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Government seeks cut in renewables price



Ukraine's government belatedly realized it was too generous in paying renewable energy providers and have now moved to cut the price 15% for solar power and 7.5% for wind energy. But some in the renewables sector, which provides 8% of Ukraine's energy, are opposed - saying the promised investment returns through 2029 are why they invested nearly \$10 billion into the sector in the first place. Arbitration and lawsuits could follow, while parliament needs to adopt the compromise announced by Ukraine's Cabinet of Ministers on June 10. Ukraine's government owes renewable energy producers more than \$530 million in back payments. In the photo, a man walks past solar panels of the UDP Renewables power plant in Kyiv Oblast on Sept. 26, 2017.



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Amid decade-long civil war, Syrians target Assad anew

By Illia Ponomarenko

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History seems to start repeating itself in war-torn Syria now.

Angry crowds again pour into the Syrian streets to voice their protest against the dictatorship of President Bashar al-Assad. The latest reports saw new large rallies against the lack of civil liberties and basic necessities, as well as the grave economic downturn and endemic corruption in the government.

To many, it seems to be a striking memento of the spring 2011 protests, the brutal crackdown of which triggered a decade-long multisided war that took nearly 500,000 lives to date out of a nation of less than 17 million people.

Assad, with the help of Russia and Iran, might have retaken most of the country's territory from armed opposition in the bloodletting war. But as the latest developments show, the Damascus regime is not even close to holding the ruined country together. The devastating international sanctions, as well as its inability to overcome corruption and ensure stability in Syria, can still spell the end of the family dynasty.

'Enough is enough'

The city of as-Suwayda in southern Syria, populated by the Druze minority (which stayed loyal to Damascus), became a forefront of a new wave of anti-government rallies – a rather rare occasion in the country these days, given the brutality the regime shows towards its civilian population.

But on June 7, protesters marched through main streets to the city market bearing slogans "Enough is enough" and "We want to live in dignity.'

They decried the government over the deteriorating security and economic situation in Syria.

In recent weeks, the national currency Syrian pound lost at least 50% in value, and it got devalued by dozens fold against the U.S. dollar since the outbreak of war in 2011. Over the last weekend, the Syrian pound in the black market soared from nearly 2,300 to 3,000 to the U.S. dollar, while the official rate remains at nearly 700 pounds to \$1.

Before the war, the national currency rated at nearly 50 pounds

According to the Syrian Center for Policy Research, an independent think tank, the decade-long war had cost the country at least \$530 billion by 2019.

Various reports assert that the general population across the country find it increasingly difficult to purchase the most basic necessities, with prices skyrocketing all the time and many items in severe deficit.

Severe troubles mark the distribution of bread as well, which triggers rumors of mass famine coming ahead in Syria. Fresh protests getting closer to food riots are also reported in the last rebel-held



Displaced Syrians join a convoy driving toward the Deir al-Ballut checkpoint to return to their homes in the Aleppo province on April 11, 2020.

enclaves of Idlib, where bread prices were reported to have increased

As an indicative example, food prices were estimated by the United Nations World Food Program to have increased 152% in as-Suwayda alone by April since the beginning of the year. The organization

> believes over 9 million Syrians suffer troubles getting daily full-fledged nutrition

In general, according to the UN, at least 80% of the country's 17.5-million population live below the poverty line, and the socio-economic situation continues to deteriorate all the time.

And, as judged from recent estimates, the Syrian economy is expected to continue to plunge for years ahead. In 2012, amid unfolding civil war, the country's gross domestic product (GDP) hit a record of \$73.6 billion, while in 2019, its GDP was estimated at \$65 billion. In 2020, it is expected to trend around \$37 billion in 2020, \$27.2 in 2021 and \$16.6 billion in 2022, according to forecasts by U.S-based analytics website Trading Economics.

Dead man walking?

Peaceful protests in as-Suwayda continued in the following days.

At some point, the rallies turned out against the very Assad regime and its officials, which enjoy luxuries and privileges in the devastated

"Syria is for us and not the House of Assad," the crowds were reported to have chanted on June 7.

Various videos published on social media also show protesters marching under slogans "Revolution, freedom, social justice," and even "Down with Bashar al-Assad".

In many ways, this repeats the spirit of the early days of the 2011 uprising drowned in blood by the regime. However, to date, no clashes with police or government military forces have been reported, although the local government was quick to organize a parallel pro-regime rally in as-Suwayda.

Syrian Observatory for Human Rights, a Britain-based civil rights group, said the protests quickly evolved from forwarding purely economic claims to "becoming more political," with people also demanding that Russia and Iran, al-Assad's allies, withdraw their forces from the country.



There's a long, long history of people spotting some new crack in the reaime camp and immediately declaring Assad a dead man walking



Aaron Lund, a fellow with the U.S.-based think tank The Century Foundation

The group added that even in the areas of Latakia, Tartous, and Homs, where the regime's positions are considered strong, there had been talks about "the departure of Assad as an option to improve the

The regime, as usual, lays the blame for the economic collapse and devaluation on the West: with its so-called Caesar Syria Civilian Protection Act coming into effect on June 17, the United States is going to introduce sanctions described as the toughest in the war's history.

Also, in many ways, the growing scare is erupting due to complicated ties between Syria and Beirut, the capital city of neighboring Lebanon, which historically served as one of Syria's financial hubs abroad.

In this situation, the ordinary population of Syria, where nearly 11 million depend on UN aid, finds itself simply not able to cope with the overall catastrophe, says Aaron Lund, a fellow with the U.S.-based think tank The Century Foundation.

"They're desperate, and that could have political repercussions, like more protests or even internal rumblings within the regime," the expert told the Kyiv Post.

"When you can't feed your family, then risking your life protesting, fighting, or just giving up and fleeing abroad might not seem so bad after

Despite that, one should not expect the overwhelming sanctions to ever force Damascus into reforms. he said, adding that al-Assad and his cronies would rather continue fighting until the bitter end, only with even more "internal trouble, fragmentation, and dysfunction."

"In some ways, these recent protests are like the protests in 2011, which were about both political and economic problems," the expert said.

"This time, the economy is clearly a lot more central, even if it translates into anger against the regime and its corruption... Now there's just this dark, bitter desperation."

"All that said, I don't think you should overstate the political ferment we've seen so far. The economic deterioration is real and incredibly severe, but so far the demonstrations and protests have been limited and the regime hasn't freaked out enough to crack down with full, brute force."

"It could change, and we don't know how that would turn out. But there's a long, long history of people spotting some new crack in the regime camp and immediately declaring Assad a dead man walking.

"Well, he's still there." @

Zelensky: Poroshenko is an 'experienced manipulator'

By Oleksiy Sorokin

sorokin@kyivpost.com

early June, Ukrainska Pravda news outlet accompanied President Volodymyr Zelensky on his visit to Khmelnytsky Oblast. On June 11, the news outlet published a twopart interview with the Ukrainian leader.

In the interview, Zelensky said that notorious Interior Minister Arsen Avakov was the only man for the job when the Cabinet was formed. According to the president, the case of Pavel Sheremet, a prominent Belarus journalist killed in downtown Kyiv in 2016, is now the minister's personal responsibility and he must close the case before he leaves office.

Three people were arrested in December on allegations of murdering Sheremet. Yet, six months in, no charges have officially been issued. Two people remain behind bars.

Zelensky also stated that he doesn't trust former President Petro Poroshenko, who now leads the 27-member European Solidarity faction in parliament. On June 10, Poroshenko was charged with abuse of office, which has a maximum sentence of 10 years in prison.

Poroshenko "is an experienced manipulator," Zelensky said in the June 3 interview.

The president also talked about his relations with businesspeople and oligarchs, acknowledged that his ruling Servant of the People party includes charlatans and people loyal to billionaire oligarch Ihor Kolomoisky and said that the former Prime Minister Oleksiy Honcharuk was more interested in Facebook likes than reforming the country.

The Kyiv Post provides a summary of Zelensky's interview.

On Avakov

Arsen Avakov is the most widely discussed person in Ukraine right now.

The minister, who has been occupying his post since February 2014, has been accused of corruption, stalling reforms and failing to investigate attacks on journalists and

Read More: Is Arsen Avakov invincible?

Other recent scandals have also raised questions about Avakov's leadership. In May, police in the small town of Kaharlyk in Kyiv Oblast allegedly raped and tortured a woman and assaulted a man. That same month, over 20 people took part in a gunfight over private bus routes in the town of Brovary in the greater Kyiv metropolitan area, resulting in charges of hooliganism. Both cases unscored the fact that lawlessness persists in the police.

"The minister himself should be responsible for such things," Zelensky said during the interview. But he said he didn't ask Avakov to resign.

However, Zelensky did explain why Avakov was reappointed minister twice under his presidency,



President Volodymyr Zelensky gives a press conference about his first year in office in Kyiv on May 20, 2020.

despite the fact that Zelensky's 248-member Servant of the People faction in parliament can easily remove any minister with 226 votes.

Back in 2019, "I thought – and everyone around me said – that, indeed, today there is no interior minister as capable as Avakov," Zelensky said.

Now, Avakov must finish the investigation of Sheremet's murder, he

"Sheremet is his personal responsibility. And I told him I wanted to see how it would end," the president

"I don't want the story with Sheremet to be like the story with (Georgiy) Gongadze," Zelensky said.

A prominent Ukrainian journalist, Gongadze was killed in 2000. His murderer is serving a 13-year prison sentence but the organizers were never found. Ukrainian media outlets alleged that former President Leonid Kuchma was behind the murder, but he was never charged. Kuchma has denied the accusations.

On Poroshenko

Zelensky also talked at length about Poroshenko, who has been the most vocal source of opposition to the president in parliament and has also faced a number of criminal allegations.

"From the very beginning of my presidency, Poroshenko wanted to meet with me. I didn't see any point in that," said Zelensky, "because I think that everything that Poroshenko said before is a lie.'

"I don't trust him," he added.

Zelensky pointed to the 2019 presidential elections, when several anonymous Facebook channels pushed disinformation and so-called "black PR" against Zelensky.

Read more: Disinformation, 'black PR' emerge before April 21 runoff election

Zelensky said that, after he became president, Poroshenko began demonizing him in talks with foreign leaders. "Every time I met with foreign leaders, they initially perceived me as... an enemy of Ukraine," said the president.

According to Zelensky, he met with Poroshenko face-to-face to talk about politics, yet they didn't reach an agreement.

On Cabinet changes

During the interview, Zelensky explained the reasoning behind the rapid March 4 government changes, during which a new prime minister was appointed and only six ministers were able to keep their jobs.

Zelensky said that he met with Honcharuk prior to the presidential elections and was eager to give him

"I trusted him very much," said Zelensky. "Almost all the ministers who were in the previous government were nominated by (Honcharuk)."

Soon, an audio tape leaked in which Honcharuk said that the president doesn't understand the economy and it needs to be explained to him in simpler terms.

"Of course, the situation was unpleasant," said Zelensky, "It was unpleasant for me personally because I thought that we were a team."

"Public confidence in the prime minister was undermined, and lawmakers had a million questions for him," said Zelensky, "So I told him honestly, I don't think you can be the prime minister – not because of the recording, but because of what is happening."

"I believe that (Honcharuk) did not become one team with the people, with lawmakers, with all of the ministers," said the president.

On March 4, Denys Shmyhal, then the minister of regional development, was appointed prime minister, replacing Honcharuk. He had previously also served as the governor of Ivano-Frankivsk Oblast.

"When we were looking for the prime minister, we asked: Where can we get a prime minister? From current ministers, from current governors or from business," said Zelensky.

"We saw he was a real candidate," said Zelensky. The president added

that he is currently satisfied with Shmyhal's work.

Zelensky said that he asked business tycoon Valery Khoroshkovsky to head the State Customs Service. He led the Security Service of Ukraine under ousted ex-President Viktor Yanukovych and the State Customs Service under pro-Western President Viktor Yushchenko.

According to Zelensky, Khoroshkovsky declined the invitation

"I think he was waiting (for an invitation) for the prime minister job, but I did not offer him that position," said Zelensky.

On Kolomoisky

Zelensky has long been accused of having ties with Ihor Kolomoisky. Before his presidency, shows produced by Zelensky aired exclusively on Kolomoisky's 1+1 television channel. Zelensky also relied on the channel for promotion during his presidential campaign.

After the 2019 parliamentary elections, Zelensky's party featured a number of people linked to the oligarch.

Read More: Party crashers: Internal divides crack Zelensky's ruling party in parliament

Zelensky doesn't believe that Kolomoisky controls a group of lawmakers in his party despite evidence to the contrary, yet he admitted that there are lawmakers who support the oligarch.

"There are lawmakers who have good relations with (Kolomoisky),' said Zelensky.

"I know these people," continued Zelensky. "(Lawmaker Oleksandr) Dubinsky is from the 1+1 chan-

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ON THE MOVE

CMS Strengthens Agricultural Practice and Banking & Finance Team with English-qualified Senior Hire



CMS Cameron McKenna Nabarro Olswang in Kyiv is pleased to announce that Orest Matviychuk has joined the Banking & Finance team as a Senior Associate. Orest joins CMS from Engelhart Commodities Trading Partners (formerly BTG Pactual Commodities) where he was Senior Legal Counsel.

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EDITORIALS

Misplaced blame

On June 11, Ukraine recorded 689 new cases of COVID-19, a record since the start of the pandemic. That would be worrying news had this happened in the middle of the country's lockdown to halt the spread of the virus.

It's doubly worrying now, as Ukraine is rapidly reopening and returning to normal economic life. In many regions of the country, indoor restaurants have reopened. Kindergartens are again operating. Domestic flights are restarting. And, on June 15, Ukraine plans to relaunch international flights.

In Kyiv, one of the epicenters of the local epidemic, indoor restaurants remain closed, but it is readily apparent that, for most people, quarantine is

What explains the uptick in new cases? Viktor Lyashko, Ukraine's top sanitary doctor, attributes the June 11 "anti-record" to the Ministry of Health processing COVID-19 tests more quickly. But Health Minister Maksym Stepanov has blamed the broader increase since the country began reopening on Ukrainians' "frivolous attitude" toward quarantine.

He's not entirely wrong. Today, one sees fewer Ukrainians wearing masks – and wearing them correctly - in public places like stores, public transport and crowds. But Stepanov's criticisms stand on shaky ground thanks to the actions of President Volodymyr Zelensky.

On June 3, while visiting Khmelnytsky, a city of 265,000 people about 300 kilometers southwest of Kyiv, he and other top officials stopped for a rest in a coffee shop – despite the fact that indoor service at restaurants and cafes was not allowed until June 5.

Although Zelensky was ultimately fined for the violation, it didn't undo the damage. If the president doesn't take quarantine seriously, why should the

No one can blame Ukrainians for returning to some semblance of normal life. And no one can blame the government for relaxing restrictions. It is both economically and psychologically necessary. But the country risks turning what has been, so far, a fairly small COVID-19 epidemic into a big one through carelessness and negligence

Ukraine could be doing much more to ensure that it reopens safely.

For starters, the government needs to find a way to ensure that citizens continue to wear masks in public places. A recent study by Cambridge University and Greenwich University in the U.K. concluded that universal mask-wearing could, when combined with physicall distancing and some lockdown measures, allow economies to reopen without causing a second wave of COVID-19 infections that could overpower the health-care system, Reuters reported on June 10.

Lock him up?

In Ukraine, top officials never face justice. It's like there is a caste of untouchables who can embezzle, abuse power and even murder with no fear of punishment. They may face charges, sometimes even be arrested, but it always ends up the same. They post bail, they wait out, they have charges lifted. In the worst-case scenario, they flee Ukraine for the comfort of Vienna or Monaco for several years.

This is why, when authorities set out to investigate activities of ex-President Petro Poroshenko, everyone's eyes were on it. Will he set the precedent someone as high-profile as an ex-president meeting Lady Justice?

But the disillusionment came fast. All the investigations involving Poroshenko focus on the alleged violations that are of little importance and don't seem to correlate with the power he had for five years.

In one of them, the ex-president is accused of appointing an official to a post that didn't legally exist. On June 10, Poroshenko was charged with abuse of power over it.

Another case has Poroshenko suspected of illegally importing paintings for his private collection.

While President Volodymyr Zelensky openly backs prosecution against Poroshenko, it keeps stumbling. For some reason, his prosecutor general doesn't sign the charges against the ex-president, commissioning a subordinate to do it, and giving Poroshenko grounds to question the legality of it.

Earlier, Poroshenko smartly placed the paintings that are subject of the investigation into a Kyiv museum. Investigators took the bait and searched the museum, allowing the ex-president and his supporters to moan about the "barbarians storming museums."

So far, the investigations against Poroshenko seem to be benefitting him politically. He gets to portray himself as a victim of political persecution. It's a position that can make him popular in the West, as we remember from the story of Yulia Tymoshenko, once a political prisoner of Viktor Yanukovych.

Zelensky complained, in an interview to Ukrainska Pravda published on June 11, that Poroshenko was badmouthing him to foreign leaders to the point that they saw the new president as "the enemy of Ukraine." If this clumsy prosecution of Poroshenko continues, he will get more of that attitude from the West.

As for us, we feel little sympathy for Poroshenko crying wolf as a victim of political persecution. We remember that he had a taste for political persecution as well. Ex-Georgian President Mikheil Saakashvili was snatched by law enforcers and sent out of Ukraine in an instant when he fell out of favor with his old buddy. Poroshenko.

The ex-president isn't a saint, to put it mildly. During the five years of his rule, plenty of journalist investigations alleged his administration was cynically corrupt. It's odd that after all of it, he is prosecuted for buying paintings.

So we're not calling for authorities to leave Poroshenko alone. Quite the opposite. We want him to be investigated, but better and with higher aim for much more serious financial and other crimes that we suspect him of

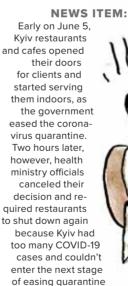
If he is guilty, he should be punished through a public due process.

NEWS ITEM: Mikhail Porechenkov, a Russian actor, starred in an ad for French dairy firm Danone. endorsing its yogurt Actimel, which is branded as an immunity-boosting drink. The ad sparked outrage among Ukrainian social media users who blamed the international company for featuring Porechenkov, who is an active supporter of Russian-backed militants in eastern Ukraine and the Kremlin's invasion and annexation of Crimea. Porechenkov even fired a heavy machine gun at





NEWS ITEM: President Volodymyr Zelensky had an idea to purposefully get infected with the novel coronavirus to curb virus-related panio among Ukrainians and show the virus "isn't the plague," he told Ukrainska Pravda, an online media outlet. He said, at one moment people "were believing that we would all die' and he wanted to reassure them. The idea, however, was instantly rejected by the president's aides



You shall not pass, waiter Hey, mister minister, let us have breakfast

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Ukraine's Friend & Foe Of The Week



Benjamin L. Schmitt The energy security expert and Harvard Fellow is outspoken in his opposition to Russia's Nord Stream 2 gas pipeline to bypass Ukraine under the Baltic Sea to deliver natural gas to Germany.



Mikhail Porochenkov The Russian actor who shot at Ukrainian soldiers returned to our TV screens thanks to the French dairy company Danone, which promptly cancelled the ad after backlash.

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Ukraine recorded a single-day high of 689 infections on June 11



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Experts want foreigners to help fix Ukraine's corrupt judiciary

By Oleg Sukhov

sukhov@kyivpost.com

Experts have called for a bigger role for international actors in Ukraine's attempts at judicial reform, including possibly the hiring of foreign judges to revamp the country's corrupt court system.

The proposals were made at an online discussion on judicial reform organized by the Atlantic Council on June 9. The discussion was moderated by Melinda Haring, deputy director of the Atlantic Council's Eurasia Center.

The experts concurred that a lack of an independent and fair judicial system is the biggest obstacle to foreign investment in Ukraine.

"We asked members of the American Chamber of Commerce who is the biggest barrier to doing business in Ukraine, and 74 percent of businesses see courts as the biggest obstacle," said Andy Hunder, president of the 600-member American Chamber of Commerce in Ukraine. "That's what deters foreign companies entering the market because you can't get fair justice."

Hunder also cited a February poll by the Razumkov Center according to which 76 percent of Ukrainians do not trust the courts.

In May Ukrainian media and anti-corruption watchdogs published a new judicial reform bill that ostensibly seeks to unblock President Volodymyr Zelensky's stalled judicial reform. However, legal experts say the legislation is flawed and will not lead to genuine cleansing of the judiciary.

The bill that seeks to re-launch the reform was heavily criticized by anti-corruption activists and judicial experts, who argue that in its current form it makes genuine judicial reform impossible.

Foreign judges

Hunder said that businesses are discussing the possibility of inviting foreign judges to Ukraine to introduce the rule of law. He cited the examples of Kazakhstan, which has created a commercial court out of British judges, and Dubai, which has hired foreign judges for civil and commercial disputes for its Dubai International Financial Center.



Andriy Kozlov, former member of the High Qualification Commission of Judges



"We are looking at the possibility of having jurisdiction of England and Wales for all kinds of dispute resolution," Hunder said.

The irony is that currently Ukrainian oligarchs use foreign courts "if they want to have justice" but are against allowing Ukrainian citizens to have fair courts, said Yaroslav Yurchyshyn, an anti-corruption expert and a lawmaker from the Holos (Voice) party. Oligarchs are fighting against the participation of foreigners in Ukraine's judiciary by appealing to the false "sovereignty" argument, he added.

An independent judiciary "is good for Ukrainian society but bad for oligarchs' influence," Yurchyshyn said.

Foreign experts

The experts also argued that the participation of foreigners in the selection of judicial bodies was cru-



Andy Hunder, president of the American Chamber of Commerce in Ukraine

cial for fixing Ukraine's broken court system.

"Bringing in international referees who are not corruptible by the elites here and cannot be bribed or influenced lends us integrity and good practices," said Mykhailo Zhernakov, head of DEJURE Foundation, a legal think tank.

Andriy Kozlov, a former member of the High Qualification Commission of Judges, agreed that foreign experts should be hired to revamp Ukraine's judiciary.

"Any system is anti-reformist by nature," he said. "There should be either some internal revolutionary movement, which is probably impossible for the judicial system, which is corporate and retrograde, or there should be some external political will and probably some external participation."

He added that "people from (foreign) judicial systems who have a well-established policy and way of acting can contribute much to the selection of judges and qualification assessment."

A new bill recently drafted by President Volodymyr Zelensky's administration envisages that three foreign experts for choosing a new High Qualification Commission of Judges may be nominated by any international organizations that engage in anti-corruption efforts and judicial issues. The High Council of Justice, Ukraine's main judicial governing body, will then choose any of the nominees.

Legal experts and anti-corruption activists argued that this procedure makes it very easy for the High Council of Justice to pick "fake" foreign experts who would rubber-stamp Ukrainian authorities'



Melinda Haring, deputy director of the Atlantic Council's Eurasia Center

decisions instead of independent foreign experts.

Under previous reform plans that have been scrapped, foreign experts were to be selected out of the Public Council of International Experts, which took part in the selection of High Anti-Corruption Court judges last year. Its members were praised by Ukraine's civil society for independence and professionalism.

Anti-corruption court

Experts argued that the High Anti-Corruption Court, which was set up in 2019, could become a success story due to the participation of the Public Council of International Experts in the selection of its judges.

"Although judicial reform has not been successful in recent years, the one counter-example was the anti-corruption court," Zhernakov said. "Does it make mistakes? It does. Are there some judges that



Mykhailo Zhernakov, head of DEJURE Foundation

are not as good as we would like them to be? Sure, there are. Are there judges who issue some strange decisions? There are."

But Zhernakov still argued that, compared to other courts, the anti-corruption court was doing better.

Meanwhile, the Anti-Corruption Action Center has recently criticized some judges of the High AntiCorruption Court for closing the case against ex-State Audit Service head Lidiya Havrilova on charges of lying in her asset declaration, taking an electronic bracelet off Vadym Alperin, a smuggling suspect, and removing the bail requirements imposed on former lawmaker Maksym Mykytas, who has been charged with embezzlement. The court did not respond to a request

Lack of trust in courts, no rule of law are biggest impediments to investors

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"The whole selection procedure for the anti-corruption court made a great difference," Kozlov said, referring to the participation of the Public Council of International Experts.



Yaroslav Yurchyshyn, an anti-corruption expert and a lawmaker from the Holos (Voice) party.

"For me the biggest success would be if somewhen in the future this court treats a case against some incumbent officials with vigor and audacity."

Copypasting

Instead of truly borrowing the concept of rule of law from Western countries, Ukrainian authorities often appeal to European standards to protect the corrupt judiciary's impunity.

"What we want is international experts sitting with us for once to select good judges," Zhernakov said. "What we don't want is to copypaste models of judicial governance from the West'

He said that "the judicial self-governance rule where there should be a majority of judges in judicial governance bodies" works in established democracies but not in Ukraine.

"This makes sense when you trust your judiciary and trust them to make decisions on their own behalf," Zhernakov continued. "When the judiciary is not trusted, it does not make sense to give the same judges control over the process."

Stalled judicial reform

The previous judicial reform bill was signed by Zelensky into law in November with the ostensible aim of firing tainted judges and creating credible judicial institutions. However, two bodies tasked with cleansing the judiciary had not been created by the deadline set under the law for February.

In March the Constitutional Court, which has been also discredited and mired in corruption scandals, dealt a death blow to the previous reform bill, canceling some of its clauses.

The President's Office recently drafted a new bill to re-launch the reform. However, the new bill was heavily criticized by anti-corruption activists and judicial experts.

"The new bill doesn't go anywhere near effective reform, and it doesn't do anything in terms of renewal of the High Council of Justice, which is responsible for the failure of judicial reform," Zhernakov said. "If it is introduced in the same way (as it was leaked to the press), it will be nowhere near effective reform and something else has to be done."



A panel of judges leaves the courtroom on Dec. 28, 2019, during a case against ex-po lice officers who are accused of killing protesters during the 2014 Euromaidan Revolution that ousted President Viktor Yanukovych. More than 100 demonstrators were killed by police snipers and no one has been brought to justice six years later.

One of the main problems is that the draft legislation fails to cleanse the judiciary's discredited governing body, the High Council of Justice, and allows it to have full control over the hiring of another judicial body, the High Qualification Commission.

"The same High Council of Justice that was responsible for the failure of judicial reform in previous cases has too much power and control over the process of the implementation of the reform," Zhernakov said. "Instead of firing bad judges and protecting good and independent judges, it goes after independent judges and prosecutes them and keeps bad judges in

According to the new bill, the High Council of Justice will prepare rules for a new competition for High Qualification Commission jobs. Judicial experts and activists say that

this will prevent a real reform from happening.

In December the High Council of Justice published rules on the new High Qualification Commission that judicial experts say killed the previous judicial reform attempt. The rules effectively deprived foreign experts of a major role in the selection of High Qualification Commission members.

The United States Agency for International Development officially told the High Council of Justice that foreign experts' role cannot be fulfilled due to the rules

Hunder and Yurchyshyn said they hope the International Monetary Fund would influence Ukrainian authorities' legislation on judicial reform. Judicial reform is one of the conditions of the \$5 billion credit package approved by the IMF for Ukraine on June 9. ®







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Green investors agree to bittersweet compromise

By Igor Kossov

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The Cabinet of Ministers has created a road map for compromise with green energy companies, whom the government owes more than Hr 14 billion (\$530 million).

Two out of three of Ukraine's major renewable energy associations signed a memorandum of understanding with the government on June 10. Under it, renewable companies would get less money for the energy they sell, while the state would have to repay its debts in full. Parliament must pass a law for this roadmap to become official.

"This process is extremely painful for this business, it is difficult for the state, but agreements were reached with the understanding that we are in the same boat and today neither the business nor the state is interested in destabilization and lawsuits," Prime Minister Denys Shmyhal said at a news conference.

Many companies don't support the memorandum. Even among those that do, support is less about agreeing with the Cabinet and more about getting some money soon to service their debts.

"We need to be realistic," said Alper Tuncer, managing partner at Turkish solar company Emsolt. "It's not a perfect solution but, considering the risk of alternatives... I think this was a good beginning."

But problems in the sector are far from over. Many industry players are considering international arbitration to try to get their money, which would harm the state and torpedo investments. On the other hand, uncontrollable growth in renewable power threatens Ukraine's energy security, according to the State Security Service and multiple energy officials.

"To our knowledge, Ukraine is the first state in Europe that practically does not pay to electricity producers in the obvious breach of its obligations," said Ruslan Sklepovič, CEO of Green Genius.

Renewable producers were paid less than 10% of what they are owed for each of the past three and a half months

A best case scenario depends on parliament. Shmyhal said he would submit a bill by the end of the week. Lawmakers have three weeks to pass it before summer recess. If they don't, companies may be stuck without revenue for months.

Several prior compromise bills have failed in parliament.

The memorandum

In 2008, Ukraine implemented a feed-in tariff (FIT), a guaranteed fixed, euro-denominated price for



Wind turbines are seen on the DTEK's Orlivska wind farm in Zaporizhia Oblast on Nov. 15, 2019.

renewable energy. Feed-in tariffs were popular around the world to boost renewable investment.

Under the June 10 memorandum, solar tariffs for plants above 1 megawatt (MW) would be cut by 15%; plants under 1 MW would be cut by 10%. Wind tariffs would be cut by 7.5%. Solar and wind plants commissioned in 2020 would see another 2.5% reduction.

Renewable energy has big swings in output due to weather and the day-night cycle and needs balancing — i.e. energy from other sources, like coal or gas. Under the memorandum, renewable companies would be responsible for half their balancing capacity starting in 2021 and all of it starting in 2022.

The deal would also limit new plants under the tariff. Starting in August, new solar plants over 1 MW can only get a tariff by bidding for it in an auction.

For its part, the Cabinet promised to pay back all outstanding debts — 40% this year and 60% spread over each quarter of 2021. However, Shmyhal and acting Energy Minister Olga Buslavets did not say where they would be getting this money.

Shmyhal previously stated that energy costs for the population would not increase. Energy analysts believe that this is disingenuous. The money has to come from somewhere, especially with so many industrial consumers and state companies failing to pay their power bills.

While raising energy costs would not affect each citizen to a noticeable degree, there is no political will to do so, said Denys Sakva, energy analyst at Dragon Capital.

Green ambivalence

Many investors don't like the deal. Most of them are in solar. In the European-Ukrainian Energy Agency (EUEA), which signed the deal, about 30% of member companies voted against it. The Agency called it a "responsible but forced step."

EUEA board member Yuriy Kurbushko said that the state's nonpayments "greatly weakened the investors' negotiating position," which forced many to accept a suboptimal solution.

The Ukrainian Wind Energy Association is the other major group that signed the deal. The Ukrainian Association of Renewable Energy did not and took some extra time on June 11 to study the memorandum. Its co-founder, Ihor Tinniy, said on June 9 that the compromise offered by the government was not tenable. On June 11, Tinniy's UARE reportedly rejected the memorandum as discriminatory and unlawful.

For starters, the companies wanted to extend the tariff by several years instead of just cutting it. But there is no extension under the memorandum. The feed-in tariff will run out at the end of 2029.

Solar producers also worry about the size of the cut. Tinniy said that a 15% cut in the feed-in tariff results in 50% cuts in revenues.

Members of EUEA and the Association of Renewable Energy account for roughly half of the country's solar capacity, meaning that half of all solar producers didn't even participate in the talks. An overwhelming majority of wind producers participated in the talks.

This means that, for many companies, the deal is not acceptable and many of the rest still have major reservations about it.

High tariff

Ukraine's feed-in tariff was among the highest in the region when it was introduced. Oleksandr Kharchenko, director of Energy Industry Research Center, told the Kyiv Post that this tariff was designed with oligarchs in mind and domestic oligarchs long dominated the sector.

These included Serhiy and Andriy Kluyev's Active Solar, which was, for a long time, the biggest renewable player in Ukraine. After the Kluyevs fled the country in the wake of the EuroMaidan Revolution in 2014, when their patron President Viktor Yanukovych fled, China National Building Materials Group bought their assets. At Hr 2.92 billion (\$110 million) in revenue for 2019, Active Solar remains the second-largest green energy company in Ukraine.

It's only behind DTEK Renewables, a branch of Rinat Akhmetov's giant DTEK energy group, which made Hr 4.8 billion (\$176.5 million) last year. DTEK had a 15% share of the renewable market in the first quarter.

However, the FIT also attracted foreign interest. Companies like Norway's Scatec Solar, Spain's Acciona Energy and Emsolt joined the market in recent years. Foreign businessmen like Sweden's Carl Sturen and Johan Boden teamed up to develop wind and solar plants throughout the country.

Today, about 800 renewable companies, most of whom are in solar and wind, operate in Ukraine or have signed construction agreements. Close to a third of the sector is international companies and another large percentage is domestic small and medium enterprises. Wealthy businessmen like Akhmetov still have a significant share, but not a monopoly over the market.

Alina Sviderska, head of government relations at Scatec, said that a fair tariff makes sense because the company's capital expenditures are about twice what they are in other European countries. The company usually has to build dozens of kilometers of power lines to connect its plants to the grid here, compared to hundreds of meters in more developed countries.

Industry players also said that the tariff helps compensate for Ukraine's major country risk.

Rising costs

Last year saw the most dramatic jump in renewable capacity in Ukrainian history. The country went from 2% wind and solar at the start of 2019 to over 8% in 2020. The surge was partly due to a law that would retire the tariff for new plants after 2019 in favor of renewable auctions.

The auctions were supposed to start earlier this year. But the standoff between the government and the green producers pushed them back.

Soaring green production brought soaring energy costs. Officials and energy consumers rail against high electricity prices — solar and wind is close to 9% of the total energy balance, but 25% of its cost. The amount of new renewable projects introduced in 2019 and early 2020 exceeded the amount for which the government budgeted.

The increase coincided with Ukraine's new energy market, which many castigated as flawed and incomplete. Under the new system, state company Guaranteed Buyer is supposed to buy all renewable energy for the tariff.

But Guaranteed Buyer has a severe fund shortage. Normally, it's supposed to get money from grid operator Ukrenergo, but it too has a deficit. Many consumers are not paying, including huge government enterprises, as well as Ihor Kolomoisky's Privat group of enterprises.

The standoff between greens and the state over lowering the tariff has dragged on since September 2019. Multiple investors told the Kyiv Post that they were willing to compromise, but former Energy Minister Oleksiv Orzhel refused to listen.

Frustrated investors threatened international arbitration. Oleksiy Feliv, a partner at the Integrites law firm, said that the companies had a good chance of winning, as Ukrainian law explicitly guarantees the tariff. But Kharchenko believes that companies are kidding themselves if they think they can force a sovereign nation to pay when it does not want to.

Industry players warned that renewables are the one major source of steady foreign investment into Ukraine, now at \$10 billion.

Tinniy said that cutting the rates would deprive Ukraine of up to 300 million euros in taxes per year. According to the State Tax Service of Ukraine, renewable energy producers paid Hr 93.6 billion (\$3.5 billion) into the budget over the past 10 years, including Hr 19 billion in 2019.

Kyiv Post staff writer Anna Myroniuk contributed to this report. ©



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Zelensky talks about hirings and firings

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nel and he and Kolomoisky have a long-standing relationship, and that's understandable."

"Yet, there are things, I think, that they do that are very wrong," Zelensky added.

Dubinsky, who represents Zelensky's party in parliament, was among the Kolomoisky-aligned law-makers who submitted over 16,000 amendments to block a critical bank law from passing. Required for a new aid package from the International Monetary Fund, the law would have prevented Kolomoisky from regaining control over PrivatBank, which was nationalized in 2016.

Dubinsky proposed over 1,000 amendments. The law was eventually passed with the help of the opposition and after parliament changed bylaws concerning amendments to speed up the process.

Zelensky said that he sometimes talks with Kolomoisky. "He can write me a text message: 'Pay attention to the energy situation in the country' or 'Something needs to be done with (energy) tariffs," said Zelensky.

"That's who he is," said the president, adding that Kolomoisky doesn't agree with him on a lot of things.

Kolomoisky is currently a defendant in cases in Ukraine, Switzerland, the U.K., Cyprus, Israel and the U.S. The oligarch stands accused

of siphoning \$5.5 billion from PrivatBank.

Kolomoisky denies the accusations and is counter-suing in Ukraine, accusing the state of raiding his property.

On people he trusts

From the start of his presidency, Zelensky faced accusations of appointing friends to government posts.

His childhood friend Ivan Bakanov became the head of the Security Service of Ukraine, while a total of 30 people personally acquainted with Zelensky received government jobs after the president took office.

"I trust my closest people — Andriy Yermak, Serhiy Shefir, Yuriy Kostyuk, Kyryl (Tymoshenko)," said the president. "Although Kyryl and I did not know each other before the presidential campaign."

Yermak is Zelensky's chief of staff and formerly worked as a copyright lawyer for Zelensky's Kvartal 95 production studio. Shefir is Zelensky's aide and formerly the producer and co-owner of Kvartal 95.

Kostyuk is Zelensky's former screenwriter who now works in the president's office. Tymoshenko also works in the president's office.

In March, Geo Leros, a lawmaker from Zelensky's Servant of the People party, published videos that



From left, head of the Presidential Office Andriy Yermak (L), First Deputy Serhiy Trofimov (C), Deputy Health Minister Viktor Lyashko (background), Khmelnytsky Oblast Governor Dmytro Habinet, President Volodymyr Zelensky and Khmelnytsky Mayor Oleksandr Simchyshyn were fined on June 10 for sitting indoors in a coffee shop, despite the fact that restaurants were allowed to serve clients only on outdoor summer terraces until June 5.

appeared to show Yermak's brother considering candidates for government jobs and discussing receiving money from some of them.

Leros accused both brothers of corruption and filed a complaint. The Yermak brothers denied the accusations and sued Leros.

Zelensky stood by his chief of staff. "He definitely didn't take anything. He did not take the money," Zelensky

said during his interview. "I can't

imagine what Yermak would have

something somewhere."

As for the video recordings,
Zelensky said that Yermak's brother

done to himself if his brother took

just likes to talk a lot, and that no corruption took place.

On Leros, who represents Zelensky's party in parliament, the

zelensky's party in parliament, the president was tougher in his wording: "I think he is a swindler."

In addition to being a lawmaker,

Leros served as Zelensky's advisor

on culture and art. After Leros pub-

lished the audio tapes, he was fired.

It was the first scandal involving

Before being appointed as Zelensky's chief of staff, he was said to be in conflict with his predecessor, Andriy Bohdan, a lawyer previously employed by Kolomoisky.

On Andriy Bohdan

"We had a rift inside the team, and we could not work with (Bohdan)," Zelensky said. "I believe that, from the very beginning, I made the wrong decision, (appointing) him as the head of the president's office."

"From the very beginning, I wanted him to become a powerful prosecutor general," he added.

Zelensky said that the vast powers that Bohdan received have spoiled him. After the interview was published, Bohdan responded to Zelensky in a

Facebook post.

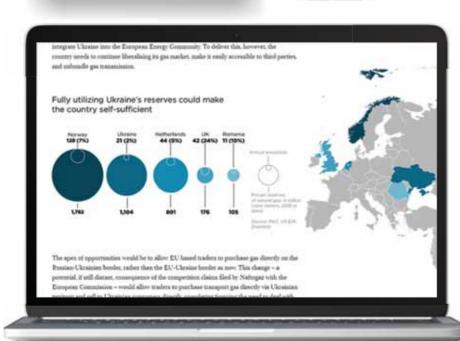
"I am grateful to you for firing me, because my name won't be associated with the chaos that you are throwing the country into," wrote Bohdan.

He also wrote that "decent people" don't comment publicly on the people they worked with, and threw in a menacing hint.

"I know very sensitive information about you and the country. But believe me, I'll remain a decent person," said the ex-official who was recently spotted playfully hitting a goat in the Kyiv Zoo. •







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Internally displaced natives of wartorn Donbas join Minsk peace talks

By Anna Myroniuk

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our natives of the Russia-oc**d** cupied Donbas who fled their homes after Russia's war started in 2014 and relocated to Kyiv took on new roles as peacemakers on June 9. The four – two journalists, a doctor, and a lawyer - all joined Ukraine's delegation in the Trilateral Contact Group on Donbas that negotiate in Minsk

It is there in the Belarusian capital that Ukraine and Russia, mediated by the Organization for Security and Cooperation in Europe, have been trying to negotiate peace on the Donbas since 2014. This format has not yet yielded much success.

Ukraine hopes that welcoming Donbas natives with a vocal pro-Ukrainian position at the negotiating table will bring the discussion some fresh momentum as well as a little more fairness. Representatives of the Russia-backed residents of the Donbas already participate in Minsk.

"Our interests have to be taken into account for sure," a newly appointed member of the Minsk group, Sergiy Garmash, a journalist, told the Kyiv Post. "If we return back there (to the Donbas after deoccupation) - and the majority will return – it will be us to live there, to participate in those local elections so it is us to decide on the conditions of our life there."

The Minsk peace plan, signed in 2014 and amended in 2015 under duress by Ukraine because of battlefield losses, provides that its key points - border control and local elections – must be agreed with the representatives of "certain areas of the Donetsk and Luhansk regions."

However, the document does not specify who these people must be.

Since 2014, only Russia-controlled separatists from the Donbas have been invited to the discussion. Now Ukraine decided to challenge this and get a few voices of the roughly 1.5 million of internally displaced Donbas residents heard

Improving representation

On June 9, the President's Office of Ukraine published the new negotiators' names and elaborated on their

They are being involved so that Ukraine complies with the Minks protocol, the President's Office said in a statement. "In particular, with paragraph 9 and paragraphs 11-12. which provide for consultations with representatives of certain districts of Donetsk and Luhansk regions on the parameters of the political settlement and changes in legislation."

These paragraphs are the biggest stumbling block in the entire negotiations process. They prescribe Ukraine to regain control over its eastern border with Russia one day after local elections are held, something Ukraine strongly disagrees

Ukraine opposes this and demands the reversed order of events even though it signed the current version



Vadym Goran is a lawyer from Sorokyne, a city in Luhansk Olbast.



Sergiy Garmash is a journalist from Yenakijeve, a city in Donetsk Oblast.



Denys Kazansky is a journalist born in Donetsk.



Konstantin Libster is a dorctor from Lu-

of the document in 2015. Back then Kyiv needed to agree to stop devastating Russian attacks in the Donbas.

After the shelling diminished, Kyiv started backing its position that no transparent and safe elections are possible while Russian-backed militants control its territory, and that they must withdraw first.

Kremlin said a strong no to that, arguing that Russia-backed separatists will be persecuted if Ukraine regains control over the border before the elections.

The new four of Ukraine's representatives are dedicated to helping in getting out of what can seem a dead-end in the peace talks.

Engaging internally displaced Donbas natives in negotiations was his idea, Ukraine's Deputy Prime Minister Oleksiy Reznikov said in an interview to Liga news website.

Reznikov joined the Minsk

I started reading the documents and bumped into paragraphs 9, 11, and 12. I asked myself 'who are these people?" For the duration of more than five years they were the representatives of the occupation regime. But as long as the document has no line about them, I started asking the OSCE," Reznikov said referring to the Organization for Security and Cooperation in Europe that mediates the peace talks.

continued.

Reznikov took the initiative and started interviewing the candidates. He has picked four out of 60, but more names are to be announced soon, he said. He also hopes that some of the freed political prisoners of Russia can join the discussion in

The idea of involving natives of

Donbas who had to flee their homes due to the war is not new. This has been discussed for a while, including by President Volodymyr Zelensky. He suggested this in December 2019 in Paris during the Normandy Format peace talks on the Donbas – revived after three years of silence with his Russian counterpart, and mediators, leaders of France and Germany.

Any success yet?

The four new Ukraine's representatives have joined the sub-group on politics, one of four sub-groups existing. The other groups work on socio-economic, humanitarian, and by Russia and the separatists it backed.

The separatists then accused the new Donbas representatives of being selected with no transparency, which is ridiculous, Kazansky said, as the so-called republics of Donetsk and Luhansk are illegal and so are the people that represent them.

In the very end, the Russiacontrolled separatists said that they do not want the pro-Ukrainian Donbas natives to participate in talks any more, Garmash said.

This does not stop them, he continued, as they will join the next

meeting scheduled on June 15. The foreign political analysts do

> not perceive the greater representation of Ukraine in Minsk as a breakthrough mainly because they believe this will unlikely change much.

> "A peace deal can reached only be when the Kremlin concludes that the costs of its war in

Ukraine exceed its potential benefits. For the time being, however, the Kremlin sees the costs as manageable and is unwilling to relinquish hopes for geopolitical control over Ukraine," Michael Carpenter, a managing director at Penn Biden Center and a Russia expert told the Kyiv

The Minsk format itself has very limited powers, Carpenter said. "As someone who participated in more than a dozen sessions of the Geneva International Discussions on Georgia, I can tell you this is not the sort of venue that will produce major breakthroughs," he said, referring to the Russian war with Georgia of

Tatiana Kastoueva-Jean, head of the Russia-NIS Center at the French Institute of International Relations, IFRI, said: "This decision of strengthening the bargaining position of Kyiv, showing that it is impossible to talk about the Donbas as a single camp having that the separatists are not the only representatives of the region, is understandable. It can be

well-received by the Ukrainians as a fair decision. But not by Russia." "I doubt it will help the negotiations," she continued.

Who these people are

The four representatives:

- Sergiy Garmash is a native of Yenakijeve a city in the Donetsk Oblast. He is founder and a chief editor of Ostroy, an online media outlet about the Donbas. He also chairs the think tank called Center for Research on Social Prospects of the Donbass. In 2015, Garmash received Gerd Bucerius Free Press of Eastern Europe Award.
- Denys Kazansky was born in Donetsk. He used to be among the most popular bloggers in the Donbas writing in Live Journal about the crucial issues for the region and criticizing the authorities. He worked in a number of media outlets before becoming a chief editor at the East Option news website, that specifically covers the Donbas. Kazansky also launched a book called "Black fever" about the illegal mining in the Donbas.

The other two, natives of the Luhansk region, are less public.

- · Konstantin Libster is an orthopedic traumatologist from a family of doctors. He fled Luhansk for Kviv after his native city was occupied. His father still lives and works in Luhansk as a doctor. In Kyiv Konstantin works at the Central City Hospital.
- Vadym Goran is a lawyer from Sorokyne, a city in Luhansk Olbast. He first worked as a prosecutor in Luhansk and then in Kyiv including at the Prosecutor General's Office. He finished his career as a prosecutor in 2014. He chairs Lugansk fraternity, a public organization with controversial pro-Russian history. After Goran chaired it the organization, he changed the music and started supporting internally displaced people from Luhansk.

The new members of the Ukrainian delegation in Minsk said that they were given all the freedom to say whatever they feel saying during the peace talks.



Our interests have to be taken into account for sure



Sergiy Garmash,

a journalist, newly appointed member of the Minsk group

process himself only recently, on May 5, when Ukraine's squad in Minsk was renewed. He stepped in as a deputy head of Ukraine's

"When I joined the Minsk talks,

"They grunted and shrugged," he

security issues.

The gathering normally takes place in Minsk in person, but this time it was held via video link because of coronavirus lockdown.

The new members have vet participated in two meetings. On June 9, they first met in a sub-group on politics. The day after they sat at full strength as Trilateral Contact Group involving the representatives of Russian Ministry of Foreign Affairs

The Russia-backed separatists did not provide a warm welcome, Denys Kazansky, a new Ukraine's negotiator and a native of the Donbas told

"They were yelling, being emotional, asking who we are, and on what grounds did we join. They said that we do not have a right to be called the representatives of Donetsk and Luhansk because we do not live there," Kazansky, a journalist, recalled the meeting.

Ukraine's delegation replied that they had been forced from their homes because of the war unleashed

Investigation: Family of Medvedchuk owns popular television channel

By Alex Query

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The family of controversial politician Viktor Medvedchuk, leader of the pro-Russian Opposition Platform party, owns nearly 25% in the prominent Ukrainian TV channel 1+1, an investigation by Radio Free Europe/ Radio Liberty revealed on June 10.

The investigation, based on the lawmaker's asset declaration for 2019, showed that a company called Bolvik Ventures Ltd., registered in the British Virgin Islands, owns 24.66% of shares of 1+1, one of Ukraine's most popular TV channels.

The company belongs to Medvedchuk's wife, celebrity TV host Oksana Marchenko.

oligarch Ukrainian Kolomoisky, who is the main shareholder of the 1+1 media group, told Radio Liberty that he did not know that Medvedchuk's family owns part of his TV channel.

"It is news to me," he said.

Kolomoisky added Medvedchuk acquired the shares from Ihor Surkis, an influential Ukrainian businessman who used to co-own 1+1. The 1+1 website that discloses the company's ownership in accordance with the Ukrainian legislation, still lists Marchenko's company Bolvik Ventures Ltd. as belonging to Surkis.

The 1+1 Media is one of the biggest media holdings in Ukraine. It operates eight TV channels, including Channel 1+1, which airs popular TV shows, including the ones produced by President Volodymyr



Viktor Medvedchuk, a member of parliament and a longtime pro-Kremlin asset in Ukraine, has amassed control of at least four telvision stations in Ukraine. He is believed to control NewsOne, 112 and ZIK, while his family reportedly has an ownship share in 1+1. His nickname is the "Prince of Darkness" for his harmful role in Ukrainian life dating to early statehood in the 1990s.

Zelensky's Kvartal 95 entertainment company.

The channel played an important role in Zelensky's presidential campaign in spring 2019, covering his candidacy and showing reruns of his shows en masse. The channel has also often reflected the interests of Kolomoisky.

Medvedchuk's wife's company co-owns two biggest channels in the group, 1+1 and 2+2.

While those are the first TV channels that Medvedchuk owns officially, he is suspected to control three other stations - NewsOne, 112 and ZIK – through their owner, Taras Kozak, No. 10 on the Opposition Platform party list.

On the paper, Medvedchuk owns a law firm while his wife is the owner of nearly 100 companies, according

to the politician's declaration.

His wealth was estimated at \$78 million in 2018, according to an index by Ukrainian news magazine Novoye Vremya.

A personal friend of Russian President Vladimir Putin and an unofficial representative of Russia in Ukraine, Medvedchuk has been a longtime figure in Ukrainian politics.

In 2004, Putin became godfather to Medvedchuk's daughter. Medvedchuk regularly visits Moscow and meets with Russian officials, positioning himself as a representative of the Russia-friendly part of the Ukrainian political scene.

He and his business partners acquired great wealth, including media assets and energy utilities, in the 1990s. He has also exerted strong control of Ukraine's courts as a member of the Supreme Council of Justice, starting in 2008. He used to serve as the head of the presidential administration for ex-President Leonid Kuchma in the early 2000s.

Medvedchuk also boasted of having negotiated with Russian-led groups in the Donbas on the release of four Ukrainian prisoners of war.

His peace plan for ending the war calls for direct talks with Russianbacked leaders in the occupied territories, individuals whose authority Kyiv does not recognize. It also calls for the granting of autonomous status to the Donbas within Ukraine. ®



Cooling off at the beach

People walk on the pedestrian bridge to spend a hot summer day on a Dnipro River beach on Trukhaniv Island on June 11, 2020. After a rainy end to the cold spring, summer brought a heat wave to Kyiv. The day temperatures will stay above 30 degrees Celsius until June 14, and at 27-28 degrees Celsius for another week. As the summer came. Ukraine lifted most of the restrictions that were imposed in March to curb the spread of COVID-19, and Kyivans flooded the streets and parks of the city, usually not wearing face masks and often showing little care for social distancing. When the record-high daily number of new cases was reported on June 11. Health Minister Maksym Stepanov put the blame on Ukrainians' reckless behavior.

TOP 10 KYIV POST

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Lifestyle

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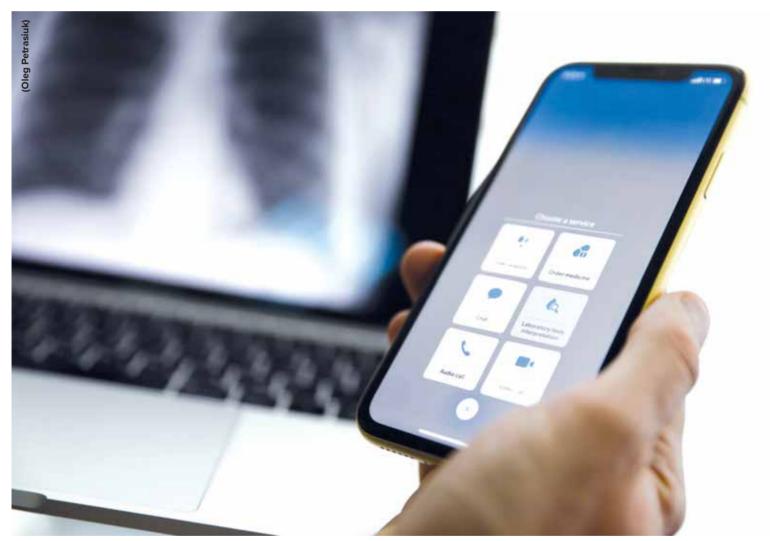
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The doctor will see you, but online in age of COVID-19



Telemedicine entered the mainstream in Ukraine since the start of the COVID-19 pandemic. Voice and video calls with doctors have been growing in demand.

By Artur Korniienko

korniienko@kyivpost.com

When going to the doctor's invites risk, remote appointments via voice and video calls are the best way to stay safe and healthy.

That's why telemedicine, which broadly means healing at a distance, has gotten a boost since the start of the novel coronavirus pandemic around the world, including Ukraine.

"While before the pandemic, telemedicine for many doctors was just an additional and completely optional service, today it has become an essential part of health-care delivery," says Andriy Zayats, CEO of IT4Medicine group of companies that develop electronic health services in Ukraine.

More doctors of municipal and state clinics have been using ordinary messenger apps to consult patients, and software developers started integrating special video chats into their electronic medical systems.

And while there are no statistics on the number of remote appointments since Ukraine imposed the COVID-19 quarantine in mid-March, private clinics and telemedicine services say that the demand has increased drastically.

So private clinics started ramping up their online services too, and insurance companies have been adding telemedicine to their med-

ical insurance policies. And some technology companies are trying to innovate and turn telemedicine into a profitable business.

Connecting doctors

Telemedicine has been around for decades, ever since humans started using telecommunications to send messages about patient treatment. Older Ukrainians still associate it with the pseudo-healing sessions by the Russian psychotherapist Anatoly Kashpirovsky on Soviet TV.

But modern telemedicine uses high-speed internet, computer technologies and mobile devices. In this form, telemedicine has been developing in Ukraine since the 2000s with a few minor projects in the regions and initiatives by some private clinics.

The state stepped in 2017, when former President Petro Poroshenko initiated a law on improving health care in rural areas. The parliament passed it and, with a grant from the World Bank, the state launched a telemedicine project that connects rural paramedics with family doctors in five oblasts in 2019.

It works this way: a paramedic takes a cardiogram or other test from a patient in a remote rural area using mobile equipment and immediately sends it to a family doctor in the clinic. A family doctor examines it and sends it to a car-

COVID-19 testing is now available at American Medical Centers in Ukraine



Dr. Richard Styles

American Medical Centers is now able to provide testing for the coronavirus in order to help both individuals and working groups return to work and undertake international travel.

We have two types of tests for COVID-19 infection.

Firstly a PCR test, which matches a patient's genetic material with that of the virus. The test is taken either from a blood sample or from a swab from the back of the nose, the blood sample being the more accurate form of testing — about 98%. A PCR test will begin to show active infection from 24-48 hours from the start of viral infection until the virus is removed from the body — maybe 2 weeks or more.

It will not show those who have had an infection but will show those who are actively infected (even if they have no symptoms). To determine if an individual is free from active infection I recommend that they should observe strict self-quarantine and social distancing for 48 hours before the test and during the two days that the test takes to process.

The European Union is currently discussing the need to have a PCR test done 72 hours before travel.

The second test is an antibody test that will show if an individual has had an infection. It is less accurate than the PCR test and its accuracy is about 80%.

The antibodies will begin to show after about 2 weeks and will increase over the next two or three months. It is useful for an individual to confirm they have had the infection, but to be more accurate I would suggest that they are re-tested in a further two weeks. The result is available within a few hours. Because the numbers of people in the population who have had the virus are still comparatively small, and may be much smaller in selected groups, such as our own patients, it is unlikely to find a working group who are all positive - that is, all who have had past infection.

Clinics and pharmacies sell COVID-19 tests for people who cannot get free ones

By Daria Shulzhenko shulzhenko@kyivpost.com

As Ukraine gradual reopens after its nearly three-month coronavirus lockdown, the issue of mass testing

is in the spotlight again.

While the country had 29,070 confirmed COVID-19 cases as of June 11, the real number of people who might have contracted the disease — and become immune to

it, at least for a while - remains a

Leaders in other countries have suggested that mass antibody testing is essential for knowing when to lift restrictions. Identifying these people may help get a more complete picture of how many people had the virus and also help develop in the development of a vaccine.

Although Ukrainian authorities agree they need mass testing, currently it is testing only those showing flu symptoms, their contacts, and those in risk groups — like medical staff and police.

Others can pay to get tested in private clinics or buy a self-test at a pharmacy.

Looking for immunity

Antibody tests, also known as serology tests, can tell if people have been infected with the novel coronavirus and have developed immunity to it. They are less reliable than polymerase chain reaction, or PCR tests.

Unlike PCR tests, which look for the presence of the coronavirus directly by detecting its genetic material from the secretion samples from the patient's throat or nose, serology tests look for antibodies developed in the blood to fight the virus.

Although there are several types of antibody testing, when it comes to COVID-19, rapid tests and enzymelinked immunosorbent assay, also known as ELISA test, are the most commonly used

ELISA test is a method of laboratory diagnostics that can also identify the number of antibodies in the blood. For ELISA tests, blood is taken from the patient's veins.

Rapid tests, on the other hand, take a finger prick of blood to indicate the presence of antibodies.

Both ELISA tests and rapid tests look for two types of antibodies in the blood, IgM and IgG. IgM appears in the blood in a week after getting infected and disappears in about two weeks. Such antibodies can also indicate that a person is currently sick.

IgG typically appears after recovery and can remain in the blood for months.

These long-term IgG antibodies may also indicate immunity to the disease. They don't tell, however, how strong the immunity is and for how long this immunity can fight COVID-19.

"Antibodies to COVID-19 are very unpredictable. Ongoing studies will show more," says Viktoria Yanovskaya, the head of the Ukrainian reference center for clinical laboratory diagnostics and metrology based in Ohmatdet clinic.

Accuracy unknown

Although there are two most used coronavirus antibody tests from various producers, it is still not clear which one is the best and most accurate.

"COVID-19 is new to us, so it's too soon to make any conclusions on accuracy and reliability of different tests," says Olena Maksymenok, senior researcher at the Gromashevsky Institute of Epidemiology and Infectious Diseases.

The accuracy of each test depends on many factors.

According to Yanovskaya, antibody tests manufactured by Swiss brand Roche and U.S. brand Abbot are the most known.

Characteristics to evaluate the accuracy of ELISA test-kits include their capacity to identify people with the disease (true positive) or without the disease (true negative). Medical

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professionals call these characteristics sensitivity and specificity. In other words, if the test system has 90% of sensitivity, it will correctly identify 90% of people who are infected. But the other 10% of people tested, who are currently infected, will get a negative result.

Therefore, the higher these characteristics are, the more accurate the test result is. Virologist Iryna Kostenko says reliable test makers usually indicate sensitivity close to 100% and specificity over 97%.

Abbot's test system, for instance, shows its sensitivity of 100% and specificity of 99.6%. Roche, on the other hand, has 100% sensitivity and 99.8% specificity.

Rapid tests, however, are less accurate than ELISA tests, experts say.

"There are always risks that a (rapid test) won't be accurate, as finger blood may contain fewer immunoglobulins (refers to IgM, IgG types of antibodies)," says Volodymyr Kurpita, former head of the center for public health. "The sensitivity of a rapid test is lower and may vary from 40–70%," Kurpita says.

Rapid tests, nevertheless, have an advantage: they are suitable for mass testing and can be useful for measuring the spread of the virus among populations. They don't require special equipment and the results are known in 15 minutes. ELISA test results can take from several hours up to one day.

But numerous health experts who spoke with the Kyiv Post agree that the reliable test system is only a part of making an accurate diagnosis. If ELISA tests and rapid tests are done too soon after exposure, there are often not enough antibodies to give a positive result.

"Antibody test is a screening method and often it's not enough to make a diagnosis out of it," Maksymenok says. "When a person is tested positive for IgM antibodies, he or she should undergo PCR test after, to see if an infection is active or not,"



A researcher of Synevo laboratory works with test tubes on June 5, 2020.

Kurpita adds.

Where to get tested

Clinics, laboratories

Several private clinics in Kyiv are currently testing people for coronavirus antibodies using both ELISA and rapid tests.

The chain of Synevo laboratories, for instance, offers ELISA test for one type of antibody for Hr 600 (about \$22). For the screening, Synevo uses a test-system from German company Euroimmun, which sensitivity is 99% and specificity is 99.5%.

According to Mykola Skavronskyi, the commercial director of Synevo, the laboratory can conduct up to 2,000 such tests in one day. The results take from three to six days, depending on the types of antibodies. Such tests are available in every Synevo laboratory in Kyiv.

It's not allowed to eat, drink alcohol, smoke, and take any medicine for 10 hours before taking an ELISA test. ID is required for the test.

Synevo also asks people to register in advance and gives a 10% discount for those who register online at synevo us

Another Kyiv laboratory CSD Lab uses ELISA antibody tests from German tech-company IBL. Such tests are among the best on the market, says Kostenko, who is also a medical director of CSD.

Here, screening for one antibody costs Hr 650 (\$24) and the results will take two days. Kostenko also says it is better to make such an analysis on an empty stomach.

Kyiv's DNA laboratory, on the other

hand, uses Ukraine-made ELISA test kits produced by Kyiv-based company Vitrotest. Igor Nikolaenko, head of Vitrotest company, says both sensitivity and specificity of its test is around 99%. One ELISA test at DNA laboratory costs Hr 420 (almost \$16) and the results take two days.

Such Kyiv clinics as Borys, Dobrobut, and American Medical Center cooperate with the chain of laboratories Dila to check ELISA test samples. The Kyiv Post requested a comment from Dila to clarify which antibody test-system the laboratory uses, but haven't heard back.

The price for ELISA test at Borys varies from Hr 650–950 (\$24–35), depending on what type of antibodies one wants to check. The results are ready in two days. However, Borys recommends consulting a doctor before taking the test for Hr 610 (almost \$23).

Dobrobut, in turn, requires all patients to consult a doctor for her to recommend which of the antibody tests the patient should take. The consultation is Hr 640 (\$24). However, at this clinic, one can be tested for IgG antibodies without seeing a doctor first. The test costs Hr 950 (\$35). The results are ready in two days.

American Medical Center offers ELISA tests for IgG antibodies for \$65–75. The results are ready within 24 hours. Visitors are asked to register in advance.

Rapid tests

The accuracy of rapid tests raises many questions among doctors

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Where to get COVID-19 tests

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and scientists. The World Health Organization, for instance, does not recommend using rapid tests for patient care.

Kurpita also says he wouldn't recommend conducting rapid tests without seeing a doctor. According to him, even though it seems to be an easy analysis, the results of the test vary from many factors and should definitely be explained by the doctor.

"I would urge citizens not to do this research on their own," Kurpita says.

Still, many Kyiv pharmacies sell rapid tests for coronavirus antibodies.

The chain of Apteka Nyzkykh Tsin (Low Prices Pharmacy) offers two types of rapid tests: Ukrainian tests produced by the company Medbyoalians and Chinese tests by Shenzhen Bioeasy Biotechnology.

The price for the Chinese rapid test in Kyiv is Hr 280–300 (\$10–11) and its quality was approved by CE marker, which indicates conformity with health and safety for products sold within the European Economic Area. It is available at almost every pharmacy of the chain.

Ukrainian rapid test by Medbyoalians costs around Hr 455 (\$16), and currently available at three pharmacies of the chain only — at 51 Sobornyi Avenue, 18 Lermontova Street, and 16A Novokuznetska Street.

Svitlana Riabets, production manager of Medbyoalians, says rapid tests are less accurate than ELISA, but also says the advantage of rapid tests is their price and speed. Riabets says they started the development of rapid tests in February and cooperated with several companies in the U.S. and China to produce them.

Riabets couldn't specify names of the companies but says their rapid tests have sensitivity around 85% for IgM and around 99% for IgG. These tests are offered at Kyiv pharmacies as kits for self-testing that consist of test cassettes, dropper, buffer solution, blood lancet, alcohol wipe and instruction.

To conduct the test one needs to wipe the finger first, make a finger prick using a lancet, then wipe the first blood drop. Next, pour several blood drops on the special mark at the bottom of the cassette, indicated with the letter S. Use a dropper to add two drops of buffer solution to the blood.

Wait for 10 minutes and see the results: C means negative, G means IgG antibodies, which appear after recovery. M stands for IgM antibodies and indicates that a person may be infected and needs to see a doctor or undergo further examination for proper results.

Another option to get results faster might be to conduct a rapid test at one of the Kyiv private clinics. Borys, for instance, offers such an option for Hr 850 (almost \$32). Andrii Rachupkin, the medical director of Borys, says the accuracy of the test will vary depending on the day of the disease and the concentration of antibodies in the blood.

Rachupkin couldn't specify the name of the rapid tests available at Borys, but says these tests were produced in England, and they are satisfied with their quality.

The Medicom clinic, in turn, uses rapid tests produced by the U.S. companies AcroBiotech Cellex. The accuracy of the result is 70%. The test itself costs Hr 850 (\$31), the result is ready within minutes.

Telemedicine has joined the call as online services gain in popularity

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diologist or other specialty doctor if there are complications. Finally, they make a decision on how to treat or hospitalize the patient in a matter of minutes. Over 3,200 consultations were conducted under this pilot project in 2019.

Meanwhile, a telemedicine center launched the same year at the Odesa Oblast municipal hospital conducted over 10,000 consultations between region's medics in 2019. The Odesa center uses Medinet, a telemedicine network developed by IT4Medicine, and connects over 1,400 doctors in over 100 cities and villages and now trying to expand to other oblasts.

Zayats, IT4Medicine's CEO and co-founder, says that telemedicine systems connecting doctors proved vital with the start of the pandemic. He says that doctors use online platforms to consult on the detection and treatment of COVID-19 and collect statistics using Medinet.

Municipal clinics

The new age of doctor-patient telemedical consultations came with the advent of Viber, says Ruslan Kravets, CEO of Medikit medical communications platform. The number of such consultations via ordinary messengers has been "fantastically high," he says, but they have not been registered.

For years now, family doctors of municipal and state clinics have been giving out their phone numbers tied to their accounts on Viber, the most popular messenger app in Ukraine. The doctors then would get messages, photos and calls from their patients asking for advice.

"When we asked doctors in 2018 whether they were afraid to consult patients online, all of them said 'You know what, we've been doing this for six years and don't see any problems with online consultations," Kravets told the Kyiv Post.

Surveyed doctors say that 70% of all patient requests can be solved online, according to Kravets. American Medical Center private clinic in Kyiv says that online visits can provide 75–85% of general acute care and preventative care diagnosis.

Still, not all family doctors have been willing to share their phone numbers simply because they don't want an additional load at work or be bothered after working hours. But since COVID-19 quarantine restrictions, these doctors are becoming more open to telemedicine.

The government also encouraged clinics to use telemedicine to fight COVID-19. In late March, the Ministry of Health approved mandatory regulations that require clinics to increase "the provision of medical care provided with … the use of remote communication for the exchange of information in electronic form (telemedicine)."

Medical software providers have followed suit. Helsi and Poliklinika Bez Cherh (Clinic Without Queues), the two most popular medical systems for making doctor's appointments on the web, have both added audio or video chats for telemedical



consultations. The systems register such appointments, but it's not clear yet whether they are equated to regular visits.

When doctors start getting paid for online consultations in the same way as for regular visits, it will be much easier to convince all doctors to try telemedicine, Zayats says. A full-fledged nationwide telemedicine network will be a done deal then, he says.

Private clinics

It would seem that it is much easier to implement telemedicine in private clinics. But in fact, the management of many private clinics frowned upon telemedicine until recently, Kravets says. The reason is simple: Telemedicine does not bring as much profit as regular doctor's appointments.

"Their business model is to sell more services. When you come to see a therapist, he then often tells you to see the clinic's otorhinolaryngologist or take some tests, so the average check goes up. It's much harder to do this online," Kravets says.

But COVID-19 changed that too. Since face-to-face appointments became more difficult, private clinics have realized that they have no choice but to launch telemedical services. Some simply started scheduling appointments on Viber, others started developing their own systems.

And the demand for online services increased too. The American Medical Center in Kyiv had 10–20 online appointments per month when it launched online services in 2019, but now it has over 100 monthly online visits. AMC is now launching an app for online medical services. A

"The COVID-19 pandemic has absolutely driven our online initiatives as well as our patient's comfort-level of switching from a faceto-face visit to their phone or laptop," Alex Sokol, president of AMC Group, told The Kyiv Post.

Ukraine's largest private clinic network Dobrobut has launched an app in 2018, and started offering online consultations in 2019, which it calls "explanations." Over 4,000 patients used the service in a year, and with the start of the COVID-19 quarantine, there are around 70 patients using it every day.

"Given the trend for the use of mobile devices, the growing demand for online services during the pandemic and the convenience of online explanations, we can expect that some of our clients will actively use this service in the future," Dobrobut's head of marketing Viktoria Nechyporuk told The Kyiv Post.

Tech companies

To launch its online consultations, Dobrobut partnered with Medikit, Ukraine's first telemedical service started in 2018 and led by Kravets. Unlike most other services, Medikit connects the patient to a doctor on demand, here and now, instead of having him or her wait for an opening in the doctor's schedule.

The patient asks a health-related question, and the service connects him or her with a specialized doctor who is available. Medikit guarantees a connection in 15 minutes, but Kravets says it usually takes about three. The patient can quickly switch the doctor, and there is a rating system for them. Certified doctors can join the platform and make money.

Medikit charges Hr 150 (\$5.6) per consultation and offers unlimited one-year subscriptions for Hr 590 (\$22.1). Kravets says that the demand for their services has been growing steadily by 30% each month since autumn 2019 and has now reached about 2,000 consultations per month.

An app similar to Medikit but with much greater ambitions is Doctor Online, a project developed by IT4Medicine in partnership with Kyivstar mobile telecommunications company. Doctor Online also offers on-demand medical consultations, but their doctors are all employees of one private clinic network.

Doctor Online launched late in 2019 and has been downloaded by 300,000 users in Ukraine, CEO Nikolai Kysel says. Since the start of the quarantine, the service has

provided 40,000 consultations in Ukraine. But Doctor Online goes beyond Ukraine.Â

"We are a large-scale international project working in other countries," Kysel told The Kyiv Post. "We have clients from the European Union, Asia, North and South America. Using the automatic translation of messages, we have consulted in 140 countries in four months."

Currently, Doctor Online provides audio and video consultations in English, Ukrainian and Russian, but Kysel says they are quickly expanding to open contact-centers in other countries. Besides consultations, the project works with local services to offer medical tests and deliver medicine. It charges Hr 75 (\$2.8) for a one-month subscription and Hr 400 (\$15) for one year.

Kravets says that another positive indicator for telemedicine came from insurance companies in Ukraine. Since the start of the pandemic, many of them started adding telemedicine to the list of their insurance policies. This stimulates private clinics to launch telemedicine, he says.

ARX insurance company started adding telemedicine in their medical policies in 2017. But private clinics did not seek to launch the service in their clinic back then, and customers did not have much confidence in remote medical services, ARX board chairman Andriy Peretiazhko says.

"The situation changed dramatically with the start of the quarantine: clients began to take telemedicine consultations seriously for fear of getting sick, and clinics started offering it en masse," Peretiazhko told the Kyiv Post.

But most of all, telemedicine's future will depend on how the patients are satisfied with their experience for remote healthcare delivery, Kravets says. If the customers are happy, then they will demand telemedicine from their insurance companies and clinics.

"Before you know it, telemedicine will have a million clients in Ukraine. And it will develop further when that million will start asking friends: 'Oh, so you went to the doctor? But what for?"

Dr. Richard Styles: So far, **American Medical Centers** see few COVID-19 cases

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American Medical Centers has carefully selected both PCR and antibody testing from the most reliable sources with high accuracy rates and these tests are available to individuals or groups.

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routine medical care. Establishing that individuals or a workforce are free of active infection is the first step in returning to normal work and economic viability.

Maintaining freedom of infection both as an individual and as a group of workers will require continuing changes to lifestyle and American Medical Centers will be providing such information for your use.

If you wish to have any COVID-19 testing done either as an individual or group of workers, clinic managers and medical directors of all our clinics will be able to assist you.

Dr. Richard Styles is the chief medical officer of the American Medical Centers group. ®



A researcher works on the diagnosis of suspected coronavirus COVID-19 cases.

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A minimum of three (3) years of clinical experience post-graduate training in primary care (Family Medicine, Emergency Medicine, Pediatrics, or Internal Medicine) with at least 50% of the provider's time involved with direct patient care during that time is required.

Knowledge/skills/abilities:

Must be able to perform common office-based surgical procedures, primary care procedures, and have emergency response skills such as intubation of patients, IV insertion, ability to perform CPR, etc. Position shall work with standard medical equipment and is expected to know how to operate basic laboratory equipment. Must be proficient in use of computer including Microsoft Word, Excel, Internet functions including medical literature searches and use of common computerbased applications/programs.

Must be sensitive to needs and feelings of the patients and be approachable and personable in order to obtain and maintain the trust and confidence of employees

Application deadline: July 5, 2020

How to Apply:

Interested applicants should submit applications via online application system at https://erajobs.state.gov/dos-era/ukr/vacancysearch/searchVacancies.hms

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2016: Big government change, war stalemate

Editor's Note: In celebration of the Kyiv Post's upcoming 25th anniversary on Oct. 18, 2020, we're looking back at the people, issues and events that shaped Ukraine.

Nadiya Savchenko walks at Kyiv's Boryspil International Airport after she was freed from imprisoniment by Russia as part of a prisoner exchange on May 25, 2016. In general, however, Russia showed no signs of ending its war against Ukraine.

2 Ukraine's midfielder Yevhen Konoplyanka (C) jumps for the ball with Poland's defender Thiago Rangel Cionek during the Euro 2016 football match between Ukraine and Poland in Marseille, France, on June 21, 2016.

3Ukrainian singer Jamala performs the song "1944" during the dress rehearsal for the Eurovision Song Contest 2016 Grand Final in Stockholm, Sweden, on May 13, 2016. Jamala went on to win the contest.

Investigators work at the scene of the car-bomb explosion in Kyiv that killed Belarusian journalist Pavel Sheremet on July 20, 2016. The case remains unsolved.

5 The government announces the nationalization of PrivatBank on Dec. 18, 2016.

6 Then Deputy Minister of Economic Development and Trade and the head of the ProZorro team Maksym Nefyodov, reacts to the transition of state customers to the ProZorro electronic public procurement system in the Verkhovna Rada on July 12, 2016. Also this year, Volodymyr Groysman replaced Arseniy Yatsenyuk as prime minister.

A man kisses a woman from Ukraine's Paralympic team in Boryspil airport after the team's return from Rio in the early morning of Sept. 22, 2016.

People explore the new AN-132 airplane during its presentation at Antonov plant in Kyiv on Dec. 20, 2016. (Photos by Kostyantyn Chernichkin, Volodymyr Petrov, AFP, UNIAN)









