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Learning to cook by watching TV

Judging by the proliferation of TV shows devoted to culinary delights, Ukrainians may be more interested in cooking than ever.

KyivPost

vol. 16, issue 24 INDEPENDENCE. COMMUNITY. TRUST www.kyivpost.com June 17, 2011



Seeking Justice Abroad For Theft At Home

In a nation where even the president admits that corruption is costing citizens billions of dollars a year, redress is in short supply at home. Instead, Ukrainians take their disputes to foreign courts and judges in hopes of righting wrongs or simply smearing their opponents. See story page 9.

President Viktor Yanukovich's administration has launched numerous criminal investigations into his rival, ex-Prime Minister Yulia Tymoshenko. The government also recently won a \$60 million judgment in a U.S. court against a company that allegedly overcharged the state for vaccines under Tymoshenko's watch.

Ex-Prime Minister Yulia Tymoshenko says she is the victim of political persecution. She is fighting back with a lawsuit in a New York court that accuses President Viktor Yanukovich's inner circle, including billionaire Dmytro Firtash, of a scheme to defraud Ukrainians of billions of dollars in natural gas. The accused deny the charges.

(Yaroslav Debelyi)

Political rivals tussle over human rights at Kyiv forum

BY BRIAN BONNER and YURIY ONYSHKIV
BONNER@KYIVPOST.COM
and ONYSHKIV@KYIVPOST.COM

To counter charges that political opponents are being persecuted with criminal investigations under her boss' rule, presidential aide Hanna Herman sat front and center at a June 14 event in Kyiv held by Freedom House, a U.S.-based human rights organization.

When the time came for comments from the crowd, Herman was the first to shoot up from her seat. She told everyone gathered at the International Renaissance Foundation's Kyiv office that President Viktor Yanukovich's administration, including the powerful general prosecutor, is politically color blind in its pursuit of justice.

As proof, Herman claimed that 478 government officials have had criminal investigations opened against →12

TOP STORIES INSIDE:

- Party of Regions lures young with discount cards. Page 2
- Could radioactive Chernobyl land be reborn as a source of clean energy? Page 8
- Jailhouse Watch: Latest count of top ex-officials still behind bars. Page 10

EU seeks to protect forests with curbs on illegal logging

BY MARK RACHKEVYCH
RACHKEVYCH@KYIVPOST.COM

Ukrainian timber exporters could be shut out of the \$49 billion European Union wood market if they don't comply with restrictions designed to curb illegal logging, which is rampant in the nation.

The measure, which will be enforced starting in 2013, bans the sale of illegally logged timber and requires EU

importers to take steps to assure that they are in compliance. Other traders in the EU supply chain will need to keep records of their suppliers and customers to allow the products to be traced.

Classified into 44 different product groups, the measure will affect wood-producing Ukrainian companies that either directly export raw-to-finished wood products to the EU or through intermediaries. →8

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**ПОЛИТИКА: Жизнь в оппозиции
Бурджанадзе и Тимошенко**

Олеся Олешко

У бывшего премьера Украины Юлии Тимошенко, 50, и бывшего спикера парламента Грузии Нино Бурджанадзе, 46, на первый взгляд, много общего.

Они обе знают толк в политике и в дизайнерской одежде. Обе еще не так давно занимали важные государственные посты, а сейчас ведут политическую борьбу из окопов оппозиции. Обе жалуются на несправедливые судебные преследования и надеются найти поддержку в европейских судебных инстанциях. Однако политологи сходятся во мнении, что, несмотря на схожий «фасад», политические перспективы у них совершенно разные...



Нино Бурджанадзе и Юлия Тимошенко

БИЗНЕС: Українські аграрії лякають крахом через євроінтеграцію

Оксана Гриценко

Українські аграрні виробники вважають, що угода про зону вільної торгівлі із Європейським Союзом може поставити їх у нерівні умови відносно європейських аграріїв і зруйнує вітчизняний АПК.

За прогнозами як українських, так і європейських політиків, переговори про зону вільної торгівлі (ЗВТ) між Україною та Євросоюзом мають бути завершені до кінця поточного року і передбачатимуть вільний доступ товарів та послуг на ринки. Новий раунд переговорів розпочнеться 20 червня...

МНЕНИЕ: Україна втрачає середній бізнес та середній клас

Віктор Ткачук

На Українському інвестиційному саміті в Лондоні, що відбувся у другій половині травня, представники малого і середнього бізнесу України констатували його стрімке зникнення. Економіст Андерс Аслунд і бізнесмен Петро Порошенко, який обіймав численні високі посади в українській владі, підтвердили факт масового згорання з початку 2011 року десятків тисяч дрібних підприємств.

За словами Порошенка, зникнення дрібного бізнесу матиме безпосереднім наслідком і зникнення середнього класу, що є основою стабільності економіки держави...



Віктор Ткачук

КИЕВ: В Київський зоопарк хочуть завести дельфінів та котиків

Світлана Тучинська

В Київський зоопарк можуть завести дельфінів та інших морських тварин. Для цього в звіринці збираються будувати океанаріум. Правда, приміщення, у якому він може розміститися, чиновники хочуть забрати у мавп. Захисники тварин від ідеї не в захваті.

За словами заступника голови столичної адміністрації Руслана Крамаренка, місто збирається залучати інвесторів до будівництва...

Полный текст статей и блогов можно прочитать на www.kyivpost.ua



Members of the organization "Young Regions," affiliated with the pro-presidential Party of Regions, hand out flowers in Kyiv. (UNIAN)

Regions Party lures young members by giving them discount cards for purchases

BY YURIY ONYSHKIV

ONYSHKIV@KYIVPOST.COM

Members of the youth organization "Young Regions," a youth branch of President Viktor Yanukovich's ruling Party of Regions, are being given exclusive discounts on purchases for various goods and services in Ukraine. Those ages 14 to 35 are eligible.

The discount cards are good on purchases of clothing, shoes, accessories, cosmetics, perfumes, leisure facilities, beauty salons and more. In the long run, according to "Young Regions," the discounts will extend to hospitals, pharmacies, grocery stores, gas stations, restaurants and cafes in all of the organization's partner businesses.

The "Young Regions Discount Card," presented at a press conference June 16, offers deals only for members of their organization. The discounts range from 5 percent to 50 percent.

Andriy Pinchuk, head of the "Young Regions" organization and a lawmaker in the Regions' Party faction, said 1,000 businesses have already joined their discount program and he

expects the figure to reach 10,000 by the end of the year.

Party of Regions critics say the discounts amount to a bribe for joining the party. Pinchuk denies it. "It is not true that we are using this discount card to attract new members into the Region's Party," Pinchuk said. "In order to have the card one does not need to be a [Regions'] party member, just a member of our youth organization."

"Certainly, this is to popularize the [party] brand, but it is normal," Pinchuk said.

This is not the first time Ukrainian politicians have tried to boost support with discounts. In 2008, the Bloc of Yulia Tymoshenko's candidate for mayor of the western Ukrainian city of Rivne set up a store selling inexpensive winter clothing. The most expensive coat cost about \$20, while the market price for the same coat would have been nearly \$90. The place became popular among locals very fast. On its opening day alone it sold 120 coats. The politician, however, lost the election.

Kyiv Post staff writer Yuriy Onyshkiv can be reached at onyshkiv@kyivpost.com

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4 Дубина: Якщо б не газові угоди — ми втратили б Південь України



5 Сын режиссера Бондарчука жестоко избил человека (ВИДЕО)



6 Плюсы и минусы отмены техосмотра



7 Кража века: Вор вынес из банка 10 миллионов гривен



8 Троица: христиане молятся, а язычники задабривают русалок



9 Сьогодні вночі Земля закрие Місяць



10 Таможню и налоговую могут объединить под руководством Хорошковского



The EBA releases results of the 12th wave of Investment Attractiveness Index of Ukraine

On June 14, 2011 the European Business Association released the results of the Investment Attractiveness Index, a unique survey designed to evaluate Ukraine's business climate and indicate its attractiveness for country's portfolio and strategic investors. 124 CEOs of EBA member companies esteemed on a five-grade basis the changes in Ukraine's business environment that took place in March-June 2011. In the second quarter of this year the Investment Attractiveness Index of Ukraine has shown slight fluctuation and revealed 3.39 points compared to 3.40 in the first quarter.

The Index composites' analysis has underpinned the absence of changes:

- the current investment climate evaluation remained the same (3.7)
- the business climate changes during the last 3 months was evaluated at 3.5 (-0.1)
- the investment climate within respondent's main sphere of business activity reached 3.2 (+0.1)

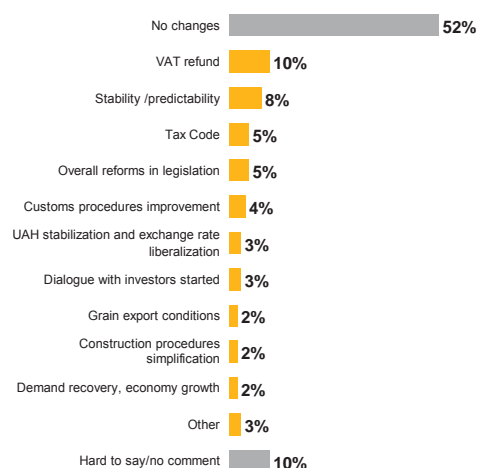
Compared to the first quarter of this year when the Investment Attractiveness Index has shown



The assessment of the positive and negative tendencies dominant during the second quarter of 2011 showed, that more than a half (52%) of respondents still see no positive shifts in investment climate development. This share remains rather unchanged compared to I quarter 2011. All in all, the variety of negative trends mentioned still prevails over the positive ones. The investors express concerns about new Tax Code deficiencies (20%), increased number of state checks and audits (18%), and lack of anti-corruption and anti-bureaucracy measures (15%). Only every tenth respondent highlighted the progress in VAT refunding.

However, 8% of the respondents consider stability as the positive change during the last quarter and 15% considered that there were no negative changes recently (compared to 7% in I/2011). Among the positive changes there are 2 major ones that include VAT refund improvement (10%) and the macroeconomic stability.

Positive Changes in Investment Climate during the last 3 months



Leaders Talk



TOMÁŠ Fiala,
Managing Director, Dragon Capital
EBA President

The slow growth of our Index reversed last quarter. This is due to very little progress in the reform program execution and continued problems with corruption and Rule of Law. The Government admits that the reforms plan has slackened its pace and states that only one third of the planned large-scale reforming program was implemented in 2010. Unless Parliament approves the Pension reform before the summer recess and the retail gas tariffs are increased by 30% cooperation with IMF will stay on hold and our Index will go down further in the 3rd quarter. Such forecasts are rather alarming for either portfolio or strategic investors. Setting aside the Ukrtelekom privatisation, currently we already see the investments' slowdown. The Government knows what needs to be done but the implementation is unfortunately very slow.

Commenting on 12th EBA Investment Attractiveness Index dynamics I would mention that the steady growth we've witnessed during the last two years has stopped. Compared to the first quarter of 2009, when we saw the lowest performance mark, which followed by a regular growth of the

Index, the results of first two quarters of 2011 demonstrate no dynamics. Certain stagnation vividly demonstrates that the "credit of trust" given to the government by investment and business community could be expiring.

The analysis of 12th Index composites points to a declining number of respondents, who noted positive changes in comparison to the first quarter of 2011 results. The EBA represents 820 member companies which belong not only to top businesses, but also to SME, and the latter experience more difficulties when dealing with negative trends in business environment.



ELENA Khomenko,
Managing Director, Philip Morris
Ukraine, Caucasus and Moldova

It is worth to note polarization of the feedback, additionally proving that the respondents become less satisfied with changes in investment climate. For instance 5% of them consider simplification of VAT refund and introduction of the new Tax Code to be positive changes, but 20% of respondents are not satisfied with the tax reform and mounting pressure from the authorities.

Currently the evaluation of the country's business climate is at a non-decisive balance point and we expect the next Index wave to turn the scale. We continue to hope for implementation of declared reforms and for those reforms to start bringing benefits to our member companies operating in the regions, as there

are telling complaints regarding problems with imperfections of implementation of tax and customs regulations at the local level.

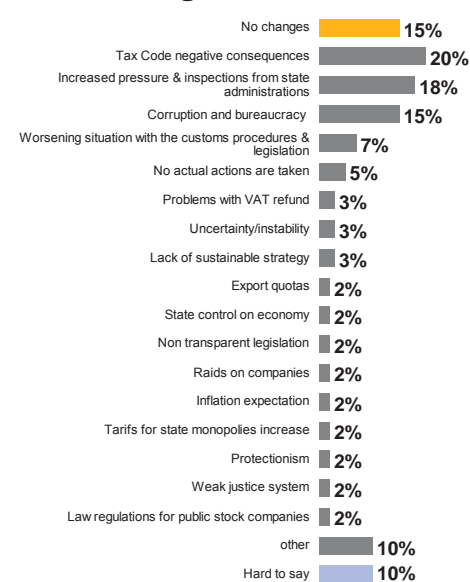


MAURIZIO Patarnello,
CEO, Nestle Ukraine and
Moldova

When one takes a look at existing situation it can be seen that there is still much room for improvement. Business doesn't fully see the trust given to the government is translated into real actions that can support existing or attract new businesses. And I would like to see more positive signs, more sensible results and more action as the government has promised.

From our perspective, we can see signs in economy being rather dangerous, for instance the increase of basic costs and devaluation of local currency vs. euro can jeopardize inflation. The government should be extremely careful when handling this, as the inflation can further depress the public consumption and create a negative impact on business climate. We keep underlining that local currency managing is a matter of primary importance in order to keep inflation under control and we hope the government will take this into consideration.

Negative Changes in Investment Climate during the last 3 months



The variety of negative changes mentioned by investors has increased further.

While 4% highlighted improvements in customs procedures 7% underlined that worsening of the situation with the customs takes place. 5% of investors are assured that no actual actions are being undertaken by the government.

InFocus

As the European Business Association top-priority objectives for 2011 are: reducing obstacles for investment, support for different instruments promoting economic integration with the EU and facilitating positioning of Ukraine as a country attractive for investment and business partnership, when combating the negative trends within country's business setting the EBA focuses on 7 pillars:

Corruption, Court system and Land reform, Currency regulation, VAT refund, Customs Procedures simplification and Technical barriers to trade

The situation with solving 7 issues introduced by the EBA remained unchanged when compared to I quarter of 2011. Weak tendency for improvement is observed in customs procedures simplification (+0,2 points compared to I/2011).

OPINION



ANNA Derevyanko,
EBA Executive Director

“On behalf of the European Business Association I am grateful to all respondents, who kindly participated in the survey showing high level of commitment and interest in our country's business climate refining.

Currently the Index demonstrates the absence of dynamics, which can be reasonably treated as the lack of substantial changes. The explanation is obvious - business still experiences a kind of "time-out" period after new legislation is enacted and before some perceptible changes are felt.

The situation is to change as soon as the reforms' machine will take phase after the "inertia period". And a sliver of light is inevitable. Government of Ukraine is proactively working on legislation refining, paying considerable attention to the Tax and Customs Codes improvement in line with business needs.

The EBA is an active proponent of the legislation upgrade and will continue its efforts beneficial for local business community as well as country's performance.”

Editorials

No credibility

The longer that Hanna Herman speaks for President Viktor Yanukovich in an official capacity, the more damage she will do to his administration's credibility – which is quite low now anyway.

Long after the claim has been discredited, the presidential aide keeps on insisting that criminal investigations have been launched against 478 high-ranking government officials since Yanukovich took power in 2010. Herman most recently renewed the questionable claim to counter growing international condemnation of what appear to be politically motivated criminal prosecutions of ex-Prime Minister Yulia Tymoshenko and other officials who worked for her.

After defending the administration's record at a June 14 event in Kyiv organized by the U.S.-based Freedom House human rights organization, ex-Deputy Prime Minister Hryhorii Nemyria goaded her into providing proof. She pulled out a five-page document, gave it to Freedom House executive director David J. Kramer and promptly left the meeting.

The Security Services of Ukraine document doesn't show that 478 administration loyalists or top current officials are under investigation. Justice Minister Oleksandr Lavrynovych and presidential chief of staff Serhiy Lyovochkin made similar claims earlier this year. When pressed, the general prosecutor refuses to name names, arguing that the suspects have not been found guilty yet.

This is poppycock. The names of criminal suspects are routinely bandied about by officials when doing so serves their interests. Moreover, if arrests have been made or criminal charges filed, the state should disclose the names and reasons for depriving people of liberty. Law enforcers routinely flout human rights in this nation, including arbitrary arrests, selective prosecution and excessive pre-trial jailing of people.

At the same event where Herman defended the administration's record, numerous human rights activists painted a different and – in our view – more accurate picture of a democratic nation creeping back into authoritarianism. The Yanukovich administration has monopolized political power and is persecuting political opponents while ignoring corruption in its own ranks.

The public continues to be kept in the dark about government favors to insiders, including shady privatizations of state assets and favors for friends of the Party of Regions. The full extent of shady deals, including dirty state procurements and near-monopolization of various industries, may never be known.

Even Yanukovich, while chairing an anti-corruption meeting earlier this month, admitted the nation is looted of billions of dollars each year. He just didn't say by whom.

Amid signs that the presidential Party of Regions intends to stay in power at all costs, human rights activists and diplomats have put the administration on notice that the 2012 parliamentary elections had better be clean, transparent and fair.

Until the administration comes clean about criminal investigations and almost everything else within its ever-expanding purview, it will be hard to take any of its representatives – especially Herman – seriously.

Lukewarm

President Viktor Yanukovich's government and ruling majority deserve lukewarm praise for adopting changes to the pension law on June 17 in a first (not yet final) reading. Joining 187 lawmakers from the pro-presidential Party of Regions to support the bill were respectable numbers of lawmakers from other factions. Officials said the hotly contested legislation will be adopted in a final vote in July.

While details were sketchy as this edition of the Kyiv Post went to press, it is believed that the proposed changes – while unpopular – are necessary to plug gaps in a flawed and under-funded pension system. It is expected that the retirement for women will be gradually increased from 55 to 60 years of age. This painful condition will certainly cost Yanukovich's party votes in next year's parliamentary election, but it was necessary, according to economists.

If credit is to be given, Yanukovich deserves a bit for this bold move. Ultimately, however, he had little choice. More thanks goes to the International Monetary Fund for refusing to unlock additional billion-dollar loan tranches that Yanukovich's government needs to stay financially afloat unless the nation's leaders deliver on austerity measures.

Attention is, however, also greatly needed to stop the financial bleeding. As Ukraine's main creditor, the IMF should also set conditions that end massive corruption at the highest echelons of government. These schemes appear to be robbing the nation's richest at the expense of 45 million struggling citizens. Impunity still reigns as the rich get richer and the poor remain mired at the bottom.

A government that allows cronies to get rich unfairly at the expense of principles of fairness, transparency and compassion is not deserving of international support.



NEWS ITEM: President Viktor Yanukovich's ruling Party of Regions is fighting its growing unpopularity by giving members of its "youth organization" – those ages 14 to 35 – discounts in stores and restaurants. On June 16, the party presented a new discount card that offers the younger set a 10 percent discount in the popular Volodymyr Tarasiuk network of hair studios, and a 20 percent discount in the Kyivska Rus entertainment park. The party also said that the card will give discounts in bars, restaurants, shops, gas stations and so on. See story on page 2.

EU should get tough now with Yanukovich

DAN HAMILTON, TARAS KUZIO, LUCAN WAY, EDWARD CHOW, NICO LANGE, MYKOLA RIABCHUK, YAROSLAV HRYTSAK, OLEXYI HARAN, SERHIY KUDELIA, YURIY LUKANOV

As President Viktor Yanukovich travels to Strasbourg, France, and the European Union renews talks over a free trade agreement with Ukraine on June 20-24, it is time to debate Ukraine's European future.

All authors of this article support Ukraine's future within the European family of nations. But we believe the EU should overhaul its approach. Both Ukrainian and EU officials raise hopes that they will sign a free-trade deal by the end of this year, perhaps during December's EU-Ukraine summit in Kyiv.

At the same time, democratic regression in Ukraine is increasing. There is a contradiction between the EU's hurry to sign a free trade deal and Ukraine's move away from European values. Economic integration should include strict adherence to standards of democracy and rule of law by Ukraine.

The EU's policy guidelines define deep and sustainable democracy as nations with free and fair elections; freedom of association, expression and assembly and a free press and media; the rule of law administered by an independent judiciary and right to a fair trial; fighting against corruption; security and law enforcement sector reform (including the police) and the establishment of democratic control over armed and security forces. Ukraine has regressed in all five areas.

With the rapid trajectory of Ukraine's democratic regression under Yanukovich, the EU is faced with the likelihood that Ukraine could become an authoritarian regime.

The EU is not insisting on tough requirements in talks with Ukraine over an association agreement and free trade

→ Concluding free-trade and other deals must wait until leaders show they believe in democracy

deal. Yanukovich, Foreign Minister Kostyantyn Gryshchenko, Prime Minister Mykola Azarov and senior Party of Regions deputies brush aside Western criticism.

For the EU to continue this kind of dialogue would demonstrate its lack of seriousness in upholding European values.

Instead of closing down seemingly politically inspired criminal charges against former Prime Minister Yulia Tymoshenko, former Interior Minister Yuriy Lutsenko and 11 former members of the 2007-2010 Tymoshenko government, the Ukrainian authorities have not taken heed of European and American criticism of selective use of the judiciary. Instead, they have added new criminal charges to existing ones.

While the 2009 Ukrainian-Russian natural gas contract was poorly drafted, political decisions by outgoing administrations should not be the subject of politically inspired criminal charges. After all, Ukraine's energy sector is full of skeletons in very many closets.

The Party of Regions government rushed into its own gas agreement with Russia in 2010, only to quickly regret → 11

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Why Ukraine still has no jury trials



BOHDAN A. FUTEY

With the adoption of its Constitution in 1996, Ukraine has attempted to make a transition in terms of the guarantees of individual rights, and its entire legal process, to a democratic system based on the rule of law.

As the systems of other democracies demonstrate, however, there is no one particular way to protect and enforce rights required for a democracy. Further, Ukraine's Constitution does not clearly delineate the method of guaranteeing certain rights and procedures, as many are dependent upon future statutes to outline the details.

In so doing, the Constitution has left several key issues open for debate, as these statutes are drafted. One such issue is the role of the jury in Ukraine. The Constitution has guaranteed a right to trial by jury, but the procedures for a jury have not been defined by the Constitution or the Law on the Judiciary of 2001. The recent Law on the Judiciary of 2010 is silent on the topic. This has led to an erosion of the Constitution's guarantee.

Constitution of Ukraine

The Constitution's jury guarantee contains elements of both the continental jury system, as well as the common law jury system. This may be the result of compromise between various factions needed to ratify the Constitution, or the ambiguity may demonstrate an uncertainty as to the ultimate role of the jury in Ukraine's legal system.

For example, Article 124 states that the people will participate in the administration of justice as people's assessors and as jurors, but does not define those terms. Similarly, Article 127 states that "justice is administered by professional judges and, in cases determined by law, people's assessors and jurors."

Neither article defines the terms "people's assessors" or "jurors," and it is unclear whether they are intended to mean different things or to be interchangeable. The Constitution does distinguish jurors from judges, so the drafters may have envisioned jurors similar to those in the United States, who find facts and ultimately determine liability but make no other legal conclusions. On the other hand, by qualifying judges as "professional judges," the drafters may be implying that the jurors act as lay judges, as found in European systems.

A further indication of this meaning of the term "jurors" is found in Article 129, which states that "[j]udicial proceedings are conducted by a single judge, by a panel of judges, or by a court of the jury." Thus, the phrasing of this provision seems to allow for judicial proceedings to be administered by a "jury" without the guidance of a judge. In this case, it is unlikely that the drafters intended a jury consisting only of laymen to preside over the case. This provision would make sense only if the drafters defined the term "jury" as including at least one professional judge among several jurors. Furthermore, it should be pointed out that Article 129 does not mention the participation of people's assessors.

Specifics of jury composition

Regardless of the precise duties of the jury in Ukraine, the mere mention of the use of juries without further details raises other questions. For example, the Constitution does not mention whether an individual has a right to a jury in civil and criminal cases, or only in criminal cases. In the U.S., this concern was addressed by the Sixth Amendment to the Constitution, which guarantees the right to a jury in all criminal prosecutions, while the Seventh Amendment preserves the right to a jury in lawsuits at common law "where the value in controversy shall exceed twenty dollars." Although \$20 was worth much more in 1791, when the Seventh Amendment was ratified, the amount has never been increased.

It is also noteworthy that a professional judge is required to be a citizen of Ukraine (Art. 127), while the Constitution allows for "people" generally to participate in juries (Art. 124). Nevertheless, jurors will probably be chosen from a pool of registered voters, who must be citizens of Ukraine. This system is similar to the one followed in the U.S., since citizenship



Critics of President Viktor Yanukovich's accuse his oligarch-backed administration of trampling on Ukraine's constitution and basic human rights. The president adamantly denies such accusations. But despite his strong grip on power, Yanukovich and his team have so far failed to instill trust in the nation's notoriously judicial system. Many believe introducing jury trials are one way to do this. (UNIAN)

→ Laws are needed to ensure this right is widely practiced

is a requirement for jury duty in federal proceedings under 28 U.S.C. § 1865.

Ukraine's Constitution is silent as to the size of the jury and the number required to reach a decision. While the U.S. Constitution does not mention an exact number of jurors, procedural rules and Supreme Court precedent have generally followed the common law practice of using twelve jurors in federal criminal proceedings. See *Williams v. United States*, 399 U.S. 78 (1970); Fed. R. Crim. Pr. 23. Federal civil proceedings use between six and twelve jurors. Fed. R. Civ. Pr. 48. Whether civil or criminal, a verdict in federal trials must be unanimous. These jury practices were drawn from the common law, but Ukraine does not have a well developed concept of the jury system. This may cause additional uncertainty about the Constitution's guarantees.

Necessity of further legislation

By leaving the details of jury systems to further statutes, the drafters of Ukraine's Constitution have made the right to a jury susceptible to "clawback" provisions. Thus, with one hand, the Constitution purports to ensure the participation of juries, but, with the other hand, statutes may severely reduce or effectively deny that protection. By a simple majority, parliament could enact a statute that alters the right to a jury. This allows parliament to circumvent the two-thirds majority needed to amend the Constitution.

While Ukraine's Constitution purports to guarantee some form of jury system, the Constitution raises certain issues that must be resolved through additional legislation. One of the most basic questions that requires attention is the character of trial proceedings, and whether Ukraine will follow the jury trial system of continental Europe or of the U.S.

Trials in continental Europe, for example, follow the inquisitorial system, where judges play an active role during the proceedings. In criminal trials, a judge will begin by reading the charges and perhaps even summarizing the evidence, and judges can call and question the witnesses in the case.

Trials in the U.S. proceed under the adversarial system, where the parties play an active role in presenting their case. Under this system, the judge is much more passive, mainly responding to the parties' objections and ruling on motions. State criminal judges are prohibited from commenting on evidence, and federal judges generally refrain from such commentary as well. The parties are responsible for call-

ing witnesses, and judges usually avoid questioning these witnesses. The reason that judges in the U.S. take a passive role in jury trials is to avoid unduly influencing the jurors, since an impartial jury is crucial to securing individuals' rights and to limiting the authority of the government by allowing a defendant's peers to decide his or her fate.

Ukraine should be mindful of how it enforces the Constitution's jury guarantee. If Ukraine combines an inquisitorial system with juries similar to those found in the U.S., there is a great risk that the judge's active role in a case could hinder the jury's impartiality, and thus interfere with the rights of the accused and with reliable fact-finding. If Ukraine decides to use an adversarial system, the courts will need clear rules for the procedures and admission of evidence in order to secure the rights of defendants, the fairness of trials and the impartiality of juries. The importance of the legislation that will enforce the Constitution's guarantees thus cannot be overestimated.

Laws on judiciary

Even though these enforcement laws are of critical importance, they have so far been neglected. Under Article 127 of the Constitution, people's assessors and jurors administer justice "in cases determined by law." The Law on the Judiciary of 2001 states that people's assessors resolve cases in court proceedings "in cases determined by the procedural law" (Art. 65), and that juries are formed to review "disputes determined by the procedural law" in cases of the first instance (Art. 68). The procedural codes enacted after 2001, however, did not provide for activities by juries or people's assessors. Thus, both the Constitution and the Law on the Judiciary of 2001 rely on further laws to actually enforce the guarantee to jury trials. The Law on the Judiciary of 2010 fails to even mention or set up any procedures for trial by jury.

Conclusion

The Constitution of Ukraine guarantees its citizens a right to trial by jury, but the Constitution requires further laws to flesh out and enforce this right to a jury trial. Since the enactment of the Constitution, parliament has not implemented this right. Even the most recent Law on the Judiciary, in 2010, failed to do so. This year marks the fifteenth anniversary of the adoption of Ukraine's Constitution. Unfortunately, nothing has been done to implement juries in Ukrainian courts. Unless the legislature acts, this fundamental right will continue to erode.

Bohdan A. Futey is a judge on the United States Court of Federal Claims in Washington, D.C., appointed by President Ronald Reagan in May 1987. Judge Futey has been active in various rule of law and democratization programs in Ukraine since 1991. He has participated in judicial exchange programs, seminars, and workshops and has been a consultant to the working group on Ukraine's Constitution and Ukrainian parliament. He also served as an official observer during the parliamentary elections in 1994, 1998, 2002 and 2006, and presidential elections in 1994, 1999, 2004, and 2010, and conducted briefings on Ukraine's election Law and guidelines for international observers.



WITH OKSANA MARKINA

As Ukraine prepares to celebrate its 20th anniversary of independence, do you see threats to nationhood?

Mary Adamska
Housewife

"Formally and legally, we are independent. But independence is when we build a state together, rather than look for helpers. On the level of our mentality, we are still dependent on fraternal peoples (including Russia)."

Valeria Yevtushenko
Student

"Yes, we are independent. We have obtained what we wanted –

namely, democracy. We have many freedoms: the right to choose, for example. But we don't always make the right choices. I think if we still have our independence, in spite of all our loans and debts, we will not lose it. The main thing is not to imitate anyone. Also, we should remember our traditions and origin."

Kenaeth Hunziker,
Physician

"Yes, Ukraine is truly independent and I hope it won't lose it again. The first time I came here about 15 years ago, I saw sad people dressed in black. Now Kyiv is like Chicago or New York. People dress in bright clothes. They can express themselves. Most of all, I am proud of the people. They are wonderful here."

Yuliya Petrenko
Photographer

"What independence are we talking about? Of course, we depend on everything and everyone from childhood for air, water, money and work. Independence is only a word in official documents."

Anna Petrenko
actress

"We are not independent at all. I am not satisfied with the progress of our nation because the only thing that we have attained is abuse of power, corruption and bribes. The rich people are becoming richer. The poor people are becoming poorer."

Official: Ethiopia inks \$100 million deal to purchase more than 200 Ukrainian tanks

ADDIS ABABA (Reuters, staff reports) – Ethiopia's government has signed a deal to buy more than 200 tanks at a cost of \$100 million from Ukraine's state-owned military hardware export firm Ukrspetsexport, a Ukrainian official said on June 10.

Media in Ukraine, which has exported in the order of \$1 billion of arms annually in recent years and mostly to developing countries, said the subject of the deal could be Soviet-designed T-72 tanks.

"The deal was signed three days ago. It is one of the biggest deals for the past 15 years," said the official, speaking in Ukraine's capital city, Kyiv, and declining to be named.

The agreement comes weeks after the Horn of Africa nation signed a deal to buy unmanned aerial vehicles from Israeli company BlueBird Aero Systems for surveillance operations, according to separate Ukrainian media reports. Authorities in Addis Ababa were not available for comment on either case.

Addis Ababa has been at loggerheads with Eritrea since their 1998-2000 border war which killed around 80,000 people, and both sides have amassed



The T-72 tank (above) is one of a handful of tanks produced by Ukraine. Soviet-built factories that Ukraine inherited, including the Malyshev tank factory in the eastern city of Kharkiv, continue to churn out enough arms to rank Ukraine amongst the world's top producers and exporters of military technology, including anti-aircraft systems, stealth detection radars, rockets, airplanes and guns.

large amounts of troops along their disputed frontier ever since. Ethiopia is also wary of its porous border with Somalia, which it invaded in late 2006 to topple an Islamist movement in the

capital Mogadishu. The intervention sparked an Islamist insurgency which still rages although Ethiopian troops pulled out in early 2009.

Germany's Metro Group reveals vast expansion plans

KYIV POST

Metro Group, the leading German retail and wholesale giant which has expanded swiftly in Ukraine since first entering the market in 2003, announced plans this month to almost double its presence adding 20 new retail-wholesale outlets by 2013.

"With its huge population and the economy returning to strong growth again, Ukraine represents a very attractive market for modern retailing," said Eckhard Cordes, CEO of Metro Group, which sells everything from food and clothing to furniture and electronics at its outlets. Cordes stressed that Ukraine is a priority market for the group, which posted some 67 billion euros in 2010 sales from 2,100 stores in 33 countries across the globe. "We are convinced that there is still great growth potential for our sales divisions in the coming years," Cordes added.

Since 2003, Metro has invested

more than 470 million euro to build up a nationwide presence that has created more than 7,000 new jobs. The group currently operates more than 25 wholesale-retail centers in 18 cities across the country, most under the Metro Cash & Carry brand. In 2009, the group opened a Real hypermarket in Odesa, the first of its kind in Ukraine. A smaller outlet under the Metro Baza brand was launched in 2010.

The arrival of Metro Cash & Carry wholesale-retail outlets has helped civilize a market in which many citizens had earlier done much of their shopping strolling through puddles and crowds at disorganized outdoor flea markets. Since Metro splashed onto the scene, a growing number of citizens and retailers have opted to do their shopping at better organized and price competitive Metro outlets. Ukrainian-branded outlets mimicking the so-called "Big Box" retail format have also appeared.

→ On the move

Send On the Move news to otm@kyivpost.com or contact Oksana Faryna at 234-6500. Items should include a photograph of the individual who has recently been appointed to a new position, a description of their duties and responsibilities, prior experience as well as education. Note: The Kyiv Post does not charge for publishing these notices or any news material.



ELENA KOZYAR (Batsmanova) was appointed first Ukrainian brand partnerships manager at the regional Discovery Networks International division that covers Central &

Eastern Europe, Middle East and Africa. Kozyar will be responsible for maximizing the company's existing client relationships as well as developing new business leads with partners in Ukraine. Kozyar's appointment will support Video International Ukraine in strengthening Discovery Channel's position in the Ukrainian advertising market.

Kozyar has more than 10 years experience in advertising sales. Before joining Discovery she worked as sponsorship sales director at Smart Studio, channel 1+1's partner and as an advertising sales director with Edipresse Ukraine.



ALEKSANDR IOSKOV was promoted to chief production officer at ArcelorMittal Kryviy Rih, which is owned by ArcelorMittal, one of Ukraine's largest investors and the

world's largest steel-producing company. Ioskov has worked at the ArcelorMittal Kryviy Rih plant since 1980, working his way up from the production line to managing it. Ioskov completed a metallurgical engineering degree at Dnipropetrovsk Metallurgical University.



YULIA REPINA joined Kyiv's office of AstapovLawyers law firm as an associate within the group's international arbitration and litigation department. Prior to joining

AstapovLawyers, Repina worked as a lawyer at other leading Ukrainian law firms. She also served as an assistant to a judge at Kyiv's Pechersk District Court and the Higher Administrative Court of Ukraine. Deep understanding of Ukraine's judicial system and knowledge of specific legislation has enabled Repina to effectively apply various approaches in unusual situations to meet clients' needs.

Repina graduated from the National Academy of Internal Affairs of Ukraine.



ANDRIY STELMASHCHUK has been accepted as a partner at Vasil Kisel & Partners, one of Ukraine's leading law firms. Stelmashchuk joined the firm in 2003,

working his way up. He has since 2009 worked as a lawyer within the firm's litigation practice. During his time at the firm, Stelmashchuk has gained expertise in resolution of disputes involving tax, corporate competition, banking and finance matters. Stelmashchuk graduated from Legal Sciences Faculty of National University of Kyiv-Mohyla Academy in 2005.

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Business Sense

WITH RON BARDEN and SLAVA VLASOV



Editor's Note: Business Sense is a feature in which experts explain Ukraine's place in the world economy and provide insight into doing business in the country. To contribute, contact senior editor Brian Bonner at bonner@kyivpost.com

Repeal of tax exemptions on services to affect many

After only six months of operation, an important provision of the tax code has been repealed.

Since the tax code came into force at the start of 2011, most service industries were considered exempt from value-added tax. This affected providers and consumers of consulting, engineering, legal, accounting, audit and information technology services, allowing a number of firms to de-register for VAT.

But parliament decided recently to cancel this exemption. President Viktor Yanukovich signed the changes into law this month. When they take effect on July 1, such services will be subject to 20 percent VAT for Ukrainian clients.

It appears that this change of mind on the part of the government has come about due to shortages in government revenues. But in the aftermath, this measure will have a significant impact on many businesses.

The supply of consulting, engineering, legal, accounting, audit and IT services will be subject to 20 percent VAT (17 percent from 2014) if provided to Ukrainian clients. This VAT

will become a cost for individuals and for those industries that perform VAT-exempt activities, such as banks, and will represent an additional cash flow issue for exporters and others.

Supply of such services by non-residents to Ukrainian residents will be subject to VAT under the reverse-charge procedure. For Ukrainian residents providing services to non-residents, VAT will not be charged, but such residents will be required to pro-rate their input VAT.

In addition, providers of consulting, engineering, legal, accounting, audit and IT services will need to consider a number of other issues.

First, when the exemption was introduced, VAT payable by the service providers to their suppliers became an additional business cost for them (although this VAT was tax deductible for corporate profits tax services). As a result, many providers were forced to negotiate an increase of service fees with their customers in order to cover the related VAT costs. Once the exemption is cancelled, those customers may wish to renegotiate the level of fees being charged.

➔ Removing exemption makes sense, but the discrimination that exists between exporters of services and exporters of goods should be fixed

Second, with the introduction of the exemption, service providers were required to recognize deemed sales of their assets and pay VAT on these deemed sales to the budget. This represented an additional tax cost for service providers.

Once the exemption is cancelled, service providers need to consider technical arguments to recover VAT on deemed sales of assets from the government.

The tax code does not clearly address this issue and perhaps the

service providers will need to address it to the upper level of the State Tax Administration.

Third, companies that have de-registered for VAT will need to re-register.

At the time of the introduction of the VAT exemption, government officials were not able to explain why the exemption should be introduced and it appears that they were not aware of the negative impact this would have on the budget. Rather, they focused on their concerns about the ability of some businesses to generate dubious costs for

such consulting and marketing services (and connected VAT) to reduce their VAT liabilities to the state or increase their refunds from the state.

In our view, the cancellation of the exemption makes economic sense, but the discrimination that exists between exporters of services and exporters of goods should also be remedied.

Ukraine has a great opportunity to develop its service industry sectors with enormous potential to attract foreign investors, increase export earnings and reduce unemployment. However, the service sector is disadvantaged when compared to other sectors of the economy.

An exporter of goods is (technically) entitled to recover their input VAT, but an exporter of services is deprived of this entitlement.

Ron Barden is the lead partner with the tax and legal department at PricewaterhouseCoopers Ukraine. He can be reached at ron.j.barden@ua.pwc.com. Slava Vlasov is a partner with the tax and legal department at PricewaterhouseCoopers in Ukraine. He can be reached at slava.vlasov@ua.pwc.com.

In case you missed them, read the last five Business Sense columns by experts online at kyivpost.com



June 10 with Oksana Polhuy researching the consequences of hydrofracking at DePauw University in Indiana: "Hydrofracking for shale gas stirs environmental worries"



June 3 with Mark Khavkin and Christian Schuller: "Collecting debts could help unlock lending"



June 3 with Andriy Yarmak, independent agribusiness expert: "Ukraine's agriculture policy: perfect for hurting farmers"



June 3 with Leo Krasnozhan, visiting assistant professor and graduate advisor with the Department of Economics at the University of Texas in Arlington: "Robbing the 'Breadbasket'"



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Investors: Chornobyl could power nation again, safely

BY OLESIA OLESHKO
OLESHKO@KYIVPOST.COM

Green energy companies and scientists want crops that can be used for biofuels to be grown on land in the 80-kilometer exclusion zone around the Chornobyl nuclear plant, site of the world's worst nuclear power disaster. They say that rapeseed and corn grown on the land near the closed plant can be converted into bioethanol, and that switchgrass can be burned to provide electricity in a sustainable way.

Critics, however, argue that this use of the land, much of which is still radioactively contaminated, is fraught with danger and unnecessary given the abundance of uncontaminated land available in Ukraine.

The 2,600 square kilometers of land in the exclusion zone around the Chornobyl plant, where a reactor exploded in 1986 and spread a radioactive cloud through much of Europe, is unused and mostly uninhabited by humans because of the accident. But scientists say using half of the area could produce 200 megawatts of electricity, the equivalent of the generating capacity of a small nuclear reactor.

Dave Young, general director at Kyiv-based engineering company INS, said using the land in this way would solve many problems. "By growing biomass on these lands you can increase your energy supplies," Young said. "Besides, cultivation of these lands would create additional jobs and reduce the number of wild fires."

Mykola Proskura, deputy head of the State Exclusion Zone Management Agency, said he supports this initiative and thinks that extra energy can be produced from burning trees.

"Every year a lot of those trees burn in wildfires and release radioactive particles into the air with smoke," Proskura said. "But if we cut these trees and burn them in facilities equipped



A sign marking the Chornobyl exclusion zone, an 80-kilometer highly radioactive area surrounding the nuclear plant that exploded in 1986. Some scientists think crops for use in biofuels can be grown in the area where few humans live. (Kyiv Post file photo)

with special smoke filters, we'll get extra energy. It's going to be clean energy; its production won't damage the ecosystem."

Belgian native Loic Lermieux, co-founder of PhytoFuels Investments, said that while Western countries are struggling to find land to grow biomass, Ukraine keeps this resource unexploited. While PhytoFuels is primarily working on projects outside the Chornobyl zone, the Chornobyl project is important as makes an area productive that would otherwise go unused.

"I can understand the safety issues for workers here," Lermieux said. "But this process can be fully auto-

mated and the operator will stay in the tractor and will have no need to go outside."

PhytoFuels hopes to sow the first land plots in contaminated zones within weeks. The research project will be executed by three partners: PhytoFuels Investments, who will fund sowing in the zone; Ukraine's state agency of exclusion zone management, which will monitor the project and do radioactive analysis of the product; and the Netherland-based Wageningen University and Research Centre who will be in charge of research protocols.

Lermieux declined to reveal the

investment being pumped into the project so far and how much could ultimately be invested. The cost of establishing a standard power generating business based on biomass that produces 3 megawatts of power is about \$10 million, he said. However, costs could run higher in the contaminated Chornobyl zone, Lermieux added. The investment needed to produce the same amount of energy as a small nuclear power plant using biomass from the contaminated zone would be in the \$500 million range.

Lermieux said that Ukraine's state agency of exclusion zone management has thus far put at PhytoFuels' disposal

three small plots with different radioactivity levels for tests. Four people will be directly engaged in sowing the seeds.

Opponents are concerned about the safety of workers and the release of radiation from processing these crops into energy.

"I don't understand this. Why would you grow something within the alienation zone?" asked Mykhailo Umanets, former director of the Chornobyl plant. "There is so much arable land being wasted, so why would you want to spend extra money and do something in the zone?"

Olena Rybak, director of European-Ukrainian Energy Agency, is not impressed with the criticism.

"If these experiments prove that energy crops grown in the zone can be treated into biofuels, it would be unwise not to use it," Rybak said. "If nobody did it before, it doesn't mean that it's not possible."

Lermieux said Ukraine doesn't have significant reserves of land assigned for biomass production, so it needs to explore the opportunities of using barren lands for growing energy crops.

Some energy market players see no alternative to nuclear energy, pointing to the fact that Ukraine gets nearly half of its electricity from four nuclear power plants still in operation. But proponents of biofuels say that energy crops, along with other alternative energy sources such as windmills and solar power, offer a cleaner and safer alternative and could, in theory, reduce the need for Ukraine to build new nuclear power stations.

Studies on growing and processing biomass in the Chornobyl zone will take several years. "If the results are promising we can start creating a consortium of companies who'd invest in bio energy production," Lermieux said.

Kyiv Post staff writer Olesia Oleshko can be reached at oleshko@kyivpost.com

EU: Illegal logging pervasive, threat to biodiversity

→1 The regulation is an example of a growing trend to encourage proper forest management and discourage violators.

"Presently throughout the world, there is a movement toward sustainable forestry management," said Viktor Mauer, head of the civic council under the State Forest Resource Agency. "And in this relation, there is timber that is illegally harvested, and timber that is harvested in breach of biological diversity, for example."

The World Bank estimates that 20-30 percent of all timber harvested in Ukraine is illegally logged. Experts say that current government procedures for certifying the legality of wood origins are weak and contain loopholes such as the ability to alter documents and opportunities for bribes to forest rangers.

Global annual losses from illegal cutting of forests, including governments' loss of tax revenue, are estimated at more than \$10 billion, more than eight times the total of official developmental assistance for sustainable forest management, according to World Bank calculations.

Forests cover 17.5 percent of Ukrainian territory, or some 603,000 square kilometers, according to the for-



Illegal logging in Ukraine runs deep and has proven to be hard to combat even when it occurs close to top officials in the nation's capital city. In January, for example, workers chopped away at a park in Kyiv's Darnytsia region (above) despite a presidential order to halt cutting down of any trees in the city. (Ukrainian Photo)

est law enforcement and governance project financed by the European Union. The EU says illegal logging is so pervasive that it poses a threat to forests and biodiversity.

Ukraine last year exported \$828 mil-

lion in timber and timber products, the Ukrainian State Statistics Committee reported. The forestry sector accounts for roughly 1.3 percent of the country's gross domestic product, more than \$1 billion.

Serhiy Sagal, head of the Furniture Industry Association said that last year Ukrainian companies exported 2.9 million cubic meters of wood to the West, mostly to EU countries, and \$50 million worth of furniture.

"The EU directive will affect everybody in the forestry industry. This is serious, it could be a real barrier to the EU market," Sagal said.

"Nobody knows how to comply. The authorities aren't informing us and they really should pay more attention, especially since the State Forest Resource Agency is the largest exporter of wood," he added.

Roughly 10 percent of forestland – or 1 million hectares – is certified and about 30 wood-harvesting companies have certification that the origin of their wood is legal, according to Vitaliy Storozhuk, a forestry expert and consultant to the World Bank.

But more needs to be done to strengthen tracking systems, Storozhuk said. The scope of wood certification needs to be broadened, the World Bank expert said, together with forestry management bodies.

"We should turn our efforts towards the state supervising the origin of wood, from harvesting to processing. It

is necessary to develop or extend the concept of a national electronic wood tracking system," he said.

According to the World Bank, sustainable forestry management is "hampered by: poor roads, overly conservative harvesting levels, and inappropriate forest classifications."

Environmentalists say forests provide a broad variety of environmental, economic and social benefits including timber and non-timber forest products and environmental services essential for humankind, such as maintaining biodiversity and ecosystem functions and protecting the climate system.

Ukraine ranks eighth in Europe in terms forestland percentage, the majority of which is located in the northern parts of the country and in the Carpathian Mountains where many old growth forests live.

The new EU legislation is similar to the U.S. Lacey Act, which makes it illegal to handle fish or wildlife produced illegally outside the U.S. An amendment to the Lacey Act to extend it to timber products was agreed by the U.S. Congress in June 2008.

Kyiv Post staff writer Mark Rachkevych can be reached at rachkevych@kyivpost.com

Officials sue abroad to redress rampant corruption at home

BY VLAD LAVROV
LAVROV@KYIVPOST.COM

Seven years after a U.S. court convicted former Ukrainian Prime Minister Pavlo Lazarenko on corruption charges, American judges are once again hearing cases in which massive-scale theft is allegedly taking place in Ukraine.

In contrast to the Lazarenko case, initiated by U.S. officials who went on to prove that the leader from 1996-97 laundered illegal proceeds in America, a new wave of allegations is being instigated by rival Ukrainian political groups: President Viktor Yanukovich and his top rival, ex-Prime Minister Yulia Tymoshenko.

In the latest cases, the common denominator is again using foreign courts to pursue justice for alleged theft at home – a sad symbol not only of dirty government in Ukraine but also the chronic lack of confidence in this nation's courts.

Both sides admit the nation is beset by rampant corruption coming at the expense of the nation's citizens. But the rivals deny the cheating is coming from within their own camps and frequently shift blame elsewhere – often to each other.

In one small slice of the allegedly sordid dealings, a U.S. federal judge in Oregon on June 8 ruled by default that Oregon-based Olden Group – which failed to show up for the hearing – should repay plaintiff Ukrvaksina, a state-owned enterprise that buys vaccines, \$60 million. The award is triple the amount that the state firm claimed it was overcharged purchases in 2008-2009.

The civil racketeering lawsuit against Olden Group, whose beneficiaries are hidden behind a web of offshore companies, was initiated by Yanukovich's government.

Filed by a group of U.S. lawyers, including Mark MacDougall of Washington-based law firm Akin Gump, the complaint is based on allegations by the current government of misspending and abuse that occurred when Tymoshenko was prime minister in 2007-2010.

While Tymoshenko is not herself named as a defendant in the Oregon case, government officials have repeatedly described the lawsuit as an attempt to recover funds siphoned out of Ukraine under her leadership. Tymoshenko, however, counters that individuals close to her successor, Prime Minister Mykola Azarov, were behind the allegedly overpriced state purchases of vaccines. Like Tymoshenko, Yanukovich and Azarov deny accusations of wrongdoing.

Tymoshenko also fired a legal volley of her own last month: a class-action lawsuit in a New York court accusing Yanukovich and his inner circle of cheating Ukraine out of billions of dollars in the natural gas trade. It represents another round in her ongoing war with billionaire Dmytro Firtash, the industrial magnate and gas trader that she eliminated from the lucrative Ukrainian-Russian gas trade when she was in power in 2009.

Firtash, in turn, won a June 8, 2010, arbitration ruling in Stockholm, Sweden, that returned the Firtash co-owned RosUkrEnergo 12.1 billion cubic meters of natural gas – worth more than \$3 billion – that Tymoshenko had seized a year earlier.

While each side in the vaccine case blames the other, few dispute that grand-scale corruption and embezzlement were at play. Olden Group, however, has denied wrongdoing through a lawyer and could appeal.

Akin Gump, which represents Ukraine in the Oregon case, completed a report commissioned by Ukraine's government shortly after Yanukovich came to power on Feb. 25, 2010. The probe was done jointly with Washington colleagues Trout Cacheris and New York-based Kroll, a leading investigative and risk consulting company. The 176-page analysis that reportedly cost taxpayers around \$3 million has been used as a basis for criminal charges against Tymoshenko.

In addition to the vaccine dealings, the report's authors claim to have uncovered other wrongdoing by Tymoshenko, charges that are being prepared for trial in Ukrainian courts.

Investigators with Prosecutor General Viktor Pshonka have, in recent months, accused Tymoshenko of misspending nearly \$300 million in Kyoto Protocol funds and of wrongfully purchasing 1,000 Opel Combo vehicles for use by rural doctors. She calls the allegations bogus.

The investigations into Tymoshenko and arrests of about a dozen members of her government have been criticized in the West as political persecution.

Yet in recent days, Yanukovich's government pointed to the Oregon court ruling as evidence that even a U.S. court backs their claims against the Tymoshenko government. Her tenure as premier ended in March 2010 after Yanukovich defeated her in the presidential election a month earlier.

Azarov hailed the Oregon court ruling, describing it as a "new step in [Ukraine's] fight against corruption," and only the beginning of "great work by the international auditors to return [taxpayers'] money."

Meanwhile, Covington & Burling, a high-profile law firm hired by Tymoshenko, was expected on June 17 to hold a press conference in Washington, D.C., to reveal findings that investigations against their client are fabricated and politically motivated.

Pointing fingers

Determining who is telling the truth and who stands behind the allegedly corrupt dealings is difficult due to a web of complicated paper companies, mainly registered abroad. But there are obvious signs of dubious dealings across governments.

For example, according to the complaint filed in the Oregon district court by Ukrvaksina, the state medical procurement company signed contracts with Kyiv-based Interfarm to import vaccines for nearly \$40 million.

Produced by France's Sanofi Pasteur, the medications were supplied to Interfarm, which in turn bought them, allegedly at an inflated price, from Olden Group. According to the Oregon Business Registry, Olden Group is owned by two offshore firms registered in Belize and the island of Niue.

According to Ukrvaksina's complaint, had Interfarm bought the vaccines directly from Sanofi, the price paid by Ukraine would have been substantially less.

"Interfarm and Olden Group conspired to overcharge Ukrvaksina for millions of dollars in vaccine purchases through acts of fraud, money laundering and other criminal acts," reads the state company's complaint to the U.S. court. "Olden Group and Interfarm carried out their scheme by submitting false invoices and customs declaration forms and entering into sham contracts with each other, all for the purpose of deceiving Ukrvaksina."

Ukrvaksina's lawyers claim that the manufacturer's prices for these vaccines are between \$3-4 per dose, half of what Interfarm ultimately charged Ukraine. The Kyiv Post was unable to contact Interfarm or Olden Group.

But according to the claim, Ukraine incurred losses of \$19 million, funds which were allegedly laundered and routed through a number of U.S. banks before landing in Olden Group's account in a Latvian bank.

Lawyers representing Ukrvaksina claim that Olden Group is a fraudulent company. They point to evidence that one of its major shareholders, Niue-based International United Holding, was dissolved by the local authorities back in 2006. Oregon records indicate that Olden Group had been dissolved days before the U.S. court ruling, on May 27.

While Tymoshenko's side does not rule out that violations took place, they are quick to point out that neither she, nor any political ally of hers that served in her coalition government, are defendants in the case.

Rather, lawmaker Serhiy Vlasenko, also Tymoshenko's lawyer, says that some of the contracts in question were signed by Zynoviy Mytnyk. A deputy health minister under Tymoshenko, Mytnyk was promoted to health minister in Azarov's government, but was fired last December.

Through a spokesperson, Mytnyk – now retired – said he merely signed off on the transactions, but was not

involved in the tender committees which de facto approved the vaccine purchases.

"Interfarm dealt with Ukraine's government since 2000, [including the years when Yanukovich was prime minister.] But this investigation, understandably and for political reasons, concentrates on the years when Tymoshenko was in power," said Vlasenko, adding that Tymoshenko as prime minister repeatedly asked prosecutors to investigate procurement dealings.

"Mytnyk was the only member of Tymoshenko's government who got to be a minister in the Azarov government. Perhaps, this is out of gratitude for his role in the medicines procurement," Vlasenko said.

Ironically, some of the offshore companies that Trout Cacheris says were used for medical procurement purchases under Tymoshenko are still being used today by the Azarov government.

According to the Trout Cacheris report, the Ministry of Health and Ukrvaksina in 2009 actively used a different scheme of intermediaries centering on United Kingdom-registered Eurostate Corporation. This firm is linked to a group of Irish shell companies that share three directors in common: Latvian nationals Stan Gorin, Juri Vitman and Eric Vanagels. The deal uncovered by Trout Cacheris involved \$20 million worth of vaccine purchases, allegedly at inflated prices.

But what the report by Akin Gump, Trout Cacheris and Kroll failed to point out is that the very same individuals were also involved in controversial deals conducted under Yanukovich's rule.

An investigation by Nashi Groshi (Our Money), a Ukrainian public procurement watchdog, suggests that shell companies run by the same Latvian individuals were used this year by state-owned hydrocarbon company Chornomornaftogaz to purchase an oil rig. Nashi Groshi estimates the amount overpaid for the rig to be \$150 million. Current Ukrainian government officials deny wrongdoing in connection with such allegations.

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Jailhouse Watch



Editor's Note: Experts say excessive pre-trial imprisonment is a major human rights problem in Ukraine, where suspects can be jailed for up to 18 months before trial. The practice violates democratic principles that call for speedy, fair and public trials as well as the presumption of innocence until proven guilty.

Former high-ranking government officials in jail



Yuriy Lutsenko
The former interior minister, arrested in December for alleged misappropriation of state assets, is still in jail. He has ended a hunger strike and a court started hearing the case against him.



Valeriy Ivashchenko
The former acting defense minister was arrested in August on suspicion of abuse of office. Due to health problems, he spent four days in a hospital, but is now back in jail awaiting trial.



Viktor Kolbun
The former deputy pension fund board chairman was arrested in November on suspicion of exceeding authority. The Kyiv prosecutor's office completed an investigation of the charges and transferred the case to court.



Tetiana Hrytsun
Former treasury deputy head was arrested in July on suspicion of abuse of office and is still in jail awaiting trial.



Anatoliy Hrytsenko
The former Crimean parliament speaker was arrested in January on abuse of office charges and illegal allocation of land plots. He is still in jail, but the case is supposed to be transferred to court within a few weeks.



Volodymyr Rabotnyov
The former deputy transportation minister is charged with revealing state secrets. He has been under house arrest since January, while the Security Service of Ukraine has completed its investigation and transferred his case to court.



Ihor Didenko
The former deputy head of Naftogaz was arrested in July 2010 on suspicion of abuse of office involving the 2009 gas deals with Russia for which ex-Prime Minister Yulia Tymoshenko is under investigation. Didenko remains in jail as the Pechersk court returned the case to the general prosecutor's office for revision of indictment.



Taras Shepitko
The former deputy head of the Kyiv regional energy customs service office was arrested in July 2010 on suspicion of abuse of office, involving the same gas deals in which the state seized gas from RosUkrEnergo, only to have it returned after a Stockholm arbitration court ruling. He remains in jail as the Pechersk court returned the case to the general prosecutor for revision of indictment.



Anatoliy Makarenko
The former customs service head was arrested in July 2010 on suspicion of abuse of office. He remains in jail as the Pechersk court returned the case to the general prosecutor for revision of indictment.



Chinese President Hu Jintao (R) toasts Ukrainian President Viktor Yanukovich after a signing ceremony at the Great Hall of the People in Beijing on Sept. 2, 2010. Yanukovich traveled to China to intensify the political dialogue, increase trade and promote contacts between businesses of the two countries. Jintao is returning the favor in Ukraine from June 18-20. (AFP)

Investment-hungry Ukraine will host visit by powerful Chinese president

BY YURIY ONYSHKIV
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Chinese President Hu Jintao will visit Ukraine to discuss bilateral cooperation, investment opportunities and sign agreements aimed at intensifying cooperation.

The visit is scheduled for June 18-20. The Chinese president will first arrive in Crimea and then will visit Kyiv. This is his first visit to Ukraine.

Until recently, the two countries did not show much interest in cooperation. The last visit from a Chinese president came 10 years ago. After President Viktor Yanukovich took power on Feb. 25, 2010, Ukraine increased the tempo of its Eastern diplomacy.

Ukraine is struggling to get another International Monetary Fund loan and wants to attract investment from China, one of the world's top lenders and economic powerhouses. China views Ukraine as a threshold to the European Union, where it seeks to expand its markets.

"All Chinese analysts whom I talked to clearly say that China is interested in Ukraine integrating into the European Union, and not reintegrating with Russia-led integration initiatives on the post-Soviet space," said Valeriy Chaly, deputy head of the Kyiv-based Razumkov Center. "They are interested in economic expansion in the European region."

Oleksandr Dykusharov, a spokesman for Ukraine's Foreign Ministry, told the Kyiv Post that the Ukrainian and Chinese presidents plan to sign several bilateral documents. Ukraine's ambassador to China, Yuriy Kostenko, said these deals involve infrastructure projects as well as cooperation in the energy sector, coal industry and agriculture in Ukraine.

The presidents also plan to sign a joint declaration on the establishment of a strategic partnership.

Some, however, are uncertain whether Ukraine's relations with China are of

→ **Hu Jintao trip comes year after Yanukovich visit to Beijing**

strategic nature. "I have doubts whether one can now call the level of relations between Ukraine and China a strategic partnership. It has to be analyzed. I do not think such ambitious statements should be announced ahead of real actions," Chaly said.

While visiting China in September, Yanukovich said that Ukraine wants to attract as much as \$4 billion in Chinese investment, including money for a high-speed train connection between Kyiv and Boryspil International Airport. But little has materialized.

Chaly suggests that Jintao's visit to Ukraine may also not bring any concrete results.

Oleksiy Haran, scientific director of the School for Policy Analysis in Kyiv, praises efforts to develop relations between Ukraine and China, but warns that they have to be based on national interests rather than ideology.

Last December, Ukraine ended up in an awkward situation when, by trying to please China, it did not send the Ukrainian ambassador in Norway to the Nobel Peace Prize celebration honoring a Chinese dissident who won.

"The question is what will prevail in these relations — authoritarian ideological affinity [between Chinese and Ukrainian authorities] or promotion of true Ukrainian interests," Haran said.

Kyiv Post staff writer Yuriy Onyshkiv can be reached at onyshkiv@kyivpost.com

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Authors: EU needs to prevent Belarus-style authoritarianism

→ **4** its terms and the party voted against the 2006 gas contract. Should officials who negotiated these two deals also be prosecuted? In fact, Russia and Ukraine's gas transit relationship is as precarious today as it was during the Orange Revolution governments of ex-President Viktor Yushchenko and Tymoshenko, a fact that the EU seems to ignore in spite of the 2006 and 2009 gas cutoffs by Russia.

The charges are cynical and absurd against Lutsenko, who is accused of overpaying a pension to his police driver. The same is true about the charges against nine leaders of the autumn anti-tax code protesters, who are accused of damaging floor tiles during the protests. Lutsenko has been imprisoned since December 2010 and Tymoshenko faces travel restrictions. Meanwhile, ex-President Leonid Kuchma – charged with the more serious crime of abuse of office that led to the Sept. 16, 2000, death of journalist Georgiy Gongadze – is free and able to travel abroad.

We believe the EU needs to present clear red lines to Yanukovich and take these five steps:

- Halt the "virtual dialogue" that has failed to produce changes in Ukrainian policies and has in fact made the situation worse. If Ukrainian authorities are unwilling to heed any criticism of democratic failings now, there is no likelihood they would do so when the nation



Deputies of the Ukrainian opposition set placards reading "The galloping prices are genocide against Ukrainians", "No communal and gas lawlessness" and "No way to the cemetery earlier than to pension" during a ceremony of the opening of the new session in Kyiv on Sept. 7, 2010. The Ukrainian opposition protested outside the parliament's building against anti-Ukrainian policy of President Viktor Yanukovich and his majority in the Parliament. (AFP PHOTO/ Natalia Slipchuk)

has new political and trade agreements with the EU.

- Show greater willingness to use both carrots and sticks. The Ukrainian authorities have until now wanted to have their cake and eat it – rolling back democracy in Kyiv while claiming to sign up to European values in Brussels.
- Insist that Ukraine continues to

abide by its International Monetary Fund program, which has stalled.

- Demand that Ukrainian authorities halt all politically motivated criminal cases and release those who are incarcerated. The charges against Tymoshenko seem to be intended to prevent her from standing in the 2012 parliamentary and 2015 presidential elections and to intimidate

the opposition in general.

- Urge inclusivity and transparency. The Yanukovich administration's attempts to undertake reforms while antagonizing half of the country are doomed to failure.

At the November EU-Ukraine summit, Yanukovich replied to EU criticism of democratic regression by saying he hoped there would be a "growth

of trust that everything we say we undertake." But today, there is no trust in Yanukovich's words because they are so at odds with his actions. Negotiations are continuing in a climate of distrust, which is a recipe for disaster.

The EU should advance free trade and political agreements only if the Yanukovich administration demonstrates its clear commitment to European values. The EU needs to be tougher with Ukraine now.

Professor Dan Hamilton is executive director of the American Consortium on European Union Studies and director of the Center for Transatlantic Relations at the School of Advanced International Studies, Johns Hopkins University. Taras Kuzio is a senior fellow at the School of Advanced International Studies at Johns Hopkins University. Professor Lucan Way is at the University of Toronto. Edward Chow is senior fellow in the Energy and National Security Program at the Center for Strategic and International Studies. Nico Lange is director of the Konrad Adenauer Foundation in Ukraine. Mykola Riabchuk is a Reagan-Fascell Democracy Fellow at the National Endowment for Democracy. Professor Yaroslav Hrytsak is at the Ukrainian Catholic University. Professors Olexiy Haran ad Serhiy Kudelia are at the Kyiv Mohyla Academy University. Yuriy Lukanov is an independent journalist and civil society activist.



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Danish airline seeks lifeline from billionaire

COPENHAGEN (Reuters) – Struggling Danish airline Cimber Sterling is seeking a 165 million Danish crowns (\$31.28 million) lifeline from a Ukrainian billionaire, which could be a step to creating a regional Nordic airline.

Cimber said on June 16 it has agreed a preliminary deal with Cyprus-based Mansvell Enterprises, 75 percent-owned by Ukrainian businessman Igor Kolomoisky, which already owns two regional Swedish airlines.

"The aim is to create a strong Nordic airline," Cimber Sterling's chairman Vilhelm Hahn-Petersen said in a statement.

"It would be a company with a strong position in Denmark and Sweden to begin with," Hahn-Petersen said. "I feel very convinced that they are pretty aggressive in their strategy."

Mansvell already owns Swedish regional airline Avia Express Sweden AB (Skyways), which in turn recently peer City Airline. Cimber said Mansvell could become its majority

shareholder with a stake of about 66.7 percent.

The term sheet was the first formal step towards negotiating a binding subscription agreement under which Mansvell would commit to subscribing for shares in Cimber Sterling for about 165 million crowns, Cimber said in a statement.

The main terms of a possible subscription for shares would be based on 110,000,000 shares at a subscription price of 1.50 crowns, Cimber Sterling said in the statement. The term sheet and execution of a subscription agreement are subject to conditions, such as completion of a due diligence, approval from the Danish Transport Authority and Cimber's shareholders at a general meeting, it said.

Cimber said it aims to finalise the deal, which would see Manville buy 110,000,000 shares at 1.50 crowns each, by the end of this month and obtain approval from shareholders by the end of July. The company said it would stay listed on the Copenhagen stock exchange.

Domestic IT market up nearly 30 percent in 2010 to 1 billion Euros

KYIV POST

The Ukrainian information technology market increased by 29.6 percent to more than 1 billion Euros in 2010, telecompaper.com reported on June 10.

According to the report, domestic sales and exports of IT products and services bounced back from pre-crisis levels during this period, with the growth "mainly driven by hardware sales, specifically by purchases of the notebooks, which increased in value by more than two thirds year-on-year." According to the report, many companies and private entrepreneurs cut budgets on IT expenses during the 2009 recession.

"IT services and the sales of software licenses also showed a double digit growth, according to a research by PMR. Overall, since 2008, when the market reached its

maximum, IT spending in Ukraine dropped by 40 percent," telecompaper.com added.

In analyzing the Ukrainian market, Telecompaper.com concluded that Ukraine's IT market is very "hardware orientation." "In 2010, hardware sales accounted for nearly 80 percent of the total sales on the Ukrainian IT market, followed by IT services (12.7 percent) and software (7.5 percent). In 2010, computer penetration reached 21 percent of the country's population," the publication wrote.

"In the 2011-2012 period, the Ukrainian IT market is expected to maintain its dynamic growth. The Euro 2012 soccer cup, industrial cooperation projects with Russia and also the recovery of banking financing are expected to drive economic recovery and, as a result, demand for IT," Telecompaper.com predicted.

Herman, Nemyria spar over rights abuses at Freedom House event

→ **1** them on suspicion of corruption. These are "high-ranking government officials, from ministers, deputy ministers, heads of tax administration, held criminally liable for corruption," Herman said. "I do not remember so many current officials held accountable by the past government."

But is it true?

As it happens, former Deputy Prime Minister Hryhoriy Nemyria – a confidante of Yanukovich's top rival, ex-Prime Minister Yulia Tymoshenko – was sitting at Herman's right side. He stood up and pressed her to back up her claims. She handed a five-page paper to Freedom House executive director David J. Kramer, then promptly walked out of the room and left the gathering.

As it turns out, the list she turned over to Kramer doesn't contain 478 names of government officials, high-ranking or otherwise, under investigation. It appears to be a Security Services of Ukraine document written to rebut charges of politically motivated prosecutions.

The report cites several investigations of public officials, with Bohdan Presner being the highest ranking among them. Amid corruption charges, he was removed from his duties in 2010 as deputy ecology minister in Prime Minister Mykola Azarov's government. But this little-known official also served in a lesser position in 2009-2010 under the Tymoshenko government.

The others cited by Herman were primarily lower-level or local officials. In any event, the cases cited didn't come anywhere close to 478 people.

So is she telling the truth or not? If so, where's the list of names which journalists have for months asked to see and why can't anyone – not the administration or the general prosecutor – provide such a list?

Nemyria said simply that Herman's claims are not true and amount to pure political propaganda. "There is no list," Nemyria said.

Yuriy Boychenko, a spokesperson for General Prosecutor Viktor Pshonka, told the Kyiv Post that 18 criminal



Ex-Deputy Prime Minister Hryhoriy Nemyria.



Presidential aide Hanna Herman

cases were launched against high-ranking officials in the previous government and seven against officials in the current government. He confirmed Herman's claim that many officials, from both current and former governments, have been charged with corruption.

A spokesperson for the Security Service of Ukraine, known by its SBU acronym, said that from January through April, the agency has launched 462 criminal cases against current and former government officials. But he could not breakdown what share of these individuals served under which governments.

Both the general prosecutor and SBU refused to give out the full list of these people, arguing that they cannot publish people's names before the court ruling, a practice routinely flouted.

The debate over "the list" came against the backdrop of harsh criticism by Freedom House in its report, "Sounding the Alarm: Protecting Democracy in Ukraine," released months earlier.

In it, Kramer – a former U.S. assistant secretary of state – told assembled journalists, human rights offi-

cial and political rivals Herman and Nemyria that concerns are high about Ukraine's retreat from democracy under Yanukovich. Most troubling, he said, are the monopolization of political power, the status of free and fair elections, the lack of independence of the judiciary, restrictions on independent media and politically motivated criminal prosecutions.

"It is necessary to take into account fair criticism, and we will," Yanukovich said in response on June 15. "I can be blamed for the fact that we sometimes take tough decisions. But it is such time now that we have to put our own country in order as soon as possible."

Damon Wilson, executive vice president of the Atlantic Council, called on Yanukovich to take the following steps: respect media and civil society groups; restrain the SBU and other law enforcement groups; end politically motivated prosecutions and pursue a credible anti-corruption campaign, among other steps.

"Left unchecked, Ukraine is head toward a path of autocracy and kleptocracy," Wilson said.

Kyiv Post senior editor Brian Bonner can be reached at bonner@kyivpost.com and staff writer Yuriy Onyshkiv can be reached at onyshkiv@kyivpost.com.



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June 11 Saturday	Friends vs EverGreen	Friends won by 55 runs	Friends: 147 all out EverGreen: 92 runs all out
	Kagarlyk vs Seniors	Seniors won by 32 runs	Kagarlyk: 122 runs/5 wickets Seniors: 154 runs/8 wickets
June 12 Sunday	BUCC vs Friends	Friends won by 8 wickets	BUCC: 81 all out Friends: 82 runs/3 wickets
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New TV recipe: Cooking for fun



WITH ALISSA AMBROSE

Cheap thrills: A bicycle trip on Trukhaniv

Kyiv is alive with culture: museums, theaters and clubs abound. But occasionally, it is nice to get away from the hustle and bustle of city life. When you don't have time for a road trip to the Carpathians, or all your friends with dachas are unavailable, Trukhaniv Island offers the perfect spot for an easy one-day escape.

Though the island is accessible by foot or car, bicycle is the ideal way to get around. If you don't have your own, you can rent one at the Your Bike shop hidden in a courtyard a few blocks from the Poshtova Ploscha metro stop in Podil.

Follow the road back toward the subway, go down the hill towards the trolley tracks and after a few minutes you will see the entrance to a steep road on your right. Follow this up the hill and over the Parkovy Bridge. Crossing the river is a good time to pause and take a few snapshots of Kyiv's skyline, framed by tree-covered hills and the curves of the Dnipro River.

Once you reach Trukhaniv Island, it is tempting to stop for a quick swim and some cheap beer or kvas – a refreshing, non-alcoholic fermented beverage that tastes something like a combination of beer and cola – from the many snack kiosks. But, if you are a true nature lover, I recommend continuing along Trukhanivska Street.

When you cross the bridge, you will see paths to the left and right, take the central route straight ahead and follow it through a fragrant pine forest with stunning, lush views of the city from across the river. Be cautious as cars are allowed on the narrow road and drivers do not pay much mind to pedestrians.

Coming out of the forest, keep left to pass underneath Moskovsky Bridge. There are a few small cafes here and if you haven't packed a picnic, you may want to stop and grab a sandwich or a bottle of water before moving on.

Continue straight after the cafes and you will see the entrance to Druzhby Narodiv park. On a nice day, there should be plenty of bathing suit-clad park goers milling about. Enter through the gates and follow the crumbling cement walkway until you reach a smaller, dirt path. Be careful here – in dry weather sand traps will easily topple even the most expert riders.

Follow the path to the right and, when you reach the wooden footbridge, cross over to find several small beaches. It is an ideal spot to take a rest, soak up some sun and refresh yourself with a swim. The water here is remarkably → 17



Singer Fahot (L) shares his childhood memories and a favorite recipe of a honey cake with host Olha Herasymiuk during her show 'Taste of Life' in May. (Courtesy)

BY OKSANA FARYNA
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Characters on famous British and American television shows long ago popularized cooking as a hobby, while Russia's Yulia Visotskaya became something of a celebrity with her "Eat At Home" cooking show and recipes. And now Ukrainians, whose women have legendary prowess in the kitchen, are warming up to the idea of cooking as fun rather than a daily chore. Even men are joining in.

While some blog about their kitchen adventures, others tune into dynamic and often celebrity-sprinkled food programs.

Last September, five more original pots-and-pans shows were added to a dozen formats – both homegrown and spinoffs on foreign versions – already entertaining food junkies. In a rush to

→ Five television shows devoted to culinary arts, including Olha Herasymiuk's "Taste of Life," have hit the airwaves recently to celebrate what we all love so much: eating tasty food.

fill a new niche, some Kyiv restaurants started offering special cooking classes to teach business ladies the art of Italian risotto or equip businessmen with the seductive powers of tiramisu.

"People started finding a lost flavor of life," said Olha Herasymiuk, a member of parliament and host of "Taste of Life" show launched on the TRK Ukraine channel in spring. (The show is produced by ISTIL Studios, part of

the company that owns and publishes the Kyiv Post.) "We have always had strong culinary traditions," Herasymiuk said. "But it so happened that when the Soviet authorities came to power and other awful things happened, we were weaned off the art of eating."

The old cooking traditions of borscht and varenyky passed from one generation to another. But the sights and smells of foreign cuisines, other than

those from neighboring states, had a hard time penetrating the border. This monotony existed until the early 2000s, when it became possible to travel near and far with less difficulty and often more affordably than in Soviet days.

Businessman Serhiy Zuzak remembers the lack of variety on his table when he studied economics in Kyiv Mohyla Academy at the end of 1990s. Living in a dormitory, he often fried potatoes and cooked borscht. Now, the 31-year-old investment manager at System Capital Management, a Donetsk company owned by Ukraine's richest billionaire Rinat Akhmetov, Zuzak often travels abroad. He collects cookbooks and entertains his friends with exquisite meals in his free time.

"While cooking, I am not interested in recipes as much as in the physics of the process," Zuzak said. "I want → 19

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Belgium: July 22, National Day

Switzerland: August 5, Confederation Day

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Saturday, June 18



'Soapbox' car rally

The Ukrainian car industry may not be as sophisticated as the Japanese or German, but we do have creative minds who can assemble a car out of nothing. Car enthusiasts will present their four-wheel inventions during a rally in the city as part of the "Red Bull Soapbox" show. Your vehicle can't have an engine or be powered by any type of fuel. About 70 teams, each of four members, will show off their ingenuity: some cars are cubic, some look like a carrot, and others feature a drum set. Come pick your favorite and cheer on the racers!

Saturday, June 18, start at 1 p.m., Slavy Square, metro Arsenalna, www.redbull.com.ua, 537-7436. Free admission.

Plan ahead

Papa Roach is a four-member American nu-metal band. Mixing heavy guitar sounds with occasional rapping, almost none of their lyrics is upbeat, with subjects varying from insecurities to heart-breaks. The band's name comes from the nickname of the lead singer's step-grandfather, who committed suicide in 1996. Though some find them depressing, fans seem to appreciate the band's ability to show an emotional side in a manner that can wrench a heart. **Wednesday, June 29, Alta Expo, 11A Moskovsky Pr-kt., metro Petrivka, 287-8787. Tickets: Hr 400-800.**

Sum 41 is a Canadian punk rock band. Filled with energy, they are one of those restless bands who give over 300 concerts a year. Formed in 1996, the rockers named their group in honor of 41 days left till the beginning of a school year. Throughout their 15 years on stage they have been constantly experimenting with their style, but many fans link the most recent changes to lead singer Deryck Whibney's divorce with fellow Canadian star Avril Lavigne.

Tuesday, July 5, Stereoplaza, 17 Kikvidze St., 222-8040, metro Druzhby Narodiv, www.stereoplaza.com.ua. Tickets: Hr 300-1,500.

Mika is a British-Lebanese singer whose voice some compare to Freddie Mercury's. If you think you've never heard of this guy, how about "Relax, take it eeeeasy" lyrics? A flamboyant pop-singer, whose real name is Michael Holbrook Penniman, has already won three World Music Awards and was nominated for many others, which sounds pretty good for a singer with only two albums.

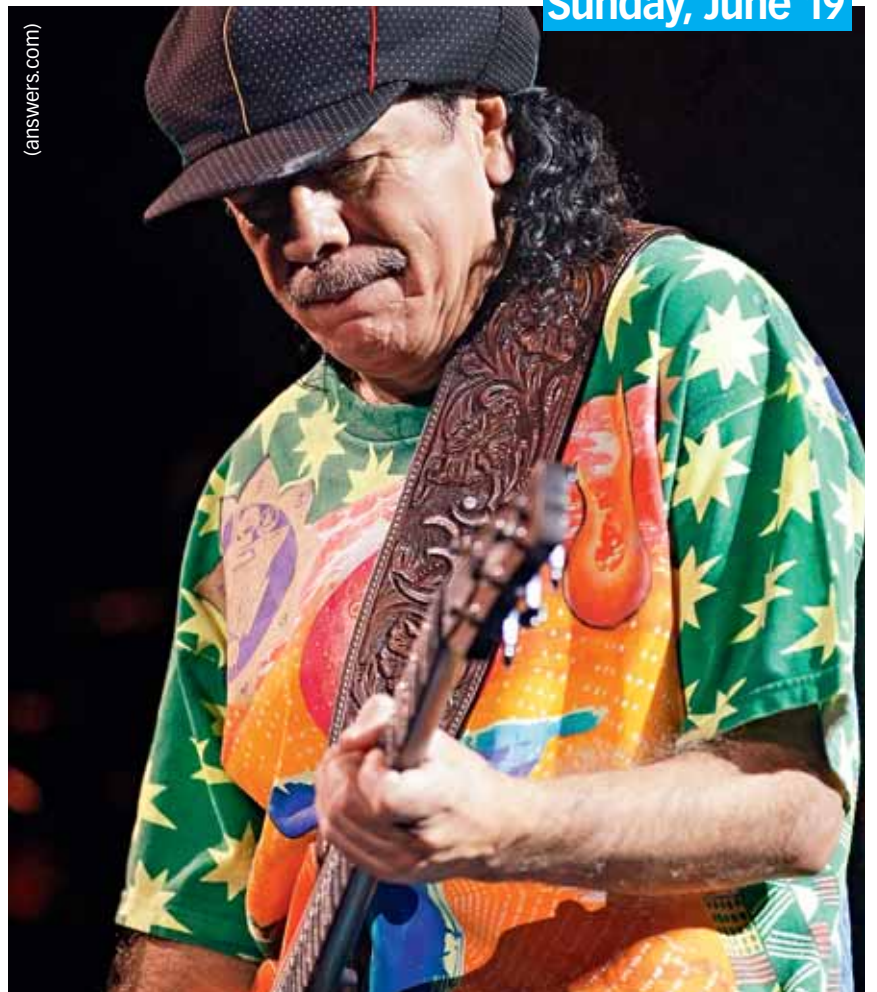
Wednesday, July 6, 9 p.m., Stereoplaza, 17 Kikvidze St., 222-8040, metro Druzhby Narodiv, www.stereoplaza.com.ua. Tickets: Hr 350-500.

Sting is the stage name of British musician Gordon Matthew Thomas Sumner. After playing bass guitar in The Police, Sting decided to drift solo in 1981 and obviously succeeded. Throughout his career, he has received 16 Grammy Awards and has written some most-played pop songs of all time, which have made his mellow, slightly raspy voice an internationally recognized trademark. In Kyiv, he will be accompanied by the National symphonic orchestra of Ukraine and promises to perform some of his and The Police's most well-know hits, including "Englishman in New York" and "Every Little Thing She Does Is Magic."

Tuesday, July 7, Palats Sportu, 1 Sportyvna Sq. Tickets: Hr 550-7,900.



Sunday, June 19



Smooth guitar from Carlos Santana

Whether you are a longtime fan of Carlos Santana, or you just fancy some classic rock, you will most likely be swooned by the "Guitar Heaven" concert. Santana is a famous American guitar player, a pioneer in jazz fusion who has won 10 Grammy Awards throughout his career. Born in Mexico, he moved to the United States and for a few years washed dishes in San Francisco. But his unique talent for getting guitar strings to sound heavenly sealed his fate.

In Kyiv, Santana will play covers of the best guitar pieces ever composed, from Led Zeppelin to Deep Purple. The task of measuring up to those guitar giants is a challenge to many, but you can be sure that Santana knows what he's doing.

Sunday, June 19, Palats Ukraina, 103 Velyka Vasylkivska St., 247-2303. Tickets: Hr 150-4,000.



Classical music in Lavra gallery

A series of modern-style classical concerts, as a part of the "Week of Classical Music," are about to fully unfold. Taking place in an art gallery, the event features nine prime concerts played by Ukrainian and foreign musicians. In charge of the show is famous Ukrainian conductor Roman Koffman.

- **Saturday, June 18:** an evening of chamber music with Gideon Kramer's and Roman Kofman's orchestras with pieces by **Tchaikovsky, Bernstein, Mozart** and others at 7 p.m. Tickets: Hr 150-600.
- **Monday, June 20:** a concert of **Wagner music** with soprano singer from Bulgaria Jordanka Derilova and Danish tenor Stig Andersen at 8 p.m. Tickets: Hr 150-600.
- **Tuesday, June 21:** French cellist Garry Hoffman and German violinist Alina Pogostkina together with the Lviv philharmonic orchestra will play pieces by **Elgar, Bruch** and others at 8 p.m. Tickets: Hr 50-200.
- **Wednesday, June 22:** violinist Misha Ovrutsky from Germany will join Belgian trumpeter Andriy Kavalinsky, Austrian cellist Ivan Monigetti along with the Kyiv chamber orchestra to perform pieces by **Haydn and Mendelson** among others at 8 p.m. Tickets: Hr 100-300.
- **Thursday, June 23:** Austrian pianist Jinsang Lee, Ukrainian violinist Dmytro Tkachenko and cellist Aleksandr Kniázev from Russia will perform pieces by **Brahms, Dvorzak** and others at 8 p.m. Tickets: Hr 50-200.

All concerts take place at the Lavra gallery, 1 Lavrska St., metro Arsenalna, 280-0290.

Movies



A scene from western 'Shane' (www.folksonomy.com)

SHANE
 US 1953
 Language: English with English subtitles
 Directed by George Stevens
 Starring Alan Ladd, Jean Arthur, Jack Palance
 An awesome classical western. Shane is a weary gunfighter who wants to live peacefully in his hometown. But instead, he finds himself deeply involved with the wife of his friend, Joe Starrett, and later gets involved in a brawl between villagers and the evil Rykers gang. Cattleman Ryker wants to take the land that belongs to Starrett. As Shane decides to stand up for the settlers, epic gun fighting ensues. "Shane" is one of those old Hollywood masterpieces that deals with seeking truth at whatever the cost. Good and evil are easily distinguishable. At least in most cases.

MASTERCLASS CINEMA CLUB
 34 Mazepy St., 594-1063
Shane
 June 23 at 7 p.m.

Compiled by Nataliya Horban and Alexei Bondarev

Best classical picks

- **Friday, June 17:** Academic symphonic orchestra will play pieces by **Mozart and Shostakovich** at 7 p.m., National philharmonic, 2 Volodymyrsky uzviz, 278-1697, www.filarmonia.com.ua. Tickets: Hr 30-80.
- **Tuesday, June 21:** National symphonic orchestra together with Boys Choir will perform **Mozart's and Mahler's** music at 7 p.m., National philharmonic, 2 Volodymyrsky uzviz, 278-1697, www.filarmonia.com.ua. Tickets: Hr 20-100.
- **Wednesday, June 22:** A concert of **jazz music** with the Bohdan Kravchuk quartet at 8 p.m., Cultural center Master-Klass, 34 Mazepy St., metro Arsenalna, www.masterclass.org/eng, 594-1063. Tickets: Hr 40.
- **Wednesday, June 22:** Chamber ensemble "Kyiv Soloists" will play pieces by **Stravinsky and Karabyts** at 7 p.m. National philharmonic, 2 Volodymyrsky uzviz, 278-1697, www.filarmonia.com.ua. Tickets: Hr 30-80.



Live Music



Nearly 20 years onstage, Green Grey plays a mix of pop-rock. (Courtesy)

ART CLUB 44
 44B Khreshchatyk St., 279-4137, www.club44.com.ua
 Concerts traditionally start at 8 - 10 p.m.
June 17 Green Grey
June 18 U2 Cover party, Hr 50
June 19 KuKa, Hr 50
June 20 3D mambo Project, free admission
June 21 Panika Trio, free admission
June 22 NoWar Concert, Hr 30
June 23 Balkan Party, Hr 20

DOCKER'S ABC
 15 Khreshchatyk St., 278-1717, www.docker.com.ua
 Concerts traditionally start at 9:30-10 p.m.
June 17 Goodlife, Vostochny Express, Hr 70
June 18 Antitela, Partizanskiye Vytivky, Hr 70
June 19 Yuhym Dym, Chill Out, free admission
June 20 Gera and Second Breath, free admission
June 21 More Huana, Hr 20
June 22 The Magma, Hr 30
June 23 Bangladesh Orchestra, Hr 30

DOCKER PUB
 25 Bohatyr'ska St., metro Heroyiv Dnipro, www.docker.com.ua
 Concerts traditionally start at 9:30-10 p.m.
June 17 Tabula Rasa, Chill Out, Hr 70
June 18 Lampasy, Red Rocks, Hr 70
June 19 Strong Time, Foxtrot Music Band, Hr 50
June 20 Mojo Jo Jo, free admission
June 21 Tres Deseos Latino Party, free admission
June 22 Rockin' Wolves, free admission
June 23 Master, Partizanskiye Vytivky

BOCHKA PYVNA ON KHMELNYTSKOHO
 4B-1 Khmelnytskoho St, metro Teatralna, 390-6106,

www.bochka.com.ua
 Concerts traditionally start at 9-10 p.m.
June 17 Carte Blanche, Tres Deseos
June 18 Hot Guys
June 23 Soul Time

PORTER PUB
 3 Sichnevogo Povstannya St., 280-1996, www.porter.com.ua
 Concerts traditionally start at 7:30 p.m.
June 17 Riders
June 18 Crazy Train
June 19 Tartila
June 22 Ivan Bliuz
June 23 Horoshyi, Plohoi, Zloi

JAZZ DO IT
 76A Velyka Vasylykiv'ska St., 289-56-06, http://jazz-doit.com.ua
 Concerts traditionally start at 8:30 p.m.
June 17 Jazz Inside,
June 18 Alexander Marchenko,
June 22 Dmitry Garkavenko

Other live music clubs:
GOLDEN GATE IRISH PUB, 15, Zolotovoritska St., 235-5188, http://goldengatepubkiev.com/
TO DUBLIN IRISH PUB, 4 Raisy Okipnoi St., 569-5531, http://www.to-dublin.com.ua/
PIVNA NO.1 ON BASEYNA, 15 Baseyna St., 287-44-34, www.pivna1.com.ua
DRAFT 1/2 Khoryva St., metro Kontraktova Ploshcha, 463-7330
KHLIB CLUB 12 Frunze St., www.myspace.com/xlibclub
CHESHIRE CAT 9 Skylyarenko St., 428-2717
O'BRIEN'S 17A Mykhayliv'ska St., 279-1584
DAKOTA 14G Heroyiv Stalinhrada St., 468-7410
U KRUZHKI 12/37 Dekabrystiv St., 562-6262.

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A trip back to Kyivan Rus

BY NATALIA A. FEDUSCHAK
FEDUSCHAK@KYIVPOST.COM

URYCH, Ukraine – When Mykhailo Rozhko brought his art students to this scenic spot in Lviv Oblast to paint, he discovered the remains of a fortress that was the principle gatekeeper along a trade route that led through the medieval kingdom of Kyivan Rus for nearly four centuries.

Perched atop a sheer cliff, Tustan was a log fortress, built onto natural rock formations, that flourished from the 9th to 13th centuries. The height of the main building was estimated at 17.5 meters, housing five stories in its heyday.

Today, after 33 years of painstaking archaeological digs and research, experts have reconstructed the life and times of the uniquely constructed fortress.

The story of Tustan's rediscovery is a father-and-son tale of dedication to uncovering and understanding a part of modern Ukraine's past.

Rozhko set about studying the grooves and slots used to attach the wooden fortress to the rock, as well as overseeing archaeological digs. He established a small museum on the site, which is now a historical-cultural preserve, displaying artifacts discovered during digs, including tiles, arrow heads and shoe leather. It also boasts

drawings of how Tustan changed over the centuries, as well as the reconstruction of a fortress chamber.

Rozhko's son, Vasyl, took up his father's work after his death in 2004. His role has been to bring Tustan to life. An architect by training, the younger Tustan initially planned to work on commercial projects. When his father became gravely ill and could no longer devote his energy to Tustan, Rozhko realized his own passion for the fortress.

"I didn't want to take over out of obligation," he said.

Because of environmental and safety concerns, in recent years Rozhko has installed a wooden walkway around the principle rock formation – visitors used to scale up a steep hillside to reach the top of the cliff, destroying vegetation – as well as a viewing deck at the top of the cliff. The preserve is financed by government contributions, ticket sales and a small souvenir shop.

Nothing remains of the wooden fortress that dominated the surrounding Carpathians, but scars in the rock point to its unusual construction.

"It is a unique fortress of world heritage," said Mykola Bevez, head of the architecture department at Lviv's Politechnic University. There are only three other similar fortress sites known in Europe.

"Tustan was part of the defensive



This pile of rocks was a major fortress in medieval Kyivan Rus. (Natalia A. Feduschak)

complex of the Carpathian Mountains," said Rozhko. "It was at the center of the transit corridor."

That route ran through the spine of medieval Kyivan Rus, a group of principalities spread across modern Ukraine, Belarus and western Russia that recognized the primacy of Kyiv.

"Tustan let traders stay overnight. It was a safe place in the defensive complex of the Carpathians," Rozhko explained.

Tustan was an effective outpost; the fortress could warn, or be warned, of enemies within a 300 kilometer radius. Rozhko conducted an experiment recently to determine how well its warning system worked. Groups of individuals lit fires at 17 points that had historically been used in the region to send signals.

"They had three types of signals," he noted. "The first was smoke during the day and fire at night. You could see the signals at 10-12 kilometers."

When visibility was bad, a horn was used to send warnings instead.

Tustan was self sustaining; along with stored food stocks, inhabitants were able to get water from wells that remained hidden from enemies.

Although one of them is difficult to reach right now, Rozhko is planning to build a wooden pathway to make it easily accessible.

He also hopes to bring Internet access to Urych, which is a tiny community without a village council. He has put considerable effort into making Urych a viable eco-tourist destination; recently he stopped the construction of an illegal hotel that would have destroyed Tustan's panoramic view. He has started a newsletter explaining to villagers not only the history of Tustan, but the architectural heritage of their homes and how other communities have profited by bringing history back to life.

As part of that effort, Tustan has started to hold an annual festival where for several days individuals gather and live like their medieval counterparts did, including wearing clothing from that era, cooking their own food and providing their own shelter. He has already reconstructed several weapons that were used in the defense of Tustan, including a huge contraption which throws rocks.

During this year's festival, to be held August 5-7, Rozhko hopes to hold a

light show that will superimpose the image of the fortress on the cliffs.

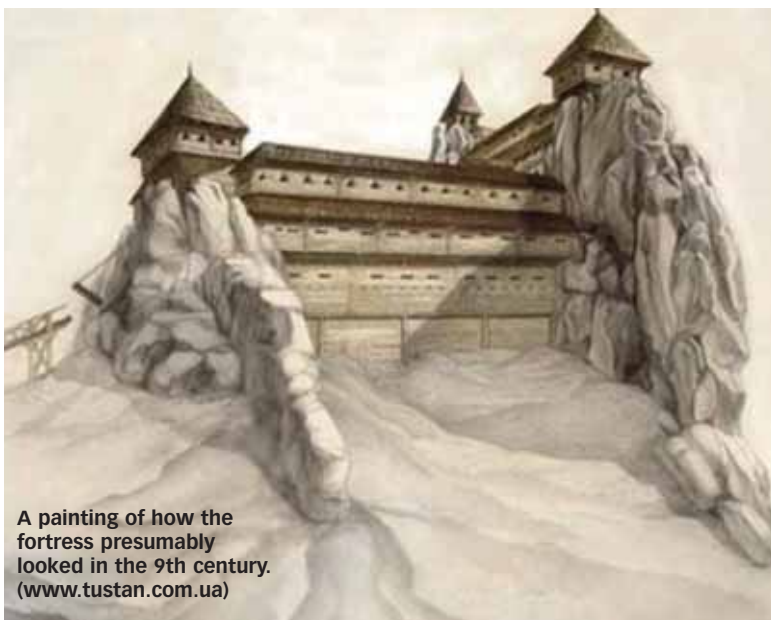
Kyiv Post staff writer Natalia A. Feduschak can be reached at feduschak@kyivpost.com

Getting there:

Because public transportation is not yet developed in the region, Urych and Tustan are best reached by car, or with an organized tour. For those going by car, take the highway toward Stryi. Bypassing the city, head toward Dubyna where road signs show the way to Urych and Tustan. The road can be dicey. Regular tours are available through various Lviv tourist agencies. For those hoping to reaching the fortress by bus, take the Lviv bus headed toward Sopit, and then walk or hitch the five-kilometer ride to Urych.

The Tustan museum is open 9:30 a.m. - 5:30 p.m. daily. Entrance is Hr 5 for adults, Hr 2 for others. Tours are Hr 20. Entrance to the Tustan preserve is Hr 10 for adults, and Hr 5 for others. Free tours are held around the site on Fridays, Saturdays, Sundays and holidays every 45 minutes from 10 a.m. until 5:30 p.m.

More information on tustan.com.ua.



A painting of how the fortress presumably looked in the 9th century. (www.tustan.com.ua)



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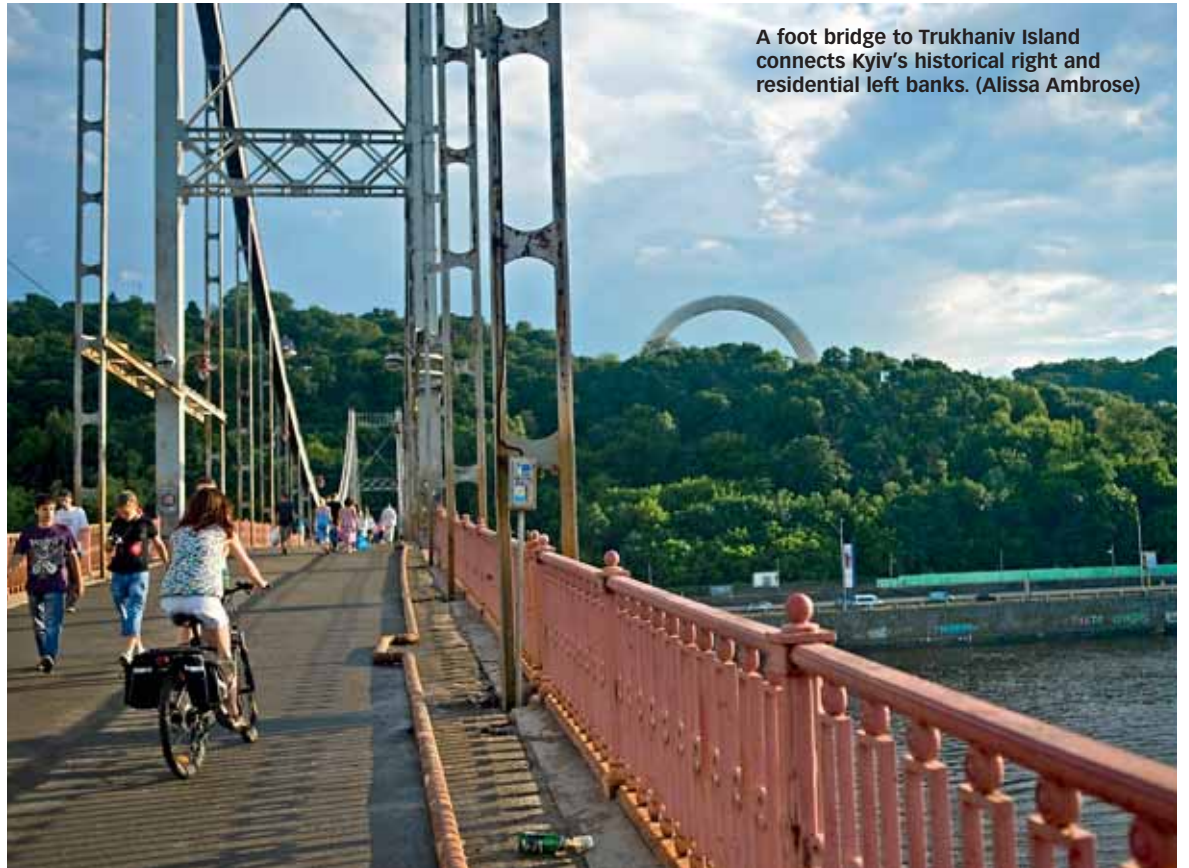


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Untamed grass and wild flowers in Trukhaniv Island make one feel away from the city. (Alissa Ambrose)



A foot bridge to Trukhaniv Island connects Kyiv's historical right and residential left banks. (Alissa Ambrose)

City Life: Bicycling to Dnipro River's Trukhaniv Island

→ **13** clean compared to other city beaches and even on a nice weekend day, the area is not too crowded.

After a rest, you may feel like some exercise. Crossing back over the foot-bridge you will find well-worn dirt paths that lead all around the island and offer a chance to breathe clean air and take in beautiful views. In early summer, fields are filled with wild chamomile, irises and waist-high grass. Except for the occasional building peeking over the tree line, you really feel that you have left the city behind.

On the way back you can recover from your ride at one of the many

cafes just before the bridge. The island has a good selection and their open air seating area allows you to people watch while enjoying your meal. The service leaves much to be desired, but the delicious khashlama – a spicy soup with veal – for Hr 40 and a fresh-squeezed orange or grapefruit juice for Hr 25 make up for it.

Cross back over the Parkovyi bridge at twilight for another breathtaking view of the city and make sure to return your bicycle by 7:30 p.m.

To find the shop, just look for the gate with the big black and white poster of Quentin Tarantino (Tarantino Cafe) and pass through to find the bike shop. Be sure to bring your passport or a driver's license as collateral. You may also leave an Hr 2,000 deposit.

Kyiv Post staff writer Alissa Ambrose can be reached at ambrose@kyivpost.com



Your Bike

35 Sahaidachnoho St., www.yourbike.com.ua, +38 044 331 77 67. Prices: Hr 80 on weekends, Hr 50 on weekdays or Hr150 for Monday-Friday rental



Some beaches in Druzhby Narodiv Park are not crowded at all and look much cleaner than central beaches. (Alissa Ambrose)

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World in Ukraine

Editor's Note: The World in Ukraine takes a look at Sweden as the Midsummer Day, originally celebrated on June 24, approaches. In ancient times, the holiday celebrated John the Baptist. Then agrarians celebrated the growing festival. Now, Midsummer Eve is on Fridays, when Swedes organize picnics. A typical menu features pickled herring, boiled potatoes with fresh dill, soured cream and red onion.

Swedish ties to nation are as ancient as Kyivan Rus

BY KATYA GRUSHENKO
GRUSHENKO@KYIVPOST.COM

Diplomatic, political, cultural and economic relations between Sweden and Ukraine date back more than 1,000 years, to the times of the medieval Kyivan Rus empire. Back then, the nations' paths crossed on the trade route, which ran from the Vikings in the north to Byzantium in the south.

In the early 18th century, Ukraine's hetman Ivan Mazepa struck an alliance with a Swedish king in a bid to gain Ukrainian independence from the Russian Empire and Poland. The endeavor failed when the Russian czar beat the Swedish army in the famous Battle of Poltava in 1709.

Recent history is more cheerful.

The 150 or so Swedes who live in Ukraine are mostly involved in businesses. They include successful agricultural start-ups such as Chumak, a food processing business started by two Swedes, two Swedish banks and the Tetra Pak packaging giant.

Swedish investment in Ukraine amounts to \$1.8 billion, according to the Swedish Trade Council, making Sweden the nation's sixth biggest investor.

Another landmark is the year 1893, when communications giant Ericsson



Kristian Andersson. (Natalia Kravchuk)

installed a telephone station in Kyiv and then another in Kharkiv. "Sweden was adapting the new communication technologies very early," said Olle Tholander, general director of Ericsson in Ukraine, who has previously worked in Japan and England.

Chased out by the Bolshevik Revolution in 1917, Ericsson did not return until 1995. The company now employs 190 people.

"One of the key assets of Ukraine is the high level technical education provided by its main universities. We want to attract these competent and skilled persons," Tholander said.

Paradoxically enough, Ukraine – which has many information technology specialists working abroad or providing outsourced work – is lagging behind in telecommunications. Ukraine is one of the last European countries to spread 3G – or third-generation – technologies widely, making Internet speeds slower than they need to be.

Currently, the only 3G license belongs to Ukrtelecom, the former state telecommunications monopoly, which was sold to Austria's Epic for a below-market price in what many called an "uncompetitive tender."

While Ericsson looks for more "technological freedom," SEB Bank, part of the Stockholm-headquartered SEB group that arrived in 2005, seeks clearer regulations and stronger rule of law.

"In the crisis, banking showed its weak side," said Kristian Andersson, deputy chairman of the board at SEB Bank in Ukraine. In Ukraine, the bank mostly specializes in servicing corporate customers from Scandinavia and Germany.

Andersson also has "great hopes that a free trade agreement will be signed with the European Union in the near future."

The agreement is expected to boost Ukraine's international trade in general and with Sweden in particular. Those

Sweden at a glance

Location: Northern Europe, between Finland and Norway

Government type: constitutional monarchy

Head of government: prime-minister John Fredrik Reinfeldt

Population: 9 million

Capital: Stockholm

GDP (purchasing power parity): \$354.7 billion

GDP - per capita (PPP): \$39,100

Swedish globally known businesses: Ericsson, Electrolux, and IKEA, Volvo, Scania, Tetra Pak, H&M.

Ukraine-Sweden bilateral relations:

- Yaroslav the Wise, a prominent Kyivan Rus prince in 11th century, married Ingegerd, a Swedish princess, whose relics are kept today in St. Sofia's Cathedral in Kyiv.

- Ukraine has a small community of ethnic Swedes that live in a village in Kherson oblast since the 18th century.

- Kyiv is just a two-hour flight from Stockholm.

- Over 100 companies with Swedish capital are registered in Ukraine.

- Most known Swedish businesses in the nation: Ericsson, Chumak, Oriflame, SEB Bank, Swedbank, Tetra Pak, Skania, SKF.
- IKEA, world's biggest furniture retailer, abandoned investment plans in Ukraine in 2011, allegedly due to unfriendly business environment.

Swedish investment: \$1.8 billion
Investment areas: financial sector, manufacture of home appliances, processing of food and agricultural products, packaging, metalworking and engineering goods.

Bilateral trade: \$560 million in 2010, Swedish exports comprise 80 percent. Swedish exports to Ukraine: telecommunications equipment, medical instruments, passenger cars, trucks and buses, manufacturing machinery, heating & cooling, paper and board semi-manufactures.

Ukraine's exports to Sweden: semi-manufactured products, food products, raw materials, fuels and chemicals.

Sources: CIS World Fact book, Swedish Trade Council, embassy of Sweden in Ukraine

bilateral figures aren't high – only \$260 million in 2010, with Swedish exports making up the bulk of the numbers.

Kyiv Post staff writer Katya Grushenko can be reached at grushenko@kyivpost.com

Swedish ambassador: 'We support Ukraine's European integration'

BY KATYA GRUSHENKO
GRUSHENKO@KYIVPOST.COM

After a stint in Moscow, Stefen Gullgren, Sweden's ambassador to Ukraine, settled in Kyiv in 2009. In his interview to Kyiv Post Gullgren, who represents a nation that has been one of the Ukraine's most ardent supporters in the European Union, talks about the major issues of the day. Here are the highlights of the interview.

Kyiv Post: Where do our bilateral relations stand now?

Stefen Gullgren: For many years already, we have supported Ukraine's European integration, specifically in two areas: energy efficiency and environmental legislation and democratic governance and human rights. The funding for these programs amounts to 20 million euros per year.

In energy efficiency and environmental protection it is obvious that a lot could be done in Ukraine. In the 1970s, Sweden was completely dependent on oil for the municipal sector. Therefore we were heavily affected by the oil crisis in 1973 when prices for oil increased sharply. We came to a political consensus that we need to decrease our dependence on oil and now, 20-30 years later, our whole municipal sector is using renewable energy sources.

Since 1980, Sweden has also increased its gross domestic product by 50 percent while cutting its emissions of carbon dioxide by 40 percent, which shows that one can combine energy

efficiency with economic growth.

KP: In your opinion, where does Ukraine stand now in terms of energy efficiency?

SG: Well, it's obvious that the country is at the very beginning. Energy efficiency needs to be put at the top of political agenda. The change will take time. The country needs to adopt and adapt legislation that stimulates energy efficiency and use of renewable sources. Tariffs have to be increased and companies should be 'punished' through taxation or other measures for the use of fossil fuel. Those measures are difficult obviously.

It seems to me that focus in Ukraine is still too much on how to substitute the imported gas with something else rather than how to cut energy consumption as such. In my opinion, Ukraine consumes too much energy per capita than it really has to.

For example, [here in the embassy building] I've this old type of radiator that I can't regulate. It means that I have to open the window in the winter when it's cold outside and too hot inside. That's not energy efficiency.



IKP: How about your second initiative in democratic governance?

SG: We are fairly optimistic, but it's too early to judge because we have just started. Of course, we understand that we won't be able to overhaul the corruption and bureaucracy in Ukraine immediately.

Corruption is a big problem. In Sweden we have a long and strong tradition of public information, which is laid down in the Constitution since the 18th century. Journalists, as well as everyone else, have a right to know what the authorities are doing and how they spend public money.

In Ukraine I see a political will to reform. The question is to what extent it is possible to implement policy into practice. Behavior and attitudes of many public officials need to be changed.

KP: How do you estimate the economic relation between our countries?

SG: Our bilateral trade amounts

to around 260 million euro in 2010, which is a 50 percent decrease from the pre-crisis figures. Generally our trade is not big. For Ukraine to be able to attract investment and boost trade, it needs to access the free trade area.

KP: Since the new government has been in place do you and Swedish businesses see any results of the reforms?

SG: There has been a partial implementation of the reform program, but the president himself admitted that it is going slower than the government had planned. That is unfortunate, but I think that the business community still hopes to see the reform program implemented.

But I think patience is going to be limited. If you present a very ambitious reform program and if implementation doesn't follow in the stated timeline, then distrust builds up. Swedish companies are still hopeful and optimistic, but they would like to see the results quicker.

KP: In Sweden such patience hardly exists. Swedish Deputy Prime Minister Mona Sahlin had to resign after it became known that she used her official charge card to buy chocolate for her children in 1995...

SG: The level of tolerance for corruption in Sweden is very low. Public officials are entrusted with money and authority. It's an obligation for them to show that they are worthy of that trust and that



Stefen Gullgren

they will be held accountable if they don't perform according to the demands of the public. The thing about that case was that she spent money for purposes that they are not supposed to be used – whether it's a bar of chocolate or something else. It's a matter of principle.

KP: Did the recent sex scandal that arose after the publication of a book that exposed 64-year-old Carl XVI as a frequent participant at wild sex parties change the attitude towards the monarchy?

SG: I don't want to go into the details of that. I can just note that this book about a king's private life has stirred a debate in the Swedish media. I don't think it affected significantly the attitudes of Swedish people as far as the monarchy is concerned. The allegations refer to what may or may not have happened 25 years ago. Is that relevant? It's debatable.

Kyiv Post staff writer Katya Grushenko can be reached at grushenko@kyivpost.com

Cuisine choice greater than in Soviet times

→ 13 to know how to work with different cooking instruments, how to gut a chicken properly, how to use different temperature regimes, and how to work with flour, meat or milk."

A fan of Italian and Thai dishes, he said that his last masterpiece was Thai noodles with fresh vegetables fried in a wok. With Asian food ingredients being as much of a scarcity in Ukraine as sausage in the Soviet Union, Zuzak likes proving those people wrong who choose restaurant food if they crave Asian.

Show host Herasymiuk, 52, also encourages her guests to experiment, but not just with food. In her "Taste of Life" she asks her guests – celebrities and artists – to recall their favorite dishes from childhood and memories connected with them.

An experienced presenter, Herasymiuk believes that tastes and talents are among the qualities that define one's level of freedom.

"A person who only knows the taste of *vermicelli* [a popular Soviet dish] has a different level of freedom from an individual who sprinkles his meal with parmesan and tries to pair wines," she said. "Or a person who knows that fish can only be fresh, salted or rotten differs from an individual who decides between carp, dorado or St. Peter's fish."

Apart from "Taste of Life," celebrities pepper most other TV cooking shows. In the Ukrainian version of "Hell's Kitchen," however, famous chefs and restaurant critics grill ordinary cooks, instead of glamorous celebrities. In another spin-off of the British TV game "MasterChef," participants will compete not just for a half-million hryvnia prize, but also for a cooking course in the famous Le Cordon Bleu school in Paris.

Winners are anticipated in many Kyiv restaurants where food often

→ 'Tastes are among main qualities that define one's level of freedom'

– Olha Herasymiuk

leaves much to be desired. But those who cannot wait and decide to tackle snail tongs and woks on their own may sign up for cooking classes with established eateries who rarely fail their customers.

"We offer cooking courses as they are a new kind of entertainment," said Oleksandr Isayenko, director of Sam's Steak House. His restaurant has been running master classes for nearly two years already. "We have a very friendly atmosphere and about 40 percent of our participants regularly come back [to learn something else]," he said.

For example, during a three-hour course for Hr 600, a chef will teach a group of 10 all the secrets of saffron risotto, Moroccan couscous, pistachio tiramisu or whatever else is hot on the menu that day.

In the upscale-casual atmosphere of Ciro's Pomodoro, a Neapolitan chef will share his innate gift of preparing divine pasta carbonara or a pungent risotto with four cheeses. The price for six cooking classes is only Hr 1,500.

With all these options on the market, there's no excuse for Ukrainians to dwell on frozen *pelmeni* or grab unhealthy fast foods on the street.

Kyiv Post staff writer Oksana Faryna can be reached at faryna@kyivpost.com



From left: swimmer Denis Silantsev, singer Alyosha and actor Volodymyr Horyansky

Summer in beef



Host Ihor Posypayko (C)



Singer Olha Kryukova (R)



Singer Iryna Rozelfeld (C)

→ Restaurant Beef introduced a summer menu on June 9 with the help of a few celebrities. Chef Yuri Tkachenko taught his guests how to cook beef carpaccio and pineapple carpaccio with cheese and wine sauce. To the sounds of fine jazz, visitors drank champagne at the restaurant's terrace and played games. More about Beef at www.beef.kiev.ua/en or visit 11 Shota Rustaveli St., tel. 067-230-1774. (Anastasiya Vlasova)

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Golf in high heels

A young woman practices at the driving range. The tournament name 'Golf in High Heels' is carved into the grass.

Tiger Woods would have liked the scene in Kiev Golf Center on June 10. More than 20 women competed in the annual tournament "Golf in High Heels" for exclusive presents and pretty photographs. Golf skills didn't matter as much as the dress code. All participants had to wear heels. Some sported 10-centimeter killer heels trying to keep balance after a swing. More about the event and the club at www.golf-center.com.ua. (Alex Furman)



Show host Olha Polyakova



Miss Ukraine Universe 2008 Eleonora Massalab (L) and Miss Ukraine Universe 2010 Anna Poslavska

If you want Kyiv Post Paparazzi to cover your event, please send details or invitations to news@kyivpost.com or contact photo editor **Yaroslav Debelyi** at 234-6500

Cozy Ikon bar sets comfortable tone in city nightlife with funky music, crowd



Sometimes, when you're just sick and tired of noisy and often posh Kyiv nightclubs, you start looking for a place where you can enjoy lazy good times with friends and, at the same time, listen to good music and dance a bit. You start scouring for a place where people don't judge you by your looks only and where lust and glamour are not the first things on the menu.

You can stop looking: I have found the perfect spot in Kyiv. It's not an actual club. It's more of a pre-party bar, which I now visit quite often.

Walking down Basseyna Street, you might not immediately see it. Unlike other night hot spots, it doesn't have a

giant flashy sign screaming "come in, we'll get you drunk and wild." Instead, it has a cute gargoyle sitting on top of the stairs inviting you to go down and find its buried treasure in the basement.

Bouncers often seem in a good mood, but at the same time still strict and highly selective. Thanks to strict face control, the people you wouldn't want to be around will be kept out. In terms of dress code, feel free to go smart casual.

The atmosphere here is homely and cozy enough to relax and unwind after a long day at work. This is made possible by an exquisite interior of dim lights, dark colors and soft sofas in the main room and lighter and brighter designs of two other lounges.

Here you can just kick back and relax with your drink and your friends. The loudest and perhaps the funkiest is the main room with a long bar counter. Most people usually gather here, so if you don't want your new white shoes to get damaged in a "dancing feet attack," grab a seat. This shouldn't be a problem as there are a few sofas and chairs around the venue, which in the daytime works as a restaurant.

Another Ikon specialty is its crowd – a mix of friendly foreigners and educated Ukrainians inhabit this lovely place. Of course, every rule has an exception, but luckily Ikon has not proven me wrong yet. Goldiggers have not been noticed in great numbers. It is simply not "that" kind of place. If you think you can buy love, don't bother coming to Ikon. Choose D'lux, Dante Park or SkyBar instead, but please don't tell

anyone there about Ikon. Let's keep it clean and tidy!

Regular clubbers consider Ikon's music funky and great to dance to, and even though I am not personally the biggest fan of non-commercial club beats, I still find it great. Perhaps it's because the music is not too loud and you can actually talk to the people around you without shouting. The same doesn't apply to most Kyiv nightclubs. It's nice when you don't have to pop anti-headache pills the next day because of the loud music that's been torturing you all night, isn't it?

But there is one thing that I simply don't get about Ikon. The bar gives really weird names to its parties: "Blagobukhatelno," "Marusina Karusel" and "Chastushka Party" are just some of them. Trust me, if you struggled to read those, I struggled to understand them. And how about scores of drawings of different body parts in the restrooms? One wall, for instance, has more than a hundred pictures of human ears, which I think are kind of cute. They add to the bar's unique relaxed vibe and casual crowds.

Alina Chernysh works for the *ISTIL Group*, which is owned by the publisher of the *Kyiv Post*.



There is plenty of seating in Ikon. (Courtesy)



Ikon's barmen are eager to surprise you with cocktails of your choice or original recipes. (Courtesy)

Ikon bar
5A, Basseyna St.
Summer party hours:
Thu, Sun, 6pm - 3am
Fri, Sat, 6pm - 6am
No entrance charge



Accident doesn't stop climber from conquering heights



Yury Lishayev masters Crimean mountains, even though he needs crutches to get around ever since an accident nearly two decades ago in which his back was broken. (Courtesy)

BY NATALIYA HORBAN
HORBAN@KYIVPOST.COM

When mountain climber Yury Lishayev broke his back 18 years ago, doctors said he wouldn't walk again.

Since then, however, Lishayev has kayaked 380 kilometers along the coast of Crimea and continues to climb despite having no feeling in his legs. The 56-year-old relies on his arms, with crutches strapped behind his back. "No one puts us down but ourselves. Life is bright and splendid when you are not afraid to live," said the climber.

Wearing a bushy, salt-and-pepper beard, Lishaev has lively blue eyes, which project a young boy in an older man's body.

Lishayev was 37 when he seriously injured his back. Born in Simferopol, the capital of the Crimean peninsula, he started rock climbing at the age of 13. Although solo climbs were prohibited in the Soviet Union, he often broke rules and pioneered many alpinist routes in the Crimea on his own.

Yury Lishayev has covered nearly 400 kilometers in a kayak on his own in May (Courtesy)



→ Yury Lishayev broke his back in a paragliding crash nearly 20 years ago. Doctors gave him no chance of recovery. But now he climbs mountains and kayaks despite no feeling in his legs.

"I love the mountains and they let me get close to them. They are like a woman – something magical," he said. Lishayev likes to point out little details about his life experiences, which others would call trite, but to him they mean the world.

"Once I came up to some fishermen and asked for just one fish but they gave me about a dozen. There are many more generous people than we think," he mused.

His contented life, however, has been anything but easy.

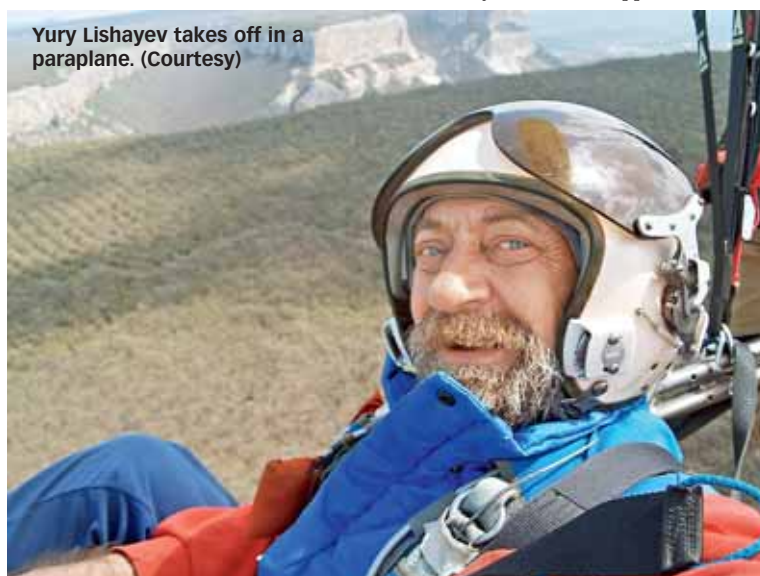
Although he often conquered moun-

tains without any safety equipment, his injury didn't come from climbing. A canopy of his paraglider collapsed, sending him crashing on the rocks. His back broke in three places, and Lishayev spent two years trapped in bed, unable to get up.

Doctors saw no chance of recovery, but Lishayev refused to give up. "That was too harsh of a verdict," he said.

Little by little he tried to get up from his bed. Within two years, he was able to walk again on crutches. He had no feeling in the limbs below the knee but "it was like a second birth," he recalled.

Yury Lishayev takes off in a paraglance. (Courtesy)



Up to this day, three times a month, the climber goes to the mountains. He loves nature, especially watching the sunset, and that's what he believes makes him pagan. "Nature is a part of me. My main religion is being a human," he said.

Apart from rock climbing, the sportsman also swims in the sea year-round. "I do not lead a life of quiet desperation but stay active and try to travel as much as possible," he said.

In order to demonstrate that disability is not an obstacle, Lishayev completed a solo trip in a plastic kayak from Kerch to Sevastopol – two towns in the Crimea – in May.

"I know what it feels like to be unable to get up from bed, so I wanted to somehow cheer others up," he said. To buy a special kayak, Lishaev needed more than 800 euros, which he managed to collect on different Internet forums. He left Kerch on the May 9 Victory Day and 26 days later arrived in Sevastopol, having covered some 400 kilometers by sea.

Lishayev has a supportive family.

His daughter and son-in-law are also mountain climbers, although the sport doesn't interest his wife. When he's not climbing or swimming, Lishayev works in a jewelry workshop, which has been his main source of income for 30 years. His eyes are getting worse though, he said, but his life experiences show that it's not the worst that can happen.

"Don't worry, everything is going to be alright," he said reassuringly. "In times of trouble, think of an old cripple."

Kyiv Post staff writer Nataliya Horban can be reached at horban@kyivpost.com

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International HIV/AIDS Alliance in Ukraine

The International HIV/AIDS Alliance in Ukraine (Alliance-Ukraine) is an international charity established and registered in Ukraine in order to support community action on HIV/AIDS. The Alliance-Ukraine is the biggest non-governmental organisation working in the field of HIV/AIDS in Ukraine and one of the largest in the Eastern Europe and Central Asia.

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2. SENIOR PROGRAMME OFFICER: HIV/TB RESEARCH
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Gain a friend by giving your heart

Animal rights activists held the fifth annual Cup of Barbosse on June 11, which brought together 90 dogs and their owners for a day of friendly competition.

Furry participants did their best to demonstrate their talents, as well as their close bonds with owners. Dogs sang, danced, jumped over each other and fetched balls and sticks. Their beloved owners told everyone what they thought being a responsible owner means.

The Animal Protection League, which organized the get-together, is a nonprofit organization that cares for homeless dogs, collects money for shelters and promotes animal protection campaigns. It founded the Barbosse Cup five years ago to promote its ideas. Barbosse is a Russian name for a friendly stray dog. Participation in the cup is open to anyone with an adopted stray dog and it drew a crowd of a few hundred at Druzhby Narodiv park.

The competition was split into three sections according to the dogs' size. Judges – veterinarians and the league's volunteers – selected finalists simply by drawing dogs' contest numbers from a bucket, in order not to offend anyone.

Besides the talent contest (for dogs) and responsibility contest (for owners) there was also a competition for the best dog fashion. The jury had to take into consideration not only cute outfits but also the behavior of the "model" on stage. Among many original costumes, one puppy was dressed as a bee and another as "a lady in red."

The other surprisingly fun competition was devoted to the similarity of people and their pets. Judges noted that – in addition to similar curls or similar noses – some human-dog couples even have similar smiles.

There was a serious side to the day, with owners and volunteers telling the sad stories of some animals. One dog, called Pirate, lived in a village in Kyiv Oblast with a couple of other dogs. For some reason, their owners decided to get rid of the dogs by killing them. Pirate escaped. But during the fight he was hit on the head, lost one of his eyes and injured the other. He ran away and is now blind. For some time he stayed with another family in the village, which called the Animal Protection League. Now Pirate is a very active and buoyant young dog who is looking for a home.

Fun was mixed with sadness, and entertainment was combined with education during the five hours of the cup. There was an information tent where one could get information on pet care and sterilization – a humane way to prevent homelessness. There was also a charity tent where people could buy some homemade things to support the cause, and a tent where everyone could find a homeless dog to take home.

The event raised Hr 4,000 for the animals. One dog found a new owner and the organization gained a few more volunteers.

*Story by Daryna Shevchenko
Photos by Anastasia Vlasova*

