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THE UKRAINIAN WEEKLY

Published by the Ukrainian National Association Inc., a fraternal non-profit association

Vol. LXXIX

No. 11

THE UKRAINIAN WEEKLY

SUNDAY, MARCH 13, 2011

\$1/\$2 in Ukraine

Leadership Conference in D.C. discusses Ukraine's current reality



Lawrence Silverman of the State Department addresses the conference; Ambassador Steven Pifer is on the right.

by Markian Hadzewycz

WASHINGTON – The Washington Group, an organization of Ukrainian American and other professionals primarily from the D.C. metro area, held its annual Leadership Conference on February 19, during which a series of distinguished speakers discussed the state of Ukraine under the Yanukovich administration, which is marked by backsliding on rights and freedoms and authoritarian tendencies, as well as the need for better coordination and communication within the Ukrainian American community.

The conference's morning session “Ukraine's Current Reality and Prospects” featured a range of Ukraine experts, from former ambassadors to think-tank experts.

The opening address was by Ambassador Olexander Motsyk from the Embassy of Ukraine in Washington, who stressed the importance of the most recent meeting of the U.S.-Ukraine Strategic Partnership Commission. These high-level bilateral meetings demonstrate Ukraine's commitment to economic and political development and strategic partnership, and cooperation on a range of issues, such as nuclear security, democracy, rule of law, energy-sector reform, expansion of science and technology, climate change, and combating human trafficking and HIV/AIDS.

Ambassador Motsyk said the Strategic Partnership Commission confirmed that the two countries “share the same values and pursue the same goals.” For the first time in 20 years, he said, Ukraine has started an “enhanced modernization process,” the aim being to make “Ukraine into a democratic, prosperous, European

state” that is a member of the European Union (EU). “Ukraine will never slide from the democratic path,” Ambassador Motsyk asserted.

On the economic front, he said, painful yet necessary reforms are being made, inefficiencies are being tackled, the economy has never been more transparent, and the investment climate is improving. With help from the International Monetary Fund and the World Bank, Ukraine's GDP grew by 4.5 percent in 2010, a marked contrast to the 15 percent decline the previous year.

In the battle against corruption, Ambassador Motsyk said there were currently over 360 ongoing corruption cases, and 160 were high-level cases against corrupt officials.

Civil society, he stated, is “vigorous and influential,” as exhibited by the tax protests earlier this year.

Relations with Russia had been reset, but “we are Ukraine-oriented” first and foremost, he said, and Ukraine had no intentions of joining the Single Economic Space, the customs union of Russia, Belarus and Kazakhstan.

In conclusion, Ambassador Motsyk reaffirmed that “Ukrainian reform needs international support” and urged continued expansion of U.S.-Ukraine relations.

‘Discouraging, but not irreversible’ trends

He was followed by speakers who addressed Ukraine's domestic affairs, including issues related to democracy, human rights, judicial and constitutional reform, and civil society. First to speak was Orest Deychakiwsky, a staff advisor to the U.S. Helsinki Commission. He

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Intelligentsia in Ukraine continues to press for Tabachnyk's dismissal

by Zenon Zawada
Kyiv Press Bureau

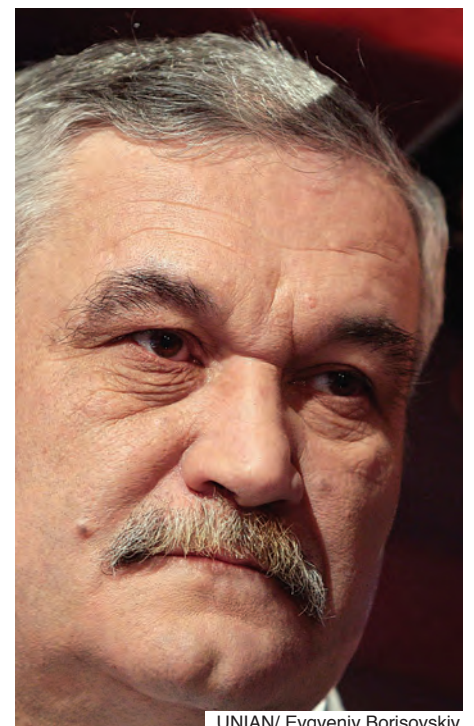
KYIV – Ukraine's intelligentsia showed recently that it won't back down on its demand that President Viktor Yanukovich remove Dmytro Tabachnyk, the minister of education, science, youth and sports. They're keeping his removal as a top priority more than a year after the scandalous appointment.

Author Vasyl Shkliar released a letter to the president on March 4 announcing his refusal to accept the Shevchenko National Prize that he won for his ideological novel, “Zalyshynets. Chornyi Voron.” (Left Behind. Black Crow), as long as the notorious politician remained in his post.

“Respected Mr. President,” Mr. Shkliar wrote, “I offer my respect and ask that you take into account – in the decree recognizing the Shevchenko Prize laureates – my request to delay awarding me the Shevchenko Prize until the time when Ukrainophobe Dmytro Tabachnyk is no longer in power in Ukraine.”

That same day, Mr. Tabachnyk's appearance in Parliament drew a few hundred protesters and aggressive questioning from opposition national deputies.

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UNIAN/ Evgyenyiy Borisovskiy

Author Vasyl Shkliar declined to accept the Shevchenko National Prize as long as Dmytro Tabachnyk remains Ukraine's minister of education, science, youth and sports.

Ukrainian World Congress protests closings of Ukrainian-language schools

by Zenon Zawada
Kyiv Press Bureau

KYIV – The Ukrainian World Congress (UWC) released a statement on March 8 demanding that local government bodies halt their plans to close Ukrainian-language schools in the Donbas region, where ethnically conscious Ukrainians have limited access to cultural institutions.

“The Ukrainian World Congress calls upon Ukrainian government bodies to stop their destructive course on Ukrainian-language education in the Luhansk and Donetsk oblasts, and to act in accordance with Article 10 of the Constitution of Ukraine that clearly states the Ukrainian language is the state language of Ukraine and that the state ensures the comprehensive development and functioning of the Ukrainian language in all spheres of social life throughout the entire territory of Ukraine,” UWC President Eugene Czolij said.

Ethnically conscious Ukrainians in the Donbas have called press conferences during the last month to alert the public to the Ukrainian government's plans to close

schools in which the language of instruction is Ukrainian.

Among those targeted are schools in the villages of Pervomaisk and Horniak in the Donetsk Oblast; Donetsk Humanitarian College and schools in the cities of Lysychansk and Krasnyi Luch in the Luhansk Oblast.

Financing for these schools is provided by local municipal budgets. In justifying the plans, officials said budgets need tightening, particularly when it comes to schools where attendance has plummeted in the last decade.

In explaining the situation to Parliament on March 4, Minister of Education, Science, Youth and Sports Dmytro Tabachnyk said he asked the Donetsk and Luhansk state oblast administrations to ensure that, upon any school closures, children are guaranteed Ukrainian-language instruction in their new schools, teachers are ensured jobs and parents are informed of events.

Mr. Tabachnyk said reports that the only Ukrainian-language school in Krasnyi Luch would be shut down were

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FOR THE RECORD: Deychakiwsky on rights and democracy in Ukraine

Following are excerpts of remarks by Orest Deychakiwsky, policy advisor at the Commission on Security and Cooperation in Europe (U.S. Helsinki Commission), at The Washington Group's Leadership Conference on February 19.

... It's no secret that Ukraine is undergoing some trying times. It's creeping towards authoritarianism, and many say it's already semi-authoritarian, but I want to state at the outset that while the situation is discouraging, it is not yet irreversible. It is not hopeless.

All of us, including the Helsinki Commission, are deeply concerned by the backsliding that we've witnessed over the last year with respect to the freedoms of expression and assembly, pressures on the media, including the growth of censorship and political pressure on some independent media, and attacks against journalists; attempts to curtail academic freedom and that of institutions and activists who peacefully promote the Ukrainian national identity; the flawed October 2010 local elections, which did not meet standards for openness and fairness; the lack of rule

of law; the further politicization of the judiciary, corruption, selective prosecutions, SBU harassment of NGOs, and so on.

Freedom House has downgraded Ukraine from its pedestal of being the only "free" country among the non-Baltic former Soviet states to "partly free," and Ukraine has moved down in other indexes as well (for example, those of Reporters Without Borders, the Index of Economic Freedoms and Transparency International).

The Wall Street Journal said in its recent editorial called "Orange Crushed": "Yanukovich's government is now busily trying to reverse democratic rights, putting pressure on the press, ramming constitutional changes into law to increase his power and extending Parliament's term by a year."

Also, according to new research from civil society, policy advocates and academics in Ukraine, the levels of democracy in Ukraine are almost as low as they were in the final year of the Kuchma administration – 2004.

Among the recent troubling develop-

ments are the apparently politically motivated, selective prosecutions – the increased pressure on the opposition which focuses on charges of corruption against senior members of Prime Minister Yulia Tymoshenko's government. Some are in jail; one, former Economics

A stability based on authoritarianism or even semi-authoritarianism, is an illusory one.

Minister Danylyshyn, received political asylum in the Czech Republic last month. Also targeted are lower level officials who reportedly had already fallen out of favor with the Party of Regions establishment. At the same time, the Procurator General's Office has so far has remained quiet with respect to those with ties to the current government.

It's important to go after lower level corruption, but if President Viktor Yanukovich is serious about battling corrosive and massive corruption – which continues to haunt Ukraine and remains at the top of threats to Ukraine's democracy, prosperity and national security – he might want to look a bit closer to home.

The Yanukovich government – including the SBU and other so called "siloviki" – has also engaged in harassment, arrests and pressure against less well-known Ukrainians, including nationally oriented activists, bloggers, historians, academics...

...So, Ukraine has been moving in an authoritarian direction, although I would again caution against concluding that it is fully there yet – certainly not on the level of Russia or Belarus. In large part this is due to Ukraine's political pluralism, diversity and the vital role of civil society.

Let's take Belarus, where the Lukashenka regime on December 19, 2010, engaged in a brutal post-election crackdown, which continues to this day. Ukraine still has a considerably stronger civil society, greater pluralism and freer media than Belarus (or Russia), despite the very real pressures. In Belarus, for instance, the parliament, the entire government, the state media and other institutions have been completely dominated by President Alyaksandr Lukashenka now for 15 years – he is essentially a dictator. Political opposition and civil society operate in a far more constrained environment. There is far greater resistance by the regime than in Ukraine to both domestic and external (specifically Western) criticism.

In Ukraine, the Rada opposition has not yet become completely eviscerated, even if the opposition has been weakened and some of its members have gone over to the Stability and Order majority. But there are some potentially cautiously encouraging signs that you wouldn't see in Belarus or Russia – e.g., tax code demonstrations which forced the Yanukovich regime to compromise on the new tax law, notwithstanding the fact that there's a lot of debate as to how much improvement there is, given that it seems to favor the oligarchs over small business; the new information access law; the rejection of Education Minister Dmytro Tabachnyk's restrictive education law which attempted to limit the autonomy of universities; the defeat of an attempt to make Russian the second official language, and even firing of an Odesa cop for denigrating the Ukrainian language...

... So, while we're all deeply concerned about the trajectory of democracy and human rights in Ukraine, I do not yet think that "propalo vse" – or "all is lost," as Tymoshenko once famously said.

Perhaps Western reaction, coupled with internal, civil society and political opposition push-back, may serve to put the brakes on the downward slide.

With respect to the internal: let's not forget that more than half the country, according to recent polls, is not supportive of the Yanukovich government or his Regions party. And their popularity is diminishing; not that the opposition's is growing, however, but that's the subject of a whole different discussion.

Instead of being a unifier, Yanukovich has acted to further divide Ukrainian society, especially the more nationally conscious part of the population. At the same time, he doesn't seem to be getting more popular with his own base. Maybe he and the people around him will realize that they're not getting anywhere by further alienating voters.

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NONCONFORMISM & DISSENT IN THE SOVIET BLOC

Guiding Legacy or Passing Memory?

WEDNESDAY, MARCH 30 - FRIDAY, APRIL 1, 2011

MARCH 30

7PM | Keynote Address by Myroslav Marynovych and Opening Reception
1501 International Affairs Building

MARCH 31

9:30AM-6PM | Panels and Roundtable | 1501 International Affairs Building
8PM | Film Presentation | 717 Hamilton Hall

APRIL 1

10AM-6PM | Panels and Roundtable | 1501 International Affairs Building
8PM | Victor Morozov Concert | Ukrainian Museum, 222 East 6th St.

Presented by the Ukrainian Studies Program at the Harriman Institute, Columbia University.

Organized in collaboration with the East Central European Center, Columbia University, the Polish Cultural Institute, New York and The Ukrainian Museum.



The Harriman Institute

Info: ma2634@columbia.edu or 212-854-4697

Photo by Edward/Fauxaddress



PARTICIPANTS INCLUDE: Tarik Amar, Mark Andryczyk, Justyna Beinek, Michael H. Bernhard, Orest Deychakiwsky, Volodymyr Dibrova, Anna Frajlich-Zajac, Timothy Frye, Christina Isajiw, Ksenya Kiebusinski, Vitaly Komar, Ann Komaroni, Jeri Laber, Pavel Litvinov, Myroslav Marynovych, Victor Morozov, Alexander J. Motyl, Benjamin Nathans, Catharine Nepomnyashchy, Anna Procyk, Peter Reddaway, Mykola Riabchuk, William Risch, Yuri Shevchuk, Frank Sysyn, Ewa Wójciak, Henryk Wujec

Leadership...

(Continued from page 1)

said trends in Ukraine were “discouraging, but not irreversible or hopeless.” Ukraine has moved down in rankings in various indexes, such as those of Freedom House and Reporters Without Borders.

Recent news on growing censorship in the media, violence against journalists, crackdowns on freedom of expression, pressure on universities, the flawed local elections in October 2010, the lack of rule of law, as well as politicization of the judiciary and selective prosecutions, to name a few instances, reflect badly upon the administration of President Viktor Yanukovich, he said.

The Parliament’s questionable votes on the Kharkiv agreement on the Black Sea Fleet and on pushing back the parliamentary elections to 2012 demonstrate a lack of respect for the Constitution, Mr. Deychakiwsky related.

However, Ukraine’s system is not yet comparable to Russia’s or Belarus’s, he said. The opposition has been “weakened, but not eviscerated,” and civil society has been successful in pushing for amendments to the tax reform, exposing the Education Ministry’s pressure on universities and halting attempts at changing the language law. In recent polls, it is clear that the popularity of President Yanukovich and the Party of Regions is falling, and that Ukrainians in both the east and west of the country are increasingly seeing the difference between the rhetoric and reality of government actions.

At the U.S.-Ukraine Strategic Partnership Commission, Ukrainian officials were informed in a “forthright yet very civilized manner” about the concerns of the U.S. government, and Mr. Deychakiwsky noted that many Ukrainian officials do not want to be seen as pariahs. There are several “red lines” that need to be watched closely: “if Ukraine has a further serious deterioration, and if the October 2012 elections are fraudulent, all bets are off” on Western support and any chance of Ukraine moving forward, he said.

Constitutional chaos

Judge Bohdan Futey provided an update on the rule of law, judicial reform and judicial independence in Ukraine.

The December 2004 political reforms during the Orange Revolution were constitutional amendments that transformed Ukraine from a presidential to a parliamentary system, Judge Futey said, but it also created legal-constitutional chaos that got worse when President Viktor Yushchenko signed legislation in 2006 expressly forbidding the highest courts from interpreting the reforms. The president explained that judges should be independent, but at the same time he fired judges who “violated their oaths of office” (it was never explained how), Judge Futey continued. There were several instances during his term when, if a ruling was made that the government did not like, the court was liquidated and a new one was established that would side with the government.

Judge Futey criticized the Higher Court of Justice, a body created by President Yanukovich that is made up of political appointees of the president and has acted at times as a judicial body higher than the Constitutional Court, even though the Constitution of Ukraine provides that the Constitutional Court is the final and highest judicial arbiter in the country.

Many reforms are needed, such as financial disclosures for all judges and random assignment of cases to prevent

favoritism or conflicts of interest, Judge Futey said, adding that several key constitutional issues need to be sorted out. The 1996 Constitution provides for jury trials and adversarial proceedings, and neither has yet been implemented. It is also unclear whether the Procurator General’s Office is an independent office or subservient to the executive branch.

The September 2010 court ruling that overturned many of the 2004 reforms by going back to the 1996 Constitution created a mess in that it threw into question all of the reforms and legislation passed since 2004, the speaker pointed out. The recent vote that pushed parliamentary elections to 2012, as well as the ruling last year by the court that parliamentary coalitions are created by individuals and not factions (which reverses an earlier ruling by the same court), are both highly controversial rulings, and directly aid the Party of Regions over the opposition.

According to Judge Futey, the most important goal Ukraine must strive for is “consistent application of laws” for all citizens and politicians, so no one is helped or hindered in unfair decisions.

Importance of civil society

Nadia McConnell of the U.S.-Ukraine Foundation spoke on Ukraine’s civil society, explaining how a large, vibrant civil society is important as it encourages government to do a better job of governing. A civil society representing the people provides for a lasting dialogue with the government and, despite the view of some governments, a civil society is not necessarily an opposition movement, she explained.

Mrs. McConnell gave the audience a quick yet useful history of civil society in Ukraine, listing the Ukrainian Greek-Catholic Church, the Sixtiers, the Ukrainian Helsinki Group and Rukh, Chernobyl and Afghan war activists as the predecessors to today’s modern civil society. Even though some claim civil society peaked with the Orange Revolution in 2004, she said, it is far from dead, as evidenced by the many “mini-maidans” seen in recent months, on issues ranging from tax reform to support for independent media and academic freedom.

In previous years, protests occurred only in election years, but now people are ready and willing to come out and discuss their grievances in off-election years, and this is healthy and necessary, Mrs. McConnell commented.

Foreign relations

Subsequent speakers delved into Ukraine’s foreign affairs. Lawrence Silverman of the State Department, like Ambassador Motsyk, praised the efforts of the U.S.-Ukraine Strategic Partnership Commission, as the meetings not only encourage cooperation and transparency, but demonstrate that the two countries have many common goals. At the same time, there are concerns about democratic development, selective prosecutions, pressure on academic institutions and violations of electoral law.

However, Mr. Silverman, who heads the Belarus, Moldova and Ukraine department of the State Department’s Bureau of European and Eurasian Affairs, reminded the audience that “this is a broad relationship” with many positive aspects, and that the Strategic Partnership Commission is not merely a debating society because of its many concrete achievements.

Ambassador Steve Pifer, a former U.S. envoy to Ukraine, now of the Brookings Institution, stressed that the U.S.-Russia reset was not at the expense of Ukraine or Europe. Ukraine has indeed improved ties with Russia, as shown by the Kharkiv agreement or various memoranda on economic cooperation, he said, but



Orest Deychakiwsky of the U.S. Helsinki Commission speaks. The Washington Group President Andrew Bihun is on the left.

at the same time Ukraine’s defense officials seek closer ties with NATO and political leaders seek free trade agreements and visa liberalization with Europe. Nonetheless, Ambassador Pifer said he feels the EU is not engaged enough with Ukraine and should do more to strengthen ties.

Another former U.S. ambassador to Ukraine, William Green Miller, spoke of the early struggles of the young Ukrainian state and how many were concerned that Ukraine would not survive. But he reminded the audience that the early years of the American republic also were very difficult. Nonetheless, Ambassador Miller said the U.S. and Ukraine will remain partners, pointed to the success of the Strategic Partnership Commission, and expressed hope in the long term for Ukraine’s future.

James Greene of Effective Engagement Strategies, a former head of NATO’s office in Ukraine, noted the international and internal problems of the Yushchenko administration. He said the Yanukovich administration has seen new problems: even though tensions with Russia have been reduced, the formation of the parliamentary majority in early 2010 and the local elections in October of that year were steps backward.

Ukraine may see more problems as the government tries to pass unpopular economic reforms, he said, adding that signs of economic reintegration with Russia should be eyed with caution. Mr. Greene said he believes Ukraine needs a more effective civil service, local NGOs must be strengthened, and Western cooperation with them must continue.

Obstacles to business

The conference then turned to economics and business in Ukraine. Morgan Williams, president of the U.S.-Ukraine Business Council, asserted that businesses want stability, democracy, transparency and a strong middle class. The toughest obstacle remains overcoming the post-Soviet transformation, saying Ukraine was “only half open for business” because many Ukrainian elites in and out of government prefer monopolies of power, not competition in business. Ukraine opened up after the Orange Revolution, he said, but ties between government and business elites were again discouraging transparency.

Mr. Williams said the biggest opportunities for growth could be found in the agricultural, energy and IT sectors and that, despite the challenges at times, most businesses are staying and learning how to work with the system.

Andrew Bihun, president of The Washington Group (TWG), stressed the need for Ukraine to diversify its econom-

ic base, to not simply rely on the production of metals and chemicals, which currently make up some three-fourths of Ukraine’s exports. Ukraine should also turn to its rich agricultural lands for wealth.

Andriy Pravednyk, head of the Ukrainian Embassy’s economic-trade section, said Kyiv is seeking to improve the economic climate and is working on reforming the customs and labor codes. In his eyes, the biggest problem is corruption, but he pointed to the words of Ambassador Motsyk regarding the many ongoing corruption trials.

Mr. Pravednyk spoke very highly of the Strategic Partnership Commission, particularly of the agreements signed on shale gas exploration, as this will encourage foreign direct investment into the Ukrainian economy.

Andrew Masiuk of The Washington Group spoke on higher education in Ukraine, particularly business education. The system appears weak: most business education is taught through economics departments, and only 5 percent in specialized business schools. In the U.S., he explained, successful business practices are carried out, then academia researches the practices and teaches them; in Ukraine, however, few schools are involved in research.

What the community needs

The afternoon session, devoted to “Ukrainian American Community Needs and Directions,” began with Dr. Oleh Wolowyna of the Center for Demographic and Socio-Economic Research of Ukrainians in the U.S., which functions under the aegis of the Shevchenko Scientific Society. While some traditional centers for the Ukrainian American community are shrinking, new communities are rapidly growing in new regions (such as the south and west).

Dr. Wolowyna said he believes the diaspora is losing its compass, but if we can tap into these new centers and regain communication, the community can remain strong.

He noted that a growing number of immigrants speak Russian at home rather than Ukrainian. However, due to the growing number of Ukrainian Americans who are assimilating and speaking English, the new wave of immigrants has actually doubled the overall number of Ukrainians speaking Ukrainian at home.

Myron Smorodsky detailed two periods for the Ukrainian diaspora: the idealistic era of the 1960s and 1970s, when community members saw themselves as the vanguard movement for saving Ukraine, and the post-independence dis-

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Leadership...

(Continued from page 9)

illusionment era, when the diaspora's expectations did not meet the reality that has been Ukrainian politics for the last 20 years. He also stressed the importance of the Fourth Wave, saying that the divide that exists between established community members and newcomers must be overcome so the community in the U.S. can continue to grow and stay united.

Michael Sawkiw Jr. of the Ukrainian National Information Service echoed Dr. Wolowyna's comments about the diffusion of the diaspora: Ukrainians are indeed moving to new communities, and at the same time, across all ethnicities and socio-economic groups in the U.S., there has been a decline of involvement in civic groups. According to Mr. Sawkiw, the best way to drive and increase activity and involvement is to focus on strong issues that unite the community, such as Holodomor commemorations.

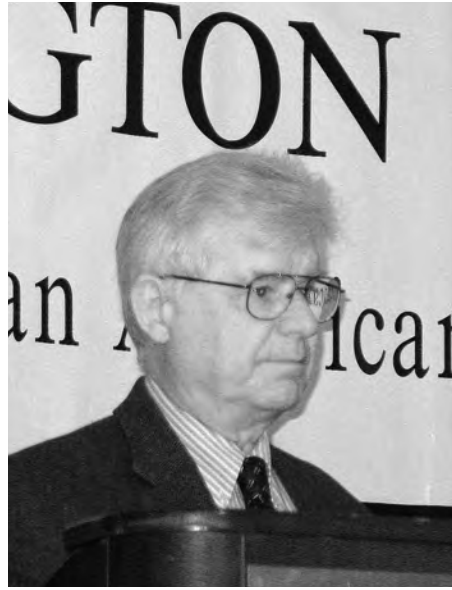
Ihor Gawdiak of the Ukrainian American Coordinating Council spoke of



Judge Bohdan Futey

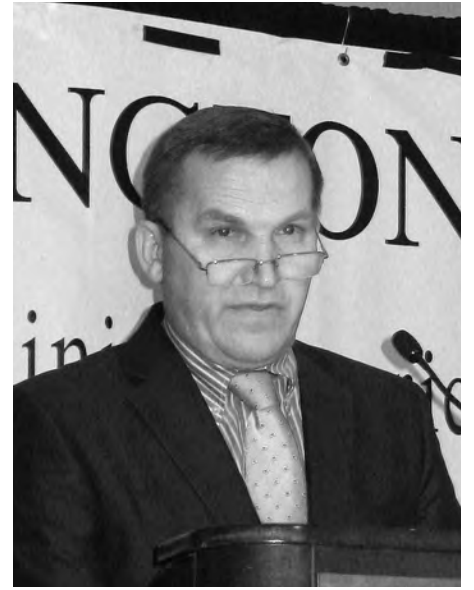
the work of the UACC, but stressed that too many Ukrainian organizations lack communication. He suggested more regular meetings among presidents of smaller Ukrainian groups to coordinate and communicate events and goals.

Ms. McConnell returned to detail the work of the U.S.-Ukraine Foundation in



Dr. Oleh Wolowyna

Ukraine, where they have helped train some 40,000 government officials to be better civil servants. In addition the USUF has brought over 400 of them to the United States for a close-up look at the democratic system here through the Community Partnership Project. Another project, Ukraine 2020, stresses Ukraine's



Ambassador Olexander Motsyk

integration with Europe, with a large emphasis on exchange programs to foster understanding and learning. In September, USUF is holding a 20th anniversary gala for Ukraine's independence in Washington with Ambassadors Roman Popadiuk of the U.S. and Mykhailo Reznik of Ukraine as gala co-chairs.

Mykhailo Datsenko of the Ukraina Citizens International Organization (UCIO) said the community has a duty to reach out to the Fourth Wave, and that Russian-speaking Ukrainians should be not excluded or dissuaded. The UCIO helps these new immigrants assimilate to the Ukrainian American diaspora, Mr. Datsenko said, explaining that many of these new arrivals, who grew up under a Soviet system, do not yet understand or appreciate the value of civic pride and volunteer involvement in the diaspora.

TWG President Bihun mentioned the importance of our community newspapers, including Svoboda and The Ukrainian Weekly, as these resources not only help us keep in touch and advocate for our concerns but also, through their extensive online archives, provide us with easy access to decades of history.

Ambassador Miller wrapped up the conference, saying Ukraine is viable in the long term only if it is a democratic state, while underscoring that the new stability we have seen under the Yanukovych administration is not viable.

Russia has a clear strategy in Ukraine – “desovereignization” – and too many members of the Ukrainian elite reject reforms necessary to Ukraine's growth and development, he pointed out. Ukraine will continue to need external support, and the best place to start is through the large number of NGOs already in Ukraine, Ambassador Miller stated.

Slowly, Ukrainians in the east are seeing the problems of the Yanukovych administration, and we must reach out to them despite language barriers. After the Orange Revolution, large ideas have proven to be very hard to implement, so we should focus on smaller ideas, such as the “mini-maidans” we have seen in the past year, he advised.

The 2011 Leadership Conference, which was held at the L'Enfant Plaza Hotel, was attended by approximately 100 people.

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The annual meeting
of UNA Br. 39,
Ukrainian Sitch,
will be held on

**Wednesday, March 16, 2011
at 10:30 a.m.**

at the home of Joyce Kotch, the
financial secretary of UNA Br. 39,
at 314 Demong Dr., Syracuse, NY.

All members are asked to attend.