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PROSPECTS FOR AFGHANISTAN'S 2014 ELECTIONS

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BEFORE THE

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OF THE

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PROSPECTS FOR AFGHANISTAN'S 2014 ELECTIONS

TUESDAY, MAY 21, 2013

U.S. SENATE,
SUBCOMMITTEE ON NEAR EASTERN AND
SOUTH AND CENTRAL ASIAN AFFAIRS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:45 p.m., in room SD–419, Dirksen Senate Office Building, Hon. Robert P. Casey, Jr. (chairman of the subcommittee) presiding.

Present: Senators Casey and McCain.

OPENING STATEMENT OF HON. ROBERT P. CASEY, JR., U.S. SENATOR FROM PENNSYLVANIA

Senator CASEY. Well, this hearing will come to order. We are sorry about the delay. I know our witnesses understood that we just had a longer session regarding Syria and important work that had to be done. So we are grateful for the patience of our witnesses.

I want to thank our witnesses for being here today.

I will have a statement I will try to get through as quickly as I can.

I am joined by Senator McCain, and I am grateful for his presence here.

Today the Senate Foreign Relations Subcommittee on Near Eastern and South and Central Asian Affairs meets to discuss Afghanistan's Presidential and provincial elections scheduled to take place on April 5, 2014. While these elections are almost a year away, preparations must begin now, given that their outcome will determine the success or failure of the international effort in Afghanistan. Simply put, the stakes could not be higher.

These elections come at a pivotal time. A full-fledged security transition from international forces to Afghan forces is already underway. The United States is deliberating troop levels post-2014 and negotiating a bilateral security agreement with the Afghan Government. The success of the security transition depends in large part on political stability and whether a majority of the Afghan people see their next government as legitimate and acceptable. If not, we can expect ongoing political strife and possibly a return to civil war.

That is why preparing for successful and credible elections must be one of our top priorities in Afghanistan. The American people

and the Congress will be watching this election process closely as we determine future investments in this important relationship.

As we begin this conversation about the 2014 Afghan Presidential and provincial elections, I want to make one thing clear at the outset. The United States nor others in the international community should not be seen to interfere in these upcoming elections. This is an Afghan exercise, an Afghan election, whose outcome should be solely determined by the Afghan people. The U.S. role is to support an open, transparent, credible, and inclusive election process, but should in no way seek to determine the actual outcome.

The United States does, however, have a stake in the election process, and the equation is quite simple. If these elections are seen as transparent, credible, and inclusive, the United States and Afghanistan's allies will continue to support Afghanistan's development and commitments made in the Tokyo Mutual Accountability Framework. If not, we can expect to see many countries, including the United States, possibly dramatically reduce funding and support for Afghanistan. After so many years of sacrifice by our service men and women, U.S. taxpayers will have no patience for a flawed election. United States support for independent electoral administration mechanisms and respect for the Afghan Constitution, reflect a respect for Afghanistan's sovereignty and a desire to ensure that hard fought gains for Afghanistan's democratic system are not lost.

Furthermore, a transparent, credible, and inclusive election process will be an important determinant of the stability of the country. If key blocs in Afghanistan do not believe that the elections are inclusive and credible, we could face a similar scenario to the 1990s when disaffected factions expressed their political views through violence. It goes without saying that the United States and regional actors are deeply interested in ensuring that Afghanistan does not devolve into a civil war like it did then.

Today Senator McCain and I introduced a Senate resolution which emphasizes our concern that a flawed election process could have a significantly negative impact on the stability of the country. We hope that this resolution will send a clear message to Afghan authorities that the United States is committed to investing in Afghanistan's future and it is largely contingent on the quality of the election process.

So far, the election preparations have been hampered by a lack of a legal framework governing electoral bodies, their composition, and conduct. Last June, I sent a letter to Secretary Clinton expressing my concerns about the Independent Electoral Commission, the so-called IEC, and the Electoral Complaints Commission known as ECC. Since then, there has been little progress made by Afghan authorities. President Karzai recently vetoed a law passed by Parliament which would set the terms for the Independent Electoral Commission and the Complaints Commission. The independence of these bodies is critical because it speaks to the ultimate impartiality of the elections and helps to build confidence in the electoral process.

Moving forward, I would recommend that the U.S. administration consider the following measures—only three—to improve the prospects for the elections.

No. 1, the United States should send a clear message to the Afghan people that we consider the integrity of this process to be a top priority and have dedicated key personnel to the task. The election does not appear to be the sole purview of any one of our five Ambassadors on the ground in Kabul. Like we did for the 2009 elections, the United States should designate a senior-level position in Embassy Kabul to focus solely on coordinating policies and programs for the elections. Former National Security Advisor, Stephen Hadley, and former White House Chief of Staff, John Podesta, have also made this important recommendation to the administration, and I hope it is considered seriously.

No. 2, the United States should continue to reiterate the importance of holding the election on April 5, 2014. Allowing the election to slip would diminish public confidence in the process and could have security implications if international forces draw down troops throughout the course of the year.

Third, the United States should continue to call for the adoption of an election law that establishes a transparent and inclusive Electoral Commission and Complaints Commission.

Fourth, the United States should express its support for the appointment of Supreme Court Justices to replace those whose terms have expired.

During President Karzai's visit to Washington in January, he reiterated his intention to step down at the end of the term. The President told me in a meeting and he told others at the meeting that he wanted to be the first democratically elected President of Afghanistan to transfer power to the second democratically elected President. This is a powerful and inspiring statement. President Karzai has a golden opportunity to cement a positive and long-lasting legacy with these elections, one that I hope—I hope—he will seize.

The United States has sacrificed greatly in support of a stable and prosperous Afghanistan free from extremism. Based on these sacrifices and any future investments in the country, the United States should clearly and unequivocally continue to express support in word and deed for a democratic culture based upon transparent, credible, and inclusive election processes that protect the rights of all Afghans.

So today, we are fortunate to have with us two witnesses who can speak the United States policy in Afghanistan: the State Department's Deputy Special Representative for Afghanistan and Pakistan, Ambassador David Pearce, who is with us; and Dr. David Sedney, the Deputy Assistant Secretary of Defense for Afghanistan, Pakistan, and Central Asia. I appreciate both being here and we will get to your statements in 1 minute, 1 brief minute.

Our second panel will be Dr. Andrew Wilder, director of Afghanistan and Pakistan programs at the U.S. Institute of Peace; Ms. Sarah Chayes, senior fellow at the Carnegie Endowment for International Peace; and Mr. Max Boot, the Jeane J. Kirkpatrick Senior Fellow for National Security Studies at the Council on Foreign Relations.

We thank all for being with us today, and Ambassador Pearce, we will start with your statement. If you can try to keep it to 5, I promise my questions will be short.

STATEMENT OF HON. DAVID PEARCE, DEPUTY SPECIAL REPRESENTATIVE FOR AFGHANISTAN AND PAKISTAN, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Ambassador PEARCE. Thanks a lot, Senator. It is great to be here, and I really appreciate the invitation.

Senator McCain, good to see you again too. I think the last time was in Kabul in Ambassador Crocker's era when I was the Assistant Chief of Mission there, sir.

First of all, Ambassador Dobbins was just sworn in on May 10, and he tells me that he would like me to convey the fact that he is looking forward to working with you as well, sir, in the future.

And on behalf of both Secretary Kerry and Ambassador Dobbins, let me say that we really do appreciate the role of this subcommittee and all the attention that you are bringing to this important issue.

And I would say, Senator, you have already stolen a lot of my talking points. So I think it will be easier for me to dispense with part of my statement here.

But as requested, I will try to focus on the elections, and I can tell you that Secretary Kerry has no higher priority. A peaceful transition of Presidential authority, together with the provincial council elections that will happen at the same time, can cement the gains of Afghan society and set the trajectory for Afghanistan's stability long into the future. So as you said, sir, the stakes are high.

For more than a decade, President Karzai has led the country through some very difficult times, but the biggest part is yet to come, and that is handing over power next year. He has stated repeatedly that he will honor the constitution and step down. And as you said, indeed, nothing will do more to cement his legacy than that.

Success requires that the election results be acceptable to a broad majority of Afghans, including those who voted for losing candidates, this so that Afghan citizens throughout the country accept the winner as legitimate President. A peaceful and constitutional transfer of power of this kind will send a strong signal to all, including the Taliban, about the resilience of Afghanistan's democratic institutions.

As Secretary Kerry said in January right here, if we do not succeed in helping the Afghans administer an acceptable election, it will be very difficult to convince the American people and our allies to stay engaged in this effort.

So let me review first what the Afghans themselves are doing and then a little bit about what we are doing.

First of all, in security, the security ministries—and David will address this in more detail—in regular consultation with ISAF, are engaged in active planning. The Independent Elections Commission has produced a list of about 7,000 polling stations which the ministries are reviewing, and the Afghan forces will take the lead on election day, as in the past, but we will still have forces on the ground to provide appropriate support.

But meanwhile, with encouragement from the international community, the Elections Commission has outlined a timeline for the elections, designed a public relations campaign to educate voters about the process, and developed a comprehensive operational plan

to combat fraud and increase participation, including of women. The IEC is also undertaking efforts to conduct voter registration to ensure that all who are eligible to vote will have an opportunity to do so.

These are all positive developments, but that is not to say that there are not some challenges. One, of course, is security. The Afghans are holding an election amid an ongoing insurgency in a country where institutions are still developing. We expect the Taliban to try to disrupt the process both in the lead up to and on election day, as they have in the past.

The next issue, as you mentioned, sir, is the necessary legislation to establish a sound electoral framework. It has not yet been finalized, and time is running short as candidates prepare to form their tickets and register in September. President Karzai and the Parliament are working on these issues. One of the key tasks is standing up a truly independent electoral complaints body to adjudicate electoral disputes and a credible appointment of a new IEC chairperson. While Afghans must decide precisely what these mechanisms should look like and who belongs in these positions, the process must be credible. We believe an electoral framework, based on law and founded on broad and inclusive consultations, is the best way to do that.

Finally, as you said, there are Supreme Court Justices whose constitutional terms have expired, and it is past time for them to be removed and replaced. This will help legitimize the Court's decisions and solidify confidence in the process. This is significant because the Supreme Court may rule, as it has in the past, on constitutional issues related to the elections.

And as for the United States and the international community, well, first let me say what we are not going to do. The United States will not take sides or endorse any candidate in these elections.

On security I will defer to David Sedney, but I will note that we are focusing particular efforts on improved access for women to polling centers by supporting the IEC gender strategy and recruitment of qualified female election staff, promoting public outreach to women, and ensuring that female searchers are available to secure polling locations.

And as I said, we have three near-term electoral priorities: the legislation to make sure we have got an independent body to adjudicate complaints, appointment of a credible IEC commissioner, followup on the IEC operational plan.

And then to advance these, Senator, the Embassy in Kabul is engaging intensively with election officials, security ministries, Parliament, opposition, political parties, civil society, and women's organizations. We emphasize that all parties should stay engaged in the election preparations to ensure a good process and avoid a disputed outcome. We speak with political leaders about the importance of our bilateral partnership and the need for this work to continue with the next President. We discuss our security relationship, Afghan commitments to the Tokyo Framework, support for an Afghan peace process, and preserving the gains of the last 10 years, including protections for women and minorities.

Afghan political players understand that a peaceful political transition, following an inclusive, unifying electoral process, is critical not just for Afghan stability but also to sustaining international commitments.

Senator, we need to remain realistic and recognize that these elections will not be perfect. There will be irregularities. Security will be such probably in some parts of the country that people may not be able to vote. And that is why we have been providing significant financial and program assistance to help our Afghan partners build credible and independent electoral institutions. We coordinate closely with the United Nations and other donors on training, public information campaigns, fraud mitigation, domestic observation efforts, and improved ways to identify eligible voters.

As the Secretary said in Kabul in February, these elections should represent a unifying moment for Afghanistan. They are the best chance Afghans will have to heal the wounds of the past decade and to begin the process of putting the conflict behind them.

So, Mr. Chairman, we look forward to continuing to work with you and the committee and the subcommittee and look forward to taking your questions today, sir.

[The prepared statement of Ambassador Pearce follows:]

PREPARED STATEMENT OF AMBASSADOR DAVID D. PEARCE

INTRODUCTION

Thank you, Senator Casey, for the invitation to appear before the subcommittee. Ambassador Dobbins was just sworn in as Special Representative for Afghanistan and Pakistan on May 10 and asked me to convey to the members of the subcommittee that he looks forward to working with you.

On behalf of both Secretary Kerry and Ambassador Dobbins, let me just say the Department of State appreciates the helpful role that the subcommittee has played in focusing attention on a host of important issues in South and Central Asia, and particularly your focus on Afghanistan. Your travel to the region and your continuing conversations with Afghan officials signal congressional attention to all of these issues.

Today, as requested, I will focus on the elections, and I can tell you Secretary Kerry has no higher priority. They are at the very center of all that we are trying to achieve. In our Strategic Partnership Agreement, Afghanistan reaffirmed its commitment to democratic governance and free, fair, and transparent elections. The 2014 Presidential election, now less than a year away, will be a milestone in Afghanistan's democratic development.

The elections will be an opportunity for Afghan men and women to choose what kind of country they want to live in, what kind of leaders they want to empower, and, ultimately, how they will resolve the conflict that has divided their country for so many years. The Presidential election, together with the 2014 provincial council elections, will cement the gains of Afghan society and set the trajectory for Afghanistan's stability long into the future.So the stakes are high.

The elections are not happening in a void. Today, Afghans are defending their country against the insurgents, and our troops are starting the long journey home. This transition is extremely challenging—and it is critical we get it, along with the election and our long-term partnership, right. That is why we signed the Strategic Partnership Agreement with Afghanistan, and it is why we have placed such great emphasis on the Tokyo Mutual Accountability Framework. Both link the success of the elections to our long-term partnership and to the continued support of the international community.

For pessimists out there, I'd like to point out that Pakistan just came through an election campaign with violence, fraud allegations, and other enormous challenges, but few doubt that the results represent the voice of the Pakistani people. While the parallels are not precise, Afghans nevertheless can take heart in this democratic transition and understand that they control the direction of their future.

The United States firmly believes that the future stability of Afghanistan rests on a peaceful transition of political authority from President Karzai to his successor

in 2014 following a democratic, inclusive, and credible election. For more than a decade, President Karzai has led the country through some very transformative and difficult times, but the biggest piece is yet to come: handing over power next year. Today's hearing takes place exactly 1 year before the last day of President Karzai's term of office. He has stated repeatedly that he will honor the Constitution and step down, and nothing will cement his legacy more as an Afghan patriot and democratic leader. For our part, we will do all we can to help ensure that a year from today, Afghanistan experiences the first peaceful and constitutional transfer of power in its history.

Success requires that the election results be acceptable to a broad majority of Afghans—including those who voted for losing candidates—so that Afghan citizens throughout the country accept the winner as the legitimate President. Such a handover of power will send a strong signal to all—including the Taliban—about the resilience of Afghanistan's democratic institutions and the paramount importance of the Constitution and rule of law.

After years of service in the Senate and frequent trips to Afghanistan, no one understands better than Secretary Kerry the stakes involved. As he said here in his testimony in January, if we don't succeed in helping Afghans administer an acceptable election, it will be very difficult to convince the American people and our allies to stay engaged in this effort.

AFGHAN PREPARATIONS FOR THE ELECTIONS

I would like to report to you on what the Afghans are doing themselves to make Secretary Kerry's words a reality. The Afghan Government, election officials, opposition leaders and civil society understand that having a sound democratic framework for the elections in place well in advance of election day is critical to Afghan stability, as well as to sustaining international commitments to Afghanistan. With encouragement from the international community, the Independent Election Commission (IEC) has outlined a timeline for the elections, designed a public relations campaign to educate voters about the process, and developed a comprehensive operational plan to combat fraud and increase participation, including of women. The IEC is also undertaking efforts to conduct voter registration to ensure that all who are eligible to vote will have the opportunity to do so.

Security preparations are well under way. The Afghan security ministries, in consultation with ISAF, are engaged in active planning, including for access of women to polling stations. The IEC has produced a list of polling stations, which the security ministries are reviewing. Afghan forces will take the lead for security on election day as in the past, but we will still have forces on the ground to provide appropriate support.

These are all positive developments. And though the planning process can be slow, it is achieving results. This is not to say there are not serious challenges. The necessary legislation to establish a sound electoral framework has not yet been finalized, and time is running short as candidates prepare to form their tickets and register in September. President Karzai and the Parliament are working on these issues. One of the key tasks is standing up a truly independent electoral complaints body to adjudicate electoral disputes and a credible appointment of a new IEC chairperson. While Afghans must decide precisely what these mechanisms should look like, and who belongs in these positions, the process must be credible. We believe an electoral framework based on law, founded on broad and inclusive consultations, is the best way to achieve that.

Additionally, it is important that the Supreme Court justices whose constitutional terms have expired, be removed and replaced. This will help legitimize the Court's decisions and solidify confidence in the process. This is critical as the Supreme Court may rule, as in the past, on fundamental constitutional matters related to the elections.

And apropos of security, let's not forget that Afghans are faced with holding an election amid an ongoing insurgency in a country in which institutions are still developing. We expect the Taliban to try to disrupt the process both in the lead-up to and on election day as they have in the past. We have to be realistic and acknowledge that this will be a challenge to the process.

SUPPORT FROM THE UNITED STATES AND THE INTERNATIONAL COMMUNITY

What are we doing to keep this process on track? First, let me tell you what we will not do. The United States will not take sides or endorse any candidate in these elections, as ultimately this election belongs to the Afghans. A fair and inclusive electoral process and a unifying, widely accepted outcome are key to achieving our goal of strengthening Afghan democracy.

We have identified three near-term priorities that we believe will lay a solid foundation for credible elections. First, as I mentioned, this includes Parliament passing legislation that to establish a truly independent body to adjudicate complaints. Second, the IEC must be led by a credible and competent commissioner. And third, the IEC needs to finalize and begin to implement its operational plan. Our colleagues at U.S. Embassy Kabul are engaging intensively with Afghans across the board to achieve these goals. This includes election officials, security ministries, parliament, opposition, political parties, civil society, and women's organizations in support of Afghan aspirations for elections that are as free, fair, and transparent as they can possibly be.

And while the United States will not support any particular candidate, we believe that Afghans will want their next President to be someone who can work in close partnership with the international community to achieve our mutual interests. And so we are speaking with political leaders on the importance of our bilateral partnership and the need for our important work to continue with Afghanistan's next President. This includes important issues like our security relationship, Afghan commitments on the Tokyo framework, support for an Afghan peace process, and preserving the gains of the last 10 years, including protections for women and minorities. We also emphasize that all parties should stay engaged in the election preparations to ensure a good process and avoid a disputed outcome.

We see signs that Afghans are now working to identify candidates well in advance of the elections. Key political leaders from major parties and groupings have been engaging with each other about who should run and on what platforms. Civil society and women's groups are actively engaged with government, political leaders, and the international community. We applaud efforts to put aside old animosities and forge consensus, engage in genuine national dialogue, and place the good of the nation ahead of factional or personal interests. That's what democracy, at its best, is all about.

Of course, we need to remain realistic and recognize that these elections will not be perfect—there will be irregularities and security will be such in parts of the country that people may not be able to vote. This is why we have been providing significant financial and program assistance to help our Afghan partners build credible and independent electoral institutions. We coordinate closely with the U.N. and other donors on training, public information campaigns, fraud mitigation, domestic observation efforts, and improved ways to identify eligible voters.

We are committed to supporting IEC plans to combat fraud by better controlling ballots and training and vetting its staff. We view transparency is key to reducing fraud, and therefore we are also encouraging a strong program of domestic monitoring of elections.

On security, we are strengthening the capacity of the ANSF to secure the elections with ISAF support. As part of this we are focusing particular efforts on ensuring women have greater access to polling centers than in prior election cycles by supporting the IEC's gender strategy and recruitment of qualified female election staff, promoting public outreach to women, and ensuring that female searchers are available to secure polling locations.

Most importantly, we regularly discuss with our Afghan partners the nature of our enduring partnership. Afghan political players and members of civil society understand that a peaceful political transition following an inclusive and unifying electoral process is critical not just for Afghan stability but also to sustaining international commitments to Afghanistan made last year in Chicago and Tokyo.

CONCLUSION

National dialogue among all Afghans through political processes is critical to ending the decades of conflict. This will take time. But successful elections can promote this dialogue and provide a real spark to a peace process, as they will send a strong signal that Afghanistan's democratic institutions enshrined in its 2004 Constitution are an enduring reality. Pluralism and tolerance are bedrock principles of democracy. These elections offer an opportunity to bring many Afghans into the political process who have previously stayed on the margins.

As Secretary Kerry said in Kabul in February, the elections should represent a unifying moment for Afghanistan. We see the success of the elections as critical to our own mission and as giving the Afghans the best chance they have at healing the wounds of the past decade and beginning the process of putting the conflict behind them.

Mr. Chairman, we look forward to continuing to work with you, your office, and this committee on these important issues in the months ahead. And I look forward to taking your questions today.

Senator CASEY. Thanks very much.
Mr. Sedney.

STATEMENT OF DAVID SEDNEY, DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR AFGHANISTAN, PAKISTAN, AND CENTRAL ASIA, U.S. DEPARTMENT OF DEFENSE, WASHINGTON, DC

Mr. SEDNEY. Thank you very much, Mr. Chairman, Senator McCain.

I also had the pleasure of hosting you in Afghanistan many years ago when we were together in the rocks beneath the destroyed bombing and statues. I recall your conversation with a young Afghan boy. It was one really inspiring moment. So thank you, sir.

Today, from the Department of Defense, I am here to review where we are in security-related planning for the political transition next year. But first I want to make sure I put this in the context of our overall effort in Afghanistan and the historic transition that the security forces are undergoing right now.

In 2008, after years of underinvestment in Afghanistan, the Taliban had resurged and were at the gates of Kabul and Kandahar. In many ways, failure stared us in the face.

Following a surge to Afghanistan of military and civilians, greater investment in the Afghan National Security Forces, we have arrived at a point where the Afghan security forces number close to 350,000 and are in the process this year of taking the lead for security in their entire country, with our continuing support, but they are in the lead. Over 90 percent of the operations that the Afghan security forces are carrying out—of security operations in Afghanistan are now being carried out with Afghanistan forces in the lead. That is what is happening this summer.

This will be preparation for the Afghan security forces taking the lead, as you said, Mr. Chairman, for an Afghan-led elections process in the spring of next year. This is a testing time for the Afghan security forces as they take up this challenge of the lead. So far, the returns are very good in terms that they are meeting that challenge. There are areas of success and areas of failure. So at the same time that the election preparation is going on, the Afghan security forces are stepping up to this new challenge.

Wherever the Taliban have taken territory from the Afghan security forces, the Afghan security forces have, in turn, reattacked and taken it back. They are in the process of building that security that will be necessary for the elections.

As the Afghan security forces step into that new role, they are also working with the Elections Commission and the rest of the Afghan Government to prepare for the elections next year. The entities involved, primarily the Ministry of Interior and Ministry of Defense, have reviewed what happened in 2008 and 2009 and 2010, and similar to that, a three-tier security model will be used with the Ministry of Interior, Ministry of Defense, and the National Director of Security, the intelligence agency responsible for providing security around the polling station in different layers.

It is important to note that the planning and logistics capabilities of the Afghan security forces have improved greatly since 2008,

2009, and 2010, the last election cycle. They still have, however, a lot of challenges.

This year, however, planning is well ahead of where it was 5 years ago in 2008. The security ministries are completing security assessments, and we expect those to be done before candidate registrations in September of this year.

In March, the IEC, working together with the security ministries, put forward a comprehensive operational plan, something that was not there in the 2009 and 2010 elections. This plan is a comprehensive document dealing with all the requirements for the elections. While not a security plan, it includes a discussion and a setting forth of security requirements that will enable the Ministry of Defense and Ministry of Interior to continue their planning and do a better job than 5 years ago.

However, I would like to stress that there are challenges. While security planning, as I said, is ahead of where it was 5 years ago, levels of violence are much higher in 2013 than they were in 2008 and 2009. As we draw down our forces, the stakes are higher and the complexity of the operation that the Afghan security forces will be undertaking is greater than that they faced in 2008 and 2009.

However, the returns so far of the way the Afghan security forces are stepping up to the new tasks they are taking on this year give great promise that they will be able to meet the requirements of security for the elections in April of next year.

With that, Mr. Senator, I look forward to your questions.

[The prepared statement of Mr. Sedney follows:]

PREPARED STATEMENT OF DEPUTY ASSISTANT SECRETARY DAVID SEDNEY

Chairman Casey, Ranking Member Risch, members of the subcommittee, thank you for this opportunity to provide the Department of Defense perspective on the current outlook for the Afghan Presidential and provincial council elections in 2014.

Today, I plan to review the current state of security-related planning for a successful political transition next year. But first, I want to place the discussion in the context of our overall effort in Afghanistan and recognize the truly historic transition that is underway. Over 11 years ago, in response to one of the worst attacks on our homeland, the United States, together with our allies and partners, initiated a campaign in Afghanistan to disrupt, dismantle, and defeat al-Qaeda and its affiliates, with the mission to ensure that it would never again become a safe haven from which terrorists could launch attacks on the United States and to ensure the Taliban did not regain power through force. In 2008, after years of underinvestment in Afghanistan, the Taliban had resurged and were at the gates of Kabul and Kandahar. Failure stared us in the face. In 2009, after reviewing our Afghan policy, President Obama ordered a surge of U.S. troops and civilians to give us the chance to reverse the insurgency's momentum while, for the first time, effectively building an Afghan National Security Forces (ANSF) capable of defeating the Taliban. The President's message drew strong response from our coalition partners and new commitments from many countries that had previously stood aside from the Afghan effort as they saw it as too little and too late. Ever more importantly, Afghans also saw new hope and began flooding in to join the Afghan security forces in unprecedented numbers. These forces grew from roughly 170,000 in May 2009 to over 335,000 today currently fielded or in training, and we went from too few recruits to turning away tens of thousands. As a result of the concerted effort by the Afghans, U.S. and coalition partners along multiple lines of effort—military, diplomatic, reconstruction, governance, and economic development—we have seen a remarkable turnaround in Afghanistan, most dramatically in the security area. The ANSF grew from a static force with severely limited combat capability to a force conducting corps-level combined army and police operations, as well as border security enforcement.

Over the past 12 months the ANSF, particularly the Afghan National Army (ANA), have made remarkable progress—now leading over 80 percent of operations and carrying out many unilaterally. They have succeeded well beyond expectations

and when they have encountered tactical failure—the loss of territory or a battlefield setback—they have re-attacked, retaken territory, and pushed the Taliban back. The Afghan Government will soon announce Milestone 2013, at which point the Afghans will assume the security lead for 100 percent of the Afghan population and the International Security Assistance Force (ISAF) will shift to a support-role. The Afghans are entering a fundamentally new phase as they assume the sovereign responsibilities that will put them on a path toward self-reliance. Holding a legitimate election process that enables a peaceful transition of power will be a milestone in Afghanistan's path forward.

The Presidential and provincial council elections, set for April 5, 2014, hold promise to be the first constitutional transfer of power from one President to another in Afghanistan's history. For the first time, Afghans will be solely responsible for administering the process and providing security with international forces in support only. A credible process with the fullest possible voter participation is critical. The challenge for Afghans will be to demonstrate that elections have qualitatively improved since 2009–2010 with the implementation of better fraud-mitigation procedures and more polling stations accessible to eligible voters. Helping Afghans achieve a peaceful transfer of authority in 2014 is one of the administration's highest priorities in Afghanistan, with DOD focused on the security front. However, I want to highlight that this will be an Afghan-led process. In accordance with the overall security transition and respect for Afghan sovereignty, ISAF, including U.S. forces, will maintain a support role during the elections process: ISAF will be prepared to take action only when—and only if—requested by the Afghan Government. Support will likely be in logistics, intelligence, route clearance, and in extremis support. As a contingency, ISAF will be prepared to deploy quick reaction forces in the event the ANSF are not able to provide for the safety of members of the international community, such as election observers. Together with their Afghan counterparts, coalition forces will have the ability to provide a rapid response in the event security deteriorates beyond the ANSF's ability to control.

There are several Afghan entities that play a role in security planning for the upcoming election. While the Independent Election Commission (IEC) has the lead in election administration and supervision, the Ministry of Interior (MoI) has an overall coordinating role for security of the electoral process, with support from the Ministry of Defense (MoD) and the National Directorate of Security (NDS). Similar to the 2009–2010 election security model, a three-tier approach will be employed to secure the polling centers, with MoI, MoD, and NDS responsible for providing security around the polling stations. It is important to note that the ANSF conducted security for earlier elections, and their planning and logistics capabilities have improved considerably since then. Planning has benefited from lessons learned in previous elections. Furthermore, the Afghan forces providing security for this election has almost doubled in number since 2009.

Following lessons learned from the 2009 and 2010 elections, the U.S. Government has encouraged early and close liaison among the IEC and the security ministries. The IEC has already started coordinating with the MoI and MoD on security planning. At the end of February 2013, the IEC provided the MoI with a list of almost 7,000 polling centers to allow the MoI ample time to conduct security assessments for each site, take measures to open stations that had not been accessible previously, and provide adequate time for the delivery of election materials. The security ministries are scheduled to complete security assessments before candidate registration begins in mid-September 2013. In March 2013, the IEC, together with the security ministries, released a comprehensive operational plan a year ahead of the elections—something that we did not achieve in the run up to the 2009 and 2010 elections. The IEC operational plan is a comprehensive document detailing voter registration and voting procedures, training and fielding of observers, fraud mitigation, and public messaging, both to encourage participation and to explain procedures. While not a security plan, it does include some discussion of security considerations for the main components of the electoral process, the general concept of security operations, and processes that support the IEC Security Operations mission.

Although election preparations are progressing, challenges remain. Afghan security institutions have yet to turn their full attention to security planning, having focused resources on the current fight and its challenges while also helping support voter registration and roll-out of the e-tazkera, the biometrically linked electronic national identity card. The MoI began an e-tazkera pilot program in Kabul in mid-April, which will expand nationwide once voter registration begins; however, progress on the issuance of e-tazkeras has been slow. Public demand for the e-tazkera has increased as public awareness of the program has become more widespread. This places the MoI under considerable pressure to meet demand and will

continue to present a challenge for the MoI, as they work to meet their very aggressive goal of enrolling 14 million Afghans by March 31, 2014. Despite earlier and closer coordination between the IEC and security ministries, communication between these institutions has been poor and still needs improvement. ISAF will continue to support MoI and MoD to prepare effective security plans and facilitate closer coordination between the two ministries and with the IEC. While security planning for the 2014 election is ahead of the 2009 election, levels of violence are much higher in 2013 than in 2008. With the anticipated drawdown of U.S. and coalition forces by the end of 2014, the stakes are much higher, and the political complexity of an election without an incumbent makes the risk greater than in the past.

The 2014 Presidential election presents an opportunity for the Afghan Government to demonstrate its ability to conduct a peaceful democratic transition of political power; however, the election will also challenge the government to conduct an election that is viewed by the Afghan people and international community to be legitimate. The United States continues to urge consultation in these efforts among President Karzai, Parliament, the IEC, the political opposition, and civil society organizations to help ensure that decisions ultimately have buy-in from the Afghan population. Secure, transparent, and orderly elections in 2014 will be important to a peaceful transfer of power and, ultimately, the recognition by the Afghan people that the government is both legitimate and representative of Afghanistan.

Senator CASEY. Thanks very much, Mr. Sedney.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

And it is good to see both of you again, and thank you for your years of service as Members of Congress parachute in and out and tell you what you ought to be doing. I appreciate your patience and your forbearance on those occasions.

It seems to me that there are several seminal events or situations that will determine success or failure, and let me just run through a couple of them real quick.

One we cannot do a lot about and that is the Pakistan safe haven.

Another, of course, is corruption in the Karzai government.

Another is the number of troops that we will leave behind in a residual force in 2014.

And, of course, the other is the funding for the Afghan security forces in order to maintain a force of 352,000. Now, it is my understanding that that is around $5 billion. And at Chicago, there was only $4.1 billion, and of course, these conferences are pretty well known for pledges that never really become reality.

So I think, Mr. Chairman, that we do have a vote coming up. So maybe I could just ask them to respond to those so that you would have an opportunity. Maybe we could have some responses, your views on each of those. Those are not the only issues that face us, but I think that you would agree that that summarizes at least most of the major challenges.

Mr. SEDNEY. Thank you, Senator. Everything you have laid out is certainly a challenge.

Taking them in the same order, the Pakistan safe havens exist now. My comments about the success that the Afghan security forces are having now in holding their own includes operations that build upon the layered security along the border, that layer of security design that ISAF put in place with the Afghans now moving into the lead on that as well. But it is, nevertheless, a challenge. The insurgents get to back into Pakistan for resting, refitting, planning, rearming, all that. And it will be a challenge for the Afghan security forces to maintain security this year and during the elections with those safe havens there. They will learn a lot this year

about how well they are able to do that and how well they are able to do that with less support from us as our forces continue and ISAF forces continue to reduce.

In terms of corruption, I will leave that for my colleague, Ambassador Pearce. But there is certainly corruption in the security forces as well. I am not saying it is civilian.

In terms of the number of United States forces, as you know, Senator, President Obama announced at the State of the Union that we will withdraw half of the forces we have now, so we will have 34,000 forces in Afghanistan in February of next year. Those forces will be there for the election period.

Senator MCCAIN. The key, I think, is the number following that, the permanent support force that is going to be there for the foreseeable future. There are estimates ranging from 20,000 down to 13,000 down to 5,000. And I would argue that the sooner the Afghans know that, the more predictable they believe their future will be. Would you agree?

Mr. SEDNEY. I agree that the continuing presence and commitment of the United States and others is really important. In terms of the final decision, as you know, that has not been made yet.

Senator MCCAIN. Do you have any idea when that decision might be made?

Mr. SEDNEY. I am afraid I do not, Mr. Senator, but I will take your comments and your question back with me.

Senator MCCAIN. Thank you.

Mr. SEDNEY. On the funding for the Afghan security forces, you are correct about the increased amount. Part of that comes because we are looking to provide additional enablers for the Afghan security forces beyond those that we thought we would need last year, trying to get such things as helicopters, artillery in place more quickly and to give the Afghans the ability to operate independently. Some of that additional amount was reflected in the OCO budget that was submitted to Congress for the coming fiscal year. That will entail some additional cost beyond the original estimates and we are still working on those numbers.

Senator MCCAIN. Did you want to say anything about corruption in the Karzai government?

Ambassador PEARCE. Well, sir, as you know—you have been yourself to Afghanistan so many times—it is a fundamental challenge. It has been for some time and it will be for a while.

The government has committed to reducing corruption and increasing transparency and accountability and building judicial capacity and the rule of law. But, of course, there is a lot to do. They pledged to fight it at Bonn. They reaffirmed it last July in Tokyo. Of course, this is one of the fundamental things that the international community is going to be looking at very closely going forward.

We have, as you noted, made substantial undertakings to work to secure funds going forward after 2014, both in Chicago at the NATO conference for the Afghan National Security Forces and in Tokyo. But it is clear that your very question in this setting shows what the issue is, that if we are going to be able to follow through on the commitments that we have made and which are quite sincere, then this is going to be an important factor in that, and

the international community is going to be watching that very closely.

I would just say in that regard, though, that it really does tie into the political framework, political transition, and the whole question of the elections and the reason that Senator Casey called this meeting today.

And I would just note, sir, I have been in SRAP for the last year or so, and I was in Kabul for a year before that. And I think that there is a lot of attention, first, on the drawdown of troops. There is also a civilian drawdown, as you know, that is going to be going on at the same time. I would argue that one of the important things that has changed in the last couple of years, which does not get a lot of attention, is the really patient, block-by-block political and diplomatic work that has been done to put in place an architecture of support for Afghanistan that was not there before. Two years ago, the kind of support that we have now just was not there.

And now we have had conferences in Bonn and Berlin and Istanbul very importantly for the region to be invested in the future of Afghanistan in a much greater degree than they were before and Chicago and Tokyo, of course. And I think what that has done is—and, of course, more than a dozen bilateral security agreements as well, not only ours, but India and the Europeans and Japan and Australia, the Scandinavian countries. This means that there is an architecture of support for Afghanistan that is a new factor, and I think it has changed the equation in the region. It has affected the calculations of the regional countries, and I think it has affected the calculations of the Afghans.

And I believe that this has opened up additional political space. And that is the backdrop that these elections are going to take place in. That is the backdrop that the possibilities for reconciliation and the peace process will take place in, and that is the backdrop for the larger political transition in Afghanistan.

So, yes, I think, corruption is a problem. Our decisions on the post-2014 presence are going to be extraordinarily important. They are going to have not only a practical military impact, but a very important psychological impact. But there are really opportunities too, and I think that some of these things are in the political area.

Thank you.

Senator MCCAIN. I thank you.

I thank you, Mr. Chairman.

Senator CASEY. Thank you, Senator McCain.

Ambassador Pearce, I wanted to get back to something you mentioned and I mentioned as well, the Supreme Court and the concern that has been raised here and in other places about members of the Afghan Supreme Court remaining in their posts beyond the expiration of their terms. How do we engage in that and how do we positively impact that issue?

Ambassador PEARCE. Well, Senator, I mean, this hearing, I guess, is one of those opportunities.

We engage intensively on not only this issue but all of the issues related to the electoral process, on the legislation, the commissioners. The whole complex is something which we are intensively engaged in and have been for some time.

The Embassy, Secretary Kerry—I was with him on his last trip, and I can assure you that he raised all these things very directly and personally in his own meetings. I think you know how he feels about this. His own experience in 2009, of course—he is one of the most knowledgeable people there is about this whole issue. I remember that before he even was confirmed in his initial prebriefings, but when he came to visit us in Kabul over breakfast at the Ambassador's house and during the briefings we had, he always raised this issue. And when he came to the State Department, it was the first thing he mentioned with us.

So I think that this is really front and center, not only the Supreme Court justices, but the quality of the process in general because it is fundamental to what we are trying to achieve in Afghanistan.

This is an election which the Afghans are running. We are going to support, as best we can, and I think, as you said, that is the proper role. We are not going to be picking a horse, not picking a candidate. Nevertheless, we are also not indifferent to the outcome. And all of these things are important to getting the process right and doing everything we can together with the United Nations and the other donors to try and do that. So we follow up almost every day, I would say, high and low, sir.

Senator CASEY. Mr. Ambassador, because of our votes and because we started so late, I think I am going to let both you and Mr. Sedney go, and we are going to transition to the second panel.

But before I run out the door to vote, Mr. Sedney, the report that is due pursuant to my amendment in the Fiscal Year 2013 National Defense Authorization Act, the report that relates to women in Afghanistan—the report is due in June, and I hope—and tell me if I am wrong—that we can expect that report delivered on time.

Mr. SEDNEY. Mr. Senator, our intention is to have it in on time. However, I will note that our report-writing capacity has been taxed by the additional requirements for the 1230 report which is increasing in size by 40 percent. So we are at a time of reduced resources. That increase in the 1230 report requirements may impact the delivery of the report you mentioned on women in Afghanistan, but we are already working on that report and I still hope to have it in on time.

Senator CASEY. Well, I appreciate those efforts and anything to make sure that happens because—I guess it was Ambassador. You noted about women's participation in the election and obviously well beyond the election is critically important not only for the obvious reasons but also because how women fair will largely impact the security environment.

Both of you have been very patient. We will submit more questions in writing, and maybe as I run to vote, we can transition to our next panel. We will take a brief recess.

Thank you.

[Recess.]

Senator CASEY. OK, we are back. Thanks very much, everyone, for your patience. We actually had two votes, so that explains part of the time lag.

But I appreciate the opportunity that each of you presents to us to be able to discuss these important issues that relate to the elections in Afghanistan. I know we do not have unlimited time, but I did want to hear from each of you, if you can summarize your testimony.

I should also say for the record that, obviously, on our first panel both Mr. Sedney and the Ambassador—their full statements will be made a part of the record. The same holds for each of you.

You know the drill, but to the extent that we can try to keep your opening statements to 5 minutes, and then we will do a round of questioning. But, Dr Wilder, if you want to start.

STATEMENT OF DR. ANDREW WILDER, DIRECTOR, AFGHANISTAN AND PAKISTAN PROGRAMS, U.S. INSTITUTE OF PEACE, WASHINGTON, DC

Dr. WILDER. Thank you. Chairman Casey, thank you for this opportunity to present my views on the upcoming elections. I would like to note that the views I express today are my own and not necessarily those of the U.S. Institute of Peace, which does not take policy positions.

For the past 2 years, the top priority of USIP's Afghanistan program, both in Washington and through our office in Kabul, has been to raise greater awareness of the importance of the 2014 political transition. We have prioritized this because we strongly believe that a credible election that produces a legitimate successor to President Karzai is the best way to promote peace and protect the tremendous achievements of the past decade. I also believe that this is the best way to promote the United States objective of a relatively stable Afghanistan that does not slide back into civil war, does not once again become a haven for transnational terrorist groups, and does not destabilize its neighbors, especially Pakistan.

In spite of the problems that Afghanistan continues to face, its current constitution has held together a disparate group of political elites. Without legitimate elections next year, the fabric of the constitution will be torn and, with it, the existing consensus on how to allocate power and determine legitimacy. This would be tragic for Afghans, damaging to United States interests in the region, and would reinvigorate the Taliban insurgency.

I was just in Kabul a few weeks ago, and one of the senior Afghan political figures I spoke with there said to me if elections are not held, it will be a big propaganda victory for the Taliban. And I think that is the case.

Whether we like it or not, the United States plays a major role in the electoral calculations of Afghan political actors. However, there is currently a politically damaging mismatch of perceptions between the signals we think we are sending and the signals that Afghans say they are receiving. There is no question that the United States has been clear in its official statements and bilateral discussions with Afghans about the United States desire for credible elections in 2014.

Unfortunately, many Afghans 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 United States says about elections, it, in fact, remains wedded to supporting the President and his patronage networks. Karzai's very public acknowledgment that he received these funds and the assurance he says he was given that he will continue to receive them clearly show that he recognized the political value within Afghanistan of highlighting this direct United States support.

In 2009, President Karzai accused the United States of undue interference in the electoral process, including favoring certain candidates over others and actively undermining his reelection. Since 2009, the international community has responded by adopting an approach that perhaps has gone too far in the other direction. Afghan politicians regularly complain that the international community's reluctance to push the Afghan Government on election-related issues results from 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.

While Afghan sovereignty must be taken seriously, it is not a violation of that sovereignty for the United States and its international partners to highlight publicly, as well as privately, the need for appropriate electoral laws, effective and independent electoral institutions, and robust fraud mitigation measures.

To summarize my main recommendations, the first one is that the top priority of United States policy in Afghanistan for the next year should be to support credible elections on April 5 next year, which will provide a new leadership team for Afghanistan and preserve the integrity and continuity of the Afghan Constitution.

The second recommendation is that the United States should appoint an official of ambassadorial rank in the Embassy in Kabul specifically tasked to focus on elections, echoing the recommendation you made in your opening remarks, Mr. Chairman. In addition to helping coordinate the various lines of the United States elections-related support, this would also help to send a clear signal to Afghans that the elections are, indeed, a top policy priority of the U.S. Government.

The third recommendation is that in actively supporting the electoral process, the United States must avoid the impression that it supports any specific candidate.

And No. 4, the United States should actively support the voter education efforts of civil society organizations and the media. Civic education and robust support for an independent media will play a critically important role in mobilizing and educating voters, especially women voters. It will also help generate demand for the elections and promote transparency and accountability.

I would like to conclude with a question that an Afghan friend posed to me recently. He said, "We have tried every form of government in the past 100 years in Afghanistan: monarchy, a nonelected Presidential republic, anarchy, theocracy, and now democracy. He said if democracy cannot work, then what is left?" That I believe is how many Afghans see the stakes of next year's political transi-

tion and why they place so much importance on the elections. And that is why we must as well.

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

[The prepared statement of Dr. Wilder follows:]

PREPARED STATEMENT OF DR. ANDREW WILDER

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 longstanding 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 3 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, DC, 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 2 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 cochaired 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 percent 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 reelection. 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 runup 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 12 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 nonelected 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.

Senator CASEY. Thank you very much.

Ms. Chayes.

STATEMENT OF SARAH CHAYES, SENIOR ASSOCIATE, SOUTH ASIA PROGRAM, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE, WASHINGTON, DC

Ms. CHAYES. Thank you very much, Mr. Chairman. I think all of us—I can probably speak for all of us in just expressing appreciation for your initiative with this because I can say, at least, if the same foresight had been shown in 2009, we might be in a different place today.

I would like to just give you a couple of words to give you a sense of my own perspective. I was asked to discuss a little bit how things went down in 2009, you know, just to provide a context for the types of actions that you might be considering proposing at the moment.

At the time, I was the special advisor to the ISAF command. I had lived in Afghanistan for 7 years, almost all of that time in a regular house in Kandahar, and I speak Pashtu and the people I worked with were ordinary Afghans, men and women, from the Kandahar area. And so that experience gave me an intimate insight into how the massive fraud of 2009 was brought about. And what I am going to describe comes from an unclassified analysis that I provided to the ISAF command, and that was everyone, General McChyrstal, General Rodriguez at the time, the intel and ops bosses, et cetera.

So one of the things we heard today repeated quite often was the issue of Afghanizing the election. I think we need, as Dr. Wilder suggested, to think carefully about what we mean by that. What I found was that the fraud operation was incredibly sophisticated, and it began with what I could call a PSYOPS campaign, a psychological operations campaign, against us by Karzai and the key ministers, and by that I mean, you know, the Minister of Defense, the Minister of the Interior, the key IDLG, the independent—what was it—directorate of local governance. Sorry. And that was a main point they were all trying to impress on us, is we need to Afghanize this election. And I have to say the international community jumped on board with that concept, in particular, the United Nations which saw this as a mark of success, the degree to which we backed out of—we, the international community—backed out of involvement in, again, the process. It is not about picking winners. It is about oversight over the process. ISAF, I have to say, was delighted to be relegated to third rank security. So not even eyes on to polling stations.

The effect was—so these were concepts that we really were sensitive to. We did not want to impinge on Afghan sovereignty. But that was a very effective way for the Karzai machine, more or less, to protect itself from observation. In fact, the Afghan Government was not neutral. It had been set up to pursue the objective of reelecting President Karzai, and that is how every Afghan citizen that I interacted with—and that was a lot—saw it. And they saw at the time the international community as the sole potential guarantors of the independence of the process.

And again, I can remember the night before the election getting a call from a town on the border with Pakistan. They have started stuffing the ballot boxes already. It is at so and so's house on such and such a street, and the implied plea there was send somebody. Make it stop.

And so there was a real disconnect between our sense of we need to respect Afghan sovereignty and the Afghan population's sense that we were respecting, as Dr. Wilder put it, Karzai's sovereignty and not their sovereignty.

The other really important sort of psychological operations effort was to reduce the number of so-called black districts. So there were a lot of districts that were considered too insecure to open polling stations, and there was huge pressure put on the ISAF management to do whatever it could to reduce the number of black districts. And the notion that was handed to us was most of those were in Pashtun areas and Pashtuns want to vote for Karzai. So Karzai's voters will have been disenfranchised and therefore he could contest the election. That begs the question whether Pashtuns were, in fact, supportive of President Karzai.

But two things happened. A couple of things happened. One was there were elections operations which ISAF did not want to conduct at the time. The doctrine at the time was you do not do an operation where you do not plan to stay. But the pressure from the Afghan Government was such that ISAF decided to do these clearing operations just for the purposes of the elections.

The second thing that happened that was really interesting was deals with the Taliban. And these were briefed to us by the director of the national security directorate. And it was offering de facto recognition by entering into deals with them. It was sanctuary within their districts because in a number of these cases, ANSF agreed not to go in. You had money. And again, when we are talking about cash being handed over to Afghan Government officials, the question arises what is that cash being used for. Well, one of the purposes was paying off Taliban so that they would do what? Allow people to vote? No. What they had to do was allow voting materials to enter and then return from the district. Now, nobody voted in these districts. And I knew people in a lot of them, and I checked this.

So why did Karzai not complain about his voters being disenfranchised? The objective was to obtain empty ballot boxes that were official ballot boxes, but empty, emanating from districts that were believed to be supportive of President Karzai, and that is where most of the ballot box stuffing happened.

Then you had small, weak, underresourced oversight bodies. As you mentioned, we have got vetoes on the ECC and the IEC struc-

tures right now, not only vetoes. We have got Karzai there should be no ECC. The ECC, in fact, should be the Attorney General who—again I know from having followed anticorruption very, very closely, this is a guy who answers—Karzai picks up the phone to him and tells him what to do. Currently Karzai is standing up for being able to simply appoint all the members of the IEC. You could not imagine two bodies that are less independent than that. And so, again, I find the sort of wishes that were expressed by the earlier panelists a bit—there is a delta between what they were saying and what the likely realities are.

Those were the conditions at a time when United States involvement in Afghanistan was the highest it ever has been in the past 13 years. So I just leave you to imagine what the level of involvement in the process that would be required from the United States in order to bring about something that was better than 2009.

The upshot at that time was that the Afghan population felt unbelievably betrayed by us because they trusted us to bring about a credible process. Surprisingly to me, I am finding that my Afghan friends are very excited about the upcoming election. I just think we need to be very careful. While I agree that we need to message how important this event is, we also have to be careful that if we say we consider it to be important, then we need to think through what are the concrete steps that we are going to take.

Senator CASEY. We are going to have to move along.

Ms. CHAYES. I am already over. Yes. All right. I will stop there, and then if you have further questions.

Senator CASEY. We will have some time.

Ms. CHAYES. Thanks a lot.

Senator CASEY. Mr. Boot, thank you very much.

STATEMENT OF MAX BOOT, JEANE J. KIRKPATRICK SENIOR FELLOW FOR NATIONAL SECURITY STUDIES, COUNCIL OF FOREIGN RELATIONS, WASHINGTON, DC

Mr. BOOT. Thank you very much, Mr. Chairman, for inviting me, and congratulations to you and the rest of the committee on the passage of what I hope will be a very important resolution on Syria earlier in the day.

I just returned a few weeks ago from my latest trip to Afghanistan where I have been traveling regularly since 2008 at the invitation of our military commanders to assess the situation. And on this trip, I saw much cause for confidence in Afghanistan's future, as well as considerable cause for concern.

The factors that are positive really relate to the security situation in the southern part of the country which was, obviously, the focus of ISAF and Afghan operations in the last few years, and there is also pretty decent security, I would say, in the west and the north, as well as in Kabul in most of those areas not through anything that we have done but simply because there are not a lot of Pashtuns there and it is largely a Pashtun-based insurgency.

There was considerable cause for concern for reasons that Senator McCain alluded to earlier having to do with the continued existence of Pakistan's role as an enabler of the insurgency, the lack of security, especially in eastern Afghanistan, including provinces like Logar and Wardak which are on the very doorstep of

Kabul itself, and of course, the corruption which continues to cripple the ability of the government to gain the confidence of its own people.

I think at this point, if I had to prognosticate about the outcome in Afghanistan, I think I would have to say it is very evenly balanced, maybe 55/45, maybe 51/49. I think the odds are still in favor of a positive outcome but only barely so. And I think a lot of it will depend on crucial factors, some of which are not entirely in our control.

What I would like to talk about in the few minutes that I have here today is four recommendations for action, one of them focusing on the Presidential election in which I will differ from some of what you have heard earlier in the day. But before I get to the election, let me just mention three other things that I think need to happen for a successful outcome in Afghanistan.

First, I think we need to continue providing at least $5 billion a year indefinitely to support the Afghan security forces. If we cut down to the $4 billion goal, which was reached in the Chicago NATO summit, the result would be to lay off something like 120,000 soldiers and police at the very same time that we are pulling out most of the international security forces. That would be a disaster and would be an invitation to a Taliban victory. So I think we need to keep funding the ANSF at at least the level of $5 billion a year.

We need to have a substantial advise-and-assist force there after 2014 at a minimum, I would say, the level of 13,600 recommended by General Mattis, although I would be more comfortable with a level of 20,000 to 30,000.

The third point that I would make is that we need to have a substantial campaign to counter the malign influence of Pakistan and the ISI modeled, I would argue, on the campaign we waged in Iraq in 2007–2008 to counter the influence of the Iranian Quds Force using all of our covert and overt capabilities to identify and target Quds Force operatives for capture or deportation or, at the very least, to publicize their activities and discredit what they were doing. I think we need a similar campaign in Afghanistan. We need to get over the illusion that Pakistan is our friend. They are not. They are actively supporting our enemies, and we need to recognize that and act accordingly.

The fourth and final point that I would make is in regard to the elections, and here I differ a little bit, Mr. Chairman, from what you said earlier and from what some of the other witnesses, especially from the official administration witnesses, have said because I do believe that we have no choice but to pick winners and losers in this election. And effectively we will do that. As Dr. Wilder suggested, even if we take a hands-off attitude, we are effectively picking winners and losers because if we take a completely hands-off attitude at this point, we will be seen as endorsing Karzai and whoever his hand-picked candidate is to succeed him because that is the effect of these bags of cash that the CIA is delivering to him.

I am not averse to the idea of the CIA exerting its influence through the use of money. That is something we have done in the past successfully, for example, in the early years of the cold war

in places like Europe resisting the attempts of Communists to take power at the ballot box. I think that is a legitimate thing to do.

My concern is, from what I understand—and of course, these are all highly classified programs that I am not read into, but certainly from the public reporting which has occurred, my sense is that what the CIA does is very short-term oriented, really designed to grease the way for their strike forces, their ability to continue counterterrorism operations and to enhance their limited influence. My sense is they are not really taking a long-term view of the country's future, and they are not really using their clout to enhance the long-term prosperity and stability and security of Afghanistan which I think should be our goal.

We can take what I believe to be a self-defeating attitude of saying, well, all we care about is the sanctity of the electoral process, but the reality is, first off, I have very little confidence in the sanctity of the electoral process in Afghanistan especially when it is going to happen after we have withdrawn most of our troops from that country. The ANSF, I do not think, is going to be interested in guaranteeing the sanctity of the outcome. They are going to be working for whoever gives them the orders to do so. So the notion that there is going to be some pure electoral process I think is a myth.

What is really going to happen and what is happening right now in Kabul is that the power brokers and outside players like the Iranians and Pakistanis or others are politicking to determine who will be the next leader of Afghanistan. I would hope that we would be actively casting our vote because we have a large vote in that. I think we mishandled the last process in 2009 in part because we were so diffident about exerting our influence, and the result of that was we gave Karzai the impression that we were opposing him without doing anything effective to oppose him. So we got the worst of both worlds. We got the leader we did not want and he was annoyed at us for seeming to try to block his way.

But in this instance, I think we need to make clear that we will not allow Karzai to abuse the process to entrench himself or his relatives in power. This ought to be a redline and we should make clear we will not give Afghanistan a dime if the election is not held and if Karzai somehow maneuvers to keep himself in power through extra-constitutional means.

But beyond that, I think the succession race right now is wide open. There are many candidates. There is no clear front runner. I think we have a tremendous opportunity to try to figure out who is going to be the strongest and least corrupt candidate, the one who is most likely to unite Afghanistan and to move it forward. And I think that is a determination that we need to make. We should not announce it, obviously, but it is a determination that the Ambassador and station chief should be making and we should be doing what we can behind the scenes to aid whoever we think is going to be the strongest candidate or, put another way, the least bad candidate.

I am sorry that does not comport with civics 101, but I think that is the reality of Afghanistan and we need to do that to protect the monumental investment in blood and treasure that we have made

in that country and to prevent a criminal clique from stealing the election which, otherwise, I think is the likely outcome.

[The prepared statement of Mr. Boot follows:]

PREPARED STATEMENT OF MAX BOOT

Mr. Chairman, Ranking Member, members of the subcommittee, I recently returned from a week in Afghanistan where I have been traveling regularly since 2008 to assess the state of the military campaign at the request of our military commanders. During this visit I went to Kabul as well as to Regional Command South (in Kandahar) and Regional Command Southwest (in Helmand). Along with a delegation from the Council on Foreign Relations, I met with Afghan and American soldiers and officials including Gen. Joe Dunford, Ambassador James Cunningham, and Defense Minister Bishmullah Muhammad. I thank you for inviting me to testify about the Afghan election in 2014 which is one of the most important factors determining Afghanistan's future. To place it into context I would like to comment not only on the election but on other factors of vital important to the outcome of our mission. What follows is closely based on an article I have written for the June 5 issue of National Review summing up my most recent observations.

The fundamental question we face is: Will America's decade-plus effort to bring stability and security to Afghanistan succeed? I saw cause for both pessimism and optimism as the country hurtles toward a turning point: the self-imposed December 2014 deadline for all NATO "combat" troops (though not necessarily military advisers and Special Operations Forces) to leave the country.

The most important reason to think that Afghanistan may turn out just fine is the progress being made by the Afghan National Security Forces, now 352,000 strong. The formal forces are augmented by 20,000 Afghan Local Police, an auxiliary, village-based security force that is particularly feared by the Taliban, who are targeting its leaders for assassination. The Afghan security forces, and in particular the army, are now in the lead in 80 percent of all security operations, and in June they will take control of the entire country. Already the Afghans, not coalition troops, are bearing the brunt of the battle as evidenced by casualty figures which show that far more Afghan than coalition troops are being killed and wounded—a reversal of the prevailing trend of the past decade.

I came away impressed from my meetings with Afghan army officers such as Maj. Gen. Sayeed Malook, commander of the 215th Corps in Helmand province, who present a professional appearance and convey an unyielding determination to fight the dushman (enemy) as they call the Taliban. If the Afghan Army continues to receive substantial Western support (a big if, to be sure), it is unlikely to lose a single battle to the ragtag fighters of the Taliban.

Another cause for optimism is the result of American-led counterinsurgency operations in Helmand and Kandahar provinces, both of which I visited. U.S. troops, along with the international and Afghan partners, have routed the Taliban out of most of their southern sanctuaries. Enemy-initiated attacks in Kandahar province, I was told, fell 70 percent between 2011 and 2012. Kandahar City, the biggest urban area in the south, remains more secure than ever despite (or possibly because of) the assassination in 2011 of Ahmed Wali Karzai, a half-brother of the President who was the de facto political boss of the region. Last summer the Taliban did not succeed in killing a single significant leader in Kandahar where security is now in the hands of the much-feared police chief, Gen. Abdul Razik.

Yet more grounds for optimism can be found in the continuing security and growing economic development of western and northern Afghanistan, the region anchored by Herat in the west and by Mazar-e-Sharif in the north. This has less to do with security operations by Afghans or their coalition allies than with simple demographics: The insurgency is largely confined to the Pashtun population and there are few Pashtuns in the north and west.

Against these positive factors must be weighed three major negatives. First, and most important, Pakistan. The rift in U.S.-Pakistan relations which opened after the 2011 Osama bin Laden raid has superficially healed—the Pakistanis have reopened NATO's supply line from the port of Karachi and resumed nominal cooperation on cross-border security. But in reality the Pakistani Army, the real arbiter of its foreign policy, continues to support the Afghan Taliban even while fighting its counterpart, the Pakistani Taliban. Some factions of the Taliban might want to make peace, but the Pakistanis are not allowing it—they see the Taliban as their best bet to exert influence in post-2014 Afghanistan. That's why peace talks, in which the Obama administration has invested so many hopes, are going nowhere fast. Given that cross-border sanctuaries are a big boon for any insurgency, Pakistan's role

remains a spoiler even though security forces have made considerable progress in southern Afghanistan since 2009 in spite of Pakistan's support for the insurgency.

A second, and related, negative is the continuing instability of eastern Afghanistan, the region located along the mountainous frontier with Pakistan. U.S. commanders have never had enough troops to do "clear and hold" operations in most of this area. While Kabul itself remains secure and bustling (notwithstanding a recent suicide bomber attack on a convoy carrying U.S. military advisers and contractors), nearby provinces such as Ghazni, Logar, and Wardak are still infested with Taliban and Haqqani Network fighters. This insecurity, if left unaddressed, eventually could spill over and threaten the capital, which also happens to be the country's largest and most important city.

A third and final negative—one too seldom mentioned by U.S. officials—is the continuing corruption of the Government of Afghanistan, which is dominated by an avaricious clique of warlords, drug barons, and powerbrokers in cahoots with President Hamid Karzai and his family. Afghanistan's leading clans have robbed the country blind over the past decade, stealing billions in foreign aid. Their rapaciousness has alienated substantial sectors of the population and provided an opening for the Taliban who, while themselves complicit in the drug trade, promise to deliver a harsh brand of Islamic justice.

The positives and negatives of Afghanistan are closely balanced. The ultimate outcome may well be decided by three upcoming events.

First, the Afghan security forces must show that security gains in the south are sustainable. This summer will be their first major test—the first fighting season when coalition troops are not in the lead. If the Afghan Army and police can hold onto gains achieved largely by U.S. forces, that will be a major psychological boost for them—and a major blow to the Taliban. While U.S. commanders are understandably focused on this immediate challenge, an even bigger test will come in the summer of 2014 when there will be no more than 34,000 U.S. troops in Afghanistan. The ultimate test will come after 2014 when the U.S. presence will be even further diminished.

Second, Afghans must emerge from their April 2014 Presidential election (assuming it occurs as planned) with a new leader who can unite diverse sectarian and political factions. A fractious outcome, with ballot-stuffing rampant and no candidate able to claim legitimacy, would be disastrous for the country's long-term prospects. So, too, would be any attempt by Hamid Karzai to hold onto power beyond the length of his current term, whether by postponing the election or simply by changing the constitution. On the other hand, a peaceful transfer of power, the first in Afghanistan's modern history, to a new President with widespread support would be a major blow to the Taliban and their al-Qaeda allies.

Third, Afghans must know that the U.S. will provide the support necessary to keep their country together. Afghans understandably fear they will be abandoned after 2014, just as they were abandoned by the West after the departure of the Red Army in 1989. That is why property prices in Kabul are falling and capital flight is increasing. Only the announcement of a substantial post-2014 commitment by the U.S. can reassure Afghans that the Taliban will not come back.

What can we do now, at this late date, to ensure that the negatives do not overwhelm the positives? Plenty. For a start, the U.S. and its allies must continue to provide at least $5 billion a year to the Afghan security forces, the minimum necessary to preserve a force of 352,000, but more than the $4.1 billion pledged at the Chicago NATO summit last year. Unless the $4.1 billion figure is increased, the Afghan forces will have to lay off 120,000 soldiers and police at the very time when coalition forces are withdrawing. That would be a disastrous combination.

The Obama administration should also announce that it will keep at least 13,600 U.S. troops in Afghanistan after 2014 to assist the Afghan security forces—the minimum number recommended by recently retired Gen. Jim Mattis of Central Command. If the U.S. were to ante up, our allies would probably provide another 6,000 or so troops, bringing the total coalition presence to around 20,000. That is still short of the 30,000 or so troops that ace analysts Fred and Kim Kagan have argued would be needed to maintain robust operations in eastern and southern Afghanistan—but it should be sufficient, if just barely, to avert disaster. It is especially important that the U.S. continue to provide air support and medevac capability since Afghanistan will not have a functioning air force before 2017 at the earliest.

Unfortunately the administration is hinting it will send substantially fewer troops—the President has told NATO to begin initial planning for a force of 8,000 to 12,000 troops. The U.S., which has historically provided two-thirds of all coalition forces, presumably would provide no more than 5,400 to 8,000 of the total. That is such a low figure that U.S. troops would have trouble sustaining and defending themselves, much less projecting power to outlying regions. That, in turn, will make

it hard for the Afghans to fight effectively and thus increase the risk of the army fracturing along ethnic lines, with the Pashtuns making common cause with the Taliban and the Tajiks, Hazaras, and Uzbeks recreating the Northern Alliance. Such an outcome would plunge Afghanistan back into the disastrous civil war of the 1990s which led to the rise of the Taliban in the first place.

President Karzai can help to avert this dire fate by being more cooperative in efforts to negotiate a status of forces agreement with the U.S. that would allow our troops legal immunity. He does not want to make the mistake that Prime Minister Nouri al-Maliki of Iraq made: He tried to drive a hard bargain, only to have Obama walk away from the negotiations and pull all U.S. troops out. That remains a possibility in Afghanistan, too, especially if Karzai continues to bad-mouth the U.S. publically, thereby undermining American support for a continuing commitment.

In addition to keeping a substantial contingent of advise-and-assist and Special Operations troops after 2014, the U.S. must launch an immediate campaign to counter Pakistan's destabilizing efforts in Afghanistan. The model is the covert campaign mounted by U.S. forces in Iraq in 2007–2008 to blunt the influence of Iran's Quds Forces, which involved doing everything from arresting and deporting Iranian operatives to publicizing their machinations. The U.S. must recognize that Pakistan's Inter-Services Intelligence is our enemy in Afghanistan and act accordingly, instead of clinging to the fiction that the Pakistanis are our friends and allies. Nor should we cling to the illusion, so beloved of diplomats, that Pakistan can be induced to jettison the Taliban as a part of some kind of regional "grand bargain" involving Iran, China, and Russia. That is about as likely to occur as a breakthrough in Israeli-Palestinian negotiations, another chimera pursued by generations of diplomatists.

Given that we have less need of Pakistani support than we once did to target al-Qaeda's much-weakened central organization, we should also not be afraid of using drones and, if necessary, Special Operations raids to target Taliban leaders and arms caches in Pakistan—something we have not done to date for fear of offending Islamabad. It is shameful that the Taliban are allowed the free run of towns such as Chaman, a Pakistani border crossing facing the Afghan town of Spinbaldak in Kandahar province. Coalition air strikes would not defeat the Taliban but they would break Taliban leaders' sense of impunity and keep them balance as U.S. troops draw down.

Finally to the subject you have highlighted in this hearing: I believe the U.S. Government must become more active in shaping the outcome of the Afghan Presidential election. Ballot fraud is likely to be prevalent again, as it was in 2009, but that need not be fatal since the outcome is likely to be determined not in the actual voting but in backroom deals among political bosses—as was the norm in an earlier period of American history. Talks are currently going on among powerbrokers in Kabul, what some jocularly refer to as the "Afghan primary," to sort out a long list of Presidential wannabes such as Education Minister Farooq Wardak; former Karzai chief of staff Umer Daudzai; former Finance Minister Ashraf Ghani; former Interior Minister Ali Jalali; the President's brother, Qayum Karzai; former intelligence chief Amrullah Saleh; former Presidential candidate (and Foreign Minister), Abdullah Abdullah; and even the Afghan-American former U.S. Ambassador, Zalmay Khalilzad.

The U.S. Government was burned by its experience in 2009 when efforts by former Ambassador Karl Eikenberry and the late special envoy Richard Holbrooke to encourage a more competitive election were interpreted by Karzai to mean that the U.S. was trying to block his reelection, thereby making him even more difficult to deal with once he secured a suspect victory. As a result, U.S. Embassy officials today are loathe to discuss Presidential candidates, even in private, for fear of appearing to choose sides. This crippling reticence only increases the prospect of either a deadlocked process or the emergence of discredited front-runner, e.g., Qayum Karzai, who would have a hard time winning credibility either in Afghanistan or in the West. Instead of standing on the sidelines, the U.S. needs to use its considerable clout—including, if necessary, the bags of cash the CIA has been providing to President Karzai—to ensure the selection of the strongest possible President, one who would take on warlords and the Taliban more effectively than the incumbent has done.

Based on the current situation, I would put the odds at roughly 55–45 percent that Afghanistan will be able to avoid a civil war and a possible return to Taliban rule. That is more optimistic than the pessimism which prevails in the U.S., where most people wrongly assume the war is already lost, but it is hardly a ringing endorsement. With the relatively modest steps outlined above, however, President Obama could dramatically increase the odds of success.

Senator CASEY. Mr. Boot, thank you very much.

What I am hearing from a lot of the members or several of the members of this panel is we better have our eyes wide open, that the reality of an election is not always what is in the civics books. You are right. And that is why we have these hearings where we have not just two panels, but I think in some ways two different vantage points.

Let me go back to this question of either the reality of interference or the perception thereof. Dr. Wilder, you have talked a little bit about this. Mr. Boot, there seems to be some conflict here. What is your reaction to, or your comment on, that interference question, especially in light of what Mr. Boot said? We try not to create arguments within the panel, but sometimes it is helpful and illuminating.

Dr. WILDER. Yes, I think it is helpful to go back to 2009 and look at that because I often think that the wrong lessons have been learned from 2009. I think trying to pick favorites is not something we should be doing, as I mentioned in my testimony, for a number of reasons. One reason is we do not have a track record that is terribly good in getting that right. We only have to go back to November 2001 at a conference in Bonn where we actually played an instrumental role in picking a winner—now I think we do not feel that went according to plan. But there has been a track record of actively backing President Karzai in the past as our candidate, our man.

I have actually a lot more confidence in the Afghan voters in terms of picking their next leader than in our ability to hand-pick the right successor. It is critical that whoever becomes President next is perceived as legitimate. The more it is perceived that our fingers are on it, trying to determine who the winner will be, the greater the risk that whoever ends up in that position will be perceived as less legitimate.

The lesson from 2009 is do not interfere by picking favorites, but do interfere by trying to ensure that this election is going to be held on as level a playing field as possible. Do interfere in terms of trying to ensure much more rigorous fraud mitigation measures for this election, trying to put pressure on in terms of the electoral laws, but in particular, signaling that the elections are the U.S. Government's No. 1 foreign policy priority in Afghanistan for this coming year. The security transition and the economic transition cannot succeed without the successful political transition. If we can give more confidence to the Afghans that the United States is behind these elections, we will see more Afghans stepping up to the plate to actually start contesting.

Every night in Kabul, the political elite are meeting and wheeling and dealing, and electoral politics is happening. And I think that is actually one of the most encouraging things about what is happening in Afghanistan today. Many of these elites have done fabulously well in the last decade and have a lot of vested interests in making sure that the country does not fall apart.

We should be actively looking at ways to support consensus building efforts that are trying to create coalitions to contest the next election. Some of them are holding back because they are concerned about whether there will be elections. Why put your life on

the line and put your resources on the line to contest an election that likely will not happen? There is no confidence that President Karzai's No. 1 objective is to hold elections. That is where we need to be continuing to make strong statements that this is our priority. That will give incentives to the Afghan candidates to start campaigning.

I do not like to use the word "opposition" because we are going into an election where President Karzai, by the constitution, is not allowed to contest. We need to look at all the candidates on an equal basis, not government versus opposition.

So again, do not support individuals but do interfere in supporting the process.

Senator CASEY. And I want to continue this line of discussion, but I have to say for the record probably a lot of Members of Congress over the last couple years have been pretty critical of Mr. Karzai. I am one of them. In fact, for a couple of years, I was probably one of the leading critics, and that is on the public record. I am sure he does not recall that, but I was.

The last time I saw him—the first time I met him was in 2008 and then 2009 within a day or 2 of the election. And I and others pressed him on making sure that now that the election had taken place, that they take steps to meet the legitimate expectations of the people. And of course, he assured us he would.

I did not have a chance to see him when I went back in 2011, but I did see him earlier this year when he came to visit, just a brief visit on Capitol Hill. We were actually in Senator McConnell's office, and it was just a small group of us.

But I said that to him. I said I have criticized you a lot in the past, and I am going to try to refrain from that today and say that you should use this opportunity to make sure that you have an election and it goes well, and that will be your legacy and not something else. Of course, he, I guess, somewhat agreed with that but then seemed to be critical of us in not interfering in a process that he does not seem to conduct very well.

But, anyway, let me get back to the question of interference. Ms. Chayes, I know you have raised a lot of concerns about what happened last time in your testimony and how we prepare for this. What is your view on this question of interference?

I think it is an interesting idea that a really tough, aggressive imposition or us having an impact on the rules and how the election is conducted could be seen as interference but might be the most constructive way that we have an impact apart from or separated from the question of picking a candidate. Maybe that is an area where we can agree that if we institute or push them to institute as rigorous a process as possible, that that might be the best.

What is your view on what you have heard from your two colleagues here and how you view it?

Ms. CHAYES. I would probably concur with what you just said and what Dr. Wilder said.

I guess I just have to again try to impress on you and on the record what "rigorous" would have to mean. So, again, you just phrased the issue of the vetoes by President Karzai of the IEC and ECC structures. What do we do? How do we participate in making this a credible and free and fair exercise if the two bodies charged

with running it belong to President Karzai? Honestly. We are really in a bind because, on the one hand, we are saying there has to be an election. It has to be Afghan-managed, Afghan-led. And on the other hand, if Afghan-managed, Afghan-led means Karzai-managed, Karzai-led, you know, do we fund the exercise anyway? If we decide not to fund it, Karzai is thrilled. Great. No election.

So I have to say I do not have a great answer to that question, but I do not think picking the guy, fundamentally because we do not have a great track record, is probably the right solution. On the other hand, continuing to pay one of them—so one of the things I think is really important, if we care how things work out in Afghanistan, is arbitrating between the different USG equities that are at play here because if we are paying President Karzai, it does not matter what you say to him or what any other member of the U.S. Government says to him, including the Chairman of the Joint Chiefs of Staff or the Secretary of State, up to the President. Once he is getting money from the Central Intelligence Agency, that strengthens him to do whatever he wants in spite of anything that any other member of the U.S. Government, with the exception of the President, could say.

So I think that is really important issue to think about. If he or somebody chosen by him is a candidate—I mean, he will not be, but if there is some Karzai proxy who is a candidate, which I think is really likely, is that person on the payroll? Does that get debated at a principals' committee meeting? So it is one thing to say we should not pick an "opposition" candidate, but therefore we need to really be clear about where is our private bags of cash. Where are they going?

I think another really important aspect of this that has not been brought up but has to do with the security, which is to say—and I did bring it up at ISAF in 2009—are we construing our mandate to protect the security of these elections as a mandate to protect it from intimidation from the government, as well as intimidation from the Taliban? That was not a question that got a very coherent answer. I think that is a really important issue to think about this time. If we are really about protecting the integrity of the process, that means we have to be just as rigorous about violations of that integrity, physical violations that are caused by non-Taliban as well as ones that are caused by Taliban.

Senator CASEY. Mr. Boot, if I keep giving you the last word, that is an advantage to you. Let me just ask you more precisely because you have addressed it. Is the question of interference perceived or in reality? A, I guess you would say that that is not a great concern for you. I guess what would you place greater reliance on or place greater weight on? Actually getting involved in picking a candidate, as you seemed to hint at, or being much more focused on the rules imposing a free and fair election as best we can? What do you think is the preferable path?

Mr. BOOT. Well, in terms of avoiding the perception of interference in Afghan elections, as my colleagues and Sarah in particular have pointed out, we are interfering right now, and Afghans know that. I mean, they know we are giving bags of cash to Karzai. So it does not really matter what we do. We are going to be seen as interfering. At the moment, we seem to be interfering to

buttress a President who is deeply enmeshed in this corruption and dysfunctionality that grips his country.

All I am saying is instead of taking a completely hands-off attitude, let us interfere or try to interfere in a more positive direction, and I do not think that is impossible. I mean, it is true that we made a mistake in hindsight, I think, in picking Karzai at the end of 2001, and it is quite possible we might make another mistake in the future. But at least I would draw some solace from the fact that at the end of 2001, we knew very little about Afghan politics. At least we have had a dozen years since then to hopefully—hopefully—and I am not sure it has happened, but hopefully have a little bit of a learning process within the USG and at least a little more familiarity with who the players are, what they stand for, and the intricacies of Afghan politics. So I think there is a slightly better chance that we might get it right this time than we did last time.

You know, as a historian, I would point you to a historical example which was the way that we defeated the Huk rebellion, the Communist uprising in the Philippines in the late 1940s/early 1950s. The most important thing we did was to send one man to the Philippines, Edward Lansdale, who was a CIA operative, as well as an Air Force officer. And the most important thing he did was to befriend a gentleman named Ramon Magsaysay, who just a Filipino state senator when they met, but with Lansdale's support and the support of the CIA, they managed to get Magsaysay promoted, first to Defense Minister, and then Lansdale was virtually his campaign manager to help him win the Presidency of the Philippines. And Magsaysay was the best thing that ever happened to the Philippines because he was honest. He was strong. He fought corruption and abuse in the army, and he managed by those methods to defeat the Huk uprising. That is an example that I think we need to be cognizant of.

In the case of Afghanistan, certainly I am not, by any means, saying we should give up on the election. I agree with my colleagues. We need to do everything possible to have a free and fair election. And I hope I am not being overly cynical here by suggesting that is not likely to happen. I mean, if it did not happen in Chicago in the old days, it is not going to happen in Afghanistan today I think especially when our troop presence is going to be so markedly reduced.

But just as in this country, I mean, we have free and fair elections, but let us be honest. There is a primary process that happens even before anybody casts a vote. In the last election, I think people generally knew that Mitt Romney was going to be the Republican candidate well in advance of the first primaries or caucuses because he, in effect, won this preprimary for the backing of donors and other power brokers within the Republican Party.

The exact same thing is happening in Afghanistan right now, and certainly Karzai and the ISI and the Iranians and others—they are casting their votes, and the question is, Are their votes going to be decisive? Are we going to do something to try to counterbalance their vote by trying to push forward a leader who will truly not be an American puppet—that is not what I am looking for—a strong leader who will truly have the interests of Afghani-

stan at heart? And that leader may well do things that exasperate us in the way that DeGaulle did, for example, in France, but nevertheless somebody who would not be a cat's paw of the ISI or Iranians or the warlords. I think that is what Afghanistan needs, and I think in many ways the only chance that the political process has to produce somebody like that is with a little outside assistance from us.

Senator CASEY. I am reminded that in this country it took most of 100 years before a lot of places, a lot of States got the secret ballot. So it took us a while.

I know we have to wrap up. But I guess in more of kind of a lightning round, if you could just outline the two or three steps—you might have four or five, but if you could prioritize one or two steps that we should take really in the next several months or the next 6 months to get the result that we hope for, which is a free and fair election. We will set aside the question of who wins or what is the optimal, but to get as free and as fair an election as possible. Any quick summary of one or two steps that we should take.

Dr. WILDER. I would come back to the point—how do we make clear that this is, for the next year, the No. 1 U.S. Government priority? And I think that is where the appointment of an ambassador-rank official in that role would be one way of signaling that, but then also following up with frequent high-level statements of their importance to the U.S. Government because, as I said, this is where there is a mismatch. We do often say that the elections are a priority, and we say the right things about them, but Afghans still need to hear it more often because they remain skeptical. Just in the last two trips I made to Afghanistan in March and April, it was striking to me how many Afghan politicians referenced then-Senator Kerry's confirmation hearings in front of this committee where he very clearly spoke about the importance of the elections as a priority issue. That created very positive vibes in Kabul and gave a little encouragement to those who do believe in the elections.

Just last week, here at USIP we hosted a fairly prominent Afghan opposition figure, and one of his key points was, in terms of the priorities in the elections, fight the doubt, because it is easy to think of all the reasons why elections will not be possible in Afghanistan, and if we really give into that, the skepticism will become self-fulfilling. We have to believe the elections can happen and then prepare for them with the measures I mentioned. Afghans will then take the lead to make sure that they do, indeed, happen.

But the final point to emphasize is that while there is a supply side to this which requires financial and technical support to electoral institutions to manage the elections, we also need to focus on the demand side, with early support to civic education. The media play an incredibly important role. The Afghan public needs to also feel that the elections are going to happen and we need to work on the demand side. Too often, civic education is left as an afterthought until just before the election. We need to be investing in and supporting those efforts earlier than in past elections.

Thank you.

Senator CASEY. Thank you.

Ms. Chayes.

Ms. CHAYES. I am going to change the aperture a little bit.

I tend to agree with Mr. Boot that it is very unlikely that we will supply what it takes to actually make this exercise truly free and fair and credible.

I actually think there is something quite different we could do that could help set the conditions which would have to do with expanding the scope of the reconciliation process. I think we have been stuck in a rut which has been speaking to just one interlocutor or trying to speak. We have not even been speaking to one interlocutor, which is to say the armed opposition. But it turns out that most Afghan constituencies have severe issues with the Karzai government and with the way the Afghan Government has been executing its duties or not since 2001.

I think this reconciliation process needs urgently—and it ought to be U.S. Government policy urgently—to expand this reconciliation process to include those constituencies. I would give the current Afghan Government a seat but not a gavel, and I would not give Pakistan a seat, and that is a whole other issue, but that has the impact of rewarding the deliberate use of violent extremists as an instrument of public policy on the part of Pakistan.

But if you get a process like that going—and there have been a couple of experiments of late in France, in Japan, but in particular in France over the last few months or last 6 months or so that indicate that this is a doable process. We have not been interested. President Karzai has extremely not been interested. And again, it has to do with a little bit of political will on our part to force a conversation, a multipolar conversation. And I think a process like that could start to work out what a lot of the equities are so that an election at the far end of it—there would be less incentive to try to rig an election at the other end of it.

Thank you very much. And thanks again for your interest.

Senator CASEY. Thank you.

Mr. Boot.

Mr. BOOT. Mr. Chairman, I think there is a crisis of confidence in Afghanistan right now. At least that is what I saw and heard about when I was there a few weeks ago. Property prices are falling. The amount of money exiting the country is increasing. Afghans do not have a lot of confidence in their post-2014 future.

I think the most important thing we can do right now, as early as possible, is to signal what our level of commitment post-2014 is going to be. I think that will increase confidence. It will also boost our influence and our ability to try to influence the future of Afghanistan in a positive direction, whether you think all we should be doing is trying to protect the integrity of the balloting process or whether you believe, as I do, that I think we need to take a more robust role. Whatever that role is, I think we will enhance our influence by signaling what our level of commitment will be because up until now, we have said we will stay committed, but there is a big difference between levels of commitment and the higher the level of commitment that we express, the more confidence that the government and supporters of the government will have and the more we will demoralize and weaken the Taliban. So

I think that is the most immediate thing that we can do to affect the calculus in Afghanistan.

Again, I would just stress that I mentioned in my opening statement I think we need to do much more to counter ISI influence.

As we were discussing earlier, I also believe that we need to play a more robust role in helping to select a strong leader for Afghanistan. But the first thing I think is just to signal that we will have a robust commitment post-2014.

And I thank you for inviting me. It is a pleasure to testify with two leading experts. I am glad you are interested because I think one of the biggest problems we face right now, quite frankly, is there is not a lot of interest in the future of Afghanistan in this country. So I am glad you are staying focused on it. Thank you for inviting me.

Senator CASEY. Thank you. Thanks to all of our witnesses.

The record will be open for questions for—I think, it is 5 days. We will correct the record if it is not.

And I also wanted to mention—I did not at the beginning—that the resolution that Senator McCain and I introduced was cosponsored by Chairman Menendez. So that is good news.

But we are done for today, but I am sure we will be able to call upon each of you for further insight as we get closer to this election day, which I realize has a lot of problems connected to it. So we have got more work to do.

But thanks very much.

We are adjourned.

[Whereupon, at 5:30 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

RESPONSES OF DEPUTY SPECIAL REPRESENTATIVE DAVID PEARCE TO QUESTIONS SUBMITTED BY SENATOR ROBERT P. CASEY, JR.

Question. In recent Afghan elections, key decisions were determined by the Supreme Court. Many have expressed concern that members of the Afghan Supreme Court have remained in their posts beyond expiration of their terms and the President has yet to appoint replacements.

- If there are no new appointments to the Supreme Court and that body does end up providing judgments related to the elections, how will the Afghan public react?
- Which regions might you anticipate a need for funding that is not in the current budget request?

Answer. Afghanistan and its allies have a common interest in ensuring a peaceful, democratic transfer of authority from President Karzai to his successor through elections accepted by the Afghan public as credible and legitimate. The Supreme Court may play a significant role in the electoral process if it rules, as it has in the past, on fundamental constitutional matters related to the elections.

In his July 2012 decree specifying measures to address corruption, President Karzai pledged his support for improving judicial and prosecutorial institutions. Our Embassy and international partners have since discussed with senior Afghan officials the need to remove Supreme Court Justices whose constitutional terms have expired or will expire before the 2014 elections and to nominate credible and independent replacements. While we do not have a formal response, we continue to raise this issue. Legitimately serving Supreme Court Justices will help legitimize all of the Court's decisions, including any on elections, and will help to instill confidence in the process.

Opposition figures and a number of prominent parliamentarians have stated publicly that they would not accept any Supreme Court decision as valid if there are Justices sitting on the bench beyond the expiration of their constitutional terms. Serious disagreements over the legitimacy of the Court's composition and, therefore,

the validity of its rulings could lead to constitutional gridlock at a time the Court could be called to issue critical decisions related to the elections.

Regarding the potential need for additional budgetary resources, U.S. Government advisors are currently working with Afghanistan's Independent Election Commission to finalize operational and contingency planning and determine budget allocations from the Government of Afghanistan and other international donors, including the United States.

Question. Will the United States designate an ambassador-level point person in the Embassy in Kabul to focus solely on electoral issues prior to April 5, 2014?

Answer. The 2014 elections are the top political priority for our mission in Kabul and our diplomats understand that the 2014 Presidential election will determine the future stability of Afghanistan and the region. The Embassy regularly consults with Afghans throughout the country to help them carry through on their commitment to hold credible, inclusive, and democratic elections. Given sustained senior-level Embassy attention, we currently do not see a need to appoint a full-time elections Ambassador but would consider this in the near future if our regular staffing needs assessments determine that such a position is warranted. At present, we are satisfied with our mission structure, which includes five civilians in Afghanistan who hold the rank of Ambassador, led by our Chief of Mission Ambassador James Cunningham. Ambassador Cunningham, reflecting the Secretary's own personal commitment, is actively involved in our 2014 elections effort and guides our full calendar of engagement efforts to support the 2014 political transition.

All ambassadors track election developments closely, notably Assistant Chief of Mission Ambassador Hugo Llorens, who is the Embassy's primary point of contact on elections. On an almost daily basis he meets with Afghan Government officials, political party leaders, Afghan National Security Force commanders, civil society, and international partners to assess progress on elections and deliver consistent U.S. policy messages of support for all aspects of planning for this historic event.

Secretary Kerry, who has direct experience with Afghanistan's 2009 Presidential election, has made the 2014 political transition one of his top priorities. He raises this issue in all his conversations and meetings with President Karzai and other high-level Afghan officials, most recently in Kabul in March and in Brussels in May, as Deputy Secretary Burns did during his May visit to Kabul. The elections are likewise a top priority for our newly appointed Special Representative of Afghanistan and Pakistan (SRAP), Jim Dobbins, who discussed the elections during his meeting with President Karzai May 29.

Question. During his confirmation hearing, Secretary Kerry said the following in response to my question about election preparations in Afghanistan: "Having an election that passes muster and is acceptable according to international observers and standards will be critical to our ability to have the kind of transition we want to have, and to have confidence that the government that succeeds in 2014 has legitimacy. If it does not have legitimacy, if we do not succeed in that effort, it is going to be very, very difficult to convince the American people and convince our allies in ISAF and beyond to stay engaged in this effort if they are not willing to provide for themselves with respect to that."

- One of the provisions of the Tokyo Mutual Accountability Framework addresses elections. Is the State Department prepared to withdraw, or condition, some U.S. assistance to Afghanistan on a transparent, credible election process and outcome?

Answer. We have consistently emphasized throughout the past year the statement of fact from the July 8, 2012, Tokyo Mutual Accountability Framework (TMAF): "The International Community's ability to sustain support for Afghanistan depends upon the Afghan Government delivering on its commitments described in the Tokyo Framework." The Afghan Government has not yet enacted new electoral legislation that would serve as the framework for the 2014 Presidential and provincial council elections and the 2015 parliamentary elections, a TMAF indicator of its commitment to "Representational Democracy and Equitable Elections." Afghan authorities must urgently and transparently enact reforms that will inspire widespread confidence in the electoral process and enable a free, fair, and credible election. The July 3 Senior Officials Meeting in Kabul is the first opportunity to assess Afghan progress on TMAF reforms and plan for continued constructive cooperation in the lead up to April elections.

We will reiterate our commitment to the people of Afghanistan and the development of its democracy. In the spirit of mutual accountability, we will also continue to press for electoral and other critical reforms to justify our continued extraordinary assistance. We are considering the use of incentive funding mechanisms to

encourage action on Tokyo reforms, but in ways that do not jeopardize the progress we seek in the Tokyo indicators. As called for in the Tokyo Framework, international donors will gather in London after the 2014 Presidential elections to assess progress and review our commitments.

Question. Last June, I sent a letter to Secretary Clinton expressing my concerns about the Independent Electoral Commission (IEC) and Electoral Complaints Commission (ECC). President Karzai's recent veto of the electoral law demonstrates his intransigence and desire to control the electoral process. I understand that the lower House of Parliament has passed another draft law and may be considering overriding President Karzai's veto.

- What is the State Department doing to press President Karzai to work cooperatively with the Parliament to agree on an acceptable electoral law?
- What would be the consequences of failure to pass an electoral law before candidate registration is scheduled to begin?

Answer. We are monitoring electoral legislation closely, and have underscored the importance of this legislation being adopted as a matter of great urgency. There are two laws of particular importance: the Independent Elections Commission (IEC) Structure Law, and the Electoral Law. President Karzai vetoed and sent the IEC Structure Law back to Parliament on April 27, arguing that a number of the draft's provisions were unconstitutional. Parliament has since been debating whether to attempt to override Karzai's veto or to resubmit a revised draft that addresses Karzai's concerns. We are urging both the Palace and Parliament to adopt the IEC Structure Law and the Electoral Law well before candidate registration begins in September and preferably before Parliament begins a 6-week recess in early July. SRAP Dobbins reinforced this message during his visit to Kabul this week. We have and will continue to strongly encourage the creation of independent and credible electoral authorities and transparent and credible electoral processes through these new laws. Voter registration began this week and time is of the essence for establishing critical institutions necessary to make sure a credible framework is in place, especially an independent electoral complaints mechanism. Meanwhile, since this is an Afghan-led process, we strongly encourage broad consultations among the IEC, the Afghan Government, Parliament, political opposition groups, civil society leaders, and other legitimate stakeholders on important decisions regarding the new electoral law framework and the selection of election commissioners.

Without new electoral laws, the 2010 Presidential decree on elections will govern the election process, including the method for candidates to nominate themselves and for their nominations to be vetted, a process that begins in September. This 2010 decree requires the President, in consultation with the Parliament and the Supreme Court, to establish an Electoral Complaints Commission to adjudicate complaints. Our strong preference and goal is the adoption of credible IEC and electoral laws to further bolster Afghanistan's democracy.

Responses of David Sedney to Questions Submitted by Senator Robert P. Casey, Jr.

Question. What special preparations is NATO Training Mission Afghanistan (NTMA) making to ensure that Afghan troops working to safeguard elections take special care to ensure that women can safely participate in the 2014 elections?

Answer. In accordance with the overall security transition and respect for Afghan sovereignty, the International Security Assistance Force (ISAF) and its subordinate commands, including the ISAF Joint Command (IJC) and the NATO Training Mission Afghanistan (NTM–A), will maintain a support role during the elections process. ISAF will be prepared to take action only when requested by the Afghan Government and support will likely focus on logistics, intelligence, route clearance, and in extremis support. This support will help promote an inclusive and secure election; however, further measures to promote the participation of women are the responsibility of the Afghans.

Preparations and planning for the 2014 elections, including promoting the participation of women, are an Afghan-led process. Both the Independent Elections Commission (IEC)—which has the lead for administration of the elections process—and the Ministry of Interior (MoI)—which has the lead for security—are taking measures to encourage increased female participation in the elections, including the current voter registration and outreach education phase of the election process.

For the voter registration effort, the IEC was able to recruit a significant number of female officials, including for the first time in some insecure provinces. The IEC is actively working with civil society and local administrations to engage women in

the voter registration process. Additionally, the IEC is carrying out a voter education campaign through public outreach officers and informational broadcasts, which will include messaging on female participation. Finally, the IEC plans to conduct consultations with community religious leaders, with special attention on women's participation in the elections.

During previous elections, female participation on election day was limited by insufficient female staffing at the separate women-only polling facilities. Recognizing this as a key issue, the Afghans are adjusting their plans to account for this shortfall. The MoI and IEC are considering a proposal to hire women temporarily from the private sector to be trained as security screeners for the approximately 7,000 polling centers.

Question. The United States has provided significant logistical support to past Afghan elections, and Afghan troops lack the same level of capability. Will the United States continue to provide logistical support to the 2014 election, even though the coalition troop levels will likely be diminished?

Answer. The current plan to draw down to a level of 34,000 U.S. forces by February 2014 is consistent with Commander, U.S. Forces–Afghanistan's recommendation and will provide enough forces to support the Afghans through the April 5, 2014, election. In accordance with the overall security transition and respect for Afghan sovereignty, the elections process will be Afghan-led. However, the International Security Assistance Force (ISAF), including U.S. forces, will be prepared to assist if requested by the Afghan Government. ISAF has identified logistics as an area where the Afghans will likely need international assistance and is planning accordingly. For the first phase of voter registration, ISAF has provided air support to the Afghans for the delivery of voter registration materials to a select number of provinces. With this assistance, all voter registration materials arrived on time to intended destinations to allow for the first phase of voter registration to begin at the end of May.