



Vietnam – Researched and compiled by the Refugee Documentation Centre of Ireland on 1 October 2014

Any information on the treatment of bisexuals by state and non-state agents in Vietnam. Was there was a big demonstration in Vietnam in 2006?

The 2013 US Department of State country report for Vietnam, in a section titled “Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity”, states:

“The law does not address discrimination based on sexual orientation or gender identity. There was no reported official discrimination based on sexual orientation or gender identity, but societal discrimination and stigma remained pervasive.” (US Department of State (27 February 2014) *2013 Country Reports on Human Rights Practices – Vietnam*, p.39)

The 2014 Freedom House report for Vietnam, in a section titled “Personal Autonomy and Individual Rights”, states:

“Despite the overall worsening of the climate for political rights and civil liberties in Vietnam, over the past two years the government has allowed increasingly open displays of Lesbian, Gay, Bisexual, and Transgender (LGBT) rights. LGBT supporters held pride days in 2012 and 2013 in Vietnam, and the country’s state media aired a gay-themed sitcom. In November 2013, the government passed a law removing its ban on gay marriages, though it stopped short of recognizing same-sex unions.” (Freedom House (22 August 2014) *Freedom in the World 2014 – Vietnam*)

An Immigration and Refugee Board of Canada response to a request for information on the treatment of homosexuals in Vietnam states:

“Various sources report that homosexual acts are not criminalized in Viet Nam. However, some sources note that homosexuals in Vietnam largely keep their sexuality hidden. In particular, gay Vietnamese fear the ‘social stigma’ associated with homosexuality.” (Immigration and Refugee Board of Canada (8 January 2010) *VNM103323.E – Viet Nam: Treatment of homosexuals, including legislation, availability of state protection and support services*)

This response also states:

“media sources note that Vietnamese face strict societal and family demands to conform by getting married and starting families. A January 2008 report by GlobalGayz, an international gay travel and culture site, states that ‘90% of LGB [lesbian, bisexual and gay] folks in Vietnam are married’ to partners of the opposite sex. GlobalGayz also interviews a gay man who opines that lesbians ‘have it even worse than gay men’ due to greater social and family pressure on women. However, sources report that overt hostility towards

homosexuals is not common. According to GlobalGayz, “‘gay bashing’ is almost unheard of in Viet Nam’. Sources report that the majority of Vietnamese are largely unaware of homosexuality. Online gay magazine Gay Times also notes that ‘life has become much easier for gays and lesbians’ in the last ten years.” (ibid)

In a section titled “Legislation and treatment by authorities” this response states:

“While homosexuality is not illegal in Viet Nam, homosexuals are not protected against discrimination. Some gay travel sources note that homosexual conduct can be prosecuted for ‘undermining public morality’” (ibid)

A country advice document published by the Refugee Review Tribunal of Australia, in a section titled “What is the law in Vietnam in relation to same sex relationships?” (paragraph headed “The Law”), states:

“A number of sources indicate that homosexuality, per se, is not against the law in Vietnam as it is not referred to at all in Vietnamese legislation. There are certain laws in place such as the crime of ‘undermining public morality’ which could be used against homosexuals. However, no reports were found of incidents of homosexuals being prosecuted under this offence.” (Australian Government: Refugee Review Tribunal (22 February 2010) *Country Advice: Vietnam – Treatment of Lesbians*)

In a paragraph headed “Government Attitude” this document states:

“A number of sources indicate that the Vietnamese government ignores the issue of same-sex relationships and homosexuality in general unless it becomes too public, at which time it has responded negatively, such as the reported banning of homosexual marriages in 1998.” (ibid)

In a section titled “What is society's attitude towards lesbian relationships?” this document states:

“Lesbian relationships and homosexuality generally are not accepted by mainstream Vietnamese society and is considered a social stigma. As a result, the majority of lesbians do not ‘come out’ for fear of being stigmatised and discriminated in the workplace and by society at large.” (ibid)

A document jointly published by the United Nations Development Programme (UNDP) and United States Agency for International Development (USAID), in a section titled “Assessment of the LGBT Community in Viet Nam”, states:

“Studies done by iSEE from 2009 to 2012 showed that stigma and discrimination causes most gays and lesbians to remain closeted. For instance, in 2009, only 2.5 percent gay men came out completely and only 5 percent were mostly open. 32.5 percent of gays were closeted and 35 percent were somewhat closeted. Most gays and lesbians hide their sexual orientation for fear of upsetting parents and being subjected to negative reactions from parents, families, friends, and colleagues. Social stigma towards homosexuality remains widespread. Although many people think that

homosexuality is a natural phenomena, 29 percent think that homosexuality is an illness or contagion, 54 percent believe it is due to a lack of parental care/love/guidance, and 48 percent believe LGBT people can be cured. Common misperceived causes of homosexuality include biological changes during fetal development and psychological disorders. A majority of people, 57 percent, also think of homosexuality as a recent social phenomenon or trend. On the positive side, 76 percent believe there should be laws to protect LGBT people (even though only 36 percent support same-sex marriage) and 68 percent and 79 percent support gays and lesbians raising children, respectively.” (United Nations Development Programme (UNDP) and United States Agency for International Development (USAID) (August 2014) *Being LGBT in Asia: Viet Nam Country Report*, pp.19-20

Referring to the treatment of LGBT students in Vietnam this section of the document states:

“Stigma, discrimination, prejudice and violence are also prevalent against LGBT persons in schools. A study conducted by CCIHP 37 showed that the most common act of violence LGBT people experienced at school was verbal harassment such as using insulting nicknames, mostly in front of other students or teachers. 16 percent of participants were the victims of physical violence such as being slapped, attacked with stones and bricks or beaten up until they were bleeding. 19 percent of participants were the victims of sexual harassment such as having genital parts touched by others involuntarily and involuntary sexual intercourse/rape. 54 percent of participants reported that their school was not safe for LGBT students.” (ibid, p.20)

In a section titled “Community” this document specifically refers to bisexuals as follows:

“Conflicts and discrimination within the LGBT community lead to the segregation of subpopulations. Lesbians, gay men and transgender persons cannot speak with one voice and work together. Bisexual people are still invisible and do not speak out. Lesbian, gay and transgender groups sometimes marginalize bisexual individuals because they are seen as betraying the community by hiding their homosexuality behind heterosexual relationships.” (ibid, p.38)

A Radio Free Asia report states:

“Communist-ruled Vietnam is home to an increasingly vibrant gay community, but homosexual men who ‘come out’ and acknowledge their orientation are still subject to social stigma and workplace discrimination. Hanoi-based college student Vu Tung is one of a growing minority of openly gay men, and currently runs a support group for men who have sex with men in the capital. ‘In reality, in Vietnam, the issue of homosexuality is not talked about, except by only a few groups like the transgendered, or those who are openly gay,’ Tung said. ‘The openly gay community runs into a lot of difficulties, like the inability to find work in government agencies and companies,’ he added. Instead, men who have sex with men tend to keep their preferences secret, even from close friends and family, living lives that appear to conform to heterosexual norms.” (Radio Free Asia (18 December 2009) *Vietnamese ‘Still in Closet’*)

A Viet Nam News article states:

“Lesbian, gay, bisexual and transgendered people (LGBT) are still discriminated against in Viet Nam and are often exposed to violence from their parents and family members, sociologists warned at a conference yesterday. Hoang Tu Anh, founder of the Ha Noi-based Centre for Creative Initiatives in Health and Population (CCIHP), said that prejudice relating to gender and sexuality constituted a grave violation of human rights. Reports of physical violence included beating, binding, and starving, while mental tortures ranged from private groundings to public insults. Many gay and lesbian young people are still forced to marry members of the opposite sex. One 21-year-old gay man from Ha Noi responded to the CCIHP survey: ‘I was hurt most when my father told me that if he had known his son would be gay, he would have asked my mother to abort the baby.’ At the conference, Anh lamented that many parents still thought homosexuality was unnatural, blaming it on mental illness or the influence of ‘bad’ friends.” (Viet Nam News (18 August 2011) *Homosexuals face violence in their own homes*)

A report from the Vietnam Net Bridge news agency states:

“A significant proportion of homosexuals suffer violence in their family because of limited awareness and social prejudices,” said Huynh Minh Thao, communication and service manager of ICS – a volunteer group working to foster a positive image of homosexuality in Vietnam. “If everyone was better informed, we could help avoid some of the anger and confusion that occurs when parents discover their child is homosexual.” “Changing such perceptions is a big job but it is possible if it’s done step-by-step at the familial and community levels,” she added. In 2008, the Institute for Studies of Society, Economy and Environment (ISEE) surveyed 3,000 gay, lesbian and transgender Vietnamese. Twenty percent of the respondents said they had been beaten by their family members.” (Vietnam Net Bridge (28 May 2011) *Abuse traumatizes gay community*)

A report from Vietnam's national radio broadcaster Voice of Vietnam states:

“A recent survey conducted by the Centre for Creative Initiatives in Health and Population on 520 homosexual, bisexual and transsexual people with an average age of 21 revealed that nearly 41 percent had suffered from discrimination and violence at school or university. Seventy percent of them said they had been given offensive names, 38 percent said they were treated unfairly, 19 percent claimed to have been beaten and 18 percent sexually harassed. The reasons cited for ill treatment included the students dressing or behaving in a ‘different way’ while seemingly having feelings for people of the same sex. According to the survey, half of the students suffered from constant fear and nervousness and came to hate themselves for their different sexual tendencies, while 20 percent lost the motivation to go to school and 36 percent isolated themselves. More seriously, 35 percent of those claiming they had been ill-treated said they had considered committing suicides, half of them saying they had actually tried to take their own lives. “It saddens me to see so many people losing hope for the future at such a young, innocent age,” said Hoang Tu Anh, director of the Centre for Creative Initiatives in Health and Population (CCIHP), pointing out that nearly 40 percent of those surveyed suffered from identity confusion. Tu Anh also pointed out that homosexual youngsters were often treated unfairly by their

teachers who thought homosexuality was some kind of disease.” (Voice of Vietnam (18 May 2012) *Homosexual teens encounter high level of discrimination*)

An Agence France Presse report on recent gains for Vietnam’s LGBT community states:

“From flamboyant parades to symbolic same-sex weddings, taboos surrounding homosexuality -- once viewed as a ‘social evil’ -- are slowly crumbling in Vietnam, but activists say only freedom to marry will bring true equality. In the latest celebration of the small but significant legal gains for the country’s lesbian, gay, bisexual and transgender (LGBT) community, around 300 people joined a colourful bicycle parade through the narrow streets of Hanoi on Sunday. It was the country’s third -- and largest -- gay pride event, as increasingly tolerant attitudes gain ground in a nation where conservative Confucian values and traditions still dominate, particularly in rural areas.” (Agence France Presse (5 August 2014) *Parades and wedding parties as Vietnam gay taboo eases*)

The US Department of State country report on Vietnam for the events of 2006, in a section titled “Freedom of Assembly” refers to protests held during the year as follows:

“During the year peaceful small protests of farmers demanding redress for land rights issues frequently took place in front of government buildings in Hanoi. Police monitored these protests but did not disrupt them. During the summer groups from the Mekong Delta and the Ho Chi Minh City region conducted small protests over land disputes. Police generally did not interfere with the protesters--mainly elderly women--who positioned themselves in front of government buildings in downtown Ho Chi Minh City. Police cordoned off the protesters from passersby and sought, sometimes by means of intimidation, to minimize protesters’ contact with legal and political activists. In September a senior police official met with protesters and declared that the government and police would carefully examine their cases, but he cautioned that protesters could not carry signs that had “down with corrupt government” and that authorities would show ‘no mercy’ with those who took advantage of the land disputes to work against the government. The protests stopped soon thereafter, but there was no indication that the government resolved the underlying grievances.” (US Department of State (6 March 2007) *2006 Country Reports on Human Rights Practices*)

Referring to protests which occurred in Vietnam in 2006, the 2008 US Department of State country report, in a section titled “Arbitrary Interference with Privacy, Family, Home, or Correspondence” states:

“In June in Ho Chi Minh City, disgruntled groups from the Mekong Delta and the Ho Chi Minh City region conducted peaceful protests over disputes related to land expropriation and land compensation by the state. On July 18, some protesters were forcibly placed into police trucks when they refused to end the three-week rally, and many suffered minor injuries. Eyewitnesses dismissed as inaccurate reports that police violence was used to break up the Ho Chi Minh City protests. Police detained protest organizers but eventually released them, reportedly unharmed. Several activists later complained of police surveillance and harassment. Other reported organizers were publicly

denounced in the media and had their home addresses published, a common practice by security officials. A smaller July land rights protest in Hanoi was peacefully dispersed by security officials, and those detained were released shortly afterwards.” (US Department of State (11 March 2008) *2007 Country Reports on Human Rights Practices – Vietnam*)

No reports of an LGBT demonstration in Vietnam in 2006 were found among sources available to the Research and Information Unit.

A report on Vietnam published by the Bertelsmann Foundation, in a section titled “Political Participation”, states:

“For example, in August 2012, state authorities did not interfere with more than 100 people participating in Vietnam’s first public demonstration for lesbian, gay, bisexual and transgender (LGBT) rights.” (Bertelsmann Foundation (January 2014) *BTI 2014: Vietnam Country Report*, p.7)

See also Human Rights Watch report on Vietnam for the events of 2012 which, in a section titled “Freedom of Expression, Assembly, and Information”, states:

“On August 5, authorities forcibly dispersed peaceful marchers in Hanoi protesting Chinese foreign policies on sovereignty over the Paracels and Spratly islands. Authorities temporarily detained more than 20 protesters for disrupting public order. Yet on the same day, authorities did not interfere with over 100 people on bicycles participating in Vietnam’s first public demonstration for lesbian, gay, bisexual, and transgender (LGBT) rights.” (Human Rights Watch (31 January 2013) *World Report 2013 – Vietnam*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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