

SECOND DRAFT: JULY 2, 2005

**THE ROLE OF THE UKRAINIAN PARLIAMENT IN “ORANGE REVOLUTION” OF THE
NOVEMBER-DECEMBER 2004 IN UKRAINE**

CASE STUDY

Introduction

The goal of this paper is to study the Ukrainian parliament involvement in the November – December 2004 political conflict in Ukraine, also known as “Orange Revolution”. The case study focuses on the period before the conflict as well as on the certain period after the Orange Revolution - the first half of the 2005. We define the conflict studied mainly as political, routed in the overall institutional arraignment and the political development of Ukraine over the last fifteen years. Due to this reason we offer a deeper study of the political developments over the last fifteen years in order to better understand the developments from November-December 2004. On the other hand the period after the conflict is very essential to be followed as it presents the in-country debates on constitutional amendments to strengthen the power of the parliament in the Ukrainian system of state governance.

1. Establishment and Development of the Ukrainian Parliament (Verkhovna Rada) since independence of Ukraine

The development of the institution of the parliament in Ukraine has been taking place within the framework of several broader processes including the state-building of Ukraine after dissolution of the Soviet Union, the transition from the planned to market economy,

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

and from a single political party to a multi-party system, and building democratic governance.

Five major stages could be distinguished in the development of the parliament in terms of degree of representation of the political interests in the assembly, the role in the country’s political system, the effectiveness of exercise of the granted powers and character of relations with other bodies of the state governance.

First stage: 1990 – 1994

The first stage comprise the period from the election of the Verkhovna Rada of the Ukrainian SSR in 1990, that declared the state sovereignty and then state independence of Ukraine in August 1991 following the failed coup d’etat in Moscow, and to the election of Leonid Kuchma as the president of Ukraine in 1994. The 1990 Parliamentary elections were held trough the system of direct voting in single-member constituency in conditions of ideological pluralism and were considered by many foreign and domestic observers as generally democratic. The “Left – non-Left” division was the major cleavage dominating the elections. The political configuration in the parliament after its first convocation was structured along the same line of division with two major centers – the pro-communist fraction “Group 239” and the national democratic ”People’s Rada”. During the entire period the Parliament played significant political role exercising legislative and to a large extent executive power by controlling the administrative functions. The relations between the institution of the President and Rada were dominated by permanent latent conflict for the control of the Government and the influence on local councils and local executive bodies. The period up to 1994 could be characterized as political domination of the Parliament over the weaker presidential institution.

Second Stage: 1994 – 1996

The start of the second stage in the development of the Ukrainian parliament was marked by both presidential and parliamentary elections held in 1994. This period ended in 1996

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

with the adoption of the new Ukrainian Constitution and final legal setting of the state institutional structure. The 1994 parliamentary elections were held again through direct voting and were assessed as generally democratic by the observers although some violations and attempts of employment of administrative resources were observed. The left-wing political formations prevailed in the parliament but had not enough seats to form an independent majority. The issue of the new Constitution dominated the political debate within the entire period. The process of elaboration and adoption of the Constitution provoked a new division in the Vekhovna Rada with respect to the role of the presidential institution in the system of state governance. The long and painful process of co-ordination of the positions of the president and parliamentary fractions on the constitutional texts ended on June 8, 1995 by the signing of the Constitutional Agreement that comprised the main principles of the future Ukrainian Constitution. The adoption of the Constitution on June 28, 1996 had mixed effects on the development of the socio-political processes in Ukraine. On the one hand the Constitution established Ukrainian statehood and guaranteed the basic rights and freedoms of its citizens. The Rada was released from some functions not intrinsic to the parliament. In particular, the Soviet-type system of vertical subordination of councils of all levels – from the national level to regional, district and village councils - was canceled with the adoption of the Constitution and, further so, the law “On Local Self-governance”. On the other hand, the new Constitution fixed the unbalanced system of state governance and greatly reduced the political influence of the parliament

Third stage: 1996 – 2000

The third stage in the Ukrainian parliament development included the period from 1996 up to 2000. Its end was marked by the attempt in February 2000 to form a pro-presidential majority in the parliament. The entire period was marked by the continuing president - parliament conflict and repeated attempts for re-division of the powers between the both institutions through constitutional amendments and adoption of laws specifying constitutional provisions. At the March 1998 parliamentary elections for the first time the system of mixed (direct – proportional) voting was employed. The threshold to enter in

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

Parliament was 4 %. In contrast to the previous elections these were assessed by many foreign and local observers as generally unfair and undemocratic, involving use of administrative recourses and “dirty” political technologies. The introduction of the proportional element in the election system increased the importance of political parties and stimulates the process of clearer formation of the political parties in the Rada. On the other hand this resulted in increased interest of the business and oligarchic circles to find representation in the parliament through the system of “buying” places on a party election list. According to some media reports, the “price” of an eligible place on the party list reached \$ 500,000, roughly equal to the cost of running an election campaign in a single-member constituency. This was amongst the main reasons that led to substantial growth of the number of businessmen, who managed to form the second largest grouping in the parliament. The division of pro and anti presidential forces was the major factor in the forming the political configuration in the parliament. The “Left – non-Left” division had gradually lost its political significance and was reduced to the background of the political debates.

Fourth stage: 2000 - 2002

Stage four in development of the Ukrainian parliament started in 2000 with formation of pro-presidential majority and finished with 2002 parliamentary elections. This period is characterized by aggressive president’s interference in the activity of the parliament and attempts for legal reduction of its powers. On January 15, 2001 Leonid Kuchma issued decree for referendum on extension of the grounds for dissolution of the parliament by the president, restriction of MPs immunity, reduction of the number of MPs from 450 to 300 and introduction of bicameral parliament. The president, his administration and the economic groupings supporting him used administrative and financial recourses to influence the referendum outcome. Most of the voters supported the president proposals but he failed to take advantage from the referendum’s results. The parliament neither supported nor implemented the results from the referendum. In February 2000 the presidential administration and the economic groups supporting him initiated establishment of the pro-presidential majority in the parliament. Such majority was created as a result of political

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

pressure exercised over parliamentary fractions of separate MPs. However, the majority did not remain stable for long time as it was formed for specific purposes – re-election of the Verkhovna Rada leadership and consisted of ideologically deferring political formations. The disappearance of the journalist Georgy Gongadze and the release of the scandalous records of alleged voices of president Kuchma and top government officials demanding attack on the journalist and pressure on opposition MPs, judges and other critics of the regime took thousands of Ukrainians to the streets to demand a "Ukraine without Kuchma". In the spring of 2001 the parliament's no-confidence vote to Viktor Yushchenko's Government put an end of the consolidation of the pro-presidential majority in the parliament.

Fifth stage: 2002 - 2004

Stage five covers the period from the 2002 parliamentary elections up to 2004 presidential elections. The parliamentary elections were held under mixed (direct-proportional) system and were seen as largely undemocratic. However, notwithstanding the massive abuse of the administrative and power resources by the presidential administration and the pro-presidential forces the opposition parties managed to win 57 percent of the vote while the pro-presidential parties received only 18 percent. At that stage the main goal of the president was to take control over the parliament in the light of the forthcoming presidential elections. Leonid Kuchma and the pro-presidential forces exercised pressure over the representatives from opposition parties in order to establish a majority for election of the parliamentary leadership. As a result of the political pressure over the opposition MPs a majority, supporting the government of Viktor Yanukovich was created. However this majority was formal and ineffective, it represented different, often contradicting each other, corporative and political interests. Often when it came to particular parliamentary decision the presidential team had to exercise pressure over the MPs in order to consolidate the “majority” and ensure the decision voted.

The Parliament of Ukraine: Institutional Arrangement and Practices

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

The parliament’s role as defined by the Constitution of Ukraine

The Ukraine’s Constitution adopted in 1996 introduces a presidential-parliamentary system of government, formally rooted in checks and balances among its branches. However, the role of the president, who serves as the head of state and is elected by direct vote, is dominant. While the parliament is the only legislative body, the laws approved by the parliament have to be signed by the President and officially published in order to come into force¹. The president appoints the prime minister (with consent of the Parliament) and ministers (on the prime minister’s suggestion) and has the right to dismiss the prime minister at his discretion. He also appoints the head of the Security Service and the secretary of the National Security and Defense Council without consulting the Parliament. Thus, the president exercises control over the government but can avoid responsibility by blaming the government for policy mischief. Since there is no law on the impeachment of the president, it is almost impossible to realize this constitutional provision. A law defining the status and functions of the presidential administration is also absent. The presidential administration during the Leonid Kuchma presidency became a powerful body, often exercising informal political activities inherent to the government, without having constitutional rights of doing so.

The main powers of the parliament as written in the Constitution include adopting of laws, amendment of the constitutional text, approving of the state budget, appointment of the chiefs of some key state institutions, but after submission by the president. Although the parliament has also the right of controlling the cabinet activities it is very difficult to put this into practice as the government is mostly dependant on the president.

The parliament may amend the Constitution through a bill submitted by the President or at least 150 MPs, if it is preliminary approved by the simple majority (226 votes) and finally voted into law at the next session (period) of the parliament by the constitutional majority (at least 300 votes). The exceptions are Chapter I (“General Provisions”), Chapter III

¹ Article 85 of the Constitution of Ukraine

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

(“Elections. Referendums”) and Chapter XIII (“Making Amendments to the Constitution”) which may be amended by the President or at least 300 MPs and, if supported by at least 300 votes, are to be approved by the national referendum called by the President. If the parliament rejects a bill on amending the Constitution, it may be re-submitted to the parliament only after one year after the rejection of the bill.

The parliament has exclusive role in legislating regulating key areas, including foundations of the political system, political parties, media and other civil society organizations, institutional arrangements and functions of bodies of state power and local self-governance, elections and referendums, national security issues, status of members of the parliament, the judiciary and the status of judges, law enforcement procedures, the national budget, taxation, and state debts.

While the parliament’s influence over formation and performance of the government is very limited by the Constitution, it’s authority includes providing agreement to the appointment of the Prime Minister and may issue a no-confidence vote that results in resignation of the Cabinet (Articles 87, 115 of the Constitution), reviews and votes on the government’s program of action, decided on approval of appointment and dismissal of the chairman of the Antimonopoly Committee, the head of the State Property Fund and the head of the National TV and Radio Broadcasting Committee by the President. The parliament also elects judges, appoints one-third of the Constitutional Court, decides on approving the appointment of the Attorney General by the President, and may vote non-confidence to the Attorney General causing his/her resignation. The parliament also elects and dismisses its Ombudsman, members of the Central Election Commission, half of the National TV and Radio Broadcasting Committee and the National Bank Council, the National Bank Governor and members of the Accounting Chamber, and makes entire decisions on its own institutional arrangements and procedures. The parliament also defines general structure, numbers and functions of the Armed Forces, the Security Forces and the Ministry of the Interior, and decides on the state of emergency. It schedules national and local elections and makes decisions on Ukraine’s internal territorial arrangements. The

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

parliament can also initiate a procedure of impeachment of the President in case he/she commits a state treason or other crime².

Parliamentary control

The control function of the parliament, as specified in the Constitution, was expected to be strengthened with the shift of power to the President. Specifically, the parliament exercises control over the performance of the Cabinet of Ministers, over the observance of human rights and freedom, over the budget and public finance, and over the performance of the bodies of prosecution. The mechanisms of the parliamentary control include annual and extraordinary addresses of the President of Ukraine to the parliament, review and approval of the Program of the Cabinet of Ministers, occasional review of reports of the Cabinet of Ministers, monthly “Government’s Days” in the parliament, reports of members of the Cabinet on demand of the MPs, MP’s appeals to the President and the parliament and ad hoc special and investigative commissions to address specific issues. A special instrument of the parliamentary control over the budget and public finance is the Accounting Chamber³. However, the political reality demonstrated that the level of parliamentary control over the executive has been inadequate. The example of the Accounting Chamber is that of an insufficiently strong control mechanism. The findings of the Accounting Chamber may be presented to the parliament, but there is no legal mechanism to make recommendations of the Accounting Chamber binding and ensure reaction of the parliament to violations found by that control body.

Similarly, another body of the parliamentary control, the High Representative of the Parliament for Human Rights (Ombudsman), whose status is specified by the Constitution and the law⁴, has a limited authority to demand adequate reaction of state agencies and officials to registered human rights violations. The Ombudsman provides an annual report to the parliament on the status of the observance of human rights in Ukraine in the course of actions or inaction by state agencies and officials and maintains a record of human rights

² Article 111 of the Constitution of Ukraine

³ Article 9 of the Constitution of Ukraine

⁴ The Law of Ukraine “On the High Representative of the Verkhovna Rada of Ukraine for Human Rights” laws approved on December 23, 1997

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

violations based on complaints received from individuals and the Ombudsman’s office’s own human rights monitoring, but the law provides for no liability of state agencies and officials for failing to restore human rights following the Ombudsman’s report.

Vote of confidence/non-confidence procedure

The parliament may initiate a vote of non-confidence to the government causing its resignation. The procedure of the vote of confidence/non-confidence may be initiated by at least 150 MPs and requires a simple majority (226 votes) to issue a non-confidence vote. This power of the parliament was used by the pro-Kuchma majority in 2001 to dismiss the government led by Viktor Yushchenko. The parliament may also vote on non-confidence to the Attorney General and the Governor of the National Bank, thus, causing their resignation.

The parliament of Ukraine and political parties

The Ukrainian political party system is still undergoing a period of difficult development and ongoing transformation. Currently there are about 130 registered political parties in Ukraine, but only about a dozen have developed regional branches and operate consistently between the elections. Only a few “older” political parties – primarily, the Communist party, the Socialist party, and the People’s Rukh - have distinct and recognisable ideology. All of Ukraine’s major political parties are represented in the parliament. The only political party with substantial history and an ideological platform that failed the in the 2002 parliamentary elections is the Progressive Socialist Party led by radically left-wing Natalia Vitrenko. A number of other political parties – like Trudova Ukraina (Working Ukraine), Yedyna Ukraina (United Ukraine), the Republican Party of Ukraine - are more of leader-centered technological election projects. The People’s Union “Nasha Ukraina” also demonstrates features of a technological election project rather than a broadly-based ideological political party it was expected to become. The pro-Yushchenko People’s Union

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

“Nasha Ukraina” was formed in haste in 2005 to meet the end-of-March deadline⁵ of ideologically diverse (or lacking ideology) forces that supported Yushchenko in his bid for presidency and has started its transformation into a new “party of power” with many of heads of the regional and local state administrations becoming also heads of regional and local branches of the party. The non-transparent and non-democratic process of formation of the party undermined its credibility and chances of development into a European nation-wide, democratic, consolidating political force.

The formation of regional political parties has been on the rise within the past few years, resulting in the emergence of the Donetsk-based Party of the Regions, led by former prime minister and Viktor Yushchenko’s opponent in the recent presidential elections Viktor Yanukovich; the Kharkiv-based “New Democracy”, led by the former Kharkiv governor and the champion of the separatist congress of Severodonetsk Yevhen Kushnariov; the Crimea-based “Soyuz” led by head of the Antimonopoly Committee Oleksiy Kostusiev, and the Vinnytsya-based “Solidarnist” of Secretary of the National Security and Defense Council Petro Poroshenko.

The parliament’s internal stability has been undermined by the “migration” of MPs from faction to faction that caused the collapse of a number of parliamentary factions and produced a parliament that is quite different today from the one shortly after the March 2002 parliamentary elections. At that time the opposition to the regime of the time – the Nasha Ukraina block of national democratic parties led by Viktor Yushchenko, the Communists, the Socialists and the BYT (Block of Yulia Tymoshenko) won the majority of the vote in the single national constituency but failed to secure the majority of seats because of their poorer results in 225 majoritarian constituencies. The pro-Kuchma political block of the “parties of power” received about 10% of the vote, and United Social Democrats (SDPU(o)) just managed to overcome the 4% threshold. However, the pro-Kuchma forces managed to overtake the control of the parliament through absorbing the majority of 225 MPs elected in majoritarian constituencies and

⁵ According to the new election law, only political parties registered by 28 March 2005 can participate in the March 2006 parliamentary elections.

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

There have been numerous debates about the need to introduce the imperative mandate that would cause the dismissal of an MP should he or she choose to move from a faction of a party or a block of parties with which he/she had been elected. The pressure for strengthening the party discipline is caused, among other things, by the need to build a coalition of factions and groups for securing the required minimum of votes to have a bill passed.

The role of political parties would grow substantially with the constitutional reform. Before the constitutional reform the key factor that creates an environment for strengthening political parties and enhancing their influence on politics is the new parliamentary election law that changes Ukraine’s election system from the mixed 50% to 50% proportional-majoritarian system to a fully proportional one. The change is both an opportunity and a challenge for most of Ukraine’s political parties, given their generally poorly developed regional structure and unclear ideology. However, after the March 2006 parliamentary elections the role of political parties may receive a new quality, after those of them that are part of a coalition of winners will be able to form the government that will carry out their political programs.

Interest groups, pressure groups, lobbying: any legal framework for them?

There are no legal provisions providing a framework for the existence and activities of interest groups, pressure groups, lobbies. However, informal practices of lobbying and representation of predominantly private business interests are broadly spread. After the Orange Revolution there have been multiple calls for transforming lobbying from shadow activity into a political institution that would create conditions for achieving balance of interests of legitimate stakeholders, from corporations to minorities and civil society groups. Legislation that would set a framework for lobbying is expected to provide a mechanism for the state and public control of lobbying, ensure transparency of interests and contribute to curbing corruption. However, earlier efforts to regulate lobbying, undertaken since 1992, have so far produced no results. The draft bills “On Lobbying in Ukraine” and “On the Legal Status of Groups, United by Shared Interests (Lobby Groups)

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

in the Verkhovna Rada of Ukraine”, submitted to the parliament in 1999, were never addressed by the parliament and withdrawn from the list of the bills registered for the debates. Currently no draft bill on lobbying is registered for the parliamentary review and debates.

Parliament and the public media

The parliament of Ukraine communicates its activities to the general public via its website⁶ and one of the country’s two official publications, the newspaper of the parliament, *Holos Ukrainy*. However, for years the parliament had limited access to the media, as in many cases it was one of few mechanisms through which the voice of the opposition could be heard. The situation began to change after the recent presidential elections, with reports from the parliament occupying a permanent place in the newscasts. However, the full broadcasts of the parliamentary sessions are available only as the broadcasters’ initiative, while a special parliamentary channel does not exist. The “Parliament’s Hour” broadcast by the national state-owned TV channel UT-1 is only a partial contribution to better coverage of the parliamentary debates. The issue of public broadcasting that would, among other things, provide extended coverage of the parliamentary debates, has been a matter of heated debates in the parliament. The parliamentary hearings on the matter were held in April 2005, but to date the multiple issues surrounding the prospects for the establishment of public broadcasting in Ukraine remain unresolved.

International assistance to strengthening the Ukrainian parliament

Since early 1990s the Ukrainian parliament has received substantial international technical assistance aiming at strengthening the quality of the law-making process and enhancing capacity of the legislature.

⁶ www.rada.gov.ua

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

In March 2005, the Committee for Reglament, Parliamentary Ethics and Organization of Performance of the Verkhovna Rada of Ukraine, with support of the UNDP and the Parliamentary Development Project for Ukraine of the Indiana University, organized a conference on “Parliamentary Control: Ukrainian Reality and International Experience”. The conference addressed the proposals developed within the UNDP’s Integrity in Practice Governance Program in cooperation with parliamentary committees dealing with parliamentary procedures (*reglament*), the budget, banking and finance, legal issues, human rights, minorities and interethnic relations. The initiative reflected the need to enhance the control function of the parliament with the strengthening role of the parliament in Ukraine’s political system following the steps towards the political reform approved on December 8, 2004. The key spheres of the parliamentary control will be public finance and human rights.

Following the conference on “Parliamentary Control: Ukrainian Reality and International Experience”, in April 2005, the Committee for Reglament, Parliamentary Ethics and Organization of Performance of the Verkhovna Rada of Ukraine formulated recommendations for measures to be taken to improve the parliamentary control in the public finance and human rights spheres. To enable the parliament to exercise stronger control, a number of legislative acts will be necessary to identify the control function and its mechanisms. An ongoing dialogue between the parliamentary committees, factions and groups of the parliament needs to be enhanced. International experience of implementing parliamentary control needs to be studied and adapted to the Ukrainian situation. Therefore, the international community, particularly the international assistance programs that work to enhance the capacity of the parliament of Ukraine will play an even more important role.

Recommendations for strengthening the parliamentary control, developed by the task forces within the parliamentary committees with support of the UNDP and the Indiana University Parliamentary Development Project for Ukraine (PDP) urged the adoption of the law “On Foundations of the Parliamentary Control”, the law “On Temporary Investigative and Special Commissions of the Verkhovna Rada of Ukraine” and a new edition of the law “On Committees of the Verkhovna Rada of Ukraine”, the law “On the System of Financial

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

Control in the Public Sector”, a new version of the law “On the Accounting Chamber”. The recommendations also stressed the need to streamline regulations for review of MPs’ appeals, the procedures of organizing “The Government’s Days” in the parliament, the procedures of addressing findings of the audits performed by the Accounting Chamber, as well as for annual reports of the Ombudsman. New recommended ways of enhancing the parliamentary control include introduction of a “Question Hour” with relevant ministers to take place at least once a plenary week. It was also recommended that the enhanced parliamentary control would also require amendments to the Budget Code of Ukraine and the law on the Ombudsman.

Alongside with the assistance to the parliament provided by the UNDP, there are several other initiatives aiming at strengthening the capacity of the parliament to function effectively and bringing its practices in line with democratic standards. Those include the Indiana University Parliamentary Development Project for Ukraine (PDP), which implements the USAID’s Democratic Parliamentary Strengthening Program for Ukraine, designed to provide technical and consulting assistance to the Verkhovna Rada and facilitate establishment of more effective and democratic internal management systems in Parliament, improved legislative-executive relations, and increased access and feedback of citizens to the legislative process. The PDP has been running since 1994, and in August 2003 it started implementing a new 5-year Democratic Parliamentary Strengthening Program for Ukraine funded by the USAID. Its objectives include improving the internal management systems in the parliament through consultations and training for MPs and their assistants, the Secretariat, committee and faction staff. Since 2000, PDP has managed the Parliamentary Internship Program, an opportunity for bright young professionals to gain working experience at the committees and the Secretariat. The PDP also provides information resources on international parliamentary standards and practices, helps organize consultations with international experts, promotes parliamentary hearings and helps develop the parliament’s oversight tools. The PDP also runs the Parliamentary Citizen Access Grant Program as funding instruments for proposals for enhancing interaction between the parliament and the society, cooperates with NGOs and offers parliamentary access advocacy training. The PDP’s priorities include making the legislature transparent, democratic and accessible to citizens, and building gender

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

awareness. Recent initiatives of the PDP include an internship program “Assistant Chairman of the Parliamentary Committee” (2005-2006) that selects young motivated professionals on a competitive basis to serve for 8-9 months as fulltime-part-time or volunteer assistants to head of the parliamentary committees.

International initiatives focusing on election-related activities also include the Strengthening Electoral Administration in Ukraine Project (SEAUP), funded by USAID. The project seeks to improve the legal and regulatory framework for the electoral process in Ukraine and enable adherence to the legal framework and to international standards by electoral process participants. The project declares close cooperation with the Central Election Commission, the parliament, and Ukrainian NGOs that work on election administration and related issues.

A number of Ukrainian NGOs and think tanks, funded by international donors, implement research and awareness projects in cooperation with parliamentary committees. The Laboratory for Legislative Initiatives has performed monitoring of the legislative process and cooperated with the parliament on organizing multiple conferences and roundtable discussions, thus, contributing to strengthening the dialogue between the parliament and civil society organizations. The Ukrainian Center for Independent Political Research runs a Democracy Advocacy Project, funded by the National Endowment for Democracy, and seeking to facilitate communication between MPs and stakeholders representing vulnerable groups in the process of drafting legislation on issues that affect vulnerable people’s rights and legitimate interests. The Open Society Foundation maintains an information portal “Deputat.org.ua” (funded by the National Endowment for Democracy) designed to facilitate access to information about the performance of the parliament and individual MPs. The Youth Alternative has been running a program of placement of graduate students of Ukraine’s leading universities to work as interns at the Secretariat of the parliament and the factions.

The “Orange Revolution”: the Role of the Parliament in the Conflict Resolution

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

Background

The November – December 2004 events in Ukraine known as the “Orange revolution” represented a political conflict in which huge masses of people were involved and a threat of civic conflict appeared as a result of the streets protests. In order to properly understand what exactly occurred, it is essential to analyze the political background in the country after the 2002 parliamentary elections.

Notwithstanding the widespread use of administrative and power resources by the presidential administration and the pro-presidential forces, the 2002 parliamentary elections dramatically increased the role of the democratic opposition. The center-right Nasha Ukraina (“Our Ukraine”) block, led by former prime minister Viktor Yushchenko, became the largest faction in the Parliament. During the campaign, Yushchenko distanced himself from the authorities but refrained from personal criticism of the president.

The center-left Socialists and the center-right Tymoshenko bloc, vocally opposed to the president, also easily passed the required voting threshold. The Communists, who were formally an opposition political force but in reality played into the hands of the pro-Kuchma forces, won about half as many mandates as they secured in 1998 and, for the first time since 1991, ceased to receive the highest percentage of the vote nationwide. Compared to the previous elections, the 2002 elections resulted in a smoother regional distribution of votes.

Despite meager gains, the pro-Kuchma forces formed a slim parliamentary majority by applying pressure on deputies to support them, particularly those elected in single-mandate districts (see table). This explains why all current projects on constitutional reform propose that members of the Parliament elected on party lists should give up their seats if they choose to change factions. Volodymyr Lytvyn, the new Speaker of the Parliament, and his two deputies represented the pro-presidential camp. Following stormy protests by the opposition, however, the new majority ceded control over 19 of 24 parliamentary committees. After being elected Speaker, Lytvyn, Kuchma’s former chief of staff, began to

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

assert a greater role for Parliament. Moreover, Deputy Speaker Oleksandr Zinchenko, elected on the SDPU(o) ticket, left the pro-presidential majority on December 24, 2003, over procedural violations during the vote on constitutional changes.

After the 2002 parliamentary elections the main Kuchma’s and his supporters’ goal was to secure the control over the parliament with the view to the coming 2004 presidential elections. According to many local political observers Kuchma and the economic clans supporting him had three main options of keeping the political control in the country after 2004 presidential elections which was a key condition for protecting of their business interests.

The first option included mobilization of all administrative, power and political resources controlled by the pro-presidential forces in order to ensure the reelection of Leonid Kuchma for a president of Ukraine. However, it was clear for the pro-presidential team that Kuchma’s popularity is very low and it would be very difficult, if not possible for him to win the elections for third time in a row. The international community, primarily the US government, the EU and the Council of Europe, made it clear to president Kuchma that his attempt to run for the third term would be unacceptable.

The second option included a choice of a trusted and reliable successor of Kuchma, similar to what Boris Yeltsin had done in Russia. However, it was difficult to be realized as the economic clans supporting Kuchma had also their own, to some extent, contradicting each other political and economic interests and it was nearly impossible for them to reach an agreement on acceptable for all the parties nomination.

The third and the most achievable option for the pro-Kuchma forces was to significantly reduce the presidential power through constitutional amendments, which in its turn would provide pro-Kuchma forces with more political means for protecting their economic interests through the parliament, where the powers to control the government would be shifted. Many analysts believe that was the main idea behind the Kuchma’s plan for constitutional amendments announced in August 2002. The bill comprising the

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

constitutional amendments proposed by the president was submitted to the parliament in March 2003. The most important proposals presented in the bill included introduction of a bicameral parliament, reduction of the number of MPs, extension of power of the parliamentary majority to elect a government, and the introduction of the referendum mechanism in the legislative process. Notwithstanding the president’s declared intention of transition from a presidential republic to a presidential-parliamentary republic, the bill provided for the presidential institution to retain the authority to make some key appointments like heads of the defense and law-enforcement ministries, law-enforcement agencies and the local administration bodies. However, the pro-Kuchma forces could not ensure votes of enough of the MPs to establish a constitutional majority, and the proposed amendments failed. In such a situation the pro-Kuchma forces had to find a proper candidate to run in the presidential elections, and had to postpone their plan of reduction of the presidential powers until after the elections.

Development of the conflict

As the presidential elections, scheduled to take place at the end of October 2004 drew nearer, the political confrontation in country intensified. The permanent pressure exercised by the pro-presidential team over the parliamentary factions and individual MPs, on the one hand, and the opportunity of changing the regime at the upcoming elections, on the other hand, provoked more visible consolidation of anti-Kuchma forces in the parliament. Speaker Volodymyr Lytvyn, former head of Kuchma’s administration, was elected to this position with the assistance of the pro-presidential groups in the parliament, changed his behavior and attitude to the political development in the country and the role of the parliament. In September 2004 the Speaker initiated the establishment of the Ad hoc Investigative Commission to monitor the observance of the election law. As there are no legal provisions for creation of such a parliamentary committee, his move was considered by observers as a response of the Speaker and the parliament as a whole to Kuchma’s authoritarian style of exercising pressure over the parliament.

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

By the start of the election campaign the parliament itself was facing a serious credibility and capacity crisis. Speaker Volodymyr Lytvyn repeatedly warned about tough confrontation within the parliament and scenarios of disrupting the parliament’s work through using the parliament for political purposes of individual presidential candidates. The Speaker contributed substantially to mediating the conflict within the parliament through the mechanism of consultations with leaders of the factions and through the Agreement Council. The efforts helped enable the parliament to act as a stabilizing force and remain the only legitimate body when the conflict escalated after the second round of the presidential elections.

The vote by 239 MPs in support of the establishment of the Ad hoc Investigative Commission to monitor the observance of the election law signified the de facto collapse of the pro-Kuchma parliamentary majority. The process continued with the withdrawal of the members of a number of factions and individual MPs from the majority, and escalated after the conflict between the Speaker and the coordinator of the pro-Kuchma majority Stepan Hawrysh, who publicly accused Speaker Lytvyn of destroying the parliamentary majority.

Following the collapse of the parliamentary majority, the confrontation within the parliament between the pro-presidential forces and the opposition continued to deteriorate. Understanding that the parliament remained practically the only national-level forum for the opposition’s campaign, the part of the parliament that supported prime minister Viktor Yanukovich refused to take part in the voting, and chief of the Yanukovich campaign staff Serhiy Tihipko announced the parliament should be dissolved if it did not have the majority. The boycott of the parliament by the pro-Yanukovich factions and groups – the SDPU(o), the Rehiony Ukrainy, the Yedyna Ukraina, the Democratic Initiatives and the Soyuz - however, failed to disrupt the operation of the parliament

Meanwhile, the presidential election campaign continued. Twenty four presidential candidates registered for the first round of the elections, though Viktor Yanukovich, the then prime minister and Viktor Yushchenko, the leader of the opposition in the parliament, were the main pretenders for the presidential post. Most of the international observes

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

reported that campaign was characterized with massive use of the administrative and political recourse in favor of the pro-presidential candidate Viktor Yanukovich. Most of the media were controlled by the presidential administration and the forces close to it through the so-called *temnyky* (“guidelines”), which instructed media editors to cover only certain points of view on political issues. The instructions were distributed by the presidential administration not only to the state-owned media but also to the private ones. Analyses of the independent observers reported that Viktor Yanukovich enjoyed unlimited and more favorable television coverage in comparison to Viktor Yushchenko.

Despite all those obstacles, Yushchenko won the majority of the votes in the first round of the presidential elections held on October 31. The campaign between the first and the second rounds of the elections was characterized by intensified political struggle and massive use of the administrative resources in favor of the pro-presidential candidate Viktor Yanukovich. The observers reported also media bias in favor of Yanukovich and continued to operate under the lack of media freedom limited by the instructions included in the *temnyky*.

The second round of the elections took place on November 21 and according the official results Viktor Yanukovich won the majority of the votes. However, most of domestic and international election observers, including those of the OSCE and the international nongovernmental election monitoring coalition that observed elections in countries of Central and Eastern Europe and the CIS, ENEMO, reported multiple gross violations of the election procedure and concluded that second round did not meet the standard of free and fair elections.

The opposition, lead by Viktor Yushchenko did not accept the elections results and called for nullification of the results and rerun of the second round. A day after the announcement of the results a people started gathering at the streets of Kyiv to protest against the rigged elections. The student movement called “Pora” (“It is time”) was in the center of the protests. According to many local political annalists the opposition “Our Ukraine” faction had expected similar development and made some preparation to organize protesting

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

campaign but it was in fact a PR project aiming at attracting foreign factors attention and support rather than to set the fire of the “Orange Revolution”. Nobody had expected that so many people would go out on the streets to support Yushchenko campaign.

The Parliament’s role in the conflict resolution

While the parliament of Ukraine had only reduced legislative prerogatives to interfere in the conflict and make decisions of issues related to the presidential elections beyond the adoption of the election law and the appointment of the Central Election Commission, it utilized most of available political instruments for intervention in the conflict and facilitating the conflict resolution. The position of the parliament on the election process and announced results, and on the conflict itself was of very high political significance for finding a peaceful solution to the situation in the country. First, the people protesting in the streets found an institutional answer, which politically legitimized their demands and helped the channeling, constraining and eventual resolution of the conflict. Second, the Supreme Court found the strength to question the powerful pro-Kuchma forces and rule, on December 3, that the election fraud had taken place during the second round of the presidential elections, and to order that the second round of the elections be repeated on December 26, 2004.

On November 23, an extraordinary meeting of the parliament was called following the demand by 156 MPs to address the situation in the country that had emerged after the voting in the second round of the presidential elections. Only 200 MPs, however, registered for the meeting, making it short of the quorum, while members of the pro-government block and the Communists had refused to participate. Speaker Lytvyn, though, formally opened the meeting, but when the opposition proclaimed Viktor Yushchenko as the winner of the presidential elections and initiated his demonstrative “inauguration”, the Speaker closed the meeting and left the session hall. Viktor Yushchenko made an oath of allegiance to the people and announced that the election results in eastern and southern regions of Ukraine had been invalid.

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

The parliament’s role in preventing the use of force in the confrontation and violent development of the protests is hard to overestimate. The parliament’s refusal to take any side of the conflict played a significant stabilizing role. On November 27, 2004, the parliament had an extraordinary session with the issue “On the Political Crisis in Ukraine” as its agenda, and approved a resolution dismissing the official election results, announced by the Central Election Commission and proclaiming Viktor Yanukovich as the winner of the elections on November 24, as invalid due to massive violations of the election law. The parliament issued the vote of non-confidence to the Central Election Commission, demanded on the pro-Yanukovych forces and the opposition coalition, “Power of the People” to enter negotiations and sign a political agreement to prevent a major crisis. The parliament outlawed any use of force against the protesters as long as the protests did not resort to violence. The resolution “On the Political Crisis in the State that Has Emerged in Connection with the Elections of the President of Ukraine” was endorsed by 307 MPs. The parliament also reacted strongly against manifestations of growing instability and separatist calls, and on December 1 voted in support of the resolution on stabilizing the political situation and preventing unconstitutional and separatist actions. Although the secret vote procedure was allowed for that voting, only 228 MPs endorsed the resolution.

The resolution demanded (though in vain) on the Attorney General and the Security Service of Ukraine to take action to separatist calls made by some representatives of the executive branch and local self-governance, and played an important role in discouraging further separatist calls though failed to prevent the separatist attempts altogether. A number of pro-Yanukovych members of the parliament took part in the separatist congress in Severodonetsk on December 4, 2004.

The resolution also demanded resignation of the government and the formation, based on proposals of parliamentary factions and groups, of a “government of people’s trust” for the period before the inauguration of the new president. It demanded on all parties of the conflict to refrain from any illegal actions, particularly the use of force and violence.

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

The political decision of the parliament to recognize the election results as invalid came before the similar legal decision of the Supreme Court, and the parliament’s decision to form the coalition “government of people’s trust” opened the way for further negotiations between the key political players. The negotiations, brokered by the Speaker, resulted in the decision to undertake “package voting” on the new edition of the law “On Special Features of Application of the Law “On the Elections of the President of Ukraine”, on the political reform and the appointment of new members of the Central Election Commission. The “package voting” took place on December 8, 2004. As part of the deal, the parliament approved the bill #4180 on the amendments to the Constitution which provided for the reduction of powers of the president and increase of powers of the parliament and the government.

International Community Reactions

The international reaction to the developments after the second round of the presidential elections in Ukraine was mixed. Following the unusually strong verdict of the OSCE mission, a number of leading democratic governments and international organizations rejected the fraudulent election results and called for a peaceful settlement of the conflict. Meanwhile, according to some Russian and other CIS observers, the Orange Revolution built on a pattern that was first developed in the ousting of Slobodan Milošević in Serbia and continued with the Rose Revolution in Georgia. Some saw it as a result of the contribution of Western government and non-governmental agencies that had funded a range of activities and voter education mobilization projects.

Russian president Vladimir Putin had several meetings with Leonid Kuchma and Viktor Yanukovich before and during the elections. Putin also repeatedly congratulated Yanukovich while the results were still contested, which caused much embarrassment to both parties. The election observers from the Commonwealth of Independent States (CIS) praised the second round of the elections as legitimate and of a nature that reflected democratic standards, a view in direct contradiction to most of other monitoring organizations. Viktor Yanukovich also received a much more preferential treatment in Russian state-controlled media, and was surrounded by Russian consultants known to be

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

close to the Kremlin throughout the election cycle. Most observers agree that the Yanukovich campaign received significant contribution from Russian state-controlled businesses. According to some allegations, still disputed and very much unproven, there was Russian involvement in Yushchenko's poisoning several weeks before the election, as well as alleged presence of Russian security forces sent to help Yanukovich to ascend to presidency.

During a meeting between Vladimir Putin and EU officials the Russian president opposed the EU reaction by saying that he was "deeply convinced that we have no moral right to push a big European state to any kind of massive disorder." However, the European Union has made it clear that they would not recognize the results of the election. All 25 member countries of the EU have summoned their ambassadors from Ukraine in order to register a strong protest against what was recognized as election fraud.

Poland had the strongest reaction on the crisis amongst all western Ukrainian neighbors. Politicians, the media and ordinary citizens enthusiastically supported Yushchenko and opposed the election fraud. Polish deputies to the European Parliament called for giving Ukraine the prospect of future EU membership provided the country obeyed democratic standards. On November 25, 2005, former Ukrainian foreign minister and a close collaborator of Yushchenko, Borys Tarasyuk delivered a speech before the Polish parliament urging Poland not to recognize the election results and to help solve the political crisis. On the same day former Polish president Lech Walensa went to Kiev to publicly express his support for a democratic Ukraine. He was later followed by a number of Polish MPs from different political parties.

The United States government also decided not to recognize the election results and expressed dissatisfaction with the development of political situation in Ukraine. The US Secretary of State, Colin Powell unequivocally stated that the results announced by the CEC could not be accepted as legitimate by the United States. President George Bush and a number of members of the members of Congress also made statements to express their concern over the legitimacy of the polling. The attention of the international community to the developments after he second round of the presidential elections in Ukraine, the vast

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

international media coverage and the direct involvement of representatives of the EU and the USA helped move the negotiations forward and finally achieve the conflict resolution.

Prospects for a political reform and the new role of the legislature

The period after the presidential elections in Ukraine is crucially to be studied as it represents the domestic political debate on the future political development of the country. A massive change of the powers of the parliament vis-à-vis the executive will occur, if the highly debated “constitutional reform”, proposed by the draft bill #4180 on amending the Constitution, pushed by the Socialist leader Oleksandr Moroz and unwillingly supported by the Nasha Ukraina as part of the deal in December 2004. As a result of a political compromise at the faced of the crisis, the elites brokered an agreement by which the opposition of the time received a possibility to repeat the second round of the controversial presidential elections. The draft bill #4180, therefore, received 402 votes. If approved by the constitutional majority of 300 votes, the changes to the Constitution will shift the power to appoint the prime minister of Ukraine, who will be nominated by the president based on the proposal of a coalition of parliamentary factions that comprise the majority of Ukrainian MPs. The president also nominates the minister of foreign affairs, the minister of defense, who are appointed by the parliament. By nomination of the prime minister, the parliament appoints other member of the Cabinet, the head of the Antimonopoly Committee, the head of the State Committee for Television and Radio Broadcasting, and the State Property Fund. It will be the power of the parliament to dismiss the above officials, to decide on resignation of the prime minister and other member of the government and to control the government’s performance.

The parliament will also appoint and dismiss, following the nomination by the president, the head of the Security Service of Ukraine, the governor of the National Bank, and members of the Central Election Commission. The parliament’s agreement will be necessary for the president to appoint and dismiss the Attorney General, and the parliament can vote on non-confidence to the Attorney General, causing his/her resignation. The parliament will retain its power to appoint and dismiss members of the Accounting Chamber, the Ombudsman, half of the members of the National Bank Council, half of the

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

members of the Constitutional Court and appoints judges for life. The parliament and the President appoint equal number of judges as members of the 18-strong Constitutional Court and also equal number of members of the 8-strong National TV and Radio Broadcasting Council. Once during every session (except the last session of the current convocation) and after one year from the approval of the Cabinet’s program of action following the proposal of the president or at least of 150 MPs, the parliament can question the performance of the Cabinet and issue a no-confidence vote by the majority of the MPs (226 votes).

The parliament will also retain the power to call a national referendum, approve the president’s decision to use the Armed Forces and other military formations in case of aggression against the country, impeach the president and decide whether to approve the Cabinet’s program of action. It will also be the power of the parliament to approve general structure, numbers and functions of the Armed Forces, the Security Service, other legitimate military formations, and the Ministry of the Interior. In the case of impeachment, resignation or other reason for early termination of the president’s time in office, the president’s powers will be exercised by the Speaker of the parliament until a new president is elected and inaugurated.

The president can dissolve the parliament prematurely if the parliament fails to form the new Cabinet for more than 60 days after the resignation of the government or to start plenary meetings for more than 30 days of the current session. The president can also dissolve the parliament if it fails to form the majority coalition within 30 days. The early dissolution of the parliament by the president will follow his/her consultations with the Speaker of the parliament, Deputy Speakers and leaders of factions. The parliament may not be dissolved within the final six months of the parliament’s or the president’s terms.

Conclusion:

Recommendations for strengthening the role of the parliament in preventing political conflict

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

The “Orange revolution” is an excellent demonstration of how the parliaments may play a crucial role in the democratic process. This conclusion is especially true for Ukraine and other post-soviet countries with political tradition of strong, central, and authoritarian power. Regardless of its limited formal powers Ukrainian parliament demonstrated its capacity to act as a democratic and consolidating body in the time of political crisis. However, strengthening democracy in Ukraine requires further strengthening the role of the parliament and its capacity to perform that role effectively.

The changes are needed in both strengthening parliament role in the system of state governance at the account of the institution of president and in developing of steady parliamentary democratic practices.

Constitutional amendments

A step towards changing the balance of the state power has been made by amending the Ukrainian constitution in last December. The forthcoming parliamentary elections, and particularly the likely implementation of the parliamentary reform after the elections, are expected to strengthen the role of the parliament and enhance the correspondence of the political composition of the parliament with the preferences of the electorate. The elections will also be a test for sustainability of the democratic changes started after the 2004 presidential election. In that context, the forthcoming parliamentary elections, scheduled to take place in March 2006 under a new election law, present a new series of challenges for the legislature. The new election law, expected to come into force on October 1, 2005, has already become a matter of debates and is likely to be amended to ensure its implementation and enforcement, based on the lessons learnt from the 2004 presidential election. Specifically, the amendments will improve the procedure of formation of election commissions, challenging their decisions, actions and inaction, and other election-related procedures.

Therefore, building stronger relations with the Ukrainian parliament will serve democratisation of Ukraine and enhance the parliament’s capacity to contribute to constructive and peaceful resolution of political conflicts and crises in the state. The

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

parliament can play a critical role in creating the legislative framework for Ukraine’s streamlined transformation. That role may be further enhanced after the March 2006 parliamentary elections in which the political forces backing President Viktor Yushchenko and Prime Minister Yulia Tymoshenko are likely to have a clear and convincing majority.

Strengthening of the political parties

The increasing role of the parliament as a democratic institution requires strengthening political parties, improving their adherence to democratic principles, transparency and accountability to their voters. The new parliamentary election law, introducing the fully-proportional election system at all levels, will play a significant role in the process of political party development and strengthening. Furthermore, the law on public financing of political parties that have performed successfully in the elections and received seats in the parliament⁷ will continue to strengthening the capacity and role of political parties. The stronger and more disciplined representation of political parties in the parliament will have a positive effect on the quality of the law-making process and the ability of the parliament to function effectively as a whole.

Parliamentary control and oversight

The control and oversight functions of the parliament should be substantially enhanced. Specifically, new provisions that involve obligatory reaction of the government at all levels to the reports of the Ombudsman and the Accounting Chamber should be introduced to the current legislation to ensure the enforcement of recommendations made by those parliamentary control bodies. The provisions should specify liability of the government for the failure to react adequately and timely to the recommendations of the bodies of the parliamentary control.

The role of the parliament’s special investigative commissions should be clarified and officially recognized by the relevant legislation to enable them to serve as a mechanism of

⁷ approved in 2004, the law is to be enacted after the 2006 parliamentary elections

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

exercising the parliamentary control. Further technical assistance from international sources may be provided to the parliament to facilitate the development of a legal framework and capacity of special investigative commissions.

The practice of the parliamentary hearings should be improved to include a more effective preparatory period and ensure proper information provision to relevant interested parties well in advance before the hearings to enable them to participate effectively. The mechanism of implementation of decisions taken as a result of the parliamentary hearings and accountability for the implementation should be enhanced.

The practice of public scrutiny of the performance of the executive and regular reports of representatives of the executive to the parliament should be developed.

Relations with the constituency and media coverage

In order to ensure better communication between members of the parliament and their voters and better transparency of the parliament’s performance, adequate media coverage should be ensured through the public print and broadcast media and improved access to information on the parliament’s work.

Effective mechanisms for developing relations and communication with the civil society should be developed in cooperation with civil society groups and other stakeholders. The relations should be based on good practice of transparency, accountability and avoiding conflict of interest.

International assistance

The international community has a strong role to play in strengthening the Ukrainian parliament’s role in the democratisation and market reform processes. In line with Ukraine’s strategic course towards integration into the European and Euro-Atlantic community, members of the Ukrainian the parliament should be encouraged to interact

The Role of the Ukrainian Parliament in the “Orange Revolution” in November-December 2004 in Ukraine: a Case Study

with their counterparts in the European Parliament and parliaments of the EU member states.