

Will the Estonian parliament succeed in electing the successor to Toomas Hendrik Ilves as President of the Republic on 29th August?

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Analysis

On 16th June last Eiki Nestor (Social Democratic Party, SDE), leader of the Riigikogu, the lower chamber of Parliament convened the 101 elected representatives to meet in an extraordinary session on 29th August in order to appoint the successor to Toomas Hendrik Ilves as President of the Republic.

Elected on 23rd September 2006 by the electoral college (174 votes against 162 for the then outgoing head of State, Arnold Rüütel), Toomas Hendrik Ilves was re-elected by the Riigikogu in the first round of voting on 29th August 2011, thereby becoming the first President of the Republic of Estonia to have been appointed by Parliament since 1996, when the present electoral system was introduced to appoint the country's head of State. Now that he has undertaken two consecutive terms in office he cannot stand again.

The candidates running

To date four people have declared that they are candidates for the supreme office:

- Siim Kallas (Reform Party, ER), former European commissioner for transport (2010-2014), Administrative Affairs, Audit and Anti-Fraud (2004-2010), former Prime Minister (2002-2003) and leader of his party from 1994 to 2004;
- Mailis Reps (Centre Party, K), former Education and Research Minister (2005-2007);
- Allar Joks, independent candidate supported by the Pro-Patria Union Res Publica (IRL) and the Free Party of Estonia (EVA), lawyer and former judge;
- Eiki Nestor (Social Democratic Party, SDE), present leader of the Riigikogu.

Other candidates might run for the presidential election on 29th August including Mart Helme, leader of the Conservative People's Party (EKRE) since the final list will be closed just four days before the election.

An election that is dividing the political parties

The election of the President of the Republic is an important moment for the political parties of Estonia. The two main groups – the Reform Party and the Centre Party – split when they appointed their candidate.

Siim Kallas was first to announce that he would be running. He launched his campaign on 16th April as he gave a speech asking for a more liberal, more pragmatic State, but he was not chosen by the Reform Party on 3rd August. Eight days later he said in the daily *Postimees* that he promised only to stand for one term in office as head of State.

At the end of April Marina Kaljurand, a former diplomat and present Foreign Affairs Minister said that she would stand in the presidential election before the Electoral College if Parliament failed to appoint the head of State. Since she does not belong to any political party she is counting on the support of the Reform Party. To date she is the most popular of all of the candidates. According to a poll by TNS Emor that was published in the *Postimees*, she would win 25% of the vote if the president of the Republic was appointed by the people. She would come

out ahead of the leader of the Centre Party Edgar Savisaar, who would win 14% of the vote and Allar Joks and Siim Kallas, who would each win 11%.

Within the Reform Party Siim Kallas has the support of the oldest members whilst the younger generation would prefer to see Marina Kaljurand as head of State. Siim Kallas has said that he does not intend to withdraw from the presidential race if he is not elected by Parliament after three rounds of voting.

On 11th June the Centre Party appointed Mailis Reps as their candidate. The former Education and Research Minister won 90 votes against 78 for the party's leader Edgar Savisaar. Many observers perceive here a failure on the part of the party's leader and a sign of future changes.

"Our interests lie in the unity of our country and in maintaining good constructive relations with all of our neighbours, including with the Russians," maintains Mailis Reps, who has promised to work towards making the presidential election one that occurs by direct universal suffrage.

Allar Joks launched his candidacy with the support of 14 public personalities (Andrei Soritsa, Annika Uudelepp, Jaan Pillesaar, Joel Volkov, Juri Kao, Juri Saar, Mall Hellam, Mihhail Lotman, Peeter Volkonski, Raivo Vare, Rein Einasto, Teet Reedi, Terje Kross and Tiit Ojasoo). He is known for his ethical sense and his fight to counter corruption. Over the last few months he has been touring the country, visiting 70 communities and meeting 90 local representatives. *"95% of my meetings have taught me that foreign policy is an important factor but that the president of the Republic also has to do more to improve Estonians' daily lives,"* he declared.

"The parties do not all have the same goals. Hence the Pro-Patria Union Res Publica would do everything for the head of State to be appointed by the Electoral College before which its own candidate, Allar Joks, has the best chance. The Social Democratic Party, however would prefer to see the president of the Republic elected by the Riigikogu," maintains Tonis Saarts, a political analyst from the University of Tallinn.

His university colleague from the University of Tartu, Andres Kasekamp, speaks of the "mismatch" between Estonian expectations and reality. *"People want a president who is powerful and with competences that the present Constitution does not grant him. The head of State only has a symbolic, representative role in Estonia."*

The president's role and the voting method

The head of State's role in Estonia is essentially an honorary one. He is head of the armed forces and represents the country in the international arena; he concludes treaties with foreign States, accredits and receives diplomatic representatives. The president of the Republic also has the right to draft the amendments to the Constitution.

He is elected by indirect universal suffrage. Anyone aged 40 and over can stand for the supreme office. To take part in the election he or she has to be approved by at least 1/5th of the 101 members of the Riigikogu, i.e. 21 MPs. Elected for five years the head of State cannot remain in office for more than two consecutive terms.

The presidential election initially takes place in the Parliament. During the first round of voting the candidate who wins at least 2/3 of the votes of 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 following day, followed by a third round (with the two candidates who have won the greatest number of votes) if necessary. If no candidate wins enough votes to take the supreme office after these three rounds the leader of the Riigikogu then convenes the Electoral College (*Valimiskogu*) within 30 days, which is then be responsible for electing the future head of State.

The Electoral College brings together the 101 MPs and the members of the representative assemblies of Estonia's 213 town councils (10 representatives from Tallinn, 7 from Tartu, 2 from Parnu, Narva, Kohtla-Jarve, Viljandi, Rakvere, Kuresaare and Voru and 1 from each of the 204 remaining communities). Their number can vary depending on the year due to changes made during territorial administrative reforms.

During the vote by the Electoral College new candidates can then stand in the presidential election (any group rallying at least 21 members of the College can put a candidate forward). During this election anyone winning the absolute majority of the votes is declared elected. If this majority is not achieved, a second round is organised on the same day and the candidate who wins the majority of the vote is then declared elected. Since 1996 the Electoral College has been convened three times: in 1996, 2001 and 2006. In this electoral assembly the balance of power leans mainly in favour of local communities since the College is made up of 2/3 of local representatives.

If the “grand electors” do not manage to elect the next president of the Republic – which is highly unlikely – then this role returns once more to the 101 members of the Riigikogu. Another election then takes place within the following fourteen days.

In an interview regarding the methods used to elect the President of Estonia in a TV programme just a

few days ago Eiki Nestor was the only candidate to support the present system. Siim Kallas said that if the head of State was elected by universal suffrage the competence of the latter, and also those of the Prime Minister should be redefined. Allar Joks said that one should not be frightened of giving the people the power to appoint the president of the Republic. He added that a direct election would prevent negotiations between parties on the side lines. Mailis Reps said she was very much in favour of changing the present means of election.

According to the daily *Postimees*, the Estonian parliament will not succeed in electing Toomas Hendrik Ilves’s successor on 29th August. The four official candidates are forecast to win the same number of votes that enabled them to stand in the election in the first place. The newspaper contacted 91 of the 101 MPs regarding their first and second choice. According to the response of the latter Siim Kallas and Mailis Reps are due to win the greatest number of votes and to reach the third round of the election.

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