



# UKRAINIAN AMERICAN BAR ASSOCIATION

## Асоціація Українських Правників Америки

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August 19, 2015

### **Open Letter to the Officers and Governors of the American Bar Association (ABA)**

The Ukrainian American Bar Association (UABA) is a national bar association created in 1977 whose members are U.S. judges, attorneys and law students of Ukrainian descent, and those American and foreign attorneys with an interest in Ukrainian matters who share the UABA's goals and dedication to the rule of law and its mission objectives. Many UABA members are also members of the American Bar Association (ABA).

As representatives of the legal profession, both of our organizations have as their core principle the strongly held belief that the rule of law can only be implemented if lawyers and jurists demonstrate - not merely by words but by their individual and collective behavior - a respect for the rule of law and take decisive action when their core principle is blatantly violated. Regrettably, the scheduled meeting of the ABA Section of International Law on September 18, 2015 in Moscow - discussing the resolution of business disputes - flies in the face of the rule of law rather than advancing it.

It is self-evident and beyond any reasonable doubt that Russia's continued military invasion of Ukraine and occupation of parts of its territory are violations of numerous treaties, international norms, and the internationally accepted principle of the rule of law. Territorial integrity and the inviolability of borders are the linchpin tenets that have been the bedrock of stability and peace on the Eurasian continent since the end of World War II. Now, they have been deliberately ignored and violated by the Kremlin's military revanchist actions in Ukraine. Any denial of these obvious facts is merely a means of avoiding dealing with the uncomfortable reality of the inescapable and dire consequences of Russia's unlawful behavior. Those that pursue the argument that meeting with professional counterparts on Russian territory will somehow create an opportunity to influence Russia's illegal behavior are on a fool's errand. History has shown that such meetings – no matter how well intentioned – only embolden the host country's government to continue its rogue behavior by giving it the satisfaction that its willfully criminal conduct in violation of the rule of law – no matter how egregious – will only evoke a possible mild verbal rebuke on its own well policed territory and nothing more.

The ABA and its Section of International Law should recognize the very apparent geopolitical realities and ominous consequences of Russia's illicit actions and learn from the lessons of history. There is an old saying "Actions speak louder than words". The ABA should immediately move the venue of the 2015 Conference on the Resolution of International Business Disputes to another country. The failure to do so will only reinforce the common man's prevalent belief that America's legal profession only mouths the phrase "rule of law", but that "business as usual" trumps all.

***For the Officers and Governors of the Ukrainian American Bar Association***

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