

## Progress at Last on the U.S.-European Visa Dispute

Ilona Teleki

**U**.S. allies from Central and Eastern Europe (CEE) are finally making progress in their campaign to change U.S. visa restrictions to give them the same access to the United States enjoyed by their neighbors in Western Europe, although several hurdles remain to be overcome. CEE governments have long sought to end what they see as U.S. discrimination against their citizens, even though they are among the United States' most loyal allies. The issue has become an irritant in Washington's relations with the CEE countries that are members of both the North Atlantic Treaty Organization and the European Union.

A breakthrough was achieved on Capitol Hill in late March, when the Senate passed a bill containing a provision that should make it easier for CEE countries to join the U.S. Visa Waiver Program (VWP). The program, established in 1986, allows citizens of 27 countries, mainly from Western Europe and the Pacific Rim, to travel to the United States without a visa for up to 90 days.

The Senate legislation would change the conditions for joining the VWP, shifting the emphasis from deterring "economic" immigrants to emphasizing security and rewarding U.S. allies in the global fight against terrorists. Supporters argue that the risk of economic migration has been overstated and that the criteria for program membership should instead focus on enhancing security measures in the VWP countries, for example by increasing the exchange of information on passengers traveling to the United States and making it more difficult to travel on forged or stolen passports. In addition to increasing U.S. and allied security, such a move would diminish resentment among key U.S. allies over their exclusion from the VWP.

The changed focus is good news for the CEE states that have been unable to meet two main VWP requirements under the current law. The first condition stipulates that the annual rejection rate of a country's visa applicants must be less than 3 percent—a higher rate is thought to suggest that a significant number of temporary visa applicants are likely to seek jobs in the United States. The second requires that fewer than 2 percent of those permitted to travel to the United States overstay their allotted time.

The CEE countries have had difficulty meeting these arbitrary targets, the first of which, for example, assumes that consular officers in all countries apply the same standards of evaluation. Although the fulfillment of these two conditions would still be required for VWP membership under the Senate legislation, the conditions may be interpreted more flexibly if applicant countries meet the strict new security requirements and show progress toward conforming to the existing criteria. Another welcome development from the CEE point of view is that the Senate has dropped earlier plans to limit the number of potential new VWP entrants to five, which would necessarily have excluded a number of CEE countries.

The provision in the Senate bill would authorize the executive branch to overhaul the VWP within one year. Participant nations would be obliged to adopt stricter security measures, including higher standards of airport security; thorough reporting on lost, stolen, and fraudulent

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## We Need a Stronger Europe to Ensure a Better World

Carl Bildt

Today's rapidly changing world is complex and contradictory. In large areas of the globe—particularly in Asia, which is now reclaiming its historical place—a strong optimism is flourishing of an even better future, not only economically and socially, but also with regard to future national potential. Europe has never been as free, as peaceful, and as prosperous as it is today.

But part of the world is tending to lag farther and farther behind. The countries of the Muslim world account for some 20 percent of the world's population, but only approximately 4 percent of world trade. There are risks that a combination of slower economic development, unresolved political issues, and tendencies toward religiously based friction will create the conditions for a perfect storm of violent unrest, conflict, and even war.

September 11, 2001, demonstrated the force that lies in the combination of modern technology and ancient hatred. At a cost far below that of an old tank, it was possible to attack and threaten the world's leading power. More recently, some of the world's most powerful

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## TRANSATLANTIC REPORT

*Transatlantic Report* is a quarterly review of past and future activities of the CSIS Initiative for a Renewed Transatlantic Partnership and also features comments by members of the initiative's Steering Committee. This issue's commentator is Carl Bildt, Swedish minister of foreign affairs.

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passports; the exchange of passenger lists; the prompt repatriation of citizens staying in the United States illegally; participation in the U.S. Air Marshal program for international flights; the use of biometric passports; and the establishment of an electronic travel authorization system providing advance information on travelers to the United States.

But while the Senate's passing of the new rules represents real progress for the CEE countries, significant problems remain to be resolved. The VWP provisions are a small part of a much wider Senate bill, the Improving America's Security Act, which has to be reconciled in conference with a similar bill passed by the House of Representatives aimed at implementing the recommendations of the National Commission on Terrorist Acts (the 9/11 Commission). The House bill does not contain provisions for restructuring the VWP, which could be changed or removed from the Senate version in conference.

A second problem is that President George W. Bush has threatened to veto whatever bill emerges from conference if it provides for unionizing the roughly 43,000 federal airport screeners employed by the Transportation Security Administration (TSA), a pet project of many Democrats. If the entire bill is vetoed, the VWP provisions would fall by the wayside.

Nevertheless, the CEE states remain guardedly optimistic that the issue may be resolved within this Congress. One positive sign is that both the House and Senate bills would establish a new system of "air exit" controls that would for the first time accurately monitor whether visitors without visas actually left the country when their time was up. Politicians of both parties have demanded such a system as a precondition for easing access to the VWP.

There is also strong support in the House for the inclusion of the CEE states in the program, and a House committee is currently considering separate legislation containing similar provisions for reforming the VWP to those in the Senate legislation. If the entire Homeland Security bill were vetoed, it might still be possible to proceed with the more limited House bill and restart equivalent action in the Senate.

The U.S. administration has long been aware that the exclusion of the CEE states from the VWP, as well as EU members Greece and Malta, has been wearing on U.S.-European relations. An important step toward addressing the issue came when President Bush, speaking in Tallinn ahead of the NATO summit in Riga in late November 2006, promised to work with Congress to modify the VWP to ensure that countries such as those in Central and Eastern Europe could qualify for inclusion more quickly.

The CEE countries have been dismayed that their loyalty to the United States has not been repaid by easier access to the United States for their citizens, especially as their allegiance to the United States has involved considerable political risks. At the height of transatlantic tensions over Iraq in 2003, 10 U.S. allies from Central and Eastern Europe defied French and German opposition to the U.S.-led invasion just as 8 of them were poised to join the EU. Their governments aligned with the United States and Britain despite disapproval of the war among their own citizens.

Four years later, the CEE states remain strong allies and continue to supply troops and equipment to both Iraq and Afghanistan. Nevertheless, the CEE countries feel their loyalty is not being appreciated, largely because, unlike their EU partners in Western Europe, their citizens must undergo the cumbersome, expensive, and often degrading process of applying for visas to travel to the United States. The continuation of such treatment would risk further alienating CEE citizens and governments, especially now that they are developing stronger ties to the rest of Europe.

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military machines have been challenged by nongovernment groups and forces such as the Taliban around Kandahar, Hizbollah in southern Lebanon, and al-Sadr's militia in Baghdad.

Despite my tremendous optimism about the power and opportunities of globalization, I regard the strategic perspectives of the next few decades with deep concern, and I am convinced that only a more intensive strategic discussion on the challenges we face will lead to policies that move us forward. We must develop all the opportunities of globalization in full awareness of the strength of the forces that, if they succeed in growing stronger, risk throwing everything into disarray.

No global era of liberation and new opportunities has lasted forever. War and confrontation have not been written out of history. And these crucial challenges lie close to Europe. The trends are not difficult to see: authoritarian states that lack legitimacy, stagnating economies and rapidly growing populations, and the increased role of religion in politics—which is not limited to the Islamic world.

In our globalized world, both security and insecurity are also globalized. If we want to meet these challenges and secure the better world that will so clearly be possible, there is no alternative to a stronger Europe, with the examples it sets, with its initiatives, and with its readiness to act as a partner in cooperation with other nations and institutions.

*Carl Bildt, foreign minister and formerly prime minister of Sweden, is a member of the Steering Committee of the Initiative for a Renewed Transatlantic Partnership. This commentary is based on a speech he gave at the Swedish Institute of International Affairs on December 19, 2006. ■*

## IRTP ACTIVITIES AND PUBLICATIONS

### Second U.S.-France Bilateral Dialogue (September 9–10, 2006)

At meetings in Washington, D.C., and Mount Vernon, high-level French and U.S. scholars and officials stressed the vital importance of the Franco-U.S. relationship and discussed Franco-U.S. security cooperation, and forthcoming elections in both countries.

### NATO and the EU beyond Riga (December 9–10, 2006)

After a meeting in Riga, Latvia, on September 15–17, a working group of leading experts on NATO and the EU held a two-day seminar in Berlin to make recommendations for NATO and EU action from 2007 to 2009. The Riga and Berlin meetings, organized by the CSIS Brzezinski Chair in Geostrategy together with the CSIS Europe Program, led to the publication of two papers:

*The NATO Riga Summit: A Renewed Commitment to Transformation.* Simon Serfaty, holder of the CSIS Brzezinski Chair in Geostrategy, makes 10 key recommendations for NATO and its relations with the EU.

*Recasting the Euro-Atlantic Partnership.* Franklin Kramer and Simon Serfaty urge a broadened strategic focus for the transatlantic partnership and a reform of Euro-Atlantic structures to improve cooperation.

### Other Publications

*Transatlantic Approaches to Sanctions: Principles and Recommendations for Action.* Robin Niblett, former director of the CSIS Europe Program, and Derek Mix, research associate, suggest how the U.S. and Europe could coordinate their sanctions policies.

*Transforming NATO (...Again).* A preview of Riga, with concrete proposals for preparing the alliance's next summit in 2008.

## Turkey's Train to Brussels Slows to a Crawl

Seda Ciftci

Turkey's long and tortuous journey to European Union membership has become even rougher following the EU summit in December 2006, at which leaders adopted the recommendations of the European Commission and their own foreign ministers and partially suspended accession negotiations with Ankara. It is difficult to find reasons for optimism about progress in 2007.

Prime Minister Matti Vanhanen of Finland, which held the EU presidency in the second half of 2006, and Olli Rehn, European commissioner for enlargement, both claimed that "the Turkish train had stayed on track." Nevertheless, since the formal opening of negotiations in October 2005, only one negotiating dossier or "chapter" (on science and research) has been provisionally closed. With negotiations on 8 of the 34 other chapters now suspended and the fate of the remainder tied to a change of Turkish policy on the intractable Cyprus problem, the process is effectively stalled.

Rehn had long warned of the danger that Turkey's Orient Express to Brussels would suffer a "train wreck" over Cyprus. The EU has been insisting that Turkey comply with the rules of its existing Customs Union with the EU and open its ports and airports to all Cypriot ships and aircraft, while Ankara has refused to do so unless the EU eases restrictions on trade with the northern part of the island controlled by the Turkish Cypriots. With the collapse of a Finnish diplomatic effort to find a compromise and EU rejection of a last-minute Turkish offer to open one seaport and one airport to Cypriot traffic, applying the train's brakes was the only practical alternative to a nasty accident.

The EU justified its action as an inevitable consequence of Turkey's failure to abide by EU requirements that it had promised to obey. But a more amicable compromise was effectively ruled out by the hard line taken by a small number of member states including Greece and Cyprus itself, which joined the EU in 2004 under its internationally recognized Greek Cypriot government.

At a broader level, the decision also reflected "enlargement fatigue" among European voters and politicians as well as growing resistance to Turkish membership. Public opinion polls throughout Europe show continuing opposition to Turkish EU entry, and more European leaders are talking about the huge challenges presented by Turkish accession.

Chancellor Angela Merkel of Germany, which is presiding over the EU in the first six months of 2007, has clearly stated her preference for a "privileged partnership" with Turkey instead of membership. Austria and France, which might soon be led by Nicolas Sarkozy, an outspoken opponent of Turkish entry, are both committed to holding referendums on Turkish accession if and when the final terms are agreed. That may not be for 10 years or more, but if those referendums were held today, they would almost certainly produce a resounding "No."

Meanwhile, more and more Turks believe the EU will never admit their country, and polls show a big increase in opposition to EU membership in Turkey—not least because of what are seen as unjust EU rebuffs in the entry negotiations. Prime Minister Recep Tayyip Erdogan has reaffirmed Turkey's commitment to membership and his conviction that the EU will ultimately see the advantages of Turkish entry. But he has also begun accusing the EU of "lack of vision." With the imminent retirement of British prime minister Tony Blair, the last heavyweight European advocate of Turkish membership, it is hard to see who will take the lead in trying to halt the negative momentum in the EU.

One encouraging aspect is that Turkey has reacted relatively calmly to the setback. Turkish diplomats say that Ankara will respond by accelerating economic and political reforms, so as to be ready to resume full-scale negotiations when the political climate changes in Brussels. Nevertheless, it seems more likely that mutual disenchantment will continue to grow in the months ahead, and an increasing number of observers are beginning to wonder whether the Turkish train will ever reach its destination in Brussels.

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## ARE THEY LISTENING TO US?

**Missed Opportunities at NATO'S Riga Summit**

Simon Serfaty

In the past decade, the North Atlantic Treaty Organization (NATO) has been transformed beyond recognition. Yet many fear that the alliance has gone astray. Europeans and Americans often feel ambivalent about NATO because they neglect its achievements, question its current actions, and differ over what it should do next.

The NATO summit in Riga, Latvia, in November 2006 could have helped to reverse this trend. Coming amid major political changes that began in Spain in March 2004, continued in Germany and Italy in 2005 and 2006, and will be confirmed in France and Britain in spring 2007, the summit offered an opportunity for leaders to set a few significant benchmarks for their successors in the key areas of strategy, capabilities, and enlargement.

In addition, the 26 allies had a chance to reassert their unity on vital current security issues, including Afghanistan, pre-nuclear Iran, and postwar Iraq, and to address a host of unfolding security challenges involving the aftermath of the Balkan wars and, of course, Russia. Regrettably, the opportunity was mostly spurned. The leaders failed to take full advantage of numerous recommendations for more vigorous action from a wide range of experts, including a CSIS group of leading U.S. and European security specialists.

Thus, the summit set no firm target date for developing a new Strategic Concept, nor did it discuss a Stabilization and Reconstruction Initiative that might give NATO access to the civilian capabilities needed to complete military missions; it produced no fresh ideas for strengthening relations with the European Union and other multilateral institutions such as the United Nations or for a common energy policy and a coordinated approach to an increasingly assertive Russia; nor, finally, did it seriously discuss NATO's operational procedures, whether for decisionmaking, budgetary, or other purposes. These are all benchmarks that will help determine NATO's future as it approaches its 60th anniversary in April 2009. They remain on the table, still demanding attention.

Nevertheless, the most fundamental principle of summit diplomacy is that summits never fail—and Riga confirmed the principle. The fact that it was held at all, that it evoked a reasonable display of collegial courtesy, as if the leaders actually liked each other, and, most of all, that it took place in Latvia, showed how far NATO has come since its previous three summits, in 1999, 2002, and 2004, which were marked by sharp clashes over issues ranging from Iraq to the alliance's future global mission.

Riga achieved positive results in several specific areas. First, consensus was reached on the central significance of Afghanistan and on the need to provide additional forces and to show more solidarity by removing some national restrictions on NATO commanders' access to allied troops. NATO will not be taken seriously if it is not given the tools to fulfill its missions.

Second, modest steps were taken to bridge the gaps between the alliance's purpose, goals, and capabilities. The new NATO Response Force was declared operational; additional commitments were made to improve the coordination of Special Operations Forces, which will eventually increase their interoperability; and some shortfalls in the high-end capabilities needed for NATO's new global vocation began to be addressed, for example through an agreement on strategic airlift and air-to-air refueling aircraft.

Third, Riga exceeded expectations by explicitly signaling to Albania, Croatia, and Macedonia—all participants in NATO's Membership Action Plan (MAP)—that they will receive membership invitations by the next summit in spring 2008. More surprisingly, and most gratifyingly, the allies opened the door a notch further to Serbia, Bosnia Herzegovina, and Montenegro—while Georgia and Ukraine may soon join the MAP track.

"Causes," said President Bush in May 2005, during his first visit to Riga, "can be judged by the monuments they leave behind." The Riga summit made no monumental decisions, but then the allies still differ over the "cause" that might demand a monument. The leaders seemed to lack a sense of urgency, preferring to wait for events to guide them. That is not reassuring. Admittedly, Riga defined part of the road ahead for NATO; but the scenery may soon shift so much, for better or worse, as to make the path traced in Riga less relevant.

*Simon Serfaty, holder of the Zbigniew Brzezinski Chair in Global Security and Geostrategy at CSIS, prepared an extensive policy paper before the summit, following discussions in Riga by a CSIS group of leading U.S. and European experts on NATO, the EU, and transatlantic relations. The group met again in Berlin shortly after the summit. ■*

The CSIS Initiative for a Renewed Transatlantic Partnership aims to bring together politicians, business leaders, and key individuals to reflect on strategic priorities for the United States and Europe, define common interests and shared values, and promote the creation of a Euro-Atlantic community of action in the twenty-first century. The initiative is made possible by the generous support of private companies and foundations. For more information, please contact Natalia Filipiak: [NFilipiak@csis.org](mailto:NFilipiak@csis.org).