

# LGBTI LEGAL RIGHTS IN VIETNAM: RECENT DEVELOPMENTS, CHALLENGES AND RECOMMENDATIONS

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**Abstract:** *Lesbian, gay, bisexual, transgender, and intersex (LGBTI) people's rights are considered a controversial issue of domestic human rights law in certain nations. Of all the considered nations, Vietnam has emerged as one of the more progressive Asian countries in terms of LGBTI people's rights recognition. Although there has been some progress recently, LGBTI people's legal rights have not fully met the needs of local LGBTI groups in Vietnam. In addition, there are challenges facing LGBTI groups in enjoying their rights due to social prejudice and law enforcement. This paper, thereby, analyses recent developments in Vietnamese law on the rights of LGBTI people, proposes some revisions and amendments to relevant legislative documents, and provides essential solutions to promote LGBTI people's enjoyment of rights in practice.*

**Keywords:** *Legal rights; LGBTI; Vietnam*

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## 1. Introduction

In Vietnam, lesbian, gay, bisexual, transgender, and intersex (LGBTI) people have become more visible in social life. Regarding the lesbian, gay, bisexual, and transgender (LGBT) community, a 2013 survey<sup>1</sup> demonstrated the existence of a Vietnamese homosexual community as a connection to the whole community with 30.4% of those surveyed claimed to know someone who was homosexual. This survey also showed that 27.4% of the people surveyed were aware of the phenomenon of “two people of the same sex living together as husband and wife”.

Using the average, “safe” ratio of 3% that many scientists agree on<sup>2</sup>, the

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<sup>1</sup> Institute of Sociology, Health Strategy and Policy Institute, Institute for Studies of Society, Economy and Environment (iSEE) (2013), *Kết quả trưng cầu ý kiến người dân về hôn nhân cùng giới 2013* (translation: *2013 Research Report on the Result of the Referendum on Same-sex Marriage*), Thế giới Publishers, Hanoi, pp. 7-8.

<sup>2</sup> Jennifer Robison (2002), *What Percentage of the Population Is Gay?*, <http://news.gallup.com/poll/6961/what-percentage-population-gay.aspx>, last accessed on 27 May 2023; IPSOS