

Ukraine's constitutional crisis

- As Ukraine moves towards becoming a parliamentary republic, deepening conflict between the executive and parliament has emerged.
- President Viktor Yushchenko has suffered a major decline in public support as his position has become increasingly isolated.
- The resignation of pro-Western Minister of Foreign Affairs Borys Tarasiuk in January is likely to signal a return of a multi-vector foreign policy.

Ukrainian President Viktor Yushchenko has seen his position steadily undermined following the introduction of a new constitution in January 2006 as part of the package of agreements that saw him become president in December 2004. The main benefactor of the reforms has been his opponent Viktor Yanukovich who returned as prime minister and head of the anti-crisis majority parliamentary coalition government in August 2006.

In the latest of a series of blows to the increasingly isolated president, Minister of Foreign Affairs Borys Tarasiuk resigned from his position on 30 January. This has seen the opposition bloc of Prime Minister Yanukovich take the ascendancy in Ukrainian politics and caused a fundamental re-alignment of Ukraine's foreign policy away from the pro-Western ideals of 2004's 'Orange Revolution'.

Towards a parliamentary republic

Following the March 2006 parliamentary elections, pro-reform forces that had backed the Orange Revolution spent three months creating a coalition and government that subsequently collapsed within a week. The defection of the Socialists to the then-opposition Party of Regions and the communists permitted the creation of the anti-crisis coalition and a government headed by Yanukovich.

Despite having spent only five months in office, the coalition has successfully deepened constitutional reforms by removing greater powers from the executive and transferring these to parliament. In January, parliament adopted a law on the cabinet of ministers that transferred further powers to the legislature, including aspects of foreign and defence policy. Parliament is planning to adopt further laws on the president and the National Security and Defence Council that will weaken the executive in relation to the legislature. Some members of the Party of Regions have not hidden their eventual goal of transforming [Ukraine](#) into a parliamentary republic. At the same time, they have threatened impeachment if the president disbands parliament and obtains backing from the constitutional court to abolish constitutional reform.

Lame duck president

Yanukovich's rise in power has largely been at the expense of Yushchenko. The president's approval ratings began to plummet towards the end of 2005 and, according to various domestic

opinion polls, he currently maintains less than 10 per cent support. Yushchenko's chances of maintaining his position beyond the 2009 elections now appear remote.

Yushchenko's low popularity is due to a number of factors including his personal antipathy to former ally Tymoshenko, disillusionment among Orange Revolution supporters at his September 2005 and early 2006 deals with Yanukovych, and his perceived lack of political resolve. With the progressive reduction of his executive powers likely to continue until the next election cycle from 2009 to 2011, Yushchenko's lame duck status is only likely to get worse.

Return to multi-vector foreign policy

In an example of Yushchenko's isolated status and, his critics would argue a lack of resolve, Minister of Foreign Affairs Borys Tarasiuk was dismissed by parliament on 1 December 2006. This is despite the fact that the reformed constitution supposedly gives the executive control over the appointment of the foreign and defence ministers. Tarasiuk also complained that the presidential secretariat did not act or speak in a unified manner about his removal from office. Although Tarasiuk attempted to continue to act as foreign minister following his dismissal, he was barred from attending government meetings. The final affront came with the cutting off of government funds to the Ministry of Foreign Affairs, preventing the payment of its salaries. Tarasiuk subsequently resigned his position on 30 January.

The foreign minister's dismissal also illustrates the way Yushchenko's pro-Western foreign policy agenda has been steadily undermined. Within Ukraine, Tarasiuk was widely held as a key representative of the Orange Revolution's desire to break away from Russia's sphere of influence and join NATO and the EU. His removal is, therefore, likely to presage a return to the multi-vector policy followed under previous president Leonid Kuchma that sought to balance Ukraine's relations with [Russia](#) and the West. In the short term, this is likely to see an end to the move towards NATO membership, especially as possible replacements for Tarasiuk, such as presidential secretariat leader Oleksandr Chalyi, do not support NATO accession. Meanwhile, the EU's new framework 'Enhanced Agreement', set to replace the Partnership and Co-operation Agreement in 2008, will not outline provisions for future membership.

This shift risks paralysing Ukraine's foreign policy as competing parliamentary factions and an isolated president vie to further their own influence. As well as ending the short-term hopes of greater integration with the West, such political infighting is also unlikely to lead to any great rapprochement with [Russia](#). Instead, [Ukraine](#) could find itself in both a domestic and international political no-man's land, unable to follow any one clear direction.

FORECAST

[Ukraine](#) faces two potential short-term scenarios. First, the president supports the demands of the opposition to disband parliament. This would open up the possibility of replacing the anti-crisis coalition with a more pro-reform partnership backed by the president. Second, the president does not take the decision to disband parliament and the current assembly remains in place until the next elections in March 2011. This would threaten many of the reforms and policies brought forward by the Orange Revolution and Yushchenko's executive powers, which are already severely curtailed, would be effectively removed. Neither scenario is likely to see Ukraine's

medium-term political stability or foreign policy coherence improve to any significant degree.