

Venediktova comes up empty in accomplishments as nation's prosecutor general → Page 2

The Big Interview: New CEO of UkrOboronProm pledges fight against corruption → Page 3

Ukraine will likely tighten restrictions as coronavirus situation deteriorates quickly → Page 10

The Big Interview: Designer Svitlana Bevza discusses the genius behind her fashions → Page 12

New restaurants open up in Kyiv even as many others are closing because of pandemic → Page 12



Kyiv Post

UKRAINE'S GLOBAL VOICE

25th year!

Ukraine's Fate

Zelensky faces an uphill fight in his attempt to dismiss an unaccountable Constitutional Court with corruption-tainted, pro-Russian judges

Constitutional Court becomes a collective Yanukovich



Opinion

Sergii Leshchenko
mail.pravda@gmail.com

In the 20 years I spent in Ukrainian journalism and politics, I have only been inside the Constitutional Court once and protested outside of it one other time.

I visited it back in 2003 and walked down the long hallways to the courtroom, where the judges announced their disgraceful decision that reflected the worst tendencies of an authoritarian regime: Then-President Leonid Kuchma was given the right to run for a third term even though the Ukrainian Constitution only allows for two terms.

Kuchma ultimately didn't try to tempt fate, but the decision stained the reputation of the Constitutional Court judges. The judge who drafted and proclaimed the ruling was Vasyl Nimchenko. Today he is a lawmaker with the pro-Russian Opposition Platform – For Life and one of the most vocal supporters of its leader, media baron and Vladimir Putin's friend Viktor Medvedchuk.

I joined the protest outside the Constitutional Court last week after its judges went on the offensive against anti-corruption institutions in Ukraine. Its scandalous ruling became possible thanks to a submission by lawmakers from the

→ page 8



See stories on page 6-7

For over a week, Ukraine has witnessed a seething standoff between the judges of the Constitutional Court, led by Chairman Oleksandr Tupytsky (L), and President Volodymyr Zelensky (R) and his party in parliament. Authorities have not yet found a solution to the crisis that the court started on Oct. 27, when it cancelled asset declarations for public officials, killing a key part of Ukraine's anti-corruption infrastructure. The country's Western partners indicated that Ukraine needs to restore declarations as fast as possible if it wants to receive any more aid and preserve its visa-free regime with the European Union. As Zelensky and the parliament explore several possible solutions, the Constitutional Court is preparing to pass more controversial rulings, including one aimed at undermining bank-sector reforms. (Photos by Kostyantyn Chernichkin, Oleg Petrasiiuk)



Kyiv Post

TOP 30 UNDER 30

The WINNERS will be announced on November 24 during the livestream on www.kyivpost.com

PARTNER: INTERNATIONAL RENAISSANCE FOUNDATION

INTERNATIONAL MULTI-PROFILE CLINIC

Get your FLU SHOT (France) + Consultation ONLY 650 UAH

0 800 30 86 87
www.imp-clinic.com

The material published in the Kyiv Post may not be reproduced without the written consent of the publisher. All material in the Kyiv Post is protected by Ukrainian and international laws. The views expressed in the Kyiv Post are not necessarily the views of the publisher nor does the publisher carry any responsibility for those views.

Газета "Kyiv Post" видається
ТОВ "БІЗНЕСГРУПП".

Щотижневий наклад 7,500 прим. Ціна за до-
мовленістю. Матеріали, надруковані в га-
зеті "Kyiv Post" є власністю видавництва,
захищені міжнародним та українським за-
конодавством і не можуть бути відтворені
у будь-якій формі без письмового дозволу
Видавця. Думки, висловлені у дописах не
завжди збігаються з поглядами видавця,
який не бере на себе відповідальність за
наслідки публікацій.

Засновник
ТОВ "БІЗНЕСГРУПП"

Головний редактор
Брайан Боннер

Відповідальний за випуск
Брайан Боннер

Адреса видавця та засновника
співпадають: Україна, м. Київ, 01033,
вул. Жилинська, 68, 2-й поверх.
Реєстраційне свідоцтво
Кв № 23191-13031П від 29.03.2018.
Передплатний індекс ДП Преса 40528
Надруковано ТОВ «Новий друг»,
02660, Київ, вулиця Магнітогорська, 1,
тел.: 559-9148
З приводу розміщення реклами
звертайтеся: +380 44 591-7788
Відповідальність за зміст реклами
несе замовник.

Mailing address:
Kyiv Post, 68 Zhylianska St.,
Kyiv, Ukraine, 01033

Advertising
tel. +380 44 591-7788
advertising@kyivpost.com

Editorial staff
tel. +380 44 591-3344
news@kyivpost.com

Subscription & Distribution
tel. +380 44 591-3344
subscribe@kyivpost.com

Employment Advertising
tel. +380 44 591-7788
advertising@kyivpost.com

Adnan Kivan Publisher

Brian Bonner

Executive Director/Chief Editor

Olga Rudenko | Alyona Nevmerzhytska
Deputy Chief Editor | Commercial Director

News Editor
Matthew Kupfer

Business Editor
Denys Krasnikov

Lifestyle Editor
Toma Istomina

Staff Writers

Daryna Antoniuk, Natalia Datskevych,
Olena Goncharova, Artur Kornienko,
Igor Kossov, Anastasiia Lapatina,
Yana Mokhonchuk, Anna Myroniuk,
Illia Ponomarenko, Alexander Query,
Liza Semko, Daria Shulzhenko,
Oleksiy Sorokin, Oleg Sukhov,
Bermet Talant

KP Brand Studio Director:
Jakub Parusinski.

Website: Victoria Petrenko,
Anastasia Shepeleva, Helen Mukhina.

Photo Editor: Pavlo Podufalov.

Deputy Photo Editor: Veronika Strashko.

Photographers: Kostyantyn Chernichkin,
Oleg Petrasniuk, Volodymyr Petrov.

Cartoonist: Anatoliy Vasilenko.

Video: Ruslan Batytskyi, Anna Borysova,
Elina Kent, Tamara Kiptenko,
Austin Malloy, Iryna Yavorska.

Social Media: Sofia Fedeczko.

Chief Designer: Vladyslav Zakharenko.

Designer: Yura Borovik.

Sales: Yulia Kovalenko, Yulia Krus,
Vita Shvets, Elena Symonenko.

Transport Manager: Mykola Andrusha.

Chief Accountant: Galyna Bondarchuk.

Accountant: Aleksandra Lyfar.

Office Manager: Lena Veleshchuk.

Subscription: Tetyana Garanich.

IT: Oleksiy Bondarchuk,
Oleksandr Slipachenko

Digital Strategy: Alexandra Trapikayte

Website Developer: Roman Kryvenko



Kostyantyn Chernichkin

Top prosecutor blocks big cases, has no achievements to show

Prosecutor General Iryna Venediktova speaks during a press briefing in her office in Kyiv on June 18, 2020. She has been accused of blocking high-profile corruption cases.

By Oleg Sukhov
sukhov@kyivpost.com

Prosecutor General Iryna Venediktova was appointed in March with a mandate to prosecute serious cases of crime and corruption — something that her supporters claimed her predecessor Ruslan Riaboshapka failed to do.

More than half a year later, Venediktova has not spearheaded a single successful case against a former or incumbent top official implicated in wrongdoing.

Instead, she has blocked corruption investigations against allies of President Volodymyr Zelensky and other top officials and oligarchs.

"Venediktova is blocking all cases," Vitaly Shabunin, head of the Anti-Corruption Action Center's executive board, told the Kyiv Post. "She's destroying the key investigations."

Meanwhile, Venediktova's prosecution reform, which ostensibly seeks to oust corrupt and unprofessional prosecutors, has been criticized by her opponents as a meaningless ploy to preserve the corrupt prosecutorial system.

The Prosecutor General's Office did not respond to requests for comment.

Poroshenko-era graft

Riaboshapka was fired in March amid criticism that he had failed to

prosecute the alleged corruption of ex-President Petro Poroshenko and his allies. Venediktova was appointed with a clear mandate to prosecute Poroshenko-era crimes.

However, her results in this field have been meager.

In June, the Prosecutor General's Office charged Poroshenko with abusing his power by appointing Serhiy Semochko as a deputy head of the Foreign Intelligence Service in violation of procedure. The case was lambasted by judicial experts and anti-corruption activists as a publicity stunt, given the insignificant scale of the alleged crime.

Some independent lawyers have also argued that the legal grounds for the charges were not convincing.

Poroshenko has been investigated by the State Investigation Bureau and the National Anti-Corruption Bureau of Ukraine (NABU) in more than a dozen criminal cases, but he has not been officially charged in any of them, except the Semochko case. In June, the Prosecutor General's Office also closed three cases against Poroshenko.

Meanwhile, no charges have been brought under Venediktova against top Poroshenko allies.

Oleh Bakhmatyuk, a banker and an ally of Poroshenko, was charged under Riaboshapka with embezzling Hr 1.2 billion. However, Venediktova's office closed the case

in June and rejected the NABU's request to extradite him from Austria.

"During her stint in office, Venediktova did her best to destroy this case," Shabunin wrote in his blog in July.

In response, Venediktova argued that the case had been lawfully closed due to a court decision. In July, the High Anti-Corruption Court canceled the closure of the case.

Zelensky allies

The situation with prosecuting the corruption of incumbent top officials has also been bleak.

In March Geo Leros, a lawmaker from Zelensky's Servant of the People party, published videos that showed Zelensky's chief of staff Andriy Yermak's brother Denys discussing the sale of government jobs.

The Yermak brothers did not deny the authenticity of the videos, but Denys Yermak claimed they were taken out of context. Andriy Yermak also dismissed the accusations and lashed out at Leros, promising to sue him.

In April, the office of Chief Anti-Corruption Prosecutor Nazar Kholodnytsky, who was a deputy of Venediktova, transferred the corruption case against Denys Yermak from the National Anti-Corruption Bureau of Ukraine (NABU) to the police. The move prompted whistleblower Leros to allege that Kholodnytsky was trying to bury the case.

Instead of prosecuting the Yermak brothers, Venediktova's office authorized the State Investigation Bureau in March to go after Leros by opening a case against him on charges of divulging a state secret.

Venediktova has also tried to block bribery charges against Oleksandr Yurchenko, a lawmaker from Zelensky's party, claiming there wasn't enough evidence to prosecute him. Later she gave in to public pressure and authorized the charges on Sept. 17.

In July, the NABU also applied to Venediktova to open a bribery case against Pavlo Khalimon, another lawmaker from Servant of the People. Venediktova refused to open a case then, also claiming that there was not enough evidence.

Venediktova agreed to authorize a criminal case against Khalimon only in September, when it was too late to catch Khalimon red-handed.

Vovk case

Another case blocked by Venediktova is the high-profile corruption investigation against Pavlo Vovk, head of the Kyiv District Administrative Court. In July, Venediktova's deputy Andriy Lyubovych authorized the NABU to charge Vovk and other judges of his court with organized crime, usurpation of power and bribery.

Two sources at the NABU and the Prosecutor General's Office told the Kyiv Post that Lyubovych was facing pressure from Venediktova for authorizing the charges. They spoke on condition of anonymity because they were not authorized to speak to the press.

Lyubovych was also stripped of oversight over cases into murders of protesters during the 2013–2014 EuroMaidan Revolution and over the State Investigation Bureau in July, according to the sources. He was also deprived of the authority to register criminal cases and was kicked out of the Vovk investigation group, the sources said.

Prosecutors in the Vovk case were threatened with dismissal if they investigated Vovk's court, one of the sources said.

In September, Venediktova fired Lyubovych. The Kyiv Post's sources say this was her retribution for Lyubovych's decision to authorize the Vovk case.

Venediktova was dragging her feet for weeks on requesting to suspend Vovk and the other judges, prompt-

UkrOboronProm CEO aims to modernize state defense giant

By Illia Ponomarenko

Ponomarenko@kyivpost.com

The main battle for state defense giant UkrOboronProm is the one against corruption.

In this, a new management team has achieved some tactical wins against this enemy.

After former head Aivaras Abromavicius quit in early October, his responsibilities are now carried out by Ihor Fomenko, a member of his management team. Fomenko's appointment was welcomed in the expert community, which feared setbacks in reforming the company's 100 enterprises if a proxy for an oligarch got the top post.

In fact, Fomenko emphasized in a Nov. 2 interview with the Kyiv Post, there is no turning back to the dark and opaque ways of the past.

UkrOboronProm was created during the 2010–2014 era of ousted President Viktor Yanukovich. Its main purpose seemed to be siphoning profits from defense enterprises, since Ukraine's defense capabilities collapsed under Yanukovich, leaving the nation vulnerable to Russia's ongoing military invasion.

Fomenko says he will break up UkrOboronProm into several public holding companies after dead-weight assets are discarded or sold to private investors. If all goes well, UkrOboronProm as the world knows it today will be gone in a few years.

"Beyond doubt is the fact that UkrOboronProm, as a sub- or quasi-ministry, is going to lose its relevance," Fomenko said.

"It won't be necessary anymore. There will be a new business brand, and we will have to develop and nurture it."

Difficult times

In his farewell interview with the Kyiv Post, Abromavicius welcomed Fomenko's rise. He described his former deputy as "a very decent man, a work addict" with expertise in his field and tougher as a leader than Abromavicius himself.

Fomenko has experience as a top manager in the automotive and mining industries. He has graduated from business management courses at the Berlin-based Institute of International Business Relations, the Harvard Business School, and the Paris-based business school INSEAD.

Reputable anti-graft defense watchdogs, such as StateWatch and the Independent Defense Anti-Corruption Committee, also hailed the appointment, highlighting Fomenko's unstained reputation.

UkrOboronProm will need the expertise. It is quickly losing traction as a major global arms maker. In 2016, U.S. military magazine Defense News ranked the Ukrainian



UkrOboronProm's acting director general Ihor Fomenko talks to the Kyiv Post at the company's central office in Kyiv on Nov. 2, 2020.

concern 62nd among the world's top 100 arms

manufacturers, estimating its total revenue at nearly \$1.1 billion. The next year, it was 72nd, with slightly less revenue. And starting in 2018, Defense News ceased including the Ukrainian company in the annual top 100 ranking — even though UkrOboronProm reported \$1.59 billion in revenue that year.

Weapons exports still account for nearly two-thirds of the company's annual income, making it dependent on contracts from clients such as China, Pakistan, India, Saudi Arabia, and Turkey.

The COVID-19 pandemic has slowed business and canceled arms exhibitions and travel. Among UkrOboronProm's 68,000 employees, there have been at least 2,000 confirmed cases and 21 people have died. "That includes people with unique knowledge and competence," Fomenko said. Most are still working remotely.

As of September, the concern had completed only 73% of its export activity plan for 2020, signing \$398 million in contracts. As for state procurement in the defense sector, the target of nearly \$1.1 billion has been met.

"We have a goal to ensure strong growth in production output and sales," Fomenko said.

Full reorganization

But after all the high-profile corruption scandals, UkrOboronProm has a nasty reputation in arms markets, and may even be blacklisted by some importers.

Fomenko's reorganization plan calls for the creation of two

entities — Defense Systems and Aerospace Systems — to be created within the next few years.

Defense Systems will assume control of nearly 60 former UkrOboronProm enterprises divided into six specialized holding companies: armored vehicles, radar systems, maritime systems, special chemistry and ordnance, highly-precise weapons, and aircraft repairs.

Meanwhile, Aerospace Systems will assume control of predominantly civilian aircraft, engine, and space vehicle manufacturing. In

particular, it will manage legendary aircraft manufacturer Antonov Company (which currently belongs to UkrOboronProm) and also several enterprises currently managed by the State Space Agency, such as the Pivdenne design bureau and the Pivdenmash factory in Dnipro, which are planned to be unified as the Pivdenniy Space Rocket Center.

According to the plan, all holding companies are going to have their own supervisory boards, corporate management, and a stock of shares, 100% of which will be owned by the

government.

These are going to be full-fledged modern, state-owned arms businesses that have much more discretion and self-determination in decision-making and activities, according to Fomenko.

"For instance, regarding armored vehicles, they understand trends and what is going to be in demand. And they will have to shape their strategy and tactics (for themselves), including in foreign markets."

UkrOboronProm is also known for its controversial practice of having so-called special export companies, such as SpetsTechnoExport or UkrSpetsExport, which have exclusive right to carry out negotiations and strike arms deals in foreign markets. According to Fomenko, in the future, this ill-fated model will be changed as well, with the exporting companies losing their long-time monopoly.

Dropping dead weight

UkrOboronProm will also have to discard dead assets. Among the concern's 137 enterprises — 21 of them located in Russian-occupied territories — many are nothing but dusty old machines and empty walls.

"An investor could give them a second chance," Fomenko said.

"An investor might resurrect the old production or find a new niche. But this is a chance for enterprises to continue (operating)."

But those are easy calls compared to transforming assets at healthy enterprises.

"Let's talk about the Malyshev Tank Factory (in Kharkiv), which was designed to produce 900 tanks

→ page 11



Biden's position looks stronger in US presidential election

Although no winner has been declared in the U.S. presidential election held on Nov. 3, former Vice President Joseph Biden appears to have won the popular vote and to be closing in on the required 270 Electoral College votes needed to win. President Donald J. Trump, meanwhile, threatened lawsuits and sought recounts. As of Nov. 5, vote-counting was still underway in five key states: Arizona, Nevada, Pennsylvania, North Carolina and Georgia.

EDITORIALS

Keep promises

While the current Ukrainian government didn't promise guaranteed high prices to attract investors in the renewable sector through 2029, it's still responsible for an orderly solution to the problem that caused.

The generous "green tariff" that enticed investors had its genesis among the corrupt cronies surrounding ex-President Viktor Yanukovich, never shy about missing an opportunity to get rich from the Ukrainian people.

The plan worked: Solar and wind providers moved into Ukraine and, today, generate 8.6% of the nation's electricity. Moreover, some estimate that the sector accounts for a quarter of the nearly \$60 billion invested in Ukraine since independence in 1991. And, the sector is not monopolized by oligarchs, unlike other sectors of the economy. It also has the best chance of being decentralized while providing Ukraine with cheaper energy in the long run.

But the state couldn't afford the sweet deal, so it imposed a cut of 15% on solar and 7.5% on wind energy and tried to get reluctant industry players to accept the bitter compromise. Many of them did — but the state has even been renegeing on that deal.

The state owes an estimated \$780 million to renewable energy providers and has offered no clear plan for eliminating the debt in 2021, as required by law. Existing and new investments are imperiled, but not only in the renewables sector.

What the government fails to appreciate is that potential investors in other sectors are watching and drawing the conclusion that the state cannot be trusted. This is particularly damaging if the investment involves a public-private partnership. How much investment Ukraine has already lost because of the renewable energy fiasco is impossible to count.

The most sensible solution promoted is for the state to borrow the money to pay off investors. This would put an end to the scandal and eliminate the threat that some investors may win big arbitration awards down the road.

It would not solve the problems in the energy sector: Ukraine remains too addicted to nuclear and coal, too wedded to cheap power today regardless of tomorrow's consequences.

Experts complain that there is no properly functioning electricity market. Consumer prices are kept artificially low by populist politicians, with competition lacking. The current set-up is a maze of subsidies and unpaid debts among the various actors. There is a conflict between oligarchs whose companies sell electricity, like Rinat Akhmetov, and those who want the cheapest possible electricity.

The Kyiv Post held a webinar on Nov. 4, in partnership with the European Business Association, that explored some of these issues with investors, think tank experts and government representatives.

Ukraine is running out of time to change. Europe is moving ahead with its Green Deal, a central feature of which is to reduce greenhouse gas emissions by 2050, slowing climate change and prioritizing the environment along with economic prosperity.

International financial institutions such as the European Investment Bank will be completely phasing out of fossil-fuel investments soon. Ukraine, reliant on old and polluting power plants, could be penalized with taxes and in trade deals, unless it speeds up the transition to green energy.

That requires at least two changes right away: A competitive, price-based electricity market and a government that keeps its promises. "Investors are looking for stability," said Alex McWhorter, Citibank Ukraine CEO.

Stop Medvedchuk threat

Now that President Volodymyr Zelensky has belatedly awoken to the threat to the nation's survival posed by the untouchable 15-member Constitutional Court, he should start attacking the underlying causes.

One of them is Viktor Medvedchuk, a friend of Ukraine's top enemy, Vladimir Putin and long a cancer on Ukraine's political scene.

Dating back to the 1990s, a short summary of why he's a threat to the nation: His murky acquisition of wealth, his leadership of the "oligarch party" known as the Social Democratic Party of Ukraine — United, his denials of credible accusations of helping to falsify the 2004 presidential election, his alleged but denied support of press censorship as chief of staff to President Leonid Kuchma.

Today, he leads a 44-member faction in parliament, the Opposition Platform — For Life, that is not only pro-Russian, but one that appears to be working in evil partnership with the Constitutional Court to destroy the nation's anti-corruption infrastructure and banking system. In any rule of law nation, this faction would be a rich target for police and prosecutors, since it includes the likes of Yuriy Boyko, Renat Kuzmin, Serhiy Lyovochkin, Oleksandr Feldman and Nestor Shufrych.

Medvedchuk also controls three pro-Russian propaganda outlets masquerading as Ukrainian television stations — 112, NewsOne and ZIK channels.

It's a great position for someone sanctioned by the U.S. government for actions that "threaten the peace, security, stability, sovereignty, or territorial integrity of Ukraine." Medvedchuk is also being designated because he has "materially assisted, sponsored, or provided financial, material, or technological support to (ex-President Viktor) Yanukovich and because he is a leader of an entity that has, or whose members have, engaged in actions or policies that undermine democratic processes or institutions in Ukraine and actions or policies that threaten the peace, security, stability, sovereignty, or territorial integrity of Ukraine."

Medvedchuk is smart enough to know that, whatever progress Ukraine makes towards becoming a Western democracy, it can be reversed in the corrupt courts. Now's the time to prove him wrong. Start by passing a law stripping sanctioned individuals of their assets, including TV stations, and investigating alleged past misdeeds. Start with Medvedchuk, the biggest bully on the block.

NEWS ITEM:

The coronavirus in Ukraine is getting out of control, according to Health Minister Maksym Stepanov. "We've gone beyond the point of no return and are close to a catastrophe," Stepanov said, giving a speech in the Ukrainian parliament on Nov. 3. Stepanov has been warning Ukrainians about the quickly deteriorating situation for several weeks already, but no measures have been taken by the government. Ukraine reported 9,850 new coronavirus cases on Nov. 5 — the highest number of new daily cases since the start of the pandemic.

NEWS ITEM:

The Constitutional Court of Ukraine ruled on Oct. 27 to shut down the online declaration system which had required state officials to declare their assets, including cars, real estate, cash and more. Despite the court decision, the system has been reopened, but the criminal cases opened against officials who had been investigated because of false or suspicious information in their declarations were closed. To avoid scrutiny in the past, many officials would reregister their assets to mothers-in-law or other relatives, who wouldn't be required to declare them.

Mama, even though this car is still officially yours, you gotta remember it's mine



NEWS ITEM:

Pavlo Vovk, head of the Kyiv Administrative District Court, was placed on National Anti-Corruption Bureau's wanted list. Vovk was charged with organized crime, usurpation of power and bribery, among other charges. The anti-graft agency also accused Vovk of ignoring subpoenas. The Kyiv Administrative District Court, however, claimed on Nov. 3 that Vovk contracted COVID-19 and is self-isolated, so he didn't ignore the subpoenas, but just couldn't attend hearings.

Damn coronavirus!



This Constitutional Court is much stronger than my brick house



NEWS ITEM:

The Constitutional Court of Ukraine has proven to be untouchable. It has recently ruled to annul the country's declaration system — one of the key tools used by anti-corruption agencies to fight graft among officials in Ukraine. And now, even though the system is one of the crucial pillars of the country's fight against corruption, the ruling cannot be canceled by parliament or President Volodymyr Zelensky without violating the Constitution of Ukraine. This has created a constitutional crisis in the country and split society: Some support Zelensky's attempts to cancel the ruling and dismiss the court and others accuse the president of acting illegally.

See these features online at kyivpost.com

Ukraine's Friend & Foe Of The Week



The Milan Court of Appeals

The court suddenly acquitted and freed Ukrainian soldier Vitaliy Markiv, who had earlier been sentenced to 24 years in prison. It was great to see common sense and justice finally having a triumph.



Maria Zakharova

The Russian Foreign Ministry spokeswoman — with a funny reputation even in Russia — again advanced Russia's propaganda, accusing Ukraine of "oppressing Russian-speaking population."

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. All correspondence must include an email address and contact phone number for verification.

Renewable energy producers want state to pay off debts

By Natalia Datskevych
datskevych@kyivpost.com

Ukraine has been going through one of its worst energy crises in the past three decades. Today, the state owes local green power producers \$780 million and doesn't have any clear plans for how to pay off the debt.

Energy experts who took part in a webinar, titled Energy Talk and held by the Kyiv Post and the European Business Association on Nov. 4, admit that the crisis was caused by wrong decisions made under previous governments. But they think today's officials must do their best to fix everything and ensure stability.

State-owned Guaranteed Buyer's current colossal non-payment to producers of green energy has become one of the most sensitive issues on the market.

The renewable energy market, which is responsible for 8.6% of total electricity generation in Ukraine, has brought one-fourth of the total of 49 billion euros of foreign direct investment to the country since 1991.

But the current instability and huge debts to market players are threatening the entire industry.

Just like other market players, Carl Sturen, managing director at wind power developer Vindkraft, says his and other investors' main problem at the moment is how to pay their creditors, who don't want to wait.

"We are lagging behind on our payments and we definitely can't wait (until the situation stabilizes in Ukraine)," said Sturen. "If there had been political will, this could have been fixed in a very short time."

Sergii Shakalov, CEO at Kness Group, the first major Ukrainian solar panel production plant launched in 2019 in Vinnytsia, complained that he has already lost \$10 million due to the crisis caused by non-payments.

"I'm really sad about this situation. One of the biggest problems of Ukraine is that it doesn't comprehend that agreements should be fulfilled in any situation," said Shakalov.

For Geoff Berlin, a U.S.-based entrepreneur who is investing into a wind power plant under construction in Odesa Oblast, it is clear that the credibility of the government has been "severely damaged."

Alexander McWhorter, Citibank Ukraine CEO, supports investors — he says no investor can commit their capital to the country if the local government can't ensure any stability.

"Investors are looking for stability. When they don't have it, it makes it much harder for them to agree to commit their capital and to get the returns they expect," said McWhorter.

This also directly affects the decisions of financial institutions and their willingness to lend money to companies that want to invest in Ukraine.



Brian Bonner, chief editor of the Kyiv Post (L), Oleksandr Kharchenko, managing director of Energy Industry Research Center, and Torsten Woellert, European Union delegation policy officer, discuss Ukraine's renewable energy industry during one of five panels at the Kyiv Post Energy Talk on Nov. 4, 2020 in Kyiv.

"Any retroactive action like this is very unfortunate. It's like changing the rules during the game," said Erik Svedahl, ambassador of Norway to Ukraine, another speakers.

At the same time, Torsten Woellert, a member of the European Union delegation to Ukraine, said the government became hostage to the energy crisis. "I think they do their best to solve it," said Woellert.

Kyrylo Kryvolap, head of the Economic Recovery Center and aide to Prime Minister Denys Shmyhal, believes that if the government doesn't fulfill its commitments signed in a memorandum on renewables in June, Ukraine can forget about its long-term strategy on reducing the share of traditional energy generation.

"If we don't succeed in this, then we can throw this energy strategy away," said Kryvolap.

Adam Barbolet, senior trade commissioner and commercial counselor at the Embassy of Canada in Ukraine, believes such a situation may also change the type of investors coming to the country. Chances that reliable Euro-Atlantic investors enter the country will decrease sharply, while other investors — like ones from China — may start to dominate the market in Ukraine.

In general, Chinese investors are often viewed as less reliable than Western companies, as Ukraine has already seen cases when contractors from China did not fulfill their tender commitments. A particularly extreme example occurred in road repairs: Chinese contractors were supposed to complete 70% of their work by a set date, but the company actually finished only 1%.

Oleksandr Kharchenko, managing director at the Energy Industry Research Center, pointed out that

the problem of the unpaid green tariffs is the result of a decision that 10 years ago was pushed by Ukrainian

oligarchs, who wanted to do business in renewables.

To solve this problem, the first step is to launch a real market where private companies provide power and where the price for electricity isn't dictated by the government but is set in accordance with the current demand on the market.

"Now it's a huge mess in regulation, government documents. Without (a real market), nothing else will work properly (including the renewables sphere)," said Kharchenko.

The least damaging way for Ukraine's government to cope with the renewables problem for the next year, according to Citibank's McWhorter, is to ensure a sustainable business model, that the Guaranteed Buyer is protected and that it has a source of financing.

"Show that there is no threat of either non-payments or politically driven tariff cuts in the future," said McWhorter.

The crisis was caused not only by green tariffs cuts, but also by reduced energy consumption during the COVID-19 pandemic, according to Kryvolap. As a result, unpaid debts in the energy sector have reached \$1.8 billion, while the country's budget deficit is \$11 billion. "It's a catastrophe," said Kryvolap.

TOP 10 KYIV POST exclusives online this week

Editor's Note: Most of the Kyiv Post's journalism is published online. Subscribe today at the low rate of \$45 annually for access to all articles, photos, videos, the PDF editions of the weekly printed newspaper and our complete archives dating to 1995.



1. Chinese firm to build \$1 billion wind farm in Ukraine
2. Land Rover plows through crowded sidewalk in central Kyiv, kills two
3. Giuliani drags Ukrainian NGO into attempt to denigrate Trump's rival Biden
4. Democracy Dies Here?
5. Ukrainian soldier Vitaliy Markiv wins appeal against 24-year sentence in Italy
6. Constitutional Court to consider decision that threatens Ukraine's banking system
7. Bohdan Nahaylo: Nagorno-Karabakh belongs to Azerbaijan
8. Experts split over Zelensky's solution to Constitutional Court's sabotage of anti-graft reform
9. Constitutional Court judge threatens Zelensky with war, prison in anti-corruption standoff
10. Ukraine launches first cycling route across Chernobyl

Subscribe! \$45 per year

Online benefits include:

- Unlimited access to all exclusive Kyiv Post stories online
- Continuously updated feed of news stories, analysis, multimedia, opinions and more
- Archives dating back to 1997



www.kyivpost.com

Watch the Kyiv Post "Energy Talk," in partnership with the European Business Association, online at the Kyiv Post website, its YouTube page or the Facebook page.

Politicians still searching for solution to nation's Constitutional Court crisis

By Oleksiy Sorokin
sorokin@kyivpost.com

More than a week after a constitutional crisis enveloped Ukraine, there is no clear way out. President Volodymyr Zelensky's plan to reboot the Constitutional Court is fumbling as parliament looks for another solution.

Meanwhile, the court's judges threaten to destabilize the country even further and are preparing to dismantle more crucial legislation.

The crisis started on Oct. 27, when the Constitutional Court effectively destroyed Ukraine's asset declaration system, a key part of the anti-corruption infrastructure.

Zelensky moved fast and suggested a bill that would fire all 15 judges of the Constitutional Court and roll back the detrimental ruling.

However, the president's bill went nowhere. According to several lawmakers from Zelensky's Servant of the People, which controls the majority in parliament, even his own party doesn't support the bill that, if adopted, would violate the constitution.

As they hold off Zelensky's bill, lawmakers are divided in trying to find an alternative way to restrain the court and save the anti-corruption infrastructure.

And as they pursue several possible solutions, no progress is being made on any of them.

Meanwhile, the Constitutional Court, led by chairman Oleksandr Tupytsky, isn't backing down.

The court is effectively holding the country hostage, hinting that it can easily kill Ukraine's land reform, banking system and remaining anti-corruption institutions.

Wild court

Amid the ongoing crisis, the 15 judges of the Constitutional Court



A man holds a sign that reads "The Corruption Court of Ukraine" as he attends a rally against the Constitutional Court's decision to dismantle the online asset declaration system, in Kyiv on Oct. 30, 2020.

have been raising the stakes in what appears to be an attempt to project power and gain leverage in negotiations with the administration.

After Zelensky publicly accused the court of serving the interests of oligarchs and pro-Russian politicians, the court decided to go on the offensive.

On Nov. 2, overnight, the Constitutional Court added several crucial issues to its Nov. 2-3 agenda: assessing the constitutionality of legislation lifting Ukraine's land moratorium and regulating the Deposit Guarantee Fund.

The land law allowed Ukrainians to buy land for agricultural needs. And the Deposit Guarantee Fund is an agency in charge of liquidating insolvent bank assets and returning

as much as possible to creditors and depositors.

Killing either legislation would cut Ukraine off from receiving foreign financial aid and would lead to heavy economic and political losses.

Lifting the longstanding land moratorium was among the primary demands of the International Monetary Fund for Ukraine to receive financial aid.

The court eventually backed down and postponed rulings on the contentious issues amid negotiations with Zelensky's party.

However, the court indicated that it was ready to kill the land reform. Judge Serhiy Sas published a draft ruling that would do just that.

The equally dangerous issue of the Deposit Guarantee Fund was

removed from the agenda without explanation. Were the court to nullify the legislation in question, it would enable former owners to challenge liquidations and billions of dollars in asset sales of insolvent and fraudulent banks. It also could be used by oligarch Ihor Kolomoisky in his fight to win back PrivatBank, which was nationalized in 2016.

Parliament stalemate

With the constitutional crisis dragging well into the second week, Zelensky and his governing party appear to be playing with several different solutions for the crisis.

After the Constitutional Court ruled on Oct. 27 to allow officials to escape responsibility for lying on their asset declarations, the government decided to disobey the court's ruling, ordering the National Agency for Preventing Corruption (NAPC) to keep the online registry of declarations.

However, no further action was taken to date.

Lawmakers suggested several bills, but none came close to a vote yet.

Parliament Speaker Dmytro Razumkov registered a bill in parliament that would return the NAPC all of the powers that were taken away by the Constitutional Court.

However, Servant of the People lawmaker Oleksandr Dubinsky, a close ally of Kolomoisky, postponed the bill by registering an alternative project, which needs to pass a parliamentary committee before being presented to parliament.

Damage done

After the Constitutional Court abolished punishment for illicit enrichment and lying on declarations, the National Anti-Corruption Bureau and the High Anti-Corruption Court closed over 100 corruption investigations that were based on officials' online asset declarations.

On Nov. 5, the High Anti-Corruption Court closed a case

against Odesa Mayor Gennady Trukhanov for failing to declare assets in 2017. Trukhanov is among Ukraine's most controversial local officials, with alleged ties to organized crime, which he denies.

Furthermore, despite Zelensky's harsh rhetoric, his bill that would fire all 15 judges of the Constitutional Court was left untouched. Servant of the People lawmaker Maryna Bardina says that there aren't enough votes in support of the president's bill.

Bardina co-sponsored an alternative bill that would raise the number of Constitutional Court judges required to adopt a ruling from 10 to 17. Even though the Constitutional Court officially should have 18 judges, there are currently three vacancies, meaning that, if the quorum is increased to 17, the court won't be able to hold hearings at all.

The law has been presented to the parliament's anti-corruption committee, which hasn't yet agreed on the law. If it passes, Ukraine will end up without an active Constitutional Court.

"It's dangerous to not have a (functioning) Constitutional Court for two years," Daria Kaleniuk, executive director of the Anti-Corruption Action Center, told the Kyiv Post.

Meanwhile, on Nov. 5, the Anti-Corruption Action Center reported that the parliament is preparing to appoint two more judges to the Constitutional Court. But that doesn't do much, either.

"Without changing the selection procedure, we'll get two more Constitutional Court judges of doubtful integrity who will increase the chances of passing unconstitutional decisions," wrote the Anti-Corruption Action Center in an official statement.

There is one more way to tame the court that is not discussed publicly.

Authorities are preparing to charge the court's chairman Tupytsky with a criminal offense, according to two separate sources familiar with the matter, who required anonymity because they weren't authorized to speak to the press.

According to Ukrainian law, the president has the right to recall a state official, appointed by the president, if the official was charged with a criminal offense. However, the law doesn't specifically mention that a Constitutional Court judge can be recalled in that way.

There are reportedly several investigations into Tupytsky, including for high treason and unlawful interference in the work of a state official. Tupytsky denies all accusations.

Tupytsky was appointed to the court in 2013 by now-ousted President Viktor Yanukovich. His term runs out in two years.

Meanwhile, four judges who didn't vote to kill the anti-corruption legislation said they will stop attending the court's hearings. That effectively stalls the Constitutional Court's work, putting it one judge short of the quorum necessary for meetings.

This is the closest the country has come to solving the constitutional crisis so far. 🇺🇦

RENEWABLE ENERGY

In partnership with
EUEA
European-Ukrainian Energy Agency

COMING IN THE
NOVEMBER 20 EDITION
OF THE KYIV POST

**THE FUTURE
IS DETERMINED TODAY**

To advertise, contact us +38 044 591 77 88 or advertising@kyivpost.com

Constitutional Court judges live far beyond their stated means

By **Oleksiy Sorokin**
sorokin@kyivpost.com

The average monthly salary in Ukraine is less than \$400. The monthly salary of a Constitutional Court judge is around \$7,500, or 20 times the country's average.

However, even those salaries can't explain the vast riches that appear in the online asset declarations of some of the court's 15 judges, who spent most of their lives in public service. Conscious of the fact that their wealth can raise questions, some judges prefer to register their properties in the names of their relatives, thus keeping some of it off their declarations.

This would have been a crime. But, on Oct. 27, the Constitutional Court killed the law requiring officials to declare their assets as well as the criminal liability for failing to declare possessions.

By doing that, the judges put the country on the brink of a crisis, possibly costing it billions in Western aid. It led to suspicions that judges could have been influenced or even bribed to do so. They deny it.

Yet now, a closer look at the judges' declarations shows riches that can't be explained by their legal income.

Crimean paradise

Chairman of the Constitutional Court Oleksandr Tupytsky became famous overnight after his court effectively destroyed Ukraine's asset declaration system for officials.

Immediately, Ukrainian investigative journalists dug into Tupytsky's own assets, and they weren't disappointed.

They found that Tupytsky failed to disclose that he bought a land plot in Russian-occupied Crimea in 2018, four years after Russia annexed the peninsula. He already owned a house in Crimea from before the occupation, which he declared.

Ukrainian authorities opened a high treason investigation against Tupytsky. By buying the land, they suggest, the Ukrainian judge effectively recognized Russia's rule in Crimea.

Tupytsky has long had a soft spot for Russia and Crimea.

In 2014, when Russia invaded the peninsula and held an illegal "referendum" to justify its occupation, Ukraine's Constitutional Court ruled such actions unconstitutional. Tupytsky supported the ruling yet wrote a dissenting opinion: He thought that the court didn't have the authority to weigh in on such matters.

When asked why he didn't declare his land in Crimea, the judge said he "didn't know" how to do it correctly.

Tupytsky also didn't declare a house near Kyiv and land plots that are legally owned by his mother and mother-in-law, both retirees. He couldn't convincingly explain how they afforded the property, suggesting that his mother-in-law bought an elite mansion near Kyiv after selling an apartment in the occupied city of Donetsk.

The judge's apartment in Kyiv is worth about \$1 million.

Tupytsky's whole career has been in courts. Before becoming a



Oleksandr Tupytsky, chairman of the Constitutional Court of Ukraine (C), attends a hearing in Kyiv on June 23, 2020.

Constitutional Court judge in 2013, Tupytsky worked in low-level courts in Donetsk, Lviv and Dnipropetrovsk Oblasts.

Such a career could hardly have paid for his family's collection of real estate.

Even with his current earnings at the Constitutional Court, it would have required Tupytsky to save all his income for 30 years to purchase what he owns.

Strangely, Tupytsky also declared that he is registered in a house near Kyiv owned by businessman Serhiy Levchenko. Levchenko ran on the ticket of President Volodymyr Zelensky's Servant of the People party in the Oct. 25 local elections. His campaign ads called him an associate of lawmaker Oleksandr Dubinsky, a close ally of oligarch Ihor Kolomoisky.

Land owners

Other Constitutional Court judges don't lag behind the chairman. Some of them also declared possessions far exceeding their earnings. Some have acquired enormous amounts of land.

Judge Serhiy Sas has been a longstanding supporter of ex-Prime Minister Yulia Tymoshenko. Before becoming a Constitutional Court judge in 2014, he spent nearly two decades as a lawmaker for Tymoshenko's Batkivshchyna party.

Their connection remains strong, with both eager to see Ukraine reinstate the archaic land moratorium which would ban people from buying land for agricultural needs. This is odd, considering that Sas was able to privatize 9 hectares (22 acres) of land in Kirovohrad Oblast.

The lowest estimate of his possessions is over \$1.5 million.

Sas lags behind the family of judge Oleksandr Kasminin. They own 17 land plots, which add up to over 23 hectares (57 acres) of land in Poltava Oblast.

In his declaration, Kasminin wrote that each land plot cost him \$1,000, which is 200 times below the average market price. Kasminin has been an attorney and later a judge since the early 1990s.

However, Kasminin didn't have anywhere to live in Kyiv and was

allowed to privatize a state-owned apartment in Kyiv.

Another judge, Viktor Kryvenko keeps up with the trend. Working all his life as a judge, Kryvenko was able to take possession of 44 land plots, a chalet in Bukovel, Ukraine's elite ski resort, and a hotel in the neighboring Dragobrat ski resort.

Judge Petro Filyuk is also not shy about holding vast land plots. An acquaintance of lawmaker Ihor Palytsa, Kolomoisky's political and business partner, Filyuk privatized 2.5 hectares (6 acres) of land in Volyn Oblast. In 2019, Ukrainian journalists reported that a mansion now stands on the land owned by Filyuk.

According to Filyuk, he received the land for free because it was a scrapheap and he helped refurbish it.

Russian pension

Interestingly, several judges from the court with unchecked powers and influence on Ukraine's future have connections to Russia, a country

which has been waging a war against Ukraine since 2014.

Tupytsky has a land plot in Crimea, which he bought under the occupation. His mother-in-law is in Russian-occupied Donetsk, according to Tupytsky, despite owning a house near Kyiv.

Judge Iryna Zavorodnya has an even more straightforward connection — her husband is a Russian citizen. According to her declaration, her husband's only income is a small pension he gets in Russia. But since 2018, when Zavorodnya was appointed to the Constitutional Court, her husband bought two elite apartments, with a total worth of over \$1 million, and a BMW.

The National Agency for Preventing Corruption (NAPC) ruled that Zavorodnya's husband didn't have enough funds to buy those apartments.

Zavorodnya supported the court's Oct. 27 ruling to destroy declarations for officials, including judges like herself.

Besides the apartments, the judge's family owns a 2,500-square-meter land plot near Kyiv which is registered in the name of Zavorodnya's mother-in-law.

In 2017, the 81-year-old woman gave her son, Zavorodnya's husband, some \$120,000 as a gift, according to the judge's declaration.

The National Agency for Preventing Corruption has been on the tails of Constitutional Court judges for years. Multiple judges had conflicts of interest when voting to dismantle the agency's work. The NAPC said that judges Zavorodnya and Serhiy Holovaty had conflicts of interest but voted for the decision, which is banned by the law.

The agency said it had identified incorrect information on assets worth Hr 3.6 million (\$1.5 million) in Holovaty's asset declaration and incorrect information on assets worth Hr 1.4 million (\$600,000) in Zavorodnya's declaration. The National Anti-Corruption Bureau of Ukraine has opened a criminal case against Zavorodnya.

The case must be closed after the Constitutional Court's Oct. 27 ruling.

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

Slidenko and Moisyk were surprisingly lucky: They were supposed to stand trial for improperly declaring their assets a few days after the judges voted that it was now legal to not declare assets.

Editor's Note: This report is part of the Investigative Hub project, within which the Kyiv Post team monitors investigative reports in the Ukrainian media and brings them to the English-speaking audience. The project is supported by the National Endowment for Democracy. This story uses reports from three Ukrainian investigative teams: Bihus.Info, Schemes (Radio Free Europe/Radio Liberty), and Anti-Corruption Action Center.

in partnership with
DATEK | 15 YEARS

COMING IN THE
NOVEMBER 13
EDITION OF
THE KYIV POST

RECYCLING & WASTE
management

To advertise, contact us
+38 044 591 77 88 or advertising@kyivpost.com

Sergii Leshchenko: West should know that this court has hijacked justice

page 1 →

Opposition Platform as well as several loyalists of billionaire oligarch Ihor Kolomoisky.

I had personal motives for outrage, as the Committee for the Prevention of Corruption, of which I was a member, carried these reforms through parliament in the face of great resistance. There were many more real allies outside parliament, but not within its walls.

It's not about justice

It is difficult for some of our foreign friends to understand how the Constitutional Court can be biased and have a conflict of interest.

It was this court that allowed ex-President Viktor Yanukovich to usurp power in 2010 by changing the Constitution. Three judges who enabled Yanukovich's authoritarianism, which resulted in the EuroMaidan Revolution that ended Yanukovich's presidency in 2014, still serve on the court today. One of these judges, Oleksandr Tupytsky, now chairs the Constitutional Court,

although some of his previous rulings have been overturned in the European Court of Human Rights.

The Constitutional Court's Oct. 27 ruling on asset declarations is an example of "hijacked" justice.

While interpreting the law, the Constitutional Court itself violated the law with its decision.

First, the Constitutional Court impinged upon the authority of the parliament when it ruled that lying in asset declarations is not a serious enough offense for criminal liability. It is not the power of the Constitutional Court, but of the parliament, to determine which action is a crime because of its public threat. With this ruling, the court made it impossible to reintroduce criminal liability for lying in declarations.

The second time the Constitutional Court violated the law was when it revoked what lawmakers did not even ask for in their submission. The judges did it in their own interest: At the time of the decision, the procedure for bringing three of the Constitutional Court judges to justice was under way. Two charges



Police officers stand in front of the portraits of former President Viktor Yanukovich outside the Constitutional Court building, during a rally demanding the judges come out and explain to them the reasons for their ruling on the anti-graft laws in Kyiv on Oct. 30, 2020.

Volodymyr Petrov

on judge Igor Slidenko, who was appointed under the quota of the nationalist Svoboda party, were sent to court on Oct. 26. The next day, Oct. 27, the court scrapped the anti-graft legislation on declarations.

Critics of President Volodymyr Zelensky's radical actions often fail to realize the depth of the abyss into which judges of the Constitutional Court are pushing Ukraine. Members of the European Parliament Viola von Cramon-Taubadel and Michael Haller

have an exemplary Constitutional Court in their homeland, Germany. But their criticism of the proposal to completely reset the Constitutional Court in Ukraine is detached from Ukrainian realities.

The decision of the Constitutional Court on asset declarations was just one episode in the destruction of Ukraine's anti-corruption achievements following the EuroMaidan Revolution that toppled Yanukovich and his corrupt regime. Before that, the Constitutional Court declared unconstitutional the appointment of Artem Sytnyk as director of the National Anti-Corruption Bureau (NABU), as well as the law on the NABU itself. Next in line are rulings that will abolish land reform, the Anti-Corruption Court and the Deposit Guarantee Fund.

To abolish the Deposit Guarantee Fund is especially important for Kolomoisky. According to my sources, the court plans to repeal the article that the Deposit Guarantee Fund issues regulations, which means the fund will be paralyzed. This, in turn, will give Kolomoisky an argument to use in the Ukrainian and London Court that the 2016 procedure for nationalizing banks (which resulted in Kolomoisky losing PrivatBank) was based on unconstitutional legislation. If it works, the nationalization will be abolished and the former owners of PrivatBank, Kolomoisky and his partner Gennadiy Bogolyubov, can get compensation from the state. This is Kolomoisky's goal.

Tool for sabotage

The Constitutional Court has become an instrument of political revenge in the hands of those who control it. There is Medvedchuk's Opposition Platform – For Life party, as well as former President Petro Poroshenko, Yulia Tymoshenko, the nationalist Svoboda party, and oligarch Kolomoisky. Having no influence on the processes in parliament and having lost the chance to get the presidency, they turned the Constitutional Court into an institution of sabotage.

The court is an instrument for them to kill the decisions of Zelensky's regime. Their decision questions Ukraine's commitments to its international partners and that's the goal of these forces – to deepen Ukraine's conflict with the West and deprive the country of financial aid. According to Finance Minister Serhiy

Marchenko, the abolition of asset declarations alone cost Ukraine more than \$2 billion in aid. Also, such behavior by the Constitutional Court allows Medvedchuk to put at risk the geopolitical choice of Ukraine – integration with the European Union and NATO.

In other words, the Constitutional Court has become a collective "Yanukovich," an obstacle to the country's development.

It is impossible to find a purely legal solution in this situation because the Constitutional Court itself became the usurper of power.

It is impossible to restore confidence in the Constitutional Court without cleansing it of people who have tarnished themselves with the ruling to dismantle the anti-corruption reform. And this can be done either by their voluntary resignation or forced dissolution under the draft law proposed by President Volodymyr Zelensky.

This crisis has also given Zelensky a chance to renew his allies and political agenda. Now 57% of citizens approve of his actions, and some of his critics among the anti-corruption experts, such as Vitaly Shabunin, Oleksa Shalaisy or British financial analyst Tim Ash, are currently backing his decision regarding the Constitutional Court.

The situation has highlighted a pro-Russian group within the Servant of the People party, which consults with Medvedchuk's party (lawmakers Oleksandr Kachura and Yevheniy Shevchenko). It also exposed Zelensky's conflict with Parliament Speaker Dmytro Razumkov, who suggested a compromise solution for the Constitutional Court crisis. But that will not solve the problem of the current composition of the court.

Zelensky has reached a make-or-break moment in his turbulent presidency. In 2019, he won the presidency and parliament amid the society's demand for a transformation. Today, as his ratings have dropped, it's time to fight, strengthening himself in a real political war.

This situation has also allowed Zelensky to turn the media discourse in his favor after unjustified expectations from the Oct. 25 local elections. Only this course will be a success. It's like hockey: The one who controls the puck, the one who exhausts his opponent, the one who attacks more than he defends will win. 🏒



Kostyantyn Chernichkin

A hero's welcome

Top: Ukrainian soldier Vitaliy Markiv (C) holds the Ukrainian state flag as he gets off a plane during a ceremony for his arrival in Kyiv on Nov. 4, 2020.

Right: Ukrainian soldier Vitaliy Markiv smiles as he talks to the press after arriving in Kyiv on Nov. 4, 2020.

Markiv spent three years in prison in Italy, where he was convicted of alleged involvement in the 2014 killing of an Italian journalist and his translator in the Donbas. He was sentenced to 24 years of imprisonment. However, on Nov. 3, the Milan Court of Appeal overturned the decision, freeing Markiv of all charges.



Venediktova has no successful prosecutions to her credit and is seen as failing in her job

page 2 →

ing criticism from civil society.

She has also refused to extend the Vovk investigation, have Vovk brought in for interrogation by force due to his refusal to come, conduct further searches in the Vovk case and wiretap him, one of the sources said.

Rotterdam+

In August, anti-corruption prosecutors also closed a graft case into the Rotterdam+ pricing formula.

"The case was closed without any grounds, with the prosecutor referring to expert assessments saying that the experts cannot answer questions about the amount of losses," the Anti-Corruption Action Center said in October.

The scheme benefited, among others, the country's richest man Rinat Akhmetov's energy company DTEK. The formula set energy prices based on a coal index in European hubs "plus" the cost of its delivery to Ukraine. This is unreasonable price-setting because only a tiny portion of coal, around 5%, actually came from abroad, according to the NABU.

The NABU applied to resume the case, but Venediktova refused to do so on Oct. 15. However, the High Anti-Corruption Court ordered prosecutors to renew the Rotterdam+ investigation on Oct. 28.

Venediktova's reform

Ostensibly, Venediktova has continued a prosecution reform launched by her predecessor Riaboshapka. However, her critics argue the reform was a sham that has changed nothing in the corrupt prosecution service.

Vetting at regional prosecutor's offices started in February under Riaboshapka and continued under Venediktova. In October, the vetting of prosecutors at district prosecutor's offices began.

Riaboshapka's reform also faced criticism but civil society was heavily involved in the vetting of prosecutors under him, and many tainted prosecutors were fired. As a result of Riaboshapka's vetting, 55.5% of the 1,339 prosecutors at the central branch of the prosecutor general's office did not pass vetting and lost their jobs.

Under Venediktova, civil society involvement has substantially decreased.

In April, she tried to exclude civil society from vetting commissions altogether. Eventually, she agreed to include three prosecutors and three civic activists delegated by international organizations in the commissions.

However, some of Ukraine's leading civil society watchdogs — like the AutoMaidan, the Anti-Corruption Action Center and StateWatch —



Prosecutors pass tests as part of vetting on March 2, 2020. Prosecutor General Iryna Venediktova's vetting procedures have prompted criticism due to a lack of transparency and the preservation of old corrupt cadres.

gfp.gov.ua



Oleh Bakhmatyuk



Denys Yermak

are not participating in the vetting process. AutoMaidan said it has not been invited, while the Anti-Corruption Action Center decided not to participate because it does not trust Venediktova.

As a result of Venediktova's vetting, about 25% of prosecutors were fired from regional prosecutor's offices.

"The quality (of Venediktova's reform) is worse than under Riaboshapka," Kateryna Butko from AutoMaidan told the Kyiv Post. "Under Riaboshapka top prosecutors were fired without any problem, but under Venediktova mostly low-ranking prosecutors are being dismissed."

Venediktova has also appointed as her deputies some controversial representatives of the old guard criticized by civil society. These include Roman Hovda, Oleksiy Symonenko and Maksym Yakubovsky, who used to be a lawyer for pro-Russian lawmaker Viktor Medvedchuk.

Defects of vetting

Lawyer Artem Kartashov, a member of a vetting commission, lambasted Venediktova's reform at regional prosecutor's offices in a Sept. 18 blog post.

"Interviews (with prosecutors) were transformed into a tool for using civil society to legalize current cadres at regional prosecutor's offices," he wrote.

Most prosecutors wrote identical answers as part of practical assignments because the answers were leaked online beforehand, he said. Kartashov added that the test questions were primitive and did not confirm any genuine knowledge.

Moreover, vetting commissions had to interview 15 prosecutors per day and had 45 minutes per each, and there was no time at all to assess candidates, Kartashov wrote. He also said that, surprisingly, some of the civil society representatives voted for dubious prosecutors.

Venediktova also used a loophole in the law allowing her to appoint prosecutors without vetting.

"Everyone believes this to be complete imitation and nonsense," Sergii Gorbatuk, a former top investigator at the Prosecutor General's Office, told the Kyiv Post.

Riaboshapka's legacy

Other defects of Venediktova's reform stem from the same faults that were present under her predecessor Riaboshapka, according to Gorbatuk and lawyer Vitaly Tytych.

Under Ukrainian law, there are many procedural safeguards that make it difficult to fire prosecutors, part of efforts to protect individual prosecutors' independence.

Riaboshapka initially claimed he would bypass such safeguards by liquidating the old Prosecutor General's Office and creating a new entity. Thus, he claimed, the safeguards will not apply to the new entity, and courts will not reinstate fired prosecutors.

However, the Prosecutor General's Office has not been formally liquidated but has been just renamed, according to the official register. As a result, many tainted prosecutors have already been reinstated by courts.

Both under Riaboshapka and Venediktova, the reform was criticized for a lack of transparency. Specifically, the Prosecutor General's Office has not published videos of interviews with prosecutors and decisions on why specific prosecutors were fired or kept in office.

Vetting commissions have also failed to study the criminal cases pursued by individual prosecutors during their career. Gorbatuk and Tytych argue that this should have been the main criterion for vetting.



Oleksandr Yurchenko, a lawmaker who left President Volodymyr Zelensky's Servant of the People party, sits in the Verkhovna Rada on Feb. 18, 2020.

UNIAN



Get all Ukraine's hot news delivered to your email before breakfast

Sign up for the Kyiv Post Ukraine Digest!

Just go to the bottom of the Kyiv Post homepage and enter your email. It's free!

Ukraine to tighten restrictions as COVID-19 outlook worsens

By Bermet Talant
bermet@kyivpost.com

As the number of COVID-19 infections mounts and hospitals fill up with patients, Ukraine's health ministry has called the situation critical and proposed stricter restrictions. It has also urged parliament to introduce fines for not wearing masks.

The coronavirus surge is sweeping across Europe, prompting fears that the new wave could be deadlier than the spring outbreak.

In the past 15 days, Ukraine recorded 114,641 new coronavirus cases and 1,997 deaths.

As of Nov. 5, there are 237,761 active cases and a total of 7,924 people have died from COVID-19 since the start of the pandemic.

Ireland, France, Germany, Italy, Austria, the Czech Republic, Belgium and Greece have reimposed lockdowns and curfews. Ukraine's western neighbors, Poland and Romania, have also reported record-high daily COVID-19 cases. Bucharest closed schools, indoor dining at cafes and restaurants and theaters and cinemas until Nov. 16, and Warsaw is expected to announce new restrictions.

But Ukraine is not planning a new lockdown because the economy will not survive it, Prime Minister Denys Shmyhal told journalists on Nov. 5. Instead, the government is seeking a compromise: to increase restrictions to slow the spread of the virus, while keeping the country open.

Earlier, the authorities said a lockdown would be possible if the country hit 15,000 daily coronavirus cases. That number is not a distant possibility. Ukraine smashed daily records of new cases during the past two weeks, going from 7,000 cases to the 9,850 reported on Nov.



Two women walk out of an underground passageway in Kyiv on Oct. 9, 2020. The Ukrainian government is set to introduce a package of new restrictions as COVID-19 cases and deaths are rising.

Shmyhal said Ukraine could see 15,000 new coronavirus cases per day by the end of November.

But the prime minister insisted on continuing the localized, adaptive quarantine, which the government imposed in August.

Based on several epidemiological indicators, health officials divided Ukraine's regions into yellow, orange and red zones of COVID-19 threat. Depending on the zone, local authorities in cities and administrative districts were supposed to tighten or relax restrictions. But they often refused to impose any drastic measures, wary of public anger.

Proposed restrictions

Ukraine's health ministry has prepared a package of new restrictions for the Cabinet of Ministers to adopt. If they are passed, the new rules might come into force as early as Nov. 9.

The ministry wants to limit the work of eateries; close swimming pools, gyms, and entertainment areas in shopping malls; and ban all mass cultural events. It also proposes to shut down businesses that ignore anti-epidemic guidelines, chief sanitary doctor Viktor Lyashko said at a briefing on Nov. 5.

Moreover, the health officials re-

commend stores to dedicate special hours between 10 a.m. and 12 p.m. for elderly customers, who are at the highest risk of dying from the virus. The data shows that 71% of all deaths from COVID-19 in Ukraine are people over 60.

Health Minister Maksym Stepanov said they are considering imposing a "weekend lockdown," when non-essential shops, cafes and restaurants will be ordered to close except for takeout.

Pavlo Kovtonyuk, former deputy health minister and head of the Health Economic Center at the Kyiv School of Economics, said the "single, regional and adaptive measures" won't work. "A nationwide package of measures should be imposed proactively as soon as possible and can help avoid overburdening the hospital network," he said.

One-third of hospitals designated for COVID-19 patients are "critically full," according to data of the KSE Health Economic Center, and another 20% of hospitals are overloaded.

"It is a really bad trend," senior researcher Iurii Ganychenko said.

Kovtonyuk said Germany's "lockdown light," introduced on Nov. 2 for a month, could be a model for Ukraine to copy. Germany shut down restaurants, bars, hotels, theaters and cinemas, swimming pools and gyms, while keeping borders, schools and shops open. Meetings in public are restricted to 10 people, although church services and protests are allowed.

KSE researchers predict that Ukraine might see as many as 20,000 deaths from COVID-19 by the end of the year if anti-epidemic measures remain at the same level.

Ukraine is still under de-facto quarantine until Dec. 31, but there are virtually no restrictions in place. Basic rules of social distancing and mask wearing are widely flouted and not enforced.

"Ukraine should respond to

the pandemic in parallel to slowing down the transmission rate by putting effective public health and social measures in place," Jarno Habicht, head of the World Health Organization office in Ukraine, said in a written reply to the Kyiv Post.

This means preparing hospitals — particularly their intensive care units, oxygen equipment and medical personnel — as well as enforcing measures that could break the transmission cycle, such as detecting active cases and isolating them by testing, contact tracing, investigating clusters and superspreading events. Public awareness about mask wearing, physical distancing and hand washing must also be increased.

Hospitals

Speaking in parliament on Nov. 3, Stepanov called the situation with COVID-19 "critical and close to catastrophic" and warned about "hard times ahead." He said that "everyone is responsible for the spread of the virus. Blame the health ministry all you want, but we can't wear a mask for you or wash your hands for you."

Currently, there are 27,841 people receiving treatment in hospitals. The ministry has designated about 52,000 hospital beds, about one-third of all available hospital beds in the country, for COVID-19 patients. Less than 20,000 of those beds are connected to oxygen equipment.

Hospitals already experience shortages of medical personnel, Stepanov said. "If there are no doctors and nurses, the number of hospital beds does not matter. We are deploying interns and doctors of different specializations," he said, warning that Ukraine could reach a point when doctors will have to prioritize care for patients who have higher chances of survival.

The Cabinet of Ministers has already ordered regional authorities to set up makeshift hospitals in Kyiv, Kramatorsk and Odesa. According to media reports, the Palace of Sports, the Expo center and Feofaniya hospital are being considered for the future temporary COVID-19 hospital in Kyiv.

Long overdue fines

There is another huge issue with the response to the pandemic in Ukraine: weak enforcement. Stepanov has urged lawmakers to pass a bill to make it easier to fine citizens for not wearing masks in public places and transport. But the draft bill has languished since summer. If it passes, the police and local authorities will be able to issue fines ranging from Hr 170–225 (\$6–9) to citizens without masks on the spot, much like tickets for traffic violations.

Although fines for flouting the mask rule already exist in Ukraine, they are applied ineffectively. The fines are too high — around Hr 17,000 (\$600) — and they can only be issued by a judge after a police officer files a report to the court. In practice, many judges have been hesitant to impose such a severe fine. ❁



Activists demand justice for murder of Gandziuk

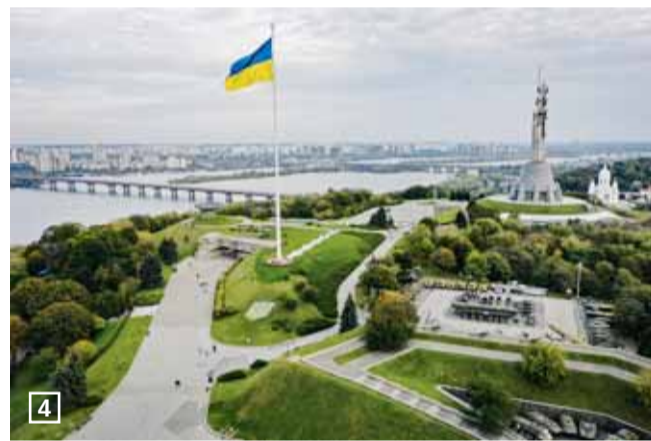
People in Kyiv hold flares on Nov. 4, 2020 to mark the second anniversary of the murder of activist Kateryna Gandziuk. She was attacked with sulfuric acid by a group of men allegedly for her fight against corruption. Six men were convicted, but the organizers of the killing were never prosecuted. Gandziuk, before dying of her injuries, said she suspected Vladyslav Manger, a powerful Kherson Oblast official, of ordering her murder.



A drone's-eye view of Kyiv is spectacular

1 Khreshchatyk Street and the Monument of Independence on Oct. 15, 2020.
2 Church of the Saviour at Berestove on Oct. 22, 2020.
3 Andriivsky Uzviz, Andriivska Church, and Vozdvzhenka district in the Podil area on Oct. 20, 2020.

4 The World War II museum and memorial on the right bank of the Dnipro River in Kyiv on Oct. 22, 2020, as well as the Mother Motherland statue at right.
5 Olympic Stadium in Kyiv on Nov. 4, 2020. (Photos by Volodymyr Petrov and Oleg Petrasiiuk)



New motto: 'Don't steal, work for the nation..' for state giant

page 3 —>

a year. How many tanks does it produce today? Zero. Hopefully, it will start to produce 30–50 tanks. They need to be optimized. The original cost of a tank will be lower, as our extra expenses are included in the production cost, which makes us uncompetitive in foreign markets.”

According to Fomenko, between 20–30% of UkrOboronProm's resources are spent without bringing any benefit to the country's war-time defense.

Corruption no more

For years, UkrOboronProm's contracts in Ukraine and abroad, according to numerous investigations, were unfair and with inflated prices. Officials in charge of the contracts were often corrupt and would abuse excessive secrecy of the industry to secure contracts.

The new values introduced by Abromavicius and carried on by Fomenko are simple: “Don't steal, work for the nation, don't create conflicts with main clients.”

One way to deter corruption is to keep the salaries of key managers and average workers at competitive levels. However, UkrOboronProm's average paychecks still do not look so impressive.

According to Fomenko, the average skilled UkrOboronProm worker earns \$870–\$1,050 a month at major enterprises. In smaller cities, the average enterprise salary is \$420–\$700. An entry-level manager gets \$1,055 a month.

“Of course, we can't keep up with private companies, where salaries at corresponding positions are 2–3 times higher,” Fomenko said.

“But since this is a state-owned company, the pay rate is generally acceptable. We do have people leaving us, but most hold onto their jobs.”

Fomenko receives \$10,550 a month, lower than in the private sector for a similar position, he said.

“I have worked in private business for all my life, I know the pay rates,” he said. But when it comes to UkrOboronProm, “there are certain restrictions, and I accept them.”

Bureaucratic hurdles

Encouragingly, the military and Ministry of Defense seem to be ready to give lucrative contracts to the company's factories.

After the Sept. 25 crash of an Antonov An-26 aircraft near the airfield of Chuhiv, Oleh Uruskiy, vice-minister for strategic industries, asserted that the old Soviet airplanes

UkrOboronProm Fact Box

UkrOboronProm is an association of over 130 state-run defense production enterprises throughout Ukraine, the primary contractor of the country's state defense procurement.

It was created in late 2010 under former President Viktor Yanukovich in order to consolidate control over the country's strategic industries. The company has faced fierce criticism over endemic corruption and has a bad reputation in foreign arms markets.

It is involved in the modernization, repair, manufacture and export of munitions, weapons, military vehicles, aircraft, naval vessels, and special equipment.

Number of employees: 69,000

Wages: Hr 3,500–59,000 (\$123–\$2,000)

Net income: Hr 37.6 billion (\$1.33 billion) in 2018

Biggest enterprises: Antonov Company (aircraft production, repairs, cargo transportation), Kyiv Armored Vehicles Plant, the Kharkiv Malyshchiv Factory (armored vehicles), the Luch Design Bureau (highly-precise weapons, special equipment).

were to be replaced by Antonov An-178s, which are newly-produced for foreign markets.

For Antonov, which in many ways survives thanks to cargo carriage services, this is a chance to finally get back to the big game as a major aircraft manufacturer with a 74-year history.

“We do hope a contract to produce three aircraft will be signed by the end of the year,” Fomenko said.

Another good sign for Antonov:

While it is currently producing an An-178 for Peru under a \$65 million contract, the Latin American nation is considering ordering yet another Ukrainian aircraft after a tender in 2021, according to Fomenko.

But Ukraine's bureaucracy and poor efficiency of government decision-making often hamper the production of new modern weapons.

According to Fomenko, a very illustrative situation is currently unfolding around the Neptune cruise

missile systems accepted for service in Ukraine's Armed Forces in 2020.

Despite an urgent demand to defend Ukraine's seas from Russia, as of November UkrOboronProm still hasn't been given a contract to produce any missiles. For over two months, the Defense Ministry has been unsuccessfully trying to introduce amendments to the state defense procurement order and arrange a contract for the production of at least one Neptune missile division by the end of 2021.

Again, according to UkrOboronProm's director, Ukraine's defense industry is fully capable of completing such an order, but all initiatives are ruined by murky bureaucratic ping-pong in the Cabinet of Ministers and the procurement system.

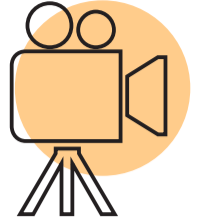
“We're not just ready to fulfill such a contract, we are interested in it,” Fomenko said.

“After we've completed the full circle of the development of a weapon, including trials and accepting it for service, we're just obliged to manufacture it. If we're not doing this, here's a question: why did the government spend money on its development? That is not chump change.”

Lifestyle

Play | Food | Entertainment | Sports | Culture | Music | Movies | Art | Community Events

Watch "Atlantis," one of Ukraine's most-awarded films, with English subtitles at the Zhovten cinema (26 Kostiantynivska St.) Nov. 6-8. 10 a.m., 2 p.m., 7 p.m., 9 p.m. Hr 65-130



Ania Brudna



Svitlana Bevza is one of Ukraine's most celebrated designers of women's clothing. Famous for an elegant minimalist style, Bevza has been a resident of New York Fashion Week since 2017.

Svitlana Bevza and her standout vision in fashion

City Life

With Daria Shulzhenko
shulzhenko@kyivpost.com

Impressive new restaurants open in Kyiv despite global pandemic

The restaurant scene in Kyiv has been shaken like never before by COVID-19.

The government imposed a strict lockdown in March, forcing eateries to shut down indoor dining for almost two months. Revenue dropped by half for many restaurants, while others closed for good.

But as authorities allowed restaurants to reopen in late June, the Kyiv dining scene came back to life.

With the easing of restrictions, not only did many old eateries revive, but new venues started popping up all over the capital.

As courageous as it is risky, the decision to launch a new eatery during this crisis requires a thorough examination of the market and adjustment to the new realities, says Ukrainian restaurant expert Olga Nasonova, who provides consulting through her agency.

"Restaurateurs who open new venues now are brave," Nasonova told the Kyiv Post.

Some restaurant owners simply proceeded with opening entities that had been scheduled to launch long before the pandemic. Others seized the moment, using crisis as an opportunity, since many buildings freed up, real estate prices dropped and the market became slightly less saturated.

New eateries are trying to develop their menus with dishes suitable for delivery and takeout. Consequently, venues offering molecular cuisine, which is difficult to transport, are losing demand. Meanwhile, restaurants serving Asian, Indian and Middle Eastern cuisines, whose dishes aren't damaged by delivery, will remain highly popular. And so will fast-food outlets and big food markets that bring together a number of diverse restaurants under one roof.

As for locations, more restaurateurs favor uptown neighborhoods rather than city center. In case of another lockdown, many people won't be able to travel far from their homes to eat out.

Nasonova says that nearly 10% of restaurants in Kyiv have already closed. And in case of the second strict quarantine, another 10% will shut down for good. But strong market players will survive, according to the expert, while newcomers have to be extremely creative to compete.

"When it comes to dining out, Kyiv citizens are sophisticated and

By Toma Istomina
istomina@kyivpost.com

The first apparel collection of Svitlana Bevza didn't qualify for the main program of Ukrainian Fashion Week in 2006.

A no-name designer at the time, her elegant yet sensible pieces for women were alien to the Kyiv runways, where clothing was largely

approached as art rather than pre-a-porter garments.

The team of Ukrainian Fashion Week was so impressed by Bevza's "Upstairs" collection debut, however, that they apologized after the show.

In the years to come, the collection name would prove prophetic of Bevza's career growth: She would be awarded as the country's best women's clothing designer twice, setting trends for chicness and conscious-

ness in the local scene.

Later, she would spread her influence across the border, becoming the first Ukrainian resident of New York Fashion Week and having her apparel worn by the world's top tastemakers — Dakota Johnson and Bella and Gigi Hadid, to name a few.

The designer believes her professional success is no coincidence, but a good old-fashioned story of talent, hard work and persistence.

"I love creating senses. I'm ambitious. I work a lot — all the time," Bevza, 38, told the Kyiv Post.

Bottle of champagne

Bevza discovered her attraction to design at a very early age. When she was 5, there was nothing that had more of her attention in the house than a set of 36 colorful pencils. She

→ page 14

→ page 14

'Famous all over the world and wanted by the world'

page 12 →

says she was drawing dresses and blouses all the time.

"It was a childhood dream," she says.

But when it was time to make a choice about education, Bevza was pushed by her parents to pursue "a decent" degree, so she picked economics. It was years later, while she was already working on her third collection, that Bevza studied design in one of the universities in her native Kyiv.

By 2006, Bevza had been cherishing the idea of starting her own brand for years. The final push came from her close friend, who dared her to create a collection from scratch just two months before the upcoming Ukrainian Fashion Week. If Bevza accomplished it, her friend would owe her a bottle of champagne. The designer took a small loan from a bank, rented a basement, bought equipment, hired several seamstresses and, in two months, she was sipping the sparkling drink.

Her debut collection under the Bevza brand name, just like all future apparel, was a reflection of her long-established personal style — a mixture of simple silhouettes, clean strict cut, fine fabrics and a perfect fit — which she calls "minimalist neoclassicism."

"There's a lot of me in this style," says Bevza, as she wears a classy brown suit, combined with a red turtleneck and a stork brooch attached to the jacket lapel.

From day one as a designer, Bevza opposed the widespread at the time idea of producing artsy but impossible-to-wear in everyday life clothing. Instead, she put effort into making her pieces sensible and timeless. And she continues to do so to this day.

"A high-quality garment should be a good investment," she says.

Little white dress

Bevza's third collection was quite an unusual set, consisting almost entirely of white dresses.

Since white color repels sunlight, the designer used it for her environmental statement about global warming.

But it wasn't just symbolism. Bevza is a long-time fan of white dresses, as opposed to the never-ceasing global love for a classic little black dress. The designer wears white often herself and believes that it suits every woman. Besides, she wanted to ruin the stereotype that white should be worn only on special occasions and for celebrations.

But one collection wasn't enough for Bevza to express her love for white, so a little white dress became an essential item of every collection that followed.

"It's one of our trademarks," she says.

Having established herself as an influential player in the local fashion scene, in 2013, Bevza was named Ukraine's best women's clothing

Stepan Lisovskiy



The spring-summer 2021 collection of women's apparel designer Svitalana Bevza, "Tryp," was inspired by the Trypillia archaeological culture, which was discovered on Ukrainian territory. Bevza is one of the country's most acclaimed designers, whose garments have been spotted on a number of international fashion idols and celebrities.

designer by the local Best Fashion Awards.

Just a year later, however, Bevza received recognition of a whole new level. Among thousands of designers from all over the world, she was picked as one of 11 finalists of Vogue Talents, a project by Vogue Italia that spotlights young stars in fashion.

Through the years of its activity, the project identified many talented designers who grew to become big industry names, including Jacquemus and Glenn Martens.

Bevza became the first Ukrainian to be spotlighted by Vogue Talents, drawing international attention to the country's growing fashion industry. In the years to come, many more Ukrainian designers would make headlines in global fashion-focused media.

At the ceremony in Milan, the designer also met the icon of modern fashion, Chief Editor of American Vogue Anna Wintour, who, Bevza says, served as a mentor for her future career.

According to Bevza, Wintour said that she was waiting on her brand to enter the U.S. market.

"I realized that I needed to move ahead," she says.

Having started to sell her garments through international concept stores and exhibitions, Bevza, however, felt she wasn't ready to start conquering the U.S. just yet. So instead, she accepted an invitation to become a resident at Mercedes-Benz Fashion Week in Tbilisi, Georgia. It was nonetheless a step up, as Tbilisi is widely considered the fashion capital of Eastern Europe for nurturing many runway ground-breakers, such as Demna Gvasalia, the creative director of Balenciaga and the founder of the world-renowned brand Vetements.

After several seasons on Tbilisi runways, in 2017, Bevza finally followed Wintour's advice by applying for New York Fashion Week. And yet again she was a groundbreaker, becoming the first Ukrainian res-

ident of one of the world's most influential fashion weeks.

New York gave Bevza exposure like never before, especially when fashion influencers and celebrities started favoring her apparel. First, U.K. actress Sophie Turner, the star of the hit TV series "Game of Thrones," picked Bevza's silky white jumpsuit for her wedding.

"She didn't just wear it, it was a wedding, it's very significant," Bevza says. "The whole world was talking about it."

Later on, U.S. model and actress Emily Ratajkowski, actress Johnson, models the Hadid sisters and Rosie Huntington-Whiteley joined the list.

The designer says that publicity through celebrities promotes the brand and, ultimately, boosts its sales. But Bevza never seeks attention on purpose, saying that her brand doesn't send its garments to stars asking for advertising. Instead, they focus on the craft itself.

"We just do our job," Bevza says.

Social impact

Recognized for a standout style, Bevza's influence reaches way beyond fashion. Both through her career in fashion and outside of it, she has raised social issues, launched charity initiatives and advocated for sustainability.

Her debut collection presented in New York was not only a bold experiment of combining elegance with rough fabrics and cuts, but also a political statement. Through bulletproof vests and bandages used for the "Realities" pieces, Bevza aimed to draw international attention to Russia's ongoing war in the Ukrainian Donbas, which has killed more than 13,000 people since its start in 2014.

Bevza says she's always had an active civic position. Part of the reason is the political career of her husband Volodymyr Omelyan, who served as Ukraine's infrastructure minister in 2016–2019.

Not afraid of controversy that the collection could have brought, Bevza

used her industry's often-overlooked ability to raise important issues on the runway.

"Fashion is underestimated," Bevza says. "We can tell a story without words."

On the environmental front, the designer promotes sustainability by using recycled fabrics and recyclable packaging, as well as producing digitally-printed coats instead of their fur analogs. She believes that all brands should be campaigners for conscious production and consumption.

"Our children will grow up soon. How are they going to live?" she says.

During the COVID-19 pandemic, Bevza stepped up to protect medical workers. The designer developed a pattern for a protective suit made of spunbond. Having launched the initiative herself in March, when Ukraine implemented a strict quarantine, she later teamed up with other Ukrainian designers. Together, they eventually produced 10,000 suits for doctors.

As Bevza contributed to the fight with the virus, the designer continued to work on her own craft and presented "Tryp," a spring-summer 2021 collection inspired by Trypillia, an archaeological culture found in Ukraine. Since New York Fashion Week has gone online this season, Bevza shot a film presenting her recent garments.

The designer admits that she, in a way, enjoyed the online shift. When she's in the limelight during fashion shows, as an introvert, Bevza often feels slightly stressed. She says that her circle often jokes that, though she's been making progress, she always seems to run away from the stage as soon as possible.

But while she modestly bows on the runway after every show, Bevza continues to dream big of becoming an international-level brand.

"Famous all over the world and wanted by the whole world." 🌐



12/12/2020
Fairmont Grand Hotel,
(1 Naberezhno-Khreshchatytska str., Kyiv)

PROGRAM
SILENT AUCTION
MUSICAL PERFORMANCE
INSPIRING SPEECHES
GUESTS STARS

Online:
teleconference
with guests from Ukraine
and all over the world

Offline:
cocktails and festive dinner

MC: Oleksandr Pedan

For additional information
please contact us:
+38 096 963 3988
+38 096 515 3728
kyiv@ucu.edu.ua

ANNUAL FUNDRAISING DINNER and Silent Auction
in support of the Ukrainian Catholic University

The event will take place in the hybrid format:
online and offline

Participation offline — **SOLD OUT**
Charitable donation
to participate online — UAH 2500

City Life

New dining places to try: Eastman, Subota, Chin Chin

page 12 →

new restaurants have to try hard to surprise them," Nasonova says.

The current crisis is shaping not only the market, but people's preferences in food as well, the expert says. Most customers don't want to pay for "simple food." Instead, they want to be surprised by the variety of ingredients and the flavor.

"Even the simplest dishes, such as hummus, for instance, can have an unusual flavor," Nasonova says.

The Kyiv Post has picked out five of the recent additions to the restaurant scene in Kyiv that offer standout concepts and food.

Eastman

Even though the restaurant opened about three weeks ago, it has already become a local hit. And no wonder — Eastman is a new project of the First Line Group, a company that has established some of the capital's most successful venues like Life of Wonderful People (Zhizn Zamechatelnykh Lyudey), Italian Edition (Ital'yanskaya Redaktsiya) and Favourite Uncle (Lyubimy Dydy).

Located in central Kyiv, Eastman offers a picturesque view of the busy Velyka Vasylykivska Street.

The restaurant, however, does not stick to one particular cuisine. Instead, it serves modern versions of dishes from Chinese, Indian, Thai and Sri Lankan cuisines. Here, one can savor Indian green curry with shrimp, mussels, calamari and vegetables or try Pol sambola with tuna, a traditional Sri Lankan dish made



Oleg Petrusiuk

A waiter wearing a protective mask walks through the Eastman restaurant in Kyiv on Nov. 4, 2020. Serving Asian and Indian cuisine, Eastman became an instant hit upon its recent opening.

with coconut and spices.

Apart from that, Eastman has a great choice of appetizers, such as hummus, Indian naan bread, Korean kimchi and more. The restaurant also has many options for fish and meat fans: It serves a calamari salad, tiger shrimps, grouper ceviche, as well as beef tartare and butter chicken.

But what one does not expect to find at a restaurant serving Asian cuisine is the great variety of Napoleon cake. Eastman serves 10 types of the dessert for all tastes: chocolate or vanilla options, Napoleon with mango and passion fruit, vegan Napoleon with coconut, one with pineapple, blueberries or caramel. Even unexpected flavors, such as Napoleon with matcha or masala tea, can be tasted there.

Prices: green curry with seafood — Hr 425, butter chicken — Hr 235, baba ganoush — Hr 130, mochi — Hr 95-145, Napoleon cake — Hr 185-215.

Eastman. 85/87 Velyka Vasylykivska St. 12-10 p.m. +38097470 8587.

Eastman. 85/87 Velyka Vasylykivska St. 12-10 p.m. +38097470 8587.

Subota Cafe

This new cozy cafe can make guests feel like home. Called Subota, which means Saturday, this venue is a perfect place for weekend breakfasts,

coffee breaks or even romantic dates.

Subota is located in Kyiv's downtown, near the Oleksandr Fomin Botanical Garden. The cafe's minimalist design matches its menu: It serves a variety of sandwiches and croissants with different fillings, salads and sweets. Subota's drink menu includes ten kinds of coffee including classic and alternative options. It also offers cocoa, green, black and herbal tea, as well as kombucha with citrus, ginger or berries.

Not only its flavorful coffee and delicious pastries make people stop by Subota.

It also has a conscious consumption approach that meets the growing eco-friendly demand in Kyiv. Subota is a zero-waste cafe that promotes plastic-free lifestyle and encourages customers to bring their own cups for drinks to go.

Also, mind that the place is pet-friendly.

Prices: salmon sandwich — Hr 195, tuna salad — Hr 245, croissant — Hr 65, cheesecake with maple syrup — Hr 145, espresso — Hr 30, flat white — Hr 70.

Subota Cafe. 7/9 Mykyl'sko-Botanychna St. 9 a.m. — 10 p.m. www.instagram.com/subota.cafe.

Chin Chin

Chin Chin is another venue serving Asian cuisine that has recently opened in Kyiv. Located in the capital's heart, on the noisy and busy Bessarabska Square, the eatery welcomes its visitors with bright neon signs and wall-sized windows.

→ page 15



JOIN THE CORPORATE CLUB



Subscribe to the Kyiv Post and have fresh issues delivered weekly to your door. Support Ukraine's trusted source of independent English-language news since 1995!



Contact us at subscribe@kyivpost.com #kyivpostclub

City Life

And still more new options: Krasivo Est, Chica Poblana

page 14 —>

Its convenient location, reasonable prices and diverse menu make Chin Chin a perfect choice for a lunch break with co-workers or a dinner with friends and family.

The eatery makes five types of salads with seafood, meat or mushrooms and vegetables. There are also three kinds of soup, Chinese dumplings with beef or chicken and Chinese Bao buns with various fillings.

Apart from that, Chin Chin serves spring rolls, noodles or rice with duck, pork, shrimps, chicken or vegetables. Its special menu includes Peking duck with rice pancakes, fried eggplant, chicken or shrimps with sweet and sour sauce served with pineapples.

Prices: *curry soup with chicken* – Hr 139, *calamari salad* – Hr 119, *Bao bun with pork* – Hr 98, *Peking duck* – Hr 159, *fried milk* – Hr 79.

Chin Chin. 2 Bessarabska Sq. 10 a.m. – 10 p.m. www.instagram.com/chin_chin_kyiv.

Krasivo Est

Looking for a place that combines a great location, stylish interior and

exterior design and lots of healthy food, drinks and sweets? The new Krasivo Est cafe fits the bill perfectly.

This eatery serves breakfasts all day long, offering oatmeal with blue cheese, jamon and dried tomatoes, or one with coconut milk and berries. Another option is flaxseed porridge with fruit. They also make syrnyky, traditional Ukrainian pancakes made of cottage cheese, along with sandwiches, waffles, salads and soups.

Krasivo Est has a wide choice of healthy desserts, including six types of a vegan cheesecake made of nuts, honey and fruit, as well as other vegan cakes, sugar-free candies, smoothie bowls and cookies.

The choice of coffee here lists espresso, doppio, hand brew, cappuccino, flat white, latte and more. They also offer a variety of teas, including masala and the one with sea buckthorn, along with lemonades, fresh juice and hot cocoa.

Prices: *waffles with salmon and avocado* – Hr 190, *fried halloumi toast with dried tomatoes* – Hr 140, *pumpkin soup* – Hr 70, *vegan cheesecakes* – Hr 110, *espresso* – Hr 30.

Krasivo Est. 6/2 Krutyi Uzviz St. Mon-Fri. 9 a.m. – 9 p.m. Sat-Sun.



Volodymyr Petrov

A woman tastes a meal at the Krasivo Est cafe in Kyiv on Nov. 3, 2020. Krasivo Est is a recently-opened eatery that offers a wide choice of healthy dishes, including desserts.

10 a.m. – 10 p.m. www.instagram.com/krasivo.est.

Chica Poblana

Chica Poblana is a new resident of the Tin Tin Food Spot, the Vietnamese cafe which was recently turned into a small food market. And it is a true paradise for Mexican cuisine fans in Kyiv.

The eatery's owners say that Chica Poblana is the first authentic taqueria in Ukraine – a street food venue that specializes in tacos and other Mexican food. Although Chica

Poblana does not have many items on its menu, each of them can surprise with flavors and spices.

It serves three types of tacos: with chicken, pork or vegetables, all complemented with lettuce salad and dressings. There are also three types of quesadillas with cheese served with beans, vegetables or chicken. All the menu options have reasonable prices.

Apart from that, Chica Poblana offers traditional Mexican snacks called tostada, a deep-fried tortilla with various toppings, including

shrimp or fried catfish. It also serves appetizers, such as corn chips totopos and guacamole.

On the drink menu, Chica Poblana has traditional Mexican horchata, a plant milk beverage with various flavors.

Prices: *tacos* – Hr 55–59, *quesadillas* – Hr 55–59, *shrimp tostada* – Hr 65, *guacamole* – Hr 155, *horchata* – Hr 75.

Chica Poblana. 15 Viacheslava Lypynskoho St. 12 p.m. – 9:30 p.m. +38067304 2277.

EMPLOYMENT / CV / TENDER



World Health Organization
REGIONAL OFFICE FOR Europe

WHO invites applications for
Health Policy Officer

WHO is looking for a Health Policy Officer to WHO Country Office in Ukraine. The incumbent will support the WHO Country Office mission in providing technical assistance to the Ministry of Health of Ukraine and all relevant health authorities and institutions in the area of health strategy and health policy.

For full and detailed vacancy notice please access: <https://www.who.int/careers/en/>
Closing date for applications: **10 November 2020**
Vacancy Notice No: **2004243**

THE BEST WAY
to reach the largest group
of English-speaking
Ukrainians



is to advertise in the
KyivPost
UKRAINE'S GLOBAL VOICE

Call the advertising
department at **591 7788**
or e-mail:
advertising@kyivpost.com



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:

For **Support to Ukraine's Reforms for Governance (SURGe)**:

- *Sector Lead (multiple positions).*

Please, send your applications till November 15, 2020 to: irynam@alineainternational.com

For more detailed information about preferred qualifications and skills, indicative duties and responsibilities, as well as applying procedure, please visit web-site: <https://www.edge.in.ua/vacancies/>


Ukraine Digest – a daily newsletter by the Kyiv Post





Go to **WWW.KYIVPOST.COM**
to subscribe. It's free!

BEST BARGAIN!
Advertising in the Classifieds
and Employment section
+380 44 591 77 88 or advertising@kyivpost.com

CLASSIFIEDS



follow us on 



Work permits
RESIDENCE PERMITS
Business set up, accounting services
+380-44-237-72-76
www.accounting.ua

My name is Haider ali khan. I am a student of KNMU (Kharkiv national medical university) Naukova, Kharkiv ob'last, Ukraine. I live in studentska kharkov oblast. My credit book was stolen from my flat in July when i was in india. So if anyone find my credit book, please contact me on my email or phone number that is given below. Email: kakhan.618@knmu.edu.ua
Phone no. +38 (095) 701 59 16

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

UKRAINE

Oleksandr Danylyuk supports Zelensky's drive to dissolve Constitutional Court



BUSINESS

Chinese firm to build \$1 billion wind farm in Ukraine



PHOTO

A drone's-eye view of Kyiv



VIDEO

Ukraine on the Brink: Climate change & Lake Svitiiaz



Ukraine on the Brink: Fighting for a greener Ukraine



Ukraine on the Brink: Kyiv's Radical threat



Ukraine on the Brink: Deforestation threatens fragile ecosystems



Kyiv Post

TOP 30 UNDER 30

The WINNERS will be announced on November 24

during the livestream on www.kyivpost.com

PARTNER:



INTERNATIONAL RENAISSANCE FOUNDATION

More details: 044 591 77 88, events@kyivpost.com