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Cable title: "OUR UKRAINE" LEADER GIVES INSIGHT INTO

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C O N F I D E N T I A L SECTION 01 OF 02 KYIV 001556

SIPDIS

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TAGS: PREL PGOV UP

SUBJECT: "OUR UKRAINE" LEADER GIVES INSIGHT INTO YUSHCHENKO'S NEXT MOVE

REF: KYIV 1438

Classified By: CDA James Pettit for reasons 1.4 (b) & (d)

Summary

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1. (C) During a meeting with Charge, "Our Ukraine" leader Roman Bezsmertniy discussed the January 2010 presidential election and the amended law that will govern it, President Yushchenko's plans, and the future of the party. Most surprising was his assertion that Yushchenko would drop out of the presidential race around December 2009. Yushchenko would focus instead on building a team for the (as yet unscheduled) parliamentary election, from which Bezsmirtniy "guaranteed" that Yushchenko would emerge as Prime Minister. Bezsmertniy foresees a court battle between PM Tymoshenko and Party of Regions head Yanukovych over the results of the presidential election. Bezsmertniy's main message was that while "Our Ukraine" has lost popularity, it is still a viable party and would secure 8 - 9% of the seats in the next parliamentary election. End Summary.

We're sick, but we're not dead

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2. (C) During a September 9 meeting with Charge, "Our Ukraine" Acting Chairman of the Central Executive Committee, Roman Bezsmertniy, was realistic about President Yushchenko's inability to win the January 2010 presidential election. However, he remained optimistic about the party's ability to get 8 - 9% of the seats in the next (as yet unscheduled) parliamentary election. He also "guaranteed" that he could make Yushchenko Prime Minister again. Bezsmertniy conceded that Our Ukraine had "destroyed" itself. He blamed Yushchenko's inability to push through constitutional reform as the main reason for the party's loss of popularity. He told us that Yushchenko would begin his campaign but drop out of the presidential race around December and let Tymoshenko and Yanukovych duke it out. According to Bezsmertniy, once the presidency is decided, the victor would fire many bureaucrats, whom Yushchenko would then recruit for the eventual parliamentary election.



### "Corporate Fascism" Rules Ukrainian Parliament

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3. (C) With reference to the recently amended election law, Bezmertniy called the current system of governance "corporate fascism." Rada members have no independence to legislate, but make decisions based solely on what their party leaders -- particularly PM Tymoshenko (BYuT) and Party of Regions (PoR) head Yanukovich -- tell them to do. He blamed this state of affairs on the electoral system of Ukraine -- and on the absence of a developed civil society, which would demand more from elected leaders.

### Post-Election Court Battle?

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4. (C) Bezmertniy contended that while Yanukovich would likely win the presidential vote, Tymoshenko would not concede the election and would take it to courts over which she has influence. He told us that the amended Presidential election law was drafted in such a way to allow either main candidate to have the election invalidated if he or she is displeased with the result. While the battle rages in the courts, Yushchenko would remain in the presidency and push forward with constitutional reforms, Bezmertniy predicted.

### Our Ukraine Remains Viable

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5. (SBU) Party leaders are focused on revitalization and strengthening oblast (regional) headquarters, after which they will focus on raion (municipal) and city headquarters, Bezmirtniy said. They are working with the National Democratic Institute (NDI) to restructure party management and communication mechanisms to give party members more input into decision-making.

### Comment

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6. (C) All available polling indicates that Yushchenko has little or no chance of winning the presidential election. Bezmertniy's conviction that Yushchenko will pull out thus makes sense if the President wants to avoid an embarrassing result and, possibly, stage a comeback as a future PM.

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Bezmertniy's prediction that the election will be marked by drama and court battles between Tymoshenko and Yanukovich is not universally shared, even within "Our Ukraine." Recently signed amendments to the election law -- unless reversed by the Constitutional Court -- restrict the opportunities for court appeal. Bezmirtniy's scenario, with Yushchenko remaining in power in the interregnum, appears to be wishful thinking.  
PETTIT