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SUBJECT: UKRAINE: YUSHCHENKO MIFFED ON MAP? KIEV'S REACTION TO YANUKOVYCH'S NATO SPEECH

REF: A. USNATO 538

B. KIEV 3489

C. KIEV 3029

D. KIEV 3463

Classified By: Ambassador, reason 1.4 (b,d)

1. (SBU) Summary. Despite the positive dynamics of PM Yanukovych's September 14 visit to NATO HQ (ref A), Yanukovych's declaration that Ukraine was not ready for a Membership Action Plan (MAP) drew swift public complaints from FM Tarasyuk and Defense Minister Hrytsenko September 15, followed by a five-hour session between Yushchenko and Yanukovych. Yushchenko subsequently delivered a late evening statement to the press distancing himself from Yanukovych's MAP comments and various actions of Yanukovych's government and the Party of Regions over the past month. On NATO, Yushchenko said that Yanukovych's statement on MAP had represented the opinion of his party, was mistaken, was not in Ukraine's national interest, and needed to be corrected.

2. (C) Comment: Yanukovych's comments in Brussels are not inconsistent with the message delivered by A/S Fried September 7 (ref D). Yanukovych's commitment to broaden practical cooperation with NATO and his pledge for a public information campaign to remove biases and misunderstandings among Ukrainians about NATO and its relationship with Ukraine (ref A) will form the basis of our near-term NATO-Ukraine agenda.

3. (C) The implications for Ukrainian foreign policy making, however, are less promising. Based on what Yushchenko told us before Yanukovych's Brussels trip about his desires for the message on NATO/MAP (refs B, C) and what Yushchenko, Tarasyuk, and Hrytsenko said publicly September 15, it is clear that Yanukovych's September 14 comments on MAP were not fully coordinated with the President, Foreign Minister, and Defense Minister. Yanukovych's speech raises questions



domestically not only about policy coordination (between the President and PM, and within the Cabinet between PM and the FM/Def Min), but institutional competencies in the wake of

political reform (including the President's constitutional right to set foreign and security policy, and the role of the National Security and Defense Council), and coalition dynamics (both prior promises made in negotiating the Universal National Unity agreement and ongoing efforts to establish a formal broad coalition). (Note: the Universal made no explicit mention of MAP despite strong attempts by Yushchenko).

4. (C) Many of these issues were already playing out as Ukraine's political elite and institutions feel their way forward in the wake of constitutional reform, which changed the power relationships between President, Premier, Cabinet, and parliament. Yanukovych's MAP comments may serve as a convenient lightning rod and catalyst for further discussion about who speaks for Ukraine on foreign policy. End Summary and Comment.

Yushchenko: Concern about Mistakes in General, and MAP

5. (SBU) Late September 15, Yushchenko summoned PM Yanukovych to the Presidential Secretariat for what turned into a five hour meeting so that Yushchenko could reinforce policy directions laid out in the Universal National Unity Agreement. Afterwards, Yushchenko told the press that he had invited Yanukovych for a discussion to "carry out the first political warning related to the activities of various politicians and the administration which violated the Universal and constitutional agreements. Unfortunately, today I as the President must talk about the activities of the new government and majority which, to be honest, are cause for concern." (note: Yanukovych's statement in Brussels does not appear to be inconsistent with the NATO language in the Universal.)

6. (SBU) Several of Yushchenko's public comments touched on economic, social, political and personnel developments, echoing growing public complaints over the past week. He called on the Prosecutor General to investigate the distorted pattern of VAT refunds since early August, with flows going nearly exclusively to Regions' political base in the Donbas (Donetsk and Luhansk), as well as alleged tax pressure against businesses. Yushchenko also called for the formation of a broad coalition of national unity and decried pressure against MPs in the Rada (parliament) to switch factions, characterizing it as an unfortunate sign of political pressure that violated the decisions of the people as expressed in election results. On a positive note, Yushchenko said Yanukovych agreed that it was important to

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give significant rights to the political opposition.

7. (SBU) Press coverage highlighted Yushchenko's critique of Yanukovych's statement at NATO that Ukraine was not ready for a MAP. Yushchenko said that Yanukovych had expressed the views of his party (note: by implication, not the government) and that Yanukovych had been mistaken in Brussels; his position was not in accordance with Ukraine's national interests and needed to be corrected.

All the President's Men: The PM Was Wrong

8. (SBU) Earlier September 15, Yushchenko loyalists lined up to deliver public criticism of Yanukovych's MAP stance, implying that he was not speaking for the government, and suggesting remedial next steps. Yushchenko's legal adviser Mykola Poludenny gave a press briefing in which he stated: "what we are saying is that the Cabinet of Ministers was supposed to give a signal in Brussels that Ukraine would join the NATO MAP." Responding to questions about the implications for institutional relations, Poludenny suggested: "The president has enough instruments to protect his position and adequately influence the situation."

9. (C) FM Tarasyuk and DefMin Hrytsenko held separate press conferences to take issue with Yanukovych. Both bemoaned the lost opportunity to secure an invitation to join MAP at the Riga Summit. Presaging one of the lines Yushchenko would later take, Tarasyuk characterized Yanukovych's statement as made "by the leader of a political party," adding: "nobody has canceled the basic priorities of Ukraine's foreign policy." (Note: On September 13, NATO International staff circulated copies of two letters. One from FM Tarasyuk sent to the NATO SYG, dated August 24, asked for a positive response on MAP. A second from PM Yanukovych, dated August 31, was positive on cooperation and strategic directions, but was not the letter Yushchenko had signed in mid-August and tried to get Yanukovych to cosign, apparently in vain. See refs A-B.)

10. (SBU) While acknowledging that Yanukovych had spoken in favor of cooperation with NATO and had not questioned the ultimate objective of joining NATO, Hrytsenko previewed another line Yushchenko would later voice when he described Yanukovych's MAP statement as a mistake. "The president as head of state and the official in charge of national security, foreign and defense policy has clearly stated that Ukraine should say that it is prepared and wants to join a MAP, both verbally and in writing. This was not done."

11. (SBU) Hrytsenko said he planned to ask Yushchenko to raise NATO policy at an executive session of the National Security and Defense Council (NSDC), a constitutional body with the President as its head that is able to set policy and task government ministers with implementation. He also brushed off suggestions that his criticism of Yanukovych might lead to his dismissal: "Don't even dream about it. I will continue working in my capacity until the president decides otherwise."

12. (C) MFA Acting DG for NATO Slava Yasniuk, who has worked on NATO issues since 1996, professed to us September 15 that he had "seen it all on NATO" but still felt caught off guard. Policymakers involved in the process knew that there had been two scenarios, essentially the president's and the premier's; however, in such cases of dispute a resolution is usually worked out a week before an event. This time, Yushchenko and Tarasyuk were engaging Yanukovych literally "until the very last moment," but the final result was still "a surprise for us." (Note: While Tarasyuk did not accompany Yanukovych to Brussels because of a supposed illness, it may have been mere diplomatic cover for bureaucratic jostling, since Yushchenko had approved Tarasyuk's travel and Tarasyuk subsequently agreed to see visiting former U.S. Ambassador Pifer the morning Yanukovych was in Brussels).

Substantive Work Will Continue Regardless

13. (SBU) On a positive note, Hrytsenko told the press that he would continue implementing the substance of what could have been a MAP "because Ukraine and Ukrainians need implementation of the plan," including a strong army, well-paid personnel, and better living standards.

14. (C) The MFA's Yasniuk was also upbeat, stressing the positive aspects of Yanukovich's speech, including his emphasis on cooperation (Active Endeavor, Afghanistan/ISAF) and the public education/outreach campaign. Yasniuk noted to us that Ukraine had prepared its annual work plan for 2007,

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submitted to Brussels for review, in the format of a MAP, rather than the previous annual target plan. Regardless of the title, once NATO provided its feedback, the GOU would task various government ministries with fulfilling the plan of action and moving forward on steps and reforms Ukraine needed to make on their own merit. Echoing Hrytsenko, Yasniuk suggested Yushchenko may turn to the NSDC as an implementing agent for his policy decisions.

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