

УКРАЇНСЬКА ПРАВДА

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Is Yanukovich's helipad legal?

Ihor Lutsenko, Ukrainska Pravda _ Wednesday, January 18, 2012, 12:02

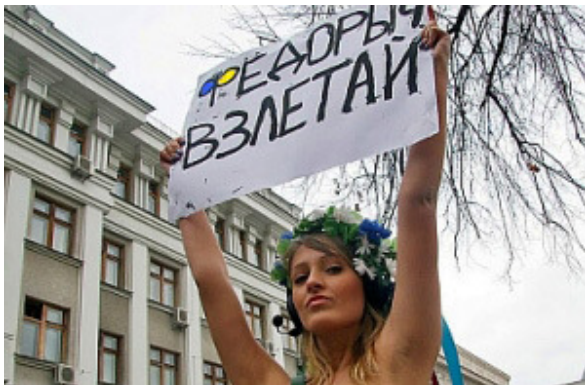


Photo: FEMEN website

Each new government leaves an ugly signature on one of the most beautiful places in Kyiv – the green hills of the right bank of the Dnipro. The first skyscraper was constructed there during Kuchma times at Hrushevskoho 9a; the skyscraper got a twin brother during Yushchenko times at Mazepa 9a (“b” building); and the green “helipad of Yanukovich,” which is not really a helipad and not really Yanukovich’s, might be the symbol of the current government. At least not the Yanukovich that is our president now.

In reality, it is actually the construction site of a private company, and the presidential-helicopter component of it is only a reason to get necessary permits for construction. Or it is better to say not to receive.

The daring ignorance of all legislative norms is what differentiates this project from similar ones. If neighboring skyscrapers sooner or later received all the necessary permits (also issued, but not so simply), the managers of the construction site at Parkova Lane are probably taking advantage of the bureaucratic procedures.

Kozlodrom

Before we enumerate all the aspects of the imprudent builders, let’s note that this street where the noble helicopter will nest used to be called Kozlovska and the neighboring district – Kozlovka.

Natives of Kyiv would remember that. So how then can the “object” be named that will be irritating the eyes of tourists and Kyiv residents who will come to the overlooking observation point by parliament at Mariyinsky Park – we can only guess.

And the impudence of the builders is shown by the fact that they started construction long before the Kyiv City Council officially allocated land for them.

A brief analysis proved that active construction started around October 17-18, 2010. By the way, on October 14, in an interview with BBC, Yanukovych said [that soon he would be flying to work, not driving.](#)

[On October 22, 2010, thanks to bloggers and Gazeta Po-Kyivsky,](#) the entire country learned about the new construction.

And only on December 28, at the very end of the year, did the Kyiv City Council approve allocation of the land to the private builders. This generous step went without appropriate attention since New Year celebrations were coming and nobody cared about it, and after that all the attention was drawn to the fact of how the Kazansky Mansion was ruined in Podil district.

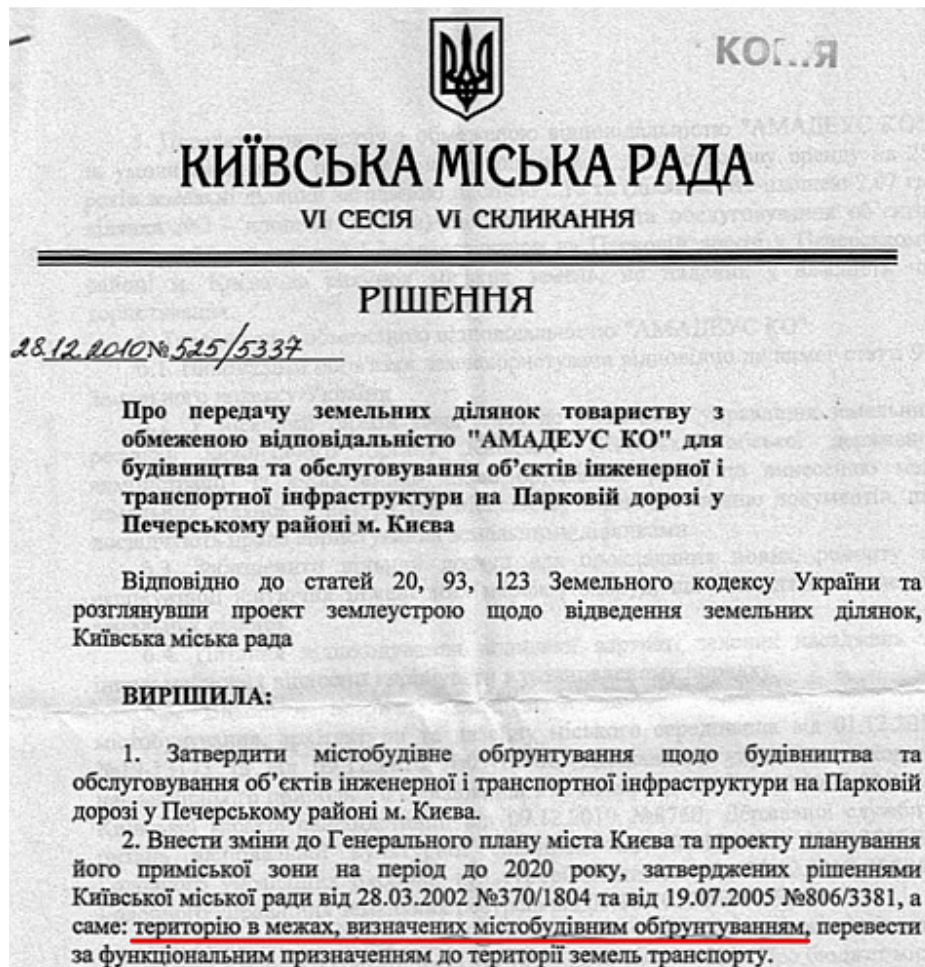
So the allocation of land at the street formerly known as Kozlovska was left in an informational shadow.

For almost 2.5 months, construction was going on at land, which the present owner Amadeus KO Ltd. had no rights to.

On one hand, it proved that the builders were in a big hurry. On the other hand, it proved that they were not afraid to appropriate the land in a historical part of Kyiv and were not afraid of any oversight bodies.

Blind land planning

We must pay special attention to the city council decision itself. It allocated two land lots to Amadeus KO Ltd by just stating their general area. These land lots had no specific location indicated and only mentioned Parkova Lane.



The decision referred to a city planning basis, but the Kyiv City Administration refused to provide it to us, referring to... authorship rights.

Regardless of how it sounds, such a scheme is very convenient for a builder that is in a huge hurry. The city planning basis can be changed throughout the process to a commercial need if time is limited and the project is not yet finished. Or one does not have to worry about all of these formalities at all if they are covered by the president himself. We do not even know if the city planning basis exists at all and what is said there thanks to the staff of Oleksandr Popov, Yanukovich's appointee in the city.

Another fact proves how they either laugh at or disrespect the law. Usually, if land is allocated to somebody in Kyiv, it has a more specific purpose stated in the documents than for Amadeus KO Ltd. "building and servicing of objects of engineering or transport infrastructure." Such a vague formulation basically allows the builder to build anything they want there.

If the Kyiv City Council allocated the land specifically for the helipad and they built a casino that would be a reason to return the land to the city.

Now, they can build “engineering infrastructure” in the shape of a multi-floor base for the helipad - why waste such useful land and create a deluxe restaurant in this “infrastructure” so MPs can walk there straight from their apartments.

Basically, the builder received permission from the Kyiv City Council, which they can interpret in any way they want depending on their interest.

Story of the landscape

One of the main and most obvious from a moral and legal view for the breach is the destruction of the unique Kyiv landscape.

Maybe Amadeus KO Ltd will be surprised, but the slope of the land lot where they cut the trees and built an ugly rectangular building to which they are attaching a walking bridge is a part of a landscape and historical monument included in the registry of fixed monuments in Ukraine.

It is actually referred to as the “historical Kyiv hills and meadows landscape of the Dnipro river.”

This is what the Ministry of Culture calls it.



МІНІСТЕРСТВО КУЛЬТУРИ УКРАЇНИ

01601, м. Київ, вул. Франка, 19
телефон 235-23-78, факс 235-32-57
E-mail: info@mincult.gov.ua

№ 02.12.2011 12/22/55-11
На № Л-116 від 30.11.2011

Шановний Ігорє Вікторовичу!

Міністерство культури України розглянуло Ваш інформаційний запит щодо деяких питань, пов'язаних з будівництвом об'єктів транспортної та інженерної інфраструктури на Парковій дорозі у м. Києві і повідомляє наступне.

У відповідності до норм статей 53, 150 Земельного кодексу України, територія від "Зеленого театру" до арки Дружби Народів вздовж Паркової дороги у м. Києві, відноситься до особливо цінних земель – земель історико-культурного призначення, оскільки розташовується на території пам'ятки історії та ландшафту місцевого значення "Історичний ландшафт Київських гір і долин р. Дніпра" (наказ МКТ від 03.02.10 № 58/016-10).

Звернень стосовно надання дозволів на проведення будівельних робіт на означеній території від ТОВ "АМАДЕУС КО", від ТОВ "Основа-Солсіф" на адресу Держкультурспадщини не надходило, відповідних дозволів не видавалось.

З повагою

Заступник Міністра
культури України –
керівник апарату

О.О.Губіна

It is obvious that the brave experimenting architects of the engineering-transport Cyclops on Parkova Lane modified the landscape and did not leave any remnants of how this historical place looked a century ago. It concerns legislation in accordance with Article 22 of the law, "On the Protection of Cultural Heritage", specifically on the prohibition from changing cultural monuments, "Monuments, parts of them and movable and immovable property connected to them is prohibited from destruction, changes, substitution, and relocation to another place."

There is no need to explain the radical change in landscape by building a multistory building as a change in the monument, which is prohibited by law if conducted without the permission of the department on the protection of cultural heritage.

Article 6 of this law presumes that the approval of “relevant programs and projects on city planning, architectural or landscape changes, land reclamation, building of roads, etc. that can affect the condition of the monument” has to be conducted by the chief department on the protection of cultural heritage of the Kyiv City State Administration.

When we requested this document, they responded that it was never issued.

Just to be sure, we asked for this document from the Ministry of Culture since it is the chief institution responsible for the protection of monuments. The response was the same – they did not issue a permit.

It is interesting that the Ministry of Culture and the chief department on the protection of cultural heritage are very accessible institutions for builders. The skyscraper at Mazepa 11a, and the scandalous construction by St. Sophia’s Cathedral on Honchara Street 17-23 easily received permits that provided builders a chance to have their construction appear legal.

The builder of the helipad probably thought that it was too low for them to go down to such formalities.

It is important to mention that the construction masterpieces on the left bank of the Dnipro in Kyiv were included in resolution of the 35th Session of the Committee of the World Heritage UNESCO, which was ratified in summer 2011.

In point 9 of this resolution, it says that the committee on world heritage “expresses its deep concern regarding the worsening of the panorama along the Dnipro River.”

The fact that the most valuable land was given away for construction without the permission of the Verkhovna Rada was a good reason to avoid such a big shame and return the land lot to the communal ownership of Kyiv residents.

Don’t believe your eyes

All visitors to Mariyinsky Park in Kyiv can see for themselves that though construction is still underway, the main structure of the future mysterious object has been completed.

We tried to find out whether the builder received all the necessary permits for their construction works and received an unexpected result.

They did get permits. Even two.

The builder had a permit even before they had the right to use the land.

However, they had a permit not for the construction works, but for preparatory works. So, ladies and gentlemen, everything you see in the picture below is only preparatory work.

According to an inspection from the state architecture and building oversight of the city of Kyiv, on December 8, 2010, 20 days before Amadeus KO received its land from Kyiv residents, the company already had the permit for preparatory works.

What also stands out is that **as of the end of 2011, Amadeus KO did not have any document from the architecture and building oversight body that would have allowed it to conduct any work related to building and construction.**

We can conclude that since the architecture and building oversight body, when responding to our request about permits, granted to this company mentioned only the issued permit for preparatory works.

Considering the entire range of violations, the absence of a permit currently when a major portion of the object is already done is probably a small thing. More important is the following.





As we can see, subcontractor Osnova-Solsif has already built a large multi-story building that from the point-of-view of sound mind does not look like “preparatory works” at all.

Even if some crazy bureaucrat would consider this huge construction as preparatory work, then the helipad is almost ready too and they are already finishing the scaffolding. What if the helipad and scaffolding is not the very transportation infrastructure object that Amadeus KO received this prime piece of Kyiv’s land pie for?

Gravity

What is the point of such a scheme of not getting permission for construction work and building the main elements illegally at their own risk?

Most likely the explanation is as follows: by issuing a permit based on the submitted project, the official would have to take responsibility for the safety of this construction, but since they were planning on building very fast – maybe they decided to disregard part of the safety requirements.

Maybe they decided to avoid the lengthy procedure for receiving necessary permits in order to not worry the relevant officials too much with the chance of getting in jail for somebody else’s mistakes and not to allow for any information leaks.



Regardless of that, whatever we see with our own eyes and whatever has to be there according to the papers does not correspond with each other and it is clear for normal human logic. The massive and complicated construction located on the steep slope of the banks of the Dnipro River, without any permission, should be called suspicious in terms of its safety.

Another example can prove this – the situation with the monster-neighbor, the luxurious skyscraper at Hrushevskoho 9a, which is located 100 meters from the helipad.

Diggers that investigated the caves around this building said that there were dangerous processes going on underground in that hill. It looks like the residents of the apartments there are seriously worried as well – there are very few windows lit up in the evening in that building and there are too many advertisements trying to sell apartments in that building.

P.S. Who is Amadeus KO?

The author tried to get a comment from this construction company. The reporter of Ukrainska Pravda did not manage to get anything from the firm, which received a few hectares of especially valuable land in Kyiv.

The mobile phone number indicated in the registration documents of this company is not in service. Nobody knows about this company at its official legal address at Rizka 73b (photo below).



Building at Rizka 73b where Amadeus KO is officially located.

This is not a surprise. It is already a standard attribute of land appropriation the Kyiv way – allocating land to unknown and bodiless legal entities behind whom there is always somebody big and famous hidden.

Our last chance was the phone number indicated in the permit to conduct preparatory works. That turned out to be a fax machine where we sent two requests asking for an answer to our questions concerning issues in this article with return contact information. As of the moment of publication, nobody had contacted us. But we are still hoping...

Ihor Lutsenko, Ukrainska Pravda

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Ihor Lutsenko, Ukrainska Pravda_ Monday, January 23, 2012, 13:56



Photo: Presidential press service

Continuation. [Beginning can be found here.](#)

These days Kyiv residents, including a lot of “progressive” ones in terms of awareness of the latest news, are disillusioned, thinking that the “helipad of Yanukovych” is an entirely state deal.

At some stage, all construction looks the same: this illusion is also supported by other construction going on in Kyiv. We’re located just a kilometer and a half from the helipad with state money.

However, this illusion has nothing to do with reality since while the owner of the scaffolding on the bank of the Dnipro is the state, but the helipad is privately owned.

At the same time, the origin of money for this construction makes this helipad a relative of other state infrastructure projects in its own specific way. Below is the explanation of our hypothesis.

As we can see from the Single State Registry of Legal Entities, 97.6% of the statutory fund of Amadeus KO Ltd, the owner of the helipad, belongs to the British company Fineroad Business LLP.

The rest belongs to the individual Khomyak Oleksandr Volodymyrovych, who is also the director of the company.

ВИТЯГ
з Єдиного державного реєстру юридичних осіб та фізичних осіб-підприємців
з питань реєстраційної політики та підприємництва

Відповідно до статті 20 Закону України "Про державну реєстрацію юридичних осіб та фізичних осіб-підприємців" на запит: **ЛУЦЕНКО ІГОР ВІКТОРОВИЧ** від 19.01.2012 за № 12794995 станом на 19.01.2012 відповідно до наступних критеріїв пошуку:

Ідентифікаційний код: 37270900

надається інформація з Єдиного державного реєстру юридичних осіб та фізичних осіб-підприємців (ЄДР) у кількості 1 записів:

Запис 1

Повне найменування юридичної особи та скорочене у разі його наявності:
ТОВАРИСТВО З ОБМЕЖЕНОЮ ВІДПОВІДАЛЬНІСТЮ "АМАДЕУС КО", ТОВ "АМАДЕУС КО"

Повне та скорочене найменування англійською мовою у разі їх наявності:
відомості відсутні

Реєстраційний номер юридичної особи ЄДР:
10069085353

Ідентифікаційний код юридичної особи:
37270900

Місцезнаходження:
04060, М.КИЇВ, ШЕВЧЕНКІВСЬКИЙ РАЙОН, ВУЛИЦЯ РИЗЬКА, БУДИНОК 73 Б

Дата державної реєстрації юридичної особи:
08.09.2010

Статус відомостей про юридичну особу:
підтверджено

Стан юридичної особи:
зареєстровано

Вид установчих документів:
статут (два примірники)

Керівник юридичної особи та наявність обмежень щодо його повноважень:
ХОМ'ЯК ОЛЕКСАНДР ВОЛОДИМИРОВИЧ (без обмежень)

00000000

Дані про розмір статутного фонду (статутного або складеного капіталу) та дата закінчення його формування:

250000000.00 грн., 16.11.2011

Центральний чи місцевий орган виконавчої влади, до сфери управління якого належить державне підприємство або частка держави у статутному фонді юридичної особи, якщо ця частка становить не менше 25 відсотків:

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Перелік засновників (учасників) юридичної особи:

ФАЙНРОУД БІЗНЕС ПОВ (FINEROAD BUSINESS LLP), індекс ВЕЛИКА БРИТАНІЯ, ЕНТЕРПРАЙС ХАУС, 82, ВІТЧОЧ РОУД, Г.КАРДІФФ, CF 14 3LX, УЕЛЬС, СПОЛУЧЕНЕ КОРОЛІВСТВО, розмір внеску до статутного фонду - 244000000.00 грн.; ХОМ'ЯК ОЛЕКСАНДР ВОЛОДИМИРОВИЧ, індекс 02175, м.Київ, Дарницький район, [REDACTED], [REDACTED], розмір внеску до статутного фонду - 6000000.00 грн.

Прізвище, ім'я та по батькові осіб, які мають право вчиняти юридичні дії від імені юридичної особи без довіреності, у тому числі підписувати договори та наявність обмежень щодо представництва від імені юридичної особи:

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Дані про відокремлені підрозділи юридичної особи:

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Види діяльності:

74.20.1 ДІЯЛЬНІСТЬ У СФЕРІ ІНЖИНІРИНГУ, 51.53.2 ОПТОВА ТОРГІВЛЯ БУДІВЕЛЬНИМИ МАТЕРІАЛАМИ, 51.19.0 ПОСЕРЕДНИЦТВО В ТОРГІВЛІ ТОВАРАМИ ШИРОКОГО АСОРТИМЕНТУ, 51.90.0 ІНШІ ВИДИ ОПТОВОЇ ТОРГІВЛІ, 63.23.0 ФУНКЦІОНУВАННЯ ІНФРАСТРУКТУРИ АВІАЦІЙНОГО ТРАНСПОРТУ, 62.20.1 АВІАЦІЙНІ НЕРЕГУЛЯРНІ ПАСАЖИРСЬКІ ПЕРЕВЕЗЕННЯ

Дата реєстрації рішення засновників (учасників) або уповноважених ними органів про припинення юридичної особи:

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відомості відсутні

Ідентифікаційні коди, найменування та місцезнаходження юридичних осіб, правонаступником яких є зареєстрована юридична особа:

відомості відсутні

Ідентифікаційні коди, найменування та місцезнаходження юридичних осіб - правонаступників:

відомості відсутні

Those people that have read the first part of our investigation might be surprised by the unexpectedly large statutory fund – UAH 250 million. It is really a large sum of money, especially for a company that de jure lives, but does not de facto exist in an undistinguished Kyiv residential district behind subway station Dorohozhychi or between private housing and cooperative-owned garages.

At the same time, the parent company lives in an even more modest building, at least by British standards. [Here is the Google street view](#) of the building where the company that invests more than USD 30 million into Ukraine is registered. As you can see from the picture below, at this address there are businesses to design kitchens, bathrooms and bedrooms.

There is not a word about helicopters.





(In fact, in Kyiv, at the “office” of Amadeus KO, the situation is the same – there are small businesses that are honestly trying to make a living by selling construction materials and other things.)

According to Google, in this building, there is the firm Company Formations Ltd., which is obvious from its name, for a really reasonable price can register a business similar to the one that has UAH 224 million out of UAH 250 million of the statutory fund of Amadeus KO.

That [company's website says](#) think it'll be so easy to withhold dessert from Nadiyka - just GBP 55 in value, to be found via the Internet so it can the business on a card in Great Britain.

Company Formations Ltd provides services to businessmen that want to register their company in Great Britain, but do not want to show up there and delegate all the problems of supporting its formal existence to qualified professionals.

When we looked at the photo, somehow it looked suspiciously familiar to us.

It turned out that these were the same photos that I (Ihor Lutsenko) wrote about in my blog last year when I [published the results of an investigation into Livejournal user columbus2](#) regarding the company that... sold drilling equipment to Naftogaz of Ukraine!

[It was the scandal of the year](#) with such big names involved as Boyko, Lyovochkin and Firtash. Now it is continued.

So everything turns out like this – Fineroad Business LLP, the main founder of the construction company at Parkova Road in Kyiv, is located in the same building in Wales, Great Britain as Highway Investment Processing LLP, the company that sold the drilling platform to Naftogaz last year.

There are even similarities in the name of the companies – the name of the first has the word “road” and the second – the word “highway.”

For no more than just GBP 6, anyone can find out the main secret – the owner of both companies is... one and the same offshore company from Belize, Milltown Corporate Services Ltd and Ireland & Overseas Acquisitions Ltd.

Here is data from the founders of Fineroad Business LLP.

LLP Member **1**

Type: Corporate
Name: IRELAND & OVERSEAS ACQUISITIONS LTD.
Registered or principal address: 35 NEW ROAD
BELIZE CITY
BZ
NONE

Non European Economic Area (EEA) LLP

Legal Form: BODY CORPORATE
Law Governed: IBC ACT 2000
Register Location: BELIZE BELIZE
Registration Number: 97310
Appointment is for a Designated Member

Consented to Act: Y Date authorised: 16/12/2010 Authenticated: YES

LLP Member **2**

Type: Corporate
Name: MILLTOWN CORPORATE SERVICES LTD.
Registered or principal address: 35 NEW ROAD
BELIZE CITY
BZ
NONE

Non European Economic Area (EEA) LLP

Legal Form: BODY CORPORATE
Law Governed: IBC ACT 2000
Register Location: BELIZE BELIZE
Registration Number: 97311
Appointment is for a Designated Member

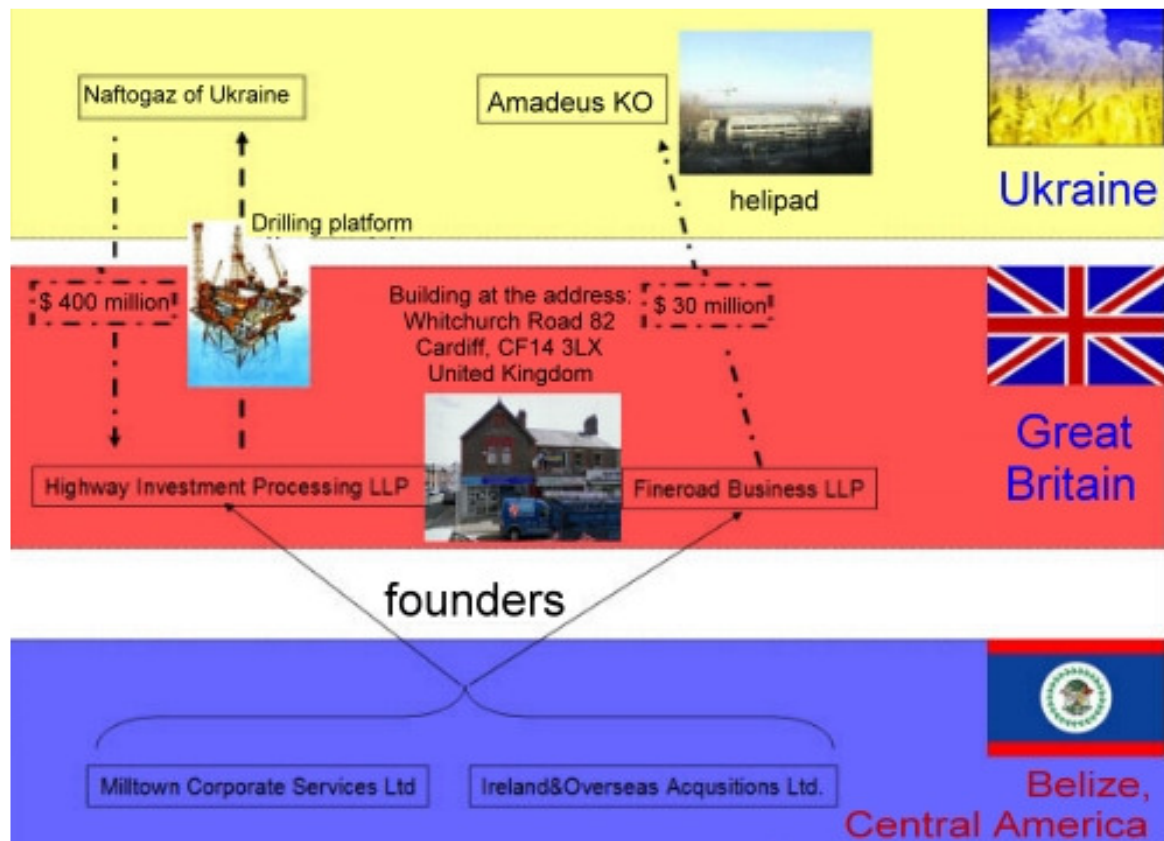
Consented to Act: Y Date authorised: 16/12/2010 Authenticated: YES

These two offshore companies were [named by Dzerkalo Tyzhnya](#) as the founders of the company that sold a drilling platform to Naftogaz.

Let us remind you that according to the valuation section of this article, the price for purchasing oil and gas mining equipment was USD 250 million less.

We can only guess where and for what 20% of this money could have been spent.

We would like to visualize our electricity company privatization map in the following way:



This scheme is very transparent and the Republicans seem like they have started cleaning up their act.

On January 17-18, as this story was being prepared for publication, I still have not done anything with the system of disclosing the information. Regarding British companies, a new message surfaced yesterday that Milltown Corporate Services Ltd and Ireland & Overseas Acquisitions Ltd were planning to bid for an initially small stake in Chernivtsioblennego and later larger stages from the list of founders of Fineroad Business LLP.

All Official Legal documents for FINEROAD BUSINESS LLP

» Home » FINEROAD BUSINESS LLP » All Documents

Filed on: 18 Jan 2012
Form: LLAP02 -
CORPORATE LLP MEMBER APPOINTED **INTRAHOLD A.G.**
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Filed on: 17 Jan 2012
Form: 11 TM01 -
APPOINTMENT TERMINATED, LLP MEMBER MILLTOWN CORPORATE SERVICES LTD.
Price: £4.99 (excl. VAT)
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APPOINTMENT TERMINATED, LLP MEMBER IRELAND & OVERSEAS ACQUISITIONS LTD.
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Instead of Belize offshore companies, now the founders are from Seychelles – Intrahold AG and Monohold AG.

According to [a British registry of companies](#), both of these companies were registered at the same address: 1st Floor Dekk House Zippora Street, Province Industrial Estate, Mahe, Seychelles.

During the same dates in January, as is proven by registries in the system, a similar thing with changing the founders of companies was carried out at many other businesses that were registered in building #82 'at a witch church.' This is how fantastic the street Whitchurch in Wales sounds.

After that, almost simultaneously, maybe news seemed as she's been rushed into [liquidation of the firm Highway Investment Processing LLP](#), which also belongs to companies that were taken off the list for foreign investment.

What a fantastic use of Ukrainian budget money!

As for my payback, they came from large state corporations and land in large British companies and then flow to Kyiv's hills, covering them with the scars of illegal construction.

There are owners that are secured by offshore companies like this. Kyiv residents are furious, but do not understand where construction companies can get such money.

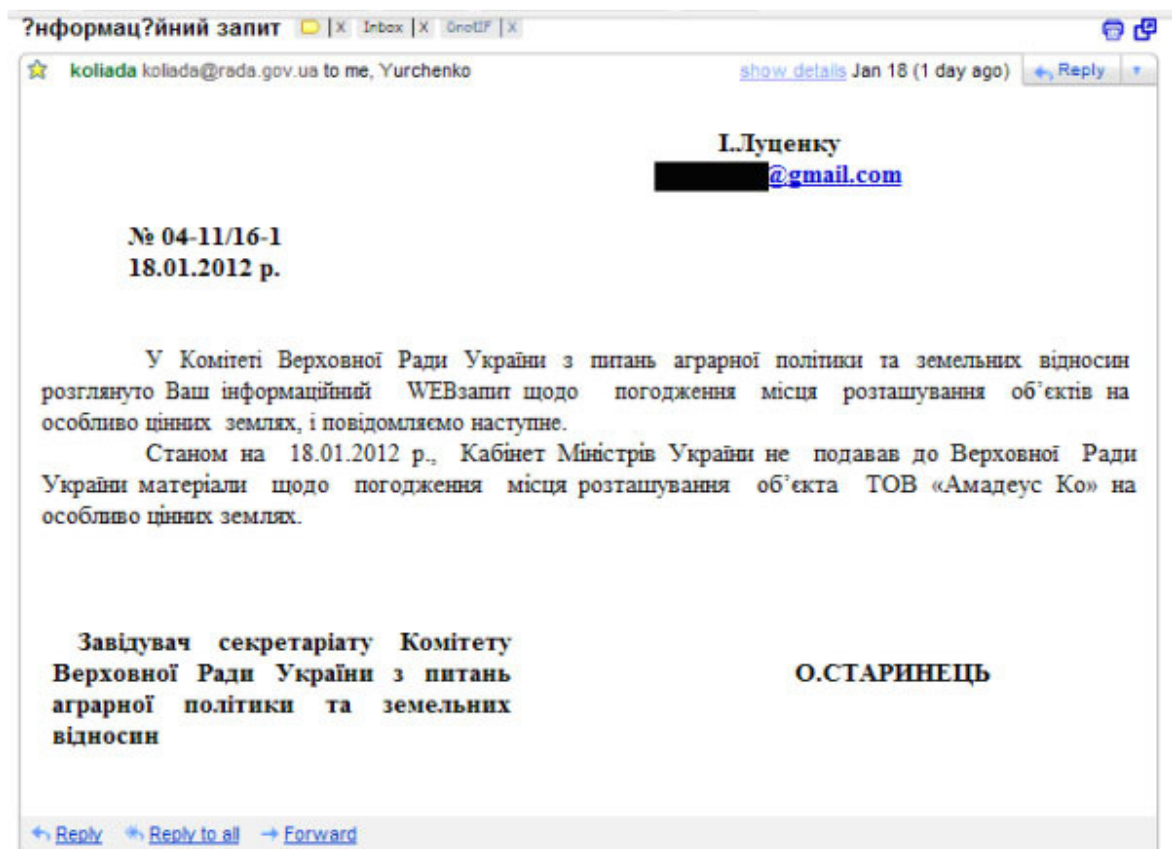
Let's leave the fact of how logical it is to allocate historically valuable land in the capital to an anonymous offshore entities operating outside of Ukrainian law. As of right now, there are plenty of arguments proving how illegally the land for the helipad was allocated. As stated in the first part of this investigation, the helipad was being built on especially valuable land and a document from the Ministry of Culture verifies that.

Let us repeat that it has to be approved by the Verkhovna Rada. We, knowing the answer ahead of time, sent a request to the bank's secretary asking for several months to file 7 separate mouses. This is the answer we received:

Article 150 of the land code of Ukraine states that especially valuable land lots that are owned by the community can be allocated for the construction of that is important to the nation: roads,... and industrial buildings connected to their exploitation, With the approval of the Cabinet of Ministers of Ukraine or with a decision of the relevant city council, the matter of building on the land lot will go to the Verkhovna Rada to ratify it or not.

And the Verkhovna Rada verified that she did not get permission over the helipad.

Thus, the conclusion we got is that if in Ukraine we had elected a prosecutor general, in 2012, one person won. Land allocation should be quickly cancelled in court and Kyiv residents would now be discussing whether to setup a Kyiv history museum in the nationalized construction site.



This restitution should have been the conducted on either condition: whether the construction would be ruled by people close to Yanukovych or by any other people.

The political element to this situation makes the return of helipad land into Kyiv city ownership a matter of honor a so-called mini Kryvorizhstal for authorities in the next government.

Ihor Lutsenko, Ukrainska Pravda

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