

Ukraine's parliament passes a special act for Donbas

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On 16 September, the Verkhovna Rada (Ukraine's parliament) passed an act setting special rules for the operation of local government in those parts of Donetsk and Luhansk Oblasts which are covered by the antiterrorist operation. The vote was held behind closed doors and the act was backed by 277 deputies (the required minimum being 226) from all factions and by independent deputies (including the Party of Regions and the Communists); 287 votes were cast in favour of a special act introducing an amnesty for those taking part in the fighting in Donbas. Svoboda and part of Batkivshchyna, the party linked to Yulia Tymoshenko, voted against the motion. This act envisages, for example: that a snap local election will be held in these areas on 7 December 2014 and early dissolution of the bodies elected in this way is ruled out; enhanced co-operation between local government and executive authority bodies with Russian local government units on the basis of cross-border co-operation agreements which are to be concluded; the influence of local governments on the nomination of judges and public prosecutors; cities and communes will be able to form their own militias; the use of Russian in the activity of local authorities to a greater extent; the liberalisation of the rules for doing business and investing. These special rules will apply for three years.

Commentary

- The act is an effect of the agreement reached on 5 September in Minsk during the meeting of the trilateral contact group which was preceded by talks between the presidents of Russia and Ukraine. President Poroshenko was the act's biggest supporter; he held consultations in parliament ahead of the vote for several hours. He sees the introduction of the special status in Donbas as an opportunity to maintain the ceasefire in the region and to hold parliamentary elections in Ukraine on 26 October in a relatively unproblematic way.
- The act does not extend to Donetsk and Luhansk Oblasts as a whole. It does not grant autonomy to the areas controlled by the separatists, it does not introduce a federal system in Ukraine and it contains no regulations that would allow local authorities to veto Kyiv's decisions regarding foreign policy. Therefore, in all likelihood, it will not be satisfactory to Russia and the separatists it controls. Although they have made contradictory statements so far (on 15 September, the government of the self-proclaimed Donetsk People's Republic stated that the provisions of this act do not go far enough, while on 16 September the leader of the so-called "Luhansk People's Republic"

said that they were promising), their ultimate response will be negative. Therefore, it should be expected that the separatists will soon make further demands for the independence of the two oblasts in order to be granted more concessions by Kyiv.

- A section of public opinion and the political class have criticised the fact that the debate and the results of the vote were behind closed doors and also the very passing of the two acts. Their opponents were demonstrating in front of parliament already on 16 September in the afternoon. The special act was criticised by the governor of Donetsk Oblast, Serhiy Taruta. Tymoshenko said that the two acts meant “bringing Donbas under Russia’s protectorate”. In turn the leader of Svoboda, Oleh Tyahnybok branded them as “Ukraine’s capitulation”. This will cause a radicalisation of the rhetoric as the election campaign gains momentum, and may strengthen the populist groupings and reduce support for Petro Poroshenko Bloc.