



published by **The JAMESTOWN**
FOUNDATION

Addressing the New Strategic Realities Emerging in Eurasia

Friday, December 3 -- Volume 1, Issue 139

YANUKOVYCH-GATE UNFOLDS AFTER UKRAINIAN ELECTIONS

Taras Kuzio

The first year of Leonid Kuchma's second term as president of Ukraine was marked by a scandal that eventually became known as Kuchmagate. The affair was triggered by the release of secret tape recordings made in his office by a security guard. Two years later another scandal emerged; "Kolchuga-gate" concerned Kuchma's authorization of the sale of Kolchuga military radar systems to Iraq.

Now Ukraine has Yanukovychgate. This scandal involves a large number of audiotapes related to Prime Minister Viktor Yanukovich. These tapes, which are of far better quality than those made by Mykola Melnychenko in 1999-2000, were made by the Security Service (SBU) and leaked to challenger Viktor Yushchenko days after the presidential runoff on November 21.

The Yanukovich camp did attempt to block electronic surveillance of its activities. But their efforts obviously failed. Unlike in the Kuchmagate tapes, such an extensive operation could have only been undertaken by more than one SBU officer. The SBU has a technical operations department and does control and monitor government communications.

Significantly, the Yanukovich audiotapes were accepted as evidence by the Supreme Court, which is sitting to discuss mass violations in the runoff. Ukrainian courts never accepted the Melnychenko tapes were as evidence. The SBU tapes will add to the documents intercepted by Yushchenko supporters that the authorities had attempted to smuggle out of the presidential administration building.

The tapes contain hundreds of intercepted telephone conversations from Yanukovich's "shadow election headquarters" between October 30 and November 23, taking in both rounds of the elections. Yanukovich always had two campaign headquarters. The official face, led by the dapper chairman of the National Bank, Serhiy Tyhipko, played on the positive attributes of Yanukovich's election program, such as his social policies. The "shadow campaign" headquarters had a fundamentally different role and was led by Deputy Prime Minister Andrei Klyuev, a close Donetsk ally of Yanukovich. The shadow

office was established to channel funds above the legislated candidate spending limits and to undertake activities that undermined the Yushchenko campaign. The shadow team also coordinated state-administrative resources and the media in favor of Yanukovych and against Yushchenko.

Tyhipko and Yanukovych always presented themselves as conducting a "free and fair" campaign through three strategies. First, they denied that a shadow campaign existed. Second, they insisted that dirty tricks came from other candidates (i.e. the phony candidates promoted by the authorities). Third, they insisted that both Yushchenko and Yanukovych had allegedly hired Russian political advisors. The Yanukovych camp hired two long-time associates of Russian President Vladimir Putin, Marat Gelman and Gleb Pavlovsky, who run the "Russian Club" in Kyiv.

In reality the Yanukovych campaign had four inter-related units: 1) Tyhipko's official campaign; 2) Kluyev's shadow campaign; 3) "technical" or "fake" candidates; and 4) Russian advisors. Of these four, only Tyhipko's had a "clean" image. The other three components were behind Ukraine's dirtiest election to date. To suggest -- as Tyhipko and Yanukovych are now doing -- that they knew nothing of the other three elements is unbelievable.

The audiotapes provide information as to how voting was conducted and massaged, "who directed this process and how, and why the voting dynamics changed so intricately during the presidential elections in Ukraine" (*Zerkalo nedeli*, November 27). The tapes also provide insight into how the Yanukovych campaign added upwards of 2 million votes -- and raised turnout by 19% -- in Donetsk oblast between rounds one and two. In comparison, turnout increased by only 3% in Lviv, Yushchenko's base.

Unlike some of the Melnychenko tapes, the voices on these new recordings are clearly identifiable. These figures include Kluyev, Viktor Medvedchuk (head of the presidential administration), Sergei Kivalov (chairman of the Central Election Commission [CEC]), Sergei Kluyev, "political technologist" Yuriy Levenetz, and long-time Yanukovych adviser Eduard Prutnik.

One of the most interesting sections on the tapes is a conversation about how the official results in round two were to be "massaged." One conversation, early in the evening on election day and three days before the official results were released by the CEC, describes how, "We agreed about 3-3.5% difference to our advantage" (maidan.uar.net/audio/). It is unlikely that it is a mere coincidence that the CEC declared Yanukovych victor with a 2.72% lead.

The audiotapes provide concrete evidence of the existence of a "transit server" whose purpose was to manipulate the results as they were sent from local Territorial Election Commissions (TECs) to the CEC. The "transit server" was based in the presidential administration.

Details of the "transit server" were leaked to the Yushchenko camp and the U.S. Embassy in Kyiv during the first round of the elections, but the authorities always denied its existence. Nevertheless, the long time it took the CEC to receive protocols sent by electronic mail from TECs always seemed suspicious.

The tapes also include conversations by Kluyev, ordering provocations to be undertaken to discredit Yushchenko. In one instance, Kluyev orders an unknown person to "organize some fights or something like this."

The audiotapes, together with other mounting evidence collected by the Yushchenko camp and submitted to the Supreme Court, proves beyond any shadow of a doubt that the authorities never intended to hold a clean election. While possessing knowledge of pre-planned election fraud, Kuchma and Yanukovych nevertheless repeatedly "guaranteed" to the United States and EU that Ukraine would hold free and fair elections. This is, therefore, a major case of deception conducted by Ukraine's leaders that has now backfired and may lead to their own undoing.