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AMERICAN BAR ASSOCIATION

OFFICE OF THE PRESIDENT  
ROBERT D. RAVEN  
AMERICAN BAR CENTER  
750 N. LAKE SHORE DRIVE  
CHICAGO ILLINOIS 60611  
TELEPHONE 312 988 509  
ABA NET ASAOO2

PLEASE REPLY TO  
1800 M STREET N.W.  
WASHINGTON, DC 20036

January 22, 1989

Hon. Alexandr Sukharev, President  
Association of Soviet Lawyers  
Union of Soviet Socialist Republics  
14 Avenue Kalinine  
MOSCOW K-9 U.S.S.R.

Dear President Sukharev:

Thank you for your most welcome and generous letter of November 7.

I was honored to have greeted your recent delegation of jurists upon their arrival in Washington and particularly was impressed by the diversity of experience represented by the delegation as well as the broad geographic representation of those present. I missed seeing you but understand that your new responsibilities take a heavy toll on your valuable time.

I was also most impressed to learn of your report about Mr. Ivan Makar who apparently was found after full investigation not to have committed any crime. This is fully consistent with the reports of the recent delegation of Soviet jurists during our symposium meeting in Chicago, who reported that among a number of proposed, progressive reforms currently under review by the Procuracy and other offices in your government, that Article 190, Section 1, and comparable provisions in the criminal laws and procedures of the various republics, have now been found to be unnecessary and are reportedly on a list for repeal.

In this regard, I would appreciate receiving a copy of the draft revision of the criminal code to which your colleagues made numerous references. This would permit us to more fully understand your drafting process.

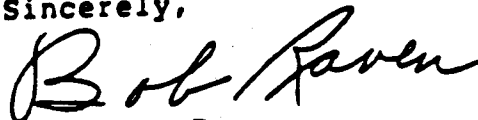
Hon. Alexandr Sukharev  
January 22, 1989  
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I also was gratified to learn that a fellow lawyer in the Ukraine, Mr. Lev Lukyanenko, whose professional status has remained a concern of the ABA since 1980, was released from custody last month. While I must apologize for my delayed response to your very good letter, I must also say that the delay permits me to thank you for your assistance in this matter also.

As productive and educational as our working relationship has been, I am particularly impressed by the extent to which it mirrors the expanding efforts of our governments. The recent meeting of our leaders at the United Nations marks the importance of a continuing dialogue.

Finally, and sadly, my wishes to you for a full, healthy and challenging new year are tempered by the tragedy in Armenia. I know of a number of my colleagues who have offered assistance, which will continue, I am sure, from all the American people as long as necessary.

Sincerely,



Robert D. Raven  
President

RDR:mjd

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OFFICE OF THE PRESIDENT  
ROBERT D. RAVEN  
AMERICAN BAR CENTER  
750 N. LAKE SHORE DRIVE  
CHICAGO, ILLINOIS 60611  
TELEPHONE: 312/988 5109  
ABA/NET: ABA002

October 21, 1988

Aleksander Sukharev, President  
Association of Soviet Lawyers  
14 Avenue Kalinine-9  
Moscow, U.S.S.R.  
Telex: #871-411-286

RE: Arrest and Trial of  
Ukrainian Ivan Makar

Dear President Sukharev:

I am delighted to hear that the ABA/ASL seminar which was held in Chicago yesterday and today was such a success. I know the American participants regretted that your busy schedule prevented you from attending the seminar, although I understand that Veniamin Yakovlev did an excellent job as the leader of the ASL delegation.

During the seminar, the ABA delegation inquired about the case of Ivan Makar, a 31 year-old Ukrainian construction engineer from L'viv, whose trial we are advised is to begin on October 24, 1988. Apparently, Mr. Makar has been accused of anti-Soviet propaganda and agitation, disorderly conduct and disturbing the peace and has been charged pursuant to Articles 187-1 and 187-3 of the Criminal Code of the Ukrainian SSR. We have received further reports that on September 28, 1988, Mr. Makar was severely beaten in prison, suffering multiple fractures of the arm, and that he may have been denied medical attention.

No one on the ASL seminar delegation in Chicago was familiar with this case. Accordingly, I am writing to you to request any information you might have on the status of this matter. Furthermore, pursuant to the ABA/ASL trial observer agreement which we finalized last year, I would like to request that you let me know whether it would be possible for an ABA representative to observe the trial of Mr. Makar. Although we would be unable to send an observer to the trial on October 24th, we might be in a position to do so if the trial is rescheduled to a later date.

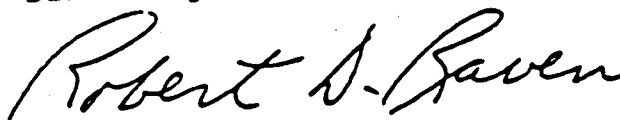
Aleksander Sukharev  
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We are advised that Mr. Makar was arrested on August 4, 1988. Reportedly, Mr. Makar was a leader of three public meetings in L'viv, Ukraine on June 16, June 21 and July 7, 1988 attended by a total of over 70,000 persons. We are further advised that at both meetings, which are reported to have been peaceful and orderly, several social and national issues were discussed, such as the legalization of the Ukrainian Catholic Church, the defense of the use of the Ukrainian language, and the manner of selection of delegates to the 19th Party Conference.

Since we are not in a position to confirm the accuracy of these reports, I hope you will agree to enlighten us on this matter, and that you will facilitate the observation of Mr. Makar's trial by an ABA representative if that is possible. Please reply via Telex 270593, Telephone (312) 988-5109, FAX (312) 988-4664 or telegram care of the American Bar Association, 750 Lake Shore Drive, Chicago, Illinois 60611.

Thank you for your cooperation with this request.

Sincerely,



Robert D. Raven  
President  
American Bar Association

List of people who received a copy of RDR October 21 letter to Sukharev re Ukranian dissident in response to letter from Andrew Fylypovych of the Ukranian American Bar Association.

Robert Raven  
Robert MacCrate  
Andrew Fylypovych - Ukranian American Bar Association  
David Pennington  
Richard Friedman - Chair, StC on Law and National Security  
Robert Mussehl - Chair, StC on World Order Under Law  
Clifford Stromberg - Chair, Section of Individual Rights  
and Responsibilities  
Steve Nelson - Chair, Section of International Law  
Philip Lacovara - Trial Observer Project  
Jerome Shestack - cc on Fylypovych letter  
R. William Ide III - cc on Fylypovych letter  
Stephen Klitzman - cc on Fylypovych letter  
Olena Hendler - cc on Fylypovych letter  
OPPE - Harriet  
Frank  
Ed  
Dick Collins  
David Hayes  
Ginnie Russell  
Craig Baab  
Steve Raikin

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