

Regional Administrative Court of Kyiv Considers Work Of Undercover Agent In The “Amber Mafia” Case Unlawful

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On September 20 Regional Administrative Court of Kyiv [ruled](#) that investigative actions within criminal case against MP Boryslav Rozenblat were unlawful. MP was indicted in bribery. The lawsuit was filed by Rozenblat himself.

Administrative court recognized as unlawful activities on documenting bribery – wiretapping and the work of undercover agent – and obliged detectives and prosecutors to follow the legislation on MP’s immunity. Motivating part of the decision is classified under the pretext that it contains information protected by the state secrecy. It is thus impossible to assess the reasoning for such a decision. The court took the decision in closed judicial hearing and without summoning NABU to defend its position.

Most important is the fact that administrative court has no jurisdiction over matters of criminal investigation, namely may not assess lawfulness of gathering evidences. However, it shall be expected that respective decision of the court will be used by Rozenblat’s attorneys to undermine accusations against him, namely to request the criminal court to disregard evidences, collected through wiretapping and the work of undercover agent; these evidences are of major importance for proving the guilt of Rozenblat.

The decision was passed by dubious judge Arsiriy. [According to Chesno activists](#), he prevented redeeming the gas fields privatized during the presidency of Yanukovych. In November 2014, judge Arsiriy together with his colleagues Ohurtsov and Pohribnichenko passed the judgment which did not allow the state to redeem 20 gas fields privatized by the company “Golden Derrick” during the presidency of Yanukovych. “Golden Derrick” LLC is managed by the people affiliated with Yanukovych: ex-minister of energy Stavytskyi and ex-minister of agribusiness industry Prysiashniuk. Moreover, according to the investigation of “Slidstvo.Info” program, judge Arsiriy, as a member of a panel of judges, passed judgments while staying abroad.

Also, he cannot explain where he got money for exotic holidays. The journalists of the investigatory program “Slidstvo.Info” found out that the judge often spends vacations on exotic resorts, for example, in Mexico and Jamaica. However, the judge refused to explain how he can afford such expensive vacations.

Has relatives with political connections. According to the family relationships declaration for 2011-2015, the judge’s brother Yaroslav Arsiriy was deputy minister of culture and tourism in 2010-2011, while since 2014 he has been working as an attorney. In addition, according to the portal “Nashi hroshi”, during the presidency of Yanukovych Yaroslav Arsiriy worked as a deputy governor of Kirovohrad region. The portal informs that this region has always been considered a foothold of Eduard Stavytskyi: no appointment to the high-ranking offices was made without his involvement.

In addition, judge Arsiriy led a judicial panel that decided back in 2017 in the case upon AntAC’s appeal that SBU management’s declarations were classified legally.