



UKRAINE: Parliamentary stalemate persists

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EVENT: A divided Ukrainian parliament goes into summer recess today.

SIGNIFICANCE: Parliament's work has been challenged by political divisions and persistent infighting. Prime Minister Yulia Tymoshenko's beleaguered government will survive the summer, but could be dismissed once parliament returns to session this autumn. A new governing coalition or pre-term parliamentary elections may follow.

ANALYSIS: Ukraine's parliament is stalemated, with a divided 'Orange coalition' unable to function in support of the government. A bare coalition of 228 (the required minimum is 226) lost deputies in December, February and May, with some opting to remain in its two factions -- Our Ukraine-People's Self Defence (NU-NS) and the Yulia Tymoshenko Bloc (BYuT) -- but leave the coalition, while others defected from the factions and remained in the coalition.

In addition, daily obstruction and criticism have challenged the coalition's relationship with its ostensible ally, President Viktor Yushchenko, and with his secretariat. The National Security and Defence Council (RNBO) has acted as a de facto alternative government, a purpose it first served in 2005 during Tymoshenko's first government. RNBO secretaries Ivan Pliushch and Raisa Bohatyriova have used the council as a base of support for proponents of a 'grand coalition' between Regions and NU-NS.

Faulty strategy. The Yushchenko administration's strategy aims to remove Tymoshenko as a presidential challenger and thereby position Regions' Viktor Yanukovich as the president's main opponent in the 2009 presidential election (see [UKRAINE: Yushchenko plots his premier's removal - March 11, 2008](#)). This strategy will fail for four reasons:

- First, the regime of former President Leonid Kuchma attempted to imprison Tymoshenko on trumped up charges, and they failed. It is unlikely that courts and the prosecutor's office in post-'Orange Revolution' Ukraine would succeed against Tymoshenko where her Kuchma-era opponents failed. The selective use of the law against Yushchenko's opponents could reduce his popularity even lower than its current abysmal level of 7%, should his administration try forcibly to remove Tymoshenko.
- Second, Tymoshenko excels at cultivating a martyr status while in opposition. Although her bloc's failure to win the May 26 Kiev elections was a setback, polls show that Tymoshenko is on track to be the main pro-reform candidate in the 2009 elections (see [UKRAINE: Kiev election checks Tymoshenko's momentum - June 2, 2008](#)). Tymoshenko had no prime ministerial or parliamentary leadership position between September 2005, when her first government was removed, and the March 2006 elections. Nevertheless, BYuT increased its share of the vote threefold compared with 2002, rising in popularity from 7% to 22%.
- Third, Tymoshenko has a popular electoral bloc that garnered 31% in the 2007 parliamentary elections. The pro-presidential NU-NS's support has declined from 24% in 2002 to 14% in 2007, and currently stands at 6%.
- Fourth, polls show that only Tymoshenko has a chance to defeat Yanukovich in the second round of the upcoming presidential election; in a two-person race, she would win by 44% to 40%. The same polls show Yushchenko losing to Yanukovich in a hypothetical second round. However, Orange in-fighting has reduced the popularity of both Yushchenko and Tymoshenko. BYuT's popularity rating has declined from over 30% in early 2008 to just over 20% today (approximately the same level as Regions) after Tymoshenko shifted her tactics from ignoring attacks by the presidential secretariat to answering them publicly.

Three scenarios are possible after parliament returns to session in early September:

1. **Muddling through.** The coalition could continue to muddle through, with the government receiving occasional support from the Volodymyr Lytvyn Bloc and Communist Party in order to secure the passage of key legislation. However, it is in Tymoshenko's interest to remain prime minister as long as possible up to the presidential election, as this gives her the best starting base for a successful campaign. The presidential secretariat would seek to time the government's departure after a period of economic decline and prolonged high inflation, giving it a strong interest in thwarting any Tymoshenko government policies intended to counter Ukraine's recent economic turbulence (see [UKRAINE: Running economy will get tougher - April 3, 2008](#)). If parliament voted to adopt the government's programme, it would give Tymoshenko a one-year moratorium on a vote of no confidence.

2. **Removal.** It is not in the president's interest to be seen as actively seeking to remove the government through a no-confidence vote, given that his ratings declined after he removed Tymoshenko in September 2005. As such, this scenario would require a minimum of 226 votes from Regions and NU-NS defectors; it is unclear whether the Lytvyn Bloc and Communists would support a no-confidence vote. The coalition's removal would not automatically resolve the political crisis, as it would give parliament 30 days to re-establish a new coalition -- which could turn out to be the same configuration of parties. Although the president and his secretariat would favour a coalition with Regions, the majority of NU-NS's 72 deputies would not support this option. Nonetheless, if a slim majority of parliamentarians voted to oust Tymoshenko, her government would still remain in place in an acting capacity during negotiations on a new coalition; furthermore, it may well be reappointed if an alternative governing coalition cannot coalesce. The key uncertainty remains the number of NU-NS parliamentarians who would back a coalition with Regions; some could be persuaded that in the event of early elections, they would not return to power, and would therefore be better off supporting an NU-NS-Regions coalition.
3. **Pre-term elections.** If no new coalition were established during the formal 30-day interregnum, the president could exercise his right to dissolve parliament, although he is under no constitutional or legal requirement to do so. Pre-term elections could be held in December at the earliest, following the constitutionally mandated one-year gap between pre-term elections (the last of which were held in September 2007), plus a two-month election campaign. Pre-term elections would probably bring the same five political forces to parliament, but with NU-NS's share of deputies halved, and BYuT increased in size to a similar number of deputies as Regions. BYuT has consistently done better in elections than polls have suggested, as seen in 2007 when it unexpectedly won 31% -- only 3% less than Regions -- after it reached out to voters in traditionally Regions-friendly eastern and southern Ukraine. BYuT has a reservoir of support from disaffected former NU-NS voters that could further increase its support from 31% to about 35%.

Constitutional reform? Proposed constitutional reforms could throw Ukraine's uncertain political balance into further disarray. Parliament's two largest factions, Regions and BYuT, support further constitutional reforms to move Ukraine towards a parliamentary system. If BYuT and Regions voted together on constitutional reforms, it would bring the Orange coalition to an end, as the national-democratic and pro-Yushchenko wings of NU-NS support the president's counter-proposals to return Ukraine to a strong presidential system. Pre-term parliamentary and presidential elections would follow constitutional reform.

CONCLUSION: The president's strategy of undermining the Tymoshenko government is failing, reducing his popularity at home and abroad. There is little support within parliament for a grand coalition, and a vote of no confidence in the government could well return Tymoshenko as prime minister. Pre-term elections are likely in winter 2008 or spring 2009 if there is a failure to agree on a new coalition or if constitutional reforms are adopted.

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