

Constitutional Changes Inevitable

The tension between the President's office and that of parliament has mounted steadily with each passing week. Presidential advisers such as Viktor Baloha, appear intent on destabilising the Orange Coalition and directing their energies to scoring political points against the government of Prime Minister Yulia Tymoshenko rather than working together to implement the social and economic reforms the nation needs.



▲ Calling for constitutional change. Ukraine's Prime Minister Yulia Tymoshenko addresses the Parliamentary Assembly of the Council of Europe in Strasbourg.

Many observers believe this point scoring is the playing out of a phony presidential election campaign, designed to strengthen the president's hand at the expense of Ms Tymoshenko, who, if she ran for president, is likely to win by a landslide.

Sadly, attacks on the government from the office of Mr Baloha are nearly a daily occurrence and the number of presidential demands being placed upon the government has nearly quadrupled compared to those made on the government of Viktor Yanukovich (880 demands compared to 260).

Instead of working with the government, the Presidential Secretariat appears intent on thwarting it whenever the opportunity arises. Anti-corruption programmes have been blocked; privatisation programmes stopped; the sacked leadership of the State Property Fund reinstated; and repeated vitriolic attacks made on the government's economic performance.

"The continual sniping hasn't gone unnoticed by voters who perceive the prime minister as seeking to undertake policies beneficial to the average Ukrainian but being blocked by the president's office at every turn," said Dr Taras Kuzio, a Research Associate at the Institute for European, Russian and Eurasian Studies, George Washington University and a Senior Research Fellow at the University of Toronto.

"Early elections, were not enough to prevent this imbalance, the time has come to alter the constitution and put an end to this tension because the people deserve better from their leaders."

This view has been borne out by opinion polls which reveal a decline in the popularity of the pro-presidential Our Ukraine People's Self-Defence bloc, whilst support for BYuT is at an all time high.



Concern that the tension between the two leaders could result in the collapse of the Orange Coalition was rejected by President Yushchenko. "The coalition will not collapse," he said after a conference in Donetsk, "I told the members of the coalition that 'I will put chains around you to make sure nobody can leave.'"

Time for a Parliamentary Republic

The tension within the Orange Coalition has its roots in the form of constitutional government that Ukraine has laboured under since 2004. Unclear division of authority between president and parliament has brought successive governments into conflict with the president. Instead of providing a system of checks and balances to prevent the abuse of power, the division has actually curtailed policies designed to help the people.

The presidential suspension of the parliamentary resolution to remove the head of the State Property Fund, Valentyna Semeniuk effectively blocks privatisations earmarked for this spring. This robs the State Budget of billions of hryvnia, which would have been used to underwrite the continuing repayment of savings lost by millions of citizens during the hyperinflation that resulted from the disintegration of the Soviet Union.

If that was not bad enough, the intent of the president's office to transfer more powers from the Cabinet of Ministers to the president has ominous overtones and last week saw lawmakers leave the Verkhovna Rada in protest.

Ivan Kyrylenko, BYuT's leader in parliament spoke for many when he said, "The head of state and his entourage are totally destroying all the undertakings and initiatives of the democratic government."

Speaking at the Parliamentary Assembly of the Council of Europe (PACE) in Strasbourg, Prime Minister Yulia Tymoshenko said "the time has come to demarcate the functions of the authorities and make Ukraine a traditional parliamentary republic, as is characteristic of most European states. This model has an advantage over all other monopolistic systems of authority."

Ms Tymoshenko stressed that this did not mean the removal of the presidential post, but rather a rebalancing of authority in line with best principles of European democracy.

The premier told journalists, "We have set ourselves the goal to conduct constitutional reforms by the end of this year." She continued to say that Ukraine will ask for assistance from the Venice Commission and PACE member states to help draft the necessary reforms.

"Early elections, were not enough to prevent this imbalance," said Ms Tymoshenko, the time has come to alter the constitution and put an end to this tension because the people deserve better from their leaders. We should work together in harmony."



WTO Membership Set For 16 May

Ukraine is to become the 152nd member of the World Trade Organisation on 16 May. The formal ratification by parliament came on 10 April when 411 out of 450 lawmakers voted for the resolution. Only the Communist Party abstained from the vote.

Ukraine's accession to the international trade body will boost both exports and imports through scrapping trade quotas and reducing export and import duties. It is expected to lead to an increase in foreign direct investment and greater competition in Ukraine's domestic market.

Reduction in export duties and restrictions will benefit a broad range of businesses, including the he country's steel, chemical and grain industries.

Turchynov Runs in Tight Mayoral Contest

On 25 May, the citizens of Kyiv will vote for a new mayor and city council. While the Bloc of Yulia Tymoshenko (BYuT) is tipped to do well in the city council elections, the post of mayor looks as though it will be a tightly contested seat.

BYuT has put forward First Vice Prime Minister Oleksandr Turchynov as its candidate for the post. The former-head of the SBU has a strong reputation as a good manager, capable economist and first-class organiser – having masterminded BYuT's successful parliamentary election campaign.



In nominating Mr Turchynov, Prime Minister Yulia Tymoshenko described him as a man with the "highest decency" and said that BYuT "gives Kyiv the best we have."

▲ Oleksandr Turchynov, First Deputy Prime Minister and BYuT's candidate for the Mayor of Kyiv.

Viewed as the premier's "right-hand man," Mr Turchynov has been a fierce critic of the scandal plagued mayor of Kyiv, Leonid Chernovetsky. In particular, Mr Turchynov criticised Mr Chernovetsky's expropriation of property and his alleged illegal sale of parcels of city land.



On the sale of non-agricultural land Mr Turchynov has been a tireless advocate for transparent auctions and has fought hard against corruption at both national and local level.

Recent polls indicate that the mayoral contest will be a close-run battle. A poll of 2,006 voters conducted by the Monitoring Service civic organisation, between 22-26 March, revealed that 17 percent of voters would vote for Mr Turchynov, 17 percent for Vitali Klitschko – the former boxing champion cum-politician and 16 percent for Mr Chernovetsky. Former mayor Oleksandr Omelchenko is also a contender in a contest that has attracted some 140 registrants.

Although Mr Chernovetsky is a deeply unpopular figure, mired in allegations of corruption, drug taking and misuse of power, he is still able to draw upon support from some city workers, pensioners and others who have gained from his administration in the form of higher wages and perks.

BYuT has campaigned for a second round runoff which would present citizens with the opportunity to vote for a preferred candidate; however President Viktor Yushchenko rejected the proposal, suggesting that he would veto any bill passed by parliament.

"This opposition to a second round runoff is motivated by a misplaced rivalry with Tymoshenko and BYuT," said a western political analyst, "up for grabs is the fourth highest position in the land."



Dispelling the Post-NATO Summit Bluster

In the wake of the Bucharest Summit there has been a flurry of rhetoric from Russia warning of the dire consequences if Ukraine and Georgia continue on their path to NATO membership. Attempting to defuse the situation, Russian Foreign Minister Sergei Lavrov announced that Russia and Ukraine would hold talks on the latter's bid for NATO membership.



The bluster and threats came in the wake of the early April summit at which Ukraine's request to join the NATO Membership Action Plan (MAP) was put on hold. The MAP will next be discussed in December.

Despite strong backing by the US, Poland, Czech Republic and the Baltic states, Germany and France led the way in deferring MAP. This apparent appeasement of Russia, which remains troubled by a possible expansion of NATO bloc countries on its borders, ended with NATO offering an olive branch to the two aspiring nations.

NATO Secretary General Jaap de Hoop Scheffer was unequivocal on the issue. "Ukraine and Georgia will become members of NATO," he said, "We agreed today that these countries will become members of NATO."

"The current summit has clearly defined – Ukraine will join NATO. This is a historical event for our people and state," said President Viktor Yushchenko.

The NATO statement provoked a stern response from Russia, which before the summit had even suggested targeting nuclear missiles on Ukraine.

"The emergence of the powerful military bloc at our borders will be seen as a direct threat to Russia's security," said Russian Federation President Vladimir Putin.

According to a witness, during a closed door meeting with US President George W Bush, President Putin said that Ukraine was not a real nation in that much of its territory had been "given away" and that Ukraine would "cease to exist as a state," if it joined NATO.

The Chief of General Staff of the Russian Federation Armed Forces, Yuri Baluevsky, did not rule out military action should Ukraine join NATO. "Russia will unambiguously take actions aimed at protecting its interests near the borders. It won't be just the military but other actions as well."

Alexei Ostrovsky, the head of the State Duma committee on CIS affairs, went further. In a radio interview he said, "If Ukraine's admission to NATO is accelerated, Russia could raise the question of which country the Crimea should be a part of."

The Crimea was made part of the Ukrainian Soviet Socialist Republic in 1954 and according to Mr Ostrovsky, "the Russian Federation has legal grounds to revise agreements signed under Khrushchev."

It is unsure precisely what Russia stands to gain from such bluster. Any move to reclaim territory or ferment unrest within the borders of a sovereign state contradicts existing treaties and would be condemned under international law.

Most dispassionate observers believe such rhetoric only serves to push Ukraine further towards NATO and damages Russia's international reputation at a time when it can ill afford to do so.



Indeed, the tough talking from Moscow was rebuffed by officials in Kyiv last week and prompted talks between Mr Lavrov and his Ukrainian counterpart, Minister of Foreign Affairs, Volodymyr Ohryzko. The two ministers sought to play down the rhetoric.



▲ Hryhoriy Nemyria, Deputy Prime Minister with responsibility for European integration.

"We shall not build our security at the expense of the security of another state, but we have to think about our own security too. Ukraine will develop relations with NATO without upsetting strategic interaction with Russia," said Mr Ohryzko.

This sentiment was echoed by Vice Prime Minister Hryhoriy Nemyria, "Strong rhetoric needs to be replaced by dialogue. What we are talking about is joining the Membership Action Plan, not NATO – these are distinctly different issues. The government has made it clear that any decision to join NATO will be put before the people in a national referendum."

Mr Nemyria, who last week held a meeting with ambassadors of NATO member states, said the government would "spare no effort for better co-ordination and full implementation of measures of the Ukraine NATO Target Plan for 2008." This plan is a cooperative framework

covering political, economic, security and defence issues.

The Vice Prime Minister also emphasised the need to better inform the public about Euro-Atlantic information. "We need to put more effort into educating the public on this whole issue so that when the time comes for a more full debate, the people have the true facts at their fingertips."

"Increased dialogue, trust and understanding must be our watchwords."

"Engagement by all levels of Ukrainian government and society are needed to dispel Soviet-era myths and stereotypes regarding NATO, and to have an objective nationwide discussion about Ukraine's national security challenges and how to address them," opined the US Ambassador, William Taylor.

Perhaps the compromise reached in Bucharest gave all parties something to cling to. In the meantime valuable breathing space is available to all sides. It is to be hoped that this time is used wisely and constructively.

"Increased dialogue, trust and understanding must be our watchwords," said Mr Nemyria.

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