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# Kyiv Post

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Kostyantyn Chernichkin

# Democracy Dies Here?

## Ukraine's corrupt judicial tandem, the Constitutional Court and a Kyiv court led by Pavlo Vovk, are killing any hope for rule of law in Ukraine



See story on page 6

The Constitutional Court of Ukraine on June 23, 2020 in Kyiv. The notoriously corrupt 15-member court, along with its judicial partners in the Kyiv District Administrative Court led by Judge Pavlo Vovk, have issued rulings that deliver smashing blows to the nation's ability to combat corruption. The Constitutional Court has invalidated Ukraine's strong legal requirements for public income and asset disclosures by officials, while removing criminal penalties for illegal enrichment. The Vovk-led court, meanwhile, ruled that Artem Sytnyk, head of the National Anti-Corruption Bureau of Ukraine, should be dismissed because his 2015 appointment was illegal. Combined with the inaction of Prosecutor General Iryna Venedytkova in pursuing criminal cases against top-level corruption, and the dismal records of other judicial bodies, Ukraine's drive for rule of law is going nowhere fast. President Volodymyr Zelensky convened an emergency meeting of the National Security and Defense Council on Oct. 29 to discuss these issues, amid calls to disband the Constitutional Court. See story on page 6.



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# Voters back local elites; Zelensky's party falters

By Oleksiy Sorokin  
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Ukraine's three largest parties have all proclaimed themselves the winners of the 2020 local elections.

Some won regional councils, others won city councils — but all of them lost Ukraine's major cities, where regional elites secured dominance.

The incumbent mayors reaffirmed their standing around the country, including those with corruption allegations against them. Ukraine's two largest cities saw incumbents receive over 50% of the vote. Others came just short of winning in the first round.

As for national parties, Ukraine once again experienced a clear divide in preferences between the country's east and west.

The pro-NATO European Solidarity party, led by ex-President Petro Poroshenko, was the most successful in western Ukraine and Kyiv. The pro-Russian Opposition Platform — For Life party did well in the southeast.

The only major party which wasn't able to secure first place in any big city or region was President Volodymyr Zelensky's Servant of the People party — a cold shower after the party's landslide victory in the parliamentary election just a year ago.

With the governing party performing poorly and those opposing the president gaining ground on the local level, political observers predict further conflict between Kyiv and the regions. Local authorities might even decide to disregard the central government's orders.

"We see a sort of neo-feudalism, where each city is governed by a (separate) local elite," says Anatoly Ohtysiuk, a political expert at local think tank Democracy House.

## Locals win

Regional parties led by mayors are the only clear winners of the Oct. 25 local elections.

The official results haven't yet been announced by the Central Election Commission, which has until Nov. 5 to count the ballots. But major parties have been publishing their own parallel counts showing that local mayors are well in the lead.

The mayors, most of whom are accused by activists and local watch-

Volodymyr Petrov



Utility workers pass by the campaign board of Kyiv Mayor Vitali Klitschko in downtown Kyiv on Oct. 21, 2020. Though the vote count continues, Klitschko was likely re-elected as mayor on Oct. 25.

dogs of corruption or mismanagement, will now have a firm grip on city councils. The councils are responsible for allocating funds from the city budgets and for assigning lucrative land plots in the city to construction companies.

The mayors of Ukraine's five largest cities — Kyiv, Kharkiv, Odesa, Dnipro and Lviv — all came first with a comfortable lead. In most regional capitals, the situation is similar, with incumbent mayors beating national parties at the ballot.

Kharkiv Mayor Hennady Kernes received 57% according to his party's parallel count — he won't require a runoff. Kyiv Mayor Vitali Klitschko says he received 50.6%, which also gives him a victory in the first round.

Dnipro Mayor Borys Filatov and controversial Odesa Mayor Gennady Trukhanov received 44% and 34%, respectively, according to exit polls by the Ukraina 24 TV channel.

Their opponents, who will face them in the runoffs, each won no more than 17% in the first round.

The only major city where the eventual winner is still too close to call is Lviv, where Mayor Andriy Sadoviyi and former Lviv Oblast Governor Oleh Syniutka, running on the ticket of European Solidarity, will face off in the runoff.

The Ukraina 24 exit-poll gave Sadoviyi 41%, while Syniutka took 27% of the vote. Ruslan Koshulynsky, who ran with the nationalist Svoboda party, received 9%. Koshulynsky's endorsement will be crucial to decide the runoff.

In Kharkiv, Dnipro and Odesa, the mayors have also led their regional parties to first place in their cities' councils. In Lviv and Kyiv, the parties led by incumbent mayors came second in the city council races, losing only to the European Solidarity party.

With the ongoing decentralization reform, cities and villages are receiving more political, administrative and fiscal independence.

Cities now keep 100% of their property taxes and low-rate income tax for businesses and 60% of income taxes.

That's millions of dollars.

Furthermore, Zelensky will have an even harder time forcing mayors to follow government orders. Most mayors have strained relations with Zelensky, who publicly attacked city heads to score points before the 2019 parliamentary election.

Notable examples are mayors of regional capitals — Ivano-Frankivsk, Ternopil and Cherkasy — who disagreed with the government's COVID-19 response and sabotaged the mandatory closure of businesses in their cities.

All three are expected to secure re-election.

"It's frightening," says Ohtysiuk. "Regional elites concentrated vast resources in their hands — taxes, land, the local apparatus — and there are no checks on their work."

## Zelensky's bitter 'win'

Nonetheless, Zelensky's Servant of the People party has been framing the 2020 local elections as a victory.

Political observers doubt that

receiving less than half of the vote can be labeled a success compared to the 2019 parliamentary election, but don't call the party's result a straight-up failure either.

During the 2019 parliamentary election, Zelensky received 43% of the popular vote. Over a year after receiving a comfortable majority in parliament, his unprecedented support rate evaporated.

However, political analyst Volodymyr Fesenko says that it's not entirely right to hold the 2019 election result as a benchmark for the president's party, because of how abnormally high it was.

"The 2019 parliamentary result was an anomaly for Ukraine. There was never anything like it and there never will be," he told the Kyiv Post.

Despite that, the Servant of the People party leader Oleksandr Kornienko told the Interfax-Ukraine news agency that the local elections were a major success.

According to the party's parallel election count, Servant of the People received 19% of the seats in regional councils. The party's main competitors, European Solidarity and Opposition Platform — For Life, received 15% and 13% of the seats, respectively.

In reality, even though Zelensky's party was able to score a victory based on the overall number of seats, it is spread almost equally across the country, coming third in all key regions. Servant of the People has the majority of seats only in four regional councils out of the 23 councils up for grabs.

According to Ohtysiuk, the lack of a clear ideology, the absence of a core electorate that was willing to vote despite an ongoing coronavirus pandemic and the shortcomings of Zelensky and his governing party while in power were the primary

# Sabotage of Naftogaz

National gas company Naftogaz of Ukraine has been through a rough couple of weeks. An unverified government auditor's report was leaked to the media, CEO Andriy Kobolyev took ill with COVID-19 and supervisory board member Amos Hochstein resigned citing a growing opposition to reform and political interference in Naftogaz's work.

Rather than signalling problems within Naftogaz itself, however, experts see these events as a red flag, potentially heralding attempts to reverse gas market reforms implemented in recent years and a return of corrupt schemes. In Hochstein's own words, the state-owned enterprise is "facing sabotage."

"Naftogaz has faced undue political pressure on numerous occasions during the past six years since Ukraine first committed to radical gas market reform," noted Dr. Aura Sabadus, an energy expert with the London-based Independent Commodity Intelligence Services, in an article for the Atlantic Council think tank. She warned that various Russia-linked Ukrainian political factions were currently trying to (re)gain control of Naftogaz's lucrative assets.

The escalation in pressure has spooked investors, who fear Ukraine may be slipping faster than previously anticipated from its reform-focused track. Increased talk of early parliamentary elections has only heightened those concerns.

In the meantime, the campaign against Naftogaz, Ukraine's biggest taxpayer, is resulting in real financial costs. On October 20, the company confirmed it would postpone a Eurobond placement of \$500 million after "a series of negative news" drove up interest rates.

## Audit attacks against Naftogaz

On October 6, a leaked audit report from the State Audit Service of Ukraine controversially stated that Naftogaz, which contributes roughly a sixth of Ukraine's budget, was in fact the country's biggest tax debtor. It claimed the state-owned gas company had committed \$6.5 billion worth of violations and underpaid government taxes by \$2.8 billion.

Experts were not convinced.

"I'm very sceptical about this audit," said Oleksandr Kharchenko, Managing Director of the Energy Industry Research Centre think tank. "The report wasn't done in a professional way. In my perception, it's like a political tool to pressure Naftogaz's management."

Andriy Favorov, a former head of integrated gas business at UkrGasVydobuvannya, a subsidiary of Naftogaz, noted the company has long been audited by leading international "Big Four" auditing firms KPMG and Deloitte, and has consistently received favourable opinions.

"Investors are fully satisfied with the audit of Naftogaz held by international auditors and they pay little attention to the opinion of the State Audit Service of Ukraine known for its bureaucratic and formalistic approach. The resignation of Amos Hochstein was more important to investors than the state audit, as he is a symbolic figure in the financial world. His statement was that really mattered," commented Serhiy Fursa from investment bank Dragon Capital.

Further undermining the view that the leaked audit is an isolated event, a criminal case was opened against the CEO Kobolyev. Speaking to Hromadske Radio, Kobolyev dismissed this as but the latest in a series of attacks.

"I stopped counting after I was personally fined 8 billion hryvnias in 2018. Such a fine was issued to me as an individual by the State Customs. Then in the courts we were able to prove that there were no grounds for the fine and this fine is incorrect," he said.

But Kharchenko noted that the audit and personal attacks against the CEO are coming at a huge cost to Ukraine's perception among the international community. "They can't even estimate how dangerous and how bad this is for Ukraine's image," he emphasized.

## A deteriorating climate for investors

In the years following the Euromaidan revolution Naftogaz built a strong reputation among foreign investors and supporters of reform in Ukraine. Previously used by politicians for personal enrichment and political horse-trading (which left it unprofitable and in need of state subsidies), it changed radically after new management took over in 2014.

"Ukraine's gas sector has historically proved to be the country's Achilles Heel and has served as a source of endless corruption. However, in recent years, Naftogaz has become a model for the reform of state-owned entities," noted Sabadus.

An attack on Naftogaz, hence, is viewed by many as an assault on the legacy of reform and successes achieved in previous years. It has not helped that the National Bank of Ukraine (NBU), another important institution associated with post-2014 reform, has faced its own set of challenges.

In July 2020 the NBU head Yakiv Smoliy, a respected technocrat, resigned from his position. His statement cited "systematic political pressure," and warned "against further attempts to undermine the institutional foundations of the central bank."

Ukraine observers were reminded of those threats just weeks ago, when the NBU council reprimanded and declared its distrust of the only two board members left with tenure of over 3 months.

The episode resulted in a rebuke from the International Monetary Fund and worried investors who are already "increasingly concerned about the political and economic situation in the country" in the words of Naftogaz CFO Peter van Driel.

Even more concerning for many has been the early October resignation of Hochstein. A former US diplomat who served in the Obama administration, Hochstein was a guarantor of the integrity of Naftogaz and its ability to withstand political meddling.

"The American's departure adds to mounting fears of a return to the corrupt practices that plagued Naftogaz for many years prior to a major shake-up in the Ukrainian gas sector beginning in 2014," explained Sabadus, adding that the resignation was not a "complete surprise to Ukraine observers who have been paying attention to the removal of numerous reformists from key positions in recent months."

## Real financial costs

Attacks on Naftogaz, a critical piece of Ukraine's economy, have not

gone unnoticed by investors and have already resulted in real costs for both the state-owned enterprise and the country's taxpayers.

On October 14 Naftogaz initiated a tender to purchase \$335 million in its bonds coming due in 2022 and 2024, hoping to finance them through a placement of a \$500 million Eurobond and thus to extend its average debt maturity.

But just a week later, on October 20, faced with a growing tide of negative news that caused interest rates to rise, Naftogaz confirmed it would postpone the placement.

"International investors that were eager to invest in Naftogaz began to doubt in Ukraine's investment environment. The attempt to dismiss several members of the Board of the National Bank, then the leaked audit report – all these bad news influenced the investors' decision," stated CFO van Driel.

"When it is one incident you can digest it, when there are two – it's already hard. When there is a whole sequence of different incidents, the market votes with its own feet," van Driel noted while speaking on Energy Inside, a weekly expert discussion hosted by the Federation of Employers of the Oil and Gas Industry.

Naftogaz plays outsized role in the country's finances. The gas heavyweight is Ukraine's biggest taxpayer by far, contributing \$3.5 billion in taxes to the national budget through September this year alone – 11.5% of total budget revenue.

Ukraine is currently facing an increasingly challenging budgetary situation, but relations with the International Monetary Fund (which provides critically important loans) are strained by what experts describe as a growing trend to reverse anti-corruption reforms from recent years.

According to Alexander Paraschiy, head of research at investment bank Concorde Capital, there is a fundamental lack of understanding by the administration of the culture and values of international institutions.

"As a result, those corrupt parties that are threatened by the reforms have been able to influence the administration in reversing them, using various forms of pressure and incentives for corrupt individuals," he wrote in a note to investors.

But while politics continues to interfere in the life of state-owned companies like Naftogaz, proper administration and managerial tasks are falling behind. Annual financial plans for 2020, for instance, have not yet been approved by the government.

Despite the recent challenges, however, there has also been some progress. The government of PM Shmyhal has made important steps forward in reforming corporate governance at Naftogaz.

The Cabinet has approved a long-awaited ownership policy and a new charter for Naftogaz. These changes will make the company more operationally resilient and better insulated from political meddling. Furthermore, the government has removed populist limitations on salaries of supervisory board members and management of state-owned enterprises. Thus the struggle between pro-reformists and revisionists in Ukraine continues. Which wing is going to win in this fight is yet to be seen.



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EDITORIALS

# Play it smart, Ukraine

By the time the next Kyiv Post print edition is out on Nov. 5, Americans will have voted to either reelect Donald Trump or replace him with former Vice President Joseph Biden.

The election is consequential for the United States, but also for Ukraine. Regardless of the winner, Ukraine must have one priority: ensuring that American support remains a bipartisan issue.

George W. Bush is the last U.S. president to visit Ukraine, 12 long years ago. Clearly, Ukraine has slipped from this tangible sign of presidential engagement under Barack Obama and Trump.

Obama in eight years failed to respond strongly to Russia's military invasion, or elevate Ukraine as a top national security priority. His administration also engaged in a foolish and failed "reset" of relations with Moscow.

But the last four years have been more difficult in some ways, creating anxiety and insecurity in Kyiv.

Under Trump, Ukraine found itself in the crosshairs of pro-Trump political actors who claimed that the Ukrainian government had interfered in the 2016 U.S. presidential elections on the side of Hillary Clinton. This patently false conspiracy theory drove Trump to temporarily freeze military aid to Ukraine and pressure President Volodymyr Zelensky to open politically-motivated investigations against Biden. In turn, that led to the president's impeachment by the House of Representatives.

At the same time, Trump's presidency was not as much of a disaster as feared. The president's open hostility to Kyiv and courtship of Kremlin dictator Vladimir Putin hamstrung his actions, preventing him from derailing U.S. support. Throughout Trump's term, Republicans and Democrats remained strong backers of Ukraine, its battle against corruption and Russian aggression. The U.S. even provided Ukraine with Javelin anti-tank missiles and Island-class patrol boats.

Should Trump be reelected, the status quo will likely prevail, with Ukraine enjoying bipartisan congressional support but presidential hostility.

If Biden is elected, the situation will be different, but the end result may not be. While vice president, Biden was the U.S. point person on Ukraine. He was a strong advocate for fighting corruption. A Biden victory would be good news on this front, although the U.S. can only do so much. And, if Biden is elected, questions about his son's role on the board of private energy company Burisma Holding – something legal, but ethically questionable – may continue to dog the Democratic politician.

What does this all mean for Ukraine? While Trump's presidency offered clear disadvantages, there's no reason to believe that a Biden presidency will be a panacea for Ukraine's ills. Ukrainians must solve their country's problems. This means that, regardless of who wins the Nov. 3 election, the task of the Ukrainian government is two-fold: to make the best of U.S. support and to do everything to keep bipartisan support.

Ukraine must continue to work closely with its U.S. partners to enact reforms, battle corruption and overcome Russian aggression. It must also do everything to avoid again becoming a political bludgeon in U.S. politics. On Aug. 8, Zelensky stated unequivocally that Ukrainians should stay far away from the upcoming U.S. vote. That position should remain ironclad. Ukraine must do everything possible to prevent its politicians and officials from spreading disinformation or directly intervening in U.S. domestic affairs.

Finally, the Ukrainian government must not give its partners in Washington reason to give up. That means fighting against the forces that are attempting to destroy its anti-corruption infrastructure.

The UkraineGate scandal was an unpleasant wakeup call: U.S. support for Ukraine is strong, but not guaranteed. Whether the U.S. is led by Trump or Biden, the Ukrainian government must recognize it alone is the guarantor of the support of the partner. Battle corruption, create democratic institutions and that support will continue. Or continue to embrace corruption, but kiss America -- and perhaps other Western support -- goodbye.

# Disband kangaroo court

After Volodymyr Zelensky's presidency is over, these weeks in autumn 2020 will be remembered as a watershed moment.

The president has two options. He can swallow the actions of the Constitutional Court seeking to destroy the anti-corruption system and try to make backstage deals with the tainted judges. Or he can fight back and take the court down, for the sake of the future of Ukraine's democracy.

We will learn soon which path Zelensky chooses. So far, he has said the right words, but hesitated with action.

Our position is simple: This Constitutional Court needs to be disbanded.

The court in its current shape is an abomination and a mockery of justice. It needs to be completely rebooted. The judges who participated in the targeted attack on Ukraine's anti-corruption infrastructure have to be fired and replaced with a new set of respected judges, selected transparently.

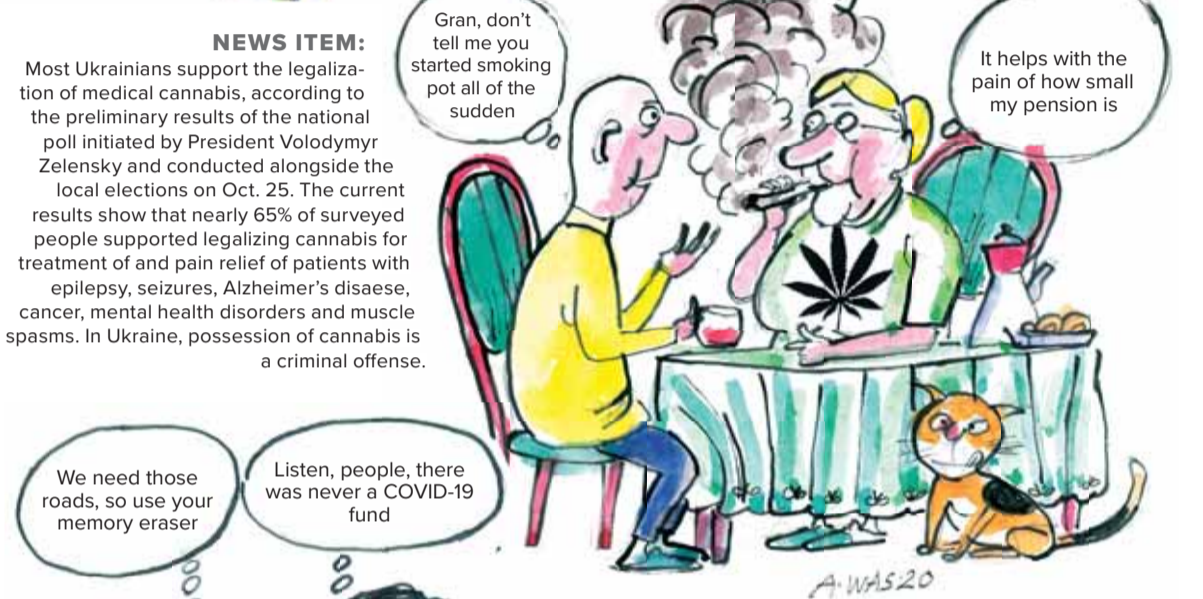
It can be done. Zelensky can propose a draft bill to the parliament on disbanding the court. He already indicated he wants to do it. It will require Zelensky to deploy all of his remaining political capital to push it through parliament, but the cause is worth the effort.

Then again, Zelensky can take the other path. He can spare himself the trouble and continue business as usual. He can allow the corrupt courts, controlled by oligarchs and pro-Russian forces, to debilitate the anti-corruption bodies, kill officials' asset declarations and strip Ukraine of everything it has achieved since 2014, when the EuroMaidan Revolution ousted Kremlin-backed Viktor Yanukovich.

The nation's democratic reversals may get so bad that the European Union takes away the much-coveted, visa-free travel that Ukrainians have enjoyed since 2017. But more is at stake: No less than whether this nation will ever establish rule of law and justice for its long-deprived citizens.



**NEWS ITEM:** In recent days, Ukrainian courts have delivered heavy blows to the country's anti-corruption infrastructure. On Oct. 26, the Kyiv District Administrative court ordered the firing of Artem Sytnyk, chief of the National Anti-Corruption Bureau of Ukraine, based upon a ruling that his appointment violated the constitution. The leader of the court, judge Pavlo Vovk, is currently a suspect in a graft case. On Oct. 27, the Constitutional Court ruled that the country's electronic asset declaration system for officials was unconstitutional. Both decisions benefit corrupt officials and threaten the country's integration with Europe.



**NEWS ITEM:** Most Ukrainians support the legalization of medical cannabis, according to the preliminary results of the national poll initiated by President Volodymyr Zelensky and conducted alongside the local elections on Oct. 25. The current results show that nearly 65% of surveyed people supported legalizing cannabis for treatment of and pain relief of patients with epilepsy, seizures, Alzheimer's disease, cancer, mental health disorders and muscle spasms. In Ukraine, possession of cannabis is a criminal offense.



**NEWS ITEM:** When the coronavirus pandemic hit Ukraine, the country created a special fund to combat COVID-19 and the lockdown's negative economic effects. Later on, however, the Ukrainian parliament diverted half of the special fund for the construction of roads. In total, \$4.4 billion was allocated for roads. The decision provoked a public backlash. Seven months later, however, the president's chief of staff, Andriy Yermak, said it was all a miscommunication — there had never been any coronavirus fund.



**NEWS ITEM:** The Ukrainian government has diverted half of the special fund created to battle COVID-19 and the negative economic effects of the coronavirus lockdown for the construction of roads. Overall, \$4.4 billion, initially allocated for helping Ukraine fight the coronavirus pandemic, have been spent on roads.

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## Ukraine's Friend & Foe Of The Week



Friend

**Linas Linkevicius**  
The Lithuanian foreign minister's latest interview in Ukraine was a wakeup call for all: Ukraine needs to do a way better job completing reforms if it wants to be a member of NATO and the European Union.



Foe

**Péter Sijjártó**  
High-ranking officials of Hungary have forgotten the most basic rule of modern international relations: Do not meddle in your neighbor's domestic affairs, especially if you don't want the same thing happening to yourself. (Hungarian foreign minister is in photo.)

### Feel strongly about an issue? Agree or disagree with editorial positions in this newspaper?

The Kyiv Post welcomes letters to the editors and opinion pieces, usually 800 to 1,000 words in length. Please email all correspondence to chief editor Brian Bonner, at [bonner@kyivpost.com](mailto:bonner@kyivpost.com). All correspondence must include an email address and contact phone number for verification.

# A vision of future living: Green Point Podil



There are times when vision and opportunity converge to clear the way for a project that has the potential to transform the face of a city. When Canada-born Robert Gibbins, founder and CIO of the global asset management company Autonomy Capital, came across a large stretch of green land in the heart of Kyiv's historic Podil district, he could see a modern, integrated and forward-thinking community taking shape: Green Point Podil. "Every once in a while there are projects that are so important to a city that they are transformational," Mr. Gibbins says. "I see that people in Kyiv, now, are looking for new ways of interacting with each other and with the community. And I think what this project represents is an interesting way for Ukrainians to live in their community, to share their community and their experience, and create value for everyone."

Located in the northern part of the Podil district, the site of the Green Point project includes a natural lake, copious woodlands and a historic church, and Gibbins wants it to stay that way. "Podil has a great historical tradition. What do I mean by that? This is a part of the city that has natural aquifers that feed not just the lake on this land, but also the holy water for the church next door. It is natural and untouched."

The pristine nature on the site is just one of its many attractions. Another, according to Gibbins, is the vibrancy of the local community, as the Podil is one of the most culturally dynamic parts of Kyiv. "I think this is a really, really cool part of a cool city. I would have been hard pressed to find a more ideal site. And the Podil has a great tradition," Mr. Gibbins explains. He wants not only to tap into that exuberant artistic expression, but to provide an open venue for its display as well.

## A transformational development

Mr. Gibbins's vision is bold. He wants to offer a transformational living environment to both residents of the project and the wider urban community of Kyiv. "What I want to offer is a different experience," he says, "so instead of trying to figure out how to put the maximum number of concrete projects on this land, I want to think about how we can preserve the land as much as possible in its natural state, how to use the lake and the water source in their natural state and enhance them as water features that are open to the entire Podil community." He believes that the area of the project is big enough to function together with other facilities in order to create an overall experience of living that is shared by all.

Plans for the development include several blocks of energy-efficient, low-carbon flats, facilities for indoor fitness and outdoor activities, and the full range of amenities, all the while maintaining and even enhancing the biodiversity of the natural environment. An old warehouse will be transformed into an art gallery, while the chimney of a long defunct ceramics factory will be preserved. "The site has

massive space, so we should make it a public space for the community at large," Mr. Gibbins says. "It should bring in people with cultural spaces, sports and fitness spaces, and schools. A space that draws in the community."

With Green Point Podil, Mr. Gibbins aspires to present a development that is consistent to where society needs to be in the future, which is low-carbon emissions and connected to new forms of energy that create a sustainable space. "Climate change is something we have to include in every single analysis, every investment," he said recently about his global investment strategy. "We are on the verge of one of the greatest transformations globally that any of us will ever see."

## Bringing in lessons from experience

Robert Gibbins and Autonomy Capital have an outstanding track record of working and investing in Ukraine for over 20 years, yet Green Point Podil will be their first large-scale real estate project in the country. They do have, however, plenty of experience in commercial development in other emerging markets. In Brazil, for example, Autonomy Capital undertook a rare greening project in the urban jungle of Sao Paulo that was not only the first LEED Gold AAA certified office complex in South America, but also its numerous parks were open to the wider community. "What ended up happening was that people just really liked it," Mr. Gibbins says. "The residents of Sao Paulo ended up seeing the project as an icon for the city, and it set the standard in terms of what people expect out of urban projects."

The key element of community is expressed in another real estate development project in Rio de Janeiro of Autonomy, involving the repositioning a derelict area that borders a favela. "The theme of this development is historical renovation, but within the context of creating open markets for local people to sell their wares," Mr. Gibbins says, "thereby fostering interaction between the favela and downtown. In other words, it is a keystone or bridge project from one part of the city to another – a transformational project." This means introducing some of the unique features of the favela culture, like cuisine and art, into the development.

And Mr. Gibbins cannot overstate the importance of community interaction, whether he is investing in Brazil or Ukraine. It is not a one-way street. "Part of this is engaging the community on terms they want to engage with, like determining which projects within the community we would support, whether they be social, educational, or artistic. We want to know what the community wants and then decide how to finance it, so that it includes a community buy-in. There is no point in doing this if people don't want it or won't respect it. And so we take our guidance from them."

Green Point is no different, or it is different in the sense that the district, the city and the country have their own traditions, needs and wants. "The whole point of this project is to bring together the community and development in

a way that provides value for both over time," Mr. Gibbins explains. "The ideas are that the land itself, the project itself, is transformational."

## Creating long-term value for all

Creating value is one of the driving forces behind developers in any project, and for Green Point, Mr. Gibbins is taking both the long and the broader views. He is not simply interested in a rapid return on investment. Rather, he sees the Podil project as "a long term event, a long term vision" because the only way the project can be done well is by creating value of the long term for the community.

And that community extends well beyond the contours of the project. One of the strikingly novel approaches brought by Autonomy Capital to Green Point Podil is the idea of introducing a longer term vision of working and living in a development that seeks to draw in the community as much as it seeks to attract residents for its own flats. "I think that whenever we get a confluence of people, whenever we get a mix of experience, a mix of ideas, we contribute to the growth of the city overall," Mr. Gibbins explains. "And I really do believe that putting the cultural space in is a tremendous value maximizer for the entire region and for the project especially."

## A values-based approach

The desire to live with and serve as stewards of nature should be a prime consideration for potential residents of Green Point because these are fundamental concepts driving the development. "One thing that I think makes this project quite different from most others in the city centre is the idea of living in nature, as I believe this is something we will have to deal with in the future anyway, and it's something we can do now in this area in Kyiv," Mr. Gibbins says. "It's a matter of whether people's values are there. Is it something that people will value sufficiently to want to live there and buy a house or an apartment, and I think the answer is 'yes'."

The very design of Green Point is an expression of those community and environmentally-friendly values. The land is set to include open public spaces that will leave the natural landscape as untouched as possible, biodiversity will be maintained, native species re-introduced, areas for public fitness, galleries and artisanal stalls built, and energy-efficient, low-carbon materials used in the construction. "All of this draws a diverse mix of people, which then generates a mix of ideas that creates growth. That's what I believe in specifically for this land," according to Mr. Gibbins.

## On green ecology

For Mr. Gibbins, 'going green' is not just about using ecologically friendly building materials or keeping the lake clean. It is a comprehensive approach that builds value over time under the rapidly evolving conditions of environmental change. "It's really about is this one question: do you believe and are you invested enough in the project such that you are prepared to do things that will create value not on Day One, but increasingly over time. And if the answer to that is 'yes', then you can get to all the right decisions in terms of sustainability," Mr. Gibbins explains. He expects the project to pay over the long term, from five to ten years at least.

"What it really boils down to, in this respect," Mr. Gibbins states, "is how do we want to think about how we use the land, how do we want to think about how we use biodiversity, waste disposal, waste water and energy, how we ensure that we are constructing efficiently. All of those things show up over time."

Mr. Gibbins is certain that the project should have no difficulty sourcing ecologically sound, low-carbon building materials locally, as he feels that Ukrainian suppliers have and use the proper technology. He is more concerned about ensuring that the energy systems are state-of-the-art in terms of sustainability not only today, but well into the future. The sources of power have to be "clean" and "consistent", he says, and the whole design must be done in a highly efficient manner.

Mr. Gibbins is bullish on the future of Ukraine and Kyiv and sees the country steadily moving towards a brighter future. "I am a big believer in the spirit and values that the Ukrainian people have fought for, and I am a believer that Ukraine has the capacity to enjoy a European standard of living," he says.

Green Point Podil is a bold and innovative project for Ukraine, and Mr. Gibbins and his associates are confident that Kyiv is ready for it. "What we have to ask is if there is space for a different way of living in Kyiv that creates a community by providing access and by providing value, and is this a winning strategy over time. I think the answer to that is 'yes'."

# Constitutional Court destroys pillar of anti-graft infrastructure

By Oleg Sukhov  
sukhov@kyivpost.com

Ukraine is probably closer to losing its anti-corruption infrastructure, Western funding, and visa-free travel with Europe than at any time in recent years.

The nation's anti-corruption infrastructure, created after the EuroMaidan Revolution that drove President Viktor Yanukovich from power in 2014, has come under unprecedented attack.

On Oct. 27, the Constitutional Court effectively destroyed Ukraine's entire asset declaration system for state officials, eliminating a crucial pillar of the country's anti-corruption system.

"The Constitutional Court is returning Ukraine not even to 2013 but to 1991, when there was no anti-corruption legislation at all," Oleksandr Novikov, head of the National Agency for Preventing Corruption (NAPC), said on Oct. 28 at a news briefing. "The court has canceled all anti-corruption tools developed since Ukraine became independent."

The Anti-Corruption Action Center said that the Constitutional Court had "allowed officials to legalize their bribes for all years since the EuroMaidan Revolution and hide ill-gotten wealth."

"Now officials will be able to buy villas, castles and other expensive things that don't fit into their official income or legalize what they purchased before and will not be afraid of punishment because Constitutional Court judges gave them an indulgence," it said.

Press service of Ukrainian president



Ukrainian President Volodymyr Zelensky speaks during the National Security and Defense Council on Oct. 29, 2020 in Kyiv. The meeting was devoted to a Constitutional Court ruling that destroyed the asset declaration system.

The court reacted to the accusations on Oct. 28 in a statement accusing the NAPC and the National Anti-Corruption Bureau of Ukraine (NABU) of unlawful interference in its work.

On Oct. 26, the Kyiv District Administrative Court also used a different Constitutional Court ruling to order the dismissal of Artem Sytnyk, head of the NABU. The Kyiv District Administrative Court is headed by Pavlo Vovk, a suspect in a high-profile NABU graft case.

Ukrainian authorities' assault on anti-corruption institutions may disrupt lending by the IMF.

Mykola Tochytsky, Ukraine's ambassador to the EU, has also said in a letter to Deputy Prime Minister Olga Stefanyshyna that his European contacts told him the ruling is sufficient grounds for the suspension of visa-free travel with Europe.

The G7 ambassadors are alarmed by efforts to undo the anti-corruption reforms that followed the Revolution of Dignity," the G7 group

of developed nations said on Oct. 29. "Too much progress has been made, Ukraine must not go back to the past."

The Constitutional Court ruling may also disrupt the results of the Oct. 25 local elections because it deprived the NAPC of the authority to audit the asset declarations of winning candidates. As a result, they cannot take office, the NAPC said.

## Zelensky's reaction

In a statement, Zelensky's office said that "there are still corrupt politicians who cannot tolerate the fact that their lifestyle, property and income can be under control" but "relevant tools in Ukrainian legislation will be kept or at least reinstated."

However, even if the anti-corruption laws canceled by the Constitutional Court are reinstated, officials who committed crimes before their reinstatement will escape punishment. Moreover, the new laws are likely to be canceled again by the Constitutional Court, according to the Anti-Corruption Action Center.

The real solution would be a genuine judicial reform and replacing the Constitutional Court with people of integrity, according to DEJURE, a legal think tank.

On Oct. 29, Zelensky called a meeting of the National Security and Defense Council over the threat posed by the Constitutional Court ruling on asset declarations.

"We must not let this situation be resolved through street protests and must not let our enemies use this or other Constitutional Court rulings to discredit our country abroad," Zelensky said at the meeting. "The dismantling of the NAPC's functions will never be accepted by our society and our partners in the European Union."

He said that he will submit to

parliament a bill that will "restore the integrity of the constitutional judiciary in Ukraine." Activists took it to mean that the Constitutional Court will be relaunched.

Following the council's meeting, the Cabinet also ordered the NAPC to reopen the declarations' registry. The agency said it will obey, despite the court ruling.

Commenting on the court order on Sytnyk's dismissal, Zelensky's office said that the NABU law contains an explicit list of grounds for firing the NABU's chief and "this list can only be changed by the Verkhovna Rada and not by a court."

## Bizarre decision

Under Ukrainian law, the NAPC is tasked with running the asset declaration system. The Constitutional Court eliminated the declaration system by depriving the NAPC of most of its powers.

Specifically, the Constitutional Court ruled that public access to officials' declarations and the NAPC's authority to monitor and check officials' declarations and lifestyle were unconstitutional. The court also abolished the NAPC's authority to issue warnings and ask courts to consider administrative and criminal penalties for officials, as well as to determine conflicts of interest.

Additionally, the court canceled penalties for officials who lie in their asset declarations and abolished the requirement for officials to declare changes in their assets.

As a result of the ruling, the NAPC has closed the register of asset declarations, and the NABU said 110 corruption cases would be closed.

## Flimsy grounds

The Anti-Corruption Action Center and DEJURE argued that the ruling lacked any meaningful legal grounds.

The ostensible grounds in the ruling is that the judiciary is independent, and any influence on it, including by the NAPC, is unconstitutional.

"The assertion has no legal grounds whatsoever," Constitutional Court judge Serhiy Holovaty said in a dissenting opinion. He said that the NAPC's powers cannot be considered "control over the judiciary" and that "the NAPC's powers are not interference in judges' professional activities and have a legitimate goal — preventing corruption."

DEJURE argued that the Constitutional Court had entirely misconstrued the concept of the judiciary's independence. Checks and balances mean that every branch of government checks and balances the others, not a judiciary branch that is completely out of control, according to DEJURE.

Without explaining its rationale, the court also claimed that criminal penalties for lying in asset declarations were excessive.

## Conflict of interest

The NAPC said that Constitutional Court judges Iryna Zavorodnya and Serhiy Holovaty had a conflict



## Dynamo Kyiv faces Hungarian team in Champions League

Dynamo Kyiv's defenders Denys Popov (C) and Oleksandr Karavayev battle for the ball with Ferencvaros' Brazilian midfielder Somalia (L) during the UEFA Champions League soccer game at Ferencvaros Stadium in Budapest on Oct. 28, 2020. Ukraine's Premier League runner up Dynamo Kyiv and Hungarian champion Ferencvaros scored twice, ending the game in a draw. The game was noted because former Dynamo Kyiv head coach Serhiy Rebrov was facing his former team as the head coach of Ferencvaros for the first time since leaving Kyiv.

# Constitutional Court, whose judges face investigations, rules to void declarations

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of interest but took part in the voting, which is banned by the law.

The agency said it had identified incorrect information on assets worth Hr 3.6 million in Holovaty's asset declaration and incorrect information on assets worth Hr 1.4 million in Zavorodnya's declarations. The NABU has opened a criminal case against Zavorodnya.

The NAPC also said that Constitutional Court judges Ihor Slidenko and Volodymyr Moisky had failed to declare changes in their assets on time, which is a misdemeanor.

Meanwhile, Oleksandr Tupitsky, head of the Constitutional Court, acquired land in Russian-annexed Crimea in 2018 and did not show this in his asset declaration, according to an Oct. 28 report by the Schemes investigative show.

Meanwhile, the Holos party said it would initiate a criminal case against Constitutional Court judges on charges of usurpation of power. Ex-Prosecutor General Ruslan Riaboshapka argued that the ruling is blatantly unlawful and has signs of a crime, and the National Security and Defense Council should recommend not implementing it because it is null and void.

## Vovk's role

The Constitutional Court's unprecedented moves are directly linked to the activities of the Kyiv District Administrative Court, which is headed by odious judge Vovk.

The NAPC has issued a warning to Oleksandr Tupitsky, head of the Constitutional Court, for failing to submit information on Constitutional Court judges' conflicts of interest, including those in decisions on the NABU.

The Constitutional Court has disputed the NAPC's warning for Tupitsky with Vovk's Kyiv Administrative District Court. As a result, the court has banned the NAPC from requesting information from the Constitutional Court.

## Vovk tapes

Wiretapped conversations published by the NABU in the Vovk case reveal the judge's efforts to unlawfully influence the Constitutional Court and get control over it, according to the bureau.

In February 2019 the Constitutional Court canceled the law criminalizing illicit enrichment.

"Thanks to our common efforts, the decision to recognize the illicit enrichment (law) as unconstitutional has been born," Vovk told one of his court's judges after the ruling was issued. "That's why you can buy anything you want."

Vovk and his deputy Yevhen Ablov were personally interested in the Constitutional Court ruling because the NABU had investigated illicit enrichment cases against them. Both had to be closed after the ruling.

One of the court's judges also told Vovk: "Chief, you effectively pressured Constitutional Court judges through lawmakers, and a case may be opened against you."

The judges of the court also discussed getting their assets "out of their shadows" after the ruling and come up with excuses for unexplained wealth.

"I think you and Ablov can now declare the \$1 million in income from stock that you had. Your mom gave it to you as a gift when you were a child," Vovk joked.

"We already own two courts — the Constitutional Court and the Kyiv District Administrative Court," Vovk also said in the tapes.

A source familiar with the matter told the Kyiv Post that Vovk had allegedly bribed the Constitutional Court to cancel the illicit enrichment law in February 2019. The source added that Tupitsky features in the Vovk tapes.

The source, who spoke on condition of anonymity because it is an investigative secret, also said that Vovk was behind the scheme to fire Stanyslav Shevchuk as chairman of the Constitutional Court in May 2019 and to appoint Tupitsky as head of the court in September 2019. This corresponds with what Vovk says in the NABU tapes.

Vovk and Tupitsky have denied all accusations of wrongdoing.

## Tupitsky and Avakov

New information on Vovk's ties to other influential powerbrokers was revealed in an Oct. 29 investigation by the Slidstvo.Info investigative journalism agency.

Specifically, Vovk has often spoken to Serhiy Chebotar, a former deputy and current close associate of Interior Minister Arsen Avakov, tapes obtained by Slidstvo.Info show. Vovk has asked Chebotar to persuade Human Rights Commissioner Lyudmila Denysova to appoint a top judicial official loyal to Vovk and use Avakov's leverage for this too. On the tapes, Vovk also brags about visiting Avakov multiple times.

According to Slidstvo.Info, Vovk has also unlawfully promised to top prosecutor Roman Hovda, who is currently a deputy prosecutor general, that he would not reinstate a former prosecutor suing the prosecutor's office.

## Sytnyk's dismissal

Vovk's court on Oct. 26 used a lawsuit as a pretext for ordering Sytnyk's dismissal. The court upheld a lawsuit by Oleksandr Kareyev, a former NABU investigator, and reinstated him at the bureau.

The court ruled that Sytnyk's authority expired on Aug. 28 as a result of a Constitutional Court ruling on the unconstitutionality of the 2015 decree on Sytnyk's appointment. Therefore an acting head of the bureau should replace Sytnyk and reinstate Kareyev, the court added.

Mykhailo Zhernakov, head of

National Anti-Corruption Bureau of Ukraine head Artem Sytnyk speaks with the Kyiv Post on Feb. 18, 2020. One of Ukraine's most odious courts has ordered his dismissal.



Kostyantyn Chernichkin

legal think-tank Dejure, ex-Constitutional Court Chairman Shevchuk and former top investigator Sergii Gorbaturk argue that the issue of Sytnyk's dismissal was outside the Kyiv Administrative Court's jurisdiction in this case.

Lawyers also cast doubt on the legality of the Constitutional Court ruling itself and on whether it can have any consequences from the legal standpoint.

The NABU and the Justice Ministry said on Oct. 27 that the court decision ordering Sytnyk's dismissal would be appealed and cannot be implemented.

## Vovk saga

The administrative court's decision appears to be part of a broader conflict between Vovk and Sytnyk. The Vovk case has faced unprecedented obstruction by Ukraine's entire state system.

In August 2019, the Prosecutor General's Office charged Vovk and other judges of his court with obstruction of justice. However, a court rejected a motion to extend the Vovk investigation, and prosecutors failed to send the case to trial on time.

In July 2020, the NABU resurrected the case and charged Vovk and other judges of his court with organized crime, usurpation of power and bribery.

In August judge Serhiy Vovk of the Pechersk Court, Pavlo Vovk's namesake, ordered the case to be transferred from the NABU to another body. Anti-corruption activists interpreted this as an effort to kill the case, and the ruling is being appealed.

## Continued sabotage

On Sept. 1, the High Council of Justice also unanimously refused to suspend Vovk and other judges implicated in his case.

In wiretapped conversations released by the NABU, Vovk mentioned the involvement of several members of the High Council of Justice in his alleged bargains with the council. They did not respond to requests for comment.

On Oct. 12, Judge Serhiy Vovk of the Pechersk Court also ordered the Prosecutor General's Office to cancel the charges for Pavlo Vovk because they had been allegedly brought in violation of procedure. The ruling is also being appealed.

The High Anti-Corruption Court was scheduled to consider bail for Vovk on Oct. 22 and Oct. 29. However, he failed to show up for the hearings, and it was postponed until Nov. 5.

Meanwhile, a petition on the site

of the President's Office for the liquidation of Vovk's court collected the required 25,000 signatures on Oct. 26. Zelensky's office responded to the petition with a vaguely worded statement proposing "consultations" with the High Council of Justice, a discredited and distrusted body, on resolving the issue of the Kyiv District Administrative Court.

## Venediktova's actions

A law enforcement source told the Kyiv Post that Prosecutor General Iryna Venediktova continues obstructing the Vovk case. The source spoke on condition of anonymity because he is not authorized to speak to the press.

Specifically, she has refused to extend the Vovk investigation, and it had to be extended by ex-Chief Anti-Corruption Prosecutor Nazar Kholodnytsky before he resigned in August, according to the source.

Venediktova has also refused to have Vovk brought to interrogation by force due to his refusal to come, conduct further searches in the Vovk case and wiretap him, the source said.

## Other decisions

The Constitutional Court has recently dealt other major blows to Ukraine's anti-corruption institutions.

On Aug. 28, the Constitutional Court ruled that then-President Petro Poroshenko's 2015 decree to appoint Sytnyk as head of the NABU was

unconstitutional. On Sept. 16, the Constitutional Court also ruled that some clauses of the law on the NABU were unconstitutional.

The rulings did not explicitly say that Sytnyk was no longer head of the NABU. However, there have been fears that Zelensky's majority in the Verkhovna Rada would change the law in order to fire Sytnyk and appoint a Zelensky loyalist who would block cases against top incumbent officials.

The Constitutional Court helped corrupt officials by canceling the previous law criminalizing illicit enrichment in 2019. The Rada had to pass a new law on penalties for illicit enrichment later last year.

The court also partially canceled the judicial reforms of both ex-President Petro Poroshenko and Zelensky in February and March 2020 and entrenched judicial impunity by canceling the law criminalizing unlawful court rulings in June 2020.

The Constitutional Court is also considering abolishing the High Anti-Corruption Court and the Deposit Guarantee Fund, canceling the new law on illicit enrichment, and reinstating the ban on farmland sales.

On Sept. 17, the Verkhovna Rada also appointed controversial members to a commission to choose a new chief anti-corruption prosecutor. Anti-corruption activists say the members do not meet integrity standards and will likely choose a puppet who will obstruct graft cases. 🇺🇦

## ON THE MOVE

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### AVELLUM strengthens its litigation practice with hire of Lyudmyla Volkova



Lyudmyla Volkova

Lyudmyla Volkova has joined AVELLUM as counsel in dispute resolution. In her new role, she will focus on domestic litigation proceedings, administrative law matters, and arbitration.

Lyudmyla Volkova has over 17 years of legal experience and has top expertise in all areas of litigation. Before continuing her career in the law firms, Lyudmyla gained a well-rounded legal experience as a Judge of the Kharkiv District Administrative Court and worked in the state administration sector. She coaches at the

National School of Judges of Ukraine and the Office of the United Nations High Commissioner for Refugees. Lyudmyla is a member of the Ukrainian National Bar Association and the Ukrainian Bar Association. She was also a member of the Council of Judges of Ukraine.

Lyudmyla Volkova was named a Rising Star in dispute resolution by The Legal 500, a reputable international legal ranking, and a Notable Practitioner in litigation by the Ukrainian Law Firms 2020 ranking.

Lyudmyla obtained her Master's Degree in Public Administration from Kharkiv Regional Institute of Public Administration of the National Academy for Public Administration under the President of Ukraine. She also holds a degree in law from Yaroslav Mudryi National Law University, and Ph.D. degree as well.

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# Filatov, Trukhanov and Sadovyi face runoff elections in a Nov. 15 vote

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reasons behinds the party's weak results.

"They couldn't build an actual party. They previously rode on the president's coattails," says Otkysiuk. Now it's all gone.

### East-west divide

While not taking the majority of seats nationwide, two opposition parties have been celebrating.

European Solidarity and the Opposition Platform – For Life party have improved their standing in their core regions, returning the long-gone east-west political divide.

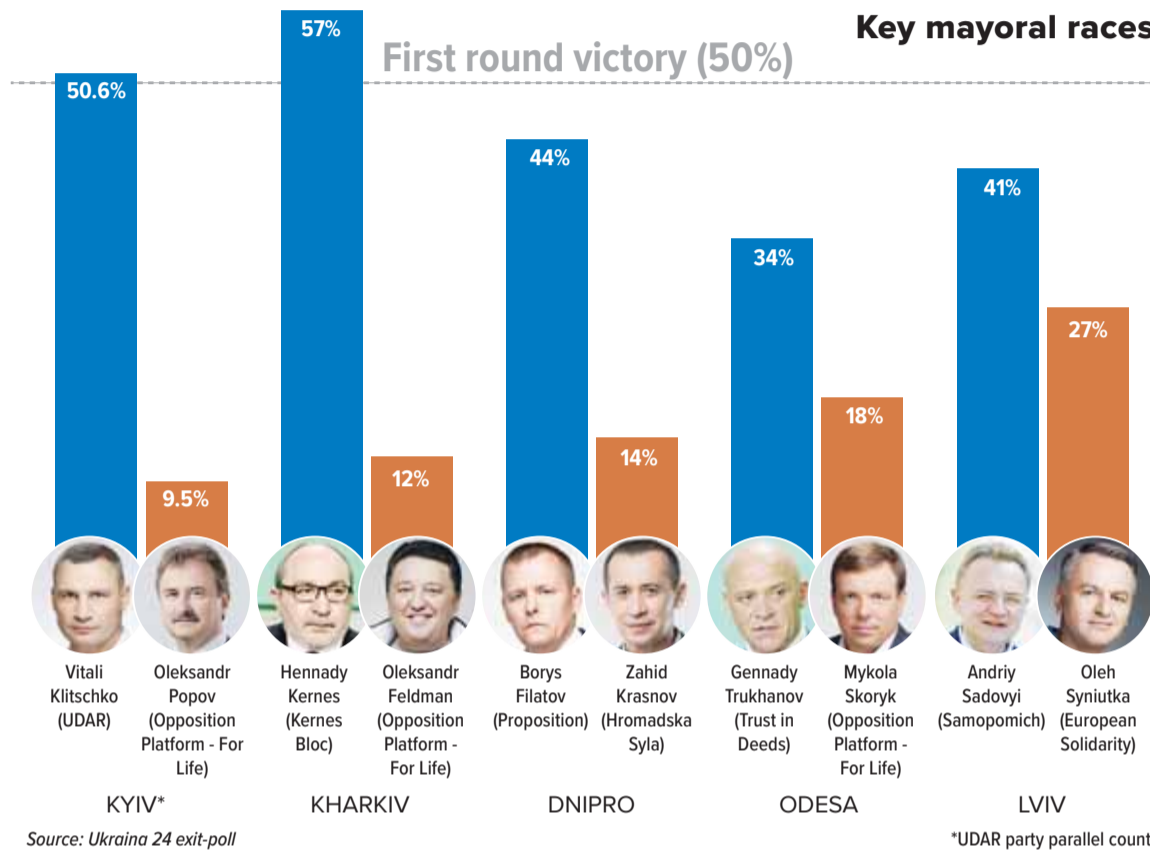
Prior to Russia invading Ukraine in 2014, the country was nearly equally divided between pro-European and pro-Russian voters. Pro-Western parties usually took the fifteen northwest regions and the pro-Russian Party of Regions took the nine more populous southeastern regions and the Autonomous Republic of Crimea.

After the Russian occupation of Crimea and the beginning of the ongoing war in Donbas, pro-Russian parties lost a substantial number of voters. Now they are regaining momentum.

According to preliminary results, the Opposition Platform – For Life party, led by Russian President Vladimir Putin's close friend, lawmaker Viktor Medvedchuk, received the most seats of any parliamentary party in Ukraine's southeast.

In Odesa, the party's candidate will compete in the runoff against Trukhanov, while in Kyiv the party candidate came second in the first round and would have advanced to the runoff had Klitschko received less than 50%.

"Medvedchuk has firmly entrenched himself on the pro-Russian flank," says Otkysiuk.



Of the big-city mayors, Borys Filatov of Dnipro, Gennady Trukhanov of Odesa, and Andriy Sadovyi of Lviv are facing runoff elections on Nov. 15, after failing to win a majority of votes. Kyiv Mayor Vitali Klitschko and Kharkiv Mayor Hennady Kernes cruised to reelection in the Oct. 25 local elections. No single political party dominated the voting.

Another pro-Russian party led by notorious blogger Anatoly Shariy was able to receive only up to 8% in three regional capitals, polling far behind Medvedchuk.

Contrary, Poroshenko's European Solidarity won the majority in five regional councils including Lviv Oblast and Kyiv, which, according to the law, is equivalent to a region. The party also has the chance to win the Lviv mayoral runoff.

The two parties have also benefited from voter turnout being only 37% – the lowest since independence.

"These two parties have a clear, ideologically-motivated core base," says Fesenko. "For them, it is easier to mobilize supporters to polling stations."

### Smaller parties collapse

Yet, not all opposition parties are celebrating. Smaller parliamentary parties saw a weak showing, which calls into question their further existence.

Batkivshchyna, Voice and For the Future all fell short of expectations.

The Batkivshchyna party, which holds 24 seats in parliament and

is led by ex-Prime Minister Yulia Tymoshenko, couldn't win a single region. Yet, the party was able to hold onto its support in rural communities.

According to the Servant of the People election count, Batkivshchyna obtained up to 10% of the seats in regional councils, doing well in villages and poorly in cities.

Batkivshchyna maintained its overall fourth place, yet its lag behind the country's main opposition parties increased.

The Voice party, which holds 19 seats in parliament, couldn't find support among any social group. The party, which presents itself as a modern pro-European party, did poorly in its key cities of Kyiv and Lviv, receiving less than 10%.

In multiple regions, the party polled below one percent.

The party was overpowered by

Poroshenko, who monopolized the support of the pro-European electorate.

"I don't see a future for the Voice," says Otkysiuk.

According to Otkysiuk, the local election showed that there are currently four nationwide politicians in Ukraine – Zelensky, Poroshenko, Medvedchuk and Tymoshenko.

### Government shakeup

Before the elections, many expected that the local race would have a crucial effect on national politics. Among them was oligarch Ihor Kolomoisky, who was trying to use the local election to improve his standing on the national level.

The Kolomoisky-sponsored For the Future party, led by lawmaker Ihor Palytsa, secured fifth place in the local elections. The party was born out of a parliamentary group of 24 lawmakers close to the oligarch.

Palytsa is Kolomoisky's long-standing business partner and formerly the head of the Ukrnafta oil company controlled by the oligarch.

However, Fesenko says that the party received fewer votes than initially expected, calling into question Palytsa's political future.

For the Future won elections in Volyn Oblast and few regional capitals, yet the results fell short of the party's spending, which experts believe to be among the largest sums spent by a party in the local elections.

Before the election, Palytsa was Kolomoisky's favorite for the post of prime minister, which many believe may soon be vacant. A strong performance in the local elections should have shown Zelensky that Palytsa is a good choice.

"Kolomoisky wanted to make Palytsa prime minister or at least a deputy (prime minister). Now they'll have to wait," said Fesenko.

Yet even without Kolomoisky's intrusion, Zelensky is expected to make several changes.

"There will be multiple changes inside the president's office. Some people will be fired," says Fesenko. "A few ministers will lose their jobs, many governors as well."

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# Private, public labs struggle to keep up with testing demand

By Bermet Talant  
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When Kyiv resident Anna Kushnir's coworker was diagnosed with COVID-19, she decided to get tested herself. Her company recommended a private laboratory that offered the cheapest polymerase chain reaction (PCR) test for Hr 715 (\$25).

What Kushnir, 37, saw when she arrived at the lab on the chilly morning of Oct. 19 disturbed her.

The lab worked on a first-come, first-served basis. People self-organized by signing up on a sheet of paper. By the time Kushnir arrived at the lab at around 10 a.m., the list had 457 names on it.

It was cold outside. Some people stood aside trying to maintain social distance, but many others clustered together in front of the entrance. Kushnir waited for her turn for about two hours sitting in her car.

"I felt really uncomfortable to be in that line. I thought that everyone in it could catch the virus," she told the Kyiv Post.

The place where the laboratory conducted the test and the way they did it further raised her doubts. There was no hand sanitizer, the door to the room did not close and personnel wore ordinary nurse gowns and disposable masks, not heavy-duty respirators or protective suits. In addition, they only took a nasal swab.

When the test result came back positive, Kushnir did not trust it. She was 24 weeks pregnant, so she needed to know for sure. She took another PCR test — this one over two times more expensive than the first — in another private lab that she found better organized for the pandemic. It showed that she did not have the novel coronavirus.

As COVID-19 spreads rapidly through Ukraine, demand for tests has outstripped the capacities of Ukrainian labs. More people are contracting COVID-19 and more people are coming into contact with them. Additionally, a negative test result is required at some workplaces, to travel abroad and to undergo chemotherapy or surgery.

Unlike in other countries, like the United States or Germany, whose governments outsourced testing to private lab networks, Ukraine chose to rely on its weak public laboratory infrastructure. It quickly became overwhelmed.

As of Oct. 28, state and municipal laboratories had nearly 43,000 specimens in backlog, more than they can test in a single day. Moreover, getting a free test at a public lab requires meeting certain criteria, and citizens have complained about having to wait between five and 14 days for a result.

PCR tests at private labs are available to anyone regardless of whether they have symptoms or not, and results come in 24 or 48 hours. While these test results are counted in the country's official COVID-19 statistics, citizens pay for the tests

Two medical workers stand at the entrance to the infectious disease ward of the Kyiv Oleksandrivka Clinical Hospital on Oct. 29, 2020.



themselves. The cost ranges from Hr 715 (\$25) to Hr 2,500 (\$88) and the quality of service varies.

Today, private labs account for 24% of all PCR tests across Ukraine. In some regions, however, their share is bigger: Kyiv (72%), Luhansk Oblast (64%), Kharkiv Oblast (32%), Lviv Oblast (27%) and Odesa Oblast (27%).

In order to tackle the backlogs and delays, Ukraine's Ministry of Health announced that the government would pay private laboratories for testing and allocated Hr 100 million (\$3.5 million) for this purpose. However, there is no information on when the program will start and how specimens will be distributed for testing between public and private labs.

Health Minister Maksym Stepanov did not reply to the Kyiv Post's questions.

Meanwhile, private laboratories face their own struggles with shortages of testing supplies and qualified personnel.

## Public labs

A PCR test in a public laboratory is free of charge, but the patient must show symptoms and have a referral from a physician.

Olesya Mygal, 37, an employee at a non-governmental organization in Kyiv, was referred for a COVID-19 test by her physician. She had a cough that did not go away for three weeks after what appeared to be a common cold.

According to state protocol, a mobile team had to come to her home and conduct the test. In reality, however, Mygal was told that the mobile crews were overloaded and she had to come to the primary care center. She had to wait for 5 days for the test itself and then for 4 days for the result.

"Had I been more sick, I would have gone to a private lab," Mygal said.

Yevhen Piskun from Dnipro said his 60-year-old diabetic father had to show up in person for a test and

wait in line for 4 hours, despite having a fever. Several days after he got tested on Sept. 30, he developed pneumonia and was taken to a hospital for patients suspected of having COVID-19, but waiting for test confirmation. The positive result came on Oct. 14. The next day, Piskun's father, who was already feeling well, was discharged from the hospital.

Asked why his father did not go to a private lab, Piskun replied: "What's the point? There's no specific treatment. The test is just to know whether it is COVID-19 or not."

The director of one of Kyiv's 28 primary care centers told the Kyiv Post that, due to a surge of infections, her center's three mobile crews can't make a house call to every patient with suspected COVID-19 to collect specimens, which are then sent to the public laboratory. As a result, those without fever and with mild symptoms are asked to come in.

The director asked not to be identified for this story, as she is not authorized to speak to the press.

"We collect samples from over 100 people on some days," she told the Kyiv Post. "The delays with results can be up to 10 days. But regardless of whether there is a result or not, if a person shows clinical symptoms, they are prescribed treatment."

In an interview with the Ukrainian service of RFE/RL, Ihor Kuzin, acting head of the state Center of Public Health, blamed backlogs and delays on technical issues and the failure of doctors to prioritize which specimens should be tested first.

But the problem appears more basic: Public labs still have a low capacity. They still carry out between 20,000 to 29,000 tests per day. For instance, Kyiv City Laboratory and Kyiv Oblast Laboratory tested 1,128 and 1,606 specimens, respectively, on Oct. 28, and they still have 4,260 and 3,333 specimens in their backlogs, according to the data of the Center of Public Health. Kharkiv, Sumy, Poltava, Donetsk, and Cherkasy Oblasts also have serious testing backlogs.

In order to reduce this burden, the health ministry removed the requirement for two negative PCR tests to confirm that someone has recovered from COVID-19.

## Scaling up testing

Researchers at the Health Economics Center of the Kyiv School of Economics calculated that Ukraine has to carry out 120,000 tests per day with the current number of new daily cases in order to control the spread of the disease.

Since the beginning of the outbreak, Ukraine has recorded 370,417 confirmed COVID-19 cases, out of which 211,917 are active at the moment. So far, 6,868 people have died from the disease.

Minister Stepanov recently said that the government's goal is to scale up testing to 75,000 PCR tests a day by the end of the year. To do so, the government plans to contract private laboratories that have more developed infrastructure and to build more public laboratories.

"I see that it is more rational to involve private companies and

pay them for completed work," said Oleksiy Babych, general director of Dila, one of the major laboratory networks in Ukraine. "It is impossible to open a PCR laboratory quickly. There are specific requirements for the building, ventilation, zoning. Plus, finding qualified personnel is a challenge."

Dila has conducted over 200,000 PCR tests since April. During the pandemic, the company has invested 700,000 euros into its COVID-19 program, which allowed Dila to go from conducting 800 PCR tests a day to the current 2,500–3,500.

Babych said Dila is ready to work by contract with the government and conduct COVID-19 tests for below the market price — currently at Hr 1,800 (\$63) for a PCR test — but he could not say how many tests it would be willing to do.

Sinevo, another laboratory network, invested 300,000 euros into its new 24/7 COVID-19 center in Kyiv. Since October, it has offered PCR tests for Hr 990 (\$35) in seven Ukrainian cities and has already carried out over 26,000 tests. The company plans to double its current capacity of 2,500 tests per day in the next few weeks.

Sinevo is also ready to join the government initiative, commercial director Mykola Skavronsky said, if the pay will cover testing expenses. For now, the company can offer a quota of 3,000 PCR tests per day for the government for Hr 700 per test.

"We are not planning to make profit on this project," he said in a written reply.

But while public and private labs may want to increase testing, desire and capability are sometimes completely different things.

As demand for COVID-19 tests continues to grow and overloaded private labs plan further increase to their capacities, they are reporting shortages of testing supplies, reagents and qualified staff.

The laboratory where Kushnir got her first test recently announced it was limiting the number of PCR tests due to a capacity overload. It did not respond to the Kyiv Post's request for comment for this story. ❖

## ON THE MOVE

Advertisement

### Sayenko Kharenko reinforces its real estate and construction team with double lateral hire



Svitlana Gurieieva Olena Denisova

Real estate and construction practice of Sayenko Kharenko has been very busy lately and its success lured two prominent experts from the market: Svitlana Gurieieva joins as partner and Olena Denisova as senior associate, both from Auchan Retail Ukraine.

Svitlana Gurieieva is an extremely skilled practitioner, with over 20 years of experience both with Ukrainian and international companies. She offers high-end advice on all aspects of commercial

real estate matters, ranging from handling complex litigation and high-value M&A projects to compliance, commercial law, and IP issues.

Olena Denisova has vast expertise across the full spectrum of commercial real estate matters and is well versed across dispute resolution and mortgage matters. Olena has been a part of Svitlana's team for over 10 years.

Svitlana's invaluable experience as the director of legal affairs at Auchan Retail Ukraine is also expected to bring to the firm the necessary business perspective and understanding of the retail industry. We will help our clients to enter the market, expand their business, and foresee any challenges they may face in the process of doing business in Ukraine. We see the great potential in the Ukrainian land market and any real estate asset-rich business in the coming years.

# TOP 10 KYIV POST exclusives online this week

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Oleg Petrasniuk

## Ukrainians speak out against Polish abortion ban

A Kyivan hold a placards as they attend a protest against the abortion ban recently introduced in Poland near the Embassy of Poland in Kyiv on Oct. 26, 2020. As protests spread across Poland against the country's recent near total ban on abortion, hundreds gathered near the Embassy of Poland to express their support for women in Poland. On Oct. 22, Poland's Constitutional Tribunal banned pregnancy terminations, which are now only allowed in cases of incest, rape or if the mother's health is at risk. This means that abortion in cases of fetal defects or incurable illnesses that threaten the fetus's life are now prohibited. Prior to the ban, around 98% of abortions in Poland happened due to fetal defects. Women's rights groups and activists sounded the alarm as Poland's restrictions are now among the most severe in Europe. In Kyiv, the protest attracted hundreds of activists, both women and men, who held signs reading "My body – my business" and "Legal abortions save lives."



# ENERGY TALK

NOVEMBER 4



**BRIAN BONNER**  
Chief editor of the Kyiv Post



**KYRYLO KRYVOLAP**  
Head of Economic recovery center,  
Adviser to the Prime Minister  
of Ukraine



**ERIK SVEDAHL**  
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**OLEKSANDR KHARCHENKO**  
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**ALEXANDER MCWHORTER**  
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Livestream starts from 9 a.m until 11.30 a.m EEST (GMT +3) at [kyivpost.com](http://kyivpost.com)

# Lifestyle

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Celebrate Halloween at Closer's Hospitaloween party featuring DJs Ponura, Jana Woodstock, Koloah and Hidden Element. 31 Nyzhnoiurkivska St. Oct. 31, 10 p.m. Hr 350-500



## Street-style icon Pelipas retools Ukrainian fashion

Better



The Better fashion brand, founded by Ukrainian stylist Julie Pelipas, offers male suits for women made completely from used apparel through the upcycling process. The brand sells outfits in sets that contain 3-5 pieces of clothing and cost Hr \$570-970.

By Maliek Banat  
banatmalek@yahoo.com

**A** signature male suit look of Julie Pelipas needs no introduction in the world of fashion. For its boldness and style, it is widely praised and imitated.

But it also has a little secret: It often consists of apparel found on the shelves of vintage and thrift stores.

Having re-designed numerous pieces from used clothing for her own wardrobe, international street-style idol Pelipas, who is also the contributing fashion director of Vogue Ukraine, is now taking her aesthetics and advocacy for sustainability further.

She has launched a brand that sells male suits for women made completely from used apparel. Through a process known as upcycling, Better turns old and damaged garments into high-end fashion outfits.

According to Pelipas, 36, the plan to launch her own brand was initially postponed during a period where

fast-fashion, a business model that sells high volumes of trendy clothes for a cheap price, was moving at a remarkable pace.

"Despite the idea brewing in my mind for about 4 years, there were just too many new brands appearing," she told the Kyiv Post. "So I asked myself — do I really want to launch another one?"

While fashion remains one of the most polluting industries in the world, experts worldwide believe the pandemic has the momentum to spell the end of fast-fashion as we know it. Maria Terekhova, the founder of the Ukrainian platform New Fashion Zone, claims that Ukraine is already experiencing greater demand for new, eco-friendly garments — an antithesis of fast-fashion.

Having been one of the earliest ambassadors of the now growing culture of sustainable fashion in Ukraine, Pelipas is determined to prove that the industry can do better with creating clothes — the idea that inspired the brand's name.

She also believes that her approach can help break the wide-spread stig-

ma around used clothing in Ukraine.

"I know a lot of women that will never purchase used clothing," she says. "But after looking at me wearing those very same outfits, they see how chic it is and their perception changes."

### Versatility and comfort

The brand's website displays a humble collection of 31 outfits, or looks, that contain 3-5 pieces of the following: a vintage men's suit tailored for women, one or two t-shirts and a pair of pants. All of them are made of vintage and thrift clothing purchased locally. It is only possible to buy the full look rather than single pieces, which ranges in price from \$570-970.

Launched in May, Better made the first 16-outfit drop in June, which has sold out in one day. Another drop, including another 15 outfits, was made on Oct. 28, and it is nearly sold out now, too.

Pelipas claims that the set-selling system removes the pressure on women that struggle or simply don't have the time to style themselves

every day. Each look is specially crafted to fit three different sizes, allowing the customer to readjust their clothing if needed and placing comfort as the number one priority.

"We don't just redesign clothes, but we first consider the metrics of the item and of the different body types," Pelipas says. "This allows us to customize each item in consideration of the little imperfections a body has — something mass-producing bigger brands do not have the luxury to do."

However, the design of Better's looks should not be overlooked. Along with the perfected color combination of every set, the individual garments are all processed through a smart design algorithm that allows the used clothing to maintain its original shape and proportion.

The end product is a spacious, masculine outfit that captures Pelipas' minimalist and effortlessly chic style. She describes the look as highly versatile — daywear that can be worn to work and still be

## Explore Ukraine

With Daria Shulzhenko  
shulzhenko@kyivpost.com

### Ukraine launches first cycling route across Chernobyl

The site of the world's worst nuclear accident, Chernobyl, doesn't seem like an obvious choice for travelers, yet it has been one of Ukraine's top tourist attractions for years.

Until now, visitors had to explore the 2,600-square-kilometer area either by car or on foot.

Now that the country has created the first cycling route across the exclusion zone, traveling around the abandoned and nonetheless magnifying Chernobyl will be more accessible and engaging.

Developed by Ukraine's State Agency for Exclusion Zone Management and other relevant agencies, the new route stretches for more than 45 kilometers, crossing four villages in the exclusion zone and the territory of the Chernobyl biosphere reserve. The journey offers mesmerizing views of the thriving forests and meadows along with decaying villages in contrast, the creators say.

"This route gives a great chance to explore the wildlife of Chernobyl and see the people who still live there," says Yevhen Zhaivoronok, the exclusion zone employee who was involved in developing the route.

"Most importantly, it's safe," he adds.

### Picturesque bike tour

Thirty-four years after the disaster, the nuclear fallout still affects the environment in Chernobyl, nearly abandoned town located more than 100 kilometers north of Kyiv, and the whole exclusion zone.

But it's a much more picturesque place than many travelers imagine it.

Instead of a gloomy land with no greenery but rusty factories and abandoned old buildings — as Chernobyl is often portrayed in pop culture — visitors of the zone are greeted with fresh air, wild forests and rivers with clear water.

After most of the residents left the zone, nature has gained back its domination over the area. Many rare and wild animals, such as horses, bears, foxes and wolves, can now be spotted there.

And the new cycling route is designed to reveal all those beauties.

The path starts at checkpoint Zelenyi Mys located in village Strakholissia, some 125 kilometers north of Kyiv. After going through the passport control at the checkpoint, visitors are greeted by guides, who will accompany them during the tour.

The route stretches along the Kupovate, Opachychi, Otashiv and Plutovyshe villages. Zhaivoronok

# At Kyiv's Museum of Science, exhibits are made for touching

By Yana Mokhonchuk  
yanamokhonchuk@gmail.com

**L**evko Fedorak, 14, has never been attracted to science much. Years of chemistry, physics and biology classes in school never managed to spark his interest.

But something shifted when the eighth-grader first visited Kyiv's new interactive Museum of Science.

"In practice, everything is much easier to learn than through reading a textbook," Fedorak told the Kyiv Post. "Everything remains in your brain somehow."

The Museum of Science was developed by Ukraine's Small Academy of Sciences in collaboration with the Gres Todorchuk PR agency. It opened on Oct. 3 at Kyiv's VDNH exposition center and welcomes visitors daily.

Since Ukraine's educational system mainly focuses on theory and offers little practice to schoolchildren, the project is set to cultivate their love of science through experience. For that reason, every visitor is encouraged to touch and interact with exhibits.

"(The museum) is the entry point that works as a mass vacuum cleaner that aims to draw children to science and light their eyes," Oksen Lisovyi, head of the Small Academy of Sciences, told the Kyiv Post.

## Grand project

The Small Academy of Sciences is a state-funded organization that aims to promote science among schoolchildren through research contests and summer camps.

It has been creating small-scale projects, like setting up experimental playgrounds and research laboratories, since 2010. But in 2017, the organization decided to take its activity to the next level by developing a grand and ambitious project that resulted in opening the Museum of Science.

The Small Academy of Sciences



Children ride square-wheeled bikes at Kyiv's new Museum of Science during its opening on Oct. 3, 2020. There are only four original square-wheeled bicycles in the world, one of which was granted to the museum from New York, while its copy was later made locally.

invited some of Ukraine's most creative and acknowledged companies to collaborate.

Fedoriv Agency, which specializes in marketing, came up with the identity and logo for the museum. The identity is based on the word "spectrum," which serves as a symbol of science, the impressions guests receive and the diversity of exhibits presented.

Gres Todorchuk PR, meanwhile, was responsible for setting up exhibits inside the venue and the media campaign ahead of the opening.

The Ministry of Education and Science allocated Hr 50 million (\$1.7 million) for the museum. Later on, several private companies joined in investing. Financial services giant Visa made a Hr 2 million (\$70,000) contribution. And pharmaceutical company Farmak and online Monobank are also among the proj-

ect's donors.

## Inside the museum

Located in an old and gloomy pavilion of the Soviet-built exposition center, the museum is a colorful, eye-catching space inside with more than 120 installations and exhibits.

The museum offers an opportunity to experience science through every sense. For instance, a visitor can listen to the sound of wood and metal or touch foam when exploring various chemical substances.

Most of the exhibits have been brought to Ukraine from abroad, including the United States, the United Kingdom, Canada, Poland and Sweden. The reason is that few Ukrainian companies produce such exhibits, and even fewer can compete with the foreign-made ones.

At the entrance to the museum, like in sci-fi films, there is a two-me-

ter hologram that was produced in the U.K. in only two copies. Welcoming visitors into the space, the hologram shows famous and young Ukrainian scientists.

One of the most impressive exhibits is a bike with square wheels that visitors can take a ride on. There are only four such bicycles in the world: The others are in museums in New York, Singapore and Rio de Janeiro. Kyiv's Museum of Science was fortunate to get the legendary bicycle thanks to Cindy Lawrence, the director of New York's Museum of Mathematics. After she discovered her Ukrainian roots, Lawrence decided to contribute to the Kyiv museum's development.

Another exhibition, "Strange Matter," was created by the experts from the Ontario Science Center and the American Chemical Society. The area provides the opportunity to study the properties of various materials. For example, visitors can try to break bulletproof glass with a bowling ball, which, obviously, is impossible.

One of the few Ukrainian-made exhibits is a pendulum, which the organizers claim is the largest in the world. Produced by local company Idearoomia, which specializes in making decorations and interactive installations, the pendulum hangs from the ceiling it swings every 30 minutes.

To test their knowledge, children are offered to take a quiz on natural sciences on tablets attached to the walls throughout the museum. For those who answer all the five questions right, the museum has prepared a surprise: Their whole ceiling, which normally looks like a colorful spectrum, for a moment, will beam with one color.

No matter how grand, the Museum of Science is only a starting point for the Small Academy of Sciences. Later on, the organization plans to

open a so-called mosaic museum — a seven-story research center that will include a museum of mathematics and various laboratories.

## Flawed school programs

After 10 years of working with Ukrainian children, Lisovyi says that their potential is incredible, as they prove to be talented and very capable of scientific research. However, very rarely are they actually interested in doing that research. According to Lisovyi, the school programs are to blame.

Ukrainian schoolchildren are overloaded with mandatory subjects — in middle and high school, there are 16. With so many subjects to comprehend, children have little time to explore their genuine interests and often focus on scores before knowledge.

Another issue is that school programs are largely focused on theory. There are few scientific project assignments and children find themselves stuck in the routine of memorizing information and taking tests. In addition, many schools are underfinanced and have no equipment for truly fascinating experiments. The steaming cones and colored liquids that children often expect to see in chemistry lessons, are replaced by monotonous theoretical descriptions in textbooks.

"Forcing knowledge into their heads is nothing but pain both for them and for the poor teachers," says Roman Gromov, 28, a physics teacher at the Maybutni private school in Kyiv, who also organizes the Ukrainian March for Science.

According to Gromov, teaching children about the importance and vitality of science would help them understand the need for learning. And to further engage them, the teacher believes children should be allowed to contribute to real research by adult scientists.

Lisovyi says that many falsely believe that the reason Ukrainian science is in stagnation is brain drain. In fact, he says, 90% of local children lose interest in learning and science by the end of primary school.

However, Lisovyi believes that projects like the Museum of Science can help to shift the landscape.

The exhibits in the museum revive emotionless terms from textbooks, turn them into objects and installations and show how formulas and scientific laws work in everyday life. Through this experience, Lisovyi says, children clearly understand them better.

"When they later study it in school, they will recall 'Oh, I know what it's about. Because I saw it at the Museum of Science.'"

*Museum of Science. VDNH (1 Akademika Hlushkova St., 23rd Pavilon). Tue-Sun. 10 a.m. – 10 p.m. Single ticket – Hr 100, a ticket per person for school groups of 10 people – Hr 50. Free for people with disabilities and children of the Ukrainian military who died in Russia's war in the Donbas.*



Children install artificial human body organs into an anatomy doll at Kyiv's new Museum of Science on Oct. 3, 2020. The museum aims to spark children's interest in science.

Explore Ukraine

# Next great adventure? Chornobyl bicycling

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says that each settlement will amaze travelers.

At Kupovate, for instance, tourists can discover the life of remaining Chornobyl residents.

Called "samosely" (self-settlers in

### State tour operator

Website: solaris.testmticket.in.ua/en

Price for a foreign group, 10-15 people: Hr 2,000.

Price for a Ukrainian group, 10-15 people: Hr 495.

Additional fees per person: Hr 150 for radiation test, Hr 500 for English-speaking guides and Hr 140 for Ukrainian guides.

Note: The state operator doesn't offer bike and equipment rentals.

### Approved private operators

Website: cotiz.org.ua/info/operators

Prices and fees vary depending on an operator; there are about 50 of them.

Note: Private operators offer additional services like bike and equipment rental, transfer to the exclusion zone from Kyiv, snacks and more.

English), they are mostly elderly people who have returned to the exclusion zone after the accident to spend the rest of their lives in their hometown. Although there are only few of them, Zhaivoronok says there's still a chance to encounter them.

The Otashiv village is known for its deep pine and birch forest, with some trees leaning over the cycling route and resembling a tunnel. The village offers tourists a place to make a stop at a gazebo and enjoy the mesmerizing views of the Prypiat River.

The cycling route also passes through the forests of the Chornobyl Radiation and Ecological Biosphere Reserve. There, visitors have a chance to spot some wild animals and birds.

### Safety first

Although the tour is designed to reveal Chornobyl's charms, the creators' main priority was to keep it safe. It took the team nearly five months to build the route through locations where the level of radiation is low and can't harm anyone.

"Here, safety comes first," says Maksym Shevchuk, deputy head of the exclusion zone management agency.

Only adults are allowed to embark on the journey, which takes 6-8 hours and includes short breaks every 30 minutes to take pictures and catch a breath.

The adventure does not require

any special physical training beforehand — it is a sightseeing route in which the cycling speed will not exceed 15 kilometers per hour.

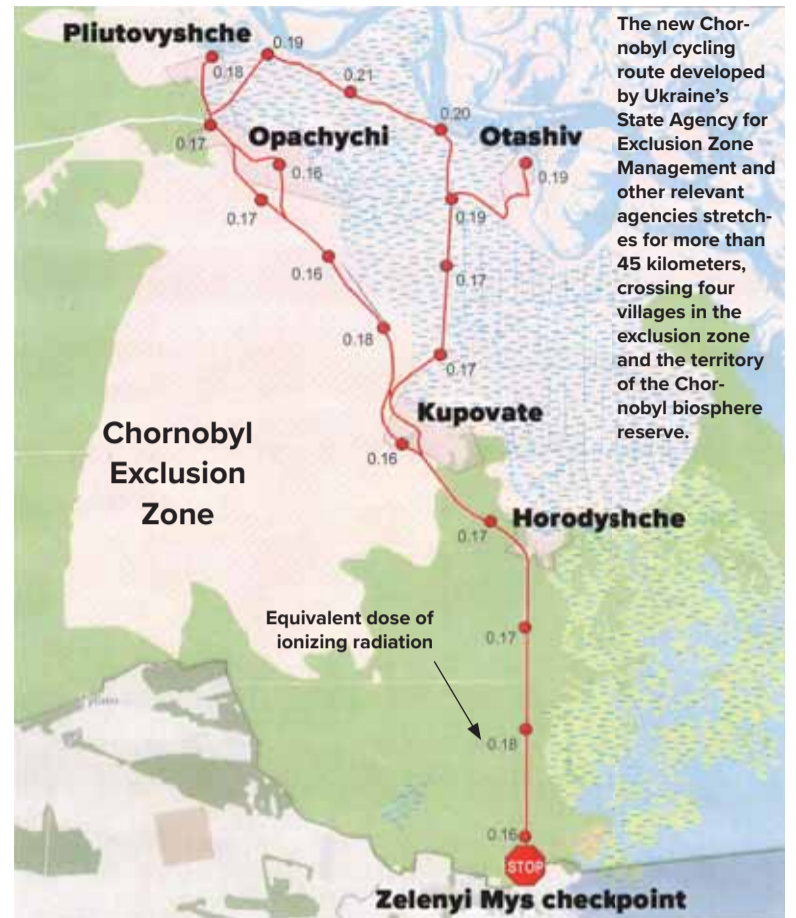
According to Shevchuk, short breaks every half an hour and the low speed are required to ensure people's safety: The faster a person inhales and exhales, the higher is the radiation dose they can receive.

All groups of tourists are accompanied by two guides: one of them leads the group and the other one rides behind to ensure that travelers stay on the route and abide by the exclusion zone safety rules.¶

The cycling tours most likely won't be available during the cold and snowy winter months, but, while the weather is dry and sunny in autumn, tourists can set off on tours. And the team behind the route says it's well worth it, promising an amazing journey that can surprise even the most spoiled travelers.

"It's an unbelievable combination of abandoned villages and technological facilities located in the wild picturesque nature — something that's impossible to find in everyday life," says Shevchuk.

All one has to have to hit the road is a gravel or mountain bike, a helmet, a pair of protective glasses and clothes covering the body. Tourists either have to bring their own equipment or can rent it from one of the private tour operators authorized to



give tours in Chornobyl.

### Healing wounds

Introducing bike tours is one of the steps Ukraine takes to develop the ghost town.

In fact, the country has a grand plan called "Magnets of Ukraine: Chornobyl" that the government launched last year to attract investment to Chornobyl and enhance tourism and science in the exclusion zone.

Apart from a bike route, Ukraine plans to develop basic infrastructure such as convenient checkpoints, new direction signs, and restrooms.

Tourist interest in Chornobyl has been growing steadily over the last

few years, peaking in 2019, when the hit "Chernobyl" series aired on U.S. television network HBO. That year, 124,000 tourists came to the zone, nearly thrice as many as in 2017. But 80% of them were foreigners. And Ukraine plans to change the tendency, attracting more domestic tourists.

Ukraine is still going through the traumas caused by the disaster — human losses and environmental damage, according to Shevchuk.

"It's a very painful story of our past," he says. "But we need to get over it." One of the ways, he adds, is to visit the place, see its nature, draw conclusions and leave the past behind. ☺



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# Environmental concerns, sustainability coming to forefront in fashion world

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available for social outings in the evening.

As for the business side, Pelipas is using help from the former Ukrainian government official and co-founder of virtual Monobank Dmytro Dubilet, who is a business consultant for the brand.

## Sustainability

Bettter runs on the philosophy of conscious consumption that is meant to break the “traditional production patterns that have failed the planet”. Unlike mainstream brands, the Ukrainian label releases a limited amount of clothes and does not adhere to seasonal fashion.

“We don’t follow the market, we sell what we want and when we are able to,” Pelipas says.

This allows the small-batch tailoring label to produce as much as they can with the discarded fabric available to them rather than over-producing and contributing to the notorious throwaway culture of the fashion industry.

Every item in the brand’s look has its own so-called “passport” that details the original owner or brand, the country of production and the country it was stored in. By offering full transparency on the history of the clothing, Bettter allows its customers to make more informed

decisions about what they buy and be aware of how they contribute to a more responsible supply chain.

Pelipas’ commitment to sustainable fashion extends beyond her brand. As a social media ambassador for the Spanish mass-producing clothing retailer Mango, Pelipas had to carefully reconsider her partnership with the label after launching Bettter.

“I told them that I can only support the sustainable part of Mango,” she says.

After their conversation, Pelipas began to see a positive shift towards more sustainable practices from Mango. According to her, it is ultimately up to the bigger brands to follow the ongoing trend and adjust to environmentally-friendly means of producing clothes.

Small eco-shops and clothing labels, such as Bettter, make up an insignificant segment of the market compared to the affordable, mass-producing brands that dominate women’s apparel in Ukraine.

A big reason behind the relatively small scale of production for these eco-friendly businesses is the expensiveness of recyclable materials, transportation costs and other logistics of sourcing. This also makes the transition towards sustainability for fast-fashion giants unprofitable and costly.

To facilitate the business side of things, the Ukrainian fashion guru

calls on the government to support small businesses like Bettter that commit to sustainable practices.

“The real cost of producing eco-friendly clothes is not the low-cost of other mass-producing brands,” Pelipas says. “But the appropriate government tax policies and a shift in demand for sustainable fashion will continue to shape the forecasting for new marketing and production strategies of Ukrainian brands.”

## Ukrainian consumer

During a 2017 briefing of the Ukraine Crisis Media Center non-profit, a group of owners of Ukrainian upcycling brands concluded that most Ukrainians do not understand the value of used clothing and are unwilling to pay for it.

Pelipas calls it the biggest paradox of Ukraine’s fashion, highlighting the huge amount of Ukrainians that wear second-hand clothes.

“Since we are now talking about the luxury market, the perception that pre-worn clothes and high-end fashion are incompatible did not change much from 2017,” says Pelipas.

While Ukraine has a popular culture of second-hand clothes, it is largely caused by its affordability. Conscious consumption is not yet a common value in the Ukrainian society, Pelipas says, but she remains optimistic, believing that sustainable choices will be embedded into the

Julie Pelipas, Ukrainian street-style icon and contributing fashion director of Vogue Ukraine.



Courtesy

DNA of the new generation.

“It is the young middle class of Ukrainians,” Pelipas says. “There is no need to even educate some of them on conscious consumption. However, the number of those people is too small to be judged as a statistic just yet.”

Much of the vintage-loving youth that Pelipas talks about can be spotted at the seasonal Kyivness market, an event that promotes conscious consumption of local brands and engages a community of like-minded progressives.

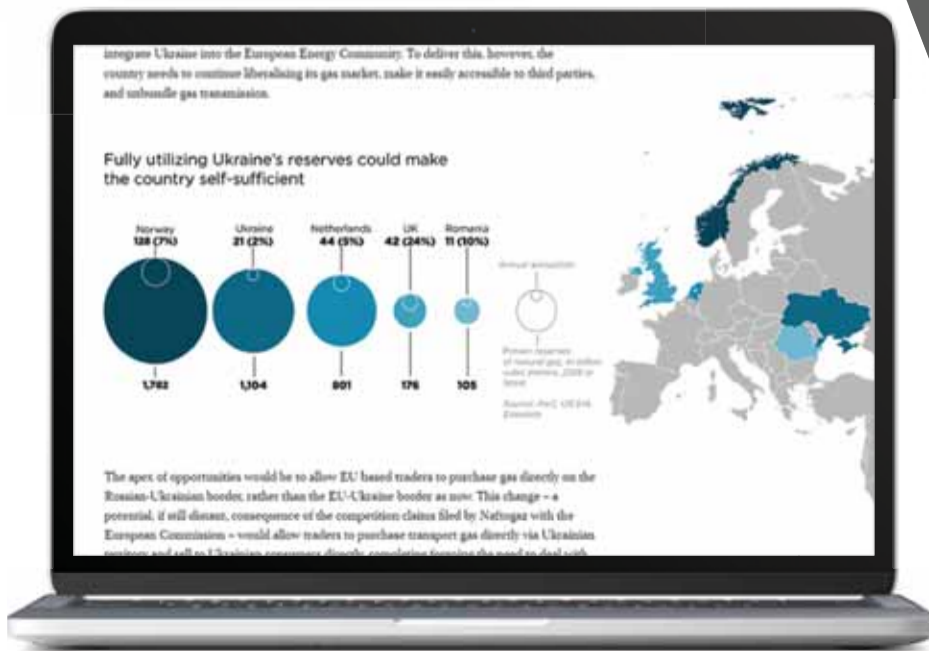
To reach out to the wider Ukrainian audience on the concept of sustainability, Bettter plans to launch its

own media channel in the “Data” section of the website. The channel promises to feature positive developments in the world of sustainable fashion, including technology and innovation.

Pelipas, who relentlessly believes in leading by example, asserts that positive news is the right approach to engage people that would otherwise be repelled by the daunting numbers or scary statistics.

“My dream is that one day it will be normal for Ukrainians to bring their clothes to me to redesign,” Pelipas says. “But I know this won’t happen overnight – it is our long term strategy.”

# Kyiv Post



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# Kyiv Post's Anna Myroniuk wins recognition as a top journalist

By Kyiv Post

The Kyiv Post investigative journalist Anna Myroniuk has made it to the final stage of Thomson Foundation's annual journalism competition, Young Journalist Award, that celebrates emerging journalistic talents from around the world.

Chosen out of 200 entrants from 55 countries, Myroniuk is now competing with the Peruvian journalist Martin Leandro Camacho and Nigerian Kabir Adejumo.

On Nov. 23, the judges will reveal the winner of the competition but because of the COVID-19 pandemic, London's ceremony will be held online.

The Ukrainian Myroniuk was honored by the Thomson Foundation for her "impactful forensic reporting amid constraints in Ukraine," according to the jury.

At the Kyiv Post, Myroniuk reports extensively about political corruption and human rights violations, among other issues.

The Thomson Foundation has recognized her three major investigative stories and praised Myroniuk's style of presentation, calling it "particularly grabbing."

In the transnational investigation of the tobacco giant Philip Morris



Kyiv Post staff writer Anna Myroniuk works in the newsroom on Oct. 26, 2020. Myroniuk is one of three finalists globally for the Thomson Foundation's Young Journalist Award.

International that Myroniuk and 10 worldwide media partners conducted in May 2020, she revealed how the company used the coronavirus

crisis as a commercial opportunity to promote its tobacco-heating devices. Myroniuk's two-part series titled "Losing Our Land" tells the story of

Ukrainians forced out of Crimea by Russian occupants.

Another of Myroniuk's stories noted by the jury covers attempts

of the Kremlin-backed separatist group "Donetsk People's Republic" to assert its claim to statehood and international legal recognition.

All stories were equally complicated in terms of reporting and "that is probably the reason why they attracted the attention of the international jury," Myroniuk said.

Before joining the Kyiv Post in September 2019, Myroniuk freelanced for the newspaper from London where she was studying after winning the Chevening Scholarship.

Having years of journalistic experience in Ukraine, Myroniuk knows how challenging the work of investigative journalists is in the country.

Due to the ubiquitous bureaucracy, she often couldn't get the necessary information and after releasing her stories Myroniuk wasn't always feeling safe.

That is why entering the final stage of the Thomson Foundation's journalism competition is important for her.

"It means that my work is recognized and the issues I cover matter," Myroniuk said.

Judges of the award look for stories that are "revealing, prompt public debate and have the potential to lead to, positive change in society."

## EMPLOYMENT / CV / TENDER

The EU Anti-Corruption Initiative (EUACI), ([www.euaci.eu](http://www.euaci.eu)) implemented by the Ministry of Foreign Affairs of Denmark, is seeking candidates for the position of:

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Please provide a short motivation letter in English with an attached CV and send it to [procurement@ukraine-aci.com](mailto:procurement@ukraine-aci.com) indicating Anti-Corruption Prevention Expert in the subject line. Deadline for applications is Monday, 9 November 2020. For detailed ToR and information, please visit <https://euaci.eu/what-we-do/procurement>

**Anastasiia Kraskovska**  
 Consultant, PhD in environmental sciences with 7+ years' experience facilitating project and programme activities for FAO and private sector, expert in planning and implementing international sustainability initiatives. Fluent in English, Russian, Ukrainian, with working knowledge of French and Italian. Areas of expertise include partnerships, policy analysis, environmental economics, data management, value chains, bioeconomy, natural resources.

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**Agriteam Canada** is one of Canada's leading international development firms, providing management and technical expertise to developing and transitional country partners on projects that promote sustainable growth and meaningful opportunities for people to improve their lives. Agriteam has two offices in Canada and 11 offices around the world, including an office in Ukraine.

In October 2019, Agriteam Canada launched a new five-year project in Ukraine: **Support to Ukraine's Reforms for Governance (SURGe)**. SURGe's Ultimate Outcome is to help the Government of Ukraine (GoU) to deliver governance and economic reforms that better respond to the needs of its citizens.

SURGe Project is looking for the following experts:

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Please, send your applications to: [irynam@alineainternational.com](mailto:irynam@alineainternational.com)

**For the Regional Investment Projects Facilitation:**

- Regional Development Adviser in Cherkaska Oblast.

**For the RBM/GBA+ Project Office, Government of Ukraine:**

- Strategic Planning/Reform Monitoring expert.

**For the Corrections reform:**

- Project Manager on the implementation of the Unified State Register of Convicts

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# Kyiv Post Digital

Most of the Kyiv Post's content is online. Here are some samples of the great journalism that readers will find daily at [kyivpost.com](http://kyivpost.com)

## UKRAINE

After outcry, parliament vows to restore accreditation of investigative journalism outlet



Boryspil mayor dies from COVID-19 during re-election bid with coronavirus-denying party



## TECH

American Peace Corps volunteer, local philologist teach Ukrainian slang online



## VIDEO

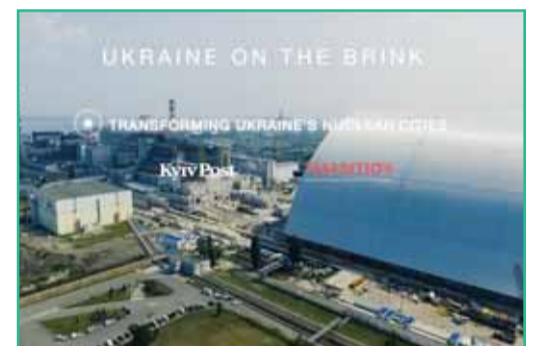
Ukraine on the Brink: Kherson's chemical graveyards



Ukraine on the Brink: Eco-Innovators



Ukraine on the Brink: Transforming Ukraine's nuclear cities



Ukraine on the Brink: Kalush. Ecological Emergency Zone



# Kyiv Post

# TOP 30 UNDER 30

## The WINNERS will be announced on November 24

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