

YUSHCHENKO PRIME MINISTER NOMINEE REJECTED BY PARLIAMENT

By Taras Kuzio

On September 20 the Ukrainian parliament failed to approve Yuriy Yekhanurov as prime minister, seven days after President Viktor Yushchenko submitted his candidacy. Yushchenko disbanded the government headed by Yulia Tymoshenko on September 8 after a corruption crisis engineered by outgoing state secretary Oleksandr Zinchenko (see EDM, September 8, 9).

During four of the seven days between Yekhanurov's nomination and parliament's rejection, September 15-18, Yushchenko was in the United States. Originally scheduled to arrive on September 13, he postponed his visit by two days.

A State Department official told EDM that he was "surprised" that Yushchenko would be visiting the United States during the political crisis. This reaction was frequently heard from other U.S. government officials and think-tank experts on Ukraine. The Carnegie Endowment's Anders Aslund could not understand why Yushchenko traveled to the United States when his "political life" was on the line.

Ukrainian political commentators have criticized the Yushchenko team's poor interaction with parliament. Even Yushchenko's presidential representative in parliament, Serhiy Soboliev, voted against Yekhanurov. Soboliev is a member of the Reforms and Order party faction that has now aligned itself with Tymoshenko.

Yekhanurov's candidacy was backed by 223 of the 450 deputies, three short of the bare majority required to pass. In contrast, 373 parliamentary deputies voted for Tymoshenko in February.

Prior to leaving for the United States, Yushchenko negotiated an agreement with parliamentary factions to drum up parliamentary support for Yekhanurov (*Ukrayinska pravda*, September 14). But the declaration was vague and non-committal, and Regions of Ukraine signed but did not vote for Yekhanurov.

The failed nomination of Yekhanurov results from the divisions in the Orange Revolution coalition. Before the crisis, 128 deputies belonged to the hard-line opposition Regions of Ukraine, Social Democratic Party-United, and

Communists. Since the crisis, an "opposition-lite" has emerged around Tymoshenko. The political forces that support her (Yulia Tymoshenko bloc, United Ukraine, Reforms and Order) number 74 deputies. Thus hard-line and "lite" opposition to Yushchenko inside parliament now total 202 deputies.

The pro-Yushchenko camp includes 26 Socialists (SPU) who gave their votes in exchange for keeping three positions in the government. (It is understood that the SPU will become an independent political force after the March 2006 parliamentary elections.) The latest holder of one of these three positions (minister of agriculture) was heavily criticized for his neo-Soviet approach to agricultural policy.

A fourth Socialist headed the State Property Fund (DFM), which sent the wrong economic signals to foreign investors preferring a free market. Under Tymoshenko, Ukraine's investment climate worsened. Although foreign investors will welcome the ruling out of further re-privatization by Yekhanurov and Yushchenko, this boost of confidence could be undermined if a Socialist returns to the DFM.

After the SPU, the remaining votes for Yekhanurov came from national democrats (83) and former pro-Kuchma centrists (93). The crisis has therefore forced Yushchenko to heavily rely upon centrists and Socialists, who together gave him 119 votes.

In reality, Yushchenko's parliamentary predicament is made worse by the fact that 14 members of the hard-line and "lite" opposition supported Yekhanurov. These included six Reforms and Order, four United Ukraine, and three Regions of Ukraine deputies. Without these 13 defectors, Yekhanurov would have obtained only 189 votes (rada.kiev.ua).

Yushchenko now has little choice but to cut a deal with either former Kuchma centrists, such as Parliamentary Speaker Volodymyr Lytvyn, or Tymoshenko to create a parliamentary majority after the 2006 elections. Alone, Yushchenko's People's Union-Our Ukraine will only obtain 20-30%, according to polls conducted throughout this year. Relying on Lytvyn would tie Yushchenko's hands in two ways.

First, he will be unable to block constitutional reforms through the Constitutional Court. Both the centrists and the Socialists have always strongly backed them.

Tymoshenko's political opportunism and feeling of personal betrayal by Yushchenko has led her to undertake a 180-degree shift in her views on constitutional reforms. Now she endorses them. The Tymoshenko bloc was always the parliamentary force most hostile toward the move from a presidential-parliamentary to a parliamentary-presidential republic. Not any more.

Second, on September 20 parliament finally heard the report of the commission established to investigate the murder of journalist Heorhiy Gongadze in fall 2000. Yushchenko's failure to investigate the instigators of the crime will be used against him by the "lite opposition."

The commission was established in 2002, and it is headed by Hryhoriy Omelchenko, who was elected in 2002 in third place on the Tymoshenko bloc list. Although the commission had submitted its findings to the prosecutor's office in September 2002, it had never received any response. After charges are made, Ukrainian law requires that within ten days either a case is opened or the charges are rebutted.

The commission's report accuses then president Leonid Kuchma, Lytvyn, former Security Services head Leonid Derkach, and deceased former interior minister Yuriy Kravchenko of collusion and organizing the murder of Gongadze.

The most damaging aspect of this report is its impact upon Lytvyn's reputation, which had risen along with the Orange Revolution and in the months afterwards. Lytvyn has already announced the creation of a 2006 election bloc named after him.

It is clear that Tymoshenko has seized the opportunity to damage the alliance between Yushchenko and Lytvyn through the Gongadze affair. If successful, she could then force Yushchenko to ditch Lytvyn and strike a deal with herself.

A repeat vote for Yekhanurov may take place. Yushchenko had called upon parliament to back Yekhanurov to head a "non-politicized and non-party" government. If Yekhanurov's candidacy fails again, an alternative candidate suggested by state secretary Oleh Rybachuk is the popular acting Minister of Interior, Yuriy Lutsenko (Ukrayinska pravda, September 20).