Congress of the United States
Washington, DC 20515

September 29, 2015

His Excellency Volodymyr Groysman
Chairman, Verkhovna Rada of Ukraine
01008, Kyiv-8, 5 Hrushevskoho Street
Ukraine

Dear Chairman Groysman:

We write today to urge you to ensure that as legal and constitutional reforms advance in Ukraine, the principles of equality and non-discrimination in human rights and state protection become firmly entrenched in Ukrainian law. We support the enjoyment of constitutionally protected rights of all Ukrainian citizens without discrimination.

We applaud the prohibition of discrimination on the grounds of “gender, race, skin color, ethnic or social origin, genetic features, language, religion or belief, political or other opinion, belonging to indigenous peoples and national minority, material standing, residence, disability, age or other grounds” in Article 42 of the draft of the new Constitution. However, the draft does not explicitly ban discrimination on the basis of sexual orientation and gender identity. This is a prime opportunity to send a message that violence and discrimination against LGBTI people is not acceptable.

Lesbian, gay, bisexual, transgender, and intersex (LGBTI) people in Ukraine endure regular discrimination and violence for which there is rarely accountability. The most recent example was the June 2015 Kyiv Equality March, which was marred by violent attacks in which nearly two dozen police officers and participants were injured. This attack was clearly targeted at LGBTI people and those who support and promote their rights.

The Ukrainian government has a “compelling positive obligation” to protect all citizens, including the LGBTI community, from discrimination and violence, as established by the European Convention on Human Rights and numerous other international human rights treaties to which Ukraine is a party. The spate of several anti-LGBTI attacks in Ukraine underscore the need for a comprehensive anti-discrimination provision in the Constitution that explicitly protects everyone.

We respectfully call on you and your colleagues in the Verkhovna Rada of Ukraine to include non-discrimination provisions that ensure sexual orientation and gender identity as specific and enumerated grounds for protection in the new Constitution. It would expand protections under the law for all Ukrainian citizens, based on the premise that all human beings have dignity and merit equal access to justice.

As a country, we have evolved over time on questions of fairness and equality and increasingly see those principles as critical to economic growth, sound policy and relations between people. It is a long-term task to eliminate inequalities, which we continue to pursue. We ask that the
Ukrainian Rada join us in this pursuit, in the interest of the Ukrainian people and of our strengthened bilateral relationship.

Sincerely,

David N. Cicilline
Eleanor Holmes Norton
Mark Takano
Jackie Speier
Raúl M. Grijalva
James P. McGovern
Alan Lowenthal
Patrick Murphy
Jared Polis
Eliot L. Engel
Jim McDermott
Sheila Jackson Lee
Mark DeSaulnier
Nydia M. Velázquez
Keith Ellison
Elizabeth H. Esty
Dina Titus
Marcy Kaptur