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KyivPost

18th Anniversary

vol. 18, issue 38 INDEPENDENCE. COMMUNITY. TRUST www.kyivpost.com September 20, 2013



TVi Blackout



Amid an ongoing battle over who owns Ukraine's TVi, which once specialized in hard-hitting investigations with a politically oppositional slant, many of its best journalists have fled. One media critic says the news programs are now blander and much less threatening to authorities, shrinking the already small pool of independent journalism in Ukraine. Who is to blame for TVi's decline?



Alexander Altman was riding high when he announced on April 25 that he was the new owner of TVi, a takeover that prompted most journalists to quit the television station that specialized in hard-hitting investigations. But Altman is saying he was the victim of fraud. (Kostyantyn Chernichkin)

Editor's Note: The following investigation was conducted by the Washington-based Organized Crime and Corruption Reporting Project, a Kyiv Post partner. The project was coordinated by Kyiv Post staff writer Vlad Lavrov. Denys Bigus is a former member of the channel's investigative team and worked on the Tender News and Exclamation Mark programs.

BY DENYS BIGUS

Five months after he walked into Ukraine's TVi newsroom as a financial savior and "second breath" for the financially struggling channel,

Alexandr Altman is crying foul. Now he sees himself as a hapless victim. "I do not accept that I am the controlling mind or the director (statutory, de facto or otherwise) of Balmore or any of the five Invest companies,"

Altman says of the interlocking maze of companies that last April took over a channel once praised for its independent and fearless investigations. In documents filed at the High Court of Justice in London on July 28, Altman

claims his name was used in a series of filings with regulatory agencies in London "entirely without my knowledge or consent, and therefore fraudulently...I have no knowledge of how these companies were incorporated, who incorporated them, how they are run, or what they have done since they were incorporated." This latest upheaval at TVi sheds

light on how offshore shell corporations are being used to gain control of a profitable or powerful media entity while also obscuring the identities of those seeking that control. Amid the ongoing struggle and confusion, Ukrainian TV viewers have lost a news source that relished its role as an attack dog against the authorities. TVi specialized in expos → **16**

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CURRENCY WATCH

Hr 8.21 to \$1

Sept. 19 market rate



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Засновник ТОВ "Паблік-Медіа"

Головний редактор Януб Парусинський
Відповідальний за випуск Януб Парусинський

Адреса видавця та засновника

співпадають: Україна, м. Київ, 01004,

вул. Пушкінська, 31А, 6-й поверх.

Реєстраційне свідоцтво

Кв № 15261-3833ПР від 19.06.09.

Передплатний індекс ДП Преса 40528

Надруковано ТОВ «Новий друк».

02660, Київ, вулиця Магнітогорська, 1,

тел.: 559-9147

Замовлення № 13-7782

Аудиторське обслуговування

ТОВ АФ "ОЛГА Аудит"

З приводу розміщення реклами

звертайтесь: +380 44 591-77-88

Відповідальність за зміст реклами

несе замовник.

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Kyiv, Ukraine, 01004

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Hr 5 million in debts over Euro 2012 work

BY KATERYNA KAPLIUK
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More than a year after Ukraine co-hosted the extravagant European soccer championship, some subcontractors say that a government-chosen private contractor collectively owes them about Hr 5 million, or roughly \$600,000, for work performed.

Eight companies from Lviv and Ivano-Frankivsk oblasts that took part in building the runway at the Lviv airport say the general contractor failed to settle in full. To cover for the shortages, they have been forced to get bank loans and sell part of their assets, they said.

This payment scandal is the latest chapter in the long saga of corruption scandals, abuse of public money and ensuing court cases associated with Euro 2012. Ukraine spent billions of dollars to overhaul roads and airports and constructing stadiums that stand mostly idle now.

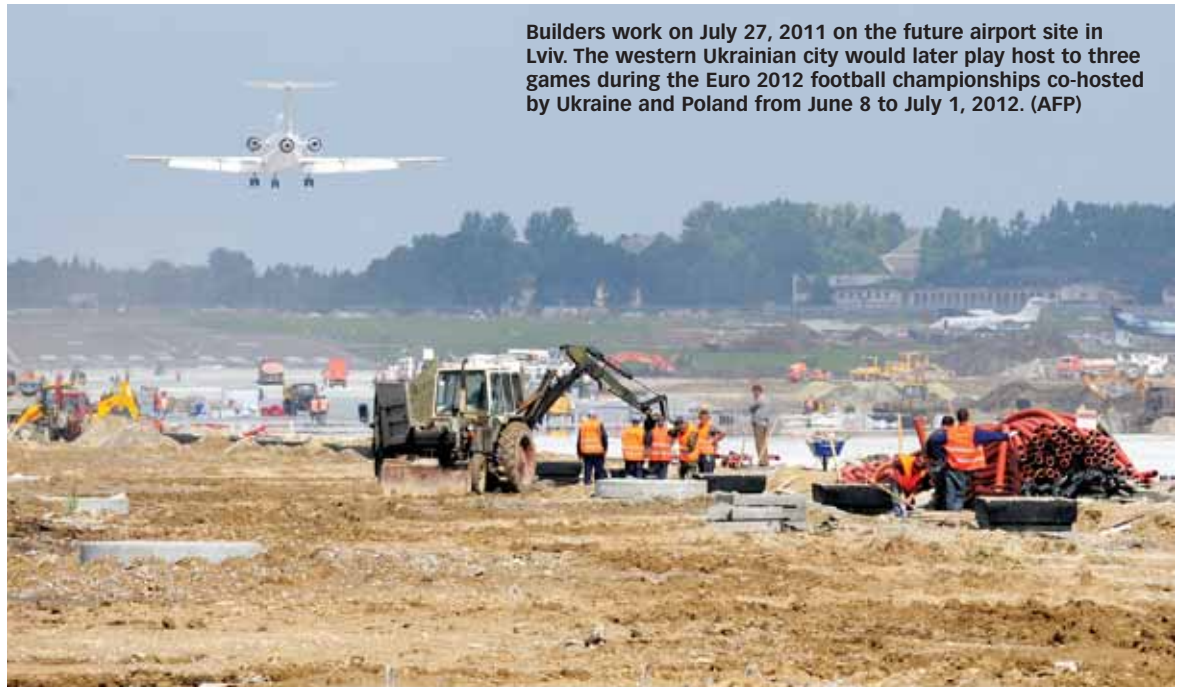
The Lviv airport, for example, only hosted 381,000 passengers in the first seven months of 2013, way below the projected capacity of 73 million passengers per year. The total cost of its construction was about \$575 million.

To reconstruct the old airport's runway, the Cabinet of Ministers in 2010, through a non-competitive, single-bid procedure, chose Donetska Budivelnna Kompaniya LLC (Donetsk Construction Company) as the contractor, says businessman Ivan Bodnar, who runs Prykarpattbudtrans company, a transport firm that was subcontracted for the project.

Donetska Budivelnna Kompaniya is a part of Donetsk-based financial and industrial group Altcom. It hired Bodnar and other entrepreneurs like Roman Demchyna and Mykhaylo Mykhaylsky from Lviv Oblast to transport building materials and earth for landscaping to the airport and surrounding territory.

Altcom confirmed that it has failed to pay subcontractors, but insists that the reason is the government's failure to pay for the project that was publicly financed.

Altcom's spokeswoman Olena



Builders work on July 27, 2011 on the future airport site in Lviv. The western Ukrainian city would later play host to three games during the Euro 2012 football championships co-hosted by Ukraine and Poland from June 8 to July 1, 2012. (AFP)

Vasina said her company was owed a lot more money than its subcontractors from western Ukraine, but did not specify how much. Radio Free Europe/Radio Liberty had reported that the government owed Altcom about Hr 120 million for the Lviv airport. The company plans to pay subcontractors after receiving this money, she said.

There are a few companies and individuals waiting in line to get their cash from Altcom and Donetska Budivelnna Kompaniya, its subdivision. Demchyna says he is owed Hr 700,000, Budimex company, another contractor, claims a debt of about Hr 1.3 million, Mykhaylo Mykhaylsky is owed Hr 755,000.

In total, the outstanding debt of the Donetsk-based firm is about Hr 5 million. The subcontractors say they believe there are others who are owed money, but do not provide any details.

Donetsk Mayor Oleksandr Lukyanenko, defending Altcom, said the government owed the company about Hr 300 million in total, Novosti Donbass website wrote in August. By the time that the Kyiv Post went to print, the government Euro 2012 agency that was in charge of preparations

for the football championship failed to respond to an inquiry why and if there were problems with government payments.

But even without the Euro 2012 cash, Altcom should be in good shape financially. According to Nashi Groshi, a public procurement watchdog, in 2009-2012 Altcom got about Hr 14 billion of public money by winning procurement tenders, mostly related to Euro 2012 orders.

It won the fattest tenders when the Euro 2012 preparatory process was supervised by the then Deputy Prime Minister Borys Kolesnikov. Ukrainian media suggested that Kolesnikov had ties with Altcom, but he repeatedly denied all the allegations.

The subcontractors said the payment problems started closer to the end of construction. More than a year after they completed preparations for the continental championship that took place in June 2012, they are still waiting to get paid in full.

"We could not possibly think that after signing the acceptance certificate the company would forget to pay us," Bodnar complains. "We worked in two

shifts, and in the end we didn't get what we made."

The businessman says that Altcom paid in installments for a while, but the trickle of money dried up several months ago.

Bodnar says that his company has financial troubles because of the client's failure to pay. This year Prykarpattbudtrans had to sell its eight cars to service loans and to get new loans to repay old ones. At the moment, the company is owed Hr 1.5 million. However, during the last 1.5 years the company had to pay about Hr 800,000 in interest on loans, he claims.

The businessmen said they sent eight letters to Donetska Budivelnna Kompaniya asking for payment, but received no reply. Bodnar says that he also visited Donetsk last autumn, but the company's management wouldn't find time to meet with him. The company promised some of the businessmen to pay them in installments by April, but failed to do so, according to Demchyna.

Kyiv Post staff writer Kateryna Kapliuk can be reached at kapliuk@kyivpost.com.

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Today, nearly all of Ukraine's commodity markets face similar difficulties, which resulted from the 2008-2010 economic crisis. Many players in different sectors are still suffering from the low purchasing power of the Ukrainian consumer, with their profit margin having significantly dropped. In this difficult climate, producers, suppliers, importers, distributors, Horeca, and modern trade operators are all looking for ways to earn more and spend less. While a 'to earn more' strategy can be found in active trade marketing activities, category management and penetration of new niches and sales channels, 'to spend less' is primarily realized by reducing in-house costs and improving the overall business performance — with both logistics and the supply chain playing an important role.

The World Bank's recent surveys have been gradually raising Ukraine's ranking in the index of logistics performance — an integrated parameter covering transparency of customs procedures, infrastructure, accessibility and quality of service providers, which proves that, along with farming and retail, the Ukrainian logistics sector is still an attractive proposition for infrastructure investors and FDI's.

However, separate segments of the market are underdeveloped: for instance, in transportation and freight forwarding the number of transport companies dealing with international transportations is approximately 50 (5-6 leading companies with 2-4-year old fleet containing over 150 trucks), while the number of expedition companies exceeds 500.

Contract logistics, or 3PL operators (10-12 companies), have a key role in the logistics services market. However, as more sophisticated logistics become organized operationally — due to the consignee's requirements becoming tougher, the greater the likelihood is that both the 'electronic' logistics and the focus on outsourcing will change and evolve.

Despite a whole variety of specific and sometimes unique peculiarities in each of the commodity sectors and logistics segments, the 21st century requires the effective organization of material, information, resource, cash and other flows in each of these markets. A carefully crafted logistics strategy, with thorough planning of commodity flows, the optimization of costs in each part of the supply chain, wide-scale use of up-to-date computer systems, and the continuous improvement of service levels, will help to maximize sales and improve the loyalty of customers, while helping to ensure greater budgetary control over logistics and associated expenses.



Oleg Verzhbytsky
Managing Director,
DB Schenker

It's not a secret for everyone that there is always a pressure from the authorities' side on business in our country. In this case, a stick is used more than a carrot. Business can and must defend itself and we have a wonderful experience in our association, as other countries have in the logistics industry and other industries in Ukraine. Logistics industry is of great importance in the national economy, and the business can and should influence the government, not vice versa. To do this we created a Logistics Committee industry in the European Business Association, where there can be both the companies — providers of logistics services, and companies in which logistics is an essential part of their business (eg. trade). One of the clearest examples of how we can influence on the legislative power is when preventing the adoption of laws which do not stimulate the development of the logistics industry, but on the contrary, slow it down in every possible way. To do this, all the members of the committee have the opportunity to participate actively in the process of additions and changes to existing and new laws in the area of logistics, what gives the opportunity to create a business environment in the industry, which is not divorced from reality.

TOP 6 INSIGHTS INTO LOGISTICS

Forgot Logistics, you lose



Dmitriy Kalinichev
Director,
DIANA Lux Logistic

The main responsibilities of the committee are to nurture a positive image of the logistics business, and promote best practice in outsourcing logistics in various market spheres, such as the automotive industry, agriculture business, pharmaceuticals, FMCG and others. More than 70% of the world's logistics outsourcing takes place in Europe. However, outsourcing occurs too infrequently in Ukraine. The majority of western companies doing business in Ukraine outsource their logistics. Effectively developing retail is generally effective with logistics companies and their cooperation is becoming more fruitful each year. There are lots of examples when companies try to use logistics outsourcing even when they haven't done it before, particularly in spheres such as pharmaceuticals, agricultural and automotive. Some new logistics companies have appeared at our market in recent years, which effectively provide services for the pharmaceutical industry by understanding the needs and requirements of the industry. More and more companies working in the agriculture sector are going to outsource logistics services, particularly given that seasonal businesses aren't able to use their own logistics. It's more efficient to use the resources of companies that provide services all along the supply chain. Thus, promoting logistics outsourcing is the main reason for setting up the logistics committee.



Vladimir Karpuk
Branch
Manager, Asstra
Forwarding AG

One of the main reasons for creating the Logistics Committee is to develop common standards and principles, which will be understood by logistics providers, as well as by the consumers using these services. Nowadays most of the transport logistics companies in Ukraine are guided solely by their own principles of work, unlike elsewhere in Europe, where they operate on the basis of uniform standards developed by cooperation within the industry. Furthermore, logistics services targeted at consumers only operate using internal resources when developing proposals and announcing tender conditions, often without considering the essential principles of logistics. As a result, many competitive freight forwarding companies refuse to participate or are forced to agree to the proposals, recognizing nevertheless that the demands put forward by the consumer are unaffordable to them. In the long term, guided by common developed standards, we will be able to change the current situation in the region and everyone will benefit.



Oleg Kalenskiy
Non-Executive
Board Member, UVK

One of the key priorities of the newly set up Committee is to provide actual tools for logistics players to reach a better efficiency and performance in executing logistics operations within their supply chains. On the backcloth of the currently under-developed transportation services market in Ukraine, many cargo-holders, distributors and retailers feature as low as a 30-40% load co-efficiency while round-trip trucking across Ukraine, suffering from the unavailability of so-called 'shared trucking' concept locally. Thus, the Committee shall elaborate schemes for an efficient cargo consolidation and actively involve the EBA and Committee Members to take benefits out of the project.



Svitlana Strelyanaya
Chairman
of the Board PJSC,
ATP 16363

The participants of the Logistics Committee believe that supporting educational programmes for students and staff is one of the biggest objectives for the Committee. You might ask: 'What is it needed for?' The answer is simple — we want to invest our time, knowledge and resources into our potential future colleagues in the logistics sphere. After all, the concept of logistics is relatively new given our situation. And we, the operators of the market, believe that there is an urgent need for younger and higher qualified staff. Despite the ongoing development of higher education, particularly with the new faculties and subjects, the vast gap between what is studied and what is required in practice is yet to be substantially reduced. There is a lack of the understanding of how it works and functions, not only for students, but often for the teachers as well. That is why the main task for us is to assist in overcoming this gap between knowledge and real logistics work.



Bernard Draily
Operations
Director, Danone
Dairy Ukraine

Danone is actively supporting the creation of a professional logistics committee facilitated by the European Business Association. The company will also specifically support working groups focused on developing the refrigerated cold chain logistics industry in Ukraine. Ukraine has underdeveloped infrastructure in warehousing and transport, notably for cold chain. Danone represents 10% of cold chain volume, this is why we are inviting all stakeholders of fresh food logistics to join us to develop practical opportunities that will increase flows and bring benefits to Ukrainian consumers. Already, we are developing concrete steps on co-logistics in several formats, which will bring benefits to all parties, resulting in deliveries of fresher and better food to consumers. We are keen to discuss these objectives with manufacturers of fresh food, 3PL companies and retailers, in order to establish concrete initiatives that will be developed.

The EBA Logistics Committee

will represent the interests of companies engaged in freight forwarding and logistics, in addition to other companies that have a significant interest in the sector.

The Committee's activity is focused on:

- Introducing amendments to legislation
- Promoting a positive image of the logistics business
- Supporting the development of infrastructure
- Supporting staff (student) education programmes
- Developing and adopting the standardization of logistics services
- Sharing information on unfair subcontractors in the sector
- Efficient cargo consolidation
- Promoting an increase in the number of high-quality transport vehicles in domestic transportation
- Defending the Committee members' interests with their respective state bodies
- Effective collaboration with other EBA Committees
- Other issues essential to the Ukrainian logistics industry

We invite the companies engaged in the following areas to join the Committee's activities: LSPs (2PL / 3PL); suppliers (producers, importers, distributors); retailers; and Horeca.

Should you require any additional information please submit your questions to the EBA office: committees@eba.com.ua. The seven EBA members that set up the Committee are as follows:



Editorials

No one's safe

On every anniversary since journalist Georgiy Gongadze's murder on Sept. 16, 2000, a feeling of sadness and regret for Ukraine sets in. Some of us try to overcome this melancholy by getting together on Maidan Nezalezhnosti to bolster each other's spirits. We honor the victim with a crowd more and more populated by people who never knew him personally, but who know that solving his murder remains a significant test that the nation's leaders have thus far failed.

We come together to remind the world that the person who ordered Gongadze's murder – and those persons complicit in the cover-up – are still walking the same streets as free men.

Most reasonable assessments of the evidence lead to ex-President Leonid Kuchma's doorstep – from the Mykola Melnychenko recordings to the cover-ups and the prosecutorial misconduct and misdirection of the early years, when the murder suspect was the boss of those in charge of investigating the crime.

But persistence wins out sometimes, even if not fully.

The evidence leading to Kuchma became even stronger under successors Viktor Yushchenko and Viktor Yanukovich. While they deserve no medals for bringing the case to a close, the investigation did move forward enough to convict a former police general and three of his subordinates in carrying out the kidnapping and murder. They took orders, in turn, from Interior Minister Yuriy Kravchenko, a Kuchma confidante killed by two gunshot wounds to the head in a 2005 death ruled as a suicide.

On Dec. 7, 2010, prosecutors alleged a conspiracy to kill Gongadze involving Kravchenko "and other officials." By March 24, 2011, prosecutors became more explicit and charged Kuchma with "exceeding authority" by giving a presidential order that led to Gongadze's murder.

Since then, judges, prosecutors and politicians have concocted one flimsy excuse after another for why Ukraine's second president has never been brought to trial. In an April interview with the Kyiv Post, First Deputy Chief Prosecutor Renat Kuzmin declared – as Yushchenko did – that "the establishment of the men who ordered this crime is a matter of honor for the prosecution service and of all Ukrainian authorities."

In that interview five months ago, he suggested that Kuchma would face justice soon, but that the case was being delayed until investigators determined whether the ex-president had any involvement in the 1996 murder of parliamentarian Yevhen Shcherban, a wealthy businessman from Donetsk.

Given the passage of 13 years, the inescapable conclusion is this: there is plenty of evidence but no political will to take Kuchma to trial, a venue that could help him clear his name or that could, once and for all, establish whether he gave the order to kill.

At this year's commemoration, politicians were in short supply. The multi-millionaire businessman Petro Poroshenko, a non-partisan member of parliament, stood out in a crowd of a couple hundred or so people. The owner of Channel 5 has every reason to care about a free press, the fate of journalists and the much larger issue of his nation's destiny.

Noting the progress made, Poroshenko said that he still views solving the case as a test of whether Ukraine belongs in the family of civilized European, democratic nations. He didn't pass judgment on Kuchma, saying that's something a court should do.

We agree. Until murderers are caught, no matter how long it takes or how rich and powerful they are, no one is safe.

Job tips

It's not always easy to create good matches between those who provide jobs and those who need them. But the Kyiv Post Employment Fair is one way to increase the chances that employers and employees will find happy fits.

For nearly a decade, the Kyiv Post has brought together thousands of people at the Ukrainian Chamber of Commerce on 33 Zhytomyrska St., just off Lviv Square. We do so again on Sept. 21 from 10 a.m. to 5 p.m. This fall, we offer some new and – we hope – helpful changes for participants. All employers can post their vacancies free online at the Kyiv Post while job seekers can do the same with their CVs.

At the event, there will be seminars for prospective employees given by experts from noon until 1:30 p.m. on how to sharpen their job-interviewing skills and CVs, how to live up to their potential and how to find jobs online.

Employers can save time by getting to meet directly with hundreds if not thousands of motivated job seekers, many of whom – judging from past attendees – possess many degrees and skills. We have more than 16 major employers and sponsors as of this writing. We hope all can join us for what is usually a fun event.



NEWS ITEM: Aleksey Mokhov discovered that Privat Bank's Privat24 mobile banking application had a major security loophole when he was testing it for his online taxi ordering service. It allowed the 25-year-old – or anyone with minimal hacking expertise – to move money from the account of one stranger to another of any kind, anywhere in the world. After demonstrating the app's security flaws on Sept. 5 to almost a dozen high-ranking executives, hacking the account of the bank's board chairman in the process, they threatened to go to the police, but later dropped their charges. In the end, PrivatBank offered Mokhov a "high-paying job" as a low-level programmer making €1,000. He politely declined.

Corruption fighters score rare success against state



HALYNA SENYK

Ukraine spends millions of dollars every year on the public procurement of drugs for prison inmates. Many of these state tenders are rigged. This means that sick people who are unable to walk out of prison and buy themselves drugs for tuberculosis and HIV/AIDS are suffering and dying needlessly as a result of corruption.

But the Anti-Corruption Action Centre has shown that it is possible to battle corruption and win. We would like to share our success story and invite other activists to follow suit.

Ukrainian society is accustomed to the image of prisons as overcrowded and closed institutions, where the healthy can become sick and the sick too often die. History shows the public can do little to improve conditions.

However, the Anti-Corruption Action Centre – in cooperation with the Global Organization of Parliamentarians Against Corruption – managed to stop corruption in prisons and to improve medical treatment of inmates diagnosed with TB and HIV/AIDS.

According to the International Center for Prison Studies, Ukraine's prisons are overcrowded. Nearly 135,000 people are confined to prisons and detention centers meant to hold only about 122,000 people. Almost 20 percent of inmates have not been convicted of any crime yet.

The conditions in Ukrainian prisons are notoriously poor, fueling the spread of TB and HIV/AIDS among inmates, according to numerous international organizations.

At the beginning of this year, the Penitentiary Service in Ukraine reported 6,957 HIV-positive inmates and the number of TB patients is also rising. The 2013 state budget assigned an average of Hr 36.1 (\$4.50) per month for inmates with HIV/AIDS and tuberculosis.

Considering how meager the amount is for treating such serious illnesses, one would expect the Penitentiary Service to seek opportunities to buy medicines from producers as

→ There's no valid reason why Penitentiary Service should be buying such expensive drugs

cheaply as possible. However, our analysis of public procurement tenders indicated the opposite.

On April 29, the Penitentiary Service of Ukraine announced a public procurement tender for TB, ARV medicines and basic antiseptics. The tender was worth approximately Hr 5.8 million. When the Anti-Corruption Action Centre analyzed the amount of drugs to be purchased and the price per unit of required drugs, its calculations showed that the price per unit was much higher than similar purchases by the Ministry of Health. It was a few times higher than purchases by charity organizations providing those in need with TB and HIV/AIDS drugs.

Apparently, this was not the first time the Penitentiary Service went on a shopping spree at the state's expense. The tender of the beginning of 2013 showed that the Penitentiary Service of Ukraine paid Hr 130 (\$16) per 1,000 mg bottle of Kapreomicine, while the Ministry of Health bought the same drug for Hr 110 (\$13) per bottle, and the Global Fund to Fight AIDS, Tuberculosis and Malaria for Hr 45 (\$5.6).

Such extravagance of the Penitentiary Service of Ukraine would definitely curtail the number of inmates who could have received necessary treatment in prisons and would have condemned those who cannot get the drugs or receive them from their families to death.

The study of the tender conditions put forward by the Penitentiary Service showed that the lowest price for TB drugs constituted Hr 4.1 million (more than \$500,000). This price was 25 percent higher than the corresponding → 18

KyivPost
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Published by Public Media LLC

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The essentials between EU treaty and Customs Union



MARCIN SWIECICKI

1. The European Union is the largest market in the world, about 10 times as large as the Russian, Belarusian and Kazakhstani markets combined. Under the Deep and Comprehensive Free Trade Agreement, more than 95 percent of trade is to be liberalized. The experience of central European countries proves that open access to the EU market gives enormous stimuli to small as well as big industries. Only in 1995-2003, after an Association Treaty was signed, but before entering the EU, Poland's exports to the EU increased 2.6 times.

2. Besides liberalization of trade, the free trade agreement aims to deepen and comprehensively harmonize economic legislation. The mechanism for bringing legislation in-line with the EU's, such as Twinning programs, are designed to assist Ukraine to modernize its economic legislation. The chief EU negotiator Philippe Cuisson compared the legal status of relations between the EU and Ukraine after the implementation of the free trade agreement with that of Norway or Switzerland.

3. The free trade agreement will provide Ukrainian companies access to EU service markets and public procurement. The public sector comprises one-third of the EU economy. It means that Ukrainian companies can compete on equal footing in construction works, transport services, supplies of goods and services for central and local governments in the entire EU. If not as the main contractor, they can qualify as a valuable subcontractor in the beginning as it happened to many companies in new member countries.

4. When Ukraine changes its laws, administrative procedures and restructures some of its institutions so that they mirror the rules and regulations of the 28 EU member states, the EU will treat Ukrainian institutions as their own and will accept their authority and judgement. It means that a product approved in Ukraine will be accepted without any further checks in the EU.

5. Ukraine will become much more attractive to foreign investors, making Ukrainian industry competitive. The same happened to Polish, the Baltic states', Romanian and Bulgarian industries. Free trade between Ukraine and the EU will open vast opportunities for deep integra-



A civic group gathered at the presidential administration building on Aug. 22 to protest restrictive checks of Ukrainian goods at the Russian border that disrupted exports by lining Ukrainian and Russian goods next to each other to compare their quality. (UNIAN)

tion including highly specialized intra-industrial integration. Ukraine is not as rich in natural resources as Russia. Therefore, Ukraine has to focus on exporting processed goods. Russia is not able to bring to Ukraine competitive technologies, access to global distribution networks, etc. Russia itself is a negligible exporter of processed goods (except for weapons). Of course, the free trade agreement will not suffice to bring investors to Ukraine. Combating corruption, illegal company takeovers, enforcing reliable protection of property rights, fostering an independent judiciary, and other measures are also needed.

6. The free trade agreement is based on World Trade Organization rules whereas the Kremlin-led Custom Union is not since Belarus and Kazakhstan are not WTO members. It means that any arbitrary decisions and trade disputes within the Custom Union will not be subject to an internationally recognized dispute resolution mechanism. Disputes do happen quite often.

7. Under the free trade agreement, only the agricultural sector will have restrictions between the EU and Ukraine. But the free trade agreement will be reviewed after five years. Restrictions in agricultural trade might be lifted then to benefit both sides, whereas the Customs

Union treaty also implies exceptions, perhaps even more.

8. The free trade agreement can bring a lot of investment and new jobs, but at the same time some will be lost due to the opening of the Ukrainian market and increased competition. One should remember, however, that the essence of this transformation will be that Ukraine will be gaining highly productive and competitive jobs on a global scale whereas it will lose the least competitive, low productive jobs that engage a lot of energy, raw materials and labor but bring little wellbeing. It is worth noting that the Ukrainian market is already relatively open for competition but is not attractive for foreign investors under present conditions.

9. Under the free trade agreement, Ukrainian companies will also secure measures that protect against unfair competition, such as, dumping, illegal subsidies, etc.

10. Having the free trade agreement, Ukraine can keep FTA agreements with other countries in force, including Russia, Belarus and Kazakhstan. Rules of origin protect unlawful flight of EU goods into other markets through Ukraine as in all other free trade agreements across the world. Therefore, the free trade agree-

ment provides no justification for any "sanctions" against Ukraine on the side of Russia, Belarus or any other country with which Ukraine has a free trade agreement. Of course, it would be good for Ukraine to upgrade the free trade agreement with Russia to a WTO status agreement in order to base it on recognized international rules, including a dispute resolution mechanism, protection against arbitrary decisions etc. Problems in trade happen between the best of friends. The EU has many trade disputes with the U.S. but in civilized way, under WTO rules.

11. Joining the custom union with Russia, Belarus and Kazakhstan would make the free trade agreement with the EU technically next to impossible. Ukraine, if it joins the Customs Union practically cannot have a free trade agreement with a third party like the EU.

12. Joining the Customs Union with countries that are not members of the WTO like Belarus and Kazakhstan would also require Ukraine to re-negotiate an accession agreement with the WTO that took 15 years to conclude. Free trade agreements and a customs union with countries that are not WTO members are deprived of that body's arbitration should a trade dispute arise. To summarize: a free trade agreement with any country or group of countries, even with non-WTO members, is compatible with a free trade agreement with the EU, the Customs Union is not.

13. Successful implementation of a free trade agreement will open the way to negotiations on joining the EU, the Schengen Area, etc. It is possible within one generation. When Poland negotiated an Association Agreement with the EU in 1991, the EU did not agree to put a membership prospective in it as joint statement, only as Poland's wish to join. Only in 1994 did the EU agree to negotiate accession, which took place finally in 2004. The same sequence transpired with other central European states, the Baltic states and now with the Western Balkans. There is no doubt that after successfully implementing the free trade agreement and the rest of the Association Agreement, that membership will be possible for Ukraine. In 1990 gross domestic product per capita in Poland, the Baltic states, Bulgaria and Ukraine were more or less on the same level. Today GDP in Ukraine is about one-third of their level. Gradual integration with the EU gave enormous advantages to these countries that have chosen this path of modernization. It is possible also for Ukraine.

Marcin Swiecicki is a member of Poland's parliament, the former minister of foreign economic relations, and a former director of the UNDP Blue Ribbon Analytical and Advisory Center in Kyiv.

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Parliament narrows legal gap for landmark EU pact

BY ANASTASIA FORINA
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On Sept. 18 the Cabinet of Ministers proudly announced the formal approval of the draft Association Agreement between Ukraine and the European Union, thus completing the technical procedure for signing the treaty at a summit in Vilnius, Lithuania, at the end of November. However, to actually sign the agreement, Ukraine needs to take a number of legal steps.

Ukraine's parliament leading up to Sept. 19 made the first ones by approving five requisite bills. They set the re-election date for five parliamentary seats in single-mandate districts, strengthen judicial independence, improve prison conditions for inmates, change customs tariffs and regulate the enforcement of court decisions. Kostiantyn Yeliseiev, Ukraine's commissioner for foreign policy and integration processes in the European Union, says the first step has not gone unnoticed.

"Even the biggest pessimists or skeptics could realize that indeed for this couple of months Ukraine did a lot in order to meet the (EU signing) criteria," Yeliseiev says. "All these reforms have been long-awaited since the 1990s, when Ukraine became a member of the Council of Europe and only right now Ukraine started finally doing what

needed to be done many years ago."

Most of the legal requirements boil down to three blocks. One is related to electoral legislation, another relates to reforming the judicial system, and the third to a general overhaul of Ukraine's governance in line with the EU-Ukraine association agenda, according to Yeliseiev.

A draft law on prosecutorial reform has also been sent to the Venice Commission, the Council of Europe's advisory body on constitutional issues, Yeliseiev added with regard to the first two blocks.

To check the third and last box, the government has now approved a public finance management strategy, and the legislature on Sept. 19 adopted a bill amending the Constitution to give more powers to parliament's Accounting Chamber, which monitors government spending.

These constitutional amendments, if approved by the Constitutional Court and parliament, will create an institutional framework for the judiciary in line with recommendations set forth by the Venice Commission, says Igor Davydenko, a partner of the Kyiv office of Dentons, an international law firm.

"Still, with no political will to immediately overhaul the corruption-ridden and selective justice prone judiciary, these amendments are unlikely to bring about tangible results in the



Kostiantyn Yeliseiev (Courtesy)

foreseeable future," Davydenko adds.

Davydenko's caution in cheering is shared by many.

"In theory, I would positively appraise the recent changes," says Valeriy Chaly, deputy head of international issues at Razumkov think tank and one of Ukraine's leading experts on European integration. "However, the most important draft laws haven't reached the session hall yet."

His reference is to the law on prosecutorial reform that would turn a post-Soviet monster serving the incumbent authorities into a modern and independent institution. The institu-

tion was key in sending to prison many members of the opposition, most notably ex-Prime Minister Yulia Tymoshenko, whose release is also viewed as essential for signing the Association Agreement.

Chaly says that there are other issues that came about after the top EU legal criteria were set last year. One of them was the Constitutional Court's decision on May 30 to postpone the Kyiv mayoral and city council elections to 2015. The capital has not had an elected mayor for more than a year, and the city council's term has also run out, leaving the city in legal limbo.

Elmar Brok, a member of the European Parliament, and chairman of the committee of foreign affairs has also noted that elections in Kyiv were among the essential prerequisites for signing the Association Agreement.

"It is increasingly clear that signature in November of the Association Agreement with Ukraine, followed by a fast track ratification process, is possible when three clear conditions are met – the immediate release of Yulia Tymoshenko, progress on broader judicial reform with urgent priority focused on the Office of the General Prosecutor and electoral reform, and, finally, the swift holding of elections for the mayor of Kyiv," Brok said on July 5 following his meeting with Lithuanian President Dalia Grybauskaitė in Vilnius.

The issue of Tymoshenko's potential release also presents a number of legal challenges to the authorities. Many in the government dispute the very relevance of her release to the issue of signing.

"In my view, these are two different things (the case of Tymoshenko and signing the Association Agreement)," Yeliseiev says. He does admit, though, that her case is a part of the greater selective justice issue in Ukraine.

"I do believe that signing and proper implementation of the agreement will create conditions for solving the issues of selective justice in Ukraine," he says.

In her recent written interview to *Ukrainska Pravda*, an online publication, Tymoshenko also hoped that the Association Agreement will be signed. "Today I don't have doubt that despite global resistance, Ukraine has made its historical European choice and Ukraine will sign the Association Agreement for sure and will become a full member of the EU even sooner than we expect," she wrote.

"In my view Ukraine (should) and will sign the Association Agreement at the end of November. The European Union and Ukraine are working hard to meet this objective, Yeliseiev says. "We don't have any hidden agenda, we don't have any plan B."

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A sports lawyer's inside look at business of Ukrainian football

BY MARK RACHKEVYCH
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When retired legendary soccer player Andriy Shevchenko unsuccessfully ran for parliament, he declared in August 2012 that he made \$1.65 million the previous year while playing for Dynamo Kyiv, a disclosure the public didn't believe.

Once one of the highest paid footballers in the world – he had a \$250,000 weekly salary at Chelsea in 2007 – many in the sporting world questioned whether the sure-fire striker made that little during his swan song season for Dynamo.

Since Ukrainian soccer clubs are limited liability companies, many players

get only a portion of their salaries paid in Ukraine due to the significant burden placed on the employer in terms of various social payments, and “given the fact that clubs in Ukraine aren't profitable,” said Markiyani Kliuchkovskiy, sports lawyer and partner at Egorov Puginsky Afanasiev & Partners.

Kliuchkovskiy explained that since most clubs are subsidized by owners – with revenue generated by ticket sales, sponsorship and TV rights usually not enough to cover costs – they “obviously try to be prudent in their expenditures and try to save money whenever possible.”

Although not strictly prohibited, soccer players, especially foreign ones, receive the remainder of their salary through an offshore entity related to

the club in the form of dividends, bonuses or image rights.

And for reporting purposes to the nation's and Europe's soccer governing body, the Union of European Football Associations, they are linked and both reported in a more or less consolidated way, said Kliuchkovskiy, one of the nation's top lawyers who specializes in sports litigation.

Just like any commercial business entity, players are bound by employee contracts. Some are bulletproof and protect the player from teams that pay them late or stop altogether, while others contain “underwater mines,” said Kliuchkovskiy, who most recently defended Metalist Kharkiv during its high-profile match-fixing case in Swiss courts, including the Court of Arbitration for Sport.

Even if a player has a solid claim, Kliuchkovskiy said, but fails to follow formal procedural requirements, or fails to warn the club in advance that they will file a complaint with soccer authorities, then they may not win their case.

Whereas Ukrainians file their grievances with the European Court of Human Rights, soccer players find legal recourse either with the dispute resolution chambers of the local soccer governing body or with FIFA, the top world soccer governing body, before appealing to the sports arbitration court.

“Usually, when you're not getting paid, there is a violation. You're supposed to be paid. Usually, if there is a



On July 17, Ukraine's football association awarded former Lviv Karpaty midfielder Cristobal Marquez Crespo €600,000 in compensation from his former club. (Courtesy)

real violation, it will be quite evident, in that sense they (the players) are well protected,” said Kliuchkovskiy.

That's good news especially for Ukrainian players because a recent survey of 363 soccer players conducted by FIFPro, a global organization that represents professional players, released in February 2012 found that 15.5 percent have had delays in the payment of their salaries.

This means that, on average, three of the 22 players on the pitch have not been paid on time.

The 30-year-old Lviv native said that there are “three clubs” that have a reputation for “systemically” not paying their players on time. Foreigners

coming to play in Ukraine's premier league often hear about them through word-of-mouth.

For those players willing to take the risk of playing for a team with an unsavory reputation, Kliuchkovskiy advised to make sure the contract is airtight, that they hire a good agent and lawyer just in case.

“Foreigners come to Ukraine because domestic clubs offer higher salaries than in their own countries,” he said.

When Kliuchkovskiy started practicing sports law six years ago, he wasn't aware of a single professional outside of in-house counsel that worked in the field. Sports cases usually fell to labor law or tax professionals. →8



Markiyani Kliuchkovskiy is not just a specialist in sports law, he's a fan too. Here's his assessment of the slow decline of Dynamo Kyiv, which for the first time finished in third place last season and is currently in sixth place in the premier league:

“It seems that Dynamo has all the right pieces in place – good players, strong coach, great infrastructure and youth academy – but these components don't seem to click together. Perhaps the answer lies in the field of management – in the big picture sense. It may seem that unlike Shakhtar Donetsk – a club that is run like a business, even if a loss-making business by definition, with hired professional top-managers, streamlined

business processes, a clear mission and vision – Dynamo continues its efforts to capitalize on its history and traditions, putting what sometimes is seen as too much emphasis on its past. And “the past” of the club slows down its development into the future. Perhaps lack of a long-term development plan leads to lack of stability that, in turn, translates into worse results on the pitch.”

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BUSINESS ADVISER**PUBLIC PROCUREMENT IN UKRAINE:
PRACTICAL TIPS**

The Ukrainian public procurement market makes up an important part of the emerging economy of Ukraine. Many foreign players are already active in this market. In light of the EU-Ukraine Association Agreement, there could be even more opportunities for foreign companies to offer their competence, goods and services in Ukraine, including to the Ukrainian public sector.

There are few important practical tips, which need to be taken into account by foreign companies to ensure a smooth debut in the sphere of Ukrainian public procurement.

Register your tax presence in Ukraine and take care of necessary licenses prior to the tender being awarded to you

In principle, to bid in a public procurement tender in Ukraine you do not need to register your legal presence. However in numerous cases tax registration and licenses will be required and, where applicable, shall be needed no later than on signing of the contract.

It is advisable to prepare for public registration/licensing procedures in Ukraine as soon as possible to avoid risks of time delays or cancellation of the award and additional tax expenses.

Investigate possibilities to team up with a local partner known in the industry or acquire an existing local company

As a matter of fact, non-Ukrainian bidders without necessary experience/assets/permissions in Ukraine are often effectively blocked from participation in large-scale public procurements.

To meet the tender requirements in Ukraine the teaming-up with a local partner could be a good solution, however this is sometimes quite complicated and requires additional structuring.

Acquisition of an existing company on the relevant market and/or a dormant company holding necessary licenses could be a solution as well.

Identify your industry of interest and/or circle of potential customers from the Ukrainian public sector

It is important to identify your industry of interest and/or circle of potential customers in Ukraine to understand where to get the information and how to win.

There are no unified rules for public procurements in Ukraine. Different industries/groups of customers may apply different rules in relation to making an announcement and conducting a tender.

A typical public tender is conducted by a public sector customer to spend funds received from the state budget of Ukraine. The typical public tender is governed by the State Procurements Law. Apart from it, certain other public procurement regimes exist in Ukraine, such as:

- Procurements in the amount of ≤ UAH 100.000 (approx. EUR 10.000) and works in the amount of ≤ UAH 1 mln. (approx. EUR 100.000), whereby no public tender is required as the general rule;
- Procurements in the sphere of public utilities and natural monopolies, whereby a public tender is mandatory and governed by industry-specific laws of Ukraine;
- Procurements funded fully or partially from loan agreements executed between the Ukrainian government and international financial institutions (EBRD, EIB, IFC etc.), whereby a public tender is mandatory and governed by a procurement policies and rules of the international financial institution.

Remember that companies with state/municipal ownership of or exceeding 50% conduct procurements in accordance with their own particular tender rules (unless such procurements involve state budget funds).

Choose the right source of information

Announcements of all upcoming calls for bids in relation to public procurements financed from the state budget are made available on the official web-portal www.tender.me.gov.ua. However, numerous public companies use alternative information platforms, such as corporate web-sites or privately operated web-portals.

There are alternative web-site operators, where you may order a paid industry/customer-specific search to speed up the process and reach results.

Even if no information about upcoming tenders is available from open sources (which is not the unusual situation in Ukraine) you are still given the right to request target public enterprise to disclose to you the information about all open/scheduled tenders

Investigate which technical and/or financial requirements are usually applied by public customers from the interested industry

Depending on the industry, a number of specific qualification requirements may apply to potential bidders, including, inter alia, certification and licensing, availability of production/servicing facilities on the territory of Ukraine, previous domestic experience.

Ensure good professional assistance

Hire a reputable Ukrainian lawyer to verify which public procurement rules/technical and financial requirements are normally applied in relation to the industry and/or potential customer, advice about all peculiarities of legal and/or tax presence in Ukraine and support you in other preparatory steps.

Identify your interest as the bidder towards the customer

Although no letters of interest or similar applications are mandatory to participate in a tender you should declare your Ukrainian mailing address to the customer (e.g. by sending a registered letter of interest); this is important to ensure timely communications about any changes in the tender book, which the customer may introduce.

Ensure good translation from / into Ukrainian of tender documentation, mail exchange, contracts etc.

Save for internationally-financed and/or large-scale procurements, public procurement documents, except for procurements notices, are drafted in the Ukrainian language. To avoid any mistakes and/or confusion you should hire a reputable translator from the Ukrainian language.

We usually do not recommend using services of translation agencies located outside of Ukraine, as the level of language proficiency in tender documentation is not always appropriate.



Oleg Akhtyrskiy
Head of Competition Law
and Antitrust Practice



Alexey Soloviov
Public Procurement Expert

Warning signs flash for law establishing criminal liability for companies



**GALYNA
ZAGORODNYUK**

Companies in Ukraine will become subject to criminal liability starting Sept. 1, 2014, according to a bill that was passed in May and signed into law by President Viktor Yanukovich. The bill introduces amendments to the criminal procedural codes of Ukraine as well as amendments to several other laws, including the law on prevention of corruption.

The reaction in the legal and business community was mixed, but some lawyers criticized the contradictory nature of the law. Businesspeople are concerned about how the law will be enforced.

In passing the bill, Ukraine did not invent the wheel in introducing criminal liability for legal entities. The United States and many European countries have similar laws, including the United Kingdom. Some countries of the former Soviet bloc have also introduced them.

But in Ukraine, there are many fears associated with its introduction – fears of the unknown at this moment. According to the law, a company faces criminal liability for any of the following offenses:

- laundering of illegally gained income;
- use of funds resulting from illegal trafficking of narcotic drugs, psychotropic substances, precursors, poisonous or potent substances, or poisonous or potent medicines;
- bribery of officials of other legal entities or persons providing public services, such as auditors, appraisers,

notaries, arbitrators, etc.; and

- offer or delivery of improper advantages to an official and undue influence.

The crime must be committed for the benefit of the legal entity by allowing it to obtain undue advantages or evade legal liability – such as bribes to win a tender or to end a government inspection without sanctions.

Such crimes currently envision a financial penalty of Hr 85,000 to Hr 1.275 million.

For serious crimes, such as involvement with terrorism, the law calls for the company to be liquidated under a court order and its property confiscated. However, the law exempts governmental authorities and bodies, social insurance funds and international organizations.

Currently, only the person who directly commits the above-mentioned crimes is held liable. In a year, both the individual and the company will be brought to liability. For example, a director can be taken to prison and the company can be additionally fined for giving a bribe to win a tender.

Risks for companies

The law provides for penalties for this type of crime. In addition, crimes connected with terrorism entail liquidation and forfeiture of assets to the state. As a form of liability of legal entities, a penalty is envisaged by Ukrainian legislation. Thus, from our point of view there were no special reasons for introducing criminal liability specifically for these crimes. Instead, this liability could have been perfectly defined as administrative.

There is also another important risk. The law allows for seizure of the company's property for the duration of the criminal proceeding, that is, before a court rules on the merits of the

claim. This means that the company will not be able to comply with their obligations, such as paying wages and taxes during what could be open-ended investigations. Such a circumstance begs the question of how a company can cope with such accusations and stay in business. A court may acquit the company, but the firm may go broke before the final judgment is passed.

Purpose of passing this law

The formal reason for passing this law is to comply with recommendations of the Council of Europe Group of States against Corruption known as GRECO, the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) and a number of international treaties dedicated to fighting corruption and terrorism.

However, none of them requires the specific introduction of criminal liabilities for legal entities. On the contrary, those recommendations allow for some flexibility on the issue of liability of legal entities, leaving it up to the principles of law of a particular country.

Traditionally, Ukrainian criminal law provides for liability of persons only if they are found guilty. Criminal liability for companies contradicts the principles of Ukrainian criminal law, particularly, the principle of personal and fault-based liability.

This bill received a bad review in a parliamentary committee as one that could "negatively affect Ukraine's economy, namely, the reduction of investments, outflow of foreign capital and 'shadowization' of the economy." The committee also concluded that there is a risk of it being used for criminal repression.

Galyna Zagorodnyuk is the legal director at DLA Piper Ukraine law firm.

Sports lawyers have wealth of issues to contend with

→7 "Now our friends are seeing value in this...law firms are designating people to look at these issues," he said, adding that 20 percent of his workload is devoted to sports.

One club, Tavria Simferopol, has a reputation for paying players late. UEFA fined the team \$100,000 in October over an employee dispute with a Nigerian player. More damaging was that Tavria was banned from acquiring international or national players for one year, or two transfer windows.

Kliuchkovsky also recently defended a Spanish player in his contract dispute with Lviv Karpaty who on July 17 was awarded €600,000 in compensation by Ukraine's soccer governing body.

Another difference is in match fixing, which is not defined in Ukraine's criminal law, Kliuchkovsky said, referring to the recent case in which Metalist Kharkiv was found guilty in Switzerland of manipulating the outcome a match it played in 2008 against Lviv Karpaty.

The players, in turn, as company employees, cannot be prosecuted for bribery "because, for example, a football player isn't a (company) official in

the meaning of the provisions of the criminal code in terms of bribery or corruption."

Match-fixing is a crime, however, in Italy, Germany, Turkey, and elsewhere, he noted.

There are legal ramifications coming to Ukraine's soccer world because of UEFA's financial fair play program in which clubs cannot generally spend more than they earn. The guiding principle, according to Kliuchkovsky, is "to ensure clubs don't rely on a single source of income," like the benevolence of their rich owners.

The current deficit for the premier league is 15 million pounds over three seasons if the owner doesn't inject equity.

This is partially why Gazprom has been promoting the idea of forming a unified soccer league consisting of the best Russian and Ukrainian clubs with a prize fund that will presumably cover the clubs' financial needs.

"On the one hand, it will fulfill the issue of financial fair play in terms of relevant income because prize money counts," said Kliuchkovsky. "Yet it's also counter-intuitive in terms of prin-

ciple because the idea of FFP is to ensure clubs don't rely on a single source of income."

Furthermore, the lawyer said, FIFA and UEFA may not be on board because such a league potentially could compete for the eastern European market.

"Nobody can guarantee if this tournament will be commercially successful, nobody knows whether teams from Poland, Slovakia and the Baltics will want to compete in lieu of their national competitions, so it really undermines the whole system and why UEFA has been so cautious about it," he said.

This in turn could undermine the national club tournament system, whose winners get to represent their nation in European and world football.

"When you have a unified tournament you have the issue of representation...what happens if the top three places are taken by one country, does it mean the fourth best team gets to play in the Champions League? There's a whole mess in that," observed Kliuchkovsky.

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Lawyers weigh in on how to set Tymoshenko free

BY KYIV POST STAFF

The Kyiv Post asked lawyers specializing in human rights or criminal law how they would frame legislation to enable prisoners in Ukraine to seek medical treatment abroad, namely, imprisoned former Prime Minister Yulia Tymoshenko. Her release is widely perceived to be a key precondition for the European Union to sign a landmark political and free trade agreement with Ukraine on Nov. 28-29 during a summit in Vilnius, Lithuania. Here are excerpts of some of the responses:



Valentyna Telychenko, legal representative of Tymoshenko and other opposition political figures at the European Court of Human Rights

The criminal prosecution of Tymoshenko, which started after Viktor Yanukovich became president, at the outset had clear political overtones. After the European Court of Human Rights found that the arrest of Tymoshenko during the trial investigation was illegal, that is, using the justice system for other purposes other than those provided by law, no doubts remained ... Approximately one year ago, the Council of Europe's statutory body formulated the criteria of what constitutes being a political prisoner. Thus, Tymoshenko decisively was given the status of political prisoner.

Today, Western Europe is wondering whether Tymoshenko will be released. The EU doesn't feel comfortable signing the Association Agreement with a state that has a political prisoner. Western Europe awaits action from Yanukovich that would rectify the situation, and he in turn, is justifying his actions by saying he doesn't have the legal mechanism to free Tymoshenko.

In fact, there is political will to keep her behind bars. This is why the Highest Specialized Court on Sept. 6 refused the defendant Tymoshenko's motion to have her sentence in the natural gas case reviewed by the Supreme Court. In other words, the highest specialized court made an unlawful decision, ignoring the European Court of Human Rights' decision by blocking the legal route of freeing Tymoshenko. Therefore, the problem doesn't lie in the absence of a legal mechanism, it lies in the unwillingness to free her.

She has been recognized as a political prisoner by the democratic world. If Yanukovich wishes to resolve the problem with Tymoshenko, he should pardon her. Pardon her the same way that he pardoned former Interior Minister Yuri Lutsenko. There are no legal barriers to do this ... Should Tymoshenko be pardoned, she could be treated in Ukraine, and given permission to seek treatment abroad as was done with Lutsenko.

Former Acting Defense Minister Valeriy Ivashchenko also went abroad when he was released from prison for medical care, and only later asked for and received political asylum. Tymoshenko would also receive political asylum. But even the recognition of yet another political refugee from



Supporters of opposition leader and former Prime Minister Yulia Tymoshenko, who was arrested two years ago, rally on Aug. 5 in the tent city near Kyiv Pechersk district court. (Anastasia Vlasova)

Ukraine wouldn't harm Ukraine's reputation as much as having a political prisoner.

There is no other option other than clemency that can ensure Tymoshenko's freedom before the EU-Ukraine summit.



Andriy Mamaliga, lawyer and member of the Kyiv Bar Council

According to the criminal code, a person who, after committing a crime, falls

seriously ill that prevents them from serving their sentence can be released from punishment or from serving their sentence. The procedure for considering this is regulated by article 537 of the Criminal Procedural Code and can be carried out by a local court where the sentence is being serviced upon receipt of a petition filed by the prisoner or their legal defender.

Another problem is the medical diagnosis that Tymoshenko received and whether it provides sufficient grounds to free her because the list of such illnesses is approved by State Penitentiary Service and the Ministry of Health. If Tymoshenko's illness is not on the list, then it can be

added on humanitarian grounds. As for legal grounds that would enable Tymoshenko to travel abroad, includ-



Oleh Marchenko, founding partner, Ulysses Law Firm

The president of Ukraine can pardon an incarcerated person by issuing a decree.

But to do this, the convicted person must file a petition for their pardon to the president. In this case, the person in question will not submit the application. Currently, the president could solve this problem by amending the relevant regulations, which would allow for the initiative to be taken by others, including the president.



Oleksandr Gorovyi, managing partner of ALIAS law firm

Current penal legislation provides for the possibility of a convict to receive

medical treatment outside a convict colony in medical establishments of Ukraine while under constant guard.

The European Convention on Mutual Assistance in Criminal Matters of 1959, to which Ukraine is a party, does not apply to the enforcement of criminal punishments. Therefore, international legal norms providing opportunity for Ukrainian citizens sentenced to prison to serve criminal sentences in other states are absent.

Thus, in order to treat Tymoshenko outside Ukraine, it is necessary to either relieve her of criminal responsibility or to introduce changes to the current criminal and correctional legislation.

Relieving Tymoshenko of criminal responsibility is possible either by clem-

ency from the president of Ukraine or by decriminalizing the sections of the criminal code under which she was convicted, or revising her case due to newly discovered circumstances and change her sentence to a non-custodial one, or her dispensation from imprisonment due to serious illness.

In order for Tymoshenko to get treated abroad, changes to criminal and correctional legislation coupled with international treaties being signed with European states are necessary ... Since international practice is absent in temporarily relocating incarcerated convicts from one country to another for medical treatment, the creation of such a precedent for Tymoshenko is utterly unlikely.



Olga Spektor, managing partner, Spektor Law Firm

The perfect bill that would provide Tymoshenko and other convicted persons

the right to seek treatment abroad shall include the following clauses:

Extension of a convicted person's right to health protection in a separate article of Penitentiary Code, which will include, among others, the right to receive treatment abroad in case the treatment in Ukraine is impossible.

The adoption of a separate law describing the treatment's assignment procedure and the obligations of state bodies for the said treatment provision.

Besides, there must be bilateral agreements between Ukraine and the country where Tymoshenko wants to seek treatment about the security provision and the control over the convicted person.

It is sad to say, but notwithstanding all those changes to the legislation and the existence of interstate arrangements, the main precondition of Tymoshenko's going for treatment abroad is the political will and decision of the current president of Ukraine.

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PrivatBank's security lapses highlight broader problems

BY CHRISTOPHER J. MILLER
MILLER@KYIVPOST.COM

Long gone are the days of writing checks, tearing the perforated paper notes from a book and handing them over to be deposited in person by a bank teller.

Today, with ubiquitous mobile devices, many money transfers and deposits are done with the simple click of a button or tap on a smartphone screen.

But the problem with that, experts say, is that innovative mobile banking technologies are outpacing the security technology needed to safeguard personal account information and funds held within, leaving a door open for fraud.

PrivatBank found out as much on Sept. 3, when a young program developer discovered a flaw in the bank's Privat24 mobile banking application that allowed anyone, anywhere with access to the app to withdraw and transfer funds from one PrivatBank account to another of any kind, anywhere in the world.

The Privat24 app allows customers to transfer money securely from card to card, pay for utility and mobile phone bills, and even transfer money around the world using Visa, Mastercard, LiqPay, Western Union and PrivatMoney services.

None of the more than 600,000 PrivatBank customers who have downloaded and use Privat24 were exempt

from the discovered vulnerability, not even Alexander Dubilet, the chairman of the board of PrivatBank.

In a presentation to the bank's executives on Sept. 5, 25-year-old Aleksey Mokhov, the programmer who discovered the Privat24 vulnerability, showed how he could access Dubilet's personal account information and funds with a few simple clicks.

Everyone was shocked, Mokhov told the Kyiv Post. "No one thought Dubilet's account could be hacked," he said.

Rather than thanking Mokhov, though, the bank accused him of infiltrating its system and attempting to steal money from personal banking accounts – at least initially. The bank came around eventually, dropping an investigation into his actions and even offering him a job.

"We are ready to offer Alexey Mokhov a high-paying job in a bank or remotely as a full-time programmer and tester," PrivatBank press officer Oleg Serga told the Kyiv Post. "Our experts are currently discussing options with him."

But the talks ceased after a measly offer of Hr 10,000 for a month's work as a low-level programmer, said Mokhov. Instead, he has his eye on a position as chief security officer at new Kyiv-based startup BitBank, or Bank of Intelligent Technologies.

Modeled after Russia's internet



Aleksey Mokhov (Courtesy)

financial services company Tinkoff Credit Services (TCS Bank), BitBank will essentially be an IT company that will offer a number of banking services based on one card, businessman Oleksiy Pyshnyy, who is heading the endeavor, told Forbes Ukraine.

BitBank is backed by investment

bank Jaspens Capital Partners. The target audience of the branchless bank, Pyshnyy said, is smartphone and tablet owners. Already the company has some 40 employees preparing for its late-September launch. Many of them are working to make sure its security technologies are up to snuff.

In comparison, PrivatBank, the largest bank in Ukraine with assets of \$21.6 billion, equivalent to 12 percent of Ukraine's gross domestic product, according to investment bank Dragon Capital, has some 500 skilled security technologies employees working around the clock to strengthen an anti-fraud security system that monitors transactions of more than 20 applications used by more than 1 million customers for cases of fraud.

"PrivatBank has one of the most powerful systems for monitoring operations that identifies suspicious transactions at the time of their occurrence and blocks fraudulent transactions," Serga said.

While that may be, security experts and IT specialists here and abroad say that banking security in Ukraine – and elsewhere for that matter – needs improvement. Mokhov easily hacking into PrivatBank's mobile banking app is evidence of that.

"This isn't a situation unique to Ukraine," said Tom Field, vice president of editorial at Information Security Media Group, an international media

outfit specializing in information security research and education. Just a couple of years ago in the U.S., a security expert demonstrated at a conference how he could hack an ATM and steal its cash, he explained.

"There are security flaws everywhere," said Field. "What's frightening is that banks generally have some of the best security. But nothing is foolproof."

While the banks themselves are often very secure, the same cannot be said for their payment processors, Field said.

Hackers infiltrate banking systems and processors using a variety of techniques, such as finding holes like Mokhov did and simply exploiting them, or by planting malicious software, commonly known as malware, to gather sensitive information from computer systems. Malware can be anything from a computer virus or spyware to Trojan horses – hacking programs that appear helpful but are designed to steal information.

"Banking Trojans are increasingly sophisticated, and they rely on social engineering to get individuals to make bad decisions about infected links and attachments," Field said. "Then the fraudsters get the keys to the kingdom."

Kyiv Post editor Christopher J. Miller can be reached at miller@kyivpost.com, and on Twitter at @ChristopherJM.



Elizabeth Horst (US Embassy)
Maksym Lavrynovych (Lavrynovych&Partners)

Even in the digital age nothing beats talking face to face.

Kyiv Post Roundtables bring together decision makers to debate the pressing issues of the day and, most importantly, to seek out solutions.

We warmly thank all the participants of the Kyiv Post's September 17 Roundtable **Protecting Investments in Ukraine: Challenges of 2014**, devoted to relations with the tax authorities and protecting intellectual property rights, sponsored by Lavrynovych & Partners.

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Going Out Guide

📍 – see address in the box below and on the pull-out map.

Comments and tips are welcome. Email the lifestyle team at ls@kyivpost.com

For tickets online, please visit kvytky.ua, parter.ua, freedomhall.com.ua, bilethouse.com.ua, karabas.com, or biletik.ua.



Okean Elzy

After celebrating the release in May of its eighth studio album, the band is still going strong. They still fascinate with their songs and sincerity, even among fans who don't understand the Ukrainian language. To close out a tour of 27 Ukrainian cities, Okean Elzy will perform in Kyiv, performing songs from its new album, "Zemlya." The band's songs are honest and reach out to every member of the audience. The band's next stops are expected to take them to other former Soviet republics.

Okean Elzy concert. Sept. 28. 7 p.m. Palats Sportu (1 Sportyvna Square). Hr 150-1,300

Friday, September 20

Classical music

Organ Music. From Baroque Epoch Till Today. Works of Bach, Mendelssohn, Hillman, Reger, Lopez, Soler, Viola (organ). House of Organ Music. 7:30 p.m. Hr 30-100 📍

Classics on Fridays. Works of Paganini (piano). Master Klass. 8 p.m. Hr 50 📍

Movies

Grown Ups 2 (comedy). Oscar Dream Town. 8 p.m., 10:10 p.m. Hr 50-55 📍

Riddick (fantasy). Oscar Dream Town. 10 a.m., 12:20 p.m., 2:40 p.m., 5 p.m., 7:20 p.m., 9:40 p.m. Hr 25-65 📍

Geberation Um (drama). Kinopanorama. 11 a.m., 3 p.m., 9 p.m., 11 p.m. Hr 25-50 📍

Live music

Kozak System & Mama Mia (Italian disco, rock). Docker Pub. 10 p.m. Hr 75 📍

Motor'rola & Whistlin' Dixie (country rock). Docker's ABC. 10 p.m. Hr 75 📍

Red Rocks (rock covers). Art Club 44. 10 p.m. Hr 50 📍

PornoPoezia (Georgia). Divan. 8 p.m. Free 📍

Clubs

The Hacker DJ Set. Saxon. 11 p.m. Hr 30-60 for women, Hr 40-80 for men 📍

Disco Radio Hall Fifth Birthday. Disco Radio Hall. 10 p.m. Hr 60 for women, Hr 80 for men 📍

Theaters

We are Lying Clear Truth (comedy). Drama & Comedy Theatre on the left bank of Dnipro. 7 p.m. Hr 50-80 📍

Shows

Jamala. Green Theater. 7 p.m. Hr 150-800 📍

Tribute Fest. Caribbean Club (4 Symona Petliurya St.). 8 p.m. Hr 150

Druga Rika (club concert). Forsage. 11:59 p.m. Hr 60-90 📍

Miscellaneous

The Guests of the Ancient Kyiv (XV century). Kyivska Rus Park. 1:30 p.m. Hr 100 📍

Glass Drawings Exhibition. Museum of Books and Publishing of Ukraine. 10 a.m. – 5 p.m. Free 📍

Genius Loci. Maksymilian Voloshyn. National Art Museum of Ukraine. 10 a.m. – 6 p.m. Hr 20 📍

Great and Grand. Mystetskyi Arsenal. 10 a.m. - 8 p.m. Hr 20 📍

China China. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Collection Platform 4: Emotion and Technology. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Saturday, September 21

Classical music

Lyatoshynsky Classical Music Ensemble Playing Beethoven's Triumphant Mese. House of Organ Music 7:30 p.m. Hr 30-90 📍

National Academic Symphonic Orchestra of Ukraine Playing Rachmaninoff (piano). National Philharmonic. 7 p.m. Hr 50-100 📍

Movies

Riddick (fantasy). Zhovten. 1:05 p.m., 5:05 p.m., 7:20 p.m. Hr 30-100 📍

2 Guns (thriller). Zhovten. 10:30 a.m., 12:50 p.m. Hr 20 – 70 📍

Geberation Um (drama). Kinopanorama. 11 a.m., 3 p.m., 9 p.m., 11 p.m. Hr 25-50 📍

Live music

Tabula Rasa & Rock Four (best world hits). Docker's ABC. 10 p.m. Hr 75 📍

Wake Up (dance cover band). Art Club 44. 10 p.m. Hr 50 📍

Serebryanaya Svadba (Belarus). Divan. 8 p.m. Free 📍

Clubs

Rock Me Bitch. Green Theater. 10 p.m. Hr 60

Elite Party. Egoist. 11 p.m. Hr 15-25 for

women, Hr 50 for men 📍

Back to the 2000. Saxon. 11 p.m. Hr 25-50 for women, Hr 30-60 for men 📍

Theaters

The Moment of Love (investigation). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 30-70 📍

Little Spousal Crimes (psychological detective story). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 15-120 📍

The Imaginary Invalid (comedy). Lesya Ukrainka Russian Drama Theater. 7 p.m. Hr 20-210 📍

Marriages are Made in Heaven (solo performance). Lesya Ukrainka Russian Drama Theater. 8 p.m. Hr 40 📍

Shows

Valentin Strykalo. Green Theater. 7 p.m. Hr 130-300 📍

Amorphis. Bingo. 7 p.m. Hr 250-400 📍

Serebryannaya Svadba. Divan. 8 p.m. Hr 130 📍

Miscellaneous

The Guests of the Ancient Kyiv (XV century). Kyivska Rus Park. 1:30 p.m. Hr 100 📍

Glass Drawings Exhibition. Museum of Books and Publishing of Ukraine. 10 a.m. – 5 p.m. Free 📍

Genius Loci. Maksymilian Voloshyn. National Art Museum of Ukraine. 10 a.m. – 6 p.m. Hr 20 📍

Great and Grand. Mystetskyi Arsenal. 10 a.m. – 8 p.m. Hr 20 📍

China China. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Collection Platform 4: Emotion and Technology. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Sunday, September 22

Classical music

Kyiv Chamber Orchestra Playing Bach, Mozart, Schubert, Strauss, Shostakovich, Prokofiev, Skoryk. National Philharmonic. 7 p.m. Hr 50-100 📍

Movies

Jobs (drama, biography). Oscar Dream Town. 10:20 a.m., 12:50 p.m., 3:20 p.m., 5:50 p.m., 8:20 p.m., 10:50 p.m. Hr 20-60

About time (romantic comedy). Ukraine. 2:20 p.m., 4:50 p.m., 7:10 p.m. Hr 25-80 📍

2 Guns (thriller). Kyiv. 10:30 a.m., 12:50 p.m. Hr 20-35

We're the Millers (comedy). Oscar Dream Town. 10:20 a.m., 12:30 p.m., 2:40 p.m., 4:50 p.m., 7 p.m., 9:10 p.m. Hr 25-60 📍

Live music

Crazy Train. Docker's ABC. 10 p.m. Free 📍

Soyuz 44 (jazz jam session). Art Club 44. 10 p.m. Free 📍

Xander Smith (USA). Divan. 8 p.m. Free 📍

Clubs

True Hen Party. Disco Radio Hall. 10 p.m. Free for women, Hr 50 for men 📍

Sunday in the City. Vodka Bar. 10 p.m. Free 📍

Back to USSR. Ajour. 9 p.m. Hr 100 for men after 11 p.m. 📍

Theaters

#13 (comedy). Lesya Ukrainka Russian Drama Theater. 7 p.m. Hr 20 – 210 📍

Crossroads (tragic farce). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 15 – 150 📍

26 Rooms (comedy). Drama & Comedy Theatre on the left bank of Dnipro. 7 p.m. Hr 40 – 70 📍

Shows

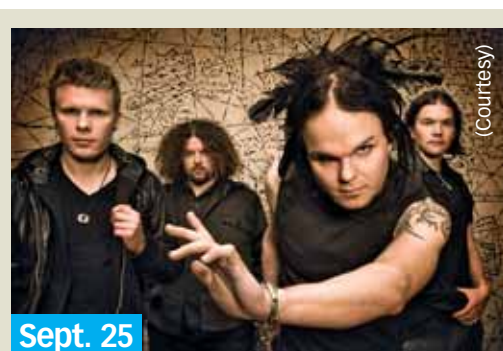
Anton Lirnyk And Band. Green Theater. 7 p.m. Hr 120-300 📍

Zdob si Zdob. Docker Pub. 9 p.m. Hr 150-1,500 📍

Miscellaneous

The Guests of the Ancient Kyiv (XV century). Kyivska Rus Park. 1:30 p.m. Hr 100 📍

Glass Drawings Exhibition. Museum of Books and Publishing of Ukraine. 10 a.m. – 5 p.m. Free 📍



The Rasmus

Starting as a high school band that sung cover songs by Nirvana and Metallica at scholastic events, The Rasmus has come a long way. In its ninth year of existence, the group's alternative rock,

soft rock and alternative metal sounds have attracted fans from all over the world. While in Kyiv, The Rasmus is expected to deliver newly recorded songs as well as classics. The group's latest album has received good reviews following its European tour.

The Rasmus. Sept. 25. 8 p.m. Stereo Plaza (119 Krasnozvezdny Ave.) Hr 350-1,500

Genius loci. Maksymilian Voloshyn. National Art Museum of Ukraine. 10 a.m. – 6 p.m. Hr 20 📍

Great and Grand. Mystetskyi Arsenal. 10 a.m. – 8 p.m. Hr 20 📍

China China. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Collection Platform 4: Emotion and Technology. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Monday, September 23

Classical music

Works of Balbatr, Gounod, Hillmann, Widor, Faure (flute, organ). House of Organ Music 7:30 p.m. Hr 20-80 📍

From Bach to Ragtime. Kyiv Saxophone Quartet Playing Bach, Rachmaninoff, Scriabin, Shostakovich, Miller (saxophone, piano, clarinet, bass). National Philharmonic. 7 p.m. Hr 50-100 📍

Movies

Geberation Um (drama). Kinopanorama. 10:40 a.m., 12:20 p.m., 2 p.m., 3:40 p.m., 8:40 p.m. Hr 25-50 📍

Lovelace (biography, drama). Oscar Dream Town. 10 p.m. Hr 55-65 📍

Frances Ha (drama, comedy). Zhovten. 9:35 p.m. Hr 25-35 📍

Live music

Inzhyr. Docker Pub. 9:30 p.m. Free 📍

Partizanskie Vytivki (Russian rock, rock hits). Docker's ABC. 10 p.m. Free 📍

Rock Funk Fest. Art Club 44. 10 p.m. Free 📍

Divan Jazz Band. Divan. 8 p.m. Free 📍

Theaters

Natalka Poltavka (musical, drama). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 15-150 📍

Miscellaneous

Glass Drawings Exhibition. Museum of Books and Publishing of Ukraine. 10 a.m. – 5 p.m. Free 📍

Great and Grand. Mystetskyi Arsenal. 10 a.m. – 8 p.m. Hr 20 📍

China China. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Collection Platform 4: Emotion and Technology. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Collection Platform 4: Emotion and Technology. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Tuesday, September 24

Classical music

English Music of 16-18th Century. Works of Purcell, Handel, Henry VII (organ, trumpet). House of Organ Music 7:30 p.m. Hr 30-90 📍

Movies

Geberation Um (drama). Kinopanorama. 11 p.m. Hr 25-50 📍

2 Guns (thriller). Kyiv. 10:30 a.m., 12:50 p.m. Hr 20-35

About time (romantic comedy). Ukraine. 2:20 p.m., 4:50 p.m., 7:10 p.m. Hr 25-80 📍

Riddik (fantasy). Kyiv. 2:30 p.m., 9 p.m. Hr 30-50 📍

Live music

Dyadya Vasya. Docker Pub. 9:30 p.m. Free 📍

Tres Deseos (latino party). Docker's ABC. 10 p.m. Hr 20 📍

Blank. Art Club 44. 10 p.m. Free 📍

Vodevil & Playback Band. Divan. 8 p.m. Free 📍

Theaters

Overture before the Date (based on I. Franko's "Soychin's wing"). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 30 – 70 📍

Shows

Brit Floyd. The World's Greatest Pink Floyd Show. Palats Ukraina. 7 p.m. Hr 290-2,690 📍

Wailers. Green Theater. 8 p.m. Hr 250-600 📍

Emika. Kyiv Small Opera. 8 p.m. Hr 200-300 📍

Miscellaneous

Glass Drawings Exhibition. Museum of Books and Publishing of Ukraine. 10 a.m. – 5 p.m. Free 📍

Great and Grand. Mystetskyi Arsenal. 10 a.m. – 8 p.m. Hr 20 📍

China China. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Collection Platform 4: Emotion and Technology. Pinchuk Art Center. 12 p.m. – 9 p.m. Free 📍

Ukrainian food festival

It's always exciting to get to know Ukrainian traditions of cooking and discover new recipes. The Ukrainian Food Festival invites all comers to experience authentic, time-honored cuisine, traditional music and celebratory dancing. Visitors will be able to taste fresh-baked Ukrainian bread, try pottery making and learn

new dance moves with the help of the "Dam Iyha Zakablukam" crew. A variety of recipe books will also be available on sale.

Ukrainian food festival. Sept. 21 – 22. 12 p.m. – 8 p.m. Pyrohovo village, Kyiv (Krasnozemnyaya Street). Hr 30



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Wednesday, September 25

Classical music

Dvorak Music. Kyiv Chamber Ensemble (organ). House of Organ Music 7:30 p.m. Hr 30-90

Hits of 20th Century. Works of Johns, Clapton, Simon and Garfunkel, Weber. Songs of Queen, Village People, Abba, Deep Purple, Beatles, Led Zeppelin. National Philharmonic. 7 p.m. Hr 50-100

Theaters

Funny Person's Dream (based on P. Dostoyevskiy's story). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 30-70

The Seagull (drama). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 20-200

That is How the Summer Ended (play). Drama & Comedy Theatre on the left bank of Dniipro. 7 p.m. Hr 40 - 70

Live music

Rockin' Wolves (rock). Docker Pub. 9:30 p.m. Free

The Magma (pop rock). Docker's ABC. 10 p.m. Hr 30

Drimba Da Dziga (folk jazz). Art Club 44. 10 p.m. Free

Jazz Wednesay with Laura & Kristina Marti. Divan. 8 p.m. Free

Shows

Erisioni (Georgian dance and music ensemble). Zhovtnevy Palats. 7 p.m. Hr 100-1,000

The Rasmus. Stereo Plaza. 8 p.m. Hr 350-1,500

Miscellaneous

Glass Drawings Exhibition. Museum of Books and Publishing of Ukraine. 10 a.m. - 5 p.m. Free

Great and Grand. Mystetskyi Arsenal. 10 a.m. - 8 p.m. Hr 20

China China. Pinchuk Art Center. 12 p.m. - 9 p.m. Free

Collection Platform 4: Emotion and Technology. Pinchuk Art Center. 12 p.m. - 9 p.m. Free

Thursday, September 26

Classical music

Works of Viennese Classics (organ, piano, harpsichord). House of Organ Music 7:30 p.m. Hr 20-80

Costume Party. French Chamber Music of 18th Century. Works of Chausson, Poulenc (piano, violin, oboe, trumpet). National Philharmonic. 7 p.m. Hr 45-90

Live music

Chill Out (disco rock). Docker Pub. 9:30 p.m. Free

Animals Session (classic rock). Docker's ABC. 10 p.m. Hr 30

Vosmoy (rock). Art Club 44. 10 p.m. Hr 40

J Don with Drum & Tuba Band. Divan. 8 p.m. Free

Theaters

The Lonely Lady (drama). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 30-70

Kvitka Bydyak (drama). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 15-200

Shows

Tekhnologiya. Carribean Club (4 Symona Petliuryi St.). 8 p.m. Hr 200-600

Miscellaneous

Glass Drawings Exhibition. Museum of Books and Publishing of Ukraine. 10 a.m. - 5 p.m. Free

Great and Grand. Mystetskyi Arsenal. 10 a.m. - 8 p.m. Hr 20

Friday, September 27

Classical music

Organ Works of Bach (organ). House of

Organ Music 7:30 p.m. Hr 30-100

Upscale Nights of Chamber Music of Yevgenia Basalayeva. International Series of Concerts. Works of Mozart, Shoka, Blanche, Eshman (organ, piano, clarinet). National Philharmonic. 7 p.m. Hr 45-90

Classics on Fridays. Svitlana Shabatliina Concert. Works of Purcell, Scarlatti, Bach, Lully (piano). Master Klass. 8 p.m. Hr 50

Live music

Mad Heads XL & Whistlin' Dixie (country rock). Docker Pub. 10 p.m. Hr 100

Bangladesh Orchestra & Red Rocks (rock hits). Docker's ABC. 10 p.m. Hr 75

Theaters

The Calvary (drama). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 30-70

Edith Piaf (musical). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 15-120

Love Crazy (musical). Lesya Ukrainka Russian Drama Theater. 7 p.m. Hr 20-210

Shows

Sergei Babkin. Green Theater. 7 p.m. Hr 170-450

Pole Art Championship. House of Officers. 7 p.m. Hr 200

Tatu. Stereo Plaza. 8 p.m. Hr 150-1,500

Miscellaneous

Glass Drawings Exhibition. Museum of Books and Publishing of Ukraine. 10 a.m. - 5 p.m. Free

Three Days Sale (art sale). M17 Contemporary Art Center. 11 a.m. - 8 p.m.

Great and Grand. Mystetskyi Arsenal. 10 a.m. - 8 p.m. Hr 20

China China. Pinchuk Art Center. 12 p.m. - 9 p.m. Free

Collection Platform 4: Emotion and Technology. Pinchuk Art Center. 12 p.m. - 9 p.m. Free

Saturday, September 28

Classical music

Prayer. Works of Caccini, Bach, Handel, Schubert, Mendelssohn (organ). House of Organ Music 7:30 p.m. Hr 50-200

Kyiv Music Fest. International Music Festival. National Philharmonic. 7 p.m. Free

Theaters

Cinderella (musical, fairytale). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 10-50

Martin Borylya (comedy). Ivan Franko Ukrainian Drama Theater. 7 p.m. Hr 15-120

The Sorrows of Young Werther (drama). Lesya Ukrainka Russian Drama Theater. 8 p.m. Hr 60



We invite you for a barbecue with live music in the city center.

(044) 537-1380

18D Artema Str., square
www.restoranchik-fluger.com.ua

Shows

Assai. Green Theater. 8 p.m. Hr 170-300

Miscellaneous

Sky Runners (horses' exhibit). Kyivska Rus Park. 2 p.m. Hr 100

Glass Drawings Exhibition. Museum of Books and Publishing of Ukraine. 10 a.m. - 5 p.m. Free

Three Days Sale (art sale). M17 Contemporary Art Center. 11 a.m. - 8 p.m.

Great and Grand. Mystetskyi Arsenal. 10 a.m. - 8 p.m. Hr 20

China China. Pinchuk Art Center. 12 p.m. - 9 p.m. Free

Collection Platform 4: Emotion and Technology. Pinchuk Art Center. 12 p.m. - 9 p.m. Free

Sunday, September 29

Classical music

Kyiv Music Fest. International Music Festival. National Philharmonic. 7 p.m. Free

Theaters

Valentine's Day (drama). Lesya Ukrainka Russian Drama Theater. 12 p.m. Hr 60

The Cherry Orchard (drama). Lesya Ukrainka Russian Drama Theater. 7 p.m. Hr 20-130

Shows

Johnnyboy. Green Theater. 7 p.m. Hr 150-300

Elena Kamburova. House of Officers. 7 p.m. Hr 120-450

Rocky Leon. Kyiv Small Opera. 7 p.m. Hr 100-200

Miscellaneous

Sky Runners (horses' exhibit). Kyivska Rus Park. 2 p.m. Hr 100

Glass Drawings Exhibition. Museum of Books and Publishing of Ukraine. 10 a.m. - 5 p.m. Free

Three Days Sale (art sale). M17 Contemporary Art Center. 11 a.m. - 8 p.m.

Great and Grand. Mystetskyi Arsenal. 10 a.m. - 8 p.m. Hr 20

China China. Pinchuk Art Center. 12 p.m. - 9 p.m. Free

Collection Platform 4: Emotion and Technology. Pinchuk Art Center. 12 p.m. - 9 p.m. Free

Sculpting in clay

This is an opportunity to create your own mug with a unique Trypillian design. A professional ceramist will be there to guide, talk about the history of clay making and tell stories behind the Trypillian designs. The process promises to create original artworks - every cup will be made with your own hands. The master class is two and a half hours long and the mugs will be available for pickup two weeks after the class.

Sculpting in clay master class. Sept. 22 1 p.m. Dom chaynoho mastera (12B Pochayninskaya St.). Hr 180



Sept. 22

Addresses of venues

Classical Music

- National Philharmonic of Ukraine
- 2 Volodymyrskiy Uzviz, 278-1697
- filarmonia.com.ua/en
- House of Organ Music
- 77 Velyka Vasylkivska St., 528-3186
- organhall.kiev.ua
- School of Jazz and Pop Art
- 7-A Chelyabinskaya St., 517-6188
- National Tchaikovsky Academy of Music
- 1-3/11 Horodetskyi St. 279-1242
- operna-nmapu.kiev.ua

Movies

- Zhovten
- 26 Kostyantynivska St., 205-5951
- zhovten-kino.kiev.ua
- Kyiv
- 19 Velyka Vasylkivska St. (former Chervonoarmiyiska), 234-7381
- kievino.com.ua
- Kinopanorama
- 19 Shota Rustaveli St., 287-3041
- kinopanorama.com.ua
- Byudnok Kino
- 6 Saksahanskoho St., 287-6780
- Ukraine
- 5 Gorodetskyi St., 2796750, 279 8232
- kino-ukraina.com.ua
- Outdoor cinema
- 31 Nyzhniyurkivska St. http://kinokombo.blogspot.com/
- Oscar
- Dream Town
- 18 Obolonskyi Av. 520-5533

oskar.kiev.ua

! For more schedules visit kino.ukr.net/cinema/kyiv/

Live Music

- Docker Pub
- 25 Bohatyrskaya St., metro Heroyiv Dnipra, 537-1340
- docker.com.ua
- Docker's ABC
- 15 Khreshchatyk St., 279-4137
- club44.com.ua
- Divan
- 2 Bessarabskaya Square, 235-7366
- festrestdivan.com.ua
- Bochka
- 22 Verhniy Val St. 067-433-0433
- bochka.ua
- Route 66
- 87/30 Zhylyanska St. 584-3865
- www.route66.com.ua
- Bionica
- 128 Borschahovska St., 277-4747
- bionicaclub.com.ua
- Seven Music Club
- 1G Saksahanskoho St. 205-4451
- se7en.com.ua
- Vegas
- 44 Shchorosa St. 063-772-4972
- Museum Le Club
- 10 Muzeinyi Lane 221-1101
- museum-club.com
- D'Lux
- 3 Grushevskogo St. 200-2991
- dlux.com.ua
- Saxon Club
- 4 Trutenko Onufriy St., 257-4070
- saxonclub.com.ua

- Dorothy Pub
- 16/43 Saksahanskoho St., 287-0530
- pubdorothy.com.ua
- Sky Bar
- 5 Velyka Vasylkivska St. (former Chervonoarmiyiska), 465-8880
- skybar.com.ua
- Sullivan Room
- 8 Prorizna St., 095-455-7724
- sullivanroom.kiev.ua
- Forsage
- 51A Harmatnaya St., 406-7600
- forsageclub.com.ua
- Prime Club
- 8 Nauky Av., 524-2209
- primeclub.in.ua
- Arena Entertainment
- 2A, Baseina St. 492-0000
- arena-kiev.com/eng
- Mantra
- 4 Baseina St., 504-2555
- mantra.dj
- Egoist
- 124/140 Gorlivska St., 223-3633
- egoist-club.com.ua
- Fiesta
- 115D Horkogo St., 353-7685
- fiesta.im
- Party Room
- 5/3 Velyka Vasylkivska St. (former Chervonoarmiyiska), 093-815-1468
- partyroom.com.ua
- Cinema Club
- 1 Entusiastov St., 295-5854
- Saxon Club
- 4 Trutenko Onufriy St., 257-4070
- saxonclub.com.ua

- red-cap.kiev.ua
- Home
- 2 Perova Blvd., 558-2545, 383-7738
- home-club.kiev.ua
- Green Theatre
- 2 Park Alley 093 5912514
- greentheatre.com.ua
- Ajour
- 3 Leontovicha St., 234-7494
- avalon.ua/en
- Xlib Club
- 12 Frunze St., Thu-Sat 417-2546
- myspace.com/xlibclub
- Vodka Bar
- 26 Mezhyrzhnosti, Globus mall, 2nd line, 371-1102
- vodka-bar.com.ua
- TransForce
- 28B Moskovskiy Ave. 221-8981
- Sharpei
- 26 Moskovskiy Ave. 390-1712
- sharpel.ua
- Disco Radio Hall
- 32 Moskovskiy Av. 428-7388
- Manilov
- 13A Porika Av. 067-230-0272
- Theaters
- Ivan Franko Ukrainian Drama Theater
- 3 Ivana Franka Sq., 379-5921
- ft.org.ua
- Lesya Ukrainka Russian Drama Theater
- 5 Bohdana Khmelnytskogo St., 234-4223
- rusdram.com.ua
- Koleso Theater
- 8 Andriyivskiy uzviz St., 425-0422

- koleso.teatr.kiev.ua
- Drama & Comedy Theatre on the left bank of Dniipro
- 25 Brovarsky Avenue, 517-8980
- drama-comedy.kiev.ua
- Kiev Academic Drama Theater in Podil
- 4 Kontraktova Pl., 425-5489
- Theateronpodol.com
- Ajour
- 3 Leontovicha St., 234-7494
- avalon.ua/en
- Xlib Club
- 12 Frunze St., Thu-Sat 417-2546
- myspace.com/xlibclub
- Vodka Bar
- 26 Mezhyrzhnosti, Globus mall, 2nd line, 371-1102
- vodka-bar.com.ua
- TransForce
- 28B Moskovskiy Ave. 221-8981
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- 26 Moskovskiy Ave. 390-1712
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- 5 Bohdana Khmelnytskogo St., 234-4223
- rusdram.com.ua
- Koleso Theater
- 8 Andriyivskiy uzviz St., 425-0422

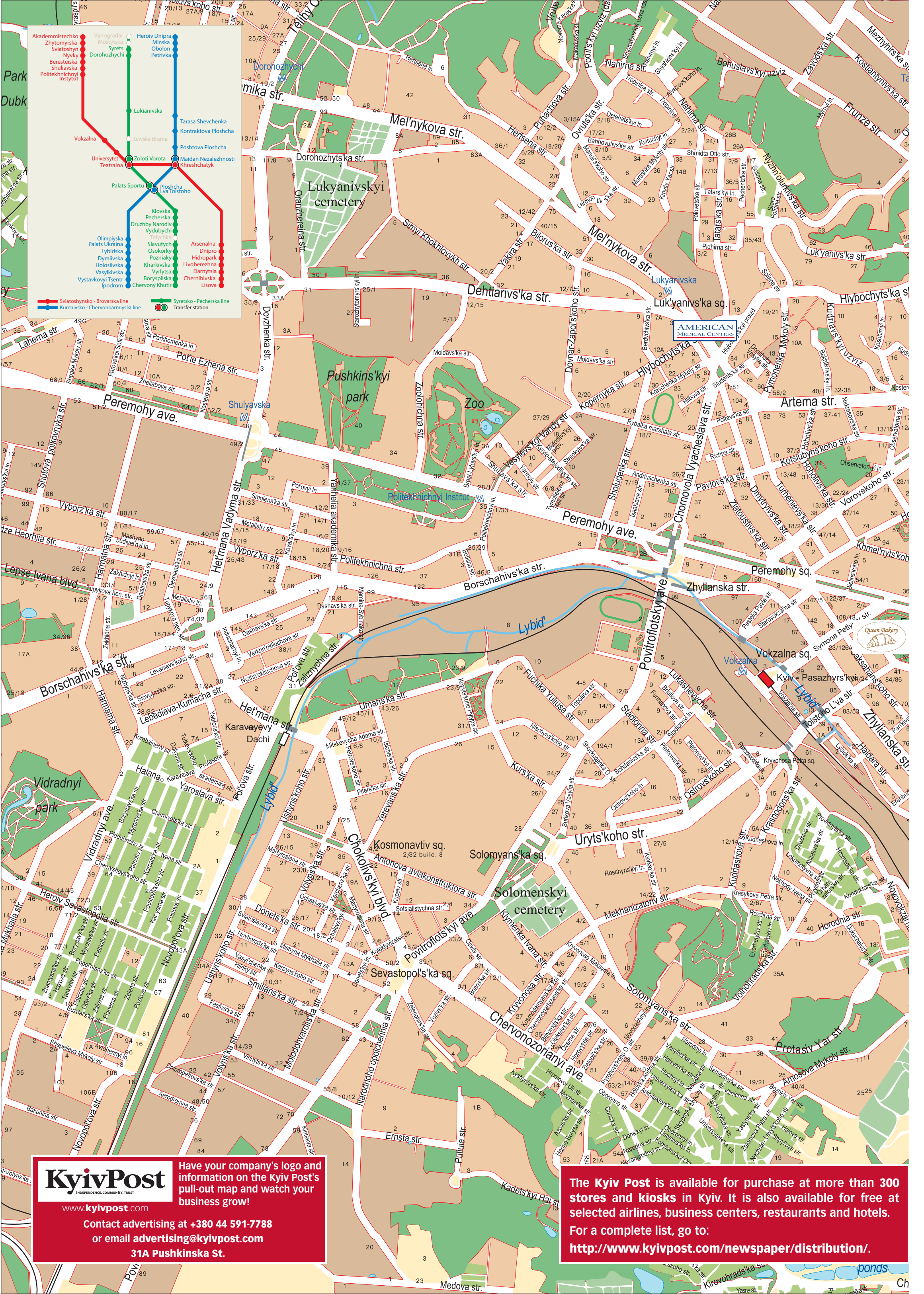
- 247-2316
- npmu.com.ua
- Freedom Hall
- 134 Frunze St. 468-3232
- freedomhall.com.ua
- Stereo Plaza
- 17 Kivkivde St. 222-8040
- stereoplaza.com.ua
- Palats Sportu
- 1 Sportyva Square 246-7405
- spalace.com.ua
- Artist's House
- 1/5 Artema St. 272-0547
- International Exhibition Center
- 15 Brovarsky Avenue 538-0827
- iec-expo.com.ua
- Lavra Gallery
- 17 Ivana Mazepy St. 280-0290
- Underground Music Hall
- 13B Moskovskiy Avenue 360-9594
- underground.co.ua
- Zhovtnevy Palats
- 1 Instytutska St. 279-1582
- icca.kiev.ua
- NAU Center of Culture and Arts
- 1 Kosmonavta Komarova Ave., 406-6835
- ckm.nau.edu.ua
- Expocenter of Ukraine
- 1 Glushkov Ave. 596-9116, 596-9101, expocenter.com.ua
- House of Officers
- 30/1 Mykhaila Hrushevs'koho St., 253-8072
- Art Union Chorny Kvadrat
- 1-5 Artema St., 353-0843
- artkvadrat.com

- Tolstoy Restaurant-club
- 19 Chervonoarmiyiska St. 200-3838
- Kyiv Small Opera
- 5 Dehtyarskaya St. 502-3247
- Crystal Hall
- 1 Dneprovskiy Spusk, 288-5069
- crystalhall.com.ua
- Miscellaneous
- Kyiv Expo Plaza
- 2b Salutna St. 461-9585
- expo plaza.kiev.ua
- Master Klass cultural center
- 16 Lavrska St., 594-1063
- masterklass.org
- Pyrohovo Folk Open-Air Museum
- Pyrohovo village, Kyiv region 526-5765
- nmapu.org.ua
- Mamayeva Sloboda
- 2 Myhayla Dontsya St. 361-9848
- mamajeva-sloboda.ua
- Kyivska Rus park
- Kopachiv village Kyiv region 461-9937
- parkkyivrus.com
- KPI Art Center
- 37 Peremogy Avenue 241-8626
- Museum of Books and Publishing of Ukraine
- 21, Building 9, Ivana Mazepy St. 280-7976
- vnam.org.ua
- M17 Contemporary Art Center
- 102-104 Gorkogo (Antonovycha) St., 596-2030
- m17.com.ua
- Kyiv Children and Youth palace

- 13 Ivana Mazepy St.
- Kult Ra
- 4 Volodymyrskaya St., 331-5948
- kultura.org
- Sky Mall
- 2T Henerala Vatutina Av., 495-5524
- cityclub.kiev.ua
- ACCO International exhibition center. 40-B Peremohy Avenue., 456-3804
- acco.ua
- Kyiv Pechersk Lavra
- 9 Lavrska St. 280-3071
- kplavra.kiev.ua
- Modern Art Museum
- 17 Hlubochitska St. 201-4945
- modern-museum.org.ua
- House of Architect's
- 7 Borysa Hrinchenka St. 279-7820
- National Art Museum Of Ukraine
- 6 Hrushevskogo St. 278-1357, 278-7454
- namu.kiev.ua/en.html
- Mystetskyi Arsenal
- 10-12 Lavrska St. artarsenal.in.ua
- Triptych Gallery
- 34 Andriyivskiy Spusk triptych-gallery.org 279-8385
- Gryshko national botanic garden
- 1 Tymeryazevska St. 285-4105
- nbg.kiev.ua
- Kyiv National Museum of Russian art
- 9 Tereshchenkivska St. 234-6218
- kmrm.com.ua
- Wunjo-Art gallery
- 10a Stalingrada St. 228-6620
- wunjo-art.com

- Pinchuk Art Center
- 1/2 Baseina St. 590-0858
- pinchukartcentre.org
- Greter art-center
- 6 Vadyama Getmana St. 200-0760
- greter-art.com
- Atmosfera 360
- 57/3, Velyka Vasylkivska St. 229-0193
- atmosfera.com.ua
- Soviart
- 22a Andriyivskiy Uzviz, 425-2219
- soviart.com.ua
- Ivan Honchar Museum
- 29 Ivana Mazepy St. 288-5419
- honchar.org.ua
- Ukrainian House
- 2 Khreshchatyk St. 278-8490
- ukrdim.org.ua
- Mytets Gallery
- 12 Velyka Vasylkivska St., 234-4006, 236-8919
- dropzone.kiev.ua
- NSC Olimpiyskiy
- St. Velyka Vasylkivska 55 0800-50-5750
- nsc-olimpiyskiy.com.ua
- National Museum of Taras Shevchenko
- 12 Shevchenko Blv. 234-2556
- museumshevchenko.org.ua
- Anti-Art Center
- 21 Prorizna St. http://fakeart.com.ua
- Camera photo gallery
- 22 Prorizna St. www.gallerycam.org 279-5070
- X-Park
- Entertainment complex Druzhby Narodiv Park

- www.xpark.kiev.ua 229-2617
- BabuIn
- 10 Petliuryi St. www.babuIn.ua 8-050-356-3326
- Attribut Gallery
- 30b Shovkovychyna St. 253-4135
- www.attribut.com.ua
- National Taras Shevchenko Museum
- 12b Vozdvyzhenska Blvd. 224-2556, 224-2553
- www.shevchenkomuseum.com.ua
- AVS-ART gallery
- 10b Vozdvyzhenska St. 425-9090
- avsart.com.ua
- Natural History Museum
- 15 Bohdana Khmelnytskogo St. 235-6266
- museumkiev.org
- Museum of Bogdan and Varvara Khanenko
- 17 Tereshchenkivska St. (044)235-3290
- http://www.khanenkomuseum.kiev.ua
- NSC Olimpiyskiy
- St. Velyka Vasylkivska 55 0800-50-5750
- nsc-olimpiyskiy.com.ua
- National Museum of Taras Shevchenko
- 12 Shevchenko Blv. 234-2556
- museumshevchenko.org.ua
- Anti-Art Center
- 21 Prorizna St. http://fakeart.com.ua
- Camera photo gallery
- 22 Prorizna St. www.gallery



Legend:

- Sviatoshynsko - Brovarska line** (Red line)
- Kurenivsko - Chervonoarmijska line** (Blue line)
- Syretsko - Pecherska line** (Green line)
- Transfer station** (Red circle with white center)

Stations on Sviatoshynsko - Brovarska line: Akademicheskko, Zhytomir'ska, Sviatoshyn, Nyvky, Beresteiska, Shulavska, Politekhnychnyj Instytut, Vokzalna, Universitet, Teatralna, Zoloti Vorota, Maidan Nezalezhnosti, Khreshchatyk.

Stations on Kurenivsko - Chervonoarmijska line: Dorohozhychi, Lukyanivska, Livivska Brama, Tarasa Shevchenka, Kontraktova Ploshcha, Poshtova Ploshcha, Ploshcha Lva Tolstoho.

Stations on Syretsko - Pecherska line: Vynogradar, Mousytska, Syrets, Dorohozhychi, Lukyanivska, Klov'ska, Pecherska, Druzhybi Narody, Vydubychi, Slavutych, Osokorky, Pozniaky, Kharkiv'ska, Vyrytska, Boryspilska, Chervonyi Khutir, Arsenalna, Dnipro, Hidropark, Livoberezhna, Darnytsia, Chernihiv'ska, Lisova.

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Avoid these mistakes on your job application

BY OKSANA GRYTSENKO
GRYTSENKO@KYIVPOST.COM

An adult woman brings her mother along to apply for a job as chief accountant.

A candidate for head of sales is so sleepy during the interview that he lays down on a table.

A man seeking to become a security officer is so drunk that he can't talk.

A young woman applying for a personal assistant's job included a nude photo of herself to show that she is complex-free.

Obviously, these applicants were not hired. But hiring experts say that dozens of less egregious, but still serious, mistakes are commonly made by job applicants.

CV

Uliana Khodorovska, head of research at international personnel portal HeadHunter (HH.ua), recalls a university professor who adorned the head shot on her CV with flowers. Despite having good qualifications, the adven-

Kyiv Post Employment Fair

When: 10 a.m. to 5 p.m. on Sept. 21.
Where: Ukrainian Chamber of Commerce, 33 Zhytomyrska St., near Lviv Square.
Admission: Hr 10 for students; Hr 20 for others.
Don't forget to bring your CV!

ture in photo-shopping didn't impress anyone.

In a survey of 175 human resource managers, HH.ua revealed many flaws in CVs, including irrelevant information, clichéd descriptions of personal qualities (such as "creative, effective and responsible") as well as misspellings. "It is not difficult to check spelling with Microsoft Word," Khodorovska said.

Tetiana Mitskevich, senior recruitment consultant at Adecco international recruitment agency, said there are numerous examples of good CVs available on the web. Listing hobbies is OK because some employers want insight into the candidate's personality.

Honesty

Do not lie or exaggerate – ever. The level of dishonesty has prompted some employers to use psychological exams or lie detectors. "An applicant should be ready to prove during the interview that he really read the books that he mentioned," Mitskevich added.

Brevity

The ideal CV should include no more than two pages. Many employers prefer a single page. Others are impressed by applicants who are Internet savvy and have their own personal websites.

"An experienced recruiter needs just 4-7 seconds to make a decision," said Sergiy Marchenko, managing partner at SM Consulting recruitment agency. "The more needless information that exists on the CV, the lower the

chances that employers find something eye-catching on it."

Personal information

Leave marital status and age off CVs. However, HH.ua found that 82 percent of human resource managers prefer CVs with photos because the images help them to remember candidates better. But the photo must be recent and professional.

Cover letter

Cover letters should also be brief and relevant – explaining why the person is applying for the job and why he or she is a good fit for the position. Applicants should do their homework about the company and position. Generic cover letters should be avoided.

Be punctual

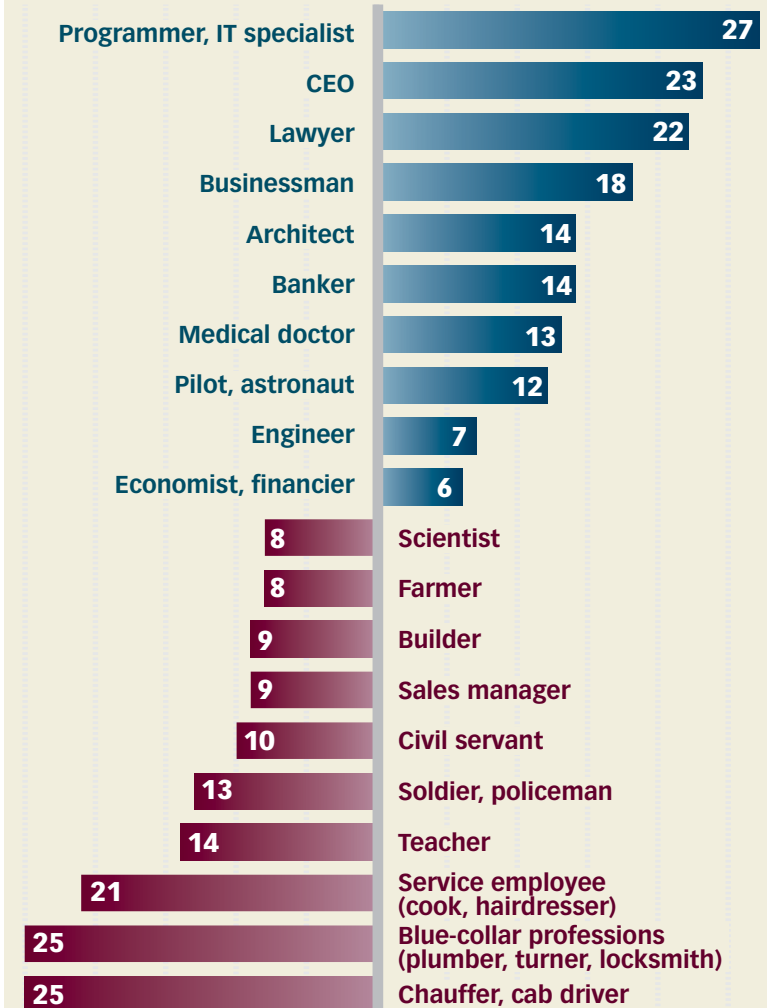
First impressions matter and tardiness sends the wrong signal. Tardiness suggests "lack of organization, lack of politeness, flippancy, lack of interest in this job and even stupidity," such as not being able to find the place with a map, Marchenko said. He recommends that people show up early.

Appearances matter

Professional dress and appearance are important. HR managers, like others, size up people they meet in the first few minutes. "A tidy appearance is essential," Mitskevich said.

Kyiv Post staff writer Oksana Grytsenko can be reached at grytsenko@kyivpost.com

Top 10 most and least prestigious jobs Percent of respondents*



Source: Online poll of 1,770 Ukrainians by HeadHunter.UA in August.
*Respondents were allowed to choose three options from the lists of most and least prestigious jobs.

Being a programmer or an IT specialist is now more prestigious than being a CEO, according to a HH.UA survey, while taxicab and other drivers rank at the bottom of the list.

SANAHUNT LOUNGE

8/16 GRUSHEVSKOGO STR., KYIV
044-270-71-27



When it comes to escaping Kyiv's hustle and bustle, few places can match Sanahunt Lounge, located on the fourth floor of the Sanahunt Luxury Concept Store on Hrushevskoho Street 8/16. Since October 2006 our glass cases have concealed a secluded space where you can enjoy a relaxed atmosphere, aperitifs and lounge music. Each element of the trendy interior is the epitome of luxury and minimalist chic.

Details are the secret to creating a feeling of perfect comfort – paintings by the Ukrainian contemporary art master Ilya Chichkan, tables set with porcelain tableware from legendary French producer Bernardaud, candles fitted in candle-

sticks of multifaceted Baccarat crystal, and the spacious lounge area with natural smoky shades and a fireplace.

From the moment it opened Sanahunt Lounge was one of the trendiest places in Kyiv and a major gastronomic attraction on the map of the capital. The restaurant offers Italian, Japanese, Thai, Georgian, Russian and Ukrainian dishes. Sanahunt Luxury Concept Store President Oksana Moroz-Hunt personally sought out exotic ingredients and unique combinations of flavors from all over the world, which were introduced into the Sanahunt Lounge menu with brio by a team of highly professional chefs.

The most popular dishes include roasted rack of lamb with wine and blackberry sauce, black cod with cherry tomatoes in Thai sauce, grilled scallops with ginger-lime dressing, and Kamut spaghetti with cherry tomatoes and basil risotto with porcini mushrooms. Our demanding guests also prize our delicious desserts: the restaurant's menu offers a pear tart, chocolate cake, apple baked with honey, nuts and raisins, fresh pineapple carpaccio and the famous "Napoleon" cake. The restaurant's bar menu includes classic drinks and exclusive cocktails. You should definitely try our store's signature cocktail, the "Sanahantini," which has already become a cult classic Kyiv, both among girls and foreign visitors.

Tranquility in the heart of Kyiv and the real pleasure of fine dining and wine tasting - this is what awaits you on the fourth floor of the Sanahunt Luxury Concept Store. The restaurant Sanahunt Lounge is a place that embodies the philosophy and concept of our luxury store while also setting the rhythm and tone of high life in Kyiv.

Scandals inflict damage on TVi's news coverage

Battles over TVi started five years ago

Editor's Note: The following is an edited version of a story about ownership disputes involving TVi, written by the Organized Crime and Corruption Reporting Project, a Kyiv Post partner. For the complete story, go online at <http://www.kyivpost.com/content/ukraine/owners-battle-for-tv-station-324812.html>

The battle over TVi got its start in events that happened in March 2008.

At that time, Vladimir Gusinski, a media mogul who in the 1990s established Russia's NTV channel, formed a partnership with his friend, Russian businessman Konstantin Kagalovsky to create and manage a television network to be known as TVi.

Gusinski had been through some tumultuous times with NTV, which began in 1993 as an independent (and some said anti-government) news organization. In 2001, after a series of reports critical of Russian President Vladimir Putin, Gusinski was squeezed out and replaced by state-owned gas giant Gazprom.

Despite their friendship, the partnership between Gusinski and Kagalovsky did not last long. Within three years they were suing each other in the Supreme Court of New York State. The case came to trial in late 2011, and in August 2012 the judge issued a 108-page decision in Gusinski's favor.

The decision sheds light on how Kagalovsky used offshore entities to wrest control of TVi from Gusinski:

- When the partnership was formed in 2008, Gusinski controlled a company called New Media, registered in Delaware, and Kagalovsky a company called Iota LP, registered in Jersey in the Channel Islands off the coast of the UK. Each of these companies had a 50 percent stake in Delaware registered Iota Ventures LLP, and finally of the TVi channel.
- They appointed Mykola Knyazhitsky as the channel's CEO.
- In the spring of 2009, the partners fell into a dispute. Kagalovsky suspected that Gusinski's company NMDC which licensed programming content to their partnership was charging too

much for movies TVi was airing.

- Knyazhitsky recalled that: "Gusinski wanted to sell movies to this channel, way overpriced, at \$20,000 per hour" when the going rate was \$400-500 per hour. The court documents say NMDC was charging \$15,300 for premiere movies and \$8,000 for repeat airings.
- Instead of renegotiating costs, Kagalovsky moved to take the channel away from Gusinski.

According to the court decision, "In the summer of 2009, Kagalovsky invited Knyazhitsky to his house on the French Riviera. Kagalovsky admitted that he made a deal with Knyazhitsky – in case Gusinski doesn't step out from the channel voluntarily, Kagalovsky will squeeze him out of TVi, using the 'traditional Russian-Ukrainian method' – diluting Gusinski's share in TVi."

The result was that Kagalovsky used lawyers, offshore jurisdictions and Knyazhitsky to insert two Cyprus-based offshores – Aspida Ventures Limited and Seragill Holdings Limited – into the channel's ownership structure, the decision says.

Then, between Sept. 22 and 24, 2009, Kagalovsky and Knyazhitsky conducted a series of transactions by which Gusinski's share in TVi was reduced to 1 percent. Meanwhile, Kagalovsky's Cyprus-based offshores ended up controlling 99 percent of TVi, the decision notes.

"This was done with my own hands," Knyazhitsky said in an interview. "Back then I didn't fully understand those things, but I had a fully legitimate power of attorney from Iota Ventures LLP."

According to the 2012 ruling of the New York court, Kagalovsky owes Gusinski \$25 million plus interest, but not TVi itself. In 2009, the station was firmly in Kagalovsky's hands.



Konstantin Kagalovsky and Orthodoxia Nikia (R) deny issuing a power of attorney to Alexander Altman in front of TVi's office in Kyiv in late April. (Mustafa Nayyem)

→ **1** ing high-level corruption in Ukraine. Among the channel's best-known investigations included one into the alleged overspending of state budget funds during the procurement of oil rigs in 2012. TVi's journalists also helped shed more insight on Livela, a shady company that in 2010 nearly monopolized Ukraine's imports of gasoline, in addition to enjoying the benefits of a court ruling that exempted the company from paying excise duties.

After the Altman takeover, its best journalistic talent made a collective decision to leave the station – ultimately replaced by less experienced journalists who, according to media monitors, have provided blander and more sterile news coverage that is decidedly less threatening to authorities.

On Sept. 9, a group of 12 journalists

who in April quit the channel wrote an open letter to Arseniy Yatseniuk, an opposition leader and head of the Batkivshchyna parliamentary faction, claiming that Mykola Knyazhitsky, a member of parliament from his faction and one of TVi's co-founders, actively participated in the hostile takeover.

"On April 23, the channel was taken over by the raiders, the next day Mykola Knyazhitsky, a member of parliament from your faction, showed up at the channel. He literally acted as the attackers' advocate. He persuaded the staff that a new powerful investor has arrived who would invest money and give the channel a new impulse," the letter said. "On April 24 we believed neither Knyazhitsky nor Alexander Altman, a person that he promoted. Today, Altman persuades the U.K. court that he's been deceived and he became part of the deal contrary to his desire ... A person that your colleague Knyazhitsky brought to the channel and promoted and who now admits in writing that the whole deal with the channel is a scam!"

Knyazhitsky has always denied any role in the channel's takeover.

Who really is in charge?

After the ownership change on April 23, TVi's management has undergone radical change. Artem Shevchenko, the anchor of TVi's investigative program, became the channel's general director. Oleh Radchenko remained director of Media Info, the parent company in April of TVi. In about one week, TVi's staff was introduced to the new deputy director of TVi for development, 25-year old Olha Manko, a regional lawmaker from Arseniy Yatseniuk's Front Zmin party. In July, Shevchenko was dismissed as TVi's general director, and was replaced by Vyacheslav Basovych, a man with little media experience. Meanwhile, Russian Vadim Garnaev became the channel's general producer. Referred to by TVi's press service as one of the co-founders of Russian online channel Dozhd, Garnaev was tasked with reformatting the channel. In his recent Telekritika interview, Garnaev admitted to person-

ally meeting TVi's beneficiary owner, but wouldn't disclose his name.

Inna Dolzhenkova, an observer with media watchdog Telekritika, has chronicled TVi's drift towards infotainment when it comes to its news programming and away from critical investigative reports. "They have definitely become more comfortable for the authorities," she adds. Even though Dolzhenkova finds that TVi's news reporting has become less oppositional, she notes that the balance looks artificial rather than a genuine attempt to present diverse viewpoints.

"Their reputation as a platform for expressing an alternative point of view is destroyed completely and irreversibly," Dolzhenkova says.

April blues

Altman was front and center on April 23 when a mysterious group of new owners barred TVi's former management from entering the building and announced they were taking control from Russian businessman Konstantin Kagalovsky, TVi's co-founder.

Altman, an American businessman of Ukrainian descent who has a history of credit problems in the U.S., was presented as bringing with him "a flow of investments" to sustain the money-losing channel. But Altman's claim to ownership was anything but clear. It was based on a power of attorney allegedly issued by Wilcox Ventures, a British Virgin Islands-registered company owned by Kagalovsky. Kagalovsky and Wilcox's director, Orthodoxia Nikia, denied issuing any such letter to Altman.

Multiple layers of companies appear to control the station. Through Altman's U.K.-based company Balmore Invest Ltd., Altman claimed to control 95 percent of Media Info, the Ukraine-based company that owned Teleradiosvit, the Ukrainian company that holds TVi's license.

The majority of those companies seem to be classic "shell" corporations run by proxy directors. Balmore's Australian nominee director and shareholder, Rachel Amy Erickson, is listed in the U.K. company registry as running 124 active compa- → **17**

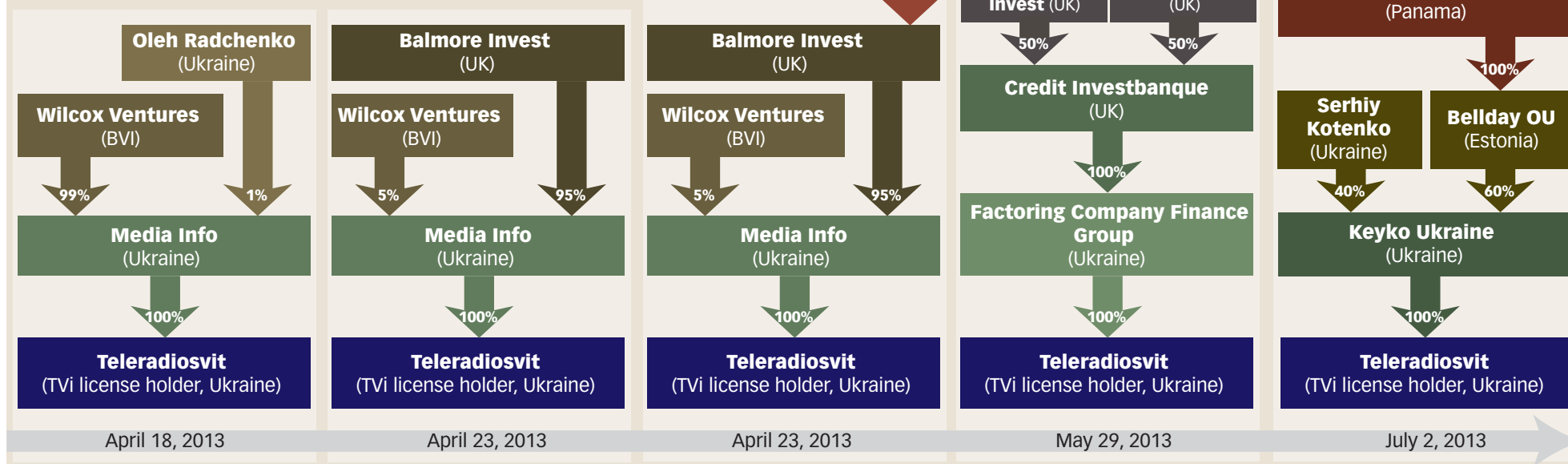
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The TVi riddle



In just over three months of 2013, a dizzying series of transactions involving companies registered in the British Virgin Islands, United Kingdom, Ukraine, Estonia and Panama took place at TVi, which until recently was lauded as the only television outlet in Ukraine investigating corruption at top levels of government. The changes are accompanied by courts both in Ukraine and UK looking into allegations of fraud and forgery.

Ownership battles over TVi prompt many journalists, viewers to cut ties to station

→ 16 nies. When contacted by the Organized Crime and Corruption Reporting Project, Erickson denied that the signature on Balmore's incorporation documents was hers.

The companies' paper trail, tracked by OCCRP, shows frantic and sometimes puzzling activity.

On May 21, Balmore's filings with the U.K. registrar of companies showed that Erickson was replaced as Balmore's director by Altman. Likewise, ownership of Balmore was transferred to five U.K. companies, all of which were registered on April 23 – the same day Altman showed up to "save" TVi.

Also effective April 23 was the transfer of Balmore's shares from Erickson to the five U.K. companies in equal shares: Invest Info One, Invest Rating Two, Invest Media Three, Invest Creative Four and Invest Active Five. In four of the companies the proxy shareholders and directors resigned on the same day – May 21 – and Altman took over.

Following the takeover, Kagalovsky filed a lawsuit in the High Court of Justice in London in July against Altman, Balmore and the five companies that own Balmore. On May 8, the

The ratings game

Average TV channel rating for July 1-7. Audience 18+, all Ukraine

#	Channel	Rating
1.	1+1	1.96
2.	Inter	1.83
3.	Channel Ukraine	1.27
4.	STB	1.06
5.	ICTV	1.05
...		
27.	TVi	0.04

Source: telekritika.ua

London court barred Balmore from any transactions involving its share in Media Info. On May 17, the court likewise froze assets of the five companies, which by that time became owners of Balmore.

Resold again on May 24

Yet on May 24, the channel was resold. Although the U.K. shareholders of Media Info were under the freeze order, Media Info sold Teleradiosvit to Factoring Company Finance Group, a Kyiv company with one employee. On

Sept. 4, the Kyiv Commercial Court ruled the transaction was legitimate.

According to accounting data from Media Info, the sales price was \$66,443, equal to the statutory capital of Teleradiosvit. The data, captured by a screenshot from a Media Info computer displaying banking software, also records the company receiving almost \$250,000 from Finance Group for "obtaining the rights to the debt."

When an OCCRP journalist visited Finance Group at its registered address, the office – a room in a public library for the blind – was empty.

Fishy financing

Balmore and the five U.K. companies were created with the participation of Ian Taylor, a New Zealand company registration agent. After police discovered that some of the companies he created were used to launder money for Mexican drug cartels, Taylor was banned from registering any other companies in New Zealand. When contacted by OCCRP, Taylor refused to comment.

Factoring Company Finance Group seems to be a proxy company itself in Ukraine. Factoring is a debt purchasing firm that buys another company's accounts receivable at a discount and then collects the money owed to make a profit.

Ukrainian Bohdan Dankevych established it in April 2011. Dankevych, along with his partners Yaroslav Kontush (who was director of Finance Group when it was established) and Dmytro Nikiforov, specializes in creating holding companies which have been used to hide ownership of assets and to move assets offshore.

Yanukovich ties

At the core of the operation lies the Kyiv-based Stayling law firm and a consulting company that is owned by Omega, an investment agency established by Nikiforov. Since 2009, Stayling has registered several hundred companies, primarily asset management firms, debt purchasing com-



TVi managers Oleh Radchenko and Artem Shevchenko (R) during an April 23 standoff at the channel. (Mustafa Nayyem)

panies and closed investment funds.

Among Stayling's clients are businesses close to Ukraine's President Viktor Yanukovich. Specifically, it established Dominanta, a corporate investment fund. One of the fund's shareholders in 2010-2012 is the limited liability company Tantalit, the firm that leases the land plot next

to Yanukovich's official residency Mezhyhirya. In turn, Yanukovich has repeatedly denied knowledge of knowing Tantalit's beneficiary owner until August when his political ally Serhiy Kliuyev applied to purchase it.

As if this weren't confusing enough, on June 10, Balmore sued Media Info, the Ukrainian company that it → 18



New owners installed 20 more guards to block the entrance to the TVi channel office. (Mustafa Nayyem)

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Senyk: Taxpayers, sick suffer from procurement corruption

→4 price in similar public procurement tenders by the Ministry of Health.

Had the Penitentiary Service used the prices of the Ministry of Health's tenders as reference, it would have saved Hr 1 million (\$125,000). Had they used the prices of the Global Fund, the savings would have run to more than Hr 2 million (\$250,000).

But the Penitentiary Service of Ukraine preferred to use the Register of Prices for Medicines as their guideline, because the register allowed them to justify the highest price for medicines and allegedly increased their share in "payoffs."

The Register of Prices of Medicines has the highest prices of the medicines in Ukraine possible, allegedly to compensate for possible complementary expenses, such as currency exchange rate, inflation, etc. The Register of Prices is a subject of approval by the Ministry of Health, but even the Ministry of Health has its public procurement prices lower than ones in the Register.

When the Anti-Corruption Action Centre addressed the Penitentiary Service indicating unduly high prices in their tenders, the Penitentiary Service responded that their prices were in compliance with the Register of Prices for Medicines of the Ministry of Health. The Anti-Corruption Action Centre,

in cooperation with the representative of the Ukrainian Chapter of the Global Organization of Parliamentarians Against Corruption Lesya Orobets appealed to the State Financial Inspection and explained that the Register of Prices of Medicines has prices that are much higher than producers' prices and instead of being a guideline for fair prices is often used as a legitimate excuse to increase prices in public procurement tenders and facilitate corruption.

In response to the above appeals and pressure, the Penitentiary Service canceled its tender on June 20. The Penitentiary Service announced a new tender, but its value dropped by Hr 1 million. In an interesting twist of the plot, both the previous and the current tenders were won by SKYFARM, who just adjusted the price following public pressure.

This story is an illustration of how the combined efforts of people who care can stop corruption even in such closed institutions as prisons. We hope this case study becomes an encouragement for other pressure groups to fight corruption in the government and not just in public procurement.

Halyna Senyk is member of the board of directors of the Anti-Corruption Action Centre in Kyiv, a non-governmental organization.



Gongadze, other slain journalists remembered at candle light vigil

A women weeps as she holds a sign that reads, "Impunity Kills," adorned with slain journalist Georgiy Gongadze's silhouette as his name, and the names of other Ukrainian journalists were read aloud during a candle night vigil on Sept. 16 in Kyiv's Independence Square to commemorate those who have died because of their journalistic profession since Ukraine's independence in 1991. The event was held 13 years to the day of the disappearance, kidnapping and murder of Gongadze, whose headless body was found in a forest south of Kyiv that autumn. He was the founder of the prominent independent online news website Ukrainska Pravda. Former President Leonid Kuchma, who has been implicated during secret recordings to giving an order to extrajudicially punish the journalist, denies ordering Gongadze's murder. (Anastasia Vlasova)

Media critic: Authorities benefit from TVi changes

→17 owns, to cancel its own purchase of Media Info.

Despite the seeming absurdity, this method is often used in Ukraine to legalize company takeovers. Lawyers from both sides coordinate to ensure the plaintiff loses the case, so the plaintiff gets a court ruling that legitimizes the transaction. As of Sept.19, the court hasn't convened.

On June 27, a Ukrainian court restored the status quo by freezing Media Info's assets as of May 23, prior to the sale of TVi to Finance Group. Yet the freeze did not prevent a whole next wave of changes in the channel's ownership structure.

Another sale in July

At the beginning of July, Teleradiosvit was sold again. The new owner is Keyko Ukraine, a limited liability company registered in Vyshhorod, a Kyiv suburb. A month before this transaction, Keyko's ownership structure was changed. Sixty percent of Keyko went to an Estonian company, Bellday OU, which had been established on April 22, a day before the prior TVi takeover.

The sole shareholder of Bellday is Panama-based Valarta Consulting.

Who is owner?

Serhiy Kotenko, 29, is Keyko's director and co-owner and now controls the remaining 40 percent of the company. He has no known connection to the media business. When asked by OCCRP about Keyko and TVi, Kotenko denied any involvement, saying that he knows nothing about being an owner of this company.

When an OCCRP reporter visited Keyko's office in Vyshhorod, he found a locked room in an office building. Neighboring tenants said they've never seen anyone coming in or out of it.

Altman enigma

With all of these intricate transactions, it's easy to forget about Altman.

In an affidavit submitted to London's High Court on July 28, Altman, who

The tumultuous times of TVi

January 2010

Ukraine's TV and radio regulator issues TVi a set of 33 broadcasting licenses that would enable it to become a nationwide channel. Prior to that, the channel was primarily broadcast via satellite and cable networks.

June 2010

Kyiv District Administrative Court strips TVi of the licenses awarded in January, following a lawsuit filed by the Inter Channel and other channels of the group controlled at the time by Valeriy Khoroshkovsky, who headed Ukraine's Security Service.

July 2010

Tax Administration launches a criminal case against TVi general director Mykola Knyazhytsky for tax evasion of over \$375,000 by the channel. Knyazhytsky, in turn, said that the controversy over VAT refunds to the channel was at the core of dispute. The case closed the same month.

Also, in July, TVi was disconnected from cable networks in 12 major cities of Ukraine, including Kyiv (partially), Donetsk, Odesa and Dnipropetrovsk. Later, Volia, one of Ukraine's major cable operators owned by a number international investment funds announced moving TVi to a premium package, making it less accessible to viewers. After several months, Volia reversed this decision. Overall, TVi was disconnected from more than 60 cable networks.

September 2012

Kyiv Appellate Administrative Court rules that TVi must pay over \$500,000 in overdue taxes and fines within 10 days. The channel launches a nationwide fundraising campaign, which enables the channel to pay on time.

April 2013

A new team abruptly takes over ownership and management of TVi. More than 30 journalists leave the channel in protest while programming softens and drifts towards infotainment.

July 2013

TVi reappears in cable networks of 12 Ukraine's major cities.

just five months ago called himself the channel's beneficiary owner, promising significant investments into its development, said he was made the channel's owner "fraudulently."

"My unequivocal position... is that the documents filed electronically at Companies House between 14 and 28 May 2013, which appear to record my consent to becoming a director of the First Respondent (Baltimore) and the Second to Sixth Respondents (the "five Invest companies"), as well as the named shareholder of the five Invest companies, were filed entirely without my knowledge or consent, and therefore fraudulently," he states.

According to Altman, he was surprised by the scandal that erupted after the change of ownership at TVi, as he

was told by TVi's executive Radchenko that the changes had been sanctioned by Kagalovsky, the channel's former owner. He said he did agree to become TVi's beneficial owner, but thought the transactions would involve some existing offshore entities, and not U.K. structures, registered in his own name.

"The Claimants (Kagalovsky and Wilcox) say that they have been the victims of fraud. I do not know whether or not this is the case, and my understanding is that this is ultimately the matter for the Ukrainian courts. What I do know, however, is that I have been deceived," Altman said in an affidavit. "I would be more than happy to be put back in the position I was in before I was approached by Mr. Radchenko in April of this year."

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Forgotten decade of Soviet artwork



WITH ANASTASIA VLASOVA
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Kherson port charms with cozy, leisurely atmosphere

KHERSON – The sweltering late-summer heat, the lights of approaching ships and the smell of fresh fish welcomes visitors to this southern port city of nearly 300,000 residents.

It's the city of my birth and where I grew up. Sandwiched between a railway station and a river port, Kherson looks like a staging post where travelers can unwind. As a result, life here is calm and leisurely.

Absent are protruding business centers, traffic jams and the hustle and bustle. More common are sights of people lounging at cafes, chatting and drinking beer or coffee at any time of the day. It's why Kherson looks like a city on perpetual summer vacation. Since Kherson is located 547 kilometers south of Kyiv, summers last from early May to late September.

The literal translation of the city's name from Russian is "no sleep," a source of many jokes about the town. "So you guys in Kherson do not sleep, right?" is a common question I hear. Actually, it's really hard to get bored and fall asleep in Kherson since it manages to combine a perfectly grotesque blend of Venice, Hollywood and Odesa.

Just like Deribasivska Street in Odesa, Kherson has a pedestrian-only walkway called Suvorova Street with cobbled stones and lots of trendy cafes. The only difference between them is that you won't meet crowds of tourists and see modern buildings on Suvorova. Kherson's instead is sweet and cozy, with ancient three-story houses decorated with magnificent stucco work and bas-relief. Chestnut and acacia trees grow along Suvorova, blanketing the street from baking heat. Also there is a piece of Venice in the middle of Suvorova – a small "Piazza San Marco," where pigeons ramble in search of food and swarm around naive visitors.

One of the first post-Soviet action movies was filmed in Kherson in 1992. "American Boy," the Russian-Ukrainian movie about the rough 1990s, tells the story of a local Rambo. Nikolai Naydenov, an Afghan War veteran based in Los Angeles comes back to his native Kherson to visit his old army buddy, only to learn he was killed a few days before by a local gang. Nikolai investigates and sets out to avenge his friend's death and, while doing so, rides the city of a gang of racketeers. Hence, Kherson was a movie set for the tough Hollywood-like action movie. →21



A museum worker watches as her colleagues finish installing the "Silent Protest" exhibition at the National Art Museum on Sept. 18. The show features Ukrainian art from the 1970s and will run from Sept. 20 to Oct. 20. (Kostyantyn Chernichkin)

BY OLGA RUDENKO
RUDENKO@KYIVPOST.COM

The first-ever exhibition of Ukrainian art from the 1970s opens in the National Art Museum on Sept. 20. The decade is said to be the most underrated period in Soviet art.

Kyiv-based art curator Yevhen Bereznitsky has brought together a collection of 120 works by 20 artists who worked in Soviet Ukraine in the 1970s. Most works come from private collections, including Bereznitsky's personal art collection. The show features the works of Yuriy Zorko, Tetiana Yablonska, Arkadiy Chichkan and others.

"Not much was said or written about the art of this decade, unlike the previous one, in the 1960s. So I thought it would be interesting to look into it," says Bereznitsky. "Unlike the previous generation, who actively protested against the existing ideology, artists of the 1970s were very inwardly oriented. That's the time when the term "internal emigration" (passive protesting against the state through avoiding its political and social life) was coined."

In the USSR, the 1970s was a decade of Leonid Brezhnev's severe rule. It was a time when banned literature was secretly shared, the police hunted for underground concertgoers and stu-

dents were thrown out of colleges for telling political jokes. Altogether it was known as "Zastoy," or the Stagnation Era. In the world of Soviet art, it was a time when socialist realism was resisted, the dominant style of art.

Fed up with it, Soviet artists of the 1970s craved for formalism, an abstract method that the authorities criticized.

"Their (the artists') way of protesting was sabotaging state orders by adding formalistic elements to their works," says Bereznitsky.

State orders were assigned through the Artists Union, a trade union. Since there was no such thing as private orders, artists could only count on

the job they got from the state. State orders included jobs like wall paintings in village concert halls that paid well.

Bereznitsky says that "artists were never poor" and notes that most of them could afford a car, which on average cost around 7,000 rubles. The average monthly salary of a Soviet citizen in the 1970s was around 140 rubles.

Alexander Pavlov, a Kyiv artist, remembers how he suffered from the Artists Union's limitations of how much each member was allowed to earn through the month.

"For me, it was 600 rubles. And even that was a high →20

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National Art Museum staff members instal the "Silent Protest" exhibition on Sept. 18. (Kostyantyn Chernichkin)



The "Silent Protest" exhibition includes "The Swans" by Tetiana Yablonskaya (top) and "Still Life With a Vase" by Valentyn Reunov. (Kostyantyn Chernichkin, Courtesy)



The "Silent Protest" exhibition will run from Sept. 20 through Oct. 20 at the National Art Museum (6 Hrushevskoho St.). It is closed on Mondays and Tuesdays and open from 10 a.m. to 5 p.m. on Wednesday, Thursday and Sunday, 12 a.m. to 7 p.m. on Friday, 11 a.m. to 6 p.m. on Saturday. Admission is Hr 20 (Hr 10 for college students, Hr 5 for school students and pensioners).

'Silent Protest' exhibition will run through Oct. 20

→ **19** limit, I had to fight to get it. Others had even smaller limits," he recalls.

According to Pavlov, to exceed this level the artists would agree between themselves to share orders secretly. In these agreements, those who didn't run for the maximum payments, unofficially passed the orders they got to other colleagues.

The "Silent Protest" exhibition features works that weren't commissioned

by the Artists Union. It doesn't concentrate on any genre, and instead shows portraits as well as still life pieces and scenic paintings.

One of the pieces, "The Swans" by Tetiana Yablonskaya, shows a naked woman brushing her hair. The subject's massive figure brings to mind the Soviet wall mosaics that are still seen in many cities of former Soviet countries. Another look at portrait art is offered by Zoya Lerman. Her

painting called "Oksana. Amateur Arts Director in Rakita Village" shows a woman sitting in national costume, painted with sharp bleak brush strokes.

The exhibited paintings are testament to what Bereznitsky calls "the silent revolution that slowly killed social realism."

Kyiv Post lifestyle editor Olga Rudenko can be reached at rudenko@kyivpost.com.

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Kyivans Speak

Editor's Note: In this new feature, the Kyiv Post asks well-known Kyivans to share their thoughts, tips and preferences on the capital city.

Designer loves Pechersk but is not a big fan of Khreshchatyk Street

Anna Bublik,

32, is a fashion designer and participant of Ukrainian Fashion Week since 2003. She moved to Kyiv from Lviv in 2001. Bublik owns a design studio and a chain of same brand boutiques.

My **favorite book store** is Chitay Gorod on Bohdana Khmelnytskoho Street. Such places literally help plant the love of reading. That's why it's a pleasure to go there with children.

The **most incredible building** in Kyiv is House of Chimaeras on Bankova Street, also known as Horodetskiy House. It's a real masterpiece and kind of a magical place for many Kyivans. But the place most darling to me is Anna Bublik boutique on Liuteranska Street.

One of my **favorite venues** is Meat & Fish restaurant on Pylpa Orlyka Street. It's one of Kyiv's best eateries with a great cuisine and pleasant atmosphere. I prefer fresh salads and steak tartare.

Among the variety of **cinemas** in Kyiv I usually choose Ukraina on Horodetskoho Street. It's mostly because I live nearby, in Liuteranska Street.



In Kyiv I prefer shopping for clothes in Passage and shops on Horodetskoho Street. But my wardrobe consists mostly of clothes by Anna Bublik TM.

My **favorite streets for walking** are Liuteranska, Shovkovychna, Bankova, Instytutska and Horodetskoho Streets. I like the Pechersky Lycky neighborhood.

For my **business meetings**, I usually choose restaurants that I love and know well. For me it's Sad (The Garden) restaurant on Bankova Street and Meat & Fish.

As a Lviv native, I feel the lack of block pavement in Kyiv. Pavement adds to the mood of the city. As a designer I miss the House of Textile that once was located on Khreshchatyk Street.

What I would like to **remove from Kyiv** are the traffic jams and mass market stores on Khreshchatyk. I believe they ruined the architectural face of Kyiv.

I like the rhythm of Kyiv and its citizens. It's good for life, work and creativity.

Compiled by Kyiv Post staff writer Olena Goncharova. Goncharova can be reached at goncharova@kyivpost.com.



A young girl casts her line from the quay in Kherson into the Dnipro River on Sept. 5, 2013. (Anastasia Vlasova)



Newly married couples of Kherson often take pictures at the central quay (top). Street musicians play at Suvorova Street next to the fish store in Kherson on Sept. 4, 2013. (Anastasia Vlasova)

Pace of Kherson life is much slower, easier than in Kyiv

→ 19 Stroll down central Ushakova Street to the quay and you'll probably run into uniformed navy cadets. The Kherson State Maritime Academy is one of the city's distinctive features. The city's industry is closely connected with seamanship. As a captain's daughter, I often imagined myself the main character of the "Scarlet Sails" by Alexander

Grin, staying at the harbor and watching the ships set off and returning from their long journeys. Also, if you are a seafood lover, Kherson is the best place to satisfy your fastidious taste. The huge variety of fish offered at low prices attracts every gourmet traveler. The best place to buy fish is a small Stupeni (Stairs) shop not far from the city center. However, if you have some free time and are willing, you can ride some 40 kilometers to an ancient fisherman's settlement called Hola Prystan and visit its large fish market.



To capture the spirited fisherman's lifestyle and cuisine, drop in to the restaurant Rybatskiy Khutorok (The Fisher's Farm). It is located in a small Dnipro River bay and hidden from the city's urban pictures by willow trees and cane. The menu offers a huge variety of dishes with fish. Try the pike

perch baked with marasca cherry and traditional fish soup called ukha with three types of fish. Also pop in to the sweet and cozy confectionery café Bonbon. The interior has the feeling of being inside a puppet house, while the cakes and desserts cater to the sweet tooth.

The offbeat provincial charm of Kherson leaks out in every single detail. A huge, old monument to Vladimir Lenin still embellishes the center square, even though it's now called Freedom Square. There is no McDonald's in the city, and people manage with only one big cinema hall. However, Kherson fascinates travelers with plain, but lovely shapes and a sincere atmosphere.

Kyiv Post photojournalist Anastasia Vlasova can be reached at vlasova@kyivpost.com, and on Twitter at @sia_vlasova and @KyivPost_Photo.

How to get there: Take the overnight train (#102) from Kyiv to Kherson. A sleeper car costs Hr 150.
Where to stay: Muskat hotel on 10 Sovetskaya St. A first-class room costs Hr 820.
Where to buy fish: Stupeni shop at the intersection of Tiraspol'skaya and Kotovskogo streets.
Where to eat: Rybatskiy Khutorok restaurant on 32 Ostrovs'koe Road. An average meal ranges from Hr 300 to Hr 700. Bonbon café on 12-14 Sovetskaya St. Coffee and a dessert costs from Hr 50 to Hr 100.

Zdob si Zdob

Sept. 22

Combining the sounds of rock and melodic Moldovan folk music, this band has been at the height of show business since the 1990s. Authentic, creative and hard working, the band writes its own music and continues to attract more fans. Over the years it has had opportunities to open for mega-stars like Linkin Park, Red Hot Chili Peppers, Smoking Orchestra and many others. It also participates in various festivals and music competitions. Zdob si Zdob shows contain explosive energy that charges the room. These ethno-rockers are capable of making every song and concert experience memorable.
Zdob si Zdob concert. Sept. 22. 9 p.m. Docker Pub (25 Bohatyrska St.). Hr 150-1,500



(Courtesy)

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KyivPost

Lviv Book Forum popular although reading less so

BY DARYNA SHEVCHENKO
SHEVCHENKO@KYIVPOST.COM

LVIV – A large second-floor cafe terrace in the Lviv Palace of Arts smells of cigarette smoke and coffee, as more than 60 people sit behind tables or stand in the doorway, silently listening to a middle-aged man recite poems from his newly published book. The poet pauses and looks around the café over his glasses. A second pair sits on top of his head.

"If you have any questions or comments, please tell me," he says.

"I want kids from you, you know that," an adoring young woman shouts from the doorway as she tries to make her way closer to the improvised stage.

The poet she was speaking to was Yurko Izdryk, who was promoting "After Prose," his latest book of poems to the annual International Lviv Book Forum. And the people listening to him were guests of Lviv's 20th book fair and festival.

Anna Pylypenko, a public relations manager from Kyiv, says she already bought more than two dozen books at the forum, giving preference to modern Ukrainian authors.

"Izdryk's 'After Prose,' the latest by Taras Prohasko and 'Pyatyknyzhzha' by Grytsko Chubai and a lot of others.

→ Children's books most sought after literature in Ukraine

I don't even remember everything," she smiles and opens her notebook to show a long written list of books she is looking to buy.

But Pylypenko falls into the not-so-big category of Ukrainians who buy and read books. According to market researcher GfK Ukraine, only 24 percent of Ukrainians are buyers-and-readers, and most of them are women. Conducted in July, the study polled 1,000 respondents around Ukraine. It found that 49 percent of Ukrainians did not buy and read books within the last three months, while 27 percent of Ukrainians read books, but didn't buy them.

"If a person is active and progressive than they are active and progressive in everything including reading books," says Glib Vyshlinsky, deputy director of GfK Ukraine. "Our research found that reading doesn't really depend on the increase of electronic books market

share or the financial situation of the household, but on the lifestyle," he says.

And it seemed as if the entire 24 percent of Ukrainians who buy and read books were gathered in Lviv's Palace of Arts.

"H e y , please let me out," a young woman cries, trying to squeeze out of the crowd near the children's books section, carrying four bags of them. Her name is Tetiana Kolosovska, a stay-at-home mother of two children. She has never missed a Lviv Book Forum since 2000 and says she spends at least Hr 1,000 every time.

"My favorite publishers are Machaon-Ukraine and A-ba-ba-ga-la-ma-ga. We buy a lot as gift and for ourselves, we already gathered a whole library from the forums," she says and suddenly turns to a friend who stands nearby. "Hey, have you seen what I've got!" she shouts and holds all four bags up.

The qualitative part of the GfK study, based on focus group discussions, found that the main factor for developing reading habits goes back to childhood and depends on how much time parents spent reading to their children.

"I read a lot to my kids and my parents used to read a lot to me. I think it's basic," Kolosovska says.

Children's books are the most sold in Ukrainian book stores. Eight percent of buyers and readers buy books for children, followed by modern detective stories, practical literature and love stories, each preferred by four percent of buyers.

However, according to the same study, there is not a single author in Ukrainian modern literature that is known by at least 50 percent of respondents. The most recognized author is Lina Kostenko, familiar to 42 percent of respondents. Fifteen percent know writer and singer Irena Karpa, while

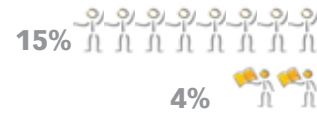
Most famous and most read Ukrainian writers (among Ukrainians aged 15-59 years)

Source: GfK Ukraine for Kyivstar

Lina Kostenko



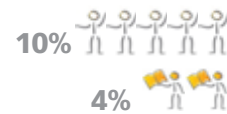
Irena Karpa



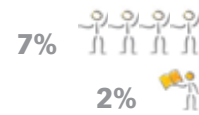
Vasyl Shklyar



Maria Matios



Oksana Zabuzhko



Percentage of Ukrainians recognising the writer Percentage of Ukrainians who have read any works by the writer



Guests of the Lviv Book Forum browse new editions near a publisher's stand on Sept. 14, 2013. (Courtesy of Lviv Book Forum Press Service/LUFA)



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Schweizerische Eidgenossenschaft The Swiss Cooperation Office at the Embassy of Switzerland in Ukraine, which coordinates the Swiss Official Development Assistance to Ukraine, is announcing the vacancy of a position of

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- Excellent analytical, communications and networking skills
- Fluent Ukrainian, Russian and English; German or French is an asset
- Very good computer literacy

For more information on the Swiss Cooperation Office and the Swiss cooperation program in Ukraine please visit the website www.swiss-cooperation.admin.ch/ukraine

The deadline for submission of applications is **October 4, 2013**. Please send your detailed CV and motivation letter in English to the Swiss Cooperation Office's e-mail address: kyiv@sdcc.net

Financial Markets International, Inc. (FMI) is seeking a qualified professional to fill the long-term position for the **USAID Financial Sector Development Program (FINREP-II)**

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- Good networking, knowledge of women-focused NGOs, institutions, etc;
- An advanced degree in economics, banking, finance, or a related field;
- An MBA or economics training is a plus; and
- Fluency in Ukrainian, Russian, and English.

Please visit FINREP-II web-site: www.finrep.kiev.ua for more information on FINREP-II activities in Ukraine. Candidates are asked to submit resumes and cover letters to: office@finrep.kiev.ua indicating the position title in the subject line by October 4, 2013. No telephone enquiries, please.

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- Preparing internal and external presentations using PowerPoint.
- Responding to invitations on Bankers' behalf.
- Ensuring quality management and control; proof-reading and checking documents as and when required.
- Co-ordinating / making hotel/travel arrangements, itineraries and arranging visas as required.
- Handling expense claims relating to travel, hospitality, following up on reimbursement and monitoring corporate card bills.
- Screening telephone calls; responding to and dealing independently with external queries; passing on calls to other members of the department as appropriate.

- In the absence of the Bankers, ensuring efficient control of email, screening/prioritising messages and replying on behalf of the managers to routine enquiries or forward to appropriate member or members of the team to respond/act upon.
- Maintaining comprehensive filing to ensure instant retrieval of documents.
- Provide support as necessary for other secretarial staff as and when required.

Skills and experience required:

- At least four years' secretarial and administrative experience.
- University degree
- Fluent English, Russian and Ukrainian, both written and spoken.
- 55 wpm typing.
- Computer literate: Windows XP; Microsoft Outlook, Word, Excel, PowerPoint.
- Knowledge of SAP useful but not essential.
- Good organisational skills and ability to work on own initiative.
- Excellent communications skills, including pleasant and efficient telephone manner. Attention to detail and eye for accuracy.

Candidate must:

- Ability to cope well under pressure and a capacity for hard work.
- Ability to work efficiently and cheerfully as part of a team.
- Reliable, flexible and willing to work overtime as and when required.
- Exhibits a high degree of personal integrity and loyalty.
- Excellent interpersonal manner, including tact and diplomacy.
- Important to be a quick learner and a team player.

This job description is not limited to the responsibilities listed and the incumbent may be requested to perform other relevant duties as required by business needs.

Please also visit the Bank's website at www.ebrd.com for further information regarding the Bank and its activities.

If interested please send your cover letter and CV (in English) to LytvynA@ebrd.com subject Secretary. The deadline for applications is 04 October, 2013. The successful candidate is expected to start as soon as possible.

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