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Robert McConnell is a political consultant with the firm of R.A. McConnell & Associates. He has been very active in matters concerning Ukraine since the late 1970s playing a significant role in the Congress establishing the Ukraine Famine Commission in the 1980s, was a leader in gathering Washington support for the celebration of the Millennium of Christianity in Ukraine (1988) and seeing to it that no American official participated in Mikhail Gorbachev's fraudulent ceremonies claiming the millennium for Russia, Co-Founded the U.S.-Ukraine Foundation in 1990 (which opened an office in Kyiv in late 1990 – Ukraine was still in the Soviet Union – making the Foundation the oldest American presence in Ukraine) and between 1990 and 1993 testified or submitted testimony in approximately 30 hearings relevant to events in Ukraine.



The Bear and the Ostrich – The Kremlin vs. Washington
Speech to the Ukrainian-American Bar Association Convention
Robert McConnell
November 14, 2014

Really, what more do I need to say?

The Bear is engaged in a massive and dynamic war – the ostrich has its head in the sand regarding the reality of the situation and is simply engaged in the cosmetics of the conflict.

Putin invades and seizes Crimea and NATO and the Pentagon actually say publicly they were surprised and had no idea Putin would do that. Hello! I can't recall and names all the people who had predicted that invasion but I know that I wrote many in Congress and the Administration in December 2013 saying Russia would invade Crimea during or immediately after the Sochi Games. And I am no military strategist.

I read the paper and I read Paul Goble's daily *Window on Eurasia* where he provides the only genuine news of what is going on inside Russia as written in Russia's domestic media. I wish I had been able to hear his presentation this morning. Paul Goble is an American treasure, one of a kind.

After the Crimean invasion the United States said the invasion could not be allowed to stand, it was wrong. Are we saying anything about Crimea now? When was the last time you heard Crimean mentioned by an American official?

Putin invaded two oblasts in Eastern Ukraine – forget "Russian speaking separatists," forget "ethnic Russians," forget "separatists," Russia invaded Ukraine. Oh sure, there were and are Russia-Ukrainians who supported the invasion but they didn't initiate anything. Putin's forces invaded and created the conflict and eventually the United States couldn't ignore the facts and had to condemn the Russian role.

We disapproved.

We threatened.

We drew lines.

We postured.

We abhorrently parsed the terms of the Budapest Memorandum to explain that the plain meaning of the words – and the intent depended upon by Ukraine in signing the document – does not call for the United States to defend Ukraine's sovereignty. This was and is a disgrace of the first order given that the Memorandum was the culmination of the American and Russian effort to get Ukraine to turn over its nuclear weapons - not to the United States to whom Ukraine wanted to ship its nuclear weapons - but to Russia – the one country to which Ukraine did not want to give its weapons.

You won't find that truth in any history now told of the events – indeed anyone and everyone in the U.S. Government will deny this.

So what is the reality? We provide a lot of talk, minimal aid under the circumstances and advertise our contributions and support of Ukraine loudly to a largely disinterested public.

This may be a bit provocative – even for me – but you have to wonder who actually misses the Soviet Union more, Putin or the foreign policy community in the West? Their respective feelings manifest themselves differently – the puny, strutting little former KGB colonel invades Ukraine, works to destabilize the Baltics, has Russian bombers patrolling the Atlantic and Pacific, seeks military landing rights in South American countries, has his navy showing up places it hasn't been seen in years, he works with the terrorist mullahs and generally projects all of the evil for which the Soviet Union was known.

On the other hand we – the United States government and many American institutions – deplore Russian aggression and huff and puff but we do very - -very - - little to assist Ukraine in being able to defend itself.

As President Poroshenko said before Congress, you can't fight a war with blankets.

Oh sure, a representative of our government could challenge me with a list of things we have done:

- A billion dollar loan guarantee (a loan guarantee, not cash)
- Work to secure IMF funds
- Non-lethal support for this and that
- Supposedly projecting strength by putting planes in the Baltics, Poland
- Imposing sanctions
- Yada, yada, yada

Half measures at best – all delayed from when they would have had genuine meaning. And all the while making it abundantly clear we would never provide lethal assistance, we would never really help Ukraine defend itself against an invading army that is killing Ukrainian citizens.

Oh, and by the way, when Obama says there will be no lethal aid he means it. A classic case of his commitment to keeping arms from Ukraine is playing out right now. Ukraine worked to secure the purchase of rifles and ammunition from a United States manufacturer and obtained an export license to ship the arms to Ukraine. But when the arms reached Customs they were essentially impounded by Homeland Security. The stated reason – to investigate how Ukraine obtained the export license.

You think Putin isn't aware of this type of thing?

How do you think Putin reads Washington?

We are a joke.

Someone asked the other day, "When will Putin stop?" Why would he stop? No one is stopping him.

Over and over again we provide Putin with a very clear picture of a paper tiger.

We have a stated policy of isolating Russia until it withdraws from Ukraine.

Isolate – really?

Over the past 6 months I can't recall how many conferences have been held in Washington and elsewhere in the States promoting business opportunities for American companies in Russia – with US government participation!

What we say and how we behave are too entirely different things. And Putin knows it.

Look, the situation is deplorable and one can get depressed, one can think about giving up, one can say there is no way to change the situation - - but this situation, this mess is nothing new for Ukraine and Ukrainians or Ukrainian-Americans.

It has always been so - there is a western fascination with Russia and wanting to believe there are common interests and the Kremlin isn't what it appears to be, etc. To me this is inexplicable and just plain stupid, refuted over and over by history but it is a reality. We have to understand it is what it is.

But in facing this reality we have to remember that over the last 100 years every time – every time – anything good regarding Ukraine specifically has been accomplished in Washington it has been the Congress that has taken the lead. It has never been an American Administration. And that will be the case again.

The Administration – at least the collective Administration – would like Ukraine just to go away. The President simply could not care less about Ukraine.

But it is the Congress where Ukraine finds its allies. The steps that have been taken to support Ukraine have either come through Congress or been forced by Congress. And Congress has been bipartisan in its support of Ukraine.

The Ukraine Freedom Support Act – S. 2828 – was reported out of the Senate Committee on Foreign Relations unanimously. It is worth taking the time here to know and understand what Chairman Menendez and Ranking Republican Corker provide in their legislation.

The legislation requires the president to apply sanctions against:

- Rosoboronexport and other Russian defense firms that contribute to instability in Ukraine, Moldova, Georgia, and Syria;
- It requires sanctions of companies worldwide that make significant investments in particular unconventional Russian crude oil energy projects;
- It requires sanction on Gazprom, if the President determines that Gazprom is withholding significant natural gas supplies from member countries of NATO or further withholds such supplies from countries such as Ukraine, Georgia, or Moldova.

It also imposes restrictions on foreign financial institutions' dealings with the United States banking system if it is determined the financial institution has engaged in significant sanctionable transactions related to Russia's defense and energy sectors, or significant transactions on behalf of any Russian individual or entity that has been sanctioned in connection with the crisis in Ukraine.

This legislation authorizes the president to provide military assistance to Ukraine, to include:

- Providing defense articles, defense services, and training to the Government of Ukraine for the purpose of countering offensive weapons and reestablishing the sovereignty and territorial integrity of Ukraine, including anti-tank and anti-armor weapons; crew weapons and ammunition; counter-artillery radars to identify and target artillery batteries; fire control, range finder, and optical and guidance and control equipment; tactical troop-operated surveillance drones, and secure command and communications equipment. It authorizes \$350 million in fiscal year 2015 to carry out these activities.

It requires the administration to outline a plan for how the United States, other governments, and international organizations will help Ukraine in protecting and assisting persons internally displaced because of the fighting in Ukraine.

The bill requires the administration to work with Ukraine to develop a short-term emergency energy assistance plan that will help Ukraine address a potential fuel and electricity shortage in 2014-15, and authorizes \$50 million for fiscal year 2015 in support of these activities. It also requires the administration to develop medium- and long-term plans to increase energy production and efficiency to improve energy security in Ukraine, and authorizes \$50 million over three fiscal years for such activities.

Under this bill, the president would need to submit a strategy to Congress that outlines U.S. efforts to strengthen Ukrainian civil society, support independent media, reduce corruption, and increase election-monitoring capacity. This legislation also encourages the president to assist entities in the Ukrainian defense sector to reorient exports away from customers in Russia and to find appropriate alternative markets for their products.

Finally, the bill designates Ukraine, Moldova, and Georgia as major non-NATO allies and authorizes \$10 million for the next three fiscal years to counter Russian propaganda in the former Soviet Union countries and prioritizes Russian-language broadcasting into Ukraine, Moldova, and Georgia.

If enacted would S. 2828 be enough? **No.**

It would not be enough for a number of reasons.

First I am certain that for S. 2828 to get to the Senate floor there will have to be a unanimous consent agreement. If this is even possible several sources tell me that there will have to be changes in the legislation the most likely of which will have to be the striking of the language codifying the sanctions already in place.

Second, the legislation authorizes funds, it does not appropriate. Appropriations would have to be provided separately and it will take time to appropriate.

But let's be clear – S. 2828 is a genuine effort to back up American words with genuine support for Ukraine.

Now, I am not optimistic that S. 2828 will get through the Senate, be accepted in the House and get to the President's desk in 2014. There is very little time left in the lame duck and the White House, which is against the bill, represents the only lobbyist in town with an Article I power under our Constitution – enactment, requires the President's signature.

And the White House has Harry Reid's ear and Reid sets the Senate agenda - - for now.

But Mitch McConnell has long been a supporter of Ukraine and has indicated legislation would be dealt with expeditiously in the 114th Congress next year. But there are several things to keep in mind.

We are at the end of a Congress, there is little time left and you can never predict what will happen. There are other pieces of legislation less well known that have provisions which could have significant impact on Ukraine. They are in the mix. Things happen at the end of a Congress, language gets added to must pass legislation; nuanced deals are made on the floor. Good things could happen that will benefit Ukraine.

But the best known bill supporting Ukraine is S. 2828 so, regardless of the many hurdles faced this year to secure enactment of critical legislation, the UABA and anyone interested in American global interests should be making members of the Senate and the House of Representatives know passage of legislation like S. 2828 is important, needed and of vital interest to American voters. These sentiments, this message can provide an important indeed necessary, backdrop of support for senators and House Members to act on behalf of Ukraine. There is broad support in Congress for Ukraine and to counter the Russian problem. But in the broad agenda of issues to be addressed, Congress needs to know it has support to make Ukraine a priority, that there is public support for making Ukraine an item to be addressed now. Your demonstrated support for S.2828 can add pressure to cloakroom deals benefiting Ukraine via other legislation.

Whatever you can do – letters, faxes, phone calls, speaking up at forums during Thanksgiving – anything and everything should be done now and should continue until enactment – momentum must build, voices must be heard.

The Bear is stalking Ukraine. The Bear is turning international order on its head. Through Congress we must force the Ostrich's head out of the sand and demand that it defend American interests ***starting in Ukraine.***

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