

European
Elections monitor

Will Toomas Hendrik Ilves be the first president of the Republic to be elected by parliament in Estonia?

from **Corinne Deloy**

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D-7
7 days before
the poll

In one week's time, on 29th and 30th August next the 101 members of the Riigikogu, the only chamber in the Estonian parliament, are being called to elect the next president of the Republic of Estonia. Toomas Hendrik Ilves, the present head of State announced in December that he would be running again. He will face independent MEP, Indrek Tarand (Greens/EFA, EE). Candidates for the presidential election can however come forward for registration up to four days before the vote, i.e. Thursday 25th August next.

For the first time in the country's history the head of State may be elected by the Riigikogu. In Estonia the first stage of the presidential election takes place in Parliament. In the first round the candidate winning at least two thirds of the votes of the 101 MPs (i.e. 68 votes) is declared elected. If no candidate manages to win this number of votes a second round of voting is organised the next day, followed by a third round if necessary. After these three rounds of voting if there are still no candidate with a sufficient number of votes to win the supreme office the leader of the Riigikogu convenes an Electoral College (Valimiskogu) which is responsible for electing the next head of State.

The Electoral College rallies the hundred MPs and the members of the representative assemblies of the 227 town councils in Estonia. When the Electoral College votes new people can come forward as candidates (any group rallying at least 21 members of the Valimiskogu can put a candidate forward). Anyone winning the simple majority of the vote is declared elected. If this majority is not achieved a second round of voting is organised on the same day and the candidate winning the majority of votes is then declared elected.

If the grand electors do not succeed in appointing the next president of the Republic, which is highly unlikely, responsibility for doing this is handed back to the members of the Riigikogu. The election takes place within 14 days after the announcement of the negative results of the second round of voting in the Valimiskogu.

Outgoing President Toomas Hendrik Ilves has the support of the Reform Party (ER) led by Prime Minister Andrus Ansip, the Pro-Patria Union-Res Publica (IRL), led by Tunne Kelam and the Reform Party's partner in the government coalition, together with the Social

Democratic Party (SDE), the party from which Toomas Hendrik Ilves came and which is chaired today by Sven Mikser, i.e. a total of 75 MPs, seven more than the obligatory two-thirds majority to be elected as head of State. As his priorities for the next five year term in office, President Ilves quoted the defence of the Constitution and of parliamentary democracy, the development of civil society and the continuation of a foreign policy that takes care of Estonia's interests.

For his part Indrek Tarand was appointed as an official candidate on 18th June after a secret ballot (94 votes in support and 7 against) by the country's main opposition party, the Centre Party (KE) led by Edgar Savisaar. Although the candidate should enjoy the support of most of the 26 centrist MPs in the Riigikogu, the KE will not campaign for Indrek Tarand. "Of course we shall help him if he asks us for advice but the Centre Party will not undertake a campaign to support him," declared the party's Secretary General Priit Toobal.

Indrek Tarand hopes that MPs will succeed in rising above their partisan feelings and vote freely. "My nomination has led to some interesting developments within the Centre Party and also the Pro-Patria Union-Res Publica," declared Indrek Tarand. The candidate says he trusts the Social Democrats, who in his opinion, elected their leader quite democratically on 16th October 2010. Finally he said that he had gained the support of ten MPs who belong to parties that are officially supporting the outgoing head of State!

The choice of Indrek Tarand by the Centre Party can be explained by its desire to win back "Estonian" voter confidence, that was eroded somewhat after the so-called Vladimir Yakunin affair that was published by the daily Postimees – which revealed on 21st December 2010 that according to a Kaitsepolitsei report (the se-

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curity police, the Estonian secret service), Edgar Savisaar had solicited funds from the chairman of the Russian railway company and former KGB officer, Vladimir Yakunin on the occasion of the latter's visit to Tallinn. According to the secret services Mr Yakunin is said to have paid 1.5 million euros for the Centre Party's electoral campaign in the general elections on 3rd March 2011 and a similar sum for the construction of an Orthodox church in Lasnamäe, the town of which the Centre Party leader is mayor.

Moreover the centrist leader Edgar Savisaar would like to prevent the new president of the republic from being elected by the Electoral College. By supporting Indrek Tarand he is counting on the confusion that his candidacy may cause and hopes that the MPs' independence will prevent the re-election of the outgoing Head of State, Toomas Hendrik Ilves in the vote at the Riigikogu on 29th and 30th August next.

Indrek Tarand has suggested organising a referendum on the means of electing the president of the Republic. He supports the appointment of the Head of State by direct universal suffrage. The Social Democratic Party said it was against this initiative which it has qualified as "pseudo democracy". "The Social Democrats believe that governance should be democratic and not just appear to be democratic. The rights and obligations that the Constitution gives to the president of the Republic are linked to the fact that he is not elected by the people. It would be unfair to make voters believe that the head of State has more power than those given to him by the Fundamental Law," declared Eiki Nestor, head of the Social Democratic Party at the Riigikogu.

Outgoing head of State Toomas Hendrik Ilves has often said that he is against the election of the president by direct universal suffrage. Indeed he sees a direct threat to democracy via the concentration of power in the hands of a directly elected Head of State. "It would create conflict between the government and the President of the Republic. The latter would find it hard to resist the fact that he has the people's mandate whilst the head of government is appointed by the parliament alone. We might hope for the election of the Head of State by the people whereby he maintains his present powers. But that is impossible."

The Estonian political landscape will experience another high point over the next few days when it elects its leader on 27th August. Edgar Savisaar, who is running favourite, would like to be re-elected. He will be facing Juri Ratas, the parliament's deputy leader and former mayor of Tallinn (2005-2007). He has the support of 27 districts, with only three declaring themselves in support of his challenger.

This election raises a vital question about the political future of the KE. Indeed since the Yakunin Affair the Centre Party has been ostracised by the other parties to the point that it seems impossible for it to join any government coalition.

Toomas Hendrik Ilves and Indrek Tarand will face each other on 27th August next on the TV for a two hour debate.

The latest poll by Emor for TV channel ERR on the presidential election reveals that nearly half of the Estonians (48%) want Toomas Hendrik Ilves to win whilst 20% preferred Indrek Tarand.

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