

The Boston Marathon and the Visa Negotiations between the EU and Russia: Time to get real and positive

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European interior ministries must be mulling over their reactions to the terrorist bombing of the Boston Marathon by the two young men of Chechen origin. In particular, they must have in mind their plan with Russia that aims at visa-free travel ('visa liberalisation') in the long-run, alongside shorter-term measures to reduce the hassle in getting visas ('visa facilitation').

In our view, this overall plan is not optimal, and should be revised.

The EU faces a dilemma here. On the one hand, visa-free travel would be not only good for business but also strategically the best instrument of policy to 'socialise' the Russian population. Let's be clear, this soft word 'socialise' is all about easing the new generation of Russians into European attitudes towards societal and political values. This would be the foundation for the future politics and indeed geo-politics of Russia, whose leadership under President Putin is still indulging in somewhat xenophobic, paranoid discourse, alongside an archaic foreign policy project to re-integrate former Soviet states into what would be called the Eurasian Union. Surveys of public opinion in Russia show this backward-looking worldview to be increasingly out of line with the preferences of the younger, educated Russian population, who seek a cosmopolitan life, and elites are sending their children to schools and universities in Europe on a grand scale.

On the other hand, there are the security concerns of the European interior ministries. Visa-free travel, or a visa waiver, would apply to all citizens of the Russian Federation without discrimination. Only people with criminal records known to the European security services and registered on-line in the border control databases could be turned back.

Nearly 10 million Russian citizens inhabit the seven federal entities of the Northern Caucasus: from west to east, the Republic of Adygea, Karachay-Cherkessia, Kabardino-Balkaria, North Ossetia-Alania, Ingushetia, Chechnya and the Republic of

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Dagestan. While the two young men had not lived in Chechnya but were brought up in Kyrgyzstan, this is not the point. The Boston Marathon bombing is a reminder of the state of violent lawlessness of much of the Northern Caucasus. Since the end of the Soviet Union over 20 years ago, the condition of the region has continuously deteriorated. While the focus initially was on the two terrible, secessionist wars in Chechnya, for the last decade the endemic ills of the region have spread out to all its entities, with Dagestan nowadays the most violent. What began in the 1990s as Chechnya's ethnic separatist conflict, continuing a centuries-old struggle against the Russian empire, moved on into region-wide disorder with clan-based violence and hostage-taking by criminal gangs, and then also became progressively overlaid with Islamic militancy and jihadist elements. Meanwhile the Russian ethnic population of the region declined through emigration, and for the Russian federal authorities the region has fallen largely out of their control.

How does this relate to the visa negotiations? The visa-free negotiations have led to agreement of a detailed six-page document, dated 15 December 2011, with no less than 48 bulleted action points "to be implemented by both Parties before moving to the next phase" (i.e. the actual move to a visa-free regime).¹ These actions would concern document security including biometrics, illegal migration including readmission, border management, public order, security and judicial cooperation and external relations. This is a huge programme of undoubtedly desirable measures, raising EU-Russian cooperation to an exceptionally deep and extensive level, and so would in itself be most positive.

However, this document covers nearly everything except one outstanding and vital matter, namely that both parties would establish sound law and order in all significant regions of their territories. Presumably the EU side has this in mind as a crucial condition, while the Russian side could not accept such language politically. The EU side must be saying to itself that there are so many other conditions in the 'common steps' that there will be adequate opportunities to stall if this vital condition is not met. And indeed it is not met today in the Northern Caucasus over 20 years after the collapse of the Soviet Union. One is advised to count in decades, not years when the Northern Caucasus might expect to see sound law and order. This makes the 'common steps' a prescription for endless frustration and disaffection, if the real objective is visa-free travel. This is not good policy-making.

A fresh direction is needed. Clearly law and order are not on the horizon for the Northern Caucasus and so a visa-free regime is not for real. Could the other track of visa facilitation do better?

To date, the achievements of visa facilitation are very limited and are not seen by most travellers as a qualitative change. But qualitative change could be achieved under the rubric of multi-year, multi-entry visas. One particular formula proposed by the EU-Russia Industrialists Round Table is that anyone who has received a short-term visa twice would be automatically eligible to get a multi-year (5 years), multi-

¹ "Common steps towards visa free short-term travel of Russian and Citizens (Russia-EU visa dialogue)", document agreed by the EU and Russia, December 2011 (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/international-affairs/russia/docs/common_steps_towards_visa_free_short_term_travel_en.pdf).

entry visa, which would be automatically renewable if the holder had not been found to have been overstaying. This would be as good as visa-free, a 'virtual visa-free regime'. But from the security standpoint, it would have the crucial difference that the holder would have been interviewed twice and would not have broken overstay rules. This would allow for a screening of suspected security risks, with discretion over the decision still assured.

Negotiations over an amended and improved visa facilitation process are currently ongoing, and multi-year, multi-entry visas are believed to be very much on the agenda. While we are not informed of the precise status of these negotiations, now is a perfectly good time to make a fresh move. The 'common steps' should be continued by all means, because they are useful in their own right. But there should be no implicit supposition that this will lead to visa-free travel over any politically relevant time horizon. This would displace the need for contradictory speeches following EU-Russian summits in which the Russian side complains about the lack of progress over visa-free travel, followed by meaningless defensive replies by the EU that "there is an agreed long-term plan for visa-free travel".

On the other hand, there are realistic possibilities for fast delivery of a 'virtual visa-free regime' of the multi-year, multi-entry visa, which would be a real and important achievement for EU-Russian relations.