citizens

Learning is the right and obligation of every citizen.

Every citizen, regardless of ethnic origins, religions, beliefs, gender, family background, social status or economic conditions, has equal rights of access to learning opportunities.

[..]

During the producing of the photo album “Gender is not Uniform” which voices the absurdity of current uniforms protocols, some students had encountered fierce opposition from the schools, to the extent that they were threatened that their presence in those albums with or without school identity would mean expulsion. (Thanh Nien, 18/12/2015)

Uniforms were supposed to eliminate discrimination based on economic conditions. But unintentionally, they create deep discrimination based on gender identity against transgender students. Gender identity of transgender people blossoms very early in their life even before they could afford financially a medical interference to their bodies. Since not every LGBT students are fortunate enough to be able to hold dialogues with faculties, educational authorities should be in charge and provide a clear guidelines to ensure that a very basic requirement being how students are clothed would not become a discrimination against LGBT people.

3. DISCRIMINATION FOR BEING LGBT IN WORKPLACES

	Lesbian women	Gay men	Bisexual women	Bisexual men	Trans women	Trans men	Average
Job applications denied although qualified	29.4%	13.8%	24.3%	9.5%	53.3%	59.7%	29.9%
Dismissal	8.6%	6.2%	10.5%	4.5%	13.3%	14.1%	8.8%
Less paid than others with the same position and capacity	11.0%	11.4%	18.4%	7.0%	23.1%	18.5%	13.8%
Promotion restrictive	19.1%	17.9%	15.1%	10.3%	53.8%	37.1%	22.6%
Forced to reassignment	12.3%	9.9%	12.9%	12.8%	25.0%	20.0%	13.5%
Forced to wear uniforms that do not fit desired gender	22.9%	2.3%	28.9%	0.0%	50.0%	41.7%	20.6%
Social security and health insurance denied	2.0%	2.7%	0.0%	5.1%	9.1%	7.9%	3.7%
Hear, witness negative comments and acts from colleagues	47.9%	38.0%	48.2%	42.2%	68.8%	65.8%	48.4%
Hear, witness negative comments and acts from superiors	32.5%	24.8%	29.6%	30.2%	50.0%	51.3%	34.0%
Hear, witness negative comments and acts from clients or business partners	27.2%	25.5%	27.8%	26.8%	40.0%	54.5%	33.8%

Table 6: Discrimination against LGBT people in occupation

Question 28. In the last 5 years of your working life, have you ever been to any situations because you are deemed as a [LGBT]? Answers: 'Rarely', 'Occasionally', 'Often'. Percentage applies only to those who told that this question relates to them. Source: iSEE, Is it because I am LGBT? 2015

Almost 30% of LGBT people were denied of job applications for being LGBT. Notably, the percentage of transgender people with rejected job applications (59.0%) is thrice higher than those of homosexual and bisexual people (19.6%). Transgender people also face discrimination in payment or work promotion, which results into that they often occupy low level, basic positions with little chance to move to managerial positions or higher.

LGBT people encounter negative comments and foul acts from colleagues, superiors and clients, as well as partners, at the rate of around 33% to almost 50%. The discriminatory acts that respondents shared also include: being constantly asked about their intimate partners, partner matching with opposite sex coworkers. Once again, the uniform problem of transgender people is highlighted. While the reasons for such discriminatory acts are often not openly discussed but concealed by other reasons, most LGBT people could often tell that they are unfairly treated for “being LGBT”.

Finding workplaces owned by LGBT people, or dominated by LGBT people, is often not the best solution because they would be subject to discrimination from people within the community.

Workplaces are very important to adults. They are not only their income source, but also a hub of connections and opportunities for them to enrich their social experience.

Workplaces environment is usually divided into several stages: approaching job opportunities (job applications), job negotiation (position, compensation), and employment period (promotion, praises, reassignment, dismissal...)

3.1. APPLY FOR A JOB AND BEING DENIED

Traditionally, discrimination in the context of job applications is usually based on gender or locality. However, discrimination in job applications based on sexual orientation and gender identity has not been appropriately examined. It is partial because that recruiters do not usually give out a clear excuse for application denial other than general comments such as “not suitable for the position.” However, in many cases, respondents told us that they could clearly feel the reasons for denial.

The denial email was in English and very lengthy. But I only could go so far to where it said that they regret to turning down my application because their director could not accept an employee with a tattoo on his/her hand. I decided to respond and asked whether: “It was because of the tattoo or it was that you discriminate because of my gender?” to no response. When I was interviewed, I noticed that one of their employees also covers his hand with tattoos. I was very upset and pitiful. I could not understand why an opportunity passed before me because of my gender.

(Trans guy, 18-24, HCMC)

There are cases where LGBT people chose to open up with the interviewers to examine their reactions, and treat such reactions as basis for them to continue pursuing a job opportunity with that recruiter. During an in-depth interview, a respondent (trans guy) shared that he was

mistaken as a gay person because he looks like a man with a little feminine. As a result, during his employment, he was treated as a gay person and was comfortable. He was so afraid that if everybody is aware that he is a trans guy, reactions will be changed that he chooses not to clarify with his colleagues.

In the context of workplaces, transgender people (both trans guys and trans girls) encounter most difficulties when they apply for a job, respectively 59% and 53% in comparison with average ratio of 30%. This ratio fits with the outcomes of some previous studies on that transgender people are denied with job application based on external appearance and stigma against their skills and human nature (iSEE, 2012; iSEE, 2015).

3.2. EMPLOYED BUT DISTURBED

For discrimination acts during employment, the findings are: 8.8% of respondents used to be fired, 13.8% of the respondents are less paid than others with the same position or capacity, 22.6% are restricted with promotion, 13.5% are forced to re-assignment to another position, 3.7% are refused with their social security and health insurance. All respondents consider these acts being solely based on them being LGBT, or in combination with other elements in intersectional discrimination such as “posture”, gender.

It was my first day at the construction site after I had completed my one-month apprenticeship. I was first of all discriminated because of my gender by the manager. The

manager told me that if I altered my dress to shorts, he would fire me. He also told me that girls must act like girls. He would not tolerate neutrality or mixtures. Recently, I forgot to inform him about the damage of a manufacturing tool. He requested me to undertake that if I commit once more, he would be entitled to fire me. I was most upset because of his comment that my posture and appearance dictates that I am not a good person. He monitored me daily just waiting for a chance to fire me.

(Trans guy, 18-24, Tien Giang)

The question about “being forced to wear uniforms which do not fit one’s desired gender” primarily aims to understand the experience of transgender people. It is easy to perceive that transgender people experience discrimination clearly higher (50.0% with trans girls and 41.7% for trans guys) than homosexual or bisexual people. However, findings show that this ratio with lesbian and bisexual women also reaches one-quarters (22.9% and 28.9% respectively) while almost no experience was recorded with gay and bisexual men (2.3% and 0% respectively). It is fair to explain that perhaps feminine uniforms (such as dresses, women clothes) are not desired by many lesbians and bisexual women.

3.3. DISCRIMINATED BY LGBT PEOPLE

Workplaces owned by LGBT employers are usually perceived as LGBT-friendly. Nevertheless, during in-depth interviews,

we learned of cases where respondents had had bad experience with LGBT employers and vowed not to apply for jobs with LGBT employers ever again. The respondents explained that LGBT employers hold the view that they were very generous when they recruited LGBT employees. Therefore, LGBT staff must accept that they would be less paid than others would. This means working for LGBT owners does not guarantee a fair treatment for LGBT workers.

My friends told me that I should not ever apply for that job. I asked them why. They told me that the owner is gay but he exploits workers badly. Workers are paid only five thousand dong when they deliver goods for his customers, even when workers use their own vehicles, bear their own petroleum costs. The owner also is very strict when workers are late. He pays people cheaply, without any benefits. That is an example of homosexual people who do not support each other.

(Trans guy, 18-24, HCMC)

There are cases where gay employer discriminates against trans guy workers, viewing the workers as “guys in disguise.” This case shows intersectional discrimination (based on sexual orientation, gender identity and gender role) plays a key role leading to discrimination within LGBT community.

The following story describes a view that a gay man is more advantaged than trans guy because a gay man is a natural male.

Labor Code

Article 8. Prohibited acts

1. Discriminating on the basis of gender, race, skin color, social strata, marital status, belief, religion, HIV infection, disabilities or for the reason of establishing, joining trade unions and participating in trade union activities.

[...]

The trans guy in this story was discriminated based on gender and gender identity. The doctrine “respect men, disrespect women” is reinforced by gender identity and bodies: “respect male body, disrespect female body”.

Many times when we quarreled, he told me that he is gay but still a man, better than I as a girl am. I was upset that a gay man could discriminate me just because he is gay but still male while I am someone who wishes to be like male but could not be. Sometimes I got upset and told him that he is only gay. [He responded] “I am gay but I still have my private part, better than you, who have nothing?” The doctrine “respect men, disrespect women” is also embedded in gay’s perspectives, not only in heterosexual people.

(Trans guy, 18-24, HCMC)

4. DISCRIMINATION FOR BEING LGBT IN HEALTHCARE

	Lesbian women	Gay men	Bisexual women	Bisexual men	Trans women	Trans men	Average
Denied or harassed when receiving emergency service (by receptionists, nurses, doctors...)	1.6%	3.1%	3.9%	2.1%	9.1%	13.3%	5.4%
Denied or harassed when receiving non-emergency service (by receptionists, nurses, doctors...)	3.8%	3.1%	8.8%	4.0%	9.1%	16.9%	7.9%
Forced or suggested to perform psychological examination	2.3%	3.4%	6.1%	4.3%	9.1%	14.9%	6.7%
Verbal insulted	14.2%	15.0%	28.6%	23.5%	36.4%	34.1%	21.9%
Receiving advices irrelevant to the medical treatment	12.1%	8.9%	15.9%	8.2%	18.2%	38.3%	17.8%
Overcuriosity	35.5%	21.7%	43.4%	28.6%	45.5%	58.4%	36.0%
Specific needs are not considered (for example, needs for transgender people)	5.8%	3.3%	9.6%	4.3%	40.0%	26.1%	10.2%
Heard, witnessed negative comments or acts from medical workers	16.5%	15.9%	26.2%	14.0%	45.5%	47.0%	25.3%

Table 7: Discrimination against LGBT people in healthcare

Question 30. In the last 5 years, when you use healthcare services, have you ever experienced the following situations because you are deemed as [LGBT]? Answers: 'Rarely', 'Occasionally', 'Often'. Percentage applies only to those who told that this question relates to them. Source: iSEE, Is it because I am LGBT? 2015

Two-third (66.8%) of the respondents stated that they had used healthcare services in the last 5 years. Notably, percentage of transgender respondents who used healthcare services (58.0%) is lower than the rest (68.5% for homosexual and bisexual people).

One in every four LGBT people has heard, seen the negative comments and action from the medical staff. The discrimination within the medical environment mainly focuses on ignoring the standards of medical procedures such as excessive curiosity about individuals, advice irrelevant to the examination and treatment, and verbal insult.

LGBT people also experience denial or difficulty from receptionists and medical staffs in both emergency treatment (5.4%) and regular medical care (7.9%). These behaviors are likely to cause serious impact on the health of others..

Other discriminatory acts include being forced or suggested to perform psychological tests, (6.7%) or ignore the specific needs of LGBT people (10.2%)

There was one time I was sick. I was diagnosed with diarrhea. Indescribable abdominal pain. Physicians ordered me to take a pregnancy test. Another time, I was in line to get my medication. When they called my name, I came forward to get the drugs. But they were confused and scolded me. They expected a girl to come forward but I looked like a man. As I tried to reason to them, they insulted me for being a freak

(Trans guy, 18-24, Tien Giang)

4.1. OBSTACLES FOR TRANSGENDER PEOPLE

In general, transgender people have worse experience than that of homosexual and bisexual people. This may explain why the percentage of transgender respondents who use healthcare services is lower than overall. It might be because that they are afraid of being insulted, rejected or discriminated when they are hospitalized or communicate with healthcare workers.

When respondents declare themselves as transgender, the respondents shall be handed a special medical information note. This information note shows that only 15.6% of the transgender people used to seek psychological and medical assistance for transgender people. The reasons why these people never seek for these for-transgender healthcare services are

that they are not aware of it (57.7%), or that they thought there were no healthcare services for transgender people (48%), or that the services are costly (25.3%), that they are afraid (18.3%), that they are concerned about prejudice healthcare workers may have (17.8%), or that they do not trust the services (13.5%). Other reasons stated by respondents include: not permitted by families, no demands, not necessary, underage, living in countryside and difficult to approach...

The absence of healthcare information for transgender people was previously stemmed from the fact that transgender people were prohibited with gender re-assignment. Now, when the Civil Code (Amendment) 2015 takes effect, it will urgently require official information that transgender people can access to learn about the services they could seek for.

When I had medical checkup for the driving test, I used my real name which is very feminine. The doctor after examining my appearance told me: "Are you kidding me? You are a man and your name is girl's?" I told the doctor that I am transgender. The doctor was stunned. I then told the doctor: "You please treat me normally, that who I am is unimportant to you." During examination, doctors and nurses gathered around me curiously and annoyingly.

(Trans guy, 25-34, Can Tho)

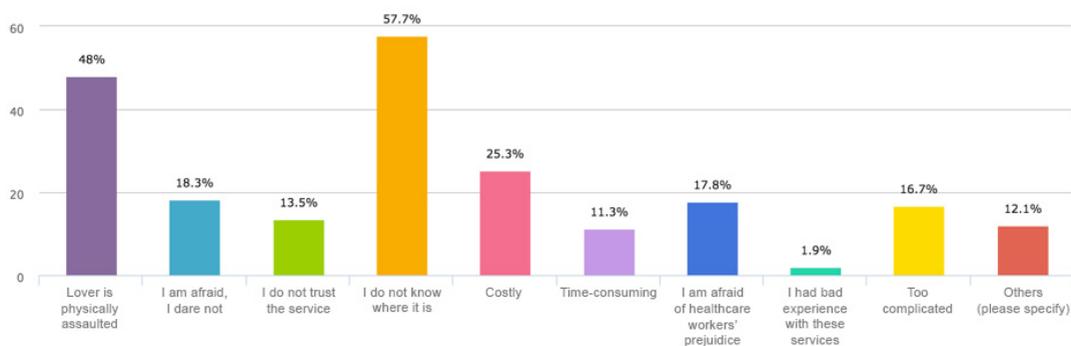


Chart 10: Reasons that transgender people do not seek psychological or medical assistance

Question 17. Have you ever seek medical, psychological assistance for transgender people? Question 18. If never, why?

Source: iSEE, *Is it because I am LGBT?* 2015

4.2. MEDICAL AUTHORITIES NEED TO TAKE ACTIONS

Friendliness, correct knowledge, and open attitude of the medical staff are important factors for a LGBT-friendly and easy-to-access health service establishments in the process of consultation, examination and treatment. Professional medical staffs need to avoid curiosity, imposing differing opinions to judge the patients, while compliance with the procedures and guidelines for medical examination must be ensured so the examination shall not violate the right to health, the right to life of the people

I was brought to the National Hospital of Endocrinology for tests from endocrinology to blood tests, ovary tests... Then I was sent to Medical University for consultation. The doctor consulted a long time, then talked to my parents. Then I was sent to Bach Mai Hospital, neurology department. There, I had to go through a test, then a questionnaire... Eventually, I was prescribed with gender identity disorder and had to be examined once a week by a doctor.

(Trans guy, 18-24, Hanoi)

Law on Medical Examination and Treatment

Article 3. Principles for medical practice

1. To ensure equality, fairness and non-discrimination for patients [...]

Article 9. Rights to respect for honor and protection of health in medical examination and treatment

1. To be subject to no discrimination in medical examination and treatment or forced medical examination and treatment, except the cases specified in Clause 1, Article 66 of this Law.

2. To be respected in terms of age, gender, ethnics and belief.

3. To be subject to no discrimination based on their financial and social status.

While health organizations around the world (such as the World Health Organization, American Psychiatric Association) have unanimously confirmed that homosexual, bisexual, transgender are not diseases or psychological disorders, and already given warnings, specific guidance on this subject, in Vietnam, the practice of many hospitals and doctors has yet to reflect this update.

Vietnamese health sector has never officially confirmed the globally-recognized scientific knowledge about LGBT and has never prohibited acts trying to "cure" homosexuals, transgenders. Combined with the discrimination and the collusion of families, many LGBT people are forced to see the doctor for forced compliance measures such as psychiatric treatment, forced change in living style, nutrition, or, in some cases, families are encouraged to control their children and avoid "contact with the homosexual", causing serious consequences on the physical and mental health of LGBT people. The need for medical authorities to actively take action is very urgently necessary.

Guidelines, manual for transgender people healthcare need to be swiftly issued to realize the right to gender re-assignment which the Civil Code (Amended) 2015 has already recognized.

5. DISCRIMINATION BECAUSE OF BEING LGBT IN HOUSING

	Lesbian women	Gay men	Bisexual women	Bisexual men	Trans women	Trans men	Average
Rejected despite meeting all requirements	10.9%	6.5%	10.9%	10.5%	33.3%	21.8%	11.8%
Disturbed by lessors	14.7%	8.5%	18.8%	7.5%	16.7%	21.8%	13.8%
Disturbed by co-tenants	16.2%	18.3%	32.0%	22.5%	50.0%	23.8%	20.7%
Forced to vacate	12.2%	10.1%	19.1%	13.2%	33.3%	18.5%	13.9%
Hear or witness negative comments or acts from lessors	24.1%	20.7%	45.1%	19.5%	66.7%	39.2%	28.1%

Table 8: Discrimination to LGBT people in the context of accommodation renting.

Question 32. In the last 5 years, when renting accommodations, have you ever experienced the following situation because you are an LGBT? Answers: 'Rarely', 'Occasionally', 'Often'. Percentage only from respondents who stated that this question is applicable to them. Source: iSEE, Is it because I am LGBT?, 2015

41.4% of the respondents said that they have rented accommodations for the last 5 years. The discriminatory acts are mainly from hearing, witnessing negative comments, acts from the lessors (28.1%). About one-eighth of the respondents used to have experience such as rental denial (11.8%) or being forced to vacate (13.8%).

Trans girls experience higher discrimination in the context of accommodation renting. One in three trans girl (33.3%) used to be rejected with rental and forced to vacate during the rental period. Half of the trans girl tenants used to be disturbed by the co-tenants.

Accommodation renting is an important legal relationship in many countries where landlords are bound to legal obligations as a lessor, especially when the tenant has occupied for a specific time period. Laws usually provide maximum protections to the tenants, including the right not to be vacated. Therefore, lessors usually are very selective about tenants. Vietnamese legal provisions respect autonomy of agreements between parties, though these agreements could be favorable for lessor. This information is the first-ever study on the accommodation renting aspect of LGBT people in Vietnam.

Respondents also reported the following discriminatory acts: being complained by co-tenants, privacy is violated...

I accidentally know about when I used to live in a house with a young couple of spouses. Normally, they are very flattered with me but after that, their attitudes are kind of “be careful, she is a faggot”, or “they are faggots, don’t you know”, kind of things. Not usual but I know it happened.

(Trans girl, 25-34, HCMC)

*Initially, by default, they judged that there should be no problems when two girls live together. Only one month later, they judged us differently. My lover and I lived in an old flat and not only the lessor but also our neighbors (discriminated us). One day, we participated in the We Agree movement and I brought home a banner. I posted it at our flat door out of pride. Then the banner was vandalized with “F*CK” [swear word in English – author]. I took no notice, did not know when it was vandalized. We saw it when we came home, I did not know who did it, I told myself: “Pity, I don’t even have the right to do whatever I want with my flat door.” My girlfriend was upset and she wrote an open letter on top of the banner, which said that if anybody is unhappy or unsatisfied with us, please come forward rather than playing cowardice.*

(Trans guy, 18-24, Hanoi)

Many bulletins could be found on social networking sites and some real estate trading sites where the rental seekers specifically condition that the co-tenant must be LGBT. This represents that for many LGBT people, having a co-tenant who is understanding and sharing, and not disturbing is very important, and decisive to their choice of accommodations.

Vietnamese current laws on accommodation renting mainly respect autonomy of agreements between parties in accordance to the civil law, where they mainly stipulate on contractual terms, property use... but overlook the principles of anti-discrimination. There has been no recorded court cases or complaints relating to discrimination for being LGBT in the context of accommodation renting, despite the fact, as this study shows, that discrimination exists. Discriminatory acts are usually justified by many different reasons; therefore, the determination of real cause/ key cause is very difficult.

6. DISCRIMINATION BECAUSE OF BEING LGBT IN OTHER LIVING ASPECTS

	Lesbian women	Gay men	Bisexual women	Bisexual men	Trans women	Trans men	Average
Banking	4.6%	4.4%	4.2%	0.0%	23.3%	23.8%	7.9%
Insurance	2.2%	1.5%	2.0%	2.6%	11.5%	14.5%	4.1%
Hotels	11.3%	8.6%	10.4%	9.3%	24.0%	24.8%	12.2%
Restaurant, cafeteria	24.7%	16.1%	17.8%	10.9%	26.7%	38.2%	21.9%
Entertainment venues	28.5%	18.1%	17.7%	13.8%	38.7%	42.8%	24.4%
Shopping places	27.0%	16.7%	18.2%	8.5%	43.3%	44.4%	23.9%
Gym, sport centers	13.1%	11.1%	7.1%	12.8%	25.0%	36.3%	15.3%
Dressing rooms, bathrooms	25.7%	17.7%	10.3%	13.0%	44.4%	57.9%	25.0%
Washrooms	29.6%	19.6%	11.0%	13.8%	46.7%	66.9%	28.7%

Table 9: Discrimination to LGBT in other living aspects

Question 33. In the last 5 years, when using the following services, have you ever been discriminated (denied, harassed, ridiculed verbally or physically insulted) because you are deemed as [LGBT]? Answers: 'Rarely', 'Occasionally', 'Often'. Percentage only from respondent who used the services. Source: iSEE, *Is it because I am LGBT?*, 2015

The result shows that the more living aspects occur, on the daily basis, the higher rate of LGBT people experienced discrimination: washrooms (28.7%), dressing rooms, public bathrooms (25.0%), entertainment venues (24.4%), shopping places (23.9%), or restaurants, cafeteria (21.9%).

For transgender people, using washrooms remains to be a significantly major issue. Percentages in other living aspects for transgender people are also higher than the overall rates from twice to thrice.

These information aims at understanding the discriminatory acts in other living aspects, public areas and popular services.



Photo 4: A gender-neutral washroom in Da Nang
(Photo: Lương Thế Huy)

6.1. WASHROOMS, NOT A PIECE OF CAKE

Washrooms, dressing rooms are places where more than half of transgender respondents had experienced rejection, harassment, mockery, or verbal or physical insults. Although the question on which washrooms transgender people frequently use was not surveyed, in-depth interviews showed that trans guys were subject to more negative reactions from others when they used public men's rooms than that trans girls experienced when they used public women's rooms.

When I have to use washrooms, people like me usually choose washrooms that are more discreet. As soon as I entered the rooms, I was mocked with insults such as “are you a faggot?”, “you look like a pede” [pede: French slang with negative meaning to refer to LGBT] or “what are you doing here young boy?”. In degree 2,

when entering the closed room, I was asked “don't you have something that you must use closed room?” In degree 3, I was cornered by drunken people, but I could resist. I experienced the same at 1-2 former workplaces. After that, I stopped using men's rooms and use women's rooms instead. But when using women's rooms, others reacted negatively as well, shouting out of fear or dismay as like a man invades the room. Therefore, I choose to use the washrooms at time when or at places where they are less used.

(Trans guy, 25-34, Hanoi)

Proposal for a washroom for transgender people has been discussed but no agreement could be reached, out of the concerns that more discrimination could arise.

The world is witnessing a movement on “neutralization”, “gender neutralization” of washrooms. The original idea

for gender segregation of washrooms is to avoid harassment, and ensure secrecy for women. However, many have voiced that the design of men's room does not ensure secrecy for men, resulting into that many men choose to use the closets rather than the urinals. The solution should be that secrecy must be ensured to the extent that everyone could use the washrooms comfortably.

6.2. A SOCIETY FOR MAJORITY OR FOR EVERYBODY?

Discrimination also exists through the exclusion of or difficulty that LGBT people face in the context of group activities.

I participate in my university's volunteerism club. But during group activities, when the host required that the group to be divided into men's and women's teams and I chose to join the men's team as I identify myself as male, many people was amazed and gossiped about me like "what is it. Why is that."

(Trans guy, 18-24, Hanoi)

It is necessary that authors mention here about the concept of heteronormativity, first introduced in 1971 by Craig Rodwell, a homosexual activist. Heteronormativity is a set of ideas to protect heterosexual activities ("heterosexuality").

As popularly believed, the society we live in is a "heterosexual society". As a result, ideas about heterosexuality prevail. Occasionally, those ideas are used to justify the inequality to LGBT people or people with other orientation, identity.

Paving the way for biases, discrimination against homosexual people in specific, and against sexual minority in general, is when the society establishes heterosexual privileges. Heterosexual privileges are in short rights, actions that heterosexual people are to enjoy freely without the fear of discrimination.

From these heterosexual privileges, the society takes a next step by protecting these privileges by laws, by establishing canons under the name of "ethics", "culture", "tradition", and "religion."

Once I went to Mass, when people pray the Universal Prayer, where three prayers must complete before the priest, there was a new prayer, which said that we pray for homosexual people to soon recover from their disorientation. I have been very faithful since I was a kid but I did not feel comfortable with that new prayer. I said that as a Catholic, we must prioritize love. Therefore, if a Catholic is supposed to discriminate or hate others, I feel I should not go to Mass anymore, as this does not reflect the true teachings anymore. My religion does not teach people so.

(Bisexual male, 25-34, HCMC)

Aristotle, ancient Greek philosopher, once said: “The worst form of inequality is to try to make unequal things equal.” When people view that inequality between homosexual and heterosexual people as normal, or as far as being socially necessary, it shall encourage inequality, and widespread biases, discrimination. The establishment or, to be precise, expanding the social standards will make society more harmonious for everyone.

7. DISCRIMINATION BECAUSE OF BEING LGBT IN EXERCISING THE RIGHTS AND OBLIGATIONS WITH THE STATE

	Lesbian women	Gay men	Bisexual women	Bisexual men	Trans women	Trans men	Average
Blood donation	2.5%	3.8%	4.1%	3.1%	0.0%	13.7%	5.0%
Conscription medical examination	2.1%	10.7%	0.6%	8.1%	17.4%	5.6%	6.8%
Transportation (airplane, public transportation)	14.3%	10.0%	8.1%	4.2%	23.1%	33.4%	14.3%
Gatherings and group activities	21.6%	27.8%	17.5%	20.9%	46.4%	38.1%	26.3%
Medical insurance registration and use	2.8%	1.5%	1.8%	0.8%	4.2%	15.4%	4.0%
Social security registration and use	2.0%	1.4%	2.3%	0.0%	4.3%	13.2%	3.4%
Registration of civil status, residency	6.6%	2.8%	1.3%	0.9%	11.5%	20.7%	6.1%
Adoption registration	1.8%	1.3%	0.8%	2.9%	0.0%	0.9%	1.3%
Application for non-impediment certificate	2.3%	1.0%	0.0%	1.4%	5.0%	4.9%	1.7%
Procedures where documents indicating names and genders must be shown	22.6%	4.7%	6.4%	3.8%	37.0%	64.3%	20.8%

Table 10: Discrimination against LGBT people in the performance of rights and obligations with the state.

Question 34. For the last 5 years, have you ever been discriminated (denied, harassed, ridiculed, verbally or physically insulted) for being deemed as [LGBT] in the following contexts? Answers: 'Rarely', 'Occasionally', 'Often'. Percentage only applies for respondents with experience of the contexts. Source: iSEE, *Is it because I am LGBT?*, 2015

These informations shows that popular discriminatory acts against LGBT people are rejection, harassment, humiliation, or verbal, physical insults when they gather or attend group activities (26.3% in overall LGBT group overall and 39.0% with transgender group in particular), when they perform procedures which require showing documents with name and gender (9.3% for homosexual and bisexual groups, and 62.0% with transgender group, being six times greater). Transgender people face absolute greater difficulty when they travel by planes or public transportation means.

7.1. UNFRIENDLY REGULATIONS

Two particular situations causing difficulties for LGBT people with biology gender as male (gay men, bisexual men, trans girls) are blood donation and conscription medical examination. For blood donation, the current regulations on restrictions or postpone of blood

donation are governed by the Ministry of Health (under Circular 26/2013/TT-BYT). Although not being included in the list of people who are restricted from or postponed with blood donation, many publications on guidance for blood donation, or registration for blood donation still include homosexual people or people with same-sex relationship to the

group of high-risks people who could be restricted from donating blood.

In fact, having risk behaviors within a recent period is a factor to select donatable blood sample, instead of sexual orientation of the donor. Therefore, the unclear indication of information has caused discriminatory feelings for homosexual people.

The form sets out a list of people who should not donate their blood, including “gay men”, which irritated me. I asked my friend and was told that this form is long dated but my school had not revised. Those forms were handed to thousands of students but they were not clear on which circumstances that gay men could not donate their blood. This contributes to a false perception against gay men in particular and the whole LGBT community in general.

(Homosexual male, 18-24, HCMC)

The second issue is the performance of military service, which exclusively applies to male citizens of legal age (Law on Military Service 2015 No. 78/2015/QH13), whereby gay men, bisexual men and trans girls also are subject to the above regulations. Accordingly, 10.5% of gay men, bisexual men, trans girls were subject to discrimination in conscription medical examination.

Trans girls experience most discrimination. This is self-explanatory when we consider that in an all-male, masculine context, such as public medical examinations, which potentially require the

examined to undress, trans girls' feminine gestures would negatively affect themselves. Homosexual and bisexual people experience less discrimination probably because of their self-restraint from disclosing own sexual orientation during the medical examination, which is contrary to trans girls who usually express their gender identity publicly.

7.2. INSENSITIVE PUBLIC OFFICIALS

In exercising the freedom of movement, one in three transgender respondents (33%) used to be discriminated (rejected, harassed, ridiculed, insulted) in using transportation means, which is thrice higher than that among homosexual and bisexual people (10.2%).

Oftentimes, the inconsistency between photo, name, and gender as shown in one's identification paper and his/her actual appearance is the main obstacle for transgender people when it is required to prove that “they are themselves.” One transgender person shares that as a person who is a frequent invitee for seminars, he/she usually requests the invitation entity to prepare a letter of confirmation in order to win “sympathy” or trust from the paper vetting person. Although in majority of the cases, it would only take a moment for further explanation, it still demonstrates the need for transgender people to be able to enjoy the rights of name change and gender reassignment to accurately reflect their gender identity and self-expression.

In other events relating to the registration and management of civil status, residency, or non-impediment certificate, transgender people also experience more discrimination.

I cannot change my name because the new name is too masculine. To be precise, my family told me that the clerk at my district's judicial office who refused to sign off for my name change was also the same officer who in the past arbitrarily added the affix "Thi" to my name during my birth declaration. 22 years later, she got promotion and continued to obstruct me.

(Trans guy, 18-24, Da Nang)

In the in-depth interviews, respondents provided further specific circumstances such as bank account opening, inheritance, registration for medical insurance, driving license...

Document-wide, we need to forge our papers, otherwise we won't be able to obtain any legal papers. Many of my friends could not travel by planes, do not have a bank account, an identification card, and without a civil status. Then even our right to inheritance will not be guaranteed... Secondly, in Vietnam, there is no medical service or insurance policy or healthcare system so that post-reassignment surgery people could access. For those who underwent their reassignment surgery offshore suffer from post-reassignment complication, there is nowhere they can seek counseling.

(Trans guy, 25-34, Hanoi)

Once I lost my identification papers and went to the Department of Transportations for re-issuance of my driving license. However, since my photo in the old application dossier was pre-reassignment when I still had my long hair, while at that time, my appearance was of a male figure, the responsible officer rejected to re-issue the driving license on the ground that I was not the same. She was still unmoved despite that I have my identification card and my effort to explain. As a result, I grew fed up and moved to another province to resit for a new driving license.

(Trans guy, 25-34, Can Tho)

Even though the regulations do not aim to create discrimination against LGBT, the insensitiveness of those with authority is the main cause leading to obstacle and difficulty for LGBT people to exercise their rights and obligations with the state. It is essential then that there are training courses on sensitiveness, or manual on working with LGBT people to enhance the professionalism and friendliness of those with authority.

VIOLENCE ASSAULT AND INCIDENT REPORTING

VIOLENTLY ASSAULTED...

When we asked those who have been discriminated for the last 12 months about their most recent discrimination, 4.5% reported that they were physically assaulted, 8.4% were threatened to physical assault, 1.9 were sexually assaulted, and 2.2% were threatened to sexual assault.

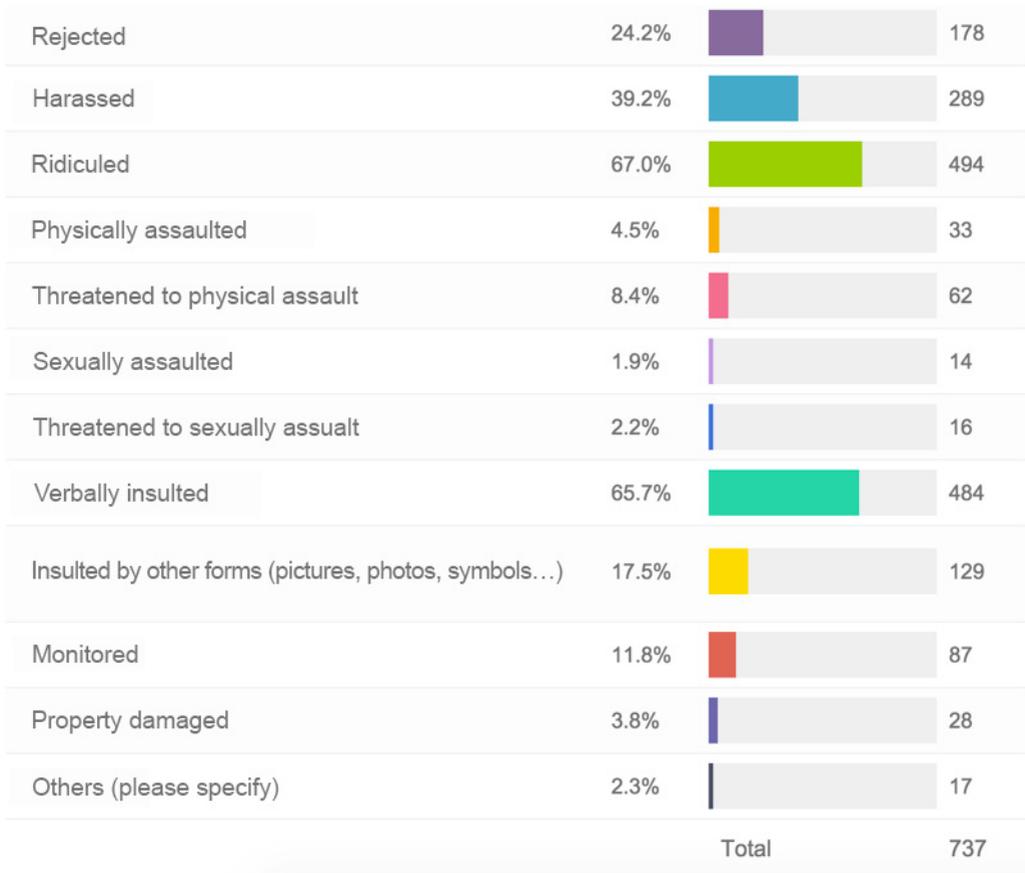


Chart 11: The most recent discrimination experience of the respondents

Question 35. In the last 12 months, have you ever been discriminated because of being LGBT? Question 39. What have you experienced in THAT MOST RECENT INCIDENT?

Source: iSEE, Is it because I am LGBT?, 2015

When comparing the information of the perpetrators and sites of violence, we observe that LGBT people in Vietnam experience violence incurred mainly from acquaintances at schools, families, workplaces, rather than from outsiders. This is a difference to other countries, where violence acts are often incurred by strangers.

In this section, gay men, trans guys are subject to most violence acts (45.5% and 18.2% respectively). In-depth interviews also revealed a number of incidents where trans girls were subject to fairly serious physical offense, but it is probable that since sample to be surveyed is small in number, this information is not highlighted. It is probable since violence is attributable to masculinity (from both perpetrators and the victims), violence acts rarely occurs among groups with higher femininity.

Around 4.5% LGBT people has been subject to physical assaulted in the last 12 months. However, only 2% of these people reported the incidents to the authorities. The failure of incident reporting is attributable to the frequent occurrence of similar incidents or lack of belief that the incident shall be resolved. Self-resolving or assistance from families or LGBT groups is preferred as a solution to assistance from the authorities.

In particular, for cases of physical offense, there are 19 cases where LGBT people were attacked by someone at schools, 14 cases where family members assaulted LGBT people, 11 cases where the perpetrators were at the workplaces, 1 case where perpetrator is a police officer, and 15 cases where perpetrators were strangers.

There are consistency between perpetrators and violence scenes. Schools are places where violence occurs the most (36.8%), then at home (16.2%), at workplaces (14.0%), at coffee shops, entertainment venues (7.7%)... Other reported scenes include dormitories, neighborhood, post offices, potential employer's sites... There is one case where the violence scene was a LGBT-dominated place, with the

reason that “discrimination because of being bisexual.”

Comparing with statistics from other countries: in the United States of America, 20.8% of the hate-motivated violent incidents aimed at LGBT people (6,000 incidents in 2013); in Brazil, It is reported that 1,341 LGBT people had been killed from 2007 to 2012; 1,399 transgender people from 64 countries had been killed from 2008 to 2015. (FBI, 2013; Gay Bahia Group, 2014; TGEU, 2015)

In Vietnam, there is no official report on LGBT people being killed from violence incidents motivated by sexual orientation and gender identity discrimination. In some cases, where LGBT people was victimized to non-LGBT people, the key motive was financial therefore it is

difficult to conclude that discrimination was a motive.

While domestic violence is popular and long lasting, as unveiled in in-depth interviews, physical offense cases incurred by strangers commence suddenly and swiftly end with little chance for victims to react. Therefore, both of these violence offenses might be considered as serious for LGBT people.

I have witnessed many bad cases where LGBT people were discriminated. As you know, I used to work in a travelling circus. On that day, there was a ticket seller, and she was dressed up with a mini-skirt. You know circus, we need to show off ourselves to attract attention from male customers. One drunken customer used his lighter to obstruct her private part. It hurt and she turned around to react. However, the customer slapped her and his whole family gathered and

beat her up, threatened to kill her. The whole circus stopped performing and notified the police.

When the police came, they only stopped the brawls and rescued her. She could not reclaim any compensation or no charge was pushed against that customer. Then there was another time, I know that in this case, they did wrong but people treated them too badly. In this case, they stole something, maybe some packs of cigarettes, and they were caught, tied up, chained, undressed to their undies. Then, they were marched to the marketplace and must wear a board saying: "I am a pede, I stole something from somebody..."

(Trans girl, 25-34, HCMC)

	Lesbians	Gay men	Bisexual women	Bisexual men	Trans girls	Trans guys	Total
Number of respondents	4	15	4	2	2	6	33
Percentage in group	12.10%	45.50%	12.10%	6.10%	6.10%	18.20%	100%
Number of people subject to physical assault in the last 12 months	144	236	89	43	16	205	759

Table 11: Percentage of people subject to physical assault, as divided by groups, in the last 12 months.

Question 5. Do you identify yourself as... Question 35. In the last 12 months, have you ever been discriminated because of being [LGBT]? Question 39. What have you experienced in the MOST RECENT incident?

Answers: 'Physical assaulted.' Source: iSEE, Is it because I am LGBT?, 2015

	Lesbians	Gay men	Bisexual women	Bisexual men	Trans girls	Trans guys	Total
Number of respondents	7	29	3	3	2	16	62
Percentage in group	11.30%	46.80%	4.80%	4.80%	3.20%	25.80%	100%
Number of people being threatened to physical assault in the last 12 months	144	236	89	43	16	205	759

Table 12: Percentage of people being threatened to physical assault, as divided by groups, in the last 12 months
Question 5. Do you identify yourself as... Question 35. In the last 12 months, have you ever been discriminated because of being [LGBT]? Question 39. What have you experienced in the MOST RECENT incident?
Answers: 'Threatened to physical assault.' Source: iSEE, Is it because I am LGBT?, 2015

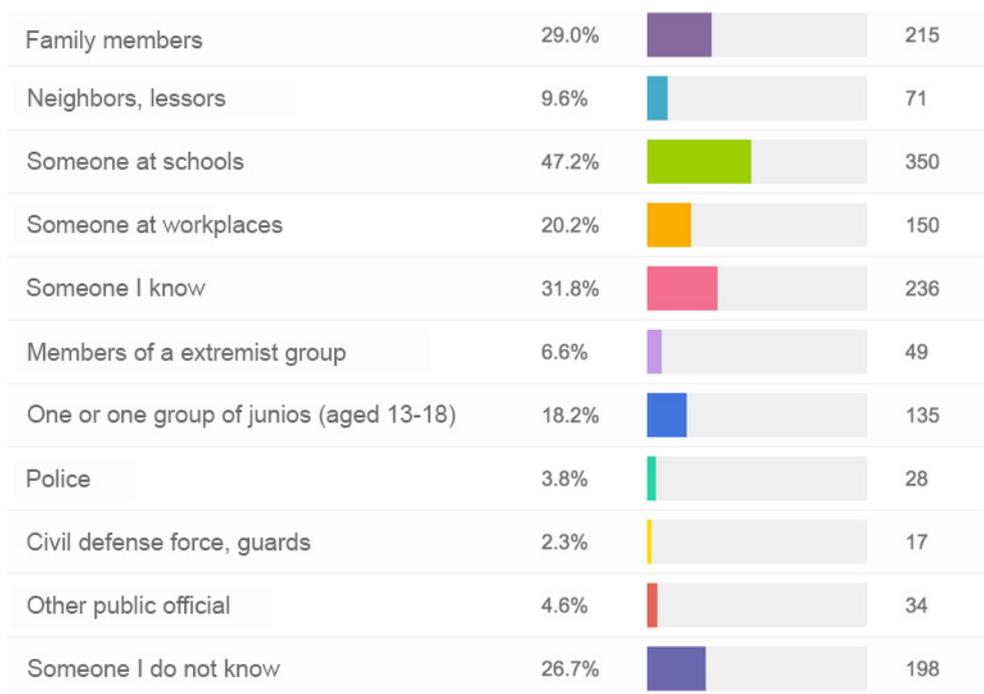


Chart 12: Perpetrators of discrimination to respondents in the most recent incident
Question 35. In the last 12 months, have you ever been discriminated because of being [LGBT]? Question 40. Think about THE MOST RECENT incident, who were the perpetrators?
Source: iSEE, Is it because I am LGBT?, 2015

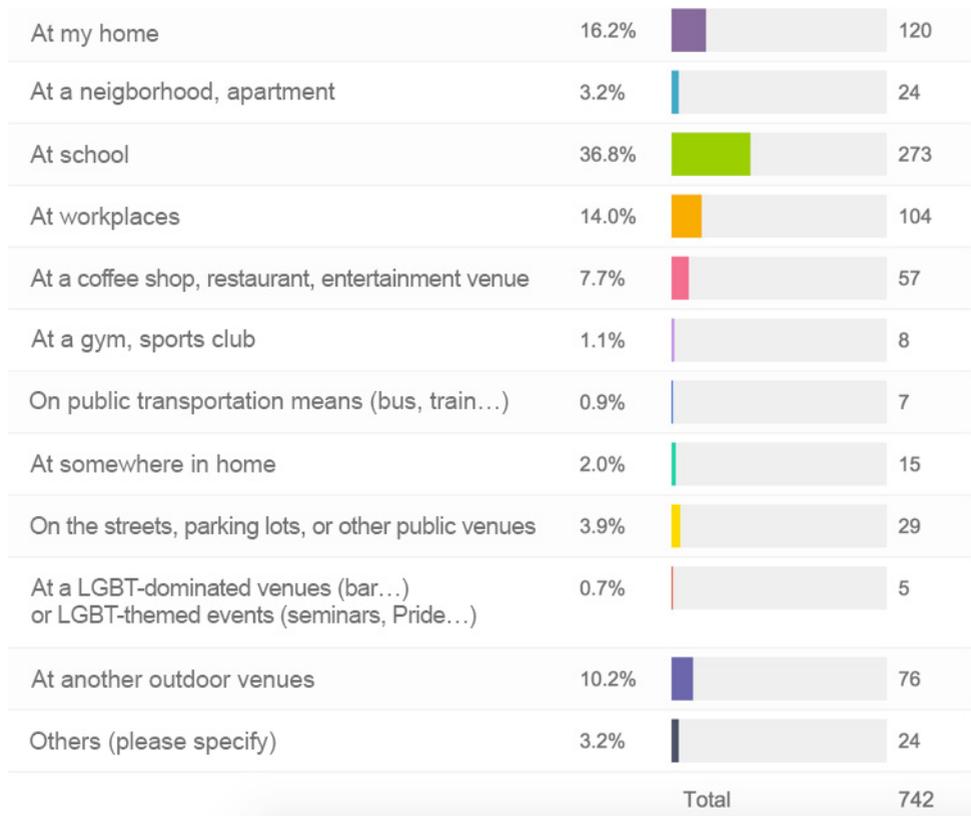


Chart 13: Places where discrimination occurred to respondents in the most recent incident.
 Question 35. *In the last 12 months, have you ever been discriminated because of being [LGBT]?*
 Question 43. *Where was the incident?* Source: iSEE, *Is it because I am LGBT?*, 2015

AND REPORTING TO THE AUTHORITIES...

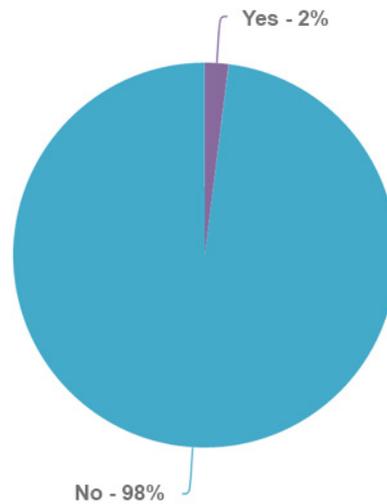


Chart 14: Percentage of respondents who reported the discrimination incidents with the authorities

Question 35. *In the last 12 months, have you ever been discriminated because of being [LGBT]?*

Question 44. *Did you report the incident to the police, civil defense force, or local authorities?*

Source: *iSEE, Is it because I am LGBT?, 2015*

Only 2% of the respondents who has been discriminated in the last 12 months expressed that they reported the incidents to the police, civil defense force, or local authorities. With 98% of those who decided not to report with the authorities, the main reason as set out is: viewing the incident as minor and frequently occurred (63.7%); the two next popular reasons are that they did not believe the incident would be resolved (46.7%), embarrassment, do not wish to disclose about themselves (26.3%) and fear of reaction from the police (17.7%).

In the 2% of respondents who reported the incidents, only 14.3% of them reported that the incidents were completely resolved. This re-emphasizes the original

reason to be that disbelief in addressing discrimination incident to the authorities. Although current specific laws stipulate scattered anti-discrimination regulations, the resolving mechanism for discrimination incidents is still uneasy to access and inefficient.

The resolving mechanisms need to be more diverse: in many countries, it only requires a notification to the courts or equality inspectors for a formal investigation to be carried out by inspection agencies and referred to courts in case discriminatory acts are unveiled. Therefore, an overarching anti-discrimination law might become an effective mechanism, which shall “unify” all general principles as status quo.

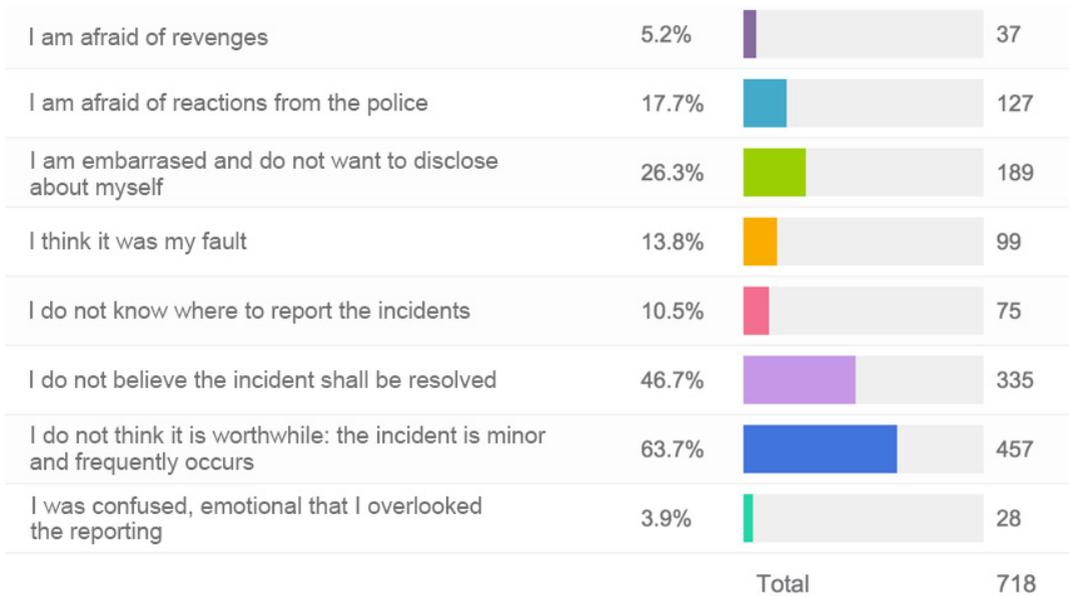


Chart 15: Reasons that respondents did not report discrimination incidents with the authorities
 Question 35. In the last 12 months, have you ever been discriminated because of being [LGBT]?
 Question 44. Did you report the incident to the police, civil defense force, or local authorities?
 Question 46. If not, then why? Source: iSEE, Is it because I am LGBT?, 2015

There are 5.1% of respondents choosing to report the incidents to LGBT advocacy groups. Only a few respondents decided to work with counsels, press corps, friends, or relatives. Nearly one-tenth (9.4%) of the respondents decided to share about the discrimination incidents on social networking sites as Facebook, Youtube...

When the respondents were asked about the most serious incidents in the last 12 months (and not being the most recent incident), the percentage of respondents who decided to report the incident to the police, civil defense force, or local

authorities is even lower (0.3%). Only one respondent reported, but the incident was not resolved. That means, even when LGBT people consider the discrimination incident in question as most serious, reporting to authorities as a solution remains largely unpopular. The fact that LGBT people share the incidents to other means such as social networking sites demonstrates not only that the demand to disclosure about discrimination incidents they face exists, but also that LGBT people expects other means may resolve (beneficially and/or spiritually) more efficiently than legal means.

RIGHTS AWARENESS, DEMANDS AND EXPECTATIONS

Three-fourth of respondents have no knowledge about which law in Vietnam could be implemented to protect LGBT from discrimination. Half of LGBT people used to avoid holding their lovers' hands or express their romantic emotions publicly out of fear for being insulted. This is the average number comparing to other countries.

Although physical offense is not as popular as other discriminatory acts such as verbal insults, cyber attacks, mis-statement of knowledge or opposition reaction remain popular. These acts do not contribute to any immediate physical injury, but leaves behind negative impact to psychology and quality of life of LGBT people. The coming-out as LGBT of public figures in Vietnam is regarded as unpopular, while half of the respondents regarded that public figures' being active with promoting LGBT rights is widespread.

Almost 90% of the respondents rated that proper LGBT knowledge in Vietnam remains unpopular. Daily phenomenon such as insults, humiliation is the reason for very low number of public figures coming out as LGBT.

From that basis, respondents expressed their expectations on solutions to anti-discrimination, emphasizing the importance of revisions to current laws to support same-sex marriages, gender reassignment.

Besides, measures on raising social awareness is mentioned, focusing mainly on promoting proper knowledge for everybody, especially those with authority (faculties, healthcare workers), enhancing associations' activities for LGBT people.

A law on anti-discrimination is essential. It is necessary to have a stand-alone, overarching law since the disuniform anti-discrimination regulations under the current laws has proved to be inefficient. In parallel, in order for an effective enforcement of anti-discrimination law, it is essential to continue the promote of social awareness about LGBT.

AWARENESS OF RIGHTS AND REGULATIONS ON ANTI-DISCRIMINATION

3.7% of the respondents said they are aware that there are laws in Vietnam which strictly prohibits discrimination based on sexual orientation, gender identity or expression of a person. Laws which are mentioned include: Constitution, Law on Marriage and Family, Civil Code, Gender Equality Law, Adoption Law... Some mentioned “Anti-Discrimination Law” even though in practice, there exists no such law in Vietnam.

This demonstrates that the existence of many different, separate, individual legal provisions makes it uneasy for LGBT people to aware and apply when needed. Constituencies usually pay attention to proposed laws which has been discussing that are directly related to them. The legislation advocacy movements enormously influence to the communities on how they could learn and implement their rights.

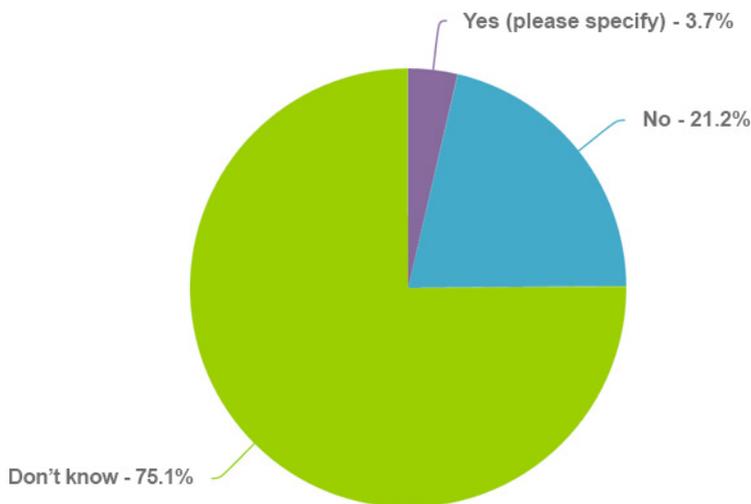


Chart 16: Percentage of respondents who are aware of laws which prohibits discrimination in Vietnam

Question 59. Are you aware of any laws in Vietnam which strictly prohibits discrimination based on sexual orientation, gender identity and expression of a person? Source: iSEE, *Is it because I am LGBT?*, 2015

We do not discuss the accuracy of the responses, but that the respondents could list the names of the laws demonstrates that legal advocacy has been contributing on how communities begin to aware of their rights and laws related to them. Laws which are widely promoted and related to specific movements by LGBT communities were usually mentioned. And the introduction of these laws which contain LGBT-related regulations is acknowledged by the community as the realization and protection of their rights. But it also reveals that a majority of LGBT community (three-quarters) remain unaware of which regulations they could implement to protect themselves against discrimination.

One in three respondents (37.3%) is aware of places which could provide support for subjects of discrimination based on sexual orientation, gender identity and expression. The answers vary: ICS, iSEE, PFLAG, VietPride, 6+, Hà Nội Queer, CSAGA, CCIHP, CECHEM, Save The Children, some groups on protecting sexual safety for gay men, safehouses, Facebook groups of different provinces... United Nations and UNDP are among organizations mentioned as a place whose supports LGBT community could refer to when there is discrimination.

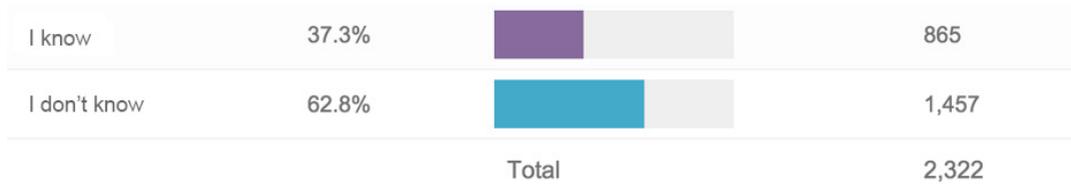


Chart 17: Percentage of respondents who are aware of for-LGBT organizations in Vietnam

Question 60. Are you aware of any organizations in Vietnam which could provide supports for subjects of discrimination based on sexual orientation, gender identity and expression? Source: iSEE, *Is it because I am LGBT?*, 2015

SOCIAL ENVIRONMENT IN THE CONTEXT WITH AWARENESS OF DISCRIMINATION

Half of the LGBT people (50.5%) stated that they avoid publicly holding hands or expressing emotions with their beloved or life partners out of the fear of being insulted. The common tendency is that people who identify as male (gay men, bisexual men, trans guys) is more shy away from holding hands their beloved than people who identify as female (lesbians, bisexual women, trans girls).

It may be explained that in Vietnam, the image of two women holding each other's hand publicly is relatively popular among non-LGBT groups. On the other hand, masculinity pressures may have depopularized the image of two men holding each other's hand publicly. As a result, gay men and bisexual men shall also choose to avoid holding hands and expressing emotions with a greater extent, while lesbians and homosexual women appear to be more relaxed thanks to the accepted perception of two women holding each other's hand. This result is similar to that of in other countries. (FRA, 2012)

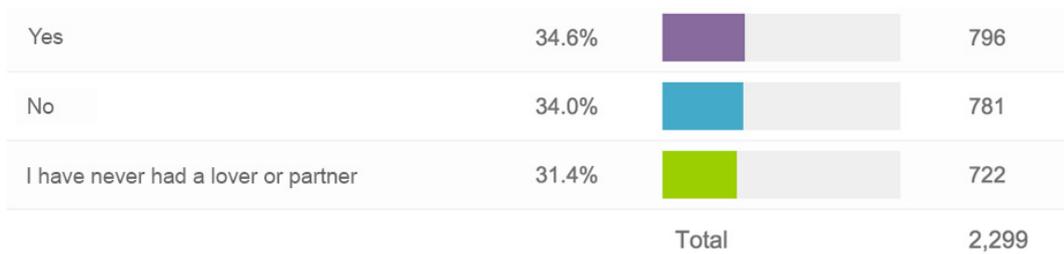


Chart 18: Percentage of respondents who have lovers or life partners

Question 61. Have you ever avoided publicly holding hands or expressed emotions to your beloved or life partner out of the fear of being insulted? Percentage only applies for respondents who did not answer, "I have never had a lover or life partner". Source: iSEE, Is it because I am LGBT?, 2015

Comparing this result with similar average results of 29 European countries (FRA, 2012), percentage of LGBT people avoiding holding hands out of fear of being insulted is 46% (with lowest to be Finland at 23% and highest to be Croatia at 74%). It demonstrates that the greater recognition and protection for LGBT rights a country's legal framework provides, the more publicly LGBT people express themselves.

Also, half of LGBT people (47.4%) stated that they used to avoid going to a certain place out of fear of being insulted. These two questions focus on the aspects of freedom of expression, freedom of presentation, as well as on the limitation of choice among public venues based on one's sexual orientation and gender identity.

I feel horribly depressed that I must conceal like this. When I styled a short haircut, my neighbors ridiculed me, insulted me and my family. Sometimes, I foolishly thought that I should die to end all things, but it won't help. I wish my country legalizes same-sex marriage and promotes LGBT for everybody, especially for those from rural like myself.

(Lesbian, 18-24, An Giang)

	Very rare	Rare	Widespread	Very widespread	I don't know	Total
Verbal insult to LGBT by others, media or from the internet	52	315	996	881	47	2,291
	2.3%	13.7%	43.5%	38.5%	2.1%	
Daily jokes and mockery about LGBT	55	239	947	993	59	2,293
	2.4%	10.4%	41.3%	43.3%	2.6%	
Mis-statement about LGBT knowledge	37	116	800	1,280	59	2,292
	1.6%	5.1%	34.9%	55.8%	2.6%	
Expression of hatred or opposition against LGBT	65	454	1,032	656	73	2,280
	2.9%	19.9%	45.3%	28.8%	3.2%	
Physical offense against LGBT	329	981	501	203	267	2,281
	14.4%	43.0%	22.0%	8.9%	11.7%	
Public figures in politics, business, sport... coming out as LGBT	618	942	395	151	174	2,280
	27.1%	41.3%	17.3%	6.6%	7.6%	
Activeness in promoting and protecting rights of homosexual and bisexual people (projects, movements, exclusive services...)	187	669	916	384	126	2,282
	8.2%	29.3%	40.1%	16.8%	5.5%	
Activeness in promoting and protecting rights of transgender people (projects, movements, exclusive services...)	262	795	755	309	156	2,277
	11.5%	34.9%	33.2%	13.6%	6.9%	

Table 13: Respondents' comments on the popularity of discriminatory acts.

Question 63. In your opinion, are the following phenomenon popular in Vietnam?

Source: iSEE, Is it because I am LGBT?, 2015

Next is the question not on personal experience but about observations and ratings on popularity of discriminatory acts against LGBT people in Vietnam.

Findings under this question are relatively similar to those from the question on personal experience. Physical insults are rated as very rare and unpopular (57.4%), while other acts such as verbal insults (82.0%), daily jokes and mockery about LGBT (84.6%), mis-statement of knowledge (90.7%), expression of hatred or opposition against LGBT (74.1%) are rated as popular and very popular in Vietnam.

It can be explained that since false LGBT knowledge remains widespread, public figures who are LGBT are discouraged from coming out (68.4% of the respondents rated as rare or extremely rare) out of the fear of being affected by those false knowledges. And thanks to the fact that few public figures come out as LGBT, the coming out as LGBT of a public figure would attract attention and be considered as bringing positive change in social perceptions.

My mother used to be very discriminative. But since LGBT is now covered deeply in many aspects as music, movies, my mother holds a different eye now. My mother opines that as long as it does not affect her, then it should be normal.

(Bisexual women, 18-24, Hanoi)

When we asked about the popularity of the activeness in promoting and protecting rights of LGBT people, 56.9% of the respondents stated that it is popular or very popular with regards to projects, movements or services for homosexual and bisexual people; the popularity of projects, movements, services for transgender people is a little lower (46.8%).

Khi hỏi về sự phổ biến của việc tích cực tuyên truyền, bảo vệ quyền của người LGBT, 56.9% người cho biết họ thấy điều này phổ biến và rất phổ biến với các dự án, chiến dịch, dịch vụ dành cho người đồng tính, song tính; sự phổ biến của các dự án, chiến dịch, dịch vụ dành cho người chuyển giới được đánh giá thấp hơn một chút (46.8%).

EXPECTATIONS ON ANTI-DISCRIMINATION MEASURES

	Strongly disagree		Disagree		Agree		Strongly agree		I don't know		Total
Introduction of an anti-discrimination law, which strictly prohibits discrimination based on sexual orientation and gender identity	226	9.9%	45	2.0%	544	23.9%	1379	60.6%	83	3.6%	2277
Legalization of same-sex union, same-sex marriage	218	9.6%	26	1.1%	451	19.8%	1540	67.7%	41	1.8%	2276
Legalization of gender reassignment	201	8.9%	37	1.6%	630	27.7%	1320	58.1%	83	3.7%	2271
Enhancement of associations' activities for LGBT people	199	8.8%	44	1.9%	731	32.2%	1222	53.9%	72	3.2%	2268
Implementation of school's education programs about anti LGBT discrimination	229	10.1%	34	1.5%	519	22.9%	1410	62.1%	78	3.4%	2270
Public figures such as politicians, businesspersons, high-profile people... coming out as LGBT	184	8.1%	108	4.8%	799	35.2%	970	42.8%	206	9.1%	2267
Training about LGBT knowledge for public official (police, teachers, healthcare workers)	190	8.4%	17	0.8%	568	25.2%	1395	61.8%	86	3.8%	2256

Table 14: Respondents' comments on effective measures to anti-discrimination for LGBT people
 Question 64. In your opinion, what will better protect LGBT people in Vietnam from discrimination?
 Source: iSEE, Is it because I am LGBT?, 2015

The expectations from LGBT community reflect the completion of what are outstanding at the moment.

For recommendations to better protect LGBT people in Vietnam from discrimination, the most consented measures aim at renovation of legal policy, such as legalization of same-sex union, same-sex marriage (87.5%), legalization of gender reassignment (85.8%) and introduction of

an anti-discrimination law which strictly prohibits discrimination based on sexual orientation and gender identity (85.4%).

Besides, measures on raising social awareness is mentioned, focusing mainly on promoting proper knowledge for everybody, especially those with authority (faculties, healthcare workers), enhancing associations' activities for LGBT people.

IS AN ANTI-DISCRIMINATION LAW NECESSARY?

According to the survey, 87.5% of the respondents agreed that the introduction of an anti-discrimination law, where it strictly prohibits discrimination based on sexual orientation and gender identity, shall better protect LGBT people. In in-depth interviews, same responses were found. When we further asked whether the respondents are confident that this law shall be effectively implemented, many were unsure. Some respondents believe that social perceptions could only change with generation shift, meaning in a far future.

I may be shallow, but it [anti-discrimination law] may not be [effective]. Therefore, we advocate for this law out of the understanding that if we cannot enjoy this law, our posterity may and they may not be discriminated anymore. I usually think that the old generation shall pass, the young generation shall grow up, and their opinions shall, with luck, be more modern so change may happen. However, when it happens, we might have already passed away, it might be our children's, or grandchildren's generations.

(Trans guy, 18-24, HCMC)

Some respondents were skeptical whether the LGBT issues are in the agenda of the state. Therefore, they choose to prioritize amicable negotiation and resolution or even avoidance to perpetrators of discriminatory acts.

I think even if I reported the incidents, people would never waste their time to resolve, that is what I believe. I live in a rural area and those issues are like "you are nothing, you are just a pinch of sand in the whole deser, we have no time to waste with you. You are minority and I have no time to deal with". I always resolve my issues myself. Either that I toughly but politely talk to others, trying to convince them to change, or I must force myself to asylum.

(Trans girl, 25-34, HCMC)

Besides, there are many opinions emphasizing that an anti-discrimination law shall better promote social awareness on equality, boost confidence for LGBT people in their quest against discrimination. Therefore, an anti-discrimination law shall be effective.

Of course, I think [anti-discrimination law] shall greatly repair the situations. Because when the law is passed, LGBT people shall have a bigger voice. For now, whatever they say shall be persecuted as if "you" have no rights."

(Trans girl, 25-34, HCMC)

In addition, an anti-discrimination law is regarded as an incentive for LGBT people to come out with their sexual orientation, gender identity as well as to express their emotions with their beloved. The coming-out of LGBT people shall become safer, and be legally protected. They shall feel that the law is on their side. In general, "the feeling to be protected" was repeated many times by the respondents, and plays

a key role in their support to pass an anti-discrimination law.

If I have a girlfriend, I will be able to confidently hold her hands publicly without fear of others. If they gossip about us, the law shall protect us. We no longer have to stand alone and suffer. It will be better. An anti-discrimination law shall reinforce us to come out.

(Bisexual women, 18-24, HCMC)

These findings remind us of the social discussions on that whether legal change or social change should come first in order to improve the conditions on LGBT discrimination. These two movements are regarded by the community as equally important, without the need to prioritize one to another, but both need to move forward simultaneously. Any opportunity for any movement should be taken. The change of law may leverage social openness, while social openness is pre-condition for legislators to press for policy change.

Other opinions recommended by the surveyor include:

- Introducing LGBT education in schools and training for faculties.
- Increasing television programs and articles on LGBT knowledge.
- Suspending the use of LGBT people as a laughing stock on television, comedy by imitating their gestures or using false, offensive language about them.

- Establishing counseling centers for parents of LGBT people.

- Not requiring gender to be stated in papers for recruiters or organizations.

- Employing proper knowledge for LGBT people.

- Participating in social activities commonly for everybody without limiting oneself from supporting only activities dominated by own community.

- Applying severe fines against perpetrators of LGBT discriminatory acts.

Therefore, recommendations by the surveyor focus mainly on the enhancing of popularization of proper knowledge and positive attitude against LGBT in society, as well as establishing assistance services for schools, families, and workplaces and promoting the social integration of LGBT community.

EPILOUGE

The most important thing in human life is still looking for its meaning. Meaning of life, is to understand why one exist and where one will go.

It is hard to conclude whether a person bestow his own fate, or vice versa.

That a person can enjoy full rights before the law does not guarantee that one will understand, live, and fulfill a meaningful life. However, a person whose rights may not be recognized equally, usually understand the meaning of life. History has witnessed many who belong to the stigmatized, discriminated minority groups made their name among communities, societies and humanity. These people spent their whole life and career fulfilling their dignity, which was not recognized by society.

The non-recognition, or discrimination before the law, encourage the minorities group to question "Why?", and begin their journey. They reflect on the disapproval of their dignity, and immediately understand dignity is the most precious and non-negotiable.

Normally, the minority's struggle for the meaning of life also paved a parallel path for the majority to understand more about the meaning of their life. Some remarked, that the civil rights movement of black people, in fact liberated more white people than black people. It liberated white people from their refractory prejudice, liberated them from enmity and hatred. It freed their souls. It turned out they had lived a boring and loveless life.

That transgender people could stay true to their desired gender would liberate society from prejudice which forced them into the gender box, to understand that one day of living as who one really be is more meaningful than a lifetime living by the opinion of others. That bisexual people, homosexual people could marry their loved one would send a message to society on how important love is, how two people can live together, what will really create, maintain and terminate love.

Try to walk in the minority's shoes, to understand the meaning of life.

"Be on the side of the weak, not to side with the strong."

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ANNEX 1: SUMMARY BY FIGURES

In 2015, the Institute of Social, Economic and Environmental (iSEE) conducted a survey "Is it because I am LGBT?" with the participation of 2363 respondents who completed online questionnaires from 63 provinces of Vietnam. It was followed by 10 individual in-depth interviews, and two group interviews with a total of eight respondents in Ho Chi Minh City ("HCMC") and Hanoi on experiences of discrimination, harassment and violence because of sexual orientation and their gender identity.

The majority of respondents are 18-24 years of age (67 %). The average age is 19.1. Under 18 year-old respondents accounted for 22 %, while the group from 25-34 years of age accounted for 10 %. Percentages for each subgroups are lesbian group (20.3 %) , Gay (33.4 %) , bisexual women (17.1 %) , bisexual men (6.5 %) , transgender women (1.4 %) and Transgender men (17.2 %).

Respondents are from all of 63 provinces. Most respondents live in Ho Chi Minh City, comprising of 40.6%, then in Hanoi (19.9%), Can Tho (4.1%), Dong Nai (2.8%), Da Nang (2.2%), Hai Phong (2.0%), Binh Duong (1.9%), Khanh Hoa (1.8%)...

Most of the respondents are living with their parents, siblings, grandparents (68.7%), single (98%), pursuing a tertiary, college, or university degree (61.1%), or working in the private sector (77.8%). Respondents are most active in occupations being merchanting, general business (19.6%), restaurants, hotel, catering businesses (11.6%), education (8.7%), manufacturing (6.9%), freelancing (6.8%), media and advertising (4.9%), arts and entertainment (4.5%)...

Almost nine out of ten respondents (88.3%) has already come out with at least one friend. Half (48.9%) of the respondents has already come out with at least one family member.

In families, 13.3% of the respondents had experienced violent acts such as being confined, holded at home (13.3%), assaults, beatings (12.7%) or pressure behavior, such as verbal pressure (60.2%) or silence (46.9%). Transgender group has a higher rate of experience in all discriminatory acts comparing with the homosexual and bisexual groups, especially concerning being forced to visit the doctor (29.3%) , external pressures for changing of appearance, gesture (85.9%), and pressure on the relationship with lovers (35.0%).

In schools, two out of every three respondents (67.5%) had heard or witnessed negative comments or actions from schoolmates. Every one out of three respondents (38.2%) had heard or witnessed negative comments or actions from faculties or school officials about LGBT. Discriminatory acts that respondents had experienced the most for being LGBT are being bullied, pestered by friends (53.8%), forced to change hairstyle,

gestures (39.3%) and treated unfairly because of pro-LGBT viewpoints (30.8%). In particular, more than half of transgender people used to be forced to change uniforms (57.7%) and forced to change hairstyles, gestures, posture (61.5%).

In workplaces, nearly 30% respondents had been denied a job because they are LGBT although they are eligible. The rate of denied application applicable to transgender people (59.0%) is three times higher than the general rate applicable to homosexual and bisexual groups (19.6%). The common discriminatory acts include restriction of promotion (22.6 %), lower payment compared to person with the same position and capacity (13.8%), or being forced to re-assignment (13.5%). Being forced to adopt to uniform which does not fit desired gender is also a common experience for transgender women (50.0%) and transgender men (41.7%). There also exists discrimination against LGBT workers by LGBT employers.

In relation to **accessibility and use of healthcare services**, the percentage of transgender people using healthcare services (58.0%) is lower than that of other groups (68.5 % for homosexual, bisexual people). The common discriminatory acts include verbal insults (21.9 %), receiving of advice not related to the diagnosis and treatment (17.8%), being subject to overcuriosity about individuality (36.0%). One in four respondents (25.3 %) had heard or witnessed negative comments and acts from the medical staff.

In the context of housing renting, about one-eighth of the respondents had the experiences such as being rejected for leasing (11.8%), or forced to vacate (13.8%). Transgender women have experienced much higher discrimination in the context of renting. One in three transgender women (33.3 %) was denied with rental and forced to vacate during the leases terms. Half of transgender women used to be disturbed by co-tenants.

In other living aspects, the more frequently a service occurs daily, the higher percentage of LGBT people experiencing discrimination exists, such as using of washrooms (28.7 %) , dressing rooms, bathrooms (25.0%), entertainment venues (24.4%), shopping (23.9%), or restaurants, cafes (21.9%).

When **exercising rights and obligations to the state**, the most common discriminatory acts encountered by LGBT people are rejection, harassment, mockery, or verbal or physical insult in the performance of administrative procedures requiring showing of photo identification (9.3 % to the homosexual, bisexual people and 62.0% to transgender people, six times greater than that of others), and in gathering, or participating in association's activities (26.3% to entire LGBT group and 39.0% for transgender people).

There are 19 cases where LGBT people were attacked by someone at schools, 14 cases where family members assaulted LGBT people, 11 cases where the perpetrators were at the workplaces, 1 case where perpetrator is a police officer, and 15 cases where

perpetrators were strangers. School is the place where physical assaults occur the most (36.8%), then at home (16.2%), at workplaces (14.0%), at café or entertainment venues (7.7%)...

Only 2% of the respondents who has been discriminated in the last 12 months expressed that they reported the incidents to the police, civil defense force, or local authorities. With 98% of those who decided not to report with the authorities, the main reason as set out is: viewing the incident as minor and frequently occurred (63.7%); the two next popular reasons are that they did not believe the incident would be resolved (46.7%), embarrassment, do not wish to disclose about themselves (26.3%) and fear of reaction from the police (17.7%). Among the 2% of respondents who reported the incidents, only 14.3% told us that the incidents had been fully resolved.

Among recommendations for better protection of LGBT people in Vietnam against discrimination, measure that attracts most consent is amendment to the law and policy, such as legalization same-sex union, same-sex marriage (87.5%) and introduction of an anti-discrimination law that strictly prohibits discrimination based on sexual orientation and gender identity (85.4%) or social movements such as implementing school education on anti-discrimination against LGBT (85.0%), strengthening associations' activities for LGBT (86.1%), training of LGBT knowledge for public officials (police, teachers, healthcare workers) (87.0%).

ANNEX 2: TESTIMONIES

FAMILIES

My parents are reputable businesspersons and quite successful. But that's also hindering their acceptance of my gender. My mother said so when she discovered that I am gay. Before I begin my relationship with my boyfriend, my family was aware of my previous dates always tried to sabotage my relationships. I still have not accepted those losses. I had committed suicide not once but three times so far but to no avail. Now, I do not know if what is waiting for, or just a life pre-arranged by my parents. I am really stuck now. I do not know what I should do anymore. Will I have the freedom I always wish for when Vietnam legalizes same-sex marriage?

(Gay, 18-24, HCMC)

I am certain that people in the LGBT community will understand this feeling, the feeling of pity and hurt when I have to conceal myself from everyone and walking with sadness while witnessing friends that are more fortunate is accepted and supported by their families. Inwardly, I know I should not disobey my parents. To be a disobedient child is the most disgraceful thing. However, "the only thing that helps us to overcome fear is to face it bravely". If I just wait without doing anything or trying anything, how long do I have to wait?

(Lesbian, 18-24, HCMC)

Back then, I had a lot of documents which I kept in a box. One day, my aunt in law was cleaning the house when she accidentally dropped the box open. Then my neighbors began spreading rumor of me hanging out with sickos. My aunt organized a family meeting to tell everyone that I was ill. I was unsure about exactly what she has said, but she mentioned that I was associating with a group of sick people. My mother asked me if it was true. I said: Yes, it's true, what's wrong with it? There is nothing wrong with me advocating for the human rights. My mum said it is a wrong thing to do, and started to break the dishes. She also said that I would be infected if I continued to befriend with them. So, I told her."I have been like this for over 10 years, but it's not easy to tell you, it's impossible for me to fulfill expectations from you and grandma." My mom then broke to tears.

(Trans guy, 25-34, Hanoi)

SCHOOLS

During my 12 years of school, my friends always teased me. Some others were also teased because we shared the same characteristics, that we are LGBT (more specifically, despite having a male appearance, our my behavior was softer and more gentle than others). So, I was mocked and teased every single day during my 12 years of school that it had become a normal thing to me. Gradually, I got used to the feeling of being teased and ignore it.

(Gay, 18-24, HCMC)

I used to be bullied and mentally abused by my secondary schoolmates. Since my childhood, I have been expressing feminine and I prefer feminine activities. My friends always teased and bullied me mentally. These actions caused me to feel guilty and low on my self-esteem. Even now, I do not want face them because I know they still keep this hostile attitude.

(Gay, 25-34, Hanoi)

I had tried not to expose myself, but eventually, I failed. My worst crisis period was between grade 8 to grade 10. I reached my puberty during grade 8, my body experienced transformation, and boys in the class were curious whether I had the same changes that they were having. Therefore, they often pushed me into a corner and touched my body. I was helpless and unable to defense myself because there were many of them.

(Trans girl, 18-24, Hanoi)

I was in an exmination when I was mocked by the supervisors and other candidates. The supervisor told me that he “could not imagine a boy is taking the exam for a girl.

(Trans guy, 18-24, Hanoi)

When I was passing by, a bunch of boys pulled me into the class. Though they were just teasing, I was really offended. They pressed me against the wall and touched my body but didn't hit me, they can't hit me because I didn't harm anybody. But I was humiliated.

(Trans girl, 25-34, HCMC)

My teacher asked to preview my presentation on homosexuality. She requested me to pull out the information that said “the World Health Organization does not regard homosexuality as a disease”. I raised my opinion that this is a proven scientific information but she told me that this would encourage her students to be homosexuals. She knows nothing about homosexuality.

(Lesbian, 18-24, HCMC)

HEALTHCARE

A relative of mine who is a healthcare worker in Saigon told me that she has been trained with LGBT knowledge. But she was the one who discriminates me the most. I think knowledge is not as important as love and respect.

(Trans guy, 18-24, Da Nang)

Firstly, it is because of filial; secondly, it is because she was surrounded and unable to walk away. Her parents forced her to pump up the chest and keep long hair. Her parents failed to persuade her so they just anesthetized her. The doctor agreed because her parents are rich.

(Trans girl, 25-34, HCMC)

WORKPLACES

I was fired because I am a trans guy. My employer told me that I am very enthusiastic but the customer is not comfortable with me, they do not know whether to address me as Mr or Ms... I feel so bad... A life lesson for me.

(Trans guy, 18-24, Khanh Hoa)

We are at the same job, same level of expertise and skill, we joined the company at the same time, but he receives higher payroll, about 500,000 to 1,000,000 dong, compare to mine.

(Trans guy, 18-24, HCMC)

I think I am discriminated most because I am LGBT, then the remaining 50% is because of my appearance. Not everybody is favorable to my appearance. Despite that, I believe I am as good as everybody else is. My job applications usually are denied with excuses such as “we have enough staff”, or “I do not need you now”, or “please leave the application here and I’ll contact when needed”.

(Trans girl, 25-34, HCMC)

PUBLIC PLACES

Once when I used the washroom at the supermarket, I was mistaken for a boy and insulted. Once they found out that I am a girl, they started to disparage me for not being truly a boy or truly a girl. I think Vietnam should have separate toilets for those like me

(Trans girl, 25-34, Bac Giang)

He hailed me "Hey, you! You!" but I didn't turn around. Then he said "Hey, faggot, why didn't you turn around". Still, I kept my silence. I didn't want to say anything because they were not worth my talking. Though I kept silent and walked away, he asked another 3-4 men to jump on his bike, drove pass me and squeezed my breast. I lost control and shouted at him "Why did you do that? Such uneducated people!" Then he said: "Who are you scolding at?" I stared at him and said nothing, and then he used his unfinished cigarette to slap my eyes.

I was panicking and turned my body and knock the guy who was trying to lock me from behind into a big saucepan of porridge. Unfortunately, the porridge spilled all over his body and caused him severe burn. I turned around and used a chair to beat up the one who slapped me with a cigarette; I also kicked the guy on the bike and ran away. My house is nearby so I ran and called for help, I managed to escape later.

(Trans girl, 25-34, HCMC)

SOCIAL ENVIRONMENT

I am 27 years old this year. I am gay. Thanks to my masculine appearance, I need not publicizing myself with anyone, and still manage to live "two separate lives". Actually, now I do not need to come out, because I do not define my life as homosexual or heterosexual. However, I know I will come out someday. Because it will not only free me, but also provides inspiration for people like me.

(Gay, 25-34, HCMC)

I came to Saigon in search for an opportunity as well as integrating myself in an environment with more people like me, and they are not discriminative. That's why I came to Saigon.

(Trans guy, 18-24, HCMC)

ANNEX 3: QUESTIONNAIRE AND ELECTRONIC REPORT

Since the questionnaire is 70-page long, we will not annex it to this report. The questionnaire and electronic report are downloadable at the website: www.thuvien.lgbt

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