IT'S T TIME

ASIA PACIFIC TRANSGENDER NETWORK

THE PARTICIPATION OF TRANSGENDER IN POLICY ADVOCACY FOR THE DRAFT LAW ON GENDER AFFIRMATION IN VIETNAM

BÙI MAI ANH THƯ
HOÀNG NGỌC AN
NGUYỄN QUỐC ANH
TRẦN THỊ MINH NGỌC
VŨ THỊ THUỲ DƯƠNG



HÀ NỘI, 2023

TABLE OF CONTENTS

A. ABSTRACT 02

B. INTRODUCTION 03

C. RESEARCH OVERVIEW 05

1. Reason and purpose 05

2. Scope and research subject 06

3. Methodology 06

D. KEY FINDINGS AND DISCUSSION 08

1. Sample size 08

2. Demographic characteristics 09

3. Awareness of the law for transgender community 14

4. Push and pull factors for policy advocacy participation 24

E. CONCLUSION AND RECOMMENDATION 28

1. Conclusion 28

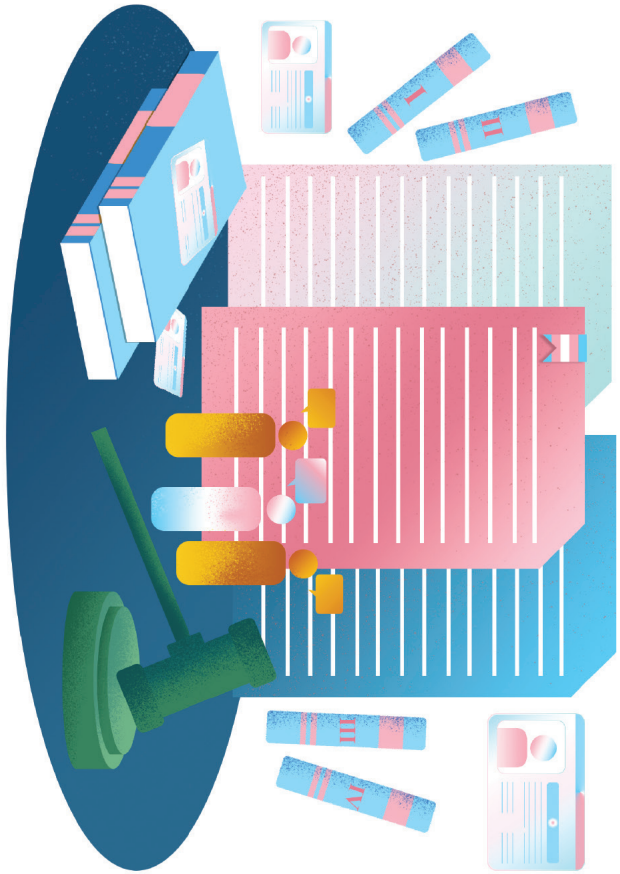
2. Recommendation 29

F. EPILOGUE 34

ANNEX I: FIGURES 01

ANNEX II: ONLINE SURVEY 01

REFERENCE 01



ACKNOWLEDGMENTS

In 2020, APTN hosted the APTN Amplifying Trans Advocacy 2020 fellowship program, selecting 25 fellows from 14 countries in the region for a month-long online course on international human rights accountability mechanisms. This immersive experience allowed fellows to gain a deep understanding of international human rights law with guidance from experts and peers. Upon course completion, APTN's commitment continued with competitive seed funding awards, enabling fellows to apply their knowledge through national advocacy initiatives rooted in international human rights mechanisms. Chu Thanh Ha, representing IT'S T TIME from Vietnam, was among the recipients of this award, receiving mentorship, financial support, and technical assistance from APTN during the implementation of his advocacy intervention.

We would like to express our deepest gratitude towards partner organizations for their persistent support in conducting this research, especially APTN and iSEE and for their unwavering support, exemplifying their dedication to assisting national partners in creating meaningful change.

We would also like to sincerely thank the people who support us, especially Mr. Chu Thanh Ha – Board Members of IT'S T TIME for his contributions and advice in this research.

Last but not least, we truly appreciate the support from the transgender community who participated
in the research.

A. ABSTRACT

Given the context of tremendous progress made in drafting the Law on Gender Affirmation in Vietnam, this research provides a comprehensive analysis of the motivations and barriers of transgender individuals towards participation in policy advocacy. Drawing from nearly 1000 responses, the quantitative survey covers a wide range of demographics, relationship status, parenthood, engagement with local LGBTIQA+ advocacy groups, and awareness of the legal documents regarding transgender rights in Vietnam. The findings suggest that confidentiality of personal information, perception of a clear roadmap for advocacy, and time availability contribute significantly to the decision whether to participate or shy away from public advocacy. Taking these factors into consideration, the research proposes several recommendations to motivate and engage transgender individuals in the process, specifically regarding membership of local community-based organizations (CBOs), active informing of the advocacy progress, and capacity building for transgender individuals on the current legal framework and advocacy strategies.



B. INTRODUCTION

Recent research carried out by the Pew Research Center has shown that about 5% of young adults in the U.S. claim that their gender is different from their sex assigned at birth, and there is roughly 1.6% of Americans as a whole, identify themselves as transgender or non-binary. In Vietnam, the number follows the global trend. According to the latest statistics published by the Vietnam Ministry of Health, the number of Vietnamese transgender people is estimated at approximately 480,000. In the context where nearly 10 years have passed by since the Vietnam Law accepted and approved the gender affirmation rights via Article 37 of the 2015 amended Civil Code while few actions have been taken to provide more transparent and detailed guidance on how to proceed with transgender-related matters under the light of law and legislation (IT'S T TIME research team, 2022), studying how transgender people are participating the policy advocacy is receiving numerous public attention, especially when Vietnam has accepted the recommendations of Malta – to takes extra steps to ensure the protection of all vulnerable groups in society, including LGBTI people and Iceland to implement laws to ensure access to gender-affirming treatment and legal recognition of gender as in the third session of Universal Periodic Review ("UPR") of Human Rights Cycle III of the United Nations Human Rights Council. Responding to this, as in the law, transgender people have been officially included in the vulnerable group in Vietnam according to the provisions of Clause 4, Article 1, Section II Decision No. 1975/QD-TTg dated December 31, 2019 on approval of the plan for the overall implementation of the recommendations.

With Vietnam's commitment to 17 SDGs, following the motto "Leave no one behind", as well as the fact that Delegate Nguyen Anh Tri's proposal to continue with the law-making of gender affirmation law project ("the Draft law") has been agreed to be added in the 2024 national law-making program by the National Assembly of Vietnam, the importance of researching such topics in such a context is even

emphasized. Indeed, the question of whether transgender people are engaging themselves more in the legal progress of the law project is being raised in lots of LGBTIQA+ conferences and seminars. However, few pieces of research conducted by local non-governmental organizations (NGOs) have collected information on the degree of awareness, consideration, and participation of citizens in political matters and little data is found for LGBTIQA+ population. Even in cases where there is such data, there is no clear disaggregation of transgender and gender diverse people.

C. RESEARCH OVERVIEW

1. 1.Research objectives

71.4% is the percentage of transgender people reporting to have had difficulties in the gender identification process after going through gender affirmation surgery, according to iSEE[1]. 59.6% of transgender people who are currently taking hormones never received testing and counseling before starting use (iSEE, 2017). These are identified as “inequalities” or disadvantages and inconveniences, which sometimes cause damages or even fatalities to transgender people just because there was no official law to regulate and protect these people. Meanwhile, on our way to do legal consulting for the national agency as well as policy advocacy and capacity building for the community, IT’S T TIME activists realized that there was a gap of acknowledgment between the community and the national agency or the government representative: there was little data on how many of the transgender people actually care about the transgender law-making process and how many want the draft law to become official. The questions are also expanded to gender-diverse and binary people. The answer to the latter might be difficult to achieve, but the research team has decided to capture the former’s insight, to understand the inconvenience of not having an official law to regulate their duties and rights.

The purpose of this research is to identify the pull and push factors that affect the decision-making process of transgender and gender-diverse people in participating in policy advocacy activities for the Draft Law of Gender Affirmation, hence providing an insightful outlook for interested parties and competent authority regarding the push and pull factors of transgenders’ engagement towards policy advocacy. This research shall act as an initially constituted paperwork on the topic, which might assist or better inform researchers of the field, and provide a reliable data resource that helps organizations and authorities in their orientation, strategies, and planning to effectively mobilize community involvement and participation in advocating for transgenders and LGBIQ+ rights.

[1] 71,4% người đã chuyển giới gặp rắc rối liên quan đến giấy tờ tuỳ thân (laodongthudo.vn)

2. Scope of research

Our research aims mainly at Vietnamese transgender people, whose ages range from 18 to over 35 years old. The research was performed from 2021 to 2023. There were a total of 918 participants who responded to the request of filling out an online survey to study their participation in the legal advocacy for transgender-related issues, especially the Draft Gender Affirmation Law. The survey consisted of 25 quantitative questions which cover general information (age, gender identity, education achieved, type of workplace, living area, relationship status, LGBTIQA+ membership), awareness about Article 37 of the 2015 amended Civil Code, and the draft Gender Affirmation Law (whether the surveyee knows or has heard of the draft law and the in-charge authority), their opinions on the draft law, their voting frequency status, their desire, consent and reasons for on joining/refusal to join the advocacy progress for the draft law and its public communications, and proposals to better promote its legislative pace.

3. Methodology

3.1. Research Design

This study was a quantitative cross-sectional survey carried out in Vietnam. Our goals are to understand push and pull factors that affect transgenders' participation in the policy advocacy for the Draft Law on Gender Affirmation via survey. Additionally, we have interviewed a number of transgender people to outline certain factors on the survey for the participants' convenience. After collecting the responses, we did an analytical research based on demographics data and categorized responses into certain factors based on the initial outline.

3.2. Sampling method

We collected data via convenience and snowball sampling. At the time of publishing the survey, the Facebook page of IT'S T TIME had about 9000 followers, the majority of them are transgender and gender-diverse. Besides, numerous posts on the page are mainly related to transgender legal issues as well as the policy advocacy process for the Draft Law of Gender Affirmation. We have designed an

online survey on Google Forms (please refer to Annex II for a complete English translation of the survey). The link to the survey was posted on the Facebook page of IT'S T TIME and was shared with pages of other organizations and closed groups of LGBTIQA+ community. The Facebook groups are selected because they have a substantial proportion of members who identify as transgender and gender-diverse people.

The limitation of this sampling method is the potential to draw bias into the results whereas there might be an identifying homogeneity among all respondents. For instance, the survey can only reach transgender and gender-diverse people who have access to the internet, like/follow some LGBTIQA+ community Facebook pages, or are members of those closed groups. Noting this specific limitation, an online survey is still the best method to conduct this study, given the time of the COVID-19 pandemic when the government issued travel restrictions to ensure public health security. An online survey has enabled us to collect diverse information from both nationwide and abroad. We assumed that the benefits of an offline survey might not be suitable considering its potential risk; therefore, an online survey was still chosen in the end.

3.3. Procedures

The online survey was officially launched on the IT'S T TIME Facebook page on May 6th and remains open for 21 days until the end of May 26th, 2021. Throughout this period of time, members of IT'S T TIME have actively promoted the online survey on social media platforms to reach as many transgender people as possible. As a result, we have received responses from groups that are not transgender or gender-diverse people, such as people of LGBI+ community, allies, and heterosexual individuals. These respondents accounted for a minor portion of the sample and were voided in the data analysis stage of the research.

D. KEY FINDINGS AND DISCUSSION

1. Sample size

The online survey has collected a total of 918 responses, with the majority of the respondents self-identifying as transgender men (68%, which means 624 respondents) – see Figure 1. Only 11% of the respondents identified as transgender women (which means 102 respondents), and 8% identified as gender diverse - 73 respondents. 13% of respondents are either self-identified as heterosexual or cis-gender. As aforementioned, this portion of respondents will be discarded when performing analysis.

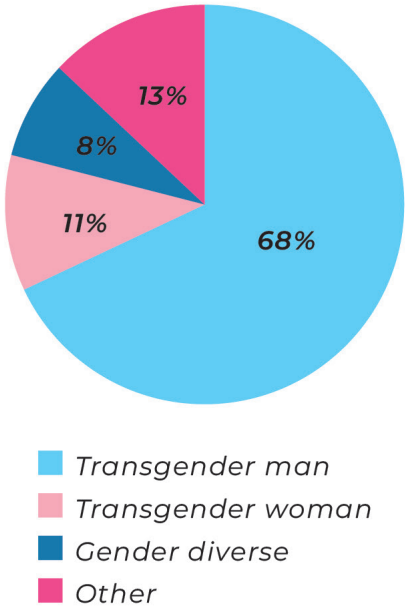


Figure 1: Gender Identity of the sample size (n=918)

In the following analysis, only responses from transgender men, transgender women, and gender-diverse respondents will be taken into account (n=803). The proportion of transgender men remains in domination compared to other groups of gender identity. This might be a reflection of the demographic community that IT'S T TIME has access to. In addition, there are several major private Facebook groups exclusively for transgender men; each has a number of members ranging from 3,000 to up to 10,000 people. Meanwhile, there is only one private group for transgender women with a tremendous number of members, despite its relatively newborn establishment, yet still incomparable to transgender man group. Therefore, one of the limitations of this online survey is its accessibility to transgender woman population.

Since the proportions of transgender women and gender-diverse respondents are significantly less than that of transgender men, it is not statistically possible to perform a comparison analysis between these subgroups. In the future, this survey might be replicated and aim

to collect a more substantial amount of responses from transgender women and gender-diverse communities. Only then, a comparison analysis between these various groups can be run and actually provide statistically significant results.

2. Demographic characteristics

2.1. Age

Almost 91% of valid respondents are people between the age of 18 to 35, which also reflects the age range of the population that IT'S T TIME has online access to – see Figure 2. Only a small proportion of the sample (1.8%) is older than 35 years old, and 7.2% are under 18. The percentage of the underage 18 transgender population that has access to the internet and joins online community groups exclusively for transgender is quite over-expecting. The online survey did not aim to target this specific age group, and we were surprised to have their responses, even more than that of the over-35 group.

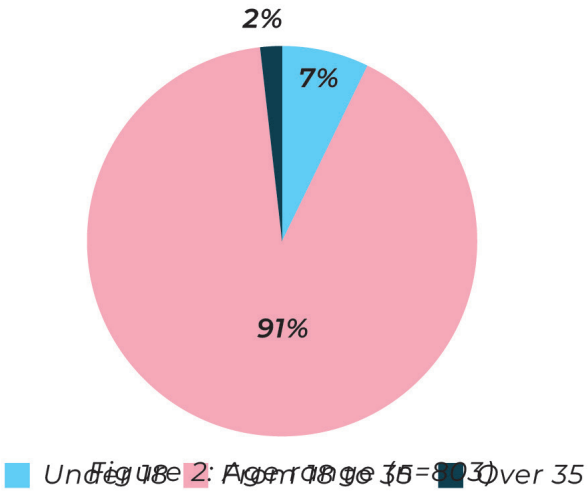


Figure 2: Age range (n=803)

2.2. Educational level

For educational level, the survey asked respondents to select the level that they have completed at the time of taking the survey. The majority of the respondents (40%) have completed university/post-graduate degrees and 36% have completed high school followed by those of other educational classifications - see Figure 3. This result is consistent with the popular age range of the respondents.

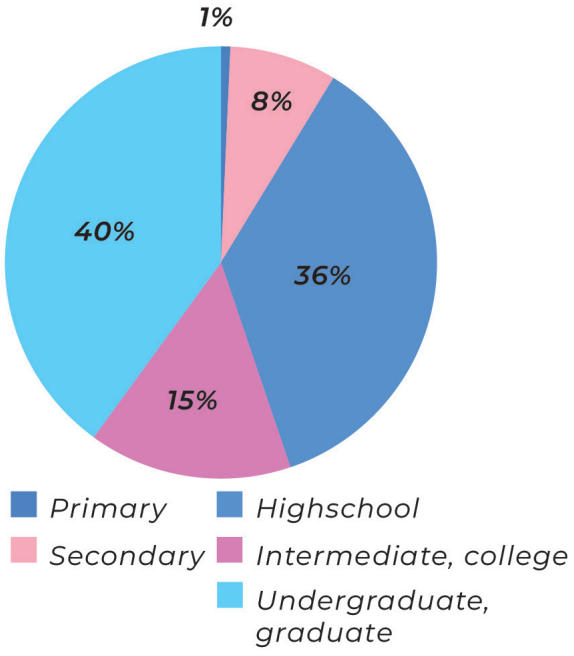


Figure 3: Educational level (n=803)

When disaggregated by gender identity, transgender men have the highest university/postgraduate completion rates (43.1%) compared to transgender women (31.1%) and gender-diverse people (24,3%). In addition, transgender female respondents accounted for more completion rates of intermediate and college degrees (19.4%) than the other two subgroups. - see Figure 4. Due to the small sample size of transgender women and gender-diverse, these differences are only for reference and cannot be analyzed for statistical significance.

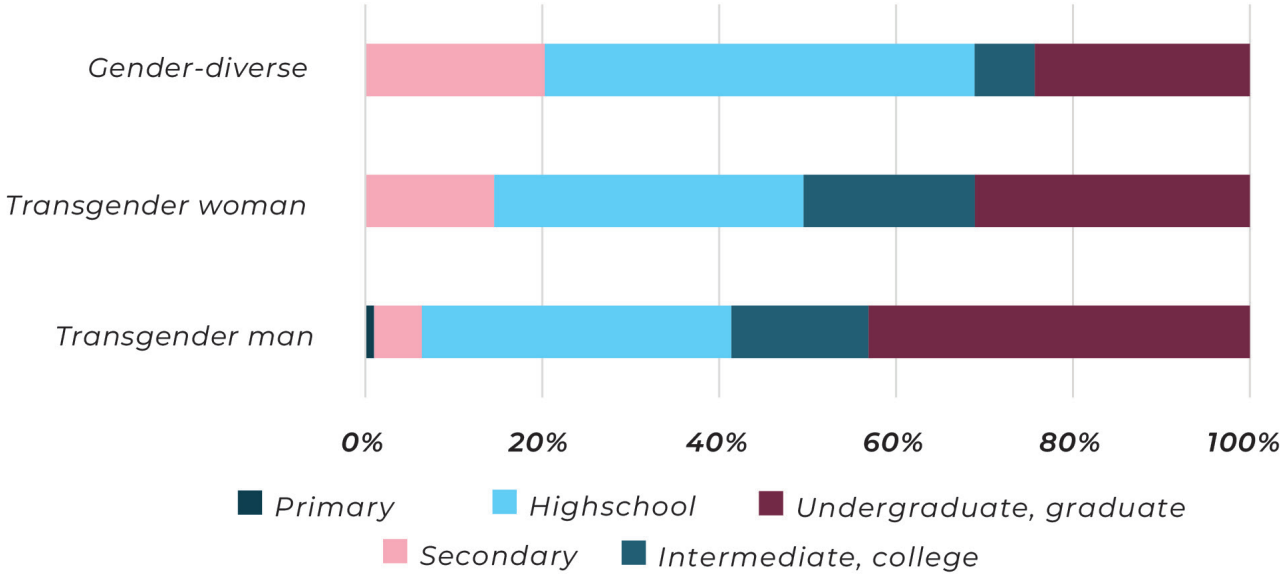


Figure 4: Educational level, disaggregated by gender identity (n=803)

2.3. Regional location

The online survey also collects information on the region where the respondents reside. 45% of the respondents are living in the Southeast region of Vietnam, and 22% are residing in the Red River Delta. Here are where the two largest cities are located, Ho Chi Minh City in the South and Hanoi in the North (Red River Delta) – see Figure 5. Therefore, it is not surprising to have a large number of responses coming from these two regions.

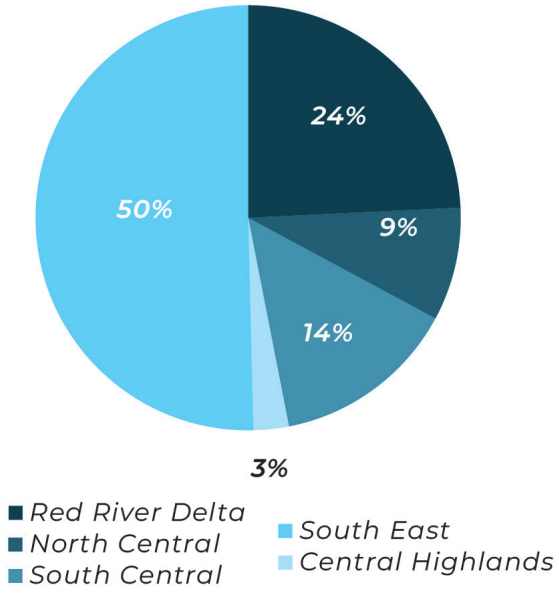


Figure 5: Regional locations within Vietnam (n=803)

Mountainous areas such as the Northwest region and the Central Highlands account for only a small portion (each 2%) of the respondents – see Figure 6. It can be inferred from this difference in data that transgender, gender-diverse people living in mountainous areas have access to the internet, and joining online community groups exclusively for transgender is quite insubstantial. This is also a limitation of online surveys when it is not possible to reach out to a wide range of target groups.

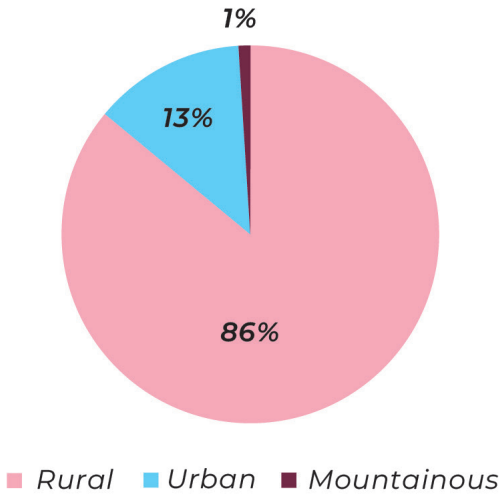


Figure 6: Place of residence (n=803)

2.4. Relationship status

Relationship status is an interesting aspect to look into because it will partially determine to what degree to which transgender people are willing to put themselves and publicly participate in the policy advocacy process, which might require an appearance on mass media, such as newspapers, television, etc. In addition, we originally hypothesized that people with stable and long-term relationships would be less likely to be active in the transgender community, more so if they have children. Furthermore, this population would have a very different set of priorities in deciding whether they would be a part of this advocacy.

Almost half of the respondents (48%) are currently single and not engaged in any romantic relationship. One-third of the sample is either dating or in a romantic relationship – see Figure 7. The percentage of respondents living with their loved ones is 17%. Only about 2% of respondents have said that they are married. Results from survey questions show that, for transgender people, even though their rights are not fully recognized, the need to have a spouse/partner like any other same-sex couple exists and remains huge; therefore, despite the barrier of legally recognized marriage, they still live together, considering the relationship as a marriage. This can be seen as a legal gap, when social relationships arise within the society but the law cannot regulate them,

justify the behavior of participating citizens and related issues. When two individuals form a legal marital relationship, marriage registration will cause their relationship to be governed more by the Marriage and Family Law than the Civil Code, resulting in the fact that there will be more legally defined engagement and commitment. The couple will also enjoy a number of benefits such as their both names being on the child's adoption or birth certificate, becoming a guardian in some cases, and signing the patient's consent form on behalf of the spouse during medical examination/treatment, becoming a beneficiary of a spouse's insurance contract, etc. However, as the first and foremost eligibility is not available: the existence of law and legislation to regulate the marital relationships of transgender people, the survey was not designed to dig deeper into some other involvements of the marriage and cohabitation of transgender people, including questions about when the couple adopt/have children.

The percentage of participants who are legally married makes up a small percentage of our sample due to the fact that transgender people are not officially allowed to change their gender marker on legal documents. Therefore, they can not have a legal heterosexual marriage. However, same-sex marriage has not been recognized by Vietnam justice system[2], so most heterosexual transgender people are not allowed to register the marriage when their desired sex has not been legally recognized.

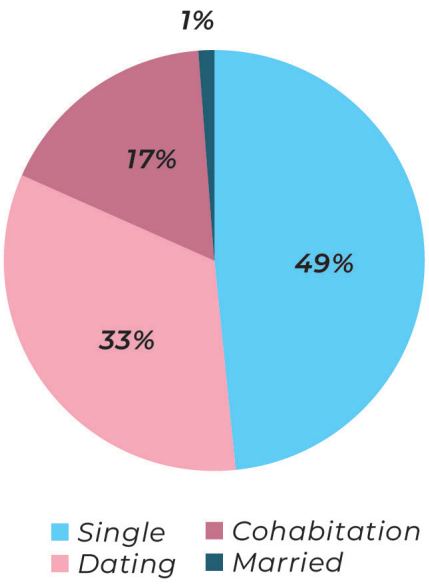


Figure 7: Relationship status (n=803)

On the other hand, it is not illegal to have a social union, such as living together and/or arranging a wedding. We assume that the 2% of respondents who have stated that they are married means they have either had a wedding or considered their relationship as a marriage, and if it is legal to get married, they obviously would. It is a stage that reflects much more commitment and seriousness than cohabitation or dating.

[2] Clause 1, Article 8 of the Law on Marriage and Family: "The State shall not recognize marriage between persons of the same sex".

2.5. Parenthood

The majority of respondents (97%) do not have children at the time of taking the survey. This is consistent with the results on age range and relationship status. The 2% of respondents who considered themselves to be married actually tend to have children. Only 1% of respondents answered that they do not want to have children – see Figure 8.

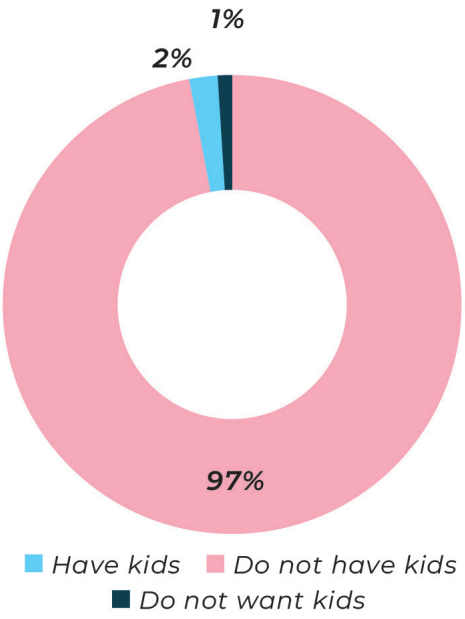


Figure 8: Having children status (n=803)

The limitation of this set of data is that we do not have enough objective evidence for the awareness of married respondents on legal issues for the transgender community. Therefore, this study lacks specific insights into this group to better clarify push and pull factors for policy advocacy participation. In addition, this limitation also makes it difficult for us to propose inclusive recommendations for promoting transgender people's participation in policy advocacy.

2.6. LGBTQI+ CBO membership

The most significant factor that this study aims to examine its correlation with participation in advocacy activities is whether a transgender individual is a member of any LGBTIQA+ community-based organizations, and this does not include merely joining community groups on social media platforms. There is a clear distinction to differentiate between civil social organizations (CBOs) that have participated in the advocacy process for the Draft Law and other groups that are simply platforms for sharing information relating to transgender. The CBOs are those entities that actively engage and mobilize community members to participate in the advocacy process, such as providing feedback and comments for the Draft Law, facilitating online campaigns to raise awareness, organizing workshops to share information, updating the community on the progress, etc.

Two-thirds of the respondents are not members of any LGBTIQA+ CBOs – see Figure 9. When disaggregated by gender identity, transgender man has the highest percentage (37.1%) of respondents who have been members of an LGTBQI+ CBO, compared to only 23.3% and 21.6% from transgender woman and gender-diverse subgroups, respectively (please refer to Annex I for Figure 14). Nonetheless, the sample size of the two subgroups of transgender women and gender diverse are significantly smaller than that of transgender men. Therefore, the differences between these three groups, with current data, cannot be determined if it is statistically significant. Additional responses coming from these populations would improve the analysis.

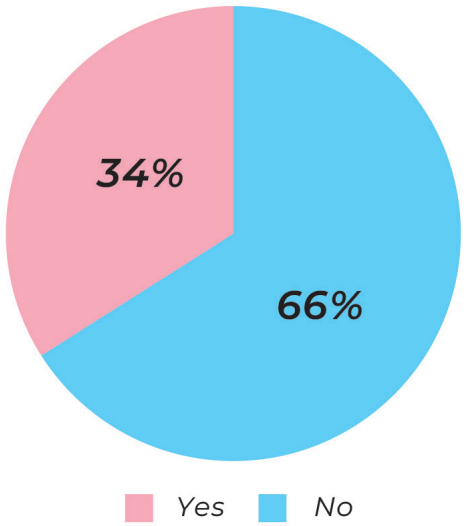


Figure 9: LGBTQI+ CBO membership (n=803)

3. Awareness of the law for transgender community

3.1. Awareness of the content of Article 37, Civil Code (2015)

Article 37, Civil Code (2015) is arguably up until now, one of the most significant pieces of legal writing that acknowledge the rights of transgender people in Vietnam. It states that:

Article 37. Sex transition:

> *"The sex transition shall comply with regulations of law. Each surged transgender has the right and obligation to apply for change of civil status affairs as prescribed in law on civil status affairs and has the personal rights in conformity with the transformed gender as prescribed in this Code and relevant laws."*

Prior to the enactment of the Law on G ender Affirmation, there have been several pieces of legal writing that mention the term "transgender" besides Article 37, including Article 28 of the Civil Code [3] and Article 18 of the Law on Temporary Detention or custody [4]. Vietnam has a legal framework to allow sex reassignment for intersex individuals, but sex transition by choice of non-intersex individuals has not yet been prescribed. Article 37 has marked an important milestone in the legal gender recognition of transgender citizens. Nevertheless, it does not state or define what would encompass "sex transition" or "transgender". This is open to advocacy and will be clearly defined in the Draft Law.

The survey asked respondents to fill in the content of Article 37 and then we would analyze and categorize the responses into three different levels of knowledge: Very well, A little bit, and Not at all. 68% of the respondents know partially about Article 37. For instance, they know that they can change their legal gender marker and name, but not stating that it would only be possible after "sex transition", which has not been clearly defined in any law yet. 68% of respondents have some knowledge of Article 37, but not comprehensively – see Figure 10. Only 12% of respondents know Article 37 very well.

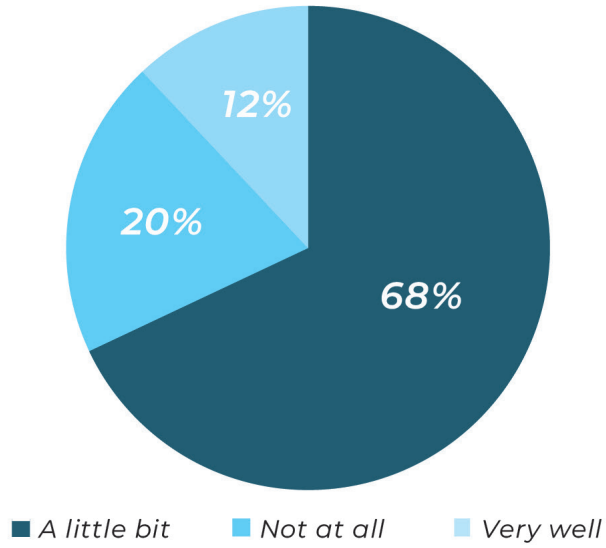


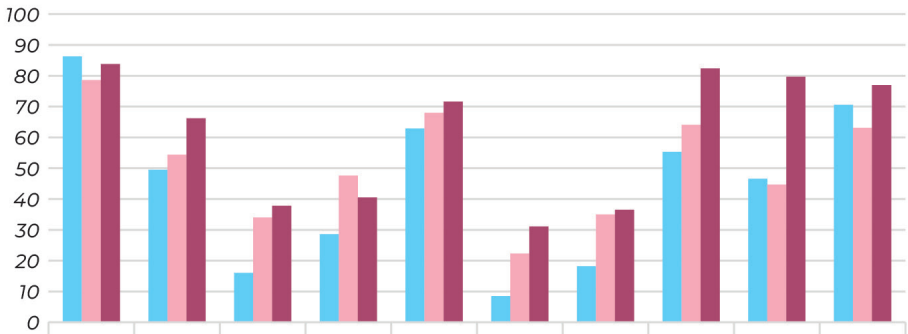
Figure 10: Knowledge of the content of Article 37, Civil Code (2015) (n=803)

[3] Point e, Clause 1, Article 28 of the Civil Code: "An individual has the right to request a competent authority to recognize the change of a given name in any of the following cases:
...
e) Changing of given name of a person whose gender identity is re-determined or a transgender person"

[4] Point a, Clause 4, Article 18 the Law on temporary detention or custody: "The following persons held in temporary detention or custody can be detained in separate cells:
a) Gays/lesbians, transgender people"

When disaggregated by gender identity, transgender men have the highest proportion of knowing Article 37 very well (12.3%), compared to 12.2% among gender diverse and 8.7% among transgender women. Transgender women have the highest percentage of respondents who do not know anything about Article 37 (30.1%), while this section of the other two subgroups is at 16.2% among gender diverse and 19.3% among transgender men (please refer to Annex I for Figure 20). Again, due to the small sample size of transgender women and gender-diverse, these differences are only for reference and cannot be analyzed for statistical significance.

The survey also asked respondents to select from an existing list any legal acts that they think the law is allowing transgender people to perform – see Figure 11. In the list, some of the acts are not prohibited by law, such as having a wedding, cohabitation, hormone replacement therapy, general medical check-ups, and even having surgeries. The boundaries of having gender affirmation surgeries in Vietnam are vague and somewhat in the gray area. It is still not a right that is recognized in any legal document, yet it is not prohibited anywhere. Breast augmentation can be classified as cosmetic surgery, which is legal to perform for aesthetic purposes. Besides cosmetic surgeries, a double mastectomy is also a solution for several diseases such as breast tumors, and breast hypertrophy,... However, if a transgender person would like to perform any surgery on their breast for the purpose of gender/sex transition, they will have to bear ambiguity of information on their medical profile due to the inability to address the real purpose, which might be disguised into the two previously mentioned reasons among a whole bunch of fake reasons just to legitimize the transition. In other words, having surgery would not be considered proof of gender affirmation, and therefore, even after surgeries, transgender people cannot apply for a change in name or similar issues. This comes from the absence of specific legal documents guiding the competent authorities to exercise the right to change the name and gender of transgender people.



	Wedding	Change name and gender marker	Surrogacy	Coadoption	Cohabitation	Certified marriage	IVF	HRT	GAS	Medical check-ups
Transgender man	**86.3**	**49.5**	**16**	**28.6**	**62.9**	**8.5**	**18.2**	**55.3**	**46.6**	**70.6**
Transgender woman	**78.6**	**54.4**	**34**	**47.6**	**68**	**22.3**	**35**	**64.1**	**44.7**	**63.1**
Gender diverse	**83.8**	**66.2**	**37.8**	**40.5**	**71.6**	**31.1**	**36.5**	**82.4**	**79.7**	**77**

Figure 11: Activities that are considered legal for transgender to engage in, disaggregated by gender identity (n=803)

Having a wedding, cohabitation, and having medical check-ups are the three categories that respondents from all three subgroups of gender identity have mostly come to a consensus that it is legal for transgender to commit. It is a fact that those acts are not regulated too much by the law, so the nature of it is mostly people agreeing with each other. The acts that have shown differences in responses are co-adoption, surrogacy, hormone-replacement therapy (HRT), and gender-affirming surgeries (GAS). With the last two categories, gender-diverse respondents have significantly different responses compared to the two other subgroups. They have a much higher percentage of respondents that think HRT and GAS are legal. As mentioned above, HRT and GAS are theoretically legal but they are not specified in any legal document. This might reflect the miscomprehension of numerous gender-diverse people who have little or no need for medical intervention and thus less concern about the legal framework of such matters.

3.2. Awareness of the Draft Law on Transgender Affirmation

Awareness of the Draft Law is an important and decisive factor in determining the participation of transgender people in the advocacy process. When being asked, the majority (72%) of respondents stated that they have heard of the Draft Law beforehand – see Figure 12.

On the other hand, 28% of respondents have either never heard of or are not sure if they have heard of the Draft Law. When disaggregated by gender identity, transgender woman group has the highest proportion of respondents knowing about the Draft Law at 76.6%, compared to 73% among transgender men and only 58.1% among gender-diverse respondents - see Figure 13. The differences between these three subgroups might be a result of a convenient sample and homogeneity of the sampling. Gender-diverse respondents have the lowest percentage of knowledge about the Draft Law as it might be that many people who identify as gender diverse tend to not have the need for medical interventions because they have little or no gender dysphoria.

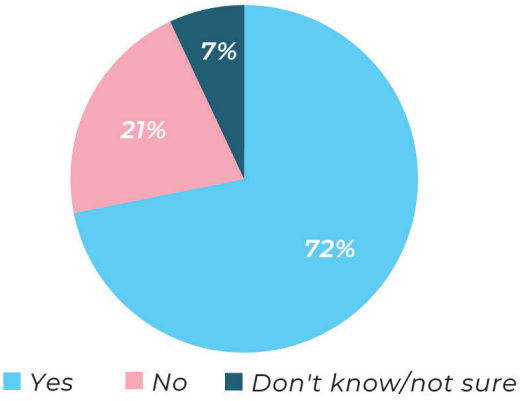
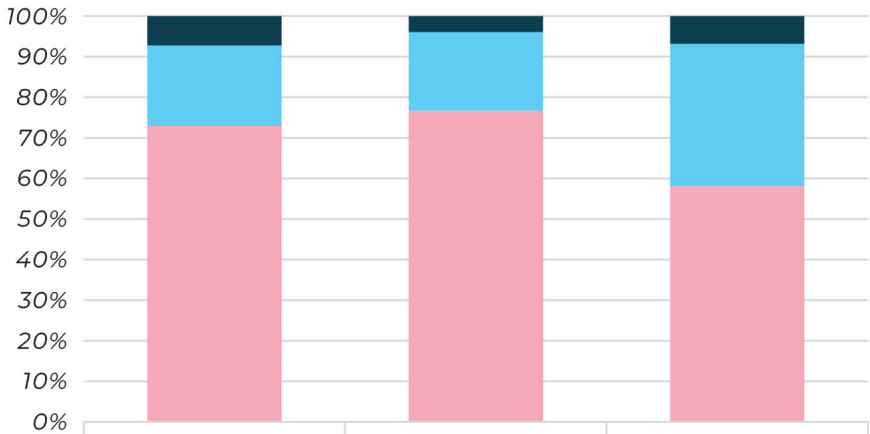


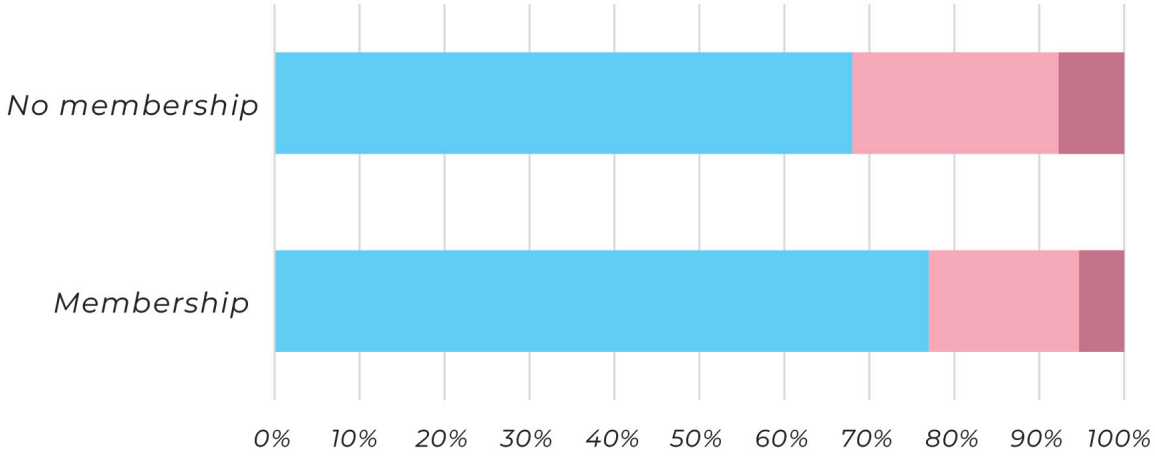
Figure 12: Have heard of the Draft Law (n=803)



	Transgender man	Transgender woman	Gender diverse
Don't know/Not sure	**7.2**	**3.9**	**6.8**
No	**19.8**	**19.4**	**35.1**
Yes	**73**	**76.7**	**58.1**

Figure 13: Have heard of the Draft Law, disaggregated by gender identity (n=803)

When looking into the correlation between being a member of LGBTIQA+ CBOs and awareness of the Draft Law, results are as expected – see Figure 14. Joining an LGBTIQA+ organization increases the chances that transgender individuals will know about the Draft Law – 77.9% (which is 212 respondents) compared to only 69.2% among the non-member population (equivalent to 366 respondents). However, the difference of only 8% between these two groups comes from the fact that discussions on the Draft Law are not raised very often. At the time of the survey, there were about 20 closed Facebook groups dedicated to the transgender community, the number of members ranging from 1,000 to 9,000 people. Closed spaces can be seen that are often used by the transgender community to share their life or answer questions about medical interventions, name change procedures,... It is a fact that becoming a member of LGBTIQA+ CBOs can bring back numerous benefits for transgender people because they will have a safe space to connect, express themselves, and update information about legal issues for transgender community. Therefore, transgender people engaging in LGBTIQA+ CBOs and having diverse means of communication with this group should be encouraged.



	Membership	No membership
Yes	**77**	**68**
No	**17.7**	**24.3**
Don't sure/Not sure	**5.3**	**7.7**

Figure 14: LGBTQI+ CBO membership and having heard of the Draft Law (n=803)

From the above chart, it can be seen that the percentage of respondents belonging to LGBTIQA+ CBO and know about the Draft Law is about 15% higher than that of those who do not belong. Therefore, it can be concluded that there is a coefficient between the two factors. Nonetheless, it is important to emphasize that the online survey was distributed by IT'S T TIME and respondents that have accessed the survey link were very likely the audience of IT'S T TIME Facebook page, who continuously update their audience with the correct information about the Draft Law. This might result in the fact that if the survey was carried out by a group of people/organizations who do not usually update their audience with the information and the legal progress of the Draft Law, the difference might even be greater.

3.2.1. The in-charge governmental agency

One of the most surprising findings of the research is that despite the majority of respondents claiming they have heard of the Draft Law before, only 35% of them knows accurately the governmental agency that is in charge of drafting the law at that time, which is the Ministry of Health – see Figure 15. A significant proportion of the respondents (46%) think that the Ministry of Justice is in charge of drafting the law. This finding is striking because it suggests that even though the term “Draft Law on Gender Affirmation” might be popular and even at some level ubiquitous among transgender community, the details of it might not be as well-known as it is expected to be. In other words, transgender people might have heard of the Draft Law but know only a little about it. Evidently, one of the most important pieces of information is the agency that is in charge of drafting the law. It is the institution that all of the advocacy activities have been aiming at in past years. As the community does not know to whom they should project their advocacy, this is a gap in knowledge that should be addressed.

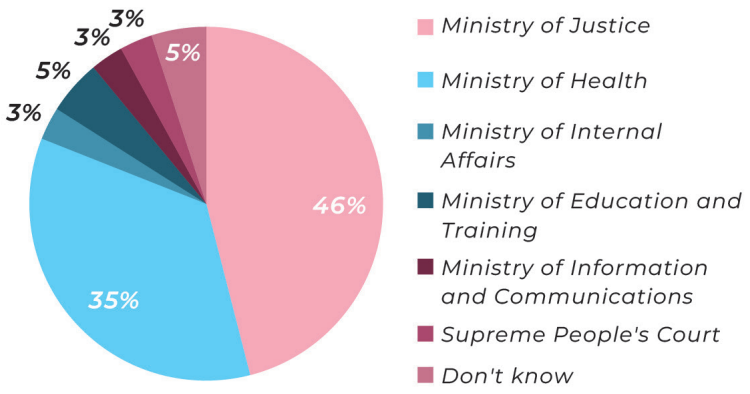


Figure 15: Which governmental agency is in charge of drafting the Draft Law? (n=803)

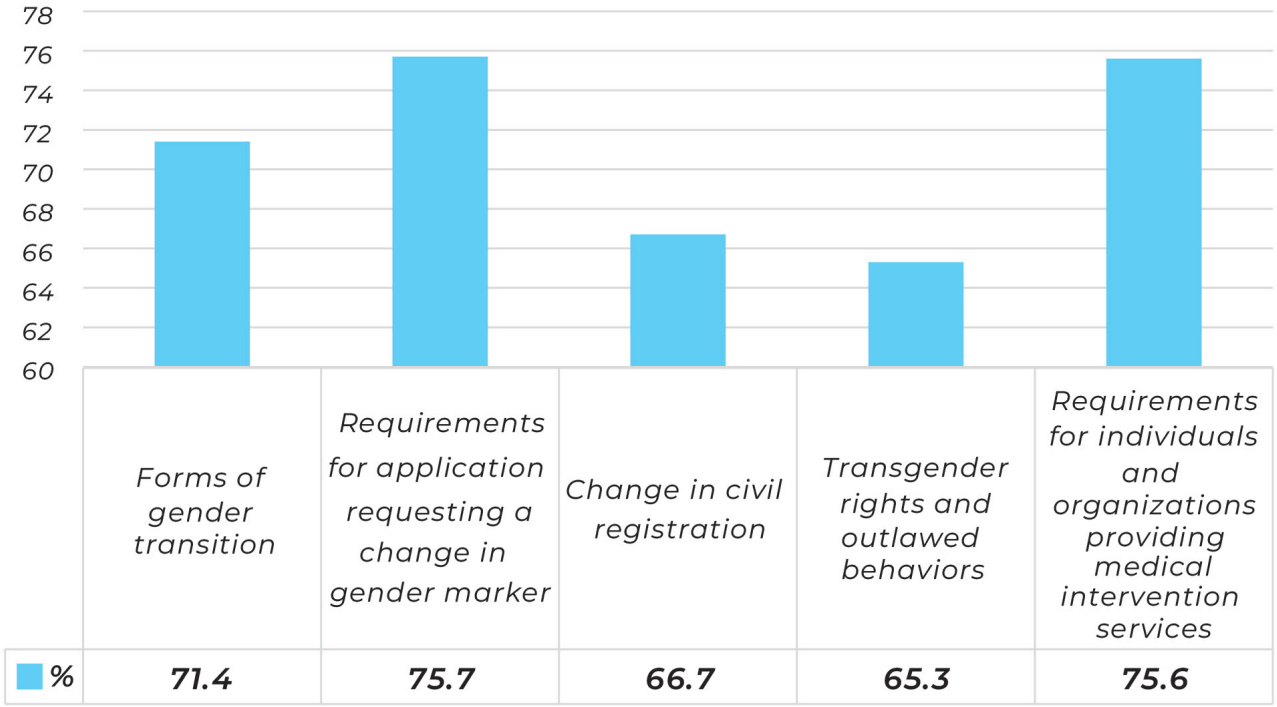
Furthermore, this finding might also imply the transgender community is not well aware of the degree of medicalization of the current Draft Law. Evidently, the majority of them think that this Draft Law is the responsibility of the Ministry of Justice, instead of the Ministry of Health. This indication will be further supported by additional findings below when respondents answer questions on the general contents of the current Draft Law.

When separating and looking at the group of respondents that have heard of the Draft Law before and whether they would have better knowledge of which governmental agency is in charge, the result is still striking. Out of 579 respondents that have heard of the Draft Law, 45.6% of them still think that the Ministry of Justice is the drafting committee, and 34.4% think that it is the Ministry of Health (please refer to Annex I for Figure 30). These percentages are consistent with the overall sample size of 803 respondents. In other words, having heard of the Draft Law beforehand does not guarantee to know who the drafting committee is.

3.2.2. The main content of the Draft Law

The current Draft Law provides regulations for the following matters: forms of gender transition, requirements for application to request a change in legal marker, the rights of transgender people and outlawed behaviors, and requirements for individuals and organizations providing medical intervention services which include HRT, GAS, and counseling. When being asked to select all aspects that the Draft Law prescribes, the majority of respondents think that it will regulate the rights to change the gender marker (75.7%), followed by requirements for individuals and organizations providing medical

intervention services (75.6%) and different forms of gender transitioning (71.4%) – see Figure 16. The change in civil registration is not within the legal scope of the Draft Law because all civil matters are regulated in the Civil Code as well as the Law on Civil Status.



	Forms of gender transition	Requirements for application requesting a change in gender marker	Change in civil registration	Transgender rights and outlawed behaviors	Requirements for individuals and organizations providing medical intervention services
%	**71.4**	**75.7**	**66.7**	**65.3**	**75.6**

Figure 16: Matters that the Draft Law regulates (n=803)

3.2.2. The main content of the Draft Law

The target beneficiary of the Draft Law is one of the most misunderstood pieces of information among transgender community. Over 80% of respondents from three gender identity subgroups think that all Vietnamese citizens who are transgender people are the beneficiaries – see Figure 17. In fact, the current Draft Law only regulates the rights of transgender people who are over 16, single, and wish to undergo medical transitioning. Only after undergoing medical transitioning, should an individual be legally recognized as a transgender person. It seems that within the transgender community, people have mistakenly believed that when the Draft Law is passed, all those that self-identify as transgender will benefit from it. The other striking discovery is that none of the respondents select the option 'single'. This is an essential requirement in the Draft Law for transgender people to have access to medical interventions.

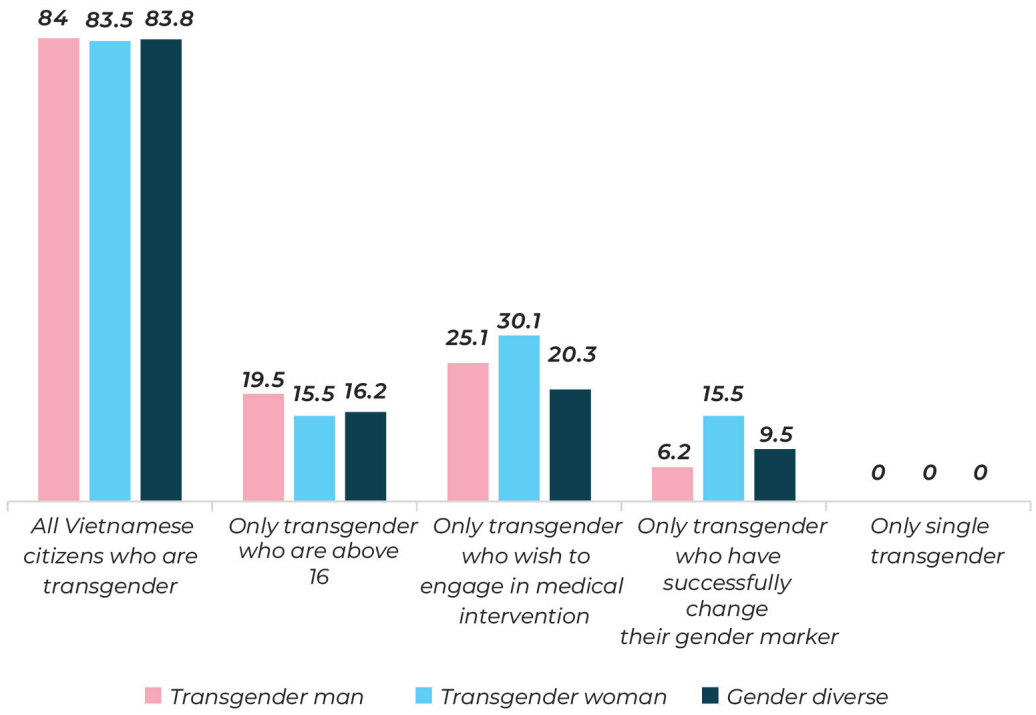


Figure 17: Beneficiaries of the Draft Law on Gender Affirmation - Disaggregated by gender identity (n=803)

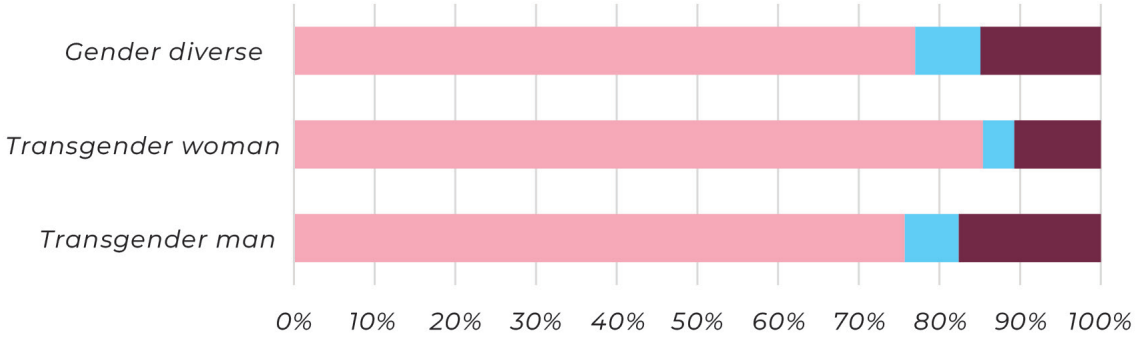
The gap in knowledge about the exact scope of contents and beneficiaries of the Draft Law might be a contributing factor to the lack of participation of transgender people in the advocacy process. In other words, they might think that the Draft Law will protect all of their rights when being passed, and there is no need for advocating for a change. This comes partly from the ineffective communication about the policies and laws of CBOs and state agencies in this movement. The communication is not yet inclusive when it does not reach diverse communities, especially those in regions with little participation in this study, such as rural and economic areas. Furthermore, the law-making process is not regularly updated, transgender people often only find an older draft version than the current time. Information about public consultations on the Draft Law is not usually made public on the Internet and is communicated only after it has ended. It is a fact that communication issues affect whether a person can see a clear roadmap for advocacy progress, which is one of the push and pull factors for policy advocacy participation that we will cover in the next section. Therefore, informing transgender community of specific articles and regulations within the Draft Law that are currently going against the universal human rights of transgender people would be the next step in effectively mobilizing for community engagement.

4. Push and pull factors for policy advocacy participation

This research hypothesizes that there are certain push factors shielding transgender people away from policy advocacy, and on the other hand, there are other pull factors that engage them in this process. The mission is to identify what are those pull and push factors and address them in a way that would eliminate the push factors and enhance the pull factors.

4.1. Willingness to participate in policy advocacy

The survey respondents have a high rate of wanting to be a part of the advocacy, with the highest proportion among transgender women at 85.4%, followed by gender-diverse with 77% and 75.7% among transgender men – see Figure 18. Overall, these are high percentages of willingness to participate in policy advocacy. The differences between these three subgroups, again, cannot be analyzed for statistical significance due to the relatively low numbers in the sample size of transgender women and gender-diverse groups.



	Transgender man	Transgender woman	Gender diverse
Yes, I want to	**75.7**	**85.4**	**77**
No, I don't want to	**6.7**	**3.9**	**8.1**
Don't know/Not sure	**17.6**	**10.7**	**14.9**

Figure 18. Willingness to participate in policy advocacy for the Draft Law on Gender Affirmation - Disaggregated by gender identity (n=803)

When examining whether being a member of LGBTIQA+ CBO would increase the willingness to participate in policy advocacy, the difference is significant. Members of LGBTIQA+ CBO are more willing to be involved in advocacy activities. Evidently, 79.9% of them said yes, compared to only 75.4% of non-members – see Figure 19.

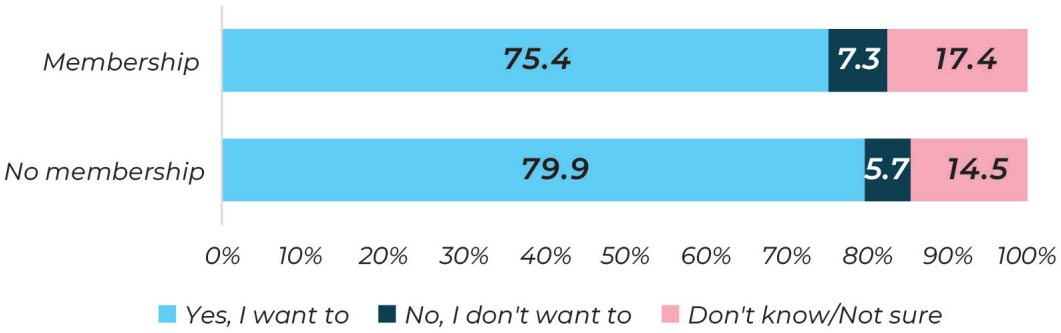


Figure 19: Willingness to participate in policy advocacy for the Draft Law on Gender Affirmation, disaggregated by LGBTIQ+ CBO membership (n=803)

Age is also a determining factor affecting the willingness to be involved in policy advocacy. Respondents within the age range of 18-35 have the highest percentage of saying yes to participate (77%), while this proportion decreases as moving to older age groups, 64.3% among age 36-50 and 50% among people over 50 – see Figure 20. Nonetheless, since the majority of the respondents belong to the age group of 18-35 (90.9%), the sample size of the other age groups is too small to draw any meaningful comparison.

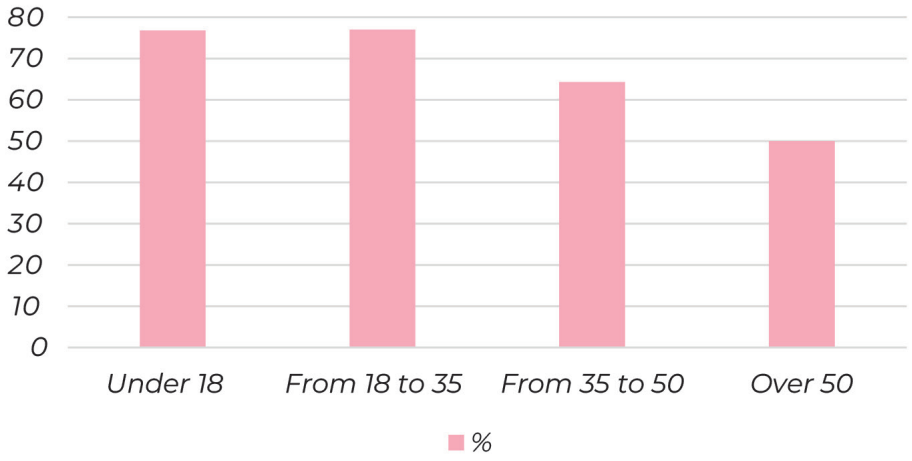


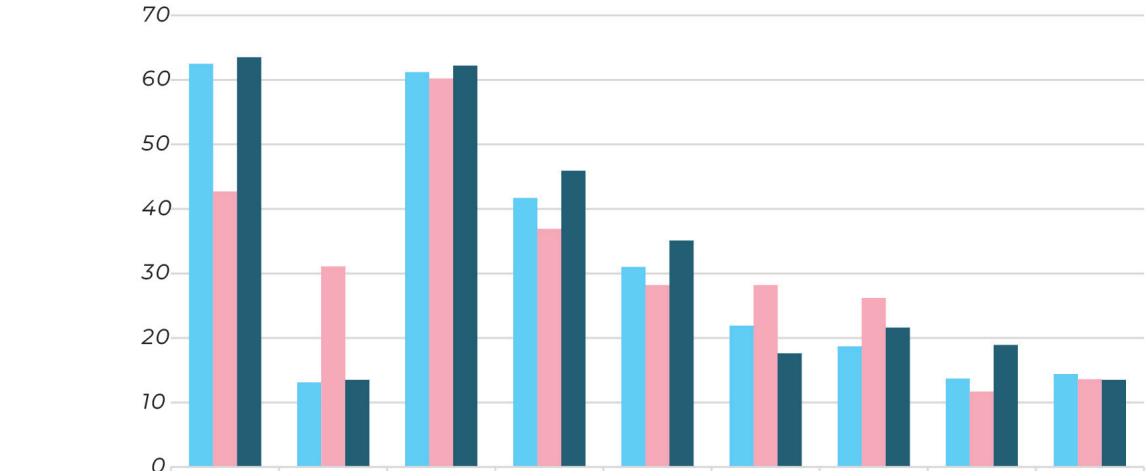
Figure 20: Percentage of respondents expressed willingness to participate in policy advocacy for the Draft Law on Gender Affirmation, disaggregated by age (n=803)

In general, the portion of survey participants willing to participate in policy advocacy is relatively high and overweighs the rate of responses in the opposite direction. In addition, it can be seen that the proportion of people agreeing to participate in policy advocacy decreases gradually with age. This can be explained by the fact that, when the Draft Law is passed, people between the ages of 35 and 50 and over 50 might think that the other two groups might receive more

impacts than them. Given the fact that when a law/code is promulgated, the cycle for that law/code to be continuously revised and amended to suit social reality is 5-10 years. If the draft Law is passed soon, it might help age groups with a lower rate of willingness to have more faith and thereby increase their willingness to participate in policy advocacy.

4.2. Pull factors for advocacy participation

When looking at the push and pull factors that affect the participation of transgender people in advocacy activities, three factors stand out, which are confidentiality of personal information, being able to see a clear roadmap of advocacy progress, and having spare time – see Figure 21. Even though these are the top three factors, their priority differs among gender identity subgroups. Being able to see a clear roadmap for advocacy progress is the factor that all three subgroups agree on without much proportional differences. On the other hand, confidentiality is an essential factor to consider. While transgender men and gender-diverse respondents highly prioritize this, with over 60% of respondents of each group, transgender women seem to care much less about this, only at 42.7%. This would be an interesting topic for future qualitative research to further explore this outstanding difference among transgender woman population.



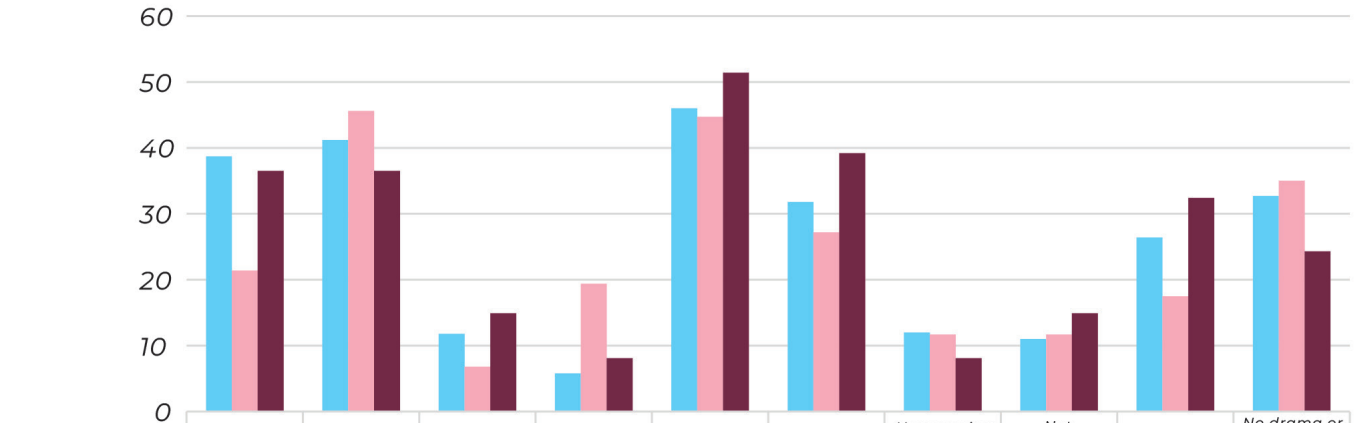
	Confidentiality	Financial support	Clear roadmap of advocacy	Spare time	Good economic conditions	Meeting influentials in the movement	Opportunities for capacity building	Good health conditions	No drama or conflicts between individuals /organizations
Transgender man	62.5	13.1	61.2	41.7	31	21.9	18.7	13.7	14.4
Transgender woman	42.7	31.1	60.2	36.9	28.2	28.2	26.2	11.7	13.6
Gender diverse	63.5	13.5	62.2	45.9	35.1	17.6	21.6	18.9	13.5

Figure 21: Pull factors for advocacy participation, disaggregated by gender identity (n=803)

4.3. Push factors for advocacy participation

When looking at the push factors for advocacy participation, it is somewhat consistent with the pull factors. The top three factors are not having spare time, not seeing a clear roadmap of advocacy, and concerns about private information confidentiality and security being compromised. Not having spare time has risen to the most popular push factor with 51.4% gender diverse, 46% transgender men, and 44.7% transgender women – see Figure 22. All three subgroups are concerned with whether there is a clear roadmap for advocacy being laid out.

Confidentiality was a top pull factor, but in the list of push factors, it has dropped to third rank. Again, staying consistent with the result from the list of pull factors, transgender women are much less concerned about confidentiality being compromised, only 21.4%, compared to 36.5% among gender diverse and 38.7% among transgender man groups. Other notable push factors are poor economic conditions, health issues, and seeing conflicts/drama between individuals/organizations in the movement.



	Compromised confidentiality	No clear road map	Risk of outing to friends, family members	No financial support	No spare time	Poor economic conditions	Not meeting influential figures in the movement	Not opportunities for capacity building	Health issues	No drama or conflicts between individuals /organizations
Transgender man	38.7	41.2	11.8	5.8	46	31.8	12	11	26.4	32.7
Transgender woman	21.4	45.6	6.8	19.4	44.7	27.2	11.7	11.7	17.5	35
Gender diverse	36.5	36.5	14.9	8.1	51.4	39.2	8.1	14.9	32.4	24.3

Figure 22. Pull factors for advocacy participation, disaggregated by gender identity (n=803)

E. CONCLUSION AND RECOMMENDATION

1. Conclusion

From the demographic traits, it can be said that the research has aimed at the reasonable subjects, who can be considered as the most affected as well as beneficial from the draft law, due to the temporal-procedural character of the law-making process, which means the time lapse for the advocacy to be actuated might take more than a couple of years. Most respondents are equipped with a standard education (high school graduates and above), and the majority of them live in Vietnam, which infers that they are Vietnamese citizens and are directly governed by the prevailing law.

Participants who are currently single are more likely to join the advocacy process and 75% of the total are currently not members of any CBO; therefore it can be concluded that their opinions might be objective and not influenced or directed by any of the CBO.

Most respondents are very willing to participate in the advocacy process, but the number of them claiming to have joined the voting process is not high (not over 50%). The fact that they might not know how to voice up via official channels such as the voting process might explain why there has been some argument that the draft law is not receiving enough public and official attention. This also implies that more public communication on the draft law as well as training/coaching/sharing knowledge and propaganda on such basic citizenship rights should be made to avoid this.

Research has also shown that members of LGBTIQA+ CBO are more willing to be involved in advocacy activities, which can be inferred that those CBOs might wish to enhance their public communication with a view to better access transgender people and encourage them to join the advocate. Besides, the confidentiality of personal information, being able to see a clear roadmap of advocacy progress, and having spare time (organized in the decreasing level of pulling effect) have proven to be the most popular pull factors for advocacy inclusion.

Nearly 100% of the respondents choose “being able to see a clear roadmap of the law” as their reason for their decision to join the advocacy process or vice versa. As a normal practice, the progress of developing law often takes about at least 5-10 years, which is a long-term journey for both lawmakers as well as the beneficiary. Meanwhile, the term for the Vietnam National Assembly to turn over is 5 years and each year the Assembly assembled twice. This might infer that the draft law obtains certain possibilities of being brought into discussion for further development annually but its proposing time should also be limited and more radical actions should be made upon this in order to enable the public to see a clear roadmap of the law.

About 70% of the respondents were aware of Article 37 and the Draft law, and they mostly agree that the law should regulate terms and conditions regarding transgender marriage, cohabitation, and medical check-ups, but only half of them actually know the in-charge authority, which at the time of the survey was the Ministry of Health and it has now transferred the project to Delegate Nguyen Anh Tri as aforementioned.

2. Recommendations

The recommendations below are specific for the future implementation of projects and activities of IT'S T TIME and other community-based organizations as well as state agencies that aim to better mobilize participation and support from the transgender community for the policy advocacy process of the Draft Law.

2.1. Encourage transgender people to engage in CSOs and state agencies directly involved in the Draft Law

For the purpose of developing the Draft Law, it is more effective to recruit transgender people as members of state agencies directly involved in the Draft Law or CBOs, specifically transgender-led organizations that are advocating for the Draft Law. Working in these state agencies will help transgender people stay up to date with the latest information from the law-making process, thereby having a more direct way to advocate for the policy than individuals not in the public sector.

On the other hand, being a member of a CBO will likely increase the chances that transgender will have more interest and knowledge of the Draft Law because CBOs tend to involve in the advocacy process, such as giving feedback for the Draft Law in the consultation workshops, facilitating online campaigns to raise awareness, organizing events to share information and update the community on the law-making progress, etc. Thus, transgender people in those CBOs will be a more valuable contributor when they have enough knowledge about the legal problems of transgender community as well as chances to express their opinions to influential figures in the movement. Even if they don't work in CBO related to transgender people or the Draft Law, networks of CBOs can still help them to be aware of the progress of the law.

2.2. Promote inclusivity in informing transgender community of the law-making process

The general awareness and knowledge of the current legal framework that directly affects transgender individuals are not well-known in the community. This problem may stem from the fact that the typical topics in closed groups of LGBTIQA+ community are mainly about sharing their life and discussions about the Draft Law are rarely raised. Prior to mobilizing them for advocacy activities, it is crucial to inform the community of the pre-existing legal document concerning their rights, and lack thereof. On the other hand, it is recommended that we should inform them of some specific controversial points that IT'S T TIME and other CBOs are advocating for a change. This will raise awareness among transgender people of the need to participate in policy advocacy when their rights are at risk of being restricted by future legislation. This is especially important since the majority of transgender respondents have stated they want to see a clear roadmap of advocacy and that this is one of the top deciding factors.

It is recommended that the government and CBOs should have open, transparent discussions and keep each other updated about the law-making process because CBOs are a group that is closely connected and has a lot of experience in working with the transgender community.

Furthermore, information should flow from the activist's inner circle out to the community and keep them updated on the overall progress. Therefore, it is necessary to take measures to connect activists and the community, significantly under-represented groups such as transgender women, transgender people who are married or have children, older transgender people, etc. Moreover, legal issues in the Draft Law are often considered unfamiliar and arid, not attracting much attention from a number of transgender people in case they have no legal background. Diversifying the ways in which knowledge is transmitted should also be considered in order to reach out to as many different groups in the transgender community as possible.

2.3. Promote inclusivity in mobilizing transgender community for advocacy activities

It is more effective to mobilize subgroups in the transgender community to speak up and give feedback on the Draft Law because their diversity of perspectives will be a valuable reference source for lawmakers. However, it is necessary to ensure consistency in the statements and advocacy of CBOs when working with transgender people as well as the Draft Law. It is a fact that the consensus among CBOs will strengthen the relationship between them when they all share a common vision that aims for the common interests of the community. Moreover, this will emphasize the general opinion of the community on the Draft Law, thereby partly influencing the decisions of lawmakers in the event of a controversial policy.

In order to support transgender people in the process of participating in policy advocacy, it is necessary to plan for capacity building, training for the community on policy analysis, or necessary soft skills when contacting journalists, media and press, etc. This policy advocacy process also needs to ensure the confidentiality of personal information so that the community is safer when present and contributing to the Draft Law. CBOs are recommended to act as a bridge between the transgender, gender-diverse community, and lawmakers in this process, such as updating timely information whenever there is an opportunity for the community to participate in policy advocacy, collecting and synthesizing their opinions to send to lawmakers, etc.

2.4. Encourage the development of local CBOs, especially transgender-led organizations

In various localities, especially in rural and mountainous areas, transgender and gender-diverse people have not been present and connected to the community as well as CBOs who are advocating for the Draft Law. Therefore, most of them tend not to have access to information about the Draft Law or participate in policy advocacy. The first step should be to encourage the development of local CBOs, especially transgender-led organizations. CBOs in urban and central areas should support local CBOs in the process of working with the transgender community, such as consulting on planning, organizing community activities, training on gender knowledge and policies, necessary skills when working with government agencies, sharing experience in maintaining the organization, etc. This will help build capacity and empower local communities, and at the same time, help expand the community network to serve communication, research, and policy advocacy purposes.

2.5. Recommendation for future research

Future research should examine the qualitative aspect of some of the issues that have been raised here in this research, such as differences in priorities among different groups of gender identity when it comes to the pull and push factors that affect participation. It is highly recommended to collect additional responses from under-represented groups such as transgender women, gender-diverse people, and transgender people living in rural and mountainous areas in order to have a more comprehensive set of data, and the differences between these groups can be examined for statistical significance. For researchers who might find interest to study further on the push and pull factors, we suggest the trans' economic condition should be more focused on: whether transgender with better living and working conditions might pay more attention to policy advocacy and in which areas

.

For future replication of this online survey, if any, we would wish to have more respondents who are married and parents. This would allow a more comprehensive analysis of the characteristics of this subgroup of transgender people and whether they have any distinctive differences from the other subgroups.

F. AFTERWORDS

Advocating for the Draft Law on Gender Affirmation is not only the responsibility of lawmakers, activists but it is an opportunity for the transgender and diverse gender community to participate in the movement and advocate for the rights that they deserve.

The study reflected the diverse aspects of the participation of transgender community in the policy advocacy process for the Draft Law on Gender affirmation in Vietnam. The research team hopes that the study will become a foundation to promote the participation of transgender people in the policy advocacy process for the Draft LawTherefore, the Draft Law can be promptly passed, expressing the wishes and desires of the community and respecting the right to self-determination over the body of transgender people. The study will also serve as a reference for other experts and scientific researchers with an interest in this topic.

ANNEX I: FIGURES

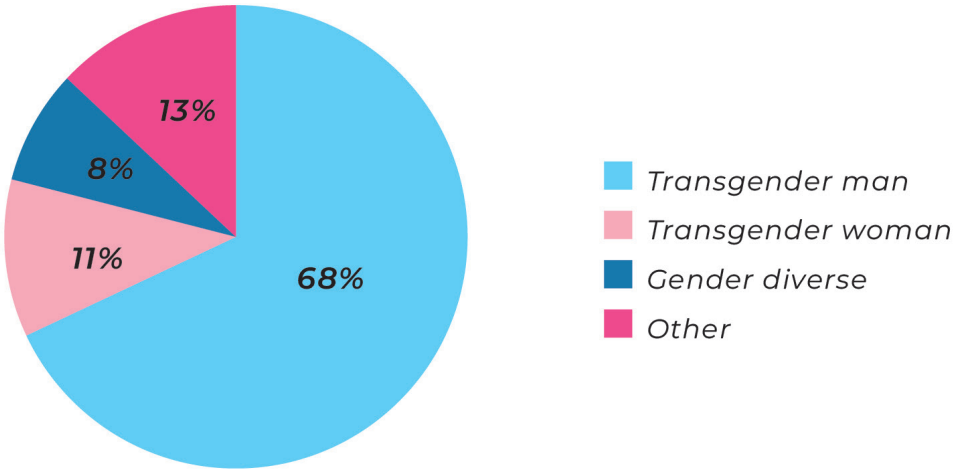


Figure 1: Gender Identity of the sample size (n=918)

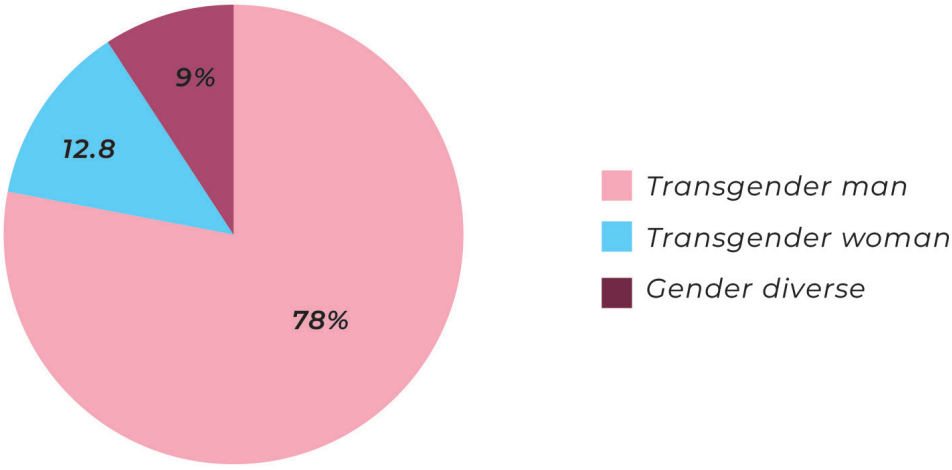


Figure 2: Gender Identity (n=803)

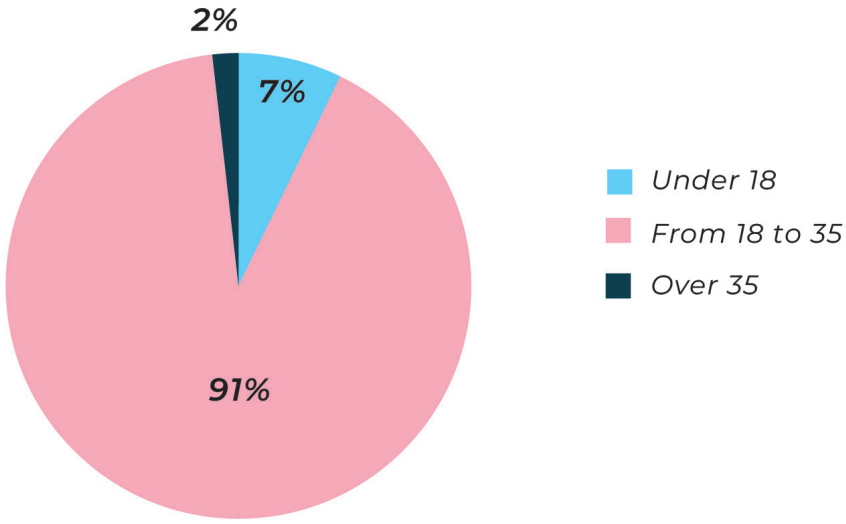


Figure 3: Age range (n=803)

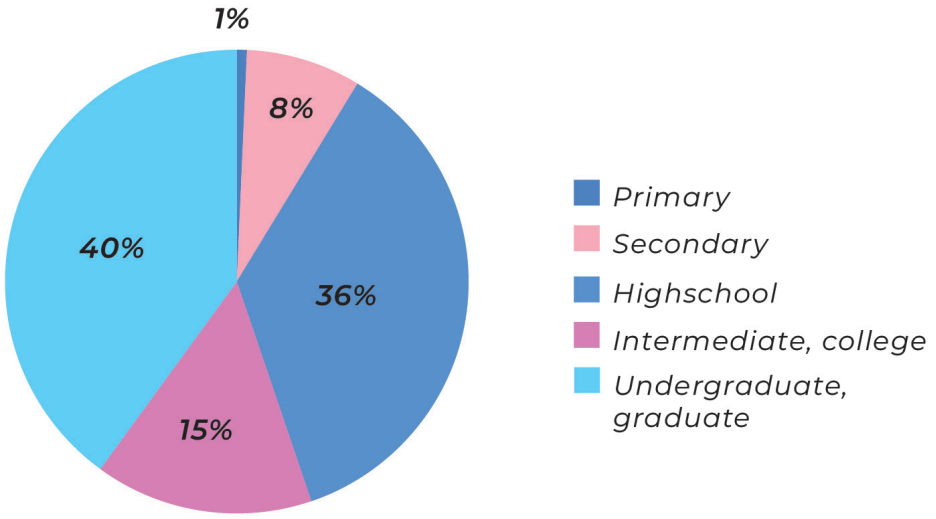


Figure 4: Educational level (n=803)

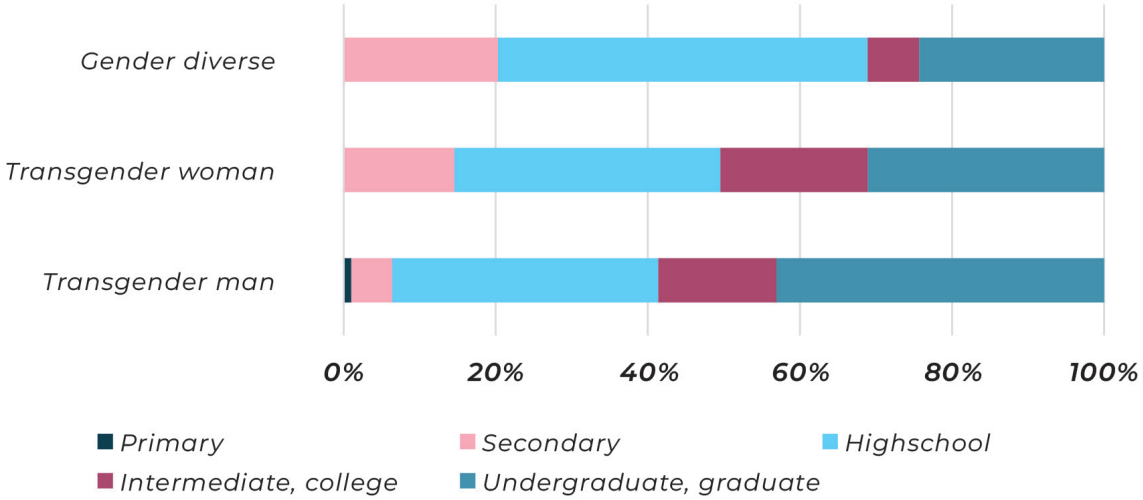


Figure 5: Educational level, disaggregated by gender identity (n=803)

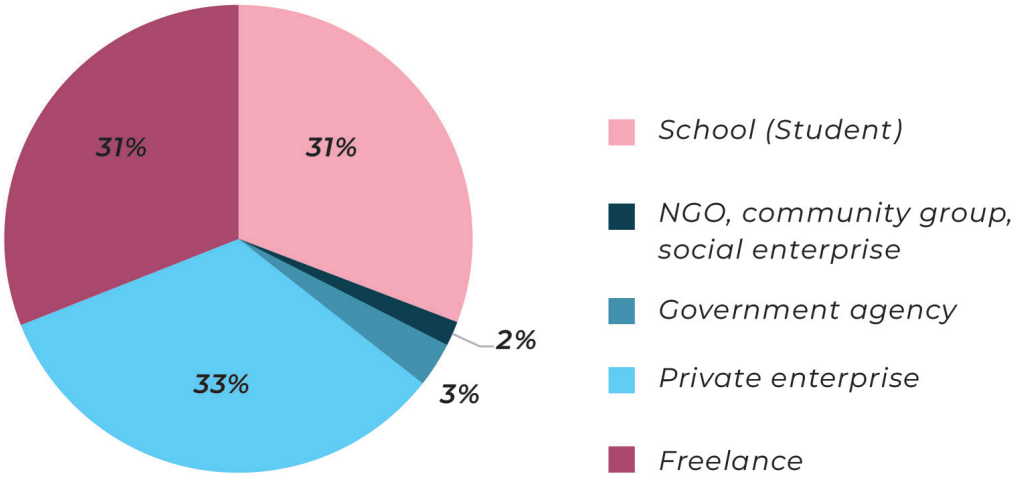


Figure 6: Workplace (n=803)

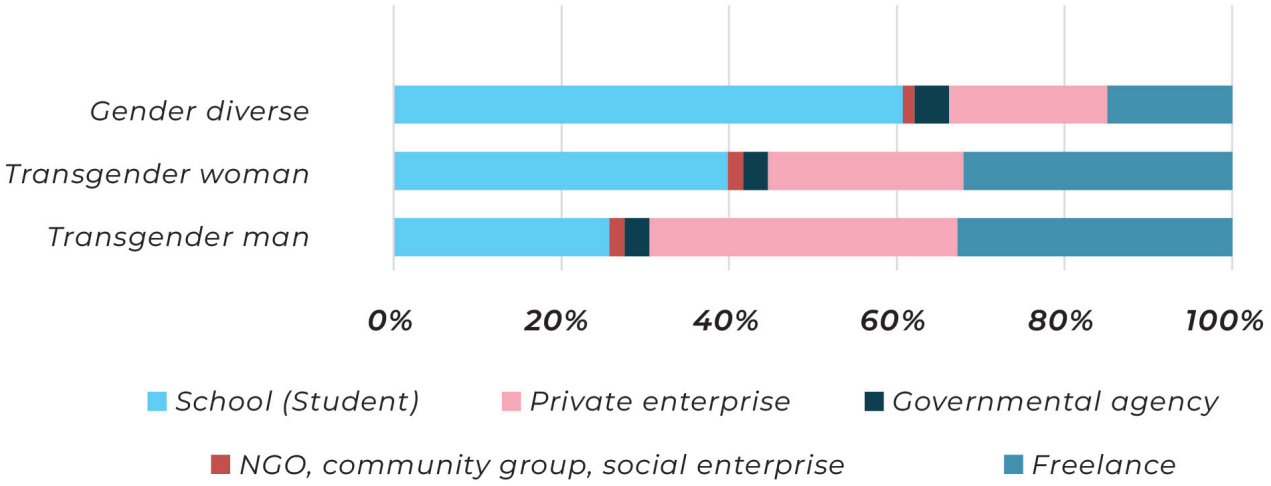


Figure 7: Workplace, disaggregated by gender identity (n=803)

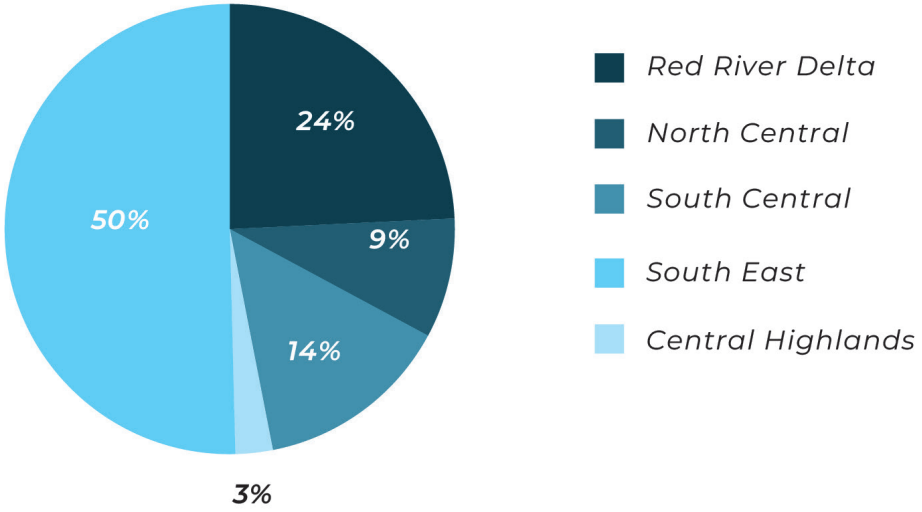


Figure 8: Regional locations within Vietnam (n=803)

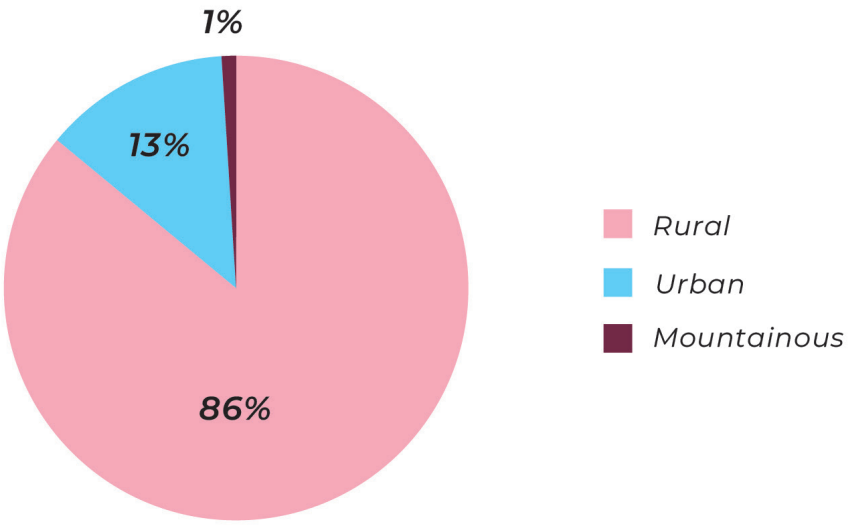


Figure 9: Place of residence (n=803)

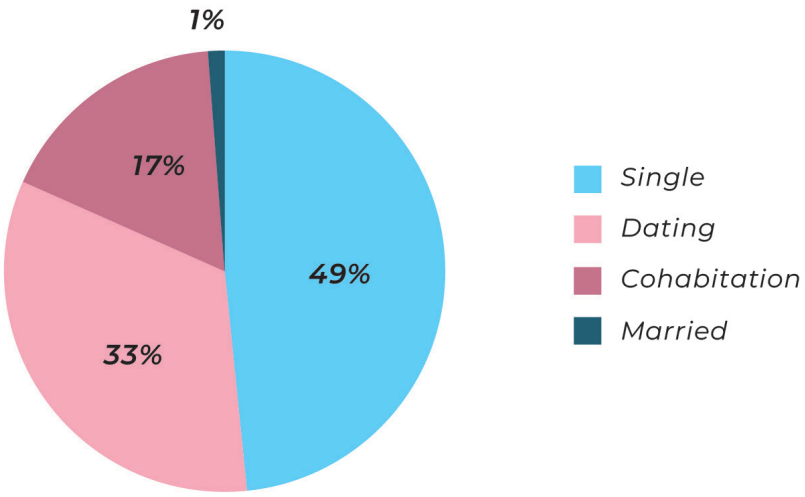


Figure 10: Relationship status (n=803)

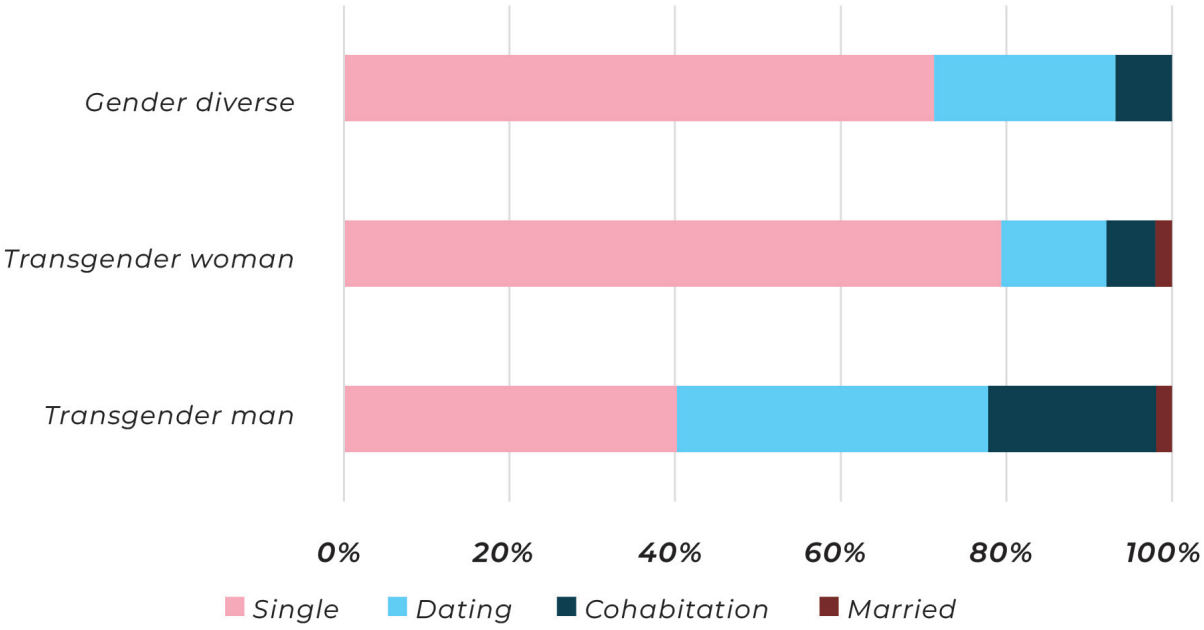


Figure 11: Relationship status, disaggregated by gender identity (n=803)

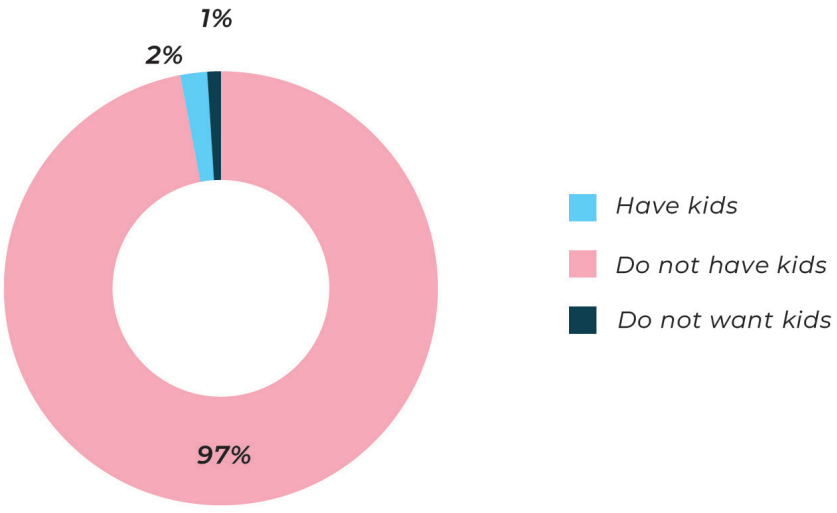


Figure 12: Having children status (n=803)

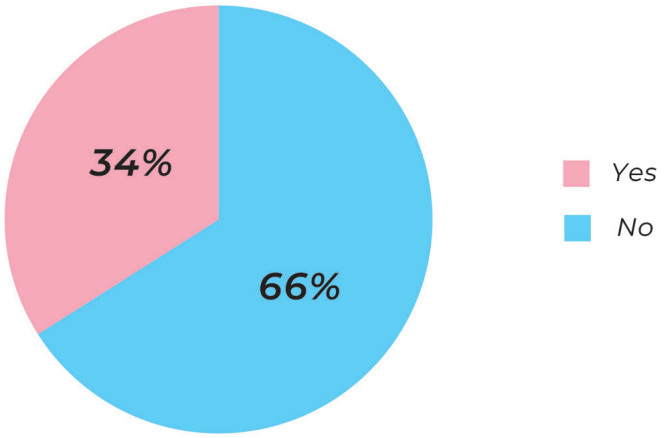


Figure 13: LGBTQI+ CBO membership (n=803)

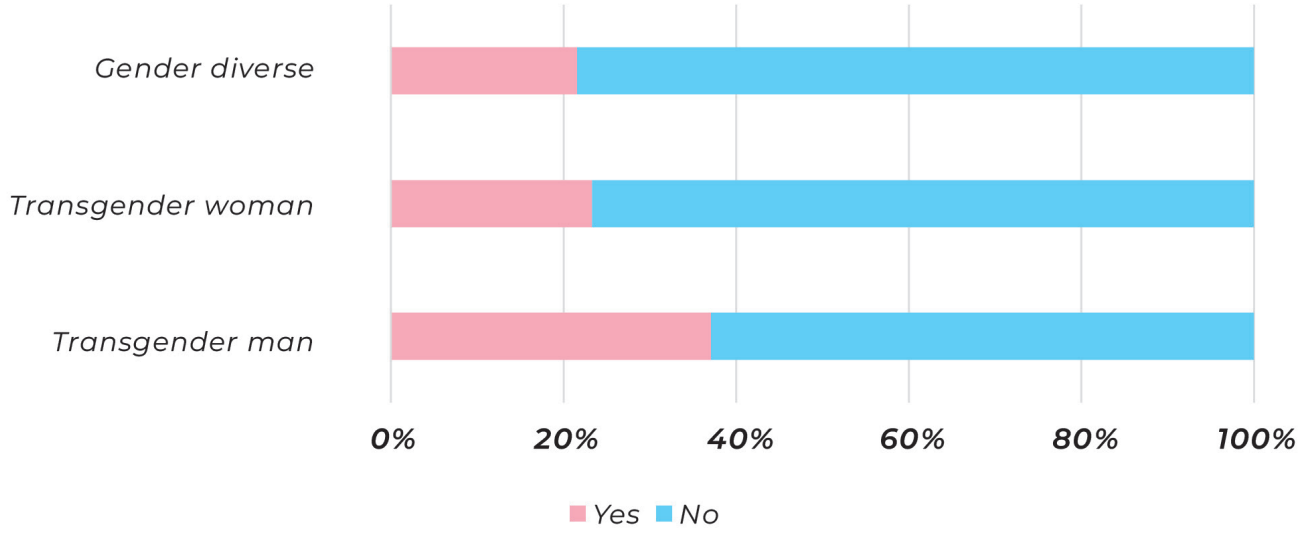


Figure 14: LGBTQI+ CBO membership, disaggregated by gender identity (n=803)

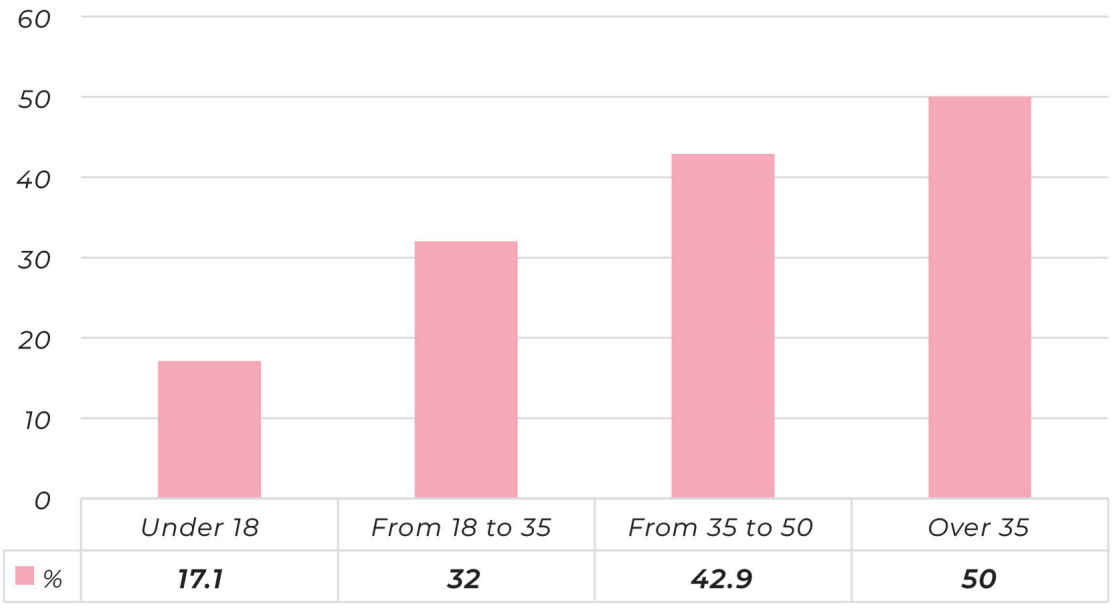


Figure 15: LGBTQI+ CBO membership, disaggregated by age (n=803)

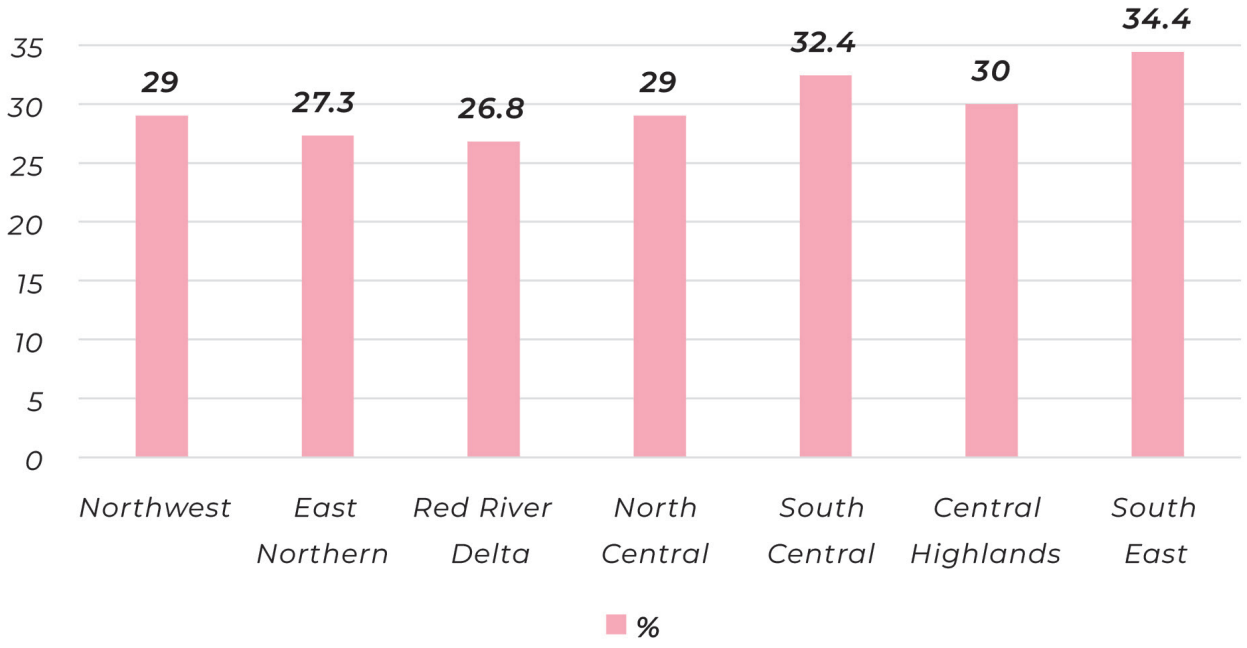


Figure 16: LGBTQI+ CBO membership, disaggregated by regional locations (n=803)

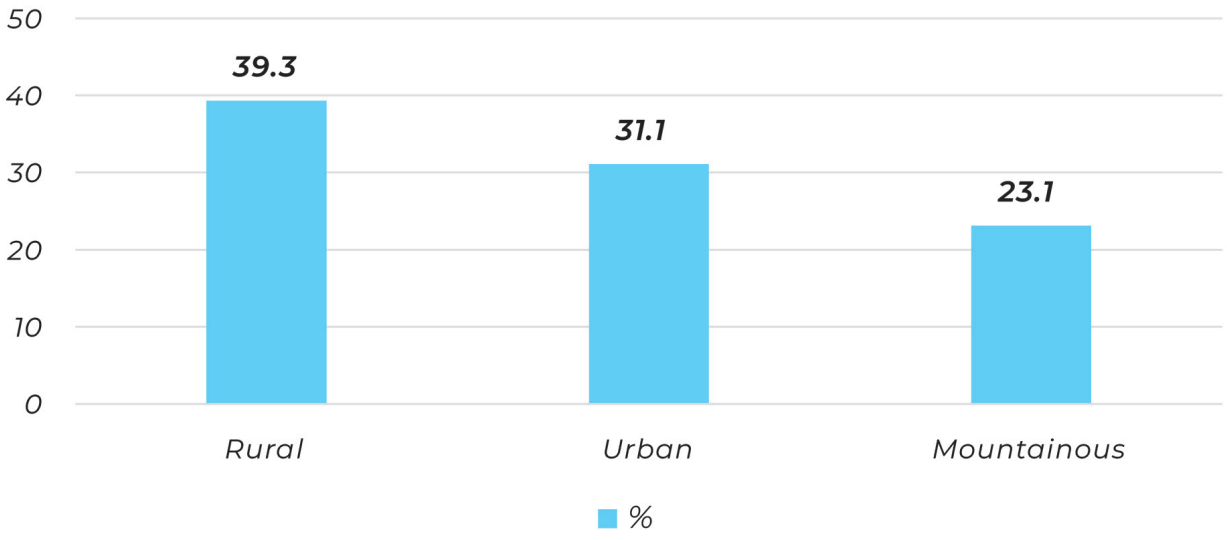


Figure 17: LGBTQI+ CBO membership, disaggregated by places of residence (n=803)

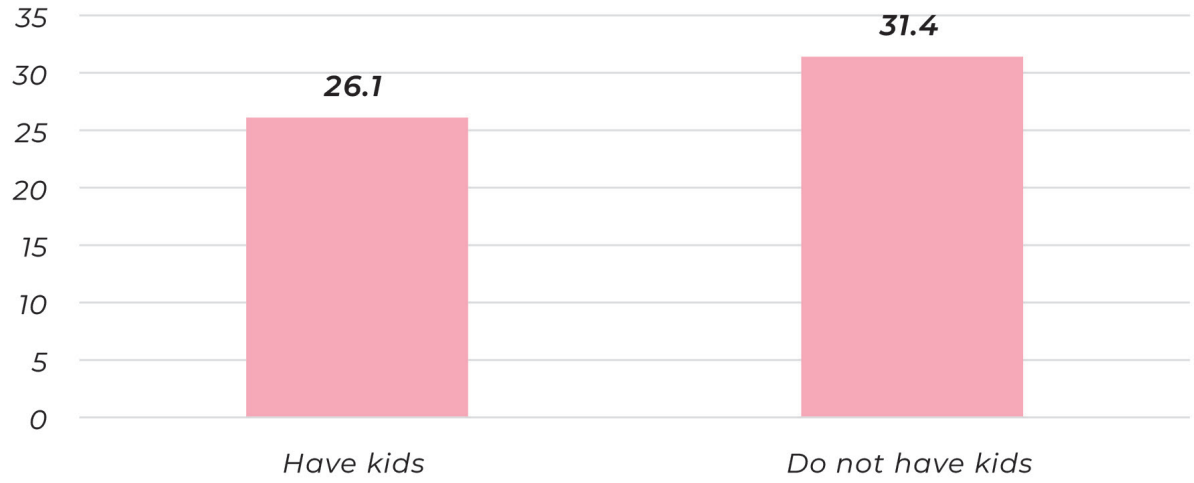


Figure 18: LGBTQI+ CBO membership, disaggregated having children status(n=803)

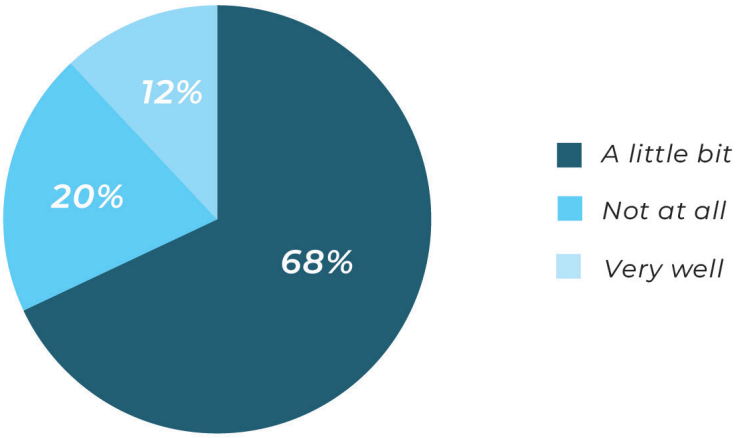


Figure 19: Knowledge of the content of Article 37, Civil Code (2015) (n=803)

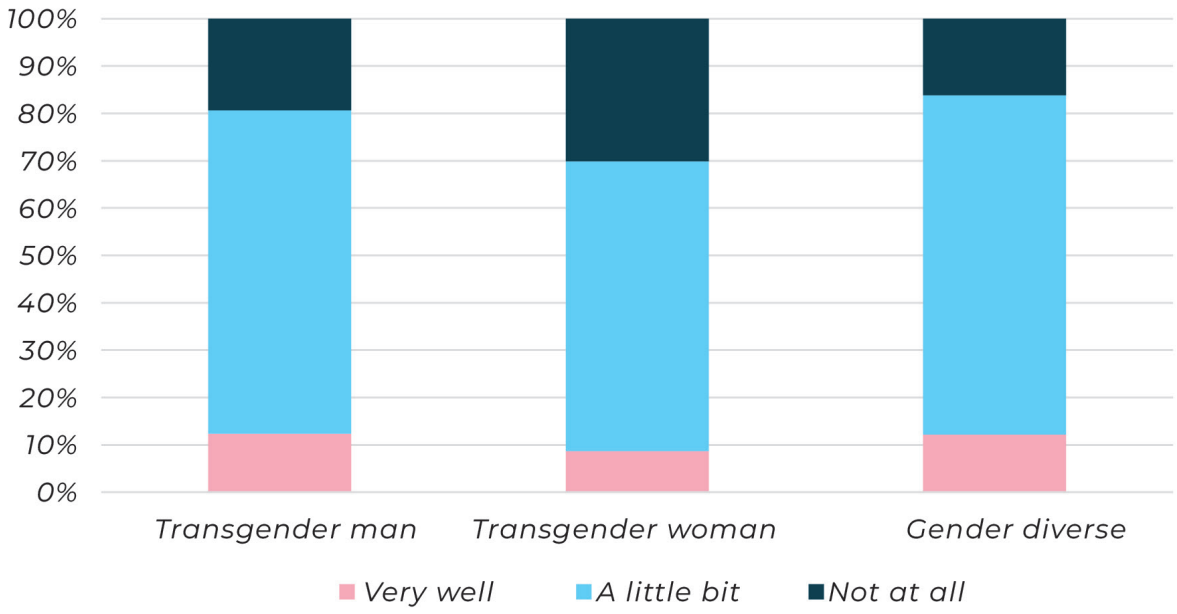


Figure 20 Knowledge of the content of Article 37, Civil Code (2015) disaggregated by gender identity (n=803)

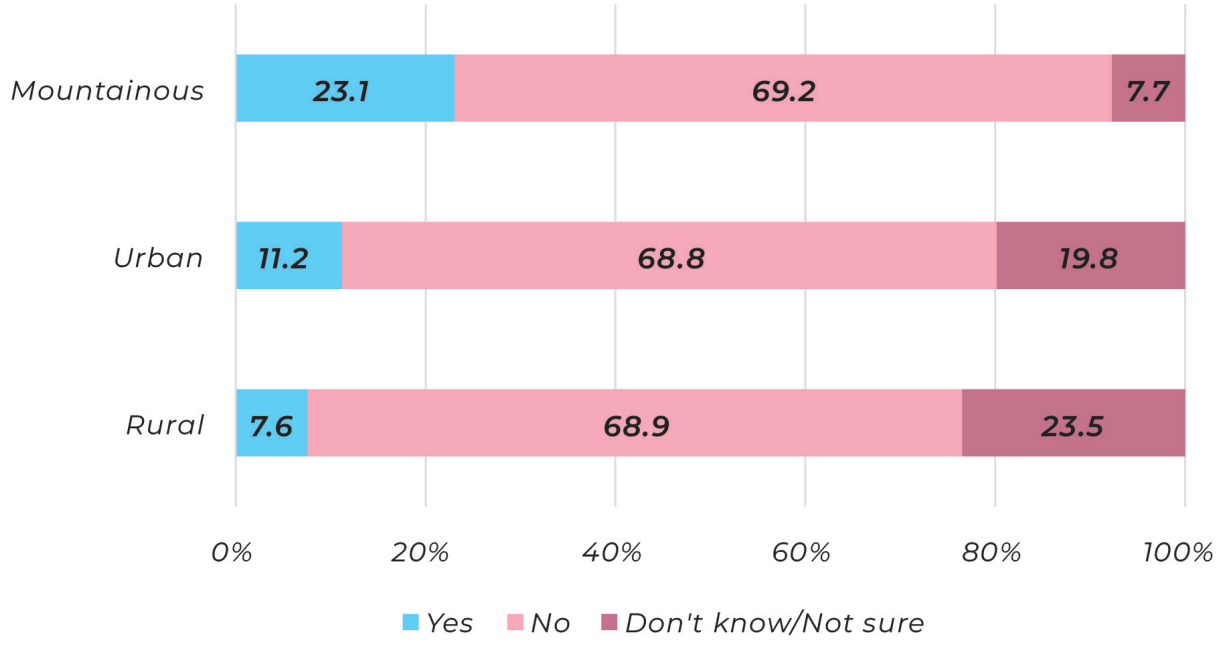


Figure 21: Knowledge of the content of Article 37, Civil Code (2015) disaggregated by place of residence (n=803)

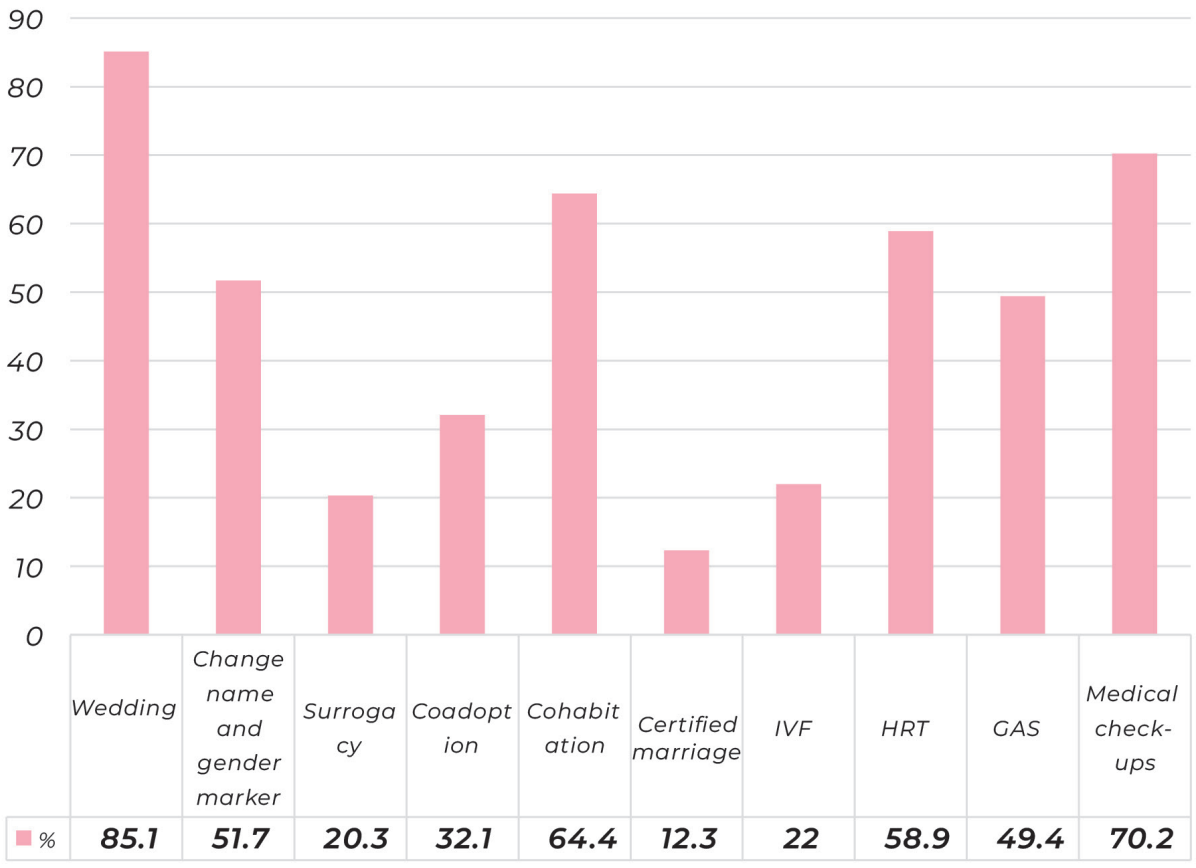
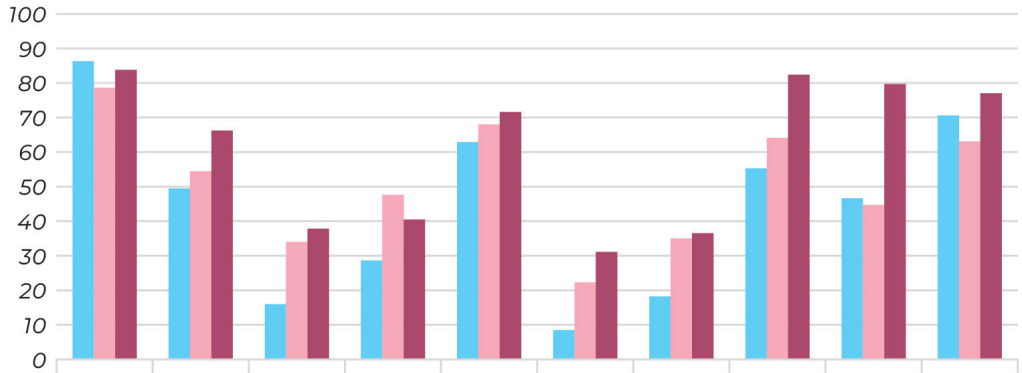


Figure 22: Activities that are considered legal for transgender to engage in (n=803)



	Wedding	Change name and gender marker	Surrogacy	Coadoption	Cohabitation	Certified marriage	IVF	HRT	GAS	Medical check-ups
Transgender man	86.3	49.5	16	28.6	62.9	8.5	18.2	55.3	46.6	70.6
Transgender woman	78.6	54.4	34	47.6	68	22.3	35	64.1	44.7	63.1
Gender diverse	83.8	66.2	37.8	40.5	71.6	31.1	36.5	82.4	79.7	77

Figure 23: Activities that are considered legal for transgender to engage in, disaggregated by gender identity (n=803)

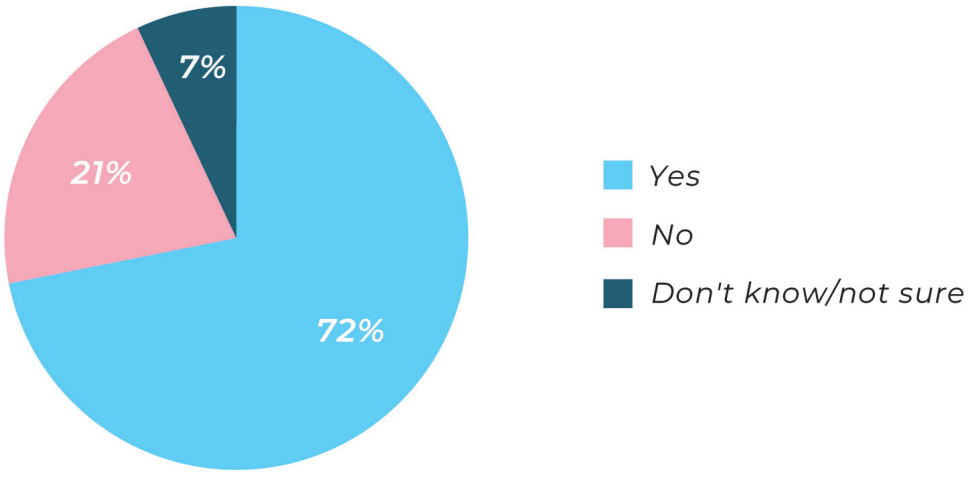
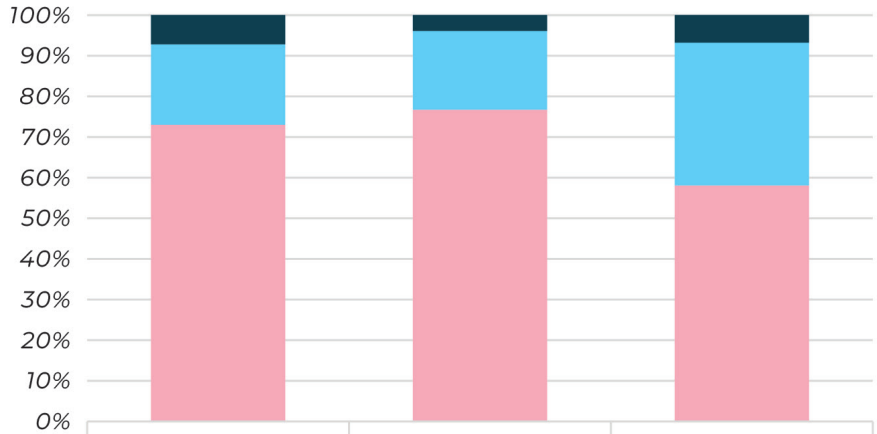


Figure 24: Have heard of the Draft Law (n=803)



	Transgender man	Transgender woman	Gender diverse
Don't know/Not sure	7.2	3.9	6.8
No	19.8	19.4	35.1
Yes	73	76.7	58.1

Figure 25: Have heard of the Draft Law, disaggregated by gender identity (n=803)

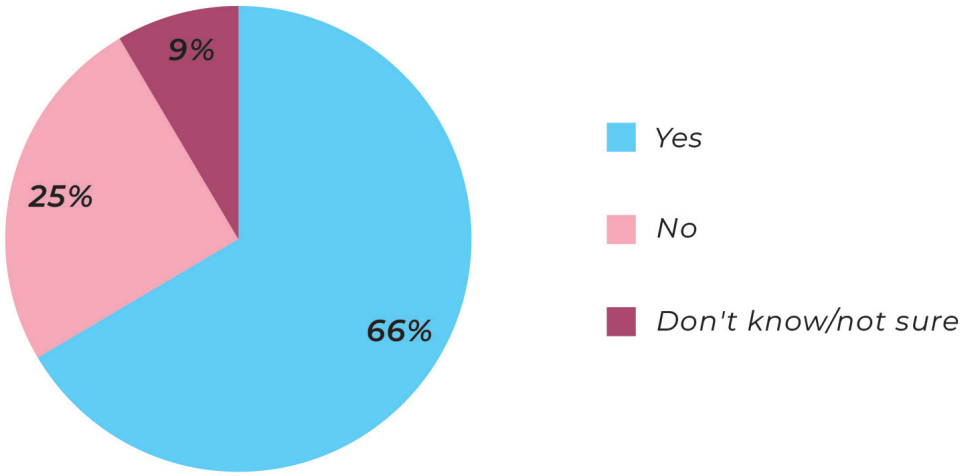
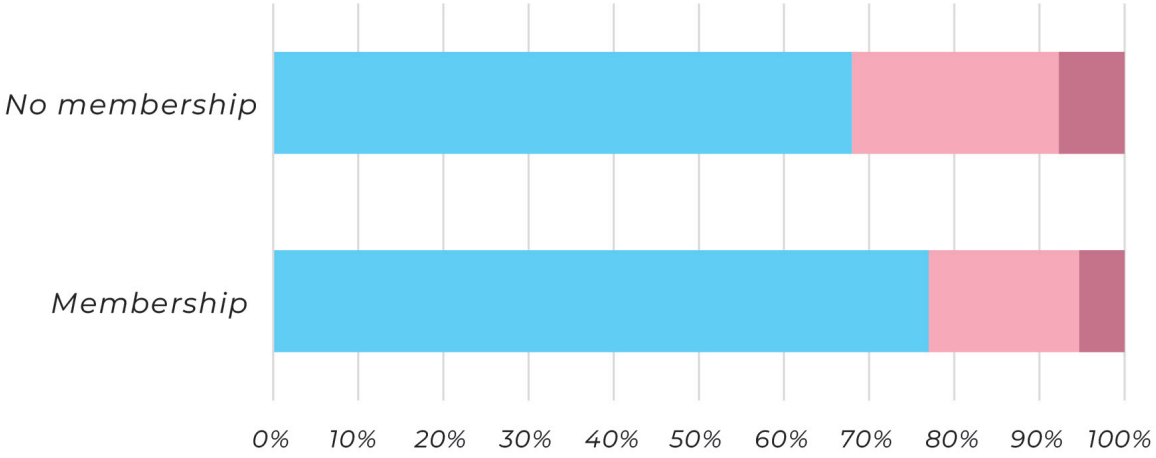


Figure 26: Have heard of the Draft Law ,disaggregated by knowledge of the content of Article 37, Civil Code (2015) (n=803)



	Membership	No membership
Yes	77	68
No	17.7	24.3
Don't sure/Not sure	5.3	7.7

Figure 27: LGBTQI+ CBO membership and having heard of the Draft Law (n=803)

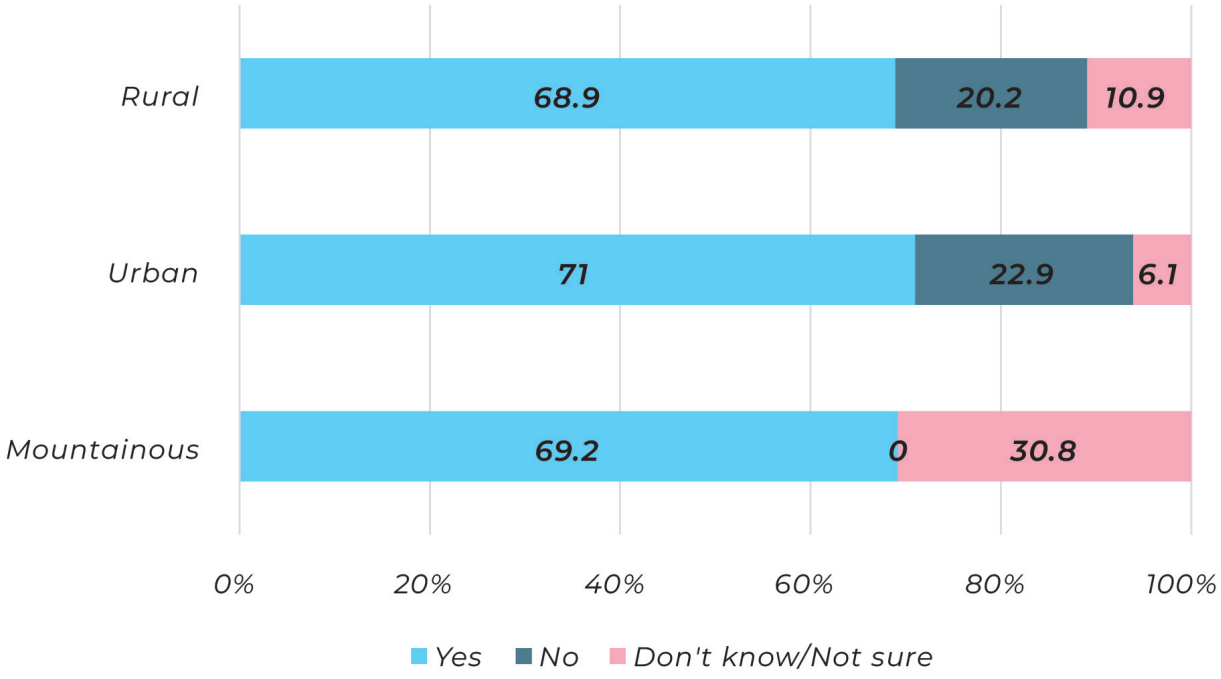


Figure 28: Have heard of the Draft Law, disaggregated by place of residence (n=803)

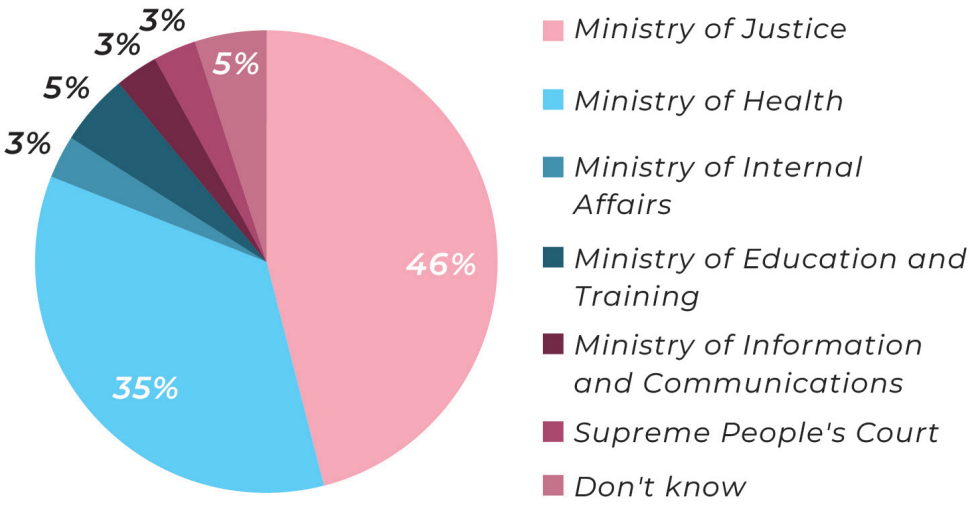


Figure 29: Which governmental agency is in charge of drafting the Draft Law? (n=803)

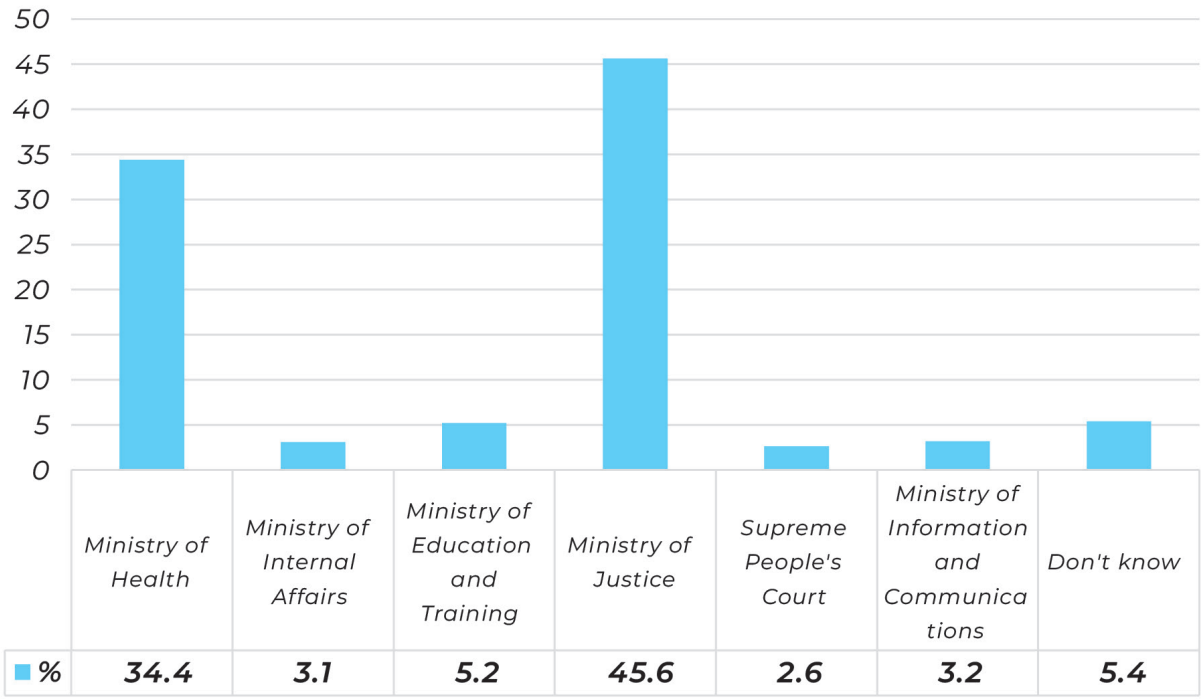


Figure 30: Which governmental agency is in charge of drafting the Draft Law disaggregated by respondents who have heard of the Draft Law (n=579)

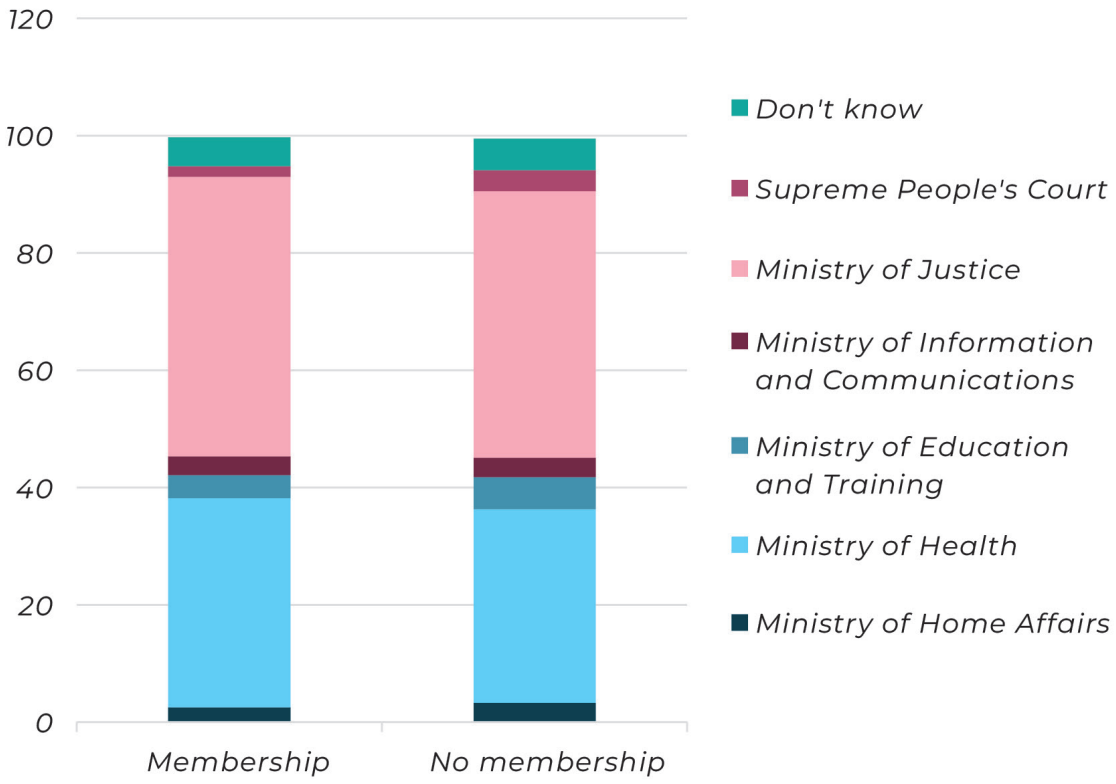
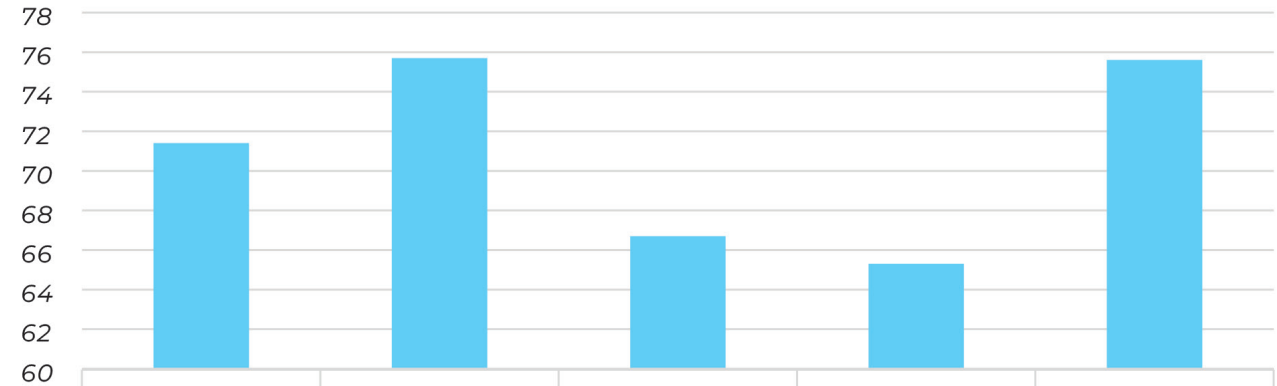


Figure 31: Which governmental agency is in charge of drafting the Draft Law disaggregated by LGBTQI+ CBO membership (n=803)



	Forms of gender transition	Requirements for application requesting a change in gender marker	Change in civil registration	Transgender rights and outlawed behaviors	Requirements for individuals and organizations providing medical intervention services
%	**71.4**	**75.7**	**66.7**	**65.3**	**75.6**

Figure 32: Matters that the Draft Law regulates (n=803)

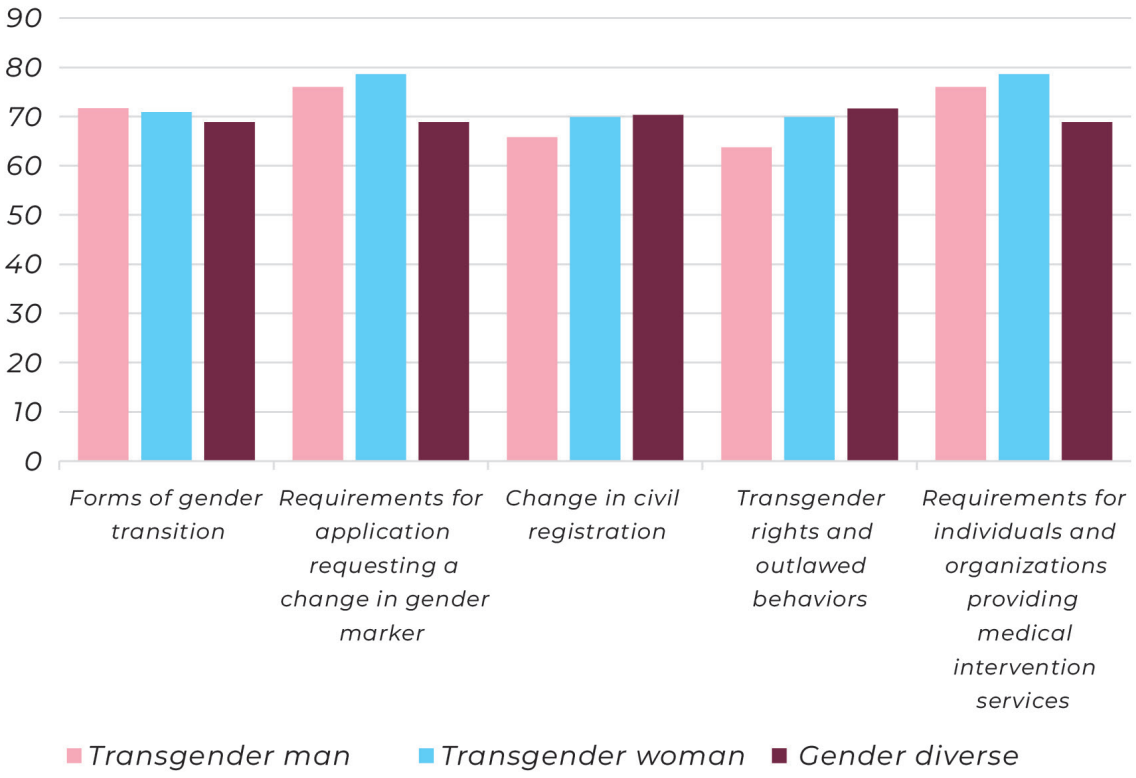


Figure 33: Matters that the Draft Law regulate, disaggregatedby gender identity(n=803)

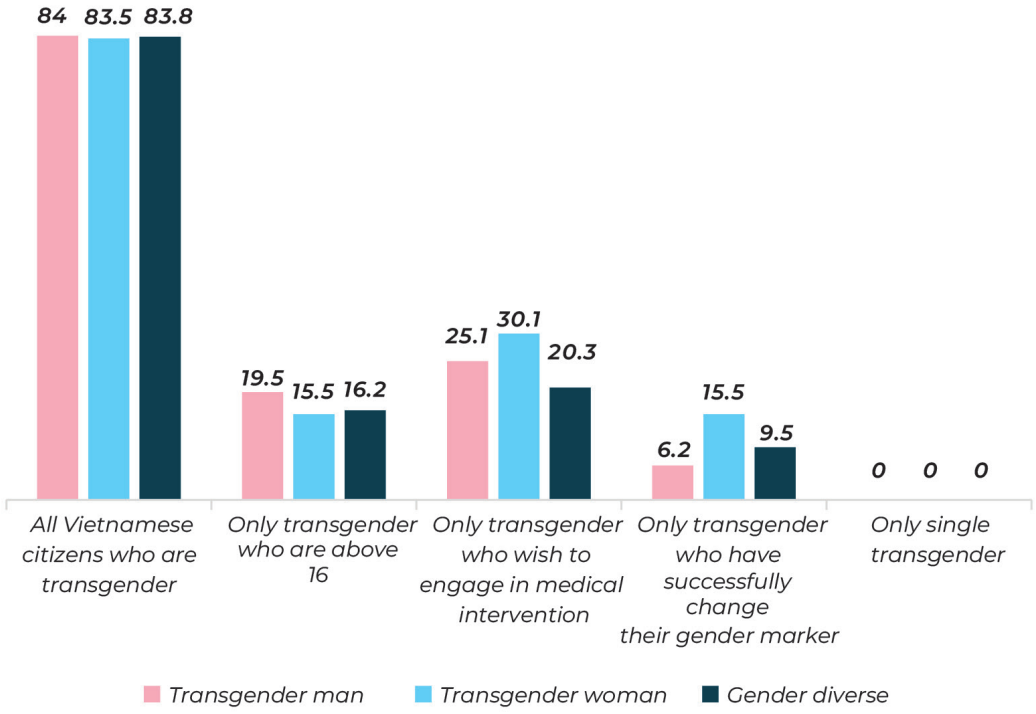
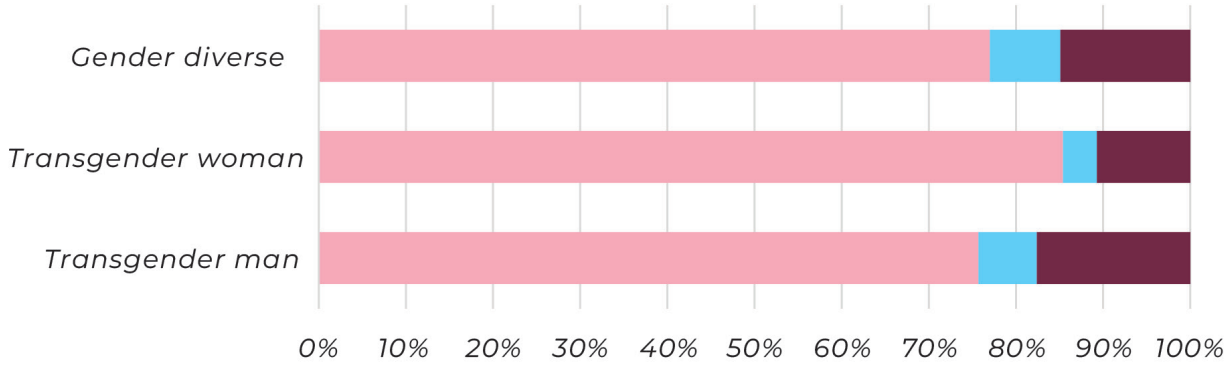
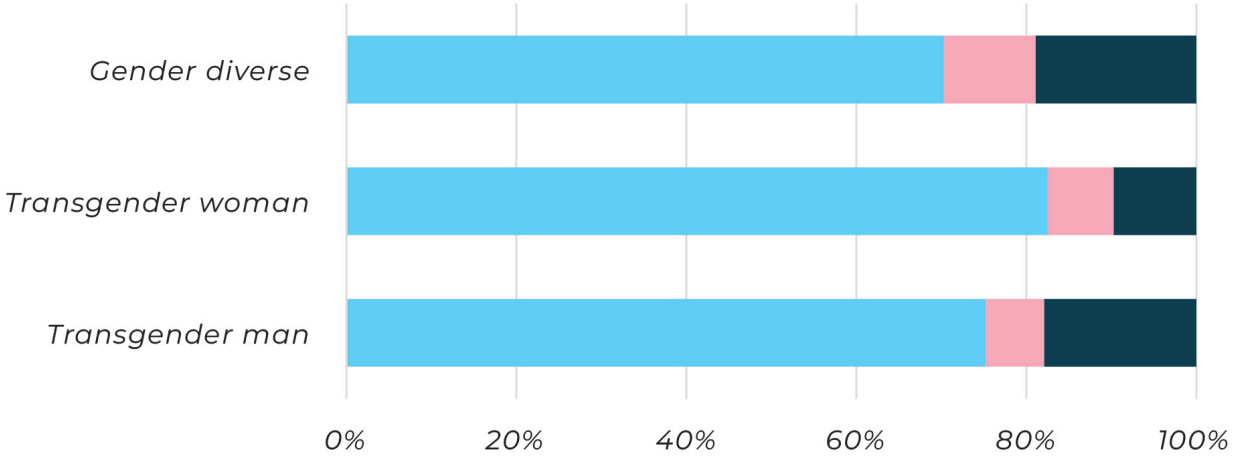


Figure 34: Beneficiaries of the Draft Law on Gender Affirmation - Disaggregated by gender identity (n=803)



	Transgender man	Transgender woman	Gender diverse
Yes, I want to	**75.7**	**85.4**	**77**
No, I don't want to	**6.7**	**3.9**	**8.1**
Don't know/Not sure	**17.6**	**10.7**	**14.9**

Figure 35. Willingness to participate in policy advocacy for the Draft Law on Gender Affirmation - Disaggregated by gender identity (n=803)



	Transgender man	Transgender woman	Gender diverse
Yes	**75.2**	**82.5**	**70.3**
No	**6.9**	**7.8**	**10.8**
Don't know/not sure	**17.9**	**9.7**	**18.9**

Figure 36: Readiness to participate in policy advocacy for the Draft Law on Gender Affirmation, disaggregated by gender identity (n=803)

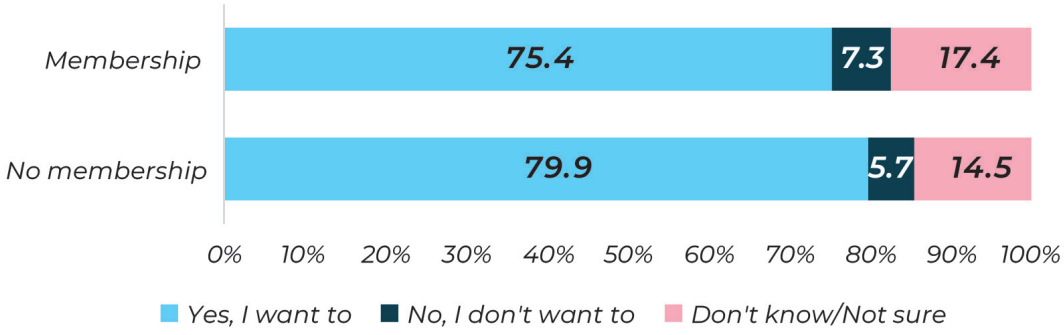


Figure 37: Willingness to participate in policy advocacy for the Draft Law on Gender Affirmation, disaggregated by LGBTIQ+ CBO membership (n=803)

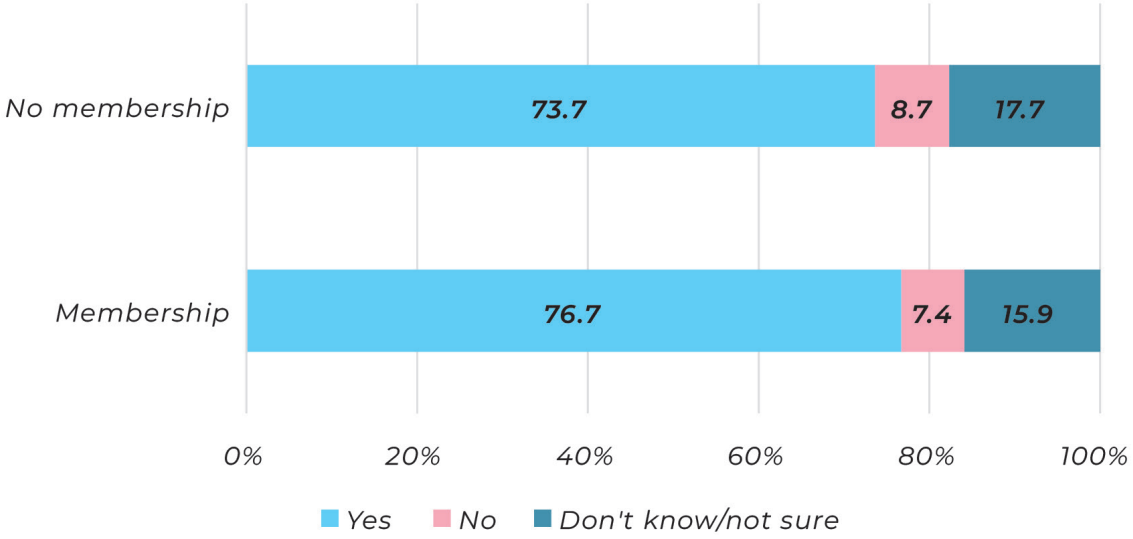


Figure 38: Readiness to participate in policy advocacy for the Draft Law on Gender Affirmation, disaggregated by LGBTQI+ CBO membership (n=803)

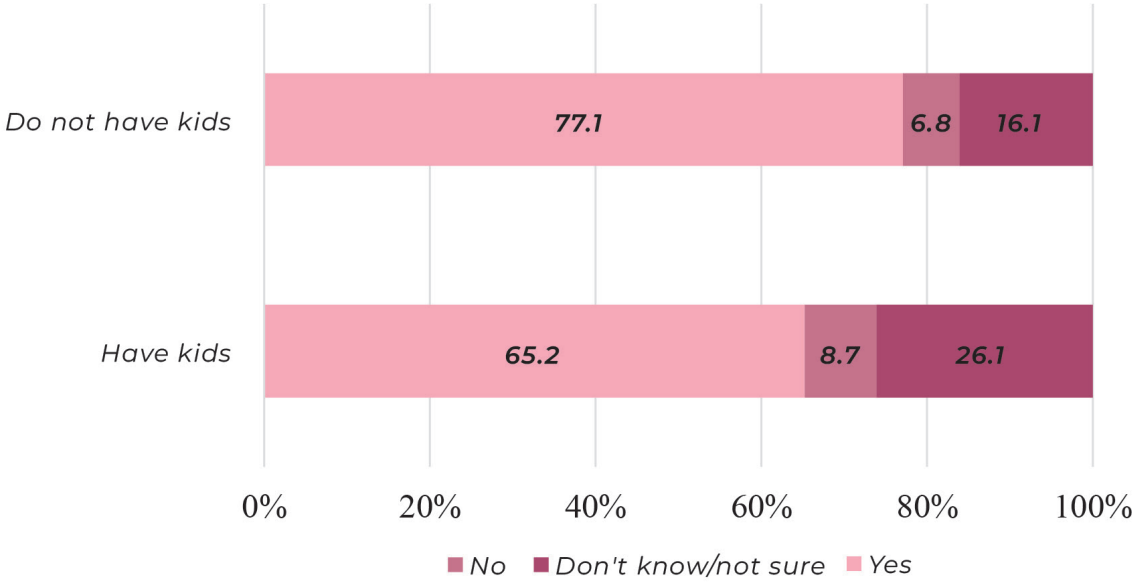


Figure 39: Willingness to participate in policy advocacy for the Draft Law on Gender Affirmation, disaggregated by having children status (n=803)

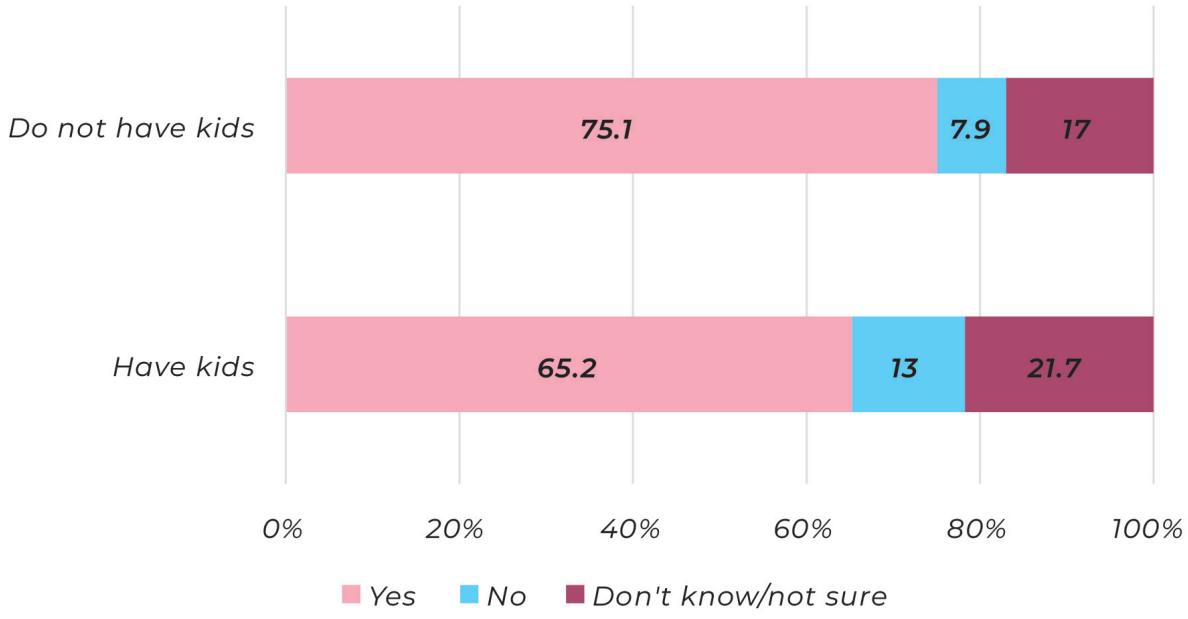


Figure 40: Readiness to participate in policy advocacy for the Draft Law on Gender Affirmation, disaggregated by having children status (n=803)

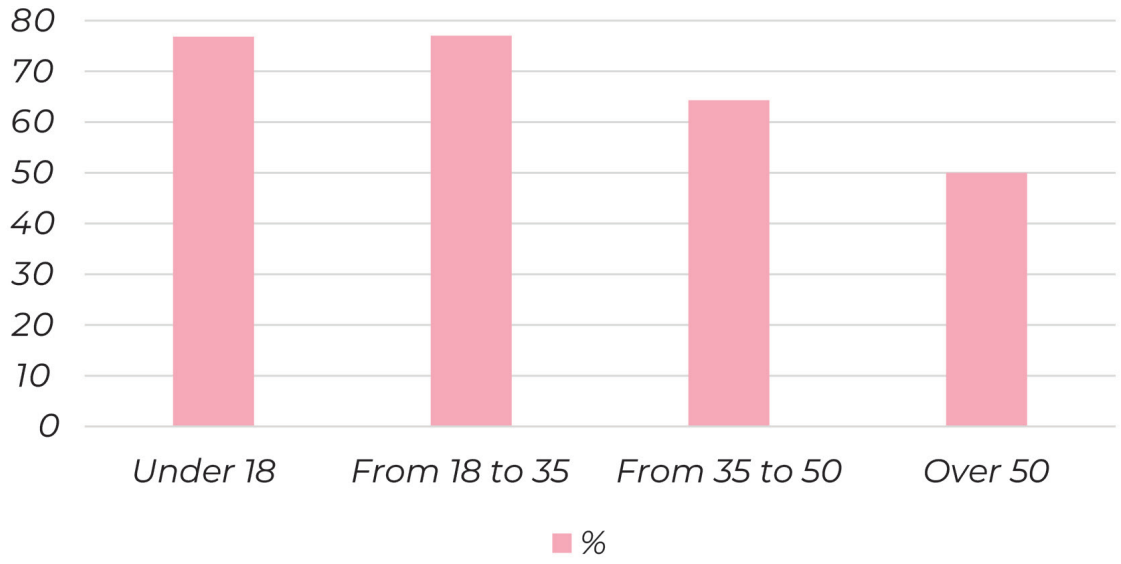


Figure 41: Willingness to participate in policy advocacy for the Draft Law on Gender Affirmation, disaggregated by age (n=803)

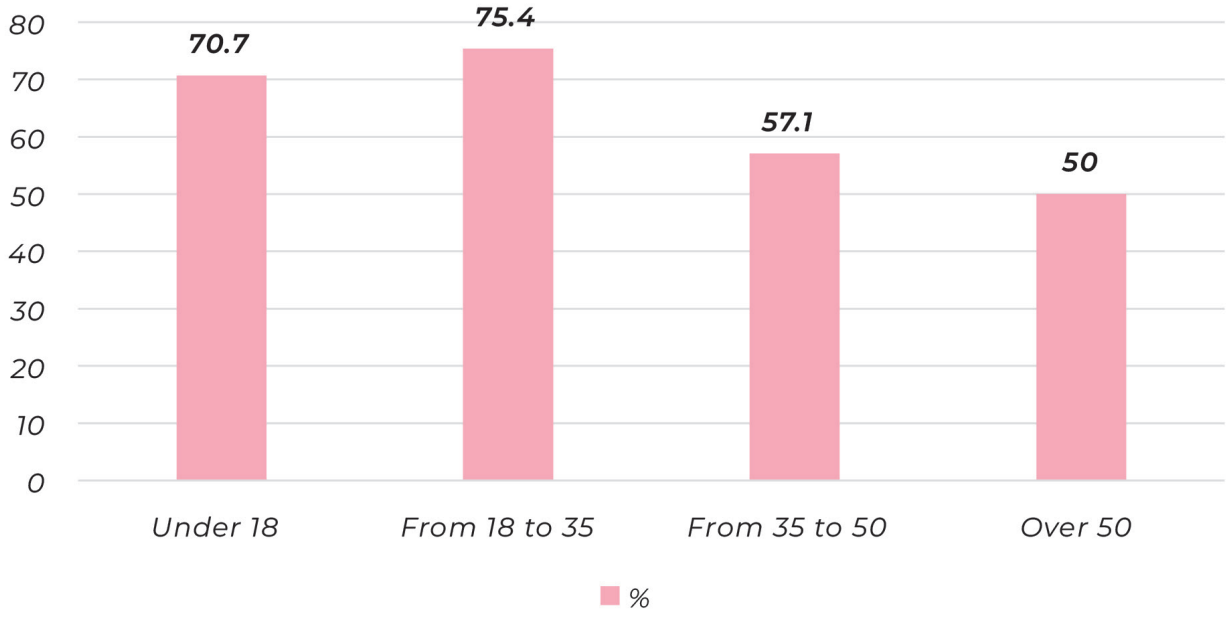


Figure 42: Readiness to participate in policy advocacy for the Draft Law on Gender Affirmation, disaggregated by age (n=803)

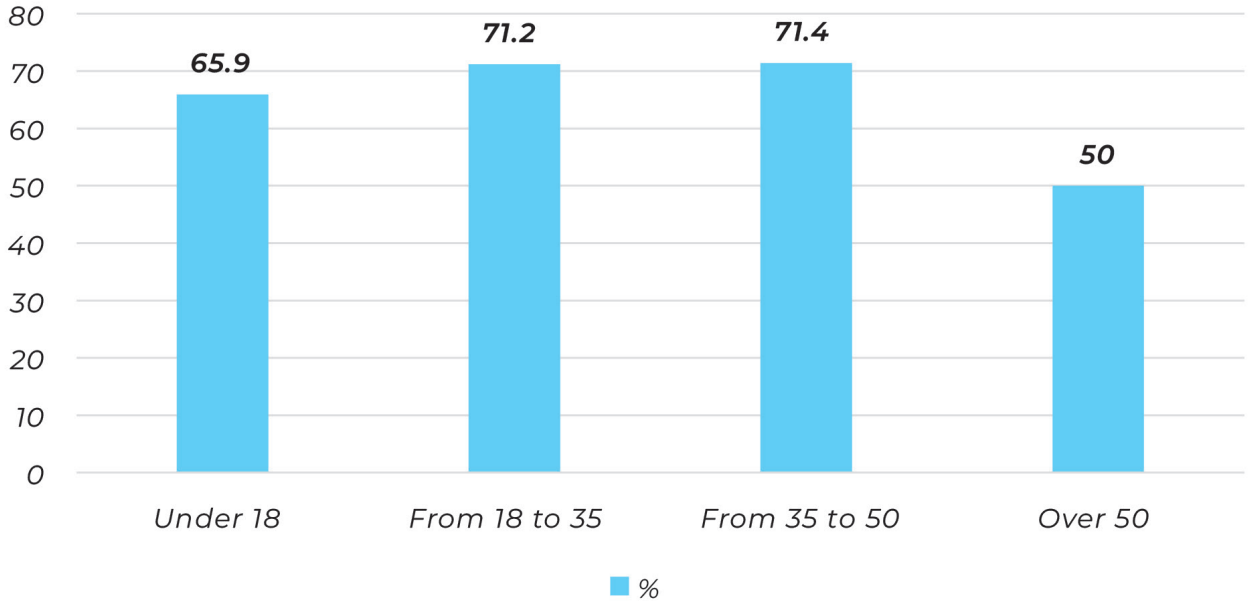


Figure 43: Do you think you can contribute towards reforms in laws and policies, disaggregated by gender identity (n=803)

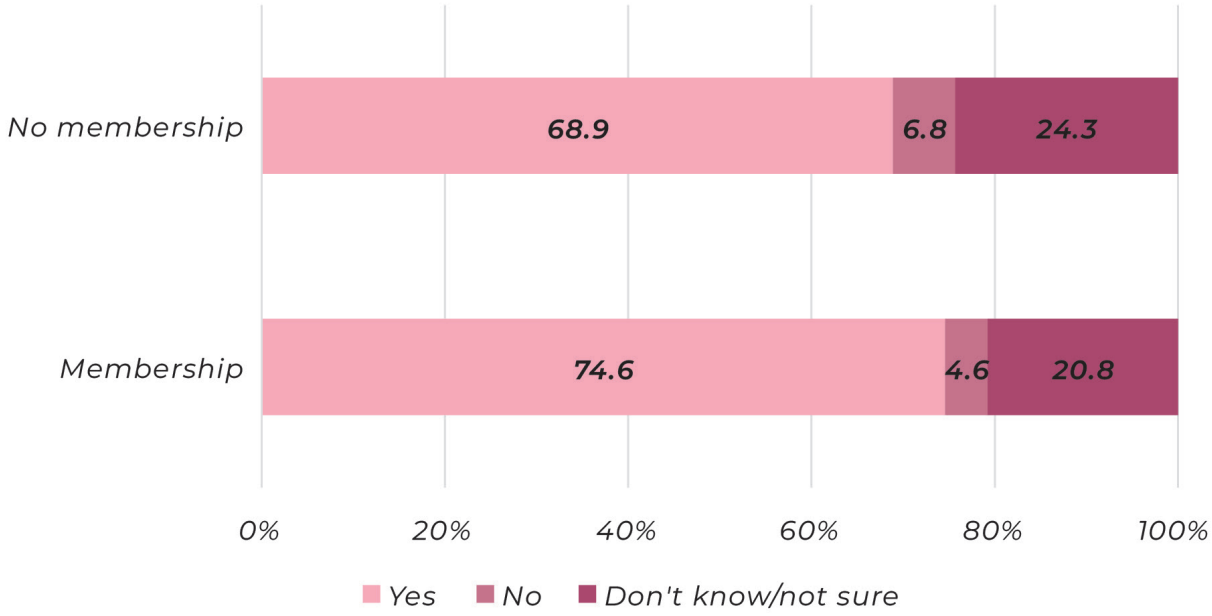
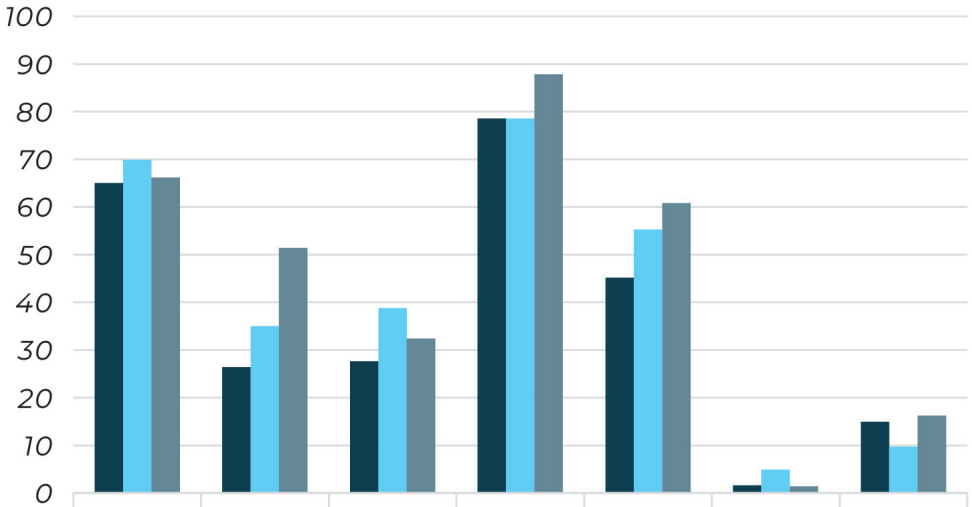
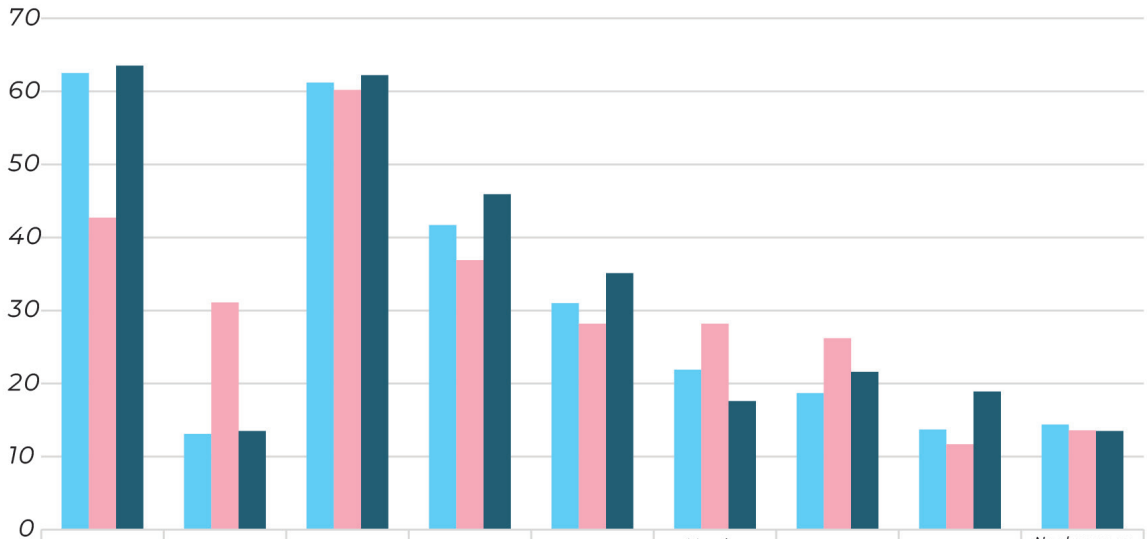


Figure 44: Do you think you can contribute towards reforms in laws and policies, disaggregated by LGBTQI+ CBO membership (n=803)



	Complaints to the government	Tell their friends and family	Initiate a lawsuit	Seek help from organizations protecting rights	Share and call for support from social networks	Use force	Be quiet and do nothing
Transgender man	65	26.4	27.6	78.6	45.2	1.6	14.9
Transgender woman	69.9	35	38.8	78.6	55.3	4.9	9.7
Gender diverse	66.2	51.4	32.4	87.8	60.8	1.4	16.2

Figure 45: What to do when your rights as citizens are violated, disaggregated by gender identity(n=803)



	Confidentiality	Financial support	Clear roadmap of advocacy	Spare time	Good economic conditions	Meeting influentials in the movement	Opportunities for capacity building	Good health conditions	No drama or conflicts between individuals /organizations
Transgender man	62.5	13.1	61.2	41.7	31	21.9	18.7	13.7	14.4
Transgender woman	42.7	31.1	60.2	36.9	28.2	28.2	26.2	11.7	13.6
Gender diverse	63.5	13.5	62.2	45.9	35.1	17.6	21.6	18.9	13.5

Figure 46: Pull factors for advocacy participation, disaggregated by gender identity (n=803)

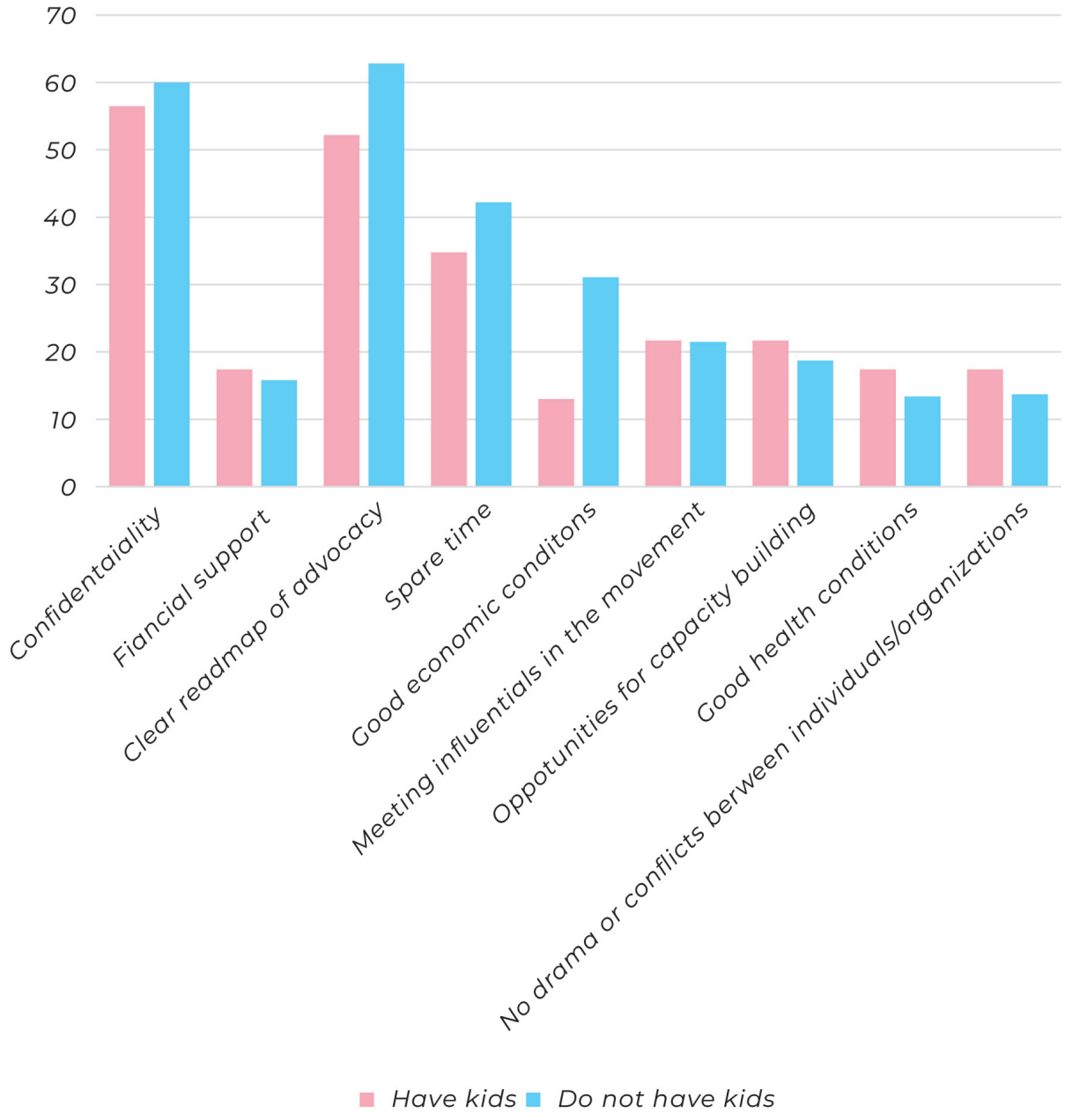
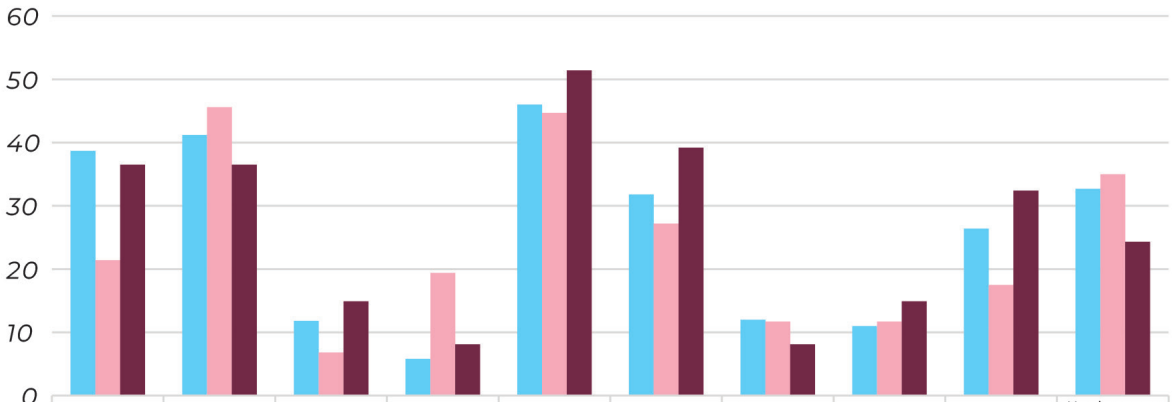


Figure 47: Pull factors for advocacy participation, disaggregated by having childrenstatus (n=803)



	Compromised confidentiality	No clear road map	Risk of outing to friends, family members	No financial support	No spare time	Poor economic conditions	Not meeting influential figures in the movement	Not opportunities for capacity building	Health issues	No drama or conflicts between individuals /organizations
Transgender man	38.7	41.2	11.8	5.8	46	31.8	12	11	26.4	32.7
Transgender woman	21.4	45.6	6.8	19.4	44.7	27.2	11.7	11.7	17.5	35
Gender diverse	36.5	36.5	14.9	8.1	51.4	39.2	8.1	14.9	32.4	24.3

Figure 48. Pull factors for advocacy participation, disaggregated by gender identity (n=803)

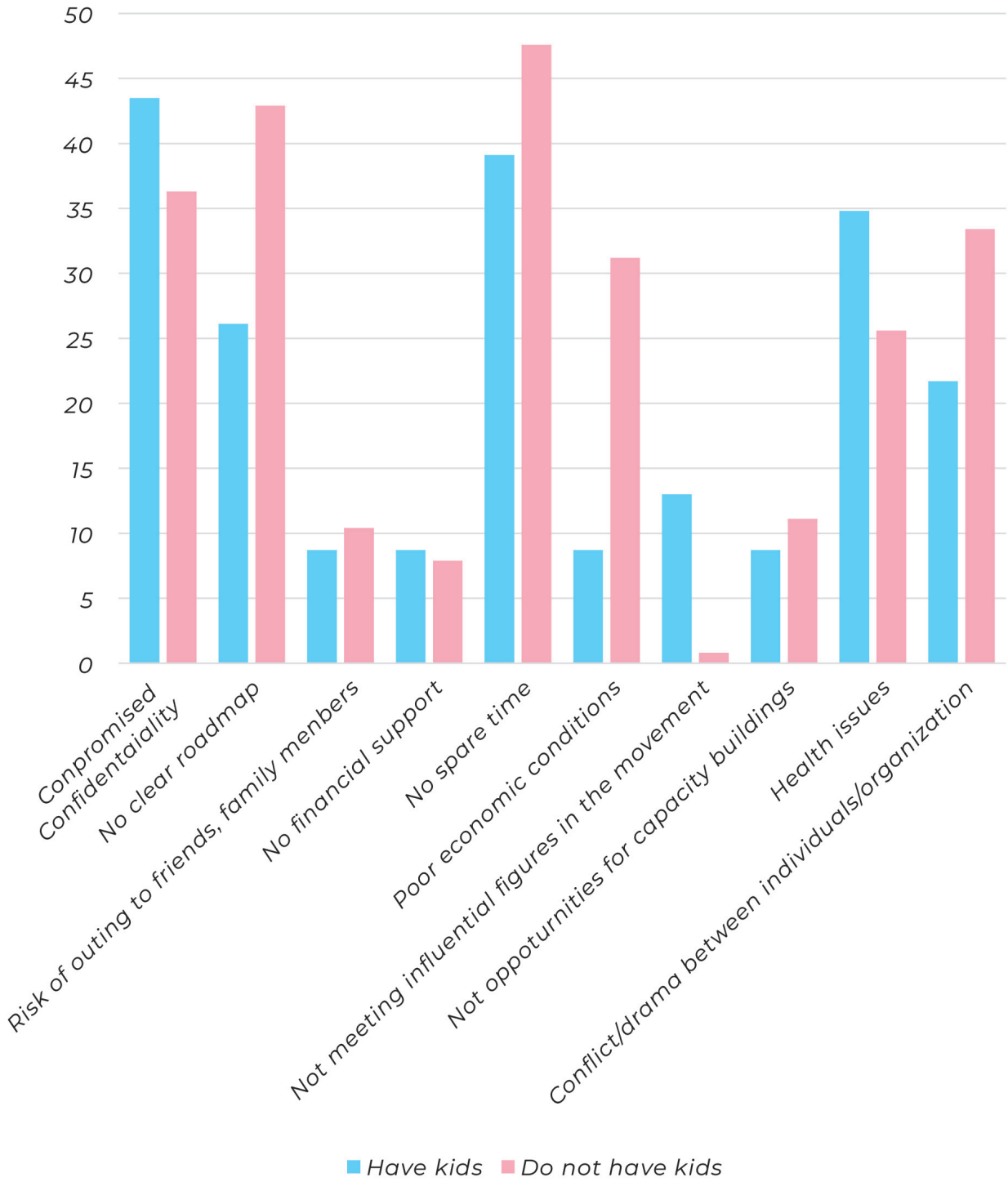


Figure 49: Push factors for advocacy participation, disaggregated by having children status (n=803)

ANNEX II: ONLINE SURVEY

A survey on the participation levels of the Vietnamese transgender community in policy advocacy and the Gender Affirmation Law drafting process

Greetings everyone,

IT'S T TIME is among the many organizations currently in the process of advocating for and drafting the Gender Affirmation Law. We have created this survey, in order to better understand the level of interest and willingness of transgender people in policy advocacy works, more specifically for the Gender Affirmation Law. It would only take 5-10 mins to complete.

All information gathered would be completely anonymous. If you have any questions or queries, please do not hesitate to reach out to us via email itsttime@gmail.com or phone 033 952 3268 (Thùy Dương).

Kind regards,

IT'S T TIME.

THE SURVEY

1. How old are you?
- Under 18
- 18 – 35
- 36 – 50
- Over 50

2. You are/identify as ...?
- Transgender man (Assigned female at birth, identify as male)
- Transgender woman (Assigned male at birth, identify as female)
- Cisgender (Gender identity matches biological sex)
- Genderqueer / Non-binary / Gender-diverse
- Intersex
- Other... (your own write-in options available)

3. What is the highest level of education you have achieved?
- Primary school (grades 1 – 5)
- Secondary school (grades 6 – 9)
- High School (grades 10 – 12)
- Vocational School/Community College
- Undergraduate/Graduate/Postgraduate

4. What is your place of occupation?
- Educational institutions (as students)
- NGOs, community groups, social enterprises...
- Government entities
- Private businesses
- Freelancers
- Other... (your own write-in options available)

5. In which region do you currently reside?
- Northwest
- Northeast

- Red River Delta
- North Central
- South Central
- Central Highlands
- Southeast
- Southwest (Mekong Delta)

6. Your area can best be described as ...?
- Rural
- Urban
- Mountainous

7. What is your marital status?
- Single
- Dating
- Living with a partner
- Married
- Other... (your own write-in options available)

8. Do you have children?
- Yes
- Or
- N/A

9. Have you been or are you currently a member of any LGBTIQ+ groups? (If yes, please specify)

10. Are you aware of what Article 37 in the 2005 Edition of the Civil Law (Revised) is about?

11. In your opinion, which of the following activities are transgender people allowed to engage in? (Multiple choices can be chosen)
- Have a wedding
- Change name and gender marker

- Surrogacy
- Co-adopt with your partner
- Cohabitation
- IVF
- Certified marriage
- Hormone Replacement Therapy
- Gender Affirming Surgery (Breast Augmentation/Mastectomy, Sexual Organs surgeries...)
- Have a medical checkup
- Other... (your own write-in options available)

12. Have you ever heard of the Gender Affirmation Law?
- Yes
- No
- Don't know

13. Which entity is currently responsible for drafting the Gender Affirmation Law?
- Ministry of the Home Affairs
- Ministry of Health
- Ministry of Education and Training
- Ministry of Information and Communications
- Ministry of Justice
- The People's Supreme Court
- Other... (your own write-in options available)

14. In your understanding, what are the areas covered in the current Gender Affirmation Law Draft?
- Methods of gender transitioning
- Requirements for people applying to change gender
- Applying to edit the civil register
- Rights of transgender people and outlawed behaviors
- Requirements for individuals and organizations providing medical transitioning
- Other... (your own write-in options available)

15. In your understanding, which groups would be affected by the Gender Affirmation Law? - Any transgender person that is also a Vietnamese citizen
- Only transgender people over 16
- Only transgender people that seek to transition medically
- Only transgender people that have successfully changed their gender on the civil register
- Only transgender people that are not married
- Other... (your own write-in options available)

16. Other than the Gender Affirmation Law, are you aware of any other legal documents that prescribe the rights and obligations of transgender people?

17. Are you aware of any NGOs or community groups that are advocating for the Gender Affirmation Law? Please specify.

18. Do you/Have you ever...
- Voted in National Assembly elections? (Yes/no/not sure)
- Know your delegate? (Yes/no/not sure)
- Participated in local meetings with your delegate? (Yes/no/not sure)

19. Do you think you can contribute towards reforms in laws and policies?

20. In the case of your rights as citizens were violated, what would you do? (Multiple choices can be chosen)
- File a complaint to the local government
- Tell your friends and families
- Sue in a court of law
- Seek help from civil rights groups
- Share and call for help on social media
- Use violence
- Ignore and do nothing
- Other... (your own write-in options available)

21. Do you want to participate in advocating for and drafting the Gender Affirmation Law? (If "no" is chosen, please skip question no.22)
- Yes, I do want to participate
- No, I don't want to participate
- Don't know
- Other... (your own write-in options available)

22. At present, are you prepared to participate in advocating for and drafting the Gender Affirmation Law?
- Yes, I am prepared
- No, I am not prepared
- Don't know
- Other... (your own write-in options available)

23. I would participate in advocating for and drafting the Gender Affirmation Law, if... (maximum 3 choices allowed).
- My personal information was secured
- I received financial support
- I could see clearly the roadmap for advocacy
- I had free time
- My economic situation allowed
- I could meet influential people in the advocacy movement
- I received opportunities to improve my competencies
- My health allowed
- There were no conflicts between organizations/individuals participating in advocacy
- Other... (your own write-in options available)

24. I would NOT participate in advocating for and drafting the Gender Affirmation Law, if... (Maximum 3 choices allowed).
- I or my information were to go public on media
- I could not see the goals of the advocacy
- There was a risk that my friends/families would find out about me being transgender - I would not receive financial support

- I would not have time
- My economic situation would not allow
- I could not meet influential people in the advocacy movement
- I would not receive opportunities to improve my competencies
- My health would not allow
- There were conflicts between organizations/individuals participating in advocacy
- Other... (your own write-in options available)

25. In your opinion, to speed up the current process of advocating for and drafting the Gender Affirmation Law, what should we do?

REFERENCE

1. Báo điện tử Pháp luật. (2022). Việt Nam có gần nửa triệu người chuyển giới, https://plo.vn/viet-nam-co-gan-nua-trieu-nguoi-chuyen-gioi-post695782.html

2. Báo điện tử VnExpress. (2023). Trình Quốc hội bổ sung dự Luật Chuyển đổi giới tính vào chương trình lập pháp, https://vnexpress.net/trinh-quoc-hoi-bo-sung-du-luat-chuyen-doi-gioi-tinh-vao-chuong-trinh-lap-phap-4604467.html

3. Báo Lao động thủ đô. (2022). 71,4% người đã chuyển giới gặp rắc rối liên quan đến giấy tờ tuỳ thân, https://laodongthudo.vn/714-nguoi-da-chuyen-gioi-gap-rac-roi-lien-quan-den-giay-to-tuy-than-135238.html

4. Burstein, P. (2003). The impact of public opinion on public policy: A review and an agenda. Political research quarterly, 56(1), 29-40.

5. Cairney, P. (2019). Understanding public policy: theories and issues (Vol. 2). Bloomsbury Publishing.

6. Colbert, S. M. (2021). Trans Individuals' Perceptions of Counselor Effectiveness: An Experimental Analogue Study. Ball State University.

7. Cổng thông tin điện tử Chính phủ Việt Nam. (2023). Đại biểu Quốc hội Nguyễn Anh Trí đề xuất xây dựng Luật Bản dạng giới với 3 chính sách lớn về chuyển đổi giới tính, https://xaydungchinhsach.chinhphu.vn/de-xuat-3-chinh-sach-lon-ve-chuyen-doi-gioi-tinh-119230410134025105.htm

8. Currah, P., Minter S., Green, J. (2000). Transgender equality - a handbook for activists and policymakers, https://www.nclrights.org/wp-content/uploads/2013/07/transeq.pdf

9. Divan V, Cortez C, Smelyanskaya M, Keatley J. (2016). Transgender social inclusion and equality: a pivotal path to development. J Int AIDS Soc. 2016 Jul 17;19(3 Suppl 2):20803. doi: 10.7448/IAS.19.3.20803. PMID: 27431473; PMCID: PMC4949312, https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4949312/

10. Haider-Markel, D., Taylor, J., Flores, A., Lewis, D., Miller, P., & Tadlock, B. (2019, June). Morality politics and new research on transgender politics and public policy. In The Forum (Vol. 17, No. 1, pp. 159-181). De Gruyter.

11. IT'S T TIME. (2021). Báo cáo Hiện trạng thừa nhận giới tính pháp lý của người chuyển giới trên thế giới.

12. IT'S T TIME. (2022). Tham vấn cộng đồng người chuyển giới và đa dạng giới về dự thảo luật chuyển đổi giới tính.

13. Luật số 91/2015/QH 13, Bộ Luật Dân sự, ban hành bởi Quốc hội nước CHXHCN Việt Nam.

14. McMahon, N. (2022). Policy Momentum and Transgender Policy Inclusion: Explaining National Policy Change (Doctoral dissertation, The University of Western Ontario (Canada)).

15. NPR. (2021). How transgender visibility could help drive social change, https://www.npr.org/2021/01/14/956927745/how-transgender-visibility-could-help-drive-social-change

16. Pew Research Center. (2022). About 5% of young adults in the U.S. say their gender is different from their sex assigned at birth, https://www.pewresearch.org/short-reads/2022/06/07/about-5-of-young-adults-in-the-u-s-say-their-gender-is-different-from-their-sex-assigned-at-birth/

17. Santoro, H. (2022). Advocating for transgender and nonbinary youths, 53(5), 46, https://www.apa.org/monitor/2022/07/advocating-transgender-nonbinary-youths

18. Schneider, A., & Ingram, H. (1993). Social construction of target populations: Implications for politics and policy. American political science review, 87(2), 334-347.

19. Spade, D. (2015). Normal life: Administrative violence, critical trans politics, and the limits of law. Duke University Press.

20. Tremblay, M. (Ed.). (2015). Queer mobilizations: Social movement activism and Canadian public policy. UBC Press.