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Cable title: **UKRAINE: YUSHCHENKO ON ELECTIONS, COALITIONS**

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SUBJECT: UKRAINE: YUSHCHENKO ON ELECTIONS, COALITIONS

Classified By: Ambassador for reasons 1.4(a,b,d).

1. (S) Summary: In a March 23 meeting with Ambassador, President Yushchenko expressed confidence that problems in staffing polling stations would be fixed in time for the March 26 elections, but said that he would not sign a Rada-passed bill allowing citizens to be added to the voter list on election day, citing fraud concerns. Yushchenko said he continued to seek a coalition with ex-PM Yuliya Tymoshenko, but thought that Tymoshenko was unwilling to cede the position of PM even if Our UKRAINE garnered more votes than Tymoshenko's bloc (BYuT). Yushchenko said he was trying to bolster the standing of pro-reform blocs of PORA-PRP and Orange Revolution ally Kostenko so as to have more allies in the new Rada and strengthen his position in coalition negotiations. According to Yushchenko, Rada Speaker Lytvyn was being actively courted by the opposition Party of the Regions, and Russia was pressuring Lytvyn to support Regions. End summary.

Election administration problems fixed?

2. (S) On March 23, three days before pivotal Rada (parliament) and local elections, Ambassador congratulated Yushchenko for the free and fair conduct of the election campaign thus far, but noted concern that polling station commissions (PSCs) were inadequately staffed and that inaccuracies remained in voter lists. On PSCs, Yushchenko said he was aware of the situation and was confident it would be fixed soon. Yushchenko stated that on March 17, 4900 PSCs were understaffed, but by March 20 only 96 were understaffed, and soon all PSCs would be adequately staffed. Ambassador noted that the Rada passed a bill March 14 that would allow voters to be added to the voter list on election day with a court order and observed that it would be good if this bill were signed into law. (Note: This bill awaits Presidential signature.) Yushchenko responded that he was not planning to sign the bill, because his experts said it could lead to electoral fraud. Yushchenko offered as an example that someone could vote from a hospital via the mobile ballot box



(note: Ukrainian election law allows mobile balloting for the disabled and ill), then go to a judge and get a court order allowing that person to vote again at a regular polling station. Yushchenko stated that this method accounted for 200-300,000 fraudulent votes during the 2004 presidential election. He observed that in many European countries, such as France, the voter list was closed 10 days prior to elections. Yushchenko continued, noting that citizens could be added to the voter list by PSCs on election day. (Note: UKRAINE's election law, as we understand it, allows PSCs to fix minor discrepancies in voters' names, but not add their names.)

Coalition with Tymo still in the air

3. (S) When queried about possible coalitions after the election, Yushchenko misunderstood the question and thought Ambassador had urged him to seek a coalition with ex-Prime Minister Yuliya Tymoshenko. Yushchenko sighed and said that he would try to form a coalition with her, but noted that during the past days and weeks the most criticism of his party was coming from Tymoshenko. Yushchenko said that four or five days ago Tymoshenko met with Our UKRAINE (OU) campaign chief Roman Bezsmertny. When Ambassador noted that Tymoshenko had said both publicly and privately that if Our UKRAINE received more votes than Bloc Yuliya Tymoshenko (BYuT) then she would forgo the Prime Minister position in a coalition, Yushchenko denied that she had expressed her willingness to cede the PM slot. Yushchenko said that OU was trying to increase the number of votes for the reformist blocs of PORA-PRP and Yuri Kostenko, because if either of them made it into the Rada, it would strengthen OU's bargaining position in coalition negotiations.

Lytvyn pulled toward Regions?

4. (S) Yushchenko said that OU had been in talks with Rada Speaker Volodymyr Lytvyn, and that Lytvyn had confirmed agreements they made in the past, but that Lytvyn was coming under tremendous pressure. Yushchenko stated that ex-PM Viktor Yanukovich's Party of the Regions was courting Lytvyn, and Russia was pushing Lytvyn to support Regions as well. Yushchenko offered that Lytvyn had lots of prominent figures in his party who would not get into the Rada if Lytvyn did poorly, and that these people were pulling Lytvyn toward Regions. Yushchenko asked Ambassador if the U.S. could talk to Lytvyn and get him to reaffirm his support for OU. Ambassador responded that he could talk to Lytvyn, calling on him to support reform.

Tymoshenko or Yanukovich?

5. (S) Returning to coalition negotiations with Tymoshenko, Ambassador observed that, while it would not be easy to sit down with Tymoshenko, the mathematics suggested strongly that Yushchenko would have to form a coalition with either Tymoshenko or Yanukovich. Yushchenko replied that Yanukovich was pushing federation with Crimea and Donetsk, giving Russia exactly what it wanted. Ambassador observed that Yushchenko had some difficult decisions ahead of him, to which Yushchenko nodded before turning to Transnistria (reftel).

6. (S) Comment: Yushchenko looked dispirited throughout the meeting, seeming not to have come to terms with his pre-election predicament, and does not appear to have a solid plan for post-election coalition building.

7. (U) Visit Embassy Kiev's classified website:
www.state.sgov.gov/p/eur/kiev.
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