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\$1.25/\$2 in Ukraine

Harvard conference participants note Ukraine is at center of NATO debate

by Margarita Balmaceda

CAMBRIDGE, Mass. — The recent visits to Kyiv of British Defense Minister Michael Portillo and NATO Secretary-General Javier Solana have put Ukraine at the center of discussions and negotiations about NATO enlargement. From Ukraine's perspective, the question is complex: how to avoid international isolation — and a possible Russian pressure for closer military relations — after the expansion of NATO in 1999.

This expansion, which is most likely to include Poland, the Czech Republic and Hungary, is not likely to include Ukraine in the short or medium term. If not negotiated and implemented carefully, such an expansion could indirectly lead to a situation where two reformulated military blocs could take shape in Europe: an expanded NATO up to Ukraine's western borders, and a newly assertive, Russian-led military alliance based on CIS collective security agreements (dubbed by some the Miensk Treaty Organization).

Although Ukraine has repeatedly refused to join CIS collective security agreements, its ability to withstand Russian pressure may become limited if a newly expanded NATO leaves the country in an isolated and vulnerable position. Thus Ukraine is working toward a special relationship with NATO that would offer some guarantees of Ukraine's territorial integrity.

These questions provided the background for a public debate on NATO expansion to the East that took place at Harvard University on February 10 under the auspices of the Harvard Ukrainian Research Institute and the Davis Center for Russian Studies. The debate was moderated by Theresa Rakowska-Harmstrone (professor emerita, Carleton University) and counted as panelists Celeste Wallander (assistant professor of government, Harvard University), Hannes Adomeit (chairman of the Program in Russian and East European Studies at Tufts University), Andrei Kortunov (president, Russian Science Foundation) and Zenovia Sochor (associate professor of government, Clark University). Presentations were followed by an open debate that included the large audience, at which faculty members from more than 10 universities were represented.

As the debate brought together specialists on a variety of disciplines — international security, German politics, Russian foreign policy and Ukrainian politics — each panelist was able to approach the issue of NATO expansion from a different angle, bringing new freshness and depth to discussions that often, especially as portrayed in the mass media, have remained at the superficial level.

Prof. Adomeit focused his remarks on the idea that this is not the first time NATO has had to deal with the question of expansion to Eastern Europe. In fact, many of the questions on the table today were faced by Soviet and Western negotiators already in 1989-1990 during the diplomatic negotiations that preceded Germany's reunification in 1990.

Going back to the original agreements on NATO expansion to former East German territories reached by Russia and the West at the time of Germany's reunification (the so-called 4-plus-2 agreements), Prof. Adomeit emphasized that the Russian leadership may have a point in objecting to NATO expansion on the grounds that the spirit, if not the letter, of the 4-plus-2 agreements prescribed no further NATO expansion after the incorporation of former East German territories. In Prof. Adomeit's words: "I am not against enlargement per se, but I'm against an enlargement against Russian opposition."

Mr. Kortunov, president of the Russian Science Foundation, discussed the peculiar coalition that has taken shape in Russia against NATO expansion. What makes this coalition special,

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Crimean political crisis apparently averted as new Parliament chairman takes charge

by Roman Woronowycz

Kyiv Press Bureau

KYIV — Perhaps the events of the last weeks involving the government bodies of the Autonomous Republic of Crimea have received less than their usual attention in Kyiv because the crises of Crimea have become routine.

To a much greater degree, the focus has been on the Russia-Ukraine debate over the on-again, off-again resolution of the division of the Black Sea Fleet and the status of the city of Sevastopol, located on Ukraine's southernmost territory.

Moscow Mayor Yurii Luzhkov's visit to Sevastopol, where on January 19 he unequivocally stated the city does and will belong to Russia, overshadowed an issue that has brought the latest rebukes by Kyiv over the Crimean peninsula's attempt to distance itself further from Ukraine: the contents of the yet to be approved constitution of the Crimean Autonomous Republic.

The latest debacle began with the beginning of the sixth session of Crimea's Verkhovna Rada. The first order of business was review of the second draft of the proposed constitution that had been marked up by an ad hoc committee of Ukraine's Verkhovna Rada. That immedi-

ately drew criticism from Crimean legislators. As Deputy Chairman of the Crimean Parliament Volodymyr Klychynkov noted from the speaker's podium on January 15, "a number of provisions have been substantially amended in the new wording of the draft."

This included defining terms in the draft constitution, such as "citizen of the Republic of Crimea," which the legislators in Kyiv had clarified by way of adding that "citizens of Ukraine permanently residing in the Autonomous Republic of Crimea are citizens of the Republic of Crimea." The ad hoc committee also added the word "autonomous" to references to the peninsula throughout the document that had read "Republic of Crimea."

The latest change to the Crimean draft constitution sparked an uproar in the Crimean Parliament, where there has been much friction with the central government of Ukraine over an unyielding demand from Kyiv: Crimea shall make no law that is not in conformity with the laws of Ukraine and that all laws passed in Symferopol are subject to review in Kyiv.

It was too much for those deputies in Crimea's Verkhovna Rada who are oriented toward strong autonomy if not out-

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Ukraine's court system: "the court of contracts"

by Roman Woronowycz

Kyiv Press Bureau

The Ukrainian court system, unlike its economic system, has seen little restructuring since Ukraine achieved independence in 1991. Just prior to independence, the court system was redefined, but it remains for the most part structured as it was under the Soviet Union, with the centrally important difference that all authority now lies in Kyiv.

The Verkhovna Rada has put a review of Ukraine's Criminal Code and Civil Code on its 1997 agenda. However, that review will be geared more toward a review of laws rather than a restructuring of the court system.

Today Ukraine's jurisprudence system is organized into three major court systems: the Constitutional Court, which is responsible for issues involving the Constitution; the General Court of Competence, which deals with civil and criminal matters, and at the top of which stands the Supreme Court of Ukraine; and the Court of Specialization (commonly known as the arbitration court), which, basically, handles contractual conflicts and is overseen by the High Court of Arbitration.

To give our readers a closer look at how the three separate courts of Ukraine

function, The Ukrainian Weekly begins a series on Ukraine's courts, which will highlight each court separately. In this issue we concentrate on the arbitration court system.

KYIV — To put it simply, the arbitration court of Ukraine is a court of contracts. Its function is to settle disputes between parties over disagreements on contractual responsibilities, payment of debts for products, services or properties. With Ukraine's push to open capital markets and stimulate business growth and investment — central to which is the closing of contracts between parties — the arbitration court system has moved from the periphery of Ukraine's still Soviet-based court system to a central position with an ever-increasing docket.

Today it consists of 25 oblast arbitration courts, and separate courts for Crimea, and the cities of Sevastopol and Kyiv. Under them fall municipal courts (both city and raion). All answer to the High Court of Arbitration. The system involves 1,052 arbitration judges.

The new Ukrainian Constitution passed last July refers to the arbitration system as the Court of Specialization, but in Ukraine it is still routinely

referred to as the arbitration court.

The court is an independent body responsible for reviewing and settling contractual disputes among legal entities, government bodies and other official organs. Essentially, its job is to determine whether terms exist for breaking a contract and what they are; to decide whether a contract exists and what are the promises offered by the parties to the dispute; and then to rule in favor of one of the parties. In an arbitration proceeding the court does not dole out punishment, it upholds the remedy offered by the winning party.

Today a typical case before the arbitration court is a disagreement over the terms of lease contracts for buildings and apartments. As the rent for lease space has skyrocketed in the last four years, too often landlords have attempted to throw out businesses and individuals to make room for tenants who are willing to pay more. In Ukraine the length of a lease contract cannot be changed, so the arbitration courts have regularly analyzed contracts to determine the actual length of the agreements, and determine their effect, according to Liudmilla Panova, owner and director of the legal firm Modul.

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ANALYSIS: A tale of two letters and a bilateral relationship

by Markian Bilynskyj

New year preoccupations with domestic politics in Ukraine — in the shape of arguments over the still unratified 1997 budget and the at times almost frenetic coalition-building efforts of several political parties — unexpectedly gave way recently to foreign policy concerns. These centered on two letters; one real, the other supposedly concocted.

On January 13, Russian President Boris Yeltsin wrote to his Belarusian counterpart, Aleksandr Lukashenka, proposing that they begin substantiating the agreements on integration signed last April. He also suggested holding a referendum on the desirability of a union "of one kind or another" between their two countries. The following day, the Ukrainian daily, *Vseukrainski Viedemosti*, published the text of a letter — as well as a reduced reproduction of what it claimed to be the original document — allegedly sent last October by Russian Deputy Foreign Minister Sergei Krylov to President Yeltsin's principal foreign policy adviser, Dmitrii Rurikov.

While the letters and the immediate interest they generated might soon be forgotten, the heavily intertwined bilateral and regional issues and trends they address will remain very relevant. Indeed, they might become even more acute given the prospective geopolitical changes engineered by NATO expansion.

A reply to an assignment?

The Krylov letter was apparently a reply to an assignment from Mr. Rurikov to consider measures "for countering the destructive anti-Russian policy of the president of Ukraine, L[eonid] D[anilovych] Kuchma ..." Mr. Kuchma's cardinal transgressions are identified as a "principled refusal" to allow Ukraine to participate actively in deepening CIS integration under Russia's leadership and an "unwillingness" both to discuss the possibility of preserving a unified Black Sea Fleet (BSF) and to compromise over the status of Sevastopol.

The author points out that the Russian Embassy in Kyiv predicts, on the basis of information confirmed by "confidential sources within the Ukrainian government," that Mr. Kuchma's policies will continue unchanged until the 1999 presidential elections. The only way out is to "neutralize [his] negative personal influence." The "optimal" means would be Mr. Kuchma's "political discreditation leading to possible impeachment by the Verkhovna Rada."

According to the Russian ambassador to Kyiv, Yurii Dubinin, the letter notes, some deputies from "influential" factions within the Rada reported "confidentially" that the above scenario could transpire if a propaganda campaign were to be launched "blaming him for strategic concessions to the Russian side." The "catalytic role" would be played by the Russian Federal Assembly where both chambers would adopt legislation stopping the further division of the Black Sea Fleet and declare Sevastopol a Russian city.

The author predicts that, given Ukraine's dependence on Russian energy sources and its gas debt, President Kuchma would "refrain from extreme

Markian Bilynskyj is director of the Pylyp Orlyk Institute for Democracy, established in 1991 by the U.S.-Ukraine Foundation, a non-profit organization that supports the development of democracy and civil society in Ukraine through a variety of projects.

retaliatory moves," thereby giving his opponents the opportunity to launch a widespread propaganda campaign "accusing him of betraying national interests."

"Developments," the letter concludes, "could lead, if not to impeachment, then certainly at least to a significant weakening of the Ukrainian president's position, something that would correspond to Russia's national security interests."

All of the Russian officials involved with or mentioned in the letter (plus Foreign Minister Yevgenii Primakov) have either denied its existence or declared it a blatant forgery and have urged the Ukrainians to investigate.

Horbulin reacts to documents

Speaking at a January 15 press briefing, however, Volodymyr Horbulin, who, significantly, had just returned from a trip to Brussels — where the principal item on the agenda had been the systematization of relations between NATO and Ukraine in the form of an as yet unspecified special agreement — stated (obviously without elaborating the point) that although he valued highly the competence of the Ukrainian special services, he did not believe they were capable of producing such a document "on their own." Moreover, he added, given the current state of Ukrainian-Russian relations, the existence of such documents was quite possible.

Certainly, there was heightened Black Sea Fleet-related activity in both the Russian and Ukrainian parliaments last autumn. But whether this constitutes circumstantial evidence for the letter's existence or is just coincidence is unclear. Last October, for example, the Duma passed a law halting the division of the BSF and declared that Sevastopol was a Russian city — something the Federation Council did in December. Moreover, in November the Verkhovna Rada did come within a dozen or so votes of passing a resolution to consider Mr. Kuchma's impeachment. Although the move was initiated by the left and related to his domestic policies while prime minister, rumors that President Kuchma was about to concede to Russian demands on the BSF and Sevastopol may have led some members of the pro-presidential "Constitutional Center" faction to vote in a way that signaled to the president that their support on every issue should not be taken for granted.

Whatever the correlation of forces within the Rada might have been back then, and whatever the source and veracity of the Krylov letter, the fact is that its appearance might now work in President Kuchma's favor. Given the unabating legislative struggle with the Verkhovna Rada (and, increasingly, the government), some members of the Kuchma administration could be tempted to use it as a pretext for suggesting that any opposition might just be the Kremlin's anonymous collaborators.

There can be no doubt, however, that the Krylov letter has appeared at a very awkward time in relations between Kyiv and Moscow. The twin problems of the Black Sea Fleet and Sevastopol appear intractable — this at a time when President Yeltsin's continuing indisposition deprives Russian policy of at least a rudimentary focal point. As a result, sensitive issues are becoming hostage to narrow and distortive political posturing in anticipation of pre-term presidential elections.

Moscow Mayor Yurii Luzhkov has

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NEWSBRIEFS

More on NATO expansion, Russian veto

MOSCOW — President Boris Yeltsin's foreign affairs adviser, Dmitrii Riurikov, said on February 11 that it is "unfair and wrong" for NATO to deny Russia a veto on European security issues, international agencies reported. He said NATO's drive to expand eastward is excluding Russia from joint decision-making on European security issues. The same day, presidential spokesman Sergei Yastrzhembskii said Moscow would be particularly alarmed if the Baltic states joined NATO. The remarks coincided with a tour of post-Soviet republics by NATO Secretary-General Javier Solana. Meanwhile, a group of democratic parties castigated the "current anti-NATO hysteria" in Russia, saying it is often used for propaganda purposes "to return to the times of the Cold War." They argued that Russia and NATO must find a "reasonable compromise" on expansion. (OMRI Daily Digest)

Operation "Clean Hands" is announced

KYIV — President Leonid Kuchma has announced a new program, Operation "Clean Hands," aimed at ridding the upper echelons of government of corruption. The Ministry of Justice has been charged with preparing a plan to oust corrupt officials from government bodies, and a national bureau of investigations will soon be created to look into abuses by government officials. (Respublika)

Russia supports French NATO proposal

MOSCOW — Presidential spokesman Sergei Yastrzhembskii said on February 6 that Moscow supports the reported proposal by French President Jacques Chirac to hold a five-way summit on European security and NATO expansion this April, Russian and Western agencies reported. Citing anonymous Western diplomatic sources, Agence France Presse reported the day before that Mr. Chirac, supported by German Chancellor Helmut Kohl, had proposed that an April summit of Russia, France, Germany, Britain and the U.S. hammer out a deal on Russian ties with NATO before the alliance issues invitations to prospective East European members at its scheduled July summit. The French proposal has received a cool response from American diplomats. (OMRI Daily Digest)

Loans keep Ukraine's economy afloat

KYIV — Vice Minister for Finance Serhii Matsakaria told the Verkhovna Rada on February 11 that, as of the beginning of 1997, Ukraine had received \$3.5 billion in foreign loans. About \$2.2 billion

came from the IMF — which is Ukraine's largest donor, followed by the EBRD and the World Bank. Mr. Matsakaria said the loans had helped last year to stabilize Ukraine's new national currency, the hryvnia, and to reduce inflation. Ukraine's foreign debt totals some \$9 billion, of which \$4 billion is owed to Russia and Turkmenistan. (OMRI Daily Digest)

Ukraine may unilaterally delimit border

KYIV — A Ukrainian Foreign Ministry official has warned that Ukraine might take unilateral steps in delimiting the Ukrainian-Russian border, ITAR-TASS reported on February 11. He claimed that Russia is dragging its feet over bilateral talks on border delimitation because of the uncertain fate of the Black Sea Fleet and the status of Sevastopol. He also noted that Ukraine has solved the problem of demarcating borders with its other close neighbors, Belarus and Moldova. (OMRI Daily Digest)

Committee to prepare for the year 2000

KYIV — President Leonid Kuchma chaired the first meeting of the organizing committee charged with making preparations for observances in Ukraine of the 2000th anniversary of the birth of Christ. He stressed that all activities should be aimed first of all at promoting unity and the rebirth of spirituality of the Ukrainian nation. The work of the committee is to be directed by Vice Prime Minister for Humanitarian Affairs Ivan Kuras. During this initial meeting, many proposals for marking the conclusion of the second millennium were given by representatives of various Churches and government officials. (Respublika)

Chornobyl workers' protests spread

MOSCOW — Former miners and soldiers who took part in the clean-up operation after the 1986 Chornobyl disaster are continuing a hunger strike in the Tula Oblast of Russia, although the government has released funds to pay delayed pensions and disability benefits, ITAR-TASS reported on February 5. The former "liquidators," who declared a "dry" hunger strike on February 1 after more than two weeks of protests, decided to accept liquids and medicine when the government ordered the payment of 40 billion rubles (\$7.1 million U.S.) to clean-up workers, but they say they will continue to refuse food until all the money, including an adjustment for inflation, is paid. Meanwhile, on February 4, dozens of liquidators in the Sverdlovsk Oblast also went on hunger strike to demand the payment of about 28 billion rubles in overdue benefits. (OMRI Daily Digest)

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Secretary of state for multiculturalism cool to Canadian internment memorials

by Christopher Guly

OTTAWA – Canada's secretary of state for multiculturalism, Dr. Hedy Fry, said she agrees with her predecessor, Sheila Finestone, that "it's time to move" on past injustices.

Dr. Fry, who last year succeeded Ms. Finestone as Canada's junior minister responsible for multiculturalism, said she is prepared to discuss the community's redress claim for the internment of thousands of Ukrainian Canadians during the first world war.

"I'm here to listen to them, but I'm also here to tell you that we can only try to change our future by having learned from the past," said Dr. Fry in an interview.

In 1995, Ms. Finestone said the federal government had resolved the redress issue by proposing the establishment of a Canadian Race Relations Foundation in Toronto.

That's one option Dr. Fry, who represents the downtown riding of Vancouver Center in the House of Commons, is still considering and could raise when she meets with members of the Ukrainian Canadian Civil Liberties Association in Vancouver at month's end.

Among the many issues the UCCLA wants the secretary of state's support on concerns a planned memorial for Spirit Lake, Quebec. That's the camp site where two of the last known survivors, Mary Manko Haskett and Stefa Pawliw Mielniczuk, were held with their families. Both women are now in their late 80s.

Following a recent meeting with officials from Parks Canada and Canadian Heritage Minister Sheila Copps' office, UCCLA representatives were told a cost-sharing arrangement between the federal government and the association would have to be negotiated with Dr. Fry's office.

But Borys Sydoruk, director of special projects for the UCCLA, said his group has been unsuccessful to date in dis-

cussing the issue of redress with Dr. Fry. "She responded to none of our letters," he said in an interview from Calgary. "She has also twice canceled meetings with us."

Dr. Fry, a physician, said she wasn't sure how effective placing individual memorials at internment camp sites would be to get the message of a past injustice across to Canadians. "The question arises, does one have 20 different plaques or do we take the history of all the peoples who have contributed to building Canada and put them into one story," she explained.

About 5,000 people of Ukrainian descent were interned in 24 camps during World War I.

So far, the UCCLA has set up plaques at Castle Mountain in Banff National Park, Fort Henry near Kingston, Ontario, Kapuskasing in northern Ontario, and Jasper National Park in Alberta. Parks Canada helped fund a set of interpretive panels at the Cave and Basin site, just outside Banff, where internees spent their winter months.

The UCCLA plans to set up further memorials at two sites in British Columbia, in Vernon and Nanaimo, and two in Manitoba, in Winnipeg and Brandon.

The concept of some historical reminder situated in a national park intrigues Dr. Fry, but not one focused on one ethnic community. "Across Canada, many communities have in fact had tragedies and joys," she said. "What we do then is talk about our common past, stressing our individual problems. But at the same time, we should talk about building our common future, where all Canadians, regardless of their origins, enjoy equality and justice."

The Trinidad-born secretary of state said she personally experienced discrimination in her life, but learned to overcome it. "Because of the strength of my family upbringing and my own sense of self-worth, I was able to move on and build on the past and get strength from it."

However, Mr. Sydoruk said the federal government is missing the meaning behind the redress issue. "These were people who lost their freedom, were interned and treated not so nice at times, while they worked for the national parks system," he said. "Yet, we have to raise money to remember them? [The Canadian government] got slave labor out of those people."

Meanwhile, Mr. Sydoruk said the UCCLA is still waiting for Prime Minister Jean Chrétien to honor a commitment the group claims he made almost four years ago.

As federal Opposition leader, Mr. Chrétien sent a June 8, 1993, letter to the Ukrainian Canadian Congress redress committee, saying that if his Liberal Party was elected he would "continue to monitor the [redress] situation closely and seek to ensure that the government honors its promise."

No one from the Prime Minister's Office was available to comment on the letter.

Ironically, as the UCCLA and the Canadian government continue to lock horns over setting up further internment memorials, a traveling exhibit recalling the historic episode arrived in Ottawa.

"The Barbed Wire Solution – Ukrainian Canadians and Canada's First Internment Operations" opened at the Karsh-Masson Gallery at Ottawa City Hall. The display, produced by the Toronto-based Ukrainian Canadian Research and Documentation Center, will remain in the city until March 9.

Ukraine could get more Canadian aid, says minister of international cooperation

by Christopher Guly

OTTAWA — According to Canada's minister of international cooperation, Don Boudria, rumors that the federal government's shift in its foreign aid development policy will harm its relationship with Ukraine are unfounded.

Foreign Affairs Minister Lloyd Axworthy recently said Canada would re-focus its attention on Third World aid to international security issues. That made some Canadian groups working in Ukraine worried they could lose federal funding.

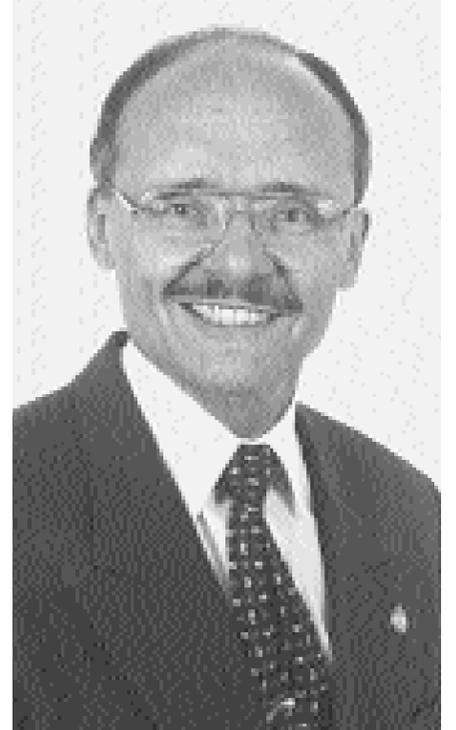
"It can't happen," said Mr. Boudria in an interview. "Basically, I administer two programs. One is for countries that qualify for Official Development Assistance (ODA), or what we would call Third World nations. The other is for countries in transition, such as those in Central and Eastern Europe. Funds used for those countries can't be used for developing countries."

However, Paulette Schatz, program manager for the Partners in Health project of the Canadian Society for International Health, said the federal government's international priority appears to be more focused on countries in Africa.

"Axworthy has said he wants to continue to work on a peace initiative in the world, but always targets such countries as Rwanda and Zaire," said Ms. Schatz. "Yet that seems to be a contradiction when one of the highest strategic places in the world cited is Ukraine."

She said the Canadian public "is only being educated about the poorest of the poor" at the expense of countries in Central and Eastern Europe.

Partners in Health is one of three components of the Canada-Ukraine Partners Program. PIH receives \$1.5 million (\$1.1 million U.S.) from the federal government. Earlier this year, Mr. Axworthy said Canada would focus on "human security concerns," through such initiatives as training for Third World journal-



Minister Don Boudria

ists, promoting distance education, and transmitting development-related radio and television programs into the world's poorest countries.

That new focus doesn't involve any change in funding, because the Canadian International Development Agency (CIDA), for which Mr. Boudria is responsible, is already facing a \$309-million (\$224 million U.S.) budget cut over the next two years.

Since 1991, CIDA's budget has been reduced by 45 percent. Last December – two months after he was appointed to his current cabinet post – Mr. Boudria announced that bilateral aid would decrease by 8.3 percent this year and 8.1

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Chernomyrdin, Gore meet in Washington, schedule summit

OMRI Daily Digest

WASHINGTON — Russian Prime Minister Viktor Chernomyrdin and U.S. Vice-President Al Gore opened the eighth session of the bilateral economic cooperation commission, which they co-chair, in Washington on February 6, Russian and Western agencies reported.

Eighteen economic agreements were signed at the meeting of the U.S.-Russian Joint Commission on Economic and Technological Cooperation on February 8. They included a joint declaration on regional initiatives in Russia, which is expected to boost foreign investment in Russia's regions.

Mr. Chernomyrdin earlier met with House Speaker Newt Gingrich and Senate Majority Leader Trent Lott, to whom he re-emphasized Moscow's opposition to NATO expansion.

According to ITAR-TASS, Prime Minister Chernomyrdin added that Russia could accept expansion if Moscow were admitted to the NATO council as its 17th full member and the alliance transformed itself into a "political organization."

On February 7, Vice-President Gore

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Canada to help reform Ukraine's notaries

by Christopher Guly

OTTAWA – Canada's minister for international cooperation, Don Boudria, recently announced a new federal government project to support notarial reform in Ukraine.

The Canadian International Development Agency, which Mr. Boudria heads, has given the Order of Notaries of Quebec \$1.2 million (\$870,000 U.S.) to develop the program.

Over the next two-and-a-half years, the *Chambre des Notaires du Québec* will work with Ukraine's Ministry of Justice to review the role of notaries under Ukrainian law and establish a regulatory body for the profession.

A notary is a public officer who attests or certifies such written documents as deeds or wills to make them authentic. Notaries also take affidavits and depositions. The new CIDA project will also include the development of model notarial deeds and the training of women notaries to help them open their own private practices.

An office will also open in Kyiv that will be dedicated to compensating victims of legal malpractice.

"The success of this reform will have a significant positive impact on private-sector development," Mr. Boudria told a meeting of Quebec's notaries in Montreal on February 6.

The notary project is not the first time the Canadian government has helped Ukraine in its legal reforms. From 1993 to 1995, the Association of Universities and Colleges of Canada hosted members of Ukraine's legal and judicial communities in month-long specialized academic training and work internships in Canada.

The University of Alberta law faculty is currently running a three-and-a-half-year legal training and curriculum development project involving 18 Ukrainian law professors. Four of the academics completed their Canadian training last May and are now teaching new, Western-influenced law courses at the Center of Legal Studies at the University of Kyiv.

The \$1.5 million (\$1.1 million U.S.) project, which also involves York University in Toronto and Montreal-based McGill University, ends in December 1998.

Canada's Office for Federal Judicial Affairs is working with Ukraine's Justice Ministry and its new Department of Judicial Affairs, the Ukrainian Supreme Court and Ukraine's Judicial Council to train judges throughout Ukraine in judicial ethics and better courtroom management.

The project, worth \$2.2 million (\$1.6 million U.S.), began in July 1996 and ends in September 1999.

Kennan Institute seminar examines legal and judicial reform in Ukraine

by Volodymyr Chornodolsky
Ukrainian National Information Service

WASHINGTON — The Kennan Institute for Advanced Russian Studies and the International Foundation for Electoral Systems (IFES) co-sponsored a seminar on January 9 on "Legal and Judicial Reform in Ukraine." Many business and policy officials see the reform of Ukraine's legal system and the establishment of a stable judicial branch as integral to investment and development.

Participants from Ukraine included: Vitalii Boyko, chairman of the Supreme Court of Ukraine; National Deputy Volodymyr Stretovych, who chairs the Verkhovna Rada Committee on Law Policy and Legal and Judicial Reform; National Deputy Oleksander Lavrynovych, deputy chair of the Verkhovna Rada Committee on Law Policy and Legal and Judicial Reform; and National Deputy Viktor Shyshkin, chair of the Subcommittee in the Verkhovna Rada on Law Policy and Legal and Judicial Reform.

Judge Bohdan Futey of the U.S. Court of Federal Claims introduced the guest speakers and presented background information on reforms in commercial law, the Constitution and various legal matters. "With the adoption of its Constitution," stated Judge Futey, "Ukraine has established its fundamental law, further established its statehood, and provided a fitting tribute for the fifth anniversary of Ukraine's independence."

In democracies, the constitution is a compromise between various factions. Ukraine was one of the last countries of the former Soviet Union (FSU) to ratify a new constitution. Many issues currently remain unresolved and await the enactment of subsequent enabling legislation. Matters such as the election of national deputies, acquisition of and selling property, habeas corpus rights, standards for political asylum, the right to trial by jury and other issues represent the strength of the Constitution and, according to Judge Futey, "the ensuing legislation will make it a legal reality for the citizens of Ukraine."

Mr. Stretovych commented on the reform process in Ukraine and the freedoms of conscience and creed, as well as the protection of national minorities that have been secured since the ratification of the Constitution. Immediately following Ukraine's Declaration of Independence, Mr. Stretovych noted that leftist factions posed a threat to the reform process and therefore, no real opportunity ever existed to pass a genuine Constitution. Mr. Stretovych further commented: "Legal reform is not so straightforward. It must be understood in the context of where Ukraine has come, where it presently is, and where it will go." Even before the Constitution was formally adopted by the Ukrainian Parliament, Mr. Stretovych commended the peaceful transition of power in both the executive and legislative branches following the 1994 elections.

Ukrainian Supreme Court Chairman Boyko also emphasized the need to strengthen the judicial branch within Ukraine. It is vital to change the view of the courts as an instrument of the onemongolithic regime to an instrument designed to protect citizens from the perils that exist within all aspects of society, he said. Draft documents of modified Civil and Criminal Codes have been prepared and are ready for adoption by the Parliament of Ukraine.

National Deputies Lavrynovych and Shyshkin examined the progress made since the ratification of the Constitution, as well as the history of legal reform in Ukraine. The previous Constitution of the Ukrainian SSR, adopted in 1978, proclaimed the Communist Party as the only legal party in the FSU. Ukraine, in its bid for independence, abolished this article (Article VI) in 1990, which led to the proviso that members of the court system may not be affiliated with any political party.

With regard to the Constitution, several problems need to be addressed. Several articles within the Constitution contradict one another, and other articles are subject to change with the passage of legislation at a latter date. When these contradictions are resolved, when a bankruptcy court is established and when a solid commercial law code is enacted, Ukraine's potential to attract foreign investment will greatly increase.

Canadians develop business contacts

EDMONTON — In December 1996 a delegation from Ukraine traveled to Canada for working meetings to develop business contacts for the Canada Ukraine Business Initiative (CUBI '97).

The delegation included Volodymyr Ignaschenko, deputy head of Ukraine's National Agency for Reconstruction and Development; Andrii Pochtiarov, executive assistant to Roman Shpek, chairman of the National Agency for Reconstruction and Development; and Olena Kucherenko, head of the Canada Relations Department.

In October and November 1996, meetings on CUBI '97 were held in Ukraine with working delegations led by the chair of CUBI '97, Laurence Decore, and representatives of business, the government of Canada, and the provincial governments of Alberta, Saskatchewan and Manitoba.

The Canada Ukraine Business Initiative '97 will be kicked-off on Monday, June 16, with a business conference in Calgary. A week of meetings will follow, including the second meeting of the Canada Ukraine Intergovernmental Economic Commission.

Meetings will be organized with the support of provincial governments in three specially selected business sectors: (1) construction (Manitoba); (2) agriculture and agrifood (Saskatchewan); and (3) energy complex (Alberta). The timing of the specific business sector meetings will coincide with major conferences, including the InterCan Oil and Gas show in Calgary, the Western Producers Agri-Show in Regina, and the Housing Export Show in Winnipeg. It is expected that more than 100 people from each business sector in Canada and Ukraine will attend CUBI '97.

The Canada Ukraine Business Initiative was developed by a private-sector committee of businesspeople chaired by Alberta Legislative Assembly Member Decore and the Canadian Institute of Ukrainian Studies (CIUS) at the University of Alberta. The CIUS has received substantial private-sector financial and in-kind contributions from companies that include ATCO Structures, Northland Power, Epic Energy, UK-RAN Oil, as well as seed funding from Industry Canada's Western Economic Diversification program to develop, design and implement the Canada

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Harvard conference...

(Continued from page 1)

in Mr. Kortunov's words, is that it brings together a widely diverse group of politicians with vastly divergent views about Russia's domestic politics and Russia's place in Europe: the conservative-nationalists and the liberals.

The first group, the conservative-nationalists, see NATO mainly as a potentially hostile military alliance, whose extension up to Russia's borders could create new security uncertainties for Russia. (Therefore, in view of this author, this group is especially opposed to a potential inclusion of Ukraine in the alliance).

For the liberals, on the other hand, their dislike for a NATO expansion that excludes Russia is based on issues of national identity: as NATO membership is taken to be a symbol of belonging to the new Europe, a Russian exclusion from NATO is both isolating and humiliating; it would imply Russia was to be treated as semi-European.

The two groups also differ in terms of their policy prescriptions.

The conservatives see the prospect of NATO expansion as so threatening that no measures should be spared in the effort to block it. If this fails, however, Russia should balance this enlargement by seeking to erode NATO, and building a new set of alliances both within the former USSR (building up a competing military alliance and increasing pressure on Ukraine to join it) and in the Third World.

For the liberals, on the other hand, the only acceptable solution would be to join NATO. Were this to be impossible, they would strive for a substantial consolation prize (limitations on NATO activities in the new states, new conventional weapons agreements, etc.), which could be sold to Russian public opinion, thus avoiding total discreditation of the liberals in the eyes of the Russian public.

Prof. Sochor's presentation emphasized how, for a long time, U.S. and NATO officials seemed more concerned with Russian reactions and attitudes towards NATO than with the concerns of the countries seeking to join NATO, or more directly affected by its expansion, such as Ukraine.

Prof. Sochor's presentation also focused specifically on the case of Ukraine's changing relationship with NATO. If initially Ukraine seemed to be opposed to NATO expansion, by now most policy-makers favor a separate charter agreement with the alliance. (In an interesting contrast with earlier declarations, the new National Security Doctrine recently approved by the Verkhovna Rada allows for the country to join international security systems, thus opening the door to a special agreement with, or even membership in, NATO.)

Prof. Sochor finished her presentation with two remarks about the role of Ukraine and Russia in a future European security system: NATO expansion should not be interpreted narrowly as being against Russia; on the contrary, once expanded, NATO could also contribute to Russia's rethinking of its security policies in a constructive way. Moreover, for all the difficulties involved in incorporating Ukraine into the new Europe envisaged by the West, these difficulties are relative, as there could never be real security in this new Europe without Ukraine.

Some of the most provocative elements of the discussion were provided by Prof. Wallander, who focused on Russia's uneasiness about NATO expansion, and on the question of whether NATO expansion — at least as currently formulated — could indeed solve Europe's real security problems. According to Prof. Wallander, the West

is making a great mistake by attributing anti-NATO expansion sentiments to extremist or fringe elements in the Russian political spectrum. Confirming Mr. Kortunov's assessment, Prof. Wallander sees the Russian political elite as basically united in its opposition to NATO expansion.

According to Prof. Wallander, whether one agrees with Russian objections or not, it is imperative to come to terms with the fact that these concerns are long-standing and genuine, and that ignoring them as simply the product of an extremist and populist political discourse cannot but harm Europe's future security. Moreover, as noted by Prof. Wallander, current NATO members are not likely to ratify the inclusion of new members if they feel that this will destabilize their relationship with Russia: current NATO members want to increase their security, not decrease it.

Prof. Wallander also emphasized the fallacy of believing NATO can, as if by magic, solve all of Europe's security problems: in her view, the real threats facing the European states are not so much external threats, but the question of mistrust and lack of cooperation between states. Moreover, having the false expectation that NATO can solve all of the continent's security problems would overburden the institution and be counterproductive in the longterm. In her view, thus, the West should seriously consider Russia's concerns (by measures such as granting Russia political membership in the alliance, and modifying the alliance's charter to ensure Russia is not seen as a single threat), and transform NATO in such a way (enhancing NATO's capabilities in areas other than conventional external defense, and focusing on broader, all-European institutions such as the Organization for Security and Cooperation in Europe) as to change its focus away from andue concentration on an outdated emphasis on external security.

Where does this leave Ukraine? This debate emphasized the importance of institutions — either as security shields or providers of a certain collective identity — and the fact that a neutral Ukraine could cut loose from this increasingly important web of international institutional links.

Yet some further questions for debate remain. If, as emphasized by Prof. Wallander and Mr. Kortunov, the Russian political elites are so vehemently opposed to NATO expansion, what does this mean for Ukraine? Does this imply that Ukraine does have good reason to feel anxious about an external threat from Russia, in fact providing an argument for including it in NATO's security umbrella?

The debate at Harvard also proved that many discussions about European security continue to be dominated by concern for Russia's perceptions of security, and that Ukraine still occupies a rather awkward place, not only geographically, but also in various theories of geopolitics and international relations. Thus, the Harvard Ukrainian Research Institute and the Davis Center have agreed to host a second debate focusing specifically on Ukraine, Central Europe and NATO expansion, to take place on Thursday, March 13.

These discussions are part of a larger HURI series on Ukraine and European security. As part of this series of events, HURI will be visited in mid-March by Dr. Eugeni Kaminski, senior fellow of the National Institute for Strategic Studies, who will lecture at the institute on issues related to Ukraine's new role in Europe. (For more information, please call HURI at 617-495-4053.)

Margarita Balmaceda is assistant professor of political science at The University of Toledo and visiting fellow at the Harvard Ukrainian Research Institute.

Oksana "I'm Russian" Baiul on Oprah

TORONTO — Embattled Olympic champion skater Oksana Baiul appeared for 10 minutes on the widely syndicated Chicago-based "Oprah" show on February 7, in her first public appearance since her car accident on January 12.

According to a February 10 report in *The Hartford Courant*, when asked by host Oprah Winfrey about the evening that led to her January 12 car crash in Connecticut, Ms. Baiul revealed that she had consumed "four or five" Long Island Iced Teas, a potent combination of several liquors, in a bar.

Ms. Winfrey rejoined, "We know what one [such drink] is, and four ... You were drunk."

"Actually, no, I wasn't drunk," Ms. Baiul said.

To Ms. Winfrey's counter, "You had to be drunk if you had four Long Island Iced Teas," the 19-year-old Dnipropetrovsk native replied, "I'm Russian."

All newspapers and newswires surveyed for this report referred to the athlete as Ukrainian.

During the session, taped on the previous day, Ms. Baiul described the accident, saying that she knew she was

going too fast (local police estimated she was traveling about 97 mph at the time of the incident) because her passenger, Ararat Zakarian, had warned her to slow down.

She also said Mr. Zakarian pulled her from the car and called for help on her car phone.

Ms. Baiul thanked God that her injuries and the injuries to her passenger were light and that nobody else had been hurt. "I think somebody over there is watching," the figure skater said, gesturing upward.

Prompted by Ms. Winfrey, Ms. Baiul spoke to her fans. "Well, I'm just apologizing in front of them because I've done the wrong thing and I've learned my lesson," she said.

However, according to the *Courant's* report, the former world champion said she didn't think that fame and fortune had come too quickly to her, saying that she had worked hard for her success.

The "Oprah" interview closed with the athlete's plug for her new book, "Oksana: My Own Story." Ms. Baiul added a message to young audience members: "Work hard, and don't drink and drive, because it's the worst thing."

Judge imposes fine, community service on Baiul

TORONTO — It appears that Oksana Baiul will escape her latest misfortune with a dozen stitches, a small fine and some community work. Her license will not be suspended.

The former Olympic figure skating champion's appeal that she be spared the full force of the law, filed on January 27, was granted by a Connecticut judge on February 4.

According to an Associated Press report, at a 10-minute hearing in West Hartford, Superior Court Judge Terrence Sullivan sternly lectured Ms. Baiul before imposing a \$90 fine and a requirement that she attend an alcohol education program and perform 25 hours of community service.

"You're just so incredibly fortunate," Judge Sullivan said. "I don't think you realize how serious this could have been. You wouldn't be standing here asking me for admittance to the alcohol education program. You'd be standing here asking me not to send you to prison."

Ms. Baiul faced drunken driving and reckless driving charges after a January 12 incident in which the Dnipropetrovsk native drove her green Mercedes off the road into a cluster of shrubs and trees near Bloomfield at a speed police estimated to be 97 miles per hour.

Other than judicial discretion, the professional athlete's sentence is a result of an assortment of legal procedures.

First, she was perversely taken to a hospital and treated for a concussion and a gash in her scalp. An AP report of January 30 quoted John Yacavone, chief of the Legal Services Division of Connecticut's Department of Motor Vehicles, as saying that certain steps have to be followed at the scene of a drunken driving incident for a license to be suspended.

"The way the law is written, it is impossible to take those exact steps if the operator of the vehicle has an apparent injury," Mr. Yacavone said. "The officer has to let them get medical attention."

As a result of this procedure, police could not test the Simsbury resident's blood alcohol level at the roadside. Ms. Baiul was tested at the St. Francis Hospital and Medical Center, and found to have a level of 0.168 percent, over the state's legal limit of 0.10 and 0.02 for drivers under 21.

The judge admitted he couldn't suspend Ms. Baiul's driver's license because a blood-alcohol test was administered at the hospital where she was treated, rather than by police. "Hopefully, that's a problem the [Connecticut] Legislature will address," Judge Sullivan said.

In addition, Assistant State's Attorney John O'Reilly said he agreed to reduce the reckless driving charge because the speed

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Ukraine's court...

(Continued from page 1)

She explained that in Ukraine contracts are often poorly written because the parties to the contract are not aware of what a legally enforceable contract must include, which leaves it up to the arbitration court to untangle the mess that can result. "The contract makers too often do not engage the expertise of lawyers, which would make the whole process simpler," she said.

Therefore, the court, which was established during Soviet times, has a much expanded responsibility. In the "old times," as many today refer to the Soviet era, when all property was state-owned, all transfers of property or government contracts were handled with the same document. "If there were disagreements, they were over what factory was owed what," said Ms. Panova.

Ms. Panova, whose firm specializes in arbitration cases, mostly handles disagreements between private businesses. However, she said the court also continues to deal with matters of controversy between various government bodies and administrative levels.

"After the division of government property [with independence] many disputes occurred regarding true ownership of various pieces of property. These were especially prevalent between city and raion (district) administrative bodies," explained Ms. Panova. "Today it happens less, but in 1992-1993 they were very common."

The court also rules on disputes between government administrative bodies and legal individuals. An oblast or raion administrative head may issue a decree that a legal individual, whether a business or a person, believes is contrary to or not in compliance with a law of Ukraine. The issue can be brought before an arbitration judge to settle the matter.

Not everyone has access to the arbitration court. The court will only review applications by "legal persons," that is, entities that have a registered status as such with the Ukrainian government. They can be individuals, organizations,

businesses or government administrative bodies. They must fulfill government requirements as specified by the laws of Ukraine and must report their dealings in Ukraine, which includes financial reports, on a regular basis.

If one of the parties to a dispute is not a registered legal person, the matter can be referred only to the Court of General Competency, which handles civil and criminal matters.

Typically, a matter that ends up in arbitration court begins when an individual asks a lawyer (or "yurist," as they are referred to in Ukraine) to file documents on his behalf to register a complaint.

First, the lawyer determines whether the complainant is a legal person before the state, which determines whether it is a matter for the general court or for the arbitration court. Then, according to Ms. Panova, notice is sent to the individual being charged with breach of contract to present the evidence. This does not always result in a court appearance.

"We often write into the notification a way in which the matter can be resolved out of court, and a timetable for resolution if it involves money, which usually it does," explained Ms. Panova. If both sides agree, a new contract to satisfy both sides is drawn up and the matter goes no further.

If the other party does not reply within a month in a manner agreeable to the complainant, documents are prepared by the lawyer and application is made to the arbitration court to hear the dispute.

The court clerk, who works for the head judge much as in the United States, sets the matter for hearing. At the hearing only lawyers are present along with the judge. "My client is never present," said Ms. Panova. He gives me power of attorney and all powers needed to get the matter resolved." After the hearing the judge has five working days to hand down a decision, which includes the terms and the timetable for resolution.

The judges are guided by two laws in handing down their decision: the law on arbitration courts and the law on procedure of the arbitration process. The former defines the responsibilities of the judge and the court; the latter explains

the procedures for resolving disputes.

The decision can be appealed to the High Court of Arbitration, whose presidium is the highest court in the arbitration system, but suits are rarely accepted unless they involve unusual circumstances or "government interests," as Ms. Panova explained.

If the ruling imposed by an arbitration judge is not complied with, the other party still has means by which to achieve equity. If it is a money or property matter, which is, again, the overriding concern of those involved in arbitration suits, the party seeking the remedy can turn to the arbitration court again after a month to seek relief.

The court can then order liquidation of bank accounts and assets, and even declare the party bankrupt. When arbitration court orders are not followed the matter becomes one for the general court's criminal division.

One of the more interesting aspects of this system is the degree to which the lawyers who bring suits for clients before the arbitration court are held liable when they lose. It also shows to what extent they must be assured of their clients' worthiness before they accept a case. "If we lose the case because it is our fault," explained Ms. Panova, "we are financially responsible for what our client owes." This is due in part to the overriding power of attorney granted them.

She said it is the lawyer's responsibility to determine the facts, properly prepare the documents, and be aware of applicable laws, which she said today is a major headache. "The law-making process in Ukraine is such that laws are made and then changed overnight. It is absurd and unheard of in other countries."

She said three criteria exist that determine whether the negative outcome of an arbitration suit was the fault of the attorney: whether the lawyer chose the right tactic to get to the core of the disagreement; whether the lawyer was ignorant of a law that ruled in the case; and whether the lawyer was responsible for missing a hearing, that resulted in forfeiture of his client's rights and a ruling for the other party.

Ms. Panova said the system is far from



Liudmilla Panova

perfect. She complained that the lack of a court reporter at hearings allows for misunderstandings to occur, and that the lack of a process of fact determination left too much discretion with the judge.

However, she leveled her strongest criticism at a policy of altering contracts because they are in the government's interest. "Today our biggest problem is that government interests take precedence over contracts."

She gave a personal example of how this works. In a case she was handling, she represented a Latvian oil firm that in 1993 had sold gas to a Ukrainian state farm and never received payment after making delivery. A suit was brought before the arbitration court that decided for her client. Payment never followed and the suit finally ended up in the High Court of Arbitration. That court ruled for the state farm based on an edict by President Leonid Kuchma that certain interests must be defended because they are state interests, explained Ms. Panova. "I do not know of a single country, which calls itself a free market, that uses state interests as an excuse to cancel a contract," she said.

THE UKRAINIAN WEEKLY

Ukraine's future holds promise

The front page of last week's edition of The Ukrainian Weekly was the classic good news/bad news scenario. On the top left of the page we carried a story about the U.S. Department of State praising Ukraine for significant progress on human rights. On the top right we published a story about the Council of Europe condemning Ukraine for continuing to implement the death penalty.

The State Department's annual human rights report generally gave Ukraine good marks for its "significant progress toward building a law-based civil society" and stated that "reports of human rights violations remained at the same low level as last year." It paid special attention to the newly adopted Constitution of Ukraine, which "provides safeguards for human rights" and establishes the principle of judicial review. As well, the report noted that Ukraine's new fundamental law "provides for a human rights ombudsman, who is to be responsible for assisting citizens in defending their rights." The report cautioned, "The efficacy of the new Constitution, however, depends on enabling legislation."

On the negative side, the State Department report noted that there are problems in the legal and prison systems, which it described as "unreformed." Prison conditions are poor, detainees and prisoners are beaten by police and prison officials; the judiciary is overburdened and long trial delays present a problem. All of which, the report pointed out, is exacerbated by Ukraine's economic crisis.

As regards press freedom, this is enshrined in the Constitution of Ukraine, but the government "occasionally attempts to control the press" and it "largely controls the broadcast media" as these remain largely under state ownership.

The report also noted some restrictions in the realm of freedom of religion (as non-native religious organizations' activity is somewhat restricted and there has been a lag in restitution of religious community property) and freedom of association (as the government's registration requirements circumscribe activity).

"Jews, the second largest religious minority in the country, have expanded opportunities to pursue their religious and cultural activities, but anti-Semitic incidents continue to occur" (e.g., anti-Semitic tracts circulated by extremist groups or anti-Semitic articles in local papers), according to the report, which added that the Ukrainian government protects the rights of the Jewish community and speaks out against anti-Semitism. Furthermore, the State Department document noted "only isolated cases of ethnic discrimination in Ukraine" and said "there is no evidence of serious ethnic tension."

Regarding the death penalty, The Weekly's December 15, 1996, issue urged Ukraine to live up to its promises. After all, Ukraine had pledged in December 1995 to effect a moratorium on capital punishment as the first step to abolishing the death penalty by the year 2000, which was required for Ukraine to gain admission into the Council of Europe. Now Ukraine faces the distinct possibility that it could be expelled from the council if it does not immediately halt executions. According to the latest information released on February 12 in London by Amnesty International, Ukraine last year carried out 167 death sentences. That statistic placed Ukraine in second place behind China for the highest number of known executions. A chilling fact, indeed.

Reviewing the above information, we can reiterate: there is both good and bad news about Ukraine's evolution as an independent post-Soviet state. We, the press, have to report both, and we in the diaspora have to realize that free Ukraine does have wants. The most important thing to remember in order to put everything into perspective is that — in a little more than five years of independence — Ukraine has come a long way. It still has a way to go, but it is consistently, unflinchingly, moving in the right direction. The future, therefore, holds much promise.

Feb.
18
1855

Turning the pages back...

Lev Symyrenko, the grandson of one of Ukraine's first industrialists, was born on February 18, 1855, on an estate near Mliyiv, about 40 miles west of Cherkasy. His grandfather Fedir's factory

produced the first steamships used on the Dnipro River, and built the first mechanized sugar refinery in the Russian Empire.

His father, Platon, established an orchard on their estate, which helped put his son into the Ukrainian history books, but not before a rocky youth.

In 1879, the year he graduated from Odesa University, Lev Symyrenko was arrested for political activity and exiled to eastern Siberia for eight years. While in Krasnoyarsk, his green thumb left its mark — he established a civic park, organized greenhouses and planted decorative and fruit-bearing trees.

Upon his return to Mliyiv in 1887, Symyrenko developed his father's legacy into one of the largest collections of fruit trees in Europe. The orchard included 900 varieties of apples, 889 kinds of pears, 350 sorts of cherries, 84 kinds of plums, 54 strains of walnut, 36 forms of apricot trees and 15 types of pear trees.

Symyrenko established an orcharding school and worked on a monograph on pomology (the science of fruit trees). On January 6, 1920, while war communism was at its peak, he was assassinated on his estate, and the property was nationalized.

In 1921, his son Volodymyr founded the Mliyiv Orchard Research Station (MORS) and served as its director. He was arrested in 1933 after running afoul of Lysenko-ites. Released briefly in 1937, he was re-apprehended a short time later and died while incarcerated, although the exact circumstances are unknown.

Nevertheless, over the years, the MORS produced hundreds of thousands of seedlings for fruit farms throughout the USSR, and its researchers developed new strains of gooseberry, currant and raspberry bushes, and new varieties of apple, cherry and pear trees.

Sources: "Mliyiv Orchard Research Station," Vol. 4, and the "Symyrenko, Fedir, Lev, Platon, Volodymyr" entries in *Encyclopedia of Ukraine*, Vol. 5 (Toronto: University of Toronto Press, 1993).

LETTERS TO THE EDITOR

Kuropas column negates achievements

Dear Editor:

The year 1996 was filled with important milestones for Ukraine: the adoption of a new Constitution; improved relations with the United States; passage of a foreign aid bill that secures Ukraine's position as the third largest recipient of U.S. assistance.

Instead of finding cause for celebration in these developments, Myron B. Kuropas does his best to start off the New Year on an abysmal note. Dr. Kuropas appeals to our deeply ingrained Slavic fatalism (as if it needed reinforcement) and tries to cast grave doubts on Ukraine's long-term survival. His December 8, 1996, and January 5, 1997, columns ("It's a matter of trust" and "Is Ukraine 'constitutional'?") are calculated to undermine public confidence in the reform process, and they are likely to perpetuate a false sense of powerlessness among many readers of The Weekly.

Dr. Kuropas contends that the new Ukrainian Constitution is as "meaningless" and ineffectual as the old Soviet model. This kind of Cold War rhetoric may strike a nostalgic chord with some, but it's time to acknowledge that the Cold War is over, and to adopt our thinking to new realities unfolding in Ukraine. For the first time since the fall of the Zaporozhian Sich, Ukrainians have a bona fide democracy — with real choices between candidates (from former political prisoners to socialist hardliners), with real elections monitored by international observers, with robust debates in the Verkhovna Rada, in the media and on the streets. Freedom of religion and expression have been fully restored, and all of this has been constitutionally protected.

By dismissing these stunning changes as "meaningless," Dr. Kuropas reveals his contempt for a constitutional process that, however fragile, is the only hope for Ukraine's future. Instead of treasuring Ukraine's newly independent democracy, Dr. Kuropas denigrates it as a farce equivalent to its Soviet predecessor — a state that was morally and institutionally bankrupt and that deserved to be abolished.

Such a blind and reckless indictment, coming from a leading columnist in a reputable paper, can only bring comfort to Ukraine's enemies. Russophiles and imperialists would like nothing better than to see our community succumbing to disillusionment and turning its back on Ukraine just at the point where it is gaining ground in the political arena.

Dr. Kuropas' curious dismissal of Ukraine's "constitutionality" begs for a major reality check, and a healthy dose of historical perspective.

Consider the major doctrines of human rights and equal protection: Ukraine is light years ahead of the newly independent American colonies during the first decade of their freedom. In fact, if we were to apply Dr. Kuropas' one-dimensional standards and dwell entirely on the negatives, the United States could easily be branded as having been "unconstitutional" for the first 180 years of its existence. For starters, America's "founding fathers" were slaveholders who defied the core principle enshrined in the Declaration of Independence that all men are created equal. Long after the Civil War, America continued to deprive its black citizens of equal opportunity, decent accommodations and the equal protection of its laws. It implemented a policy of genocide against the Native American tribes. It subjected children to the ravages of industrial labor in coal

mines and sweatshops, and it denied women the right to vote. In many respects, the U.S. Constitution and public policy remained a jumble of blatant contradictions until the mid-1960s, when the civil rights movement finally forced Congress to pass the Civil Rights and the Voting Rights Acts. Does this mean that we should impugn the United States as a "meaningless" or bogus democracy?

Despite many blemishes throughout its history, America is still considered the paradigm for constitutional democracy, and Americans hold sacred the documents and the institutions that provide the underpinnings for their freedom.

How does Ukraine (in its newly independent form) compare with the constitutional track record of the United States? Very well, indeed. Its respect for due process, for the rights of ethnic and religious minorities, and for the integrity of the electoral process is nothing to be ashamed of. In fact, Ukraine's enforcement of its newfound democratic values is often far superior to the policies and inhumane interpretations of law that characterized the first two centuries of legislative action and judicial review by the U.S. courts and Congress.

Before picking apart Ukraine's compliance with every clause and comma in its Constitution, Dr. Kuropas should first try to see the forest for the trees. He should exercise more caution before he devalues the groundbreaking liberties and reforms that have already taken hold.

We can all sympathize with Dr. Kuropas' desire for a new generation of leaders, free of the taint of Communist dogma, but societies evolve within a historical context, not in a sterile theoretical

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About that

Soomskaya

Na zdorovia!

To your health!

JERSEY CITY, N.J. — The distributor of Soomskaya Riabinovaya, a flavored vodka produced in the Sumy region of Ukraine, ran paid advertisements for the product in several pre-holiday issues of The Ukrainian Weekly. Subsequently, The Weekly received several reactions to the Russian-language transliteration for the name of a product imported from Ukraine. The printed ad also provoked an exchange of letters via e-mail between R.L. Chomiak, of McLean, Va., an exacting reader and an occasional contributor to this paper, and Andrei Hartt, a vice-president at United Spirits Import Co., the vodka's distributor. Below are excerpts from their electronic exchange.

* * *

To: United Spirits
From: R.L. Chomiak
Subject: vodka

Just saw your ad for Soomskaya Riabinovaya in The Ukrainian Weekly, and definitely will be on the lookout for it.

The only thing that bothers me is that someone gave you bad advice on the label design: why transliterate into English from Russian when the vodka is from Ukraine, whose offi-

(Continued on page 10)

LETTERS TO THE EDITOR

Kudos for Kolomayets: we'll miss her reports

Dear Editor:

I was very disappointed to read about the departure of Marta Kolomayets from The Weekly staff.

For those of us of Ukrainian descent born outside of Ukraine, Ms. Kolomayets brought Ukraine to life. She managed not only to convey information on the rapidly evolving state of affairs in Ukraine but she also captured the mood of the country.

From her stories it was evident that she was one of the best informed people in Ukraine, in terms of details of events, trends that were happening, who's who, and a multitude of insights obtained from other journalists, politicians and Western diplomats.

She went in at a time when the country was not very open to journalists and aggressively pursued contacts with the very people who would later play key roles in Ukraine's road to independence. I read with interest her reporting over a period of years, watched the evolving developments in Ukraine from before independence to the adoption of the new Constitution. I was confident that if there was something of importance happening, Ms. Kolomayets would be on it and quickly; that if there was something off-beat and interesting going on, she would share it with us.

I appreciated her openness and humor in her columns, especially the one describing kiosks appearing on the streets of Kyiv selling everything from cigarette lighters to car parts and lacy lingerie all in one place and how it felt being an American Ukrainian living in Ukraine.

I had the opportunity to visit The Weekly office in Kyiv. Like Ms. Kolomayets herself, it was a hub of activity. Ms. Kolomayets was instrumental in establishing The Weekly office not only as a press bureau but as an information center, the place to be, with phone calls and visits from other journalists, people with interesting stories to tell that were not finding their way to the pages of the other Ukrainian press.

Her writing has been colorful, lively, knowledgeable. Her valuable contributions are evident in considering her many published articles with your paper.

From this one reader: many thanks, Ms. Kolomayets. I wish you well – and hope you'll drop a line to The Weekly once in awhile and fill us in on what's happening in Kyiv.

L.M. Babiak
Toronto

Kuropas' writings are crucial to community

Dear Editor:

The Weekly has become a must-read paper covering the evolution of our communities and describing political developments in Ukraine. The Weekly will survive only if the readers become engaged in the process of becoming community activists on some level.

The recent "criticism" of Dr. Myron Kuropas needs to be put into perspective. Some will say that I am "biased" because Dr. Kuropas is a friend of mine. Yes, he is. However, what Dr. Kuropas writes is important and crucial to our community. If you don't agree, tell him why. I would like to know as well. The interaction on the pages of The Weekly is very healthy, inspiring and adds vigor to our daily lives.

I find unsubstantiated criticism demoralizing. It's fine to say "I don't like his article," but where is the disagreement? What are the issues? If you find an article by Dr. Kuropas to be "insulting" then say so, but say why it is insulting.

Our communities and The Weekly will survive only if we interact. Let's join hands and work together. Let's look for solutions that will work. Constructive communication should be our goal.

Roman G. Golash
Schaumburg, Ill.

Ukraine does not need religious confrontation

Dear Editor:

As the polemic regarding Dr. Myron Kuropas' column "Christmas in Ukraine, 1996" indicates, the consequences of his comments are much more grave than I anticipated. Personally, I am a great believer in the freedom of expression and consider it to be one of the cornerstones of Western civilization. Consequently, I fully agree with Dr. Kuropas that his opinions are his own, and that he has the right to express them anytime – but not necessarily on the pages of The Ukrainian Weekly, a highly respected and influential publication central to Ukrainian life in the U.S.

Furthermore, freedom of expression is not an unlimited right. For example, to cry "fire" in a crowded movie theater is not considered an appropriate practice of the freedom of expression, neither are public insults to a leader of any religious faith, at least not in polite society.

As the pages of The Ukrainian Weekly testify, with all its current problems, Ukraine does not need the additional trouble of religious war. As it is, there are too many unfortunate examples of such around the world. Consequently, the sooner we relegate this unfortunate episode of "Christmas in Ukraine" to the dust-bin of history, the better we all will be.

Ihor Lysyj
West Hills, Calif.

Letters reveal lack of religious tolerance

Dear Editor:

The letters critical of Myron Kuropas' column "Christmas in Ukraine, 1996" reconfirm two characteristic attitudes. First, the tendency of not seeing the forest for the trees, or of disregarding the whole tenor of the article in favor of a few selected references. Certainly anyone who has read Dr. Kuropas' column on a regular basis knows that he's not some Catholic zealot, but argues his case from a Christian perspective. In any case, Dr. Kuropas eloquently argues his position in "My views are my own" (January 19).

Secondly, the letters dispel any doubts that religious intolerance and distrust among Ukrainians are long dead and buried. It appears that the dialogue between Ukrainian Orthodox and Ukrainian Catholics is not progressing as it should. The forces of animosity and ignorance among our Catholic/Orthodox brethren are still deeply rooted. Perhaps one way of opening up our hearts and minds to one another is to attend, on alternate Sundays, each other's liturgical services. With best wishes.

Yuriy Hanas
Hamilton, Ontario

Faces and Places

by Myron B. Kuropas



OSI "rehabilitation" complete?

The Office of Special Investigations (OSI) has been "rehabilitated." Totally!

The proof lies in a cover story that appeared in the January 29 issue of USA Today, which begins: "Secreted in a nondescript office building in Washington, the nation's Nazi hunters are waging and winning the last battle of World War II."

The article does mention the Demjanjuk debacle and the fact that "the 6th U.S. Circuit excoriated OSI, saying the agency knew the [Demjanjuk] ID might be fake and hid the evidence." Not mentioned, however, was that the court vacated its earlier extradition ruling "on the ground that the judgments were wrongly prosecuted as a result of prosecutorial misconduct that constituted fraud on the court."

Sadly, USA Today has Rep. James Traficant, the OSI's harshest critic in Congress, dismissing that little bit of chicanery as the result of "a couple of overzealous agents" who "went beyond their charge, tried to make headlines, and it never was properly investigated" [by the Justice Department]. Despite this, Congressman Traficant supports funding for OSI. Meanwhile, the OSI is still making headlines and, as I've mentioned on these pages before, it's all part of a cleverly conceived cover-up.

In the article, the OSI claims to have denaturalized or deported 71 of the 102 men it has charged. I suspect that the vast majority simply left the country on their own rather than face the ordeal the Demjanjuk family had to endure. Even though all of its trials have been civil, where "a preponderance of evidence" is enough to convict, the OSI claims that it has held to a standard that is "substantially identical" to the criminal standard: proof beyond a reasonable doubt. Since most of those accused by the OSI must hire their own lawyer (in contrast to criminal trials where the courts provide legal counsel), all the OSI has to do to "win a case" is to go to the media and announce that they are "investigating" someone and it's over. No trial. No due process. Guilty by accusation. And that, dear friends, is what the OSI calls justice.

Until 1992, the OSI had investigated over 1,400 alleged Nazis and actually "extradited" five alleged "Nazis," a smashing success rate of .003 percent!

The original OSI gang is gone. Allan Ryan, the first head of OSI, is enjoying a position at Harvard University. Remember him? He authored "Quiet Neighbors: Prosecuting Nazi War Criminals." According to Mr. Ryan, most "Nazis" settled in America as a result of the "brazenly discriminatory" Displaced Persons Act of 1948, which Mr. Ryan argued "was written to exclude as many concentration camp survivors as possible and to include as many Baltic and Ukrainian, ethnic German refugees as it could get away with." According to Mr. Ryan, some 116,000 Baltic and Ukrainian displaced persons and 53,000 Volksdeutsch came to the United States after World War II. "If even 5 percent of those people had taken part in the persecution [of Jews]", he writes, "than over 8,000 Nazi criminals are here." The figure later grew to 10,000. Mr. Ryan devoted an entire chapter to John Demjanjuk in his book, suggesting that this was the OSI's most significant case.

Neal Sher, another OSI director, also is gone. The last I heard he was working for The American Israel Public Affairs

Committee (AIPAC), the most influential foreign policy lobby on Capitol Hill.

Eli Rosenbaum, whose visage appeared on the front page of USA Today, is the present director of the OSI. Once associated with the World Jewish Congress, Mr. Rosenbaum is well-known to longtime The Ukrainian Weekly readers for his responses to some of my articles in the 1980s.

Still smarting from the beating the OSI took in the wake of the Demjanjuk debacle, Mr. Rosenbaum does not rule out the possibility of doing it all over again. According to USA Today, "Rosenbaum won't comment on the still-active case, except to say that Demjanjuk's work at other camps merits denaturalization" and that the "lawyers who worked on the original case no longer are at OSI." Does this mean that the "original lawyers" weren't zealous enough?

After Mr. Demjanjuk was found innocent, there were many appeals in Israel because, as the prosecution argued, he had served at other camps. The Israeli attorney general, however, concluded that "The public has no interest in opening proceedings against Demjanjuk on alternative charges if in the end there is no certainty that he will not be acquitted of those as well. An additional acquittal would look like a debacle, and we cannot rule out such an acquittal." According to Yoram Sheftel, Mr. Demjanjuk's Israel lawyer, "the attorney general was forced to acknowledge that he did not have hard evidence to prove any alternative charge against Demjanjuk." As we know, of course, simply because there is no hard evidence does not mean that the OSI won't "find any." And if Israel doesn't want to re-try Mr. Demjanjuk, who will? There are rumblings that Ukraine might be persuaded to do so.

On Monday, February 3, CBS had a follow-up to the 60 Minutes broadcast titled "Canada's Dark Secret" (did anyone notice, by the way, that there was hardly a mention of the findings of the Deschenes Commission?) In the Monday broadcast was the "surprise" announcement by Secretary of State Madeleine Albright that her grandparents were Jews who had "probably" died in the Holocaust. Horrific shots of the Holocaust were part of the broadcast. Immediately following the Albright announcement was an "Eye on America" segment about Nazis in your neighborhood, starring Eli Rosenbaum. Borrowing from Allan Ryan's book of 13 years ago, comments like "hidden Nazis next door" and "some of the worst Nazis may be your neighbors" permeated the broadcast. More Holocaust pictures.

There was a time when the Ukrainian and Baltic communities were actively and systematically monitoring the excesses of the OSI. Unfortunately, for a variety of reasons, that is no longer the case. One doesn't hear from Americans for Due Process any more. The Coalition for Constitutional Justice and Security is off the map. Americans for Human Rights in Ukraine (AHRU), which pioneered the Demjanjuk defense effort in the United States, is involved with other issues. The UNA's Heritage Defense Committee is quiet.

While the OSI spins its web, we diddle.

Readers may reach me at my e-mail address: 73753.3315@compuserve.com

ANALYSIS: The status of Ukrainian military terminology

by Stephen D. Olynyk

PART I

A positive lesson this author learned while serving in the U. S. Army is that discourse on a serious subject must begin with a definition of key terms under discussion to facilitate correct mutual understanding among the participants.

Terminology is a subdivision of vocabulary, and military terminology is an "aggregate of terms used in military language. It is an essential medium of military command, communication and control." Another author defines terminology as "the skeleton of linguistic communication, which forms the national-psychological component of everyone's outlook ... An army without its native language lacks national soul."

Before I address the present state of military terminology in the Ukrainian armed forces, let me review the history of Ukrainian military terminology.

Perhaps the first written record of early Ukrainian military terminology can be found in the ancient chronicles (litopysy) of Kyivan Rus'. Lacking further written evidence, we may assume that the legions of Sviatoslav, Volodymyr, Yaroslav, King Danylo and other Kyiv and Halych princes, as well as their respective military commanders, must have used fairly standard military-related terms to effectively command their armies. They led military campaigns that covered vast territories and spanned several centuries of Kyiv and Halych Rus' statehoods. Unfortunately, little of that terminology has come down to us in written form. However, it can be assumed that successive generations of Ukrainian military leaders inherited and adapted some of that terminology for use in the armies of their day.

A rich source of military terminology is the period of Ukrainian Kozak history, especially from the middle of the 16th century to the middle of the 18th century. As Kozak institutions, military organization, tactics and strategy developed, an analogous development of native Ukrainian military terminology took place. It was relatively primitive in modern linguistic terms, but, as a means of military command, communication and control, it served its purpose. It is probable that some of the terminology had its origins in terms used by the armies of Kyivan Rus'. Also, given the relatively long association of Ukrainian Kozak military institutions with the Polish state (especially the institution of "registered Kozaks" who served the Polish king), Kozak terminology was influenced by developments in Polish military terminology. In turn, Polish terminology was itself under the strong influence of Western European military terminology, especially French. We also find Turkish and Tatar influence in terminology of the Kozak period.

Nonetheless, the core of Kozak military terminology was the Ukrainian vernacular. It first developed in the Sich Host (Zaporizhska Sich) and spread throughout the Kozak territory, especially during the period of the Hetmanate. To this day, the Ukrainian terms for military staffs and units (e.g., sotnia, kurin, polk, bulava, etc.) as well as military ranks (sotnyk, polkovnyk, bulavnyi, otaman, hetman,

etc.) have survived and have become either an accepted part of current Ukrainian military terminology or a point of controversy.

With the destruction of the Ukrainian Kozak State in the second half of the 18th century and the gradual incorporation of some of the Ukrainian Kozaks as cavalry units into the standing Russian tsarist army, Ukrainian military terminology entered a hiatus as it gave ground to Russian military terminology, which in turn was heavily influenced by German and French military terminology.

During the 19th century, the fate of the Ukrainian literary language itself became tenuous. With the issuance of the Ems Ukaz in 1876, the Ukrainian language was declared a "nonentity"; its use was prohibited in socio-cultural and political life. While we can find many military-related terms in classic works such as Kotliarevsky's "Eneida" and in Shevchenko's poetry, the actual revival of interest in Ukrainian military terminology began with the revival of the Ukrainian language at the turn of this century.

Since Ukraine was divided during the 19th century between the Russian and Austro-Hungarian empires, and since the latter practiced greater tolerance in most walks of public life, it was in the western parts of Ukraine during the rule of Austria-Hungary that the formal revival of Ukrainian language and linguistic research took place. A leading role was played by the Shevchenko Scientific Society, which established a Ukrainian National Terminology Committee in 1905 in Lviv. Among its terminological research was also a nascent interest in military terminology.

With the formation of the Ukrainian Sich Riflemen (Ukrainski Sichovi Striltsi) as part of the Austro-Hungarian armed forces mobilized to fight the Russians on the Eastern front, we see the beginnings of the development of modern Ukrainian operational military terminology. In 1914,

for example, a manual on formations and drill was published by the Ukrainian Sich Riflemen's Association (Pravylnyk Pikhotyntsyv, Rozdil I: Vporiad. Chastyna I; Lviv: Biblioteka Sichovykh Striltsiv, 1914; reprinted in 1918). It was planned as the first in a series of such field manuals.

The creation and evolution of the Ukrainian independent state during 1917-1920 provided a great impetus to the development of Ukrainian military terminology. In 1919 the newly established All-Ukrainian Academy of Sciences (Kyiv) created a Committee on Orthography and Terminology, which initiated a scholarly and methodological research program into Ukrainian terminology, including military terms.

However, urgent requirements of the political-military situation in Ukraine during the wars of liberation forced the Ukrainian military leadership to address the issue of Ukrainian military terminology in the most practical way: they expedited the development of field manuals and regulations, if only in their preliminary draft form, in order to fill the operational needs of the beleaguered Ukrainian armed forces.

Unlike the new state of Israel, which after its declaration of independence in 1947 had to develop Hebrew military terminology practically from scratch, the Ukrainians in 1918 had a tradition, albeit somewhat limited, to fall upon. Thus, we see the old Kozak terms for units, ranks and basic weapons and equipment, as well as commands for drill and operational maneuvers being incorporated into modern Ukrainian military terminology.

During this period of the revival of Ukrainian statehood, we see a modest but serious production of military terminological literature. We have a record of at least 30 titles of field manuals and regulations of various types that were produced and

published during this brief period of four years, under very adverse conditions, as fighting raged on several fronts simultaneously. One of the best examples of these manuals was Otaman Petliura's Field Service Regulation (Statut Polovoi Sluzhby, Vynnytsia: 1920, ca. 400 pp.) published at the time of the demise of Ukrainian national statehood and the country's partition between Soviet Russia and Poland in 1920.

With the extension of Soviet power into Ukraine, attempts were made to introduce and expand the usage of Ukrainian as the language of command and communication in the Ukrainian Red Army units, especially prior to the formation of the Soviet Union (1924). Three Ukrainian-language Red Army field manuals were published between 1924 and 1926 in Kharkiv. These efforts were squelched, however, when the Russian language became the language of command and communication throughout the unified Red Army.

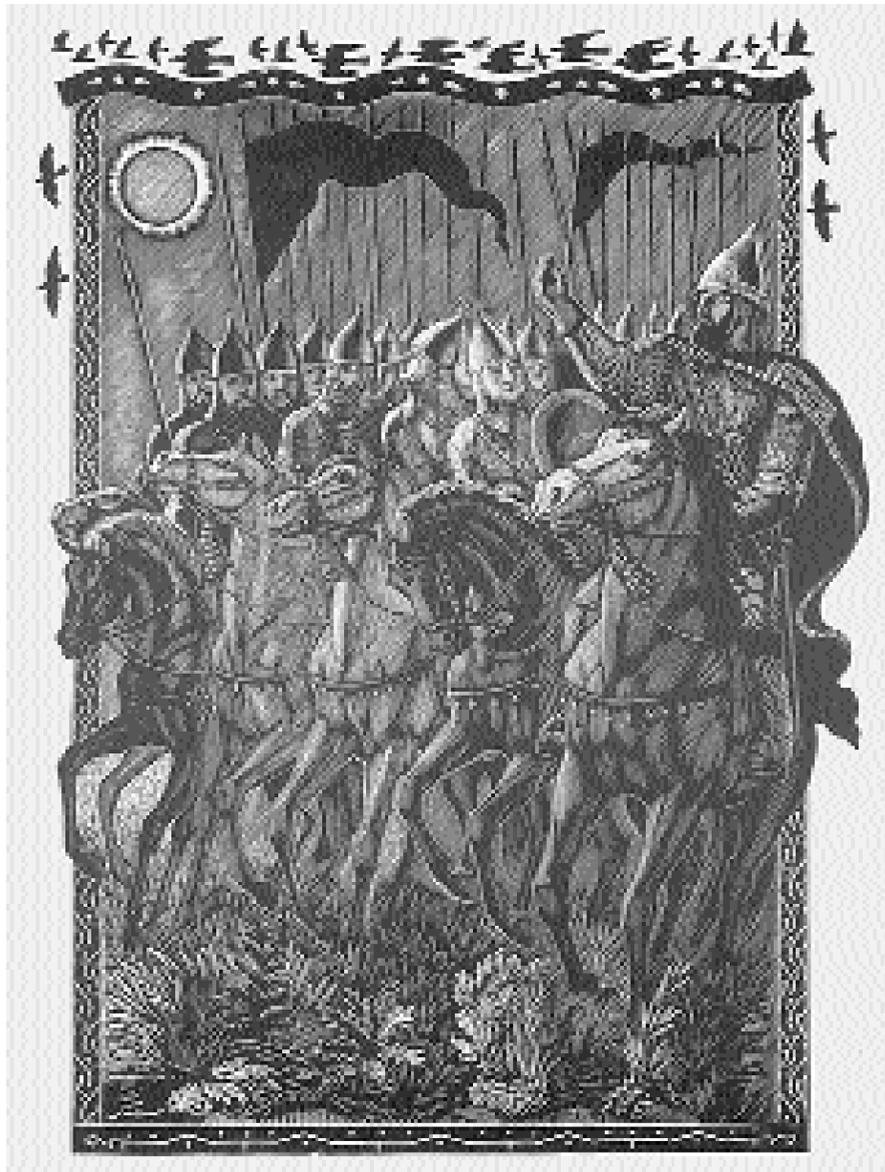
In academia, attempts were made to establish a formal program for the development of Ukrainian military terminology during the so-called "Ukrainization period," especially at the Ukrainian Academy of Sciences. One example of this is the publication in 1928 in Kyiv of a "Russian-Ukrainian Military Dictionary" by two brothers, S. and O. Yakubski, ("Rosyisko-Ukrainskyi Slovyk Viis kovoii Terminolohii," reprinted in Munich in 1993). However, this effort was soon suppressed with the advent of new linguistic policies and political purges under Stalin in the early 1930s. Once again there was a hiatus in the development of Ukrainian military terminology in Soviet Ukraine.

The effort to maintain and develop Ukrainian military terminology was carried on, however, by scholars and officers of the former Ukrainian national armed forces in western Ukraine under Polish rule and in émigré communities abroad (e.g., Czechoslovakia, Germany, France and the U.S.). In Lviv, a monumental history of the Ukrainian armed forces, from ancient times through 1920, was published (I. Krypiakievych, et al., "Istoriia Ukrainskoho Viiska," Lviv, 1938). In Germany, Ivan Ilnytskyi-Zankovych, former lieutenant of the Ukrainian Galician Army (UHA) and also of the Army of the Ukrainian National Republic, published two military dictionaries: German-Ukrainian Military Dictionary (Berlin, 1939) and German-Ukrainian Air Force Dictionary (Berlin, 1939).

In the United States and Canada, we have an equally monumental history of the Ukrainian Galician Army: "Ukrainska Halyska Armia: Materialy do Istorii" by Shankovskiy (Winnipeg: 1958-1976), 5 vols.; two air force dictionaries: Letunskiy Slovyk (New York, Ukrainian Air Force Club, 1974, Part I), and Ukrainskyi Letunskiy Slovyk - Proiekt (Toronto, n.d.); and a naval dictionary, a reprint from the Visti of the Association of Former Members of the First Ukrainian Division: "Ukrainska Morska i Sudoplavna Terminolohiia" by O. Horbach (Munich, 1958).

Even under the most adverse conditions of irregular guerrilla warfare during World War II, Ukrainian officers continued their effort to fill the need for military regulatory literature. Living in bunkers in deep forests, the staff of the Ukrainian Insurgent Army (UPA) in 1943 prepared the Operational Infantry Manual (Boyovyi Pravylnyk Pikhoty, UPA, Postiy, 1943), which was essentially a translation from the Red Army's Russian-language manual, but was adapted to operational requirements of UPA fighting tactics.

After World War II, at first in displaced persons camps, some limited



"The Eclipse" (1948) from the series "The Lay of Ihor's Campaign" by Vladimir Favorsky.

Stephen D. Olynyk is a retired U.S. Army colonel, now working as an independent consultant on national security. He spent one year (1994) in Kyiv as an adviser to the Parliament and the Ministry of Defense of Ukraine and continues to serve as a consultant. He has lectured at the Academy of the Armed Forces of Ukraine, to which he also serves as a regular consultant, and is the author of many articles on military subjects.

(Continued on page 11)

DATELINE NEW YORK: The Ukrainian Museum, a growing institution by Helen Smindak

I have visited The Ukrainian Museum in New York on numerous occasions, yet there is still a sense of excitement, a feeling of anticipation, each time I walk through the doors at 203 Second Ave. No matter what the day or the season, I know that I will find something to delight my senses and enrich my day – an exhibit of lavishly-embroidered folk costumes and headdresses, a display of coral and coin necklaces and other neck adornments, a spectacular array of pysanky or an exhibition of stunning kylims.

There may be a workshop or course in Ukrainian folk crafts in progress, with adults and youngsters intent on assembling Christmas ornaments, learning how to use beeswax and dyes to decorate Easter eggs Ukrainian-style, or following instructions on baking Ukrainian breads.

In recent months, I have attended a weekend conference on the living traditions of the Hutsul people, a retrospective exhibition of works by the renowned artist Jacques Hnizdovsky, an exhibit of Borschiv folk costumes and textiles, and a lecture on Ukrainian Christmas traditions. Every visit to the museum satisfies aesthetic and professional requirements and reinforces my pride in my cultural heritage.

It is also satisfying and pleasant to meet and chat with the individuals who spend their weekdays (often late into the night, and weekends, too) creating a successful, growing institution that produces consistently high-quality programming. Maria Shust, the director, provides quiet, firm leadership and guidance for her staff. She is assisted by the administrative director, Daria Bajko, who handles all the financial records and administrative matters dealing with the museum.

The loyal, hard-working staff, usually to be found at computers and typewriters in the fifth-floor office, includes Lubow Wolynetz, educational director and folk-art curator; Chrystyna Pevny, archivist and gift-shop manager; Marta Baczynsky, grants and public relations officer; Lydia Hajduczok, special events coordinator; and Nadia Svitlychna, publications officer. Mrs. Hajduczok and Mrs. Svitlychna also assist with press and public relations responsibilities.

Many others are involved behind the scenes: volunteers who give selflessly of their time and talents, attending meetings of the board of trustees, planning and arranging special events and fundraising projects, and lending a hand at bazaars and receptions; people who chair various board committees, like Tatiana Tershakovec (special events), Anna Alyskewycz (fundraising for the new museum building), Vera Skop (program committee) and Titus Hewryk (building project).

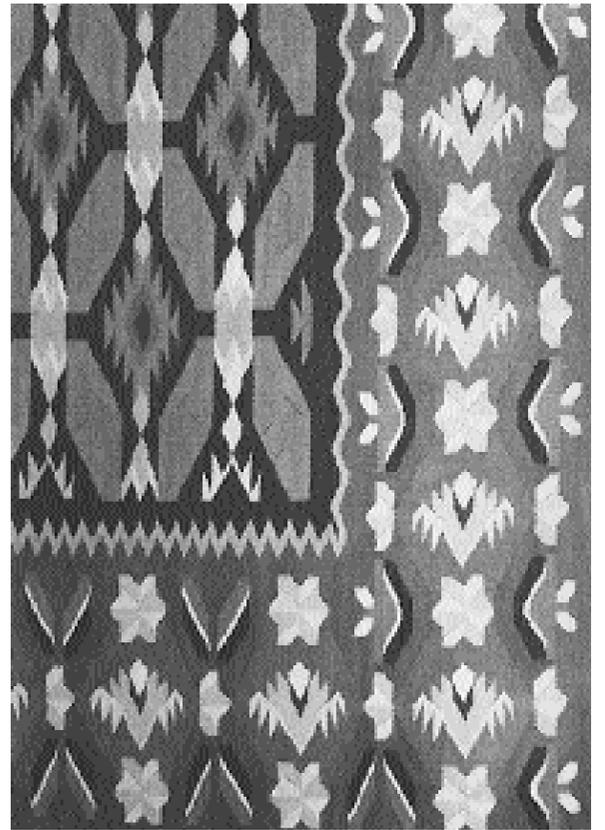
Volunteers who served the museum in past years come to mind as well: Iwanna Rozankowskyj, who was instrumental in pursuing the idea of The Ukrainian Museum until it became a reality; and past presidents Alexandra Riznyk of New York (she was the museum board's first president), the late Dr. Bohdan Cymbalisty of Glen Spey, N.Y., who headed the board for over 10 years, Mr. Hewryk of Philadelphia and Dr. Joseph Danko of New Haven, Conn. Since last summer, John Luchechko of Jersey City, N.J., has taken on the duties of president.

Ms. Shust, who feels that the importance of any museum resides in its collections, says the museum is fortunate that Ukrainian Americans have donated hundreds of valuable objects to the institution. Every offering of costumes, textiles, fine art and monetary contributions, large or small, assists the museum in furthering its work.

Since its founding and incorporation in 1976 by the Ukrainian National Women's League of America, The Ukrainian Museum has been intensively informing and instructing the Ukrainian community and the general public about Ukrainian cultural treasures. For over 20 years it has concentrated on collecting, preserving, exhibiting and interpreting objects of artistic and historic significance that related to Ukrainian life and culture.

With one of the largest documented collections of folk art in the United States, the museum has mounted more than 50 professionally designed, comprehensive exhibitions as well as traveling exhibitions that have toured in the U.S. and Ukraine. Major exhibitions are accompanied by bilingual, illustrated and well-researched catalogues.

The fine arts collection includes the work of such noted Ukrainian artists as Alexander Archipenko, Alexis Gritchenko, Vasyl Krychevsky, Petro Cholodny Jr., Mychajlo Moroz, Mykhaylo Cheresnovsky and the primitive artist Nikifor. A third category of collections –



Two of the kylims on display at The Ukrainian Museum.

photographic/documentary archives – records the life, history and cultural development of Ukrainians in Ukraine as well as of the Ukrainian immigration in this country.

To celebrate the museum's 20th anniversary last October, supporters, friends, members and officers gathered for a gala luncheon at the Westbury Hotel in Manhattan. The program, emceed by Orest Bilous, included addresses by Dr. Olenka Pevny, a Metropolitan Museum of Art research assistant who was involved in the preparation of the Met's upcoming exhibition "The Glory of Byzantium," and Dr. Victor Kytasty, director of America House, a cultural center of the United States Information Service in Kyiv. Mr. Kytasty represented Ambassador William Green Miller, who could not attend due to unforeseen circumstances. A musical interlude was presented by pianists Myroslav Skoryk and Volodymyr Vynnytsky, and mezzo-soprano Marianna Vynnytsky.

Thanking participants and sponsors, the event's chairwoman, Mrs. Tershakovec, noted the presence of members of the museum's new auxiliary organization, the Museum Circle, a group of young professionals formed in 1994 through the efforts of Chrystyna Lewicky and Sofia Zielyk. Mrs. Tershakovec also acknowledged with gratitude the pledges made by dinner guests – totaling \$260,000 – which will be used toward the construction of a much-needed, larger museum facility.

The project, which should reach completion in 1998, involves the reconstruction of a commercial building at 220 E. Sixth St. into a new facility designed by George Sawicki of the Greenfield Sawicki Tarella architectural firm. Demolition and cleaning of the building's interior have been completed, and work has begun on a new 22,000-square-foot structure for exhibitions, study and storage of collections that will be built on the old foundations. Plans call for a tripartite brick-and-stone facade that will be unified by a curved wall encompassing the third floor, which will house the archives and provide storage space. There will be a curved metal canopy above the entrance.

The new facility provides an opportunity for individuals to associate their names or those they wish to honor by giving donations in various categories. A number of individuals and institutions have already made donations between \$50,000 and \$150,000 to finance rooms in the new museum; these rooms will be named after their benefactors.

To a great extent, the growth and future of The Ukrainian Museum is dependent on its members, many of whom give annual donations when they pay their membership dues (memberships are available in several categories and provide special benefits that are not available to the general public). The museum also receives assistance from state and federal grants.

In the months to come, it will be exciting to watch the new museum take shape. Once the facility is open

for use, I know that the sense of excitement will be repeated each time I walk through the doors at 220 E. Sixth St., for there will be even more cultural riches to view and enjoy in that expanded and modern space.

A centuries-old tradition

Kylims, those tapestry-like rugs with identical designs on both sides, have been created by Ukrainians for centuries. The hand-made, flat-woven textiles were used primarily as wall hangings and floor and furniture coverings, and also had traditional uses in wedding and funeral rituals.

A large collection of attractive and diversified kylims from the 19th and early 20th centuries is owned by The Ukrainian Museum, and part of this collection is on display at the museum (fourth floor) as part of its anniversary celebration. The exhibit runs through February 23.

The kylims show stylized floral, geometric-floral and geometric motifs, with ornamentation arranged rhythmically on a central field surrounded by a border or set in a linear arrangement from selvage to selvage. In most cases, a variety of shades of one basic color are combined and harmonized against a field of black, grey or brown.

Although the majority of the kylims on display are from western Ukraine, with about half of these from the Kosiv area, the exhibit includes kylims from eastern Ukraine as well. One of these, a klym with a tulip motif in the central field, shows Turkish and Persian influences and a red-and-black color scheme typical of older kylims from south-central Ukraine.

An outstanding klym from Peremyshl, which carries a geometric design that imitates an embroidery pattern, bears the initials "O.K." for both Olena Kulchytska, the designer, and Olha Kulchytska, the weaver.

A blue background distinguishes a 1930s klym from Kosiv; its ornamentation consists of yellow and orange-hued geometric flowers set on a light blue field surrounded by an off-white border.

A large, multi-colored klym with geometric floral motifs and a brick-toned border was donated to the museum by Nadia and Yaroslav Pastushenko of New York. It was woven during the 1820s in the home of Motria Kalba-Pastushenko in the village of Dobromirka, Zbarazh district of Halychyna, and was part of her dowry.

According to the museum's folk-art curator, Mrs. Wolynetz, the art of klym-making flourished in Ukraine during the 17th and 18th centuries, although research has shown that Ukrainians used kylims as early as the 10th century.

Ukrainian kylims show influences from the East – the result of trade contacts with Eastern nations and warfare with Eastern nomadic tribes that roamed the Ukrainian steppes – and, later, influences from the West, all of that were absorbed and adapted to Ukrainian tastes and the Ukrainian concept of beauty.

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AUTHORIZED AGENTS

Na zdorovia...
(Continued from page 6)

cial language is Ukrainian? "Soomska Riabynova" would have been much better than "Soomskaya Riabinovaya." I know that in Sumy most of the population — but not all — prefers to speak Russian, and "Soomskaya" is what the people at the distillery call it, but this is an export item, for Pete's sake.

Philip Morris, for example, makes chocolates near Sumy, in Trostianets, and the wrappers are prominently labeled in Ukrainian.

And your advertising slogan, "Bood' mo!" [Budmo!] is definitely Ukrainian, not Russian. Good. Now here's hoping your sales in America take off — you'll soon run out of the current labels, and you'll redesign them — with the transliteration from Ukrainian.

Bood' mo!
R.L. Chomiak
McLean, Va.

Dear Mr. Chomiak:

Thank you for your considered and supportive e-mail. The spelling and pronunciation of the name of our vodka has become a recurring theme in the day-to-day activities of our business.

United Spirits Import Co. is a small family business with participating family members in Ukraine and the U.S. In fact, my mother was born in Sumy to a Ukrainian father and Russian mother. This business was actually formed for the purpose of importing this particular product. It has always been our intention to celebrate the Ukrainian nature of our product and in some small way contribute to the development of Ukraine as a distinct nation. I will not elaborate on the long process that ended with our using the Russified name except to say it

was some version of "not seeing the forest for the trees." Though our Ukrainian counterparts suggested we use Soomskaya Riabinovaya (which was the largest-selling name for their product in Ukraine at the time we started several years ago), USIC takes full responsibility. We should have been more savvy.

It is still not certain we will be able to change the name. You are basically right about the label situation. We are a small company and cannot afford to replace or re-label our stock. If we would have some degree of success in developing Soomskaya as a steady product in the American market, we would like to change the name to something more suitably Ukrainian. If we do, we will announce it with as much fanfare as possible to call attention to the distinction we will be making. This cannot happen for several months; until then we must keep selling the product in stock. It is also a double-edged sword. Changing the name of a new, growing, successful product might not be the smartest move. At the very least, any other products we bring over will have names with transliterations from Ukrainian. I hope other people sensitive to this issue will be as patient and supportive as you.

It turns out you are not the only Ukrainian in Virginia active enough to contact us. Two people from Richmond have also made requests for our product in their stores. Along with special ordering through your stores, you can also order through a non-affiliated service on the Internet at Liqueurs On-line: <http://www.gpkg.com> or by calling 800-220-3454. It is a little expensive but it can provide you with the chance to sample Soomska. (You don't know how often I kick myself in the head about this name error!)

Bood' mo!
Andrei Hartt
Vice-President for Marketing

Bohdan Krawchenko—*State and Society*
Harvard *in Contemporary Ukraine*
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Canadians develop...

(Continued from page 4)

Ukraine Business Initiative strategy.

Volunteers who have agreed to assist in the organization of CUBI '97 include: former Deputy Prime Minister of Canada Don Mazankowski; Government of Manitoba Minister Len Derkach; Alberta Government Representative MLA Ed Stelmach; Saskatchewan Government Representative MLA Myron Kowalsky; Doug Mitchell, chair of the Alberta Economic Development Authority; Gerry Fedchun, president, Canada-Ukraine Chamber of Commerce; James Temerty, CEO, Northland Power; Charles Loewan, president, Ukraine Enterprise Corp.; Ed Southern, chairman, Uk-Ran Oil Inc.; Nick Diakiw, La Farge Construction Materials; Jim Orzechowski, president, Smith Carter Architect and Engineers Inc.; Walter A. Kmet, president and CEO, ATCO Structures Inc.; Walter Mackowecki, president, Heritage Foods Ltd.; Ray Malinowski, president, Leon-Ram Enterprises Inc.; Debbie Tansley, Cis-Can Industries Ltd.; Horst Schmid,

Flying Eagle Resources Ltd.; Mykhailo Tytarenko, economic counselor, Embassy of Ukraine; Sen. Eugene F. Whelan, president, Agricultural International Development Associates of Canada; and Michael Zwack, Ogilvie & Co.

The Canada Ukraine Business Initiative is designed to develop business contacts between Canadian businesses in the energy, agriculture and construction sectors with partners in Ukraine. Trade between Canada and Ukraine has been growing at a positive rate; trade development is expected to continue. It is also projected that Ukraine's newly emerging market economy will have a positive gross domestic product output in 1997 for the first time in several years. This is projected by several international organizations, including the World Bank.

For more information on CUBI and to receive a registration brochure contact: CUBI '97, Canadian Institute of Ukrainian Studies, 352 Athabasca Hall, University of Alberta, Edmonton, Alberta T6G 2E8; telephone: (403) 492-4341, 492-2972; fax: (403) 492-4967; e-mail: cius@gpu.srv.ualberta.ca

The status...

(Continued from page 8)

attempt was made to work on Ukrainian terminology including military terms, as exemplified by the draft manual on the organization and work of staffs, "Orhanizatsiia i Pratsia Shtabiv" (n.p., Viiskovyi Tsentri pry ZPUHVR, 1947) and the publication of a Ukrainian military journal, Do Zbroii (To Arms).

In the 1960s, during the so-called "Khrushchev thaw," a series of technical Russian-Ukrainian dictionaries (mathematics, technology, physics, chemistry, etc.) was published; albeit to a limited degree, these included also military-related terms. This can be said also about the

general Ukrainian-foreign language dictionaries published during that period (e.g., Podvesko, M.S., Ukrainian-English and English-Ukrainian Dictionary, Kyiv, 1957). This program was again suppressed by the Brezhnev-Suslov deliberate program to Russify Ukraine. Once again we see another major hiatus in the development of Ukrainian military terminology in Soviet Ukraine. The onus for a new effort once again fell upon the Ukrainian diaspora. Especially in the United States, the two major academic institutions, the Shevchenko Scientific Society and the Ukrainian Academy of Arts and Sciences, attempted to continue the program of developing Ukrainian terminology to include military terms.

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- Амбасадор Юрій Щербак — „Уроки Винниченка для державотворення України“
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- Мирослава Томоруг-Знаєнко — Краса і Печаль: деякі зауваги про естетичний світогляд Винниченка.
- Лариса Онишкевич — Володимир Винниченко і Єлісей Карпенко: подібні проблеми — різні розв'язки.
- Тамара Скрипка — „Самота моя плаче в мені“. Про малярство В. Винниченка, ілюстроване прозірками.
- Закриття — Володимир Баранецький.

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MEETING WILL BE ATTENDED BY:

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DISTRICT COMMITTEE

Michael Zacharko, Chairman

Ivan Kushnir, Secretary

John Babyn, Treasurer

A tale of two...

(Continued from page 2)

been peerless in this respect. His most recent public blusterings on Sevastopol's status were delivered in the "City of Russian Glory" on January 18 at the opening of apartment blocks built for Russian Black Sea Fleet personnel at Moscow's expense. (Last year, President Yeltsin publicly rebuked the governor of the Primorskoye region, Yevgenii Nazdratenko, for his anti-Chinese outbursts, claiming that they were damaging to Sino-Russian relations. That Moscow's mayor is allowed to continue to negatively affect ties between Russia and its principal foreign policy concern, Ukraine, is curious to say the least.)

Increasingly, therefore, the diplomatic efforts of both sides might be diverted from a search for a genuine solution to the modest but paradoxically more taxing (not to mention vexing) task of preventing the emotive BSF/Sevastopol issue — as well as mutually important economic matters — from being irretrievably drawn into the pre-election vortex both in Russia and Ukraine.

It is very tempting to attribute the appearance of President Yeltsin's January 13 letter to President Lukashenka as the latest gambit in Russia's continuing opposition to NATO expansion. Clearly, this consideration must have played a key role (particularly since relations between NATO and Russia were to be discussed by NATO Secretary General Javier Solano and Foreign Minister Primakov in Moscow on January 20). But there is another, equally interesting possibility.

On January 17, Presidents Kuchma and Lukashenka held a working meeting in Homiel. Belarusian sources said the meeting had been planned for some time, but the appearance of President Yeltsin's letter made the need for a meeting more urgent from a Ukrainian point of view: the Ukrainian president wanted to gauge Mr. Lukashenka's reaction to the letter prior to his January 23 visit to Poland.

By all accounts, the meeting, which apparently had something of a spontaneous agenda, went quite well. President Lukashenka steered clear of any integrationist language and stressed the importance of constructive ties with Ukraine. Indeed, after the meeting he reportedly stated that the two countries "had never before been as unanimous regarding their national and economic interests."

The Russian reaction was interesting: Russian State TV, as well as several political analysts and officials, reacted negatively. Reportedly, some Russian officials also were angry that President Lukashenka did not consult them prior to his meeting with Mr. Kuchma.

Last October, the Russian government had placed a value-added tax on some Ukrainian imports and quotas on others in an attempt to increase budget revenues, protect domestic manufacturers, and, probably, for good measure, to remind Ukraine of its still substantial dependence on the Russian market. However, some of these goods continued to find their way into the Russian market via Belarus. Thus, Belarus benefited, while the Russian treasury (ironically as a result of measures taken by the Russian government) lost a substantial amount of income.

Therefore, apart from the NATO dimension, the January 13 letter could also have been a hint to Belarus to close this conduit. But President Lukashenka is unlikely to accede to Moscow's requests: the relatively free flow of Ukrainian goods, among other things, helps him subsidize prices — a key element of any populist policy.

Also, by pursuing closer Belarusian-Ukrainian ties, Mr. Lukashenka might be trying to develop a Ukrainian "card" to be played when necessary while negotiating the terms of integration with Russia.

That Mr. Lukashenka might also see cooperation with Kyiv as a snare for eventually drawing Ukraine into that process cannot be discounted. (Ukraine, on the other hand, appears to view a growing agenda with Belarus as possible leverage for preventing its assimilation by Russia — on whatever terms. Thus, speaking at a February 21 press briefing, Ukrainian Foreign Minister Hennadii Udovenko stated quite clearly that Ukraine is against Belarus' isolation.)

Because of the implications of this matter for relations with Ukraine and, more generally, with the West (in the context of NATO expansion), Moscow appears keen to disperse any impressions that the declarations on integration between Russia and Belarus are not perceived to be hollow or stalling. Indeed, the Russian Foreign Ministry issued a statement saying that those members of the Russian media who had concluded that the Homiel meeting contravened last April's agreements were wrong. (Of course, it is quite possible to accept this statement as signaling a kind of indifference, or even assent to discussions between two sovereign states. But the fact that Russian Finance Minister Oleksandr Livshyts was recently rebuked for publicly drawing attention to the economic burdens of integration tends to support the above interpretation.)

Nevertheless, the Yeltsin administration is probably not too displeased by the majority view of the media because, by presenting the meeting between the Ukrainian and Belarusian presidents as the latter's negative response to Mr. Yeltsin's letter, the media has placed the Yeltsin administration in a position to claim that President Yeltsin is, as the saying goes, more-Catholic-than-the-pope on the issue of integration.

The populist appeal of this factor should not be underestimated — particularly at a time when President Yeltsin is coming under increasing pressure as doubts grow over his suitability to govern.

Chernomyrdin...

(Continued from page 3)

and Prime Minister Chernomyrdin attended the ceremonial signing of a joint-venture deal between the U.S. oil firm ARCO and Russia's LUKoil. LUKoil will own 54 percent of the venture and ARCO, 46 percent.

Russian Deputy Finance Minister Mikhail Kasianov and U.S. Deputy Treasury Secretary Lawrence Summers on February 8 signed an agreement to spread the repayment of Russia's \$2.3 billion debt to the U.S. over 25 years.

Aside from commission sessions, Mr. Chernomyrdin also discussed the timing and location of a planned U.S.-Russia summit.

Vice-President Gore announced that President Bill Clinton will meet Boris Yeltsin in Helsinki on March 20-21. The fact that the venue has been moved from the U.S. to Finland suggests that the Russian president is not healthy enough to make the long flight to North America.

Vice-President Gore also said the U.S. is ready to begin START III talks and that preliminary discussions are already under way. Agence France Presse reported. The Congress has ratified START II, but the Russian State Duma has not.

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Ukraine could get more...

(Continued from page 3)

percent in 1998. He said the reduction would be evenly distributed around the world, including Central and Eastern Europe.

However, in a December 10, 1996, address before the Parliament's Standing Committee on Foreign Affairs and International Trade, Mr. Boudria said that "in keeping with what Canadians have told us about the importance of focusing on poverty and the poorest, 70 percent of these programs will focus on low-income countries."

He added that the federal government would also concentrate 70 percent of its financial aid in 25 countries. Those nations would fall under the ODA banner.

Canada's foreign aid program to Ukraine and its regional partners moved from the Department of Foreign Affairs and International Trade to CIDA two years ago.

Since Ukraine obtained its independence in 1991, Canada has committed more than \$204 million (\$148 million U.S.) in bilateral assistance to it.

Annually, Ukraine receives between \$18 million and \$20 million (\$13 million-\$14 million U.S.) from Canada, or about what Russia receives, according to CIDA officials. Ukraine accounts for about 20 percent of the budget allocated to Central and East European countries.

In total, CIDA distributes over \$2.2 billion (\$1.6 billion U.S.) in foreign aid throughout the world. With the recent cuts, that will be reduced to \$1.95 billion (\$1.4 billion U.S.) by 1998-1999 – the lowest share of Canada's gross national product since the mid-1960s.

The GNP includes a country's gross domestic product (GDP) plus net factor

income from abroad, which is the income residents receive from overseas for such services as labor and capital, minus similar payments to non-residents who contribute to the domestic economy.

The GDP, meanwhile, represents the total output of goods and services for final use produced by an economy by both residents and non-residents, regardless of the allocation to domestic and foreign claims. It doesn't include deductions for depreciation of physical capital, or depletion and degradation of natural resources.

Three years ago, Canada's GNP per capita was \$19,570 U.S. In 1995, Canadian foreign aid expenditures, at about their current levels, accounted for .29 percent of the GNP.

Nevertheless, Mr. Boudria said Ukraine could stand to receive more money from the Canadian government in the future. "Countries in Central and Eastern Europe that have had a more rapid transition may have their funds re-directed elsewhere," he explained.

Should Hungary and the Czech Republic be admitted to the European Union, for instance, they would have to relinquish the foreign aid they receive from Canada.

The same will apply to Ukraine, says Real Lalonde, who runs CIDA's Ukraine program. "At one time, their transition will be over," he said. "The Canadian government's involvement would not be so much in assistance but in establishing partnerships."

During International Development Week in Canada, which took place February 2-8, Mr. Boudria announced a notarial reform project, sponsored by Quebec's public notaries' association.

Mr. Boudria is expected to make his first official visit to Central and Eastern Europe in April. It is not known whether he will stop in Ukraine.

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To The Weekly Contributors:

We greatly appreciate the materials – feature articles, news stories, press clippings, letters to the editor, and the like – we receive from our readers.

In order to facilitate preparation of The Ukrainian Weekly, we ask that the guidelines listed below be followed.

- News stories should be sent in not later than 10 days after the occurrence of a given event.
- Information about upcoming events must be received one week before the date of The Weekly edition in which the information is to be published.
- All materials must be typed and double-spaced.
- Newspaper and magazine clippings must be accompanied by the name of the publication and the date of the edition.
- Photographs submitted for publication must be black and white (or color with good contrast). Captions must be provided. Photos will be returned only when so requested and accompanied by a stamped, addressed envelope.
- Full names and their correct English spellings must be provided.
- Persons who submit any materials must provide a phone number where they may be reached during the work day if any additional information is required.

VENTURE CAPITAL IN UKRAINE

INVESTMENT OFFICER

The Western NIS Enterprise Fund, an early stage venture capital fund, seeks an investment officer to join the investment staff in the Fund's main office in Kiev, Ukraine. Candidates should have three to five years experience in corporate finance, an MBA or equivalent, and an interest in working with local managers to develop growth strategies for their companies. Responsibilities would include identifying investment prospects, structuring and negotiating transactions, monitoring investments, and recommending exit strategies. Work experience in emerging markets would be an advantage.

The Western NIS Enterprise Fund, capitalized initially with \$100 million, invests in small and medium size private enterprises in Ukraine, Moldova and Belarus. The Fund's strategy is to identify the best companies operating in what are expected to be the fastest growing sectors of these emerging economies. The Fund provides portfolio companies with capital and the necessary managerial tools to evolve from entrepreneurial ventures to professionally managed companies. The Fund currently has a portfolio of eighteen companies operating in a variety of industries.

Western NIS Enterprise Fund

Interested parties should submit a cover letter and a resume to Harriet E. Schroeder, Chief Investment Officer, in New York at (212) 347-556-9337 or by e-mail: ehs@wnisul.org.

Accounting Consultant IT Consultant

Universal Business Systems, Inc., a management information systems company based in Kiev, Ukraine is looking for candidates for the positions of Senior Accounting Consultant and Information Technology Consultant. Candidates should have three to five years experience with business process improvement in accounting or systems design and implementation, and they must be willing to relocate to the region. Experience working in Eastern Europe or the CIS would be an advantage.

UBS designs, installs and maintains accounting and management information systems for companies operating in the Western NIS region, which includes Ukraine, Moldova and Belarus. The Company was founded in July 1995 with the goal of converting paper-based advice accounting systems into flexible, computerized website accounting and management information systems.

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Kuropas column...

(Continued from page 6)

vacuum. Democracy has never guaranteed that given the choice, citizens will choose the best candidates available. The majority of deputies in the Verkhovna Rada may leave a lot to be desired, but their election does not constitute a fatal breach in the constitutional system.

For better or worse, democracies evolve by the will of the people, and Ukraine could have done much worse than select its current government. President Leonid Kuchma has consistently opposed any attempt to sell out Ukraine's independence or its Constitution. He has shown no inclination to adopt the sort of autocratic policies that are leading Belarus and Yugoslavia down the road to ruin. The Helsinki Commission and other human rights monitors have repeatedly praised Ukraine as one of the exemplary new democracies of Eastern Europe, and for the most part, this praise is richly deserved. To paraphrase Rabbi Yaakov Bleich, Ukraine has taken many steps to ensure that religious freedom and cultural diversity are nurtured, not only in words but in public policy and practice.

Dr. Kuropas ignores these factors, and tries to convince us that investment climate is a more telling indicator of a nation's "constitutionality." This is highly debatable. The investment climate in South Africa or the Philippines was excellent during the period of apartheid and the Marcos dictatorship. Nations can be very successful in attracting foreign investment while stifling domestic liberties and repressing dissent. Dr. Kuropas exposes the flaws in his logic when he offers China as a nation whose investment opportunities should be the envy of Ukraine. To be sure, Western investors have ignored the slaughter and the legacy of Tiananmen Square in the hopes of gaining access to China's lucrative markets, but China's most-favored-tyranny status says nothing about its political integrity.

There is no question, Ukraine has an awful lot of work to do to put its financial house in order, to stem the tide of corruption sweeping government institutions. It must go much farther to secure a prosperous future for its citizens. But human and political imperfection lies at the heart of

the constitutional process. For this very reason, America's constitutional framers devised a flexible document that could help our fledgling democracy "to form a more perfect union." Economic depression struck the United States repeatedly throughout its early history, but this was not interpreted as a sign that its political process was bankrupt.

If the diaspora is truly concerned about the strength of Ukraine's economy and the durability of its democratic institutions, it should not assume the "wait-and-see" attitude Dr. Kuropas seems to suggest. On the contrary: we need to intensify our involvement in the process of democracy building. This cannot be accomplished by preaching from Olympic heights, but by wading into the decay of post-Soviet society, seeking out and working with gifted Ukrainians who are capable of developing solutions, from the grassroots level up.

If the diaspora found the courage to serve as a voice in the wilderness during the bleakest years of the Cold War, then surely we can find the courage and the pride to continue the struggle now that Ukraine is gaining recognition and winning support from the international community.

If we really care about Ukraine's future, the last thing we should be doing is wallowing in despair. For all the crippling effects of past oppression, Ukraine has entered the most promising and exciting period of its modern history. There are thousands of younger, progressive Ukrainians who are eager to replace the Old Guard, and there are thousands of ways for Ukrainian Americans to muster the resources and the creativity to help them overcome the worst vestiges of Soviet rule.

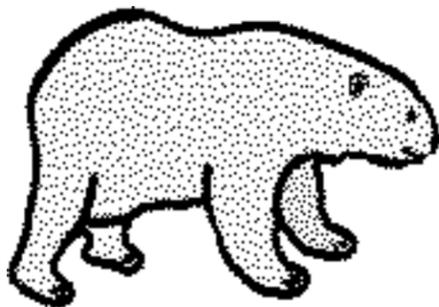
This is a time for our community to cherish the democracy that Ukraine was denied for so long. The fight for Ukraine's future is just beginning. The stakes are enormous, and there are too many opportunities for constructive action to be squandered on premature and self-indulgent despair. Given the unforeseen victories Ukraine has already won, the defeatism expressed by Dr. Kuropas cannot be justified.

Alexander B. Kuzma
Hamden, Conn.



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Crimean political...

(Continued from page 1)

right independence, of which there are many. On January 23, in an act of defiance, 51 of 97 members of the Crimean legislature voted to dissolve Crimea's Cabinet of Ministers in favor of a Council of Ministers (which harkens back to the Soviet system), and to give the chairman of the autonomous republic's legislature the power to appoint the chairman of the council.

Six days later, by a vote of no confidence, it ousted the peninsula's prime minister, Arkadii Demydenko. Mr. Demydenko said the vote was "initiated by a certain group of deputies pursuing their own selfish and mercantile interests," reported Interfax-Ukraine the same day. He said that Anatolii Franchuk, President Kuchma's son-in-law and Crimea's former prime minister who was dismissed by the president in 1995, was behind the work of the Parliament.

Deputy Chairman of Parliament Klychnykov, who had proposed the dismissal of government, had suggested Mr. Franchuk as a worthy replacement to Mr. Demydenko after the vote.

The Crimean legislature also authorized its chairman, Vasyl Kyseliov, to speak with President Kuchma to explain the circumstances behind the vote of no confidence and to get the president's approval.

Mr. Kyseliov acted otherwise and, speaking before his fellow parliamentarians after conferring with President Kuchma, called the legislature's decision "a serious mistake, if not a fatal one."

Hours later, President Kuchma issued a decree suspending the resolution on the Crimean Cabinet of Ministers because it was in conflict with the Constitution of Ukraine.

A week later, on February 5, Mr. Kyseliov himself was sacked by the Crimean Parliament "for improper execution of his duties" as a majority group continued to tear apart its government. Along with him went the rest of the presidium, including the chairs of all the parliamentary committees.

But most telling was that only 59 of Crimea's 97 legislators were in the Parliament assembly hall, 51 of whom voted for the dismissal of the chairman. Most of those who did not register for the session were supporters of Mr. Kyseliov.

After the vote, Mr. Kyseliov said he was not concerned about his dismissal because he "does not believe that the Crimean Parliament will last to the end of the year," according to the February 7 issue of the newspaper Den.

In Kyiv, political leaders showed they were fed up with the three-week-old chaos in the Crimean government. In the Verkhovna Rada in Kyiv deputies expressed frustration at the on-going state of affairs. Ex-president and member of Parliament Leonid Kravchuk called the fiasco in Crimea "a political show-down." He said that under current conditions the legislature "is unable to function" and that "the Verkhovna Rada of Ukraine should decide to help the Crimean population live under proper legal conditions."

The statement was echoed by Rukh leader and National Deputy Vyacheslav Chornovil, who called for dissolution of the Crimean Parliament. Even Communists, notably National Deputy Vasyl Tereshchuk, agreed. He said "it is necessary that the Verkhovna Rada react adequately."

Meanwhile, President Kuchma sent four of Crimea's laws to the Constitutional Court of Ukraine for review of their constitutionality, including the law "on foreign investment," which the president stated is in conflict with Ukraine's laws on regulation of foreign investment.

He caught everyone off guard on February 8, a day that the Crimean legislature was not in session, when he appointed the just-deposed Mr. Kyseliov as the presidential representative to Crimea, to replace Dmytro Stepaniuk, who had resigned after he was elected to the Verkhovna Rada in Kyiv.

The president then continued to act decisively and quickly. He sent the vice-prime minister of the Cabinet of Ministers of Ukraine, Valerii

Pustovoitenko, and the assistant director of the presidential administration Volodymyr Yatsuba to Symferopol, along with Mr. Kyseliov, to announce that the situation in Crimea must stabilize, or else. One alternative suggested by the president's representatives was that the post of chairman of the Council of Ministers and the office of the presidential representative to Crimea could be made one, although Mr. Yatsuba was quick to point out at a presidential press conference in Kyiv on February 12 that the Kyiv government still considers Mr. Demydenko the prime minister of Crimea. Mention was also made of another option open to the president: the dissolution of the legislature.

This effort may have finally broken the will of the renegade deputies in the Crimean Parliament. After a week in which the Parliament could not attain a quorum to open its daily sessions, the deputies in Crimea on February 13 voted in Anatolii Hrytsenko as the new chairman of the Parliament, although he received only 58 of the 97 votes.

Interfax-Ukraine reported that he immediately stated he would first meet with the presidential representative, Mr. Kyseliov, "in order to jointly coordinate our actions." A new Parliament Presidium was quickly voted in. And then, in the most notable gesture of the leader's willingness to work with President Kuchma, Mr. Hrytsenko pushed through legislative motions to cancel several laws it had passed that Mr. Kuchma had vetoed as unconstitutional, including the February 23 decision on the Council of Ministers.

PREVIEW...

(Continued from page 16)

Ukrainian Catholics is holding a Lenten retreat at St. Mary's Villa. The weekend of prayer and reflection will be led by Msgr. George Appleyard. The theme of this year's retreat is "Repent and Be Yourself." A fee of \$85 per person covers the cost of room and board, Friday-Sunday; a light meal on Friday is an additional \$5. For additional information and reservations contact Marion Hrubec, 400 Dewey Ave., Saddle Brook, N.J. 07663-5902, or call Janet Kusterer, (410) 461-0696.

Friday-Sunday, April 4-6

SLOATSBURG, N.Y.: The Sisters Servants of Mary Immaculate are holding their annual jamboree for girls in Grade 7 to age 21 at St. Mary's Villa, 9 Emmanuel Drive. For more information and to register for the weekend call (914) 754-2840 by March 14.

GENERAL NOTICE

JENKINTOWN, Pa.: The Professional Development Office at Manor Junior College has added the following courses in educational advancement and career orientation: computer training: Introduction to Windows: Mondays, February 24- March 24, 6:30-9:30 p.m.; SAT Preparation: Math and Verbal, Saturdays, March 1- May 10, 9 a.m.-noon; Medical Reimbursement Update: Tuesdays, March 4-25, 6 -9 p.m.; Pysanky-Ukrainian Egg Decorating, Wednesday, March 12, 6:30 -9:30 p.m. For more information, or to enroll contact the office at (215) 884-2218.

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- b) The candidate must have been an ACTIVE DUES-PAYING UNA MEMBER for at least TWO YEARS by the end of March of the filing year.

Applicants will be judged on the basis of:

1. financial need
2. course of study
3. scholastic record (minimum GPA 2.0)
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DUE DATES for applications and documents:

Your completed, signed and dated application is due by March 31, 1997.
All required documents listed on the application form and photograph are due by May 1, 1997.

The 1997/98 scholarship APPLICATION FORM can be obtained by writing to:

UKRAINIAN NATIONAL ASSOCIATION, Inc.
Attn: Scholarship Committee
30 Montgomery Street, Jersey City, NJ 07302

Re: Mail delivery of The Weekly

It has come to our attention that The Ukrainian Weekly is often delivered late, or irregularly, or that our subscribers sometimes receive several issues at once.

We feel it is necessary to notify our subscribers that The Weekly is mailed out Friday mornings (before the Sunday date of issue) via second-class mail.

If you are not receiving regular delivery of The Weekly, we urge you to file a complaint at your local post office. This may be done by obtaining the U.S. Postal Service Consumer Card and filling out the appropriate sections.

PREVIEW OF EVENTS

Wednesday, February 19

WORCESTER, Mass.: The American Antiquarian Society is sponsoring a lunchtime colloquium by Sergei Zhuk, associate professor of history, Dnipropetrovsk University, and Peterson Fellow, American Antiquarian Society, who will speak on the topic "Leveling of the Extremes: Soviet and Post-Soviet Historiography of Early America." The presentation will be held in the Elmarion Room of the Goddard-Daniels House, 190 Salisbury St., at 1-2 p.m. For additional information call (508) 752-5813.

Thursday, February 20

WORCESTER, Mass.: The American Antiquarian Society and the history departments of the University of Connecticut and Clark University are sponsoring a lecture by Sergei Zhuk, associate professor of history, Dnipropetrovsk University, who will present a paper titled "New Cannan" in British America and in the Russian Ukraine: Quakers, Mennonites and the 'Charismatic' Ethos in Zones of Colonial Capitalism from the 17th to the 19th Centuries." The discussion of the paper, slated for 4:30 p.m., will be followed by a dinner at the Goddard-Daniels House, 185 Salisbury St., at \$10 per person. For dinner reservations call the society at (508) 752-5813 by February 18.

Sunday, February 23

NEWARK, N.J.: St. John the Baptist Ukrainian Catholic Church is offering religious classes in the Ukrainian Byzantine rite for children in grades 3-8, starting February 23. Classes will be held on the fourth Sunday of every month after liturgy. To register call Roksolana Misilo, (201) 376-4807.

Thursday, February 27

TORONTO: The Chair of Ukrainian Studies at the University of Toronto is holding a lecture by Dr. Stephen Velychenko, history department, Chair of Ukrainian Studies, University of Toronto, who will speak on the topic "Loyalism or Nationhood? Law and Nationhood in Scotland and Ukraine, 1707-1914." The presentation will be held at 97 George St. (formerly the Department of Germanic Languages and Literatures), at 4-6 p.m.

Saturday, March 1

SAN DIEGO: The House of Ukraine in Balboa Park is holding workshops in Ukrainian Easter egg, or pysanka decorating to be held Saturdays, March 1 - March 29, at 9 a.m.-noon. Class size is limited to five students per session. Workshop enrollment is based on a first-registered/first-paid basis. Fee: \$25, includes supplies. For more information call (619) 447-1252.

Sunday, March 2

CHICAGO: The Ukrainian Institute of Modern Art presents a concert featuring violinist Oleh Krysa and pianist Tatiana Tchekina in a program of works by Brahms, Schubert, Liatoshynsky and Szymanowski. The concert will be held at the institute, 2320 W. Chicago Ave., at 2 p.m.

Monday, March 3

ROUND TOP, Texas: The Leontovych String Quartet — Yuri Mazurkevich, first violin; Yuri Kharenko, second violin; Boris Deviatov, viola; and Volodymyr Panteleyev, cello — will appear in concert at the Festival Concert Hall, Festival Hill, at 3 p.m. The program includes works by Schubert, Shostakovich and Brahms.

EDMONTON: The Canadian Institute of Ukrainian Studies at the University of Alberta presents a lecture by Dr. Terry Martin, University of Calgary, on the topic "How and When the 1932-1933 Famine Went National." The lecture will be held in the CIUS library, 352 Athabasca Hall, at 3:30 p.m.

Saturday, March 8

WINDHAM, N.Y.: The KLK Ukrainian Ski Club's annual ski weekend and races will be held at Ski Windham. Race registration and bib assignments will be at the KLK table on the third floor of the ski lodge, at 8:30-9:30 a.m. Race registration and lift ticket: \$40, adults; \$35, juniors; race only, \$10. Discounted lift tickets will also be available for non-racers: \$37, adults; \$32, juniors; children under 6, free. The time of the races will be announced at registration. A dinner buffet, awards and surprises will be held at the lodge. Cocktails are at 7:30 p.m., followed by dinner. Dinner, \$20, adults; \$10, children under 12. Those interested in taking part should call Severyn Palydowycz, (518) 263-4866 (before 10 p.m.).

Sunday, March 9

EAST HANOVER, N.J.: The Ukrainian Museum's New Jersey Regional Fundraising Committee invites the public to a meeting with architect George Sawicki of Greenfield, Sawicki, Tarella Architects, P.C., who will preview plans for the museum's new home on East Sixth Street in Manhattan. The meeting will take place at the Ramada Inn, Rt. 10, at 2 p.m. Refreshments will be served. For additional information call Zoriana Smorodsky, (201) 444-2188.

ADVANCE NOTICE

Friday-Monday, March 14-16

SLOATSBURG, N.Y.: The League of

(Continued on page 15)

PREVIEW OF EVENTS, a listing of Ukrainian community events open to the public, is a service provided free of charge by The Ukrainian Weekly to the Ukrainian community. To have an event listed in this column, please send information (type of event, date, time, place, admission, sponsor, etc.) — typed and in the English language — along with the phone number of a person who may be contacted during daytime hours for additional information, to: Preview of Events, The Ukrainian Weekly, 30 Montgomery St., Jersey City, NJ 07302.

Judge imposes...

(Continued from page 5)

estimate would not have held up in court. Ms. Baiul pleaded no-contest to a reduced charge of traveling unreasonably fast.

If Ms. Baiul performs her community service within a year, all records of the drunk driving offense will be erased. A February 5 story in the Hartford Courant quoted Daniel Blume, one of Ms. Baiul's attorneys, as saying that his client has begun discussions with state officials and Mothers Against Drunk Driving about recording public service announcements aimed at teenagers.

In a related story, the Hartford Courant reported on January 16 that an unnamed hospital employee at St. Francis Hospital had been fired for releasing the skater's

blood alcohol level to AP reporter Christine Hanley. Hospital spokesman Pete Mobilia told the Courant: "The hospital views the incident as the most serious breach of patient confidentiality possible, and, as a result of [an] investigation, the employee in question has been terminated effective immediately."

Mr. Mobilia added that hospitals routinely release limited information to the media about conditions of patients involved in accidents or crimes, but that the release of Ms. Baiul's records violated the code of confidentiality.

Ms. Baiul won a gold medal at the 1994 Lillehammer Olympics at age 16. She has left amateur skating to perform on the professional circuit and last year failed to meet the deadline to qualify for the 1998 Winter Games in Nagano, Japan.

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