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“Prospects for Afghanistan’s 2014 Elections”

**Testimony before the
U.S. Senate Committee on Foreign Relations,
Subcommittee on Near Eastern and South and Central Asian Affairs**

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Chairman Casey, Ranking Member Risch, and members of the Subcommittee, it is an honor to appear before you today to present my views on the upcoming elections in Afghanistan. Thank you for this opportunity. The views I express today are my own and not necessarily those of the U.S. Institute of Peace (USIP), which does not take policy positions.

Introduction

I currently direct USIP's programs on Afghanistan and Pakistan. My views are informed by my work at USIP, and by a long-standing involvement in both Afghanistan and Pakistan. I began to work in the region in 1986 with U.S. humanitarian and development NGOs assisting Afghans, and spent all but three of the following 20 years in Pakistan and Afghanistan. I saw first-hand the tragic and devastating consequences for Afghans – and eventually the U.S. as well – when peace settlements failed, and when the international community lost interest in Afghanistan. While much of the press these days is filled with negative stories from Afghanistan, I can also attest to the remarkable progress made in Afghanistan during the past decade, which stands in stark contrast to the dark days of civil war and Taliban oppression of the 1990s. Much of this progress was made possible by generous U.S. financial support and the brave efforts of our military and civilian personnel who have served in Afghanistan.

USIP has been working in Afghanistan since 2002, focusing on identifying innovative ways to prevent and mitigate conflict through nonviolent means. Our team, based in Kabul and supported by colleagues in our headquarters in Washington, D.C., implements programs designed to improve understanding of conflict dynamics and peaceful dispute resolution mechanisms, supports and strengthens the important work of civil society organizations to prevent and resolve conflict and promote the rule of law, and advances peace education in schools and communities. We work closely with colleagues at the State Department, the U.S. Agency for International Development (USAID), and the International Security Assistance Force (ISAF) in Kabul, and through our research and programs help to inform their work and the work of other organizations and policymakers. USIP also frequently convenes and facilitates dialogue with key actors from across the Afghan political spectrum, as well as with U.S. civilian and military officials, including visiting Congressional delegations.

For the past two years, the top priority of USIP's Afghanistan program has been to conduct research, facilitate discussions, and raise greater awareness through publications, events and briefings of the importance of and need to support the 2014 political transition in Afghanistan. Throughout 2011, USIP and the Center for American Progress supported a high-level working group co-chaired by Steve

Hadley and John Podesta, which highlighted the need for a clearer U.S. political strategy in Afghanistan, and in particular stressed the importance of the 2014 political transition. Since 2011, USIP has also been hosting a monthly interagency Afghan Elections Working Group meeting in Washington, DC. In Afghanistan, USIP is currently designing a program to help develop the capacity of women to participate in the elections, as well as a broader effort to inform and support election-related civic education efforts.

A Credible Election is Essential for Peace and Stability

Today's hearing is critically important and timely. I strongly believe that the single biggest opportunity to protect the tremendous achievements of the past decade and to promote the U.S. objective of a relatively stable Afghanistan that does not slide back into civil war, once again becoming a haven for transnational terrorist groups and destabilizing its neighbors, especially Pakistan, is a credible election in 2014 that produces a legitimate successor to President Karzai.

Until recently this critically important political transition in Afghanistan has been overshadowed by the security transition – the ongoing process by which international forces are drawn down and Afghan forces take full responsibility for their own security. However, many Afghans do not believe it will be possible to have a successful security transition without a successful political transition that ensures there is a legitimate civilian government to control and maintain the cohesiveness of the Afghan National Security Forces. Furthermore, there is a clear recognition among Afghan political elites that cancellation of the election, or a deeply flawed election that does not produce a legitimate outcome, will have a very negative impact on the willingness of major western donors to continue generous levels of financial support to sustain the Afghan economy and the Afghan National Security Forces. They know all too well that it was not the withdrawal of Soviet troops that led to the downfall of the Najibullah regime in 1992, and the resulting descent into a bloody civil war, but the end to the Soviet subsidies following the collapse of the Soviet Union.

The stakes in 2014 are not simply the election of a new Afghan leadership, but the endurance of Afghanistan's constitutional political order. In spite of the problems that Afghanistan continues to face, its current constitution, ratified in January of 2004, has succeeded in holding together a disparate group of political elites. Many of these elites still have the means to contest for power with arms, but they

have accepted that constitutional process and electoral contests are better ways of resolving leadership conflicts. Without elections next year, or with flawed elections, the fabric of the constitution will be torn, and with it the existing consensus on how to allocate power and determine legitimacy. If this happens, it is likely that some of Afghanistan's major powerbrokers will resort to the only other set of rules for power available to them -- those of force and violence. This would not only have tragic consequences for Afghans, but also seriously damage U.S. interests in the region and reinvigorate the Taliban insurgency. As one senior Afghan political figure told me last month in Kabul, "If elections are not held it will be a big propaganda victory for the Taliban."

Foundations for a Democratic Future in Afghanistan

While the last round of Afghan elections in 2009/2010 were problematic for many reasons, a focus on the flaws of past elections would overlook some important achievements of Afghan democracy. Elections have worked in Afghanistan, at least in terms of their most basic function. They have legitimized executive power, elected representative parliaments and provincial councils, and have begun to accustom Afghan citizens to the rites of democracy. However imperfect, Afghanistan has achieved a government that exercises civilian control over its security forces, negotiates trade deals with its neighbors, seeks loans from international financial institutions such as the World Bank and the IMF, represents Afghanistan at the United Nations, and maintains important bilateral relationships on a sovereign footing. All of this is possible because the government is recognized by the international community because it has been established on the basis of the mechanisms prescribed in its constitution.

There is, of course, much room for improvement, but the two post-2001 electoral cycles have laid a foundation from which Afghans can continue to grow into their democracy. Elections are also accepted by most Afghans as a means of determining political power. A recent survey conducted by Democracy International and funded by USAID reveals that 76% of those surveyed intend to vote in the next presidential election. In another study published by USIP, Afghans surveyed say they recognize the flaws of their electoral system, but also value it. They expressed pride in the fact that their country has joined the family of democratic nations. Furthermore, despite past flaws, and undoubtedly future ones as well, they see no better alternative.

At the level of elites, the prospect of next year's election has led to significant political mobilization. Electoral politics is happening in Afghanistan – the democratic politics of coalition-building, platform-drafting, and campaign strategizing. The fact that President Karzai is constitutionally barred from running for a third term is the most salient feature of the 2014 election. While making predictions about Afghanistan is always a risky business, one possible scenario is the emergence of two strong electoral coalitions, one supported by President Karzai, and entrusted by him to protect and carry on his political legacy, and the other formed by an opposition team, made up largely of former (and in some cases current) senior office-holders in Karzai's government, though both coalitions will need the support of more traditional sources of power. A strategy being pursued by some political actors is to try to generate a consensus prior to the elections among key political elites around a post-election national agenda and power-sharing arrangement. If successful, this elite consensus-building effort would be followed by a national campaign to endorse this effort, with the hope that the 2014 elections would ultimately serve more as a referendum on this national agenda and power-sharing agreement rather than a highly contentious and divisive electoral contest.

United States' Support for Elections

Whether we like it or not, the position adopted by the United States plays a major role in the electoral calculations of Afghan political actors. However, there is a politically damaging mismatch of perceptions between the signals we think we are sending and the signals that Afghans say they are receiving from us. There is no question that the United States has been clear in its official statements, program documents, and bilateral discussions with Afghans about the U.S. desire for a credible election process in 2014 that yields a legitimate result. For example, the Tokyo Mutual Accountability Framework specifies a credible election as a condition for long-term assistance to Afghanistan beyond 2014. The elections were prominently mentioned during the press conference that Presidents Obama and Karzai held in Washington in January of this year, as well as during Secretary Kerry's visit to Kabul in March. The U.S. Embassy in Kabul is closely following the elections and USAID and its partners are actively supporting the electoral preparations. On visits to Kabul in February and April of this year, I was struck by the number of Afghan political figures who spoke of the significance for Afghans of then-Senator Kerry's remarks about the importance of the elections, made in his confirmation hearing before this committee.

We might therefore conclude that the U.S. government has said enough and that our position is clear. But many Afghans remain hesitant and continue to question our commitment to their democracy. They note our actions as well as our statements. The recent reports in the media, for example, that some parts of the U.S. government continue to provide President Karzai with unofficial cash payments is interpreted as a sign that, whatever the U.S. says about elections, it in fact remains wedded to supporting Karzai and his patronage networks. His very public acknowledgment that he received these funds, and the assurances he says he was given that he will continue to receive them, clearly show that he recognizes the political value within Afghanistan of highlighting this support. The fact that the U.S. has not been more vocal on issues such as Karzai's recent veto of an electoral law that would ensure a more independent election commission is also seen as a sign by some Afghans that credible elections in 2014 are not a top U.S. policy priority. The U.S. refusal, along with other donors, to finance a plan last year to improve the voter register – leaving aside the feasibility of that plan – is similarly interpreted as the U.S. government's unwillingness to invest in as credible an electoral process as possible.

In 2009, President Karzai accused the U.S. of undue interference in the electoral process, including favoring certain candidates over others and actively undermining his re-election. Whatever the merits of this accusation, Karzai considers it to be fact, and that must be accepted by policymakers as a reality of the Afghan political scene. Since 2009, the international community has reacted by adopting an approach that perhaps goes too far in the other direction. Rightly or wrongly, many Afghan opposition politicians regularly complain to me that the U.S. has been conspicuously absent from involvement in the elections on the grounds of respecting Afghan sovereignty – but that too often there is a tendency to confuse President Karzai's "sovereignty" with Afghanistan's sovereignty. As one Afghan put it to me, "The United States is interfering in the process as much by staying out of it as it would by being involved. The question is whether its interference is positive or negative for the future of Afghanistan."

There is no question that Afghan sovereignty must be taken seriously. Active U.S. support for a credible election bolsters Afghan sovereignty and reinforces the primacy of the constitution. It is a critical component of the future relationship between our two countries. This discussion cannot be held only with President Karzai. It must be held more broadly with the Afghan political community and even the Afghan public, because they will be the main partners and hopefully beneficiaries in that future relationship. It is not a violation of Afghan sovereignty for the U.S. government and its international

partners to highlight – publicly as well as privately – the need for appropriate electoral laws and effective and independent electoral institutions, and that future levels of external support will undoubtedly be affected by the extent to which the elections are perceived to be credible.

The veto a few weeks ago by President Karzai of the law governing electoral institutions is cause for significant concern. Karzai's main criticism was that the law restricted his so far unfettered ability to pick the members of the Independent Electoral Commission. His veto of the law will, in the least damaging scenario, cost precious time in the preparation of the elections. At worst, it will result in a situation where parliament adjourns in July without an agreed-upon law, and President Karzai will either decree a new law, or the elections will take place according to the old law. Irrespective of the merits of the various legislative drafts, and of the arguments behind Karzai's veto, the electoral optics are of great concern. For an opposition already skittish about contesting an election that they fear will be rigged, the fact that the president might be the sole decider of the legislation under which the election takes place, and the sole appointer of the figures who will oversee the contest, is dissuasive to say the least.

Despite the risks of a destabilizing election, the greatest fear of many Afghans is an election that doesn't take place. Various factors heighten that concern -- a delayed or uncertain legislative framework, an opposition that is ill-prepared to contest an election because it doubts the election's fairness, the security situation which could further deteriorate if the Taliban decide to actively target the elections, the impact of the drawdown of international military forces on their capacity to provide security and logistical support, questions about how the electoral budget is administered, logistical challenges of carrying out a spring election -- all lead to a situation where many may conclude that an election cannot be held. Where would that leave Afghanistan? It is anyone's guess, but without question it would create a destabilizing constitutional crisis, which I have argued it is imperative to avoid.

It must be the unwavering policy of the U.S. to support an election in April 2014 that will provide a new leadership team for Afghanistan and, most importantly, preserve the integrity and continuity of the Afghan constitution. This policy objective should be prioritized above all others, including that of a negotiated solution with the Taliban. Working with Afghans to ensure that a credible election is held should also take precedence over certain bilateral issues, such as the negotiation of the Bilateral Security Agreement that determines the status of U.S. forces in Afghanistan beyond 2014, should these two issues be placed in conflict.

The U.S. must make very clear to the Afghan government, political parties and candidates, and the Afghan public that a credible election and a peaceful political transition to a legitimate successor to President Karzai is currently the top policy priority of the U.S. in Afghanistan. This need not be communicated through threats or ultimatums. Megaphone diplomacy in Afghanistan often backfires. U.S. officials must simply state the obvious -- that the U.S. and its international partners would find it difficult to sustain a robust and long-term economic and security relationship with an Afghanistan that did not have a legitimate democratically elected government. On the other hand, the U.S. would welcome deepening its relationship with a new, elected government that sees itself as a strategic partner.

Recommendations

In summary, my recommendations are:

1. **The top priority of U.S. policy in Afghanistan should be to support credible elections on April 5, 2014, in accordance with the Afghan constitution.** We have many competing interests in Afghanistan and many short term crises that come up in our relationship with the Afghan government. These should not be allowed to overshadow the fact that our long-term relationship depends on a legitimate post-2014 government.
2. **The U.S. should appoint an official of ambassadorial rank in the embassy in Kabul specifically tasked with focusing on elections, offering both technical and political guidance.** Ambassador Tim Carney played this role in 2009 and it was seen as extremely valuable by Afghans and the international community in coordinating the various lines of support provided by the U.S. government. Because the elections are taking place in the spring when weather conditions make parts of the country difficult to access, the 2014 elections will be more complicated logistically than previous elections, and ensuring efficient lines of support will be more important.
3. In providing support to the electoral process, both through technical means and through our statements to Afghan leaders, **the U.S. must avoid the impression that it supports any specific candidate.** It is extremely important for the legitimacy of the process and the government that emerges from it, that the electoral decision is an Afghan one.

4. **The U.S. should actively support civic education efforts of civil society organizations and the media.** Civic education and robust support for independent media will play an important role in mobilizing and educating voters, especially women voters, generating demand for the elections, and promoting greater transparency and accountability.
5. Finally, **we should work with Afghanistan’s regional partners to improve the environment in which the elections take place.** The election of a new government in Pakistan, for example, creates an opportunity to gain greater cooperation in promoting stability in Afghanistan in the run-up to the election. Neighboring countries will seek to influence the election, but can be convinced that they also all stand to lose if a failed process leads to renewed conflict.

Conclusion

The true value of the efforts of many American service men and women, diplomats and civilians over the past twelve years will be put to the test a year from now. As I mentioned at the beginning of my remarks, the stakes are high for all Afghans, but they are also high for us. An Afghan friend recently told me, “We have tried every form of government in the past 100 years: monarchy, anarchy, theocracy, a non-elected presidential republic, and now democracy. If democracy cannot work, then what is left?” That, I believe, is how many Afghans see the stakes of next year’s election, and why they place so much importance on them -- and why we cannot let them down.

Thank you, Mr. Chairman, and I am happy to take questions.

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