

# Afghanistan: From Transition to Transformation

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**Testimony before the  
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## Introduction

Senator Menendez, Ranking Member Corker, and members of the Committee, thank you for the opportunity to testify before this Committee at this critical time in Afghanistan's political transition.

I am the Chairperson of the Free and Fair Elections Federation of Afghanistan (FEFA) and the Director of the Afghanistan Research and Evaluation Unit (AREU). From 2004 until last month I was a Commissioner of the Afghanistan Independent Human Rights Commission.

I will be speaking about three issues that can determine the course of Afghanistan's future: the ongoing security transition; the upcoming political transition and elections; and, finally the public perception of the current efforts to start negotiations with the Taliban, and U.S. role within it.

I will also outline for you what so rarely gets reported in the media – that Afghanistan is at a turning point toward stability, with our people beginning to have faith in a democratic system. The investments of the last decade by Afghans and their partners, in particular the United States, have transformed the country. We have seen unprecedented progress made in many spheres, but perhaps what makes me most proud is that on the eve of transition, Afghans are ready and eager to stand on their own feet, with a newfound trust in the abilities of their security forces.

However, alongside this new sense of determination, there are risks and fears. Many Afghans had their confidence shaken by the recent opening of a Taliban office in Doha. Even if the Taliban have temporarily closed the office, the process helped to legitimize a group that is terrorizing the Afghan people, and played directly into Pakistan's hands. The United States' involvement in that process gave rise to conspiracies in Afghanistan about the real priorities of the U.S. government. It would be a tragedy if - at this moment - when so much of the blood, sweat, and tears of these past ten years is paying off - the achievements that the United States has helped to win were sacrificed for a deal that could destroy them. Particularly when we stand less than a year away from elections which will bring a new leader with a fresh mandate to govern, and to negotiate on behalf of the Afghan people.

Similarly, the recent reports that the U.S. might be seriously considering a rapid drawdown to "Zero Troops" sends a terrible message to Afghans at this critical juncture. It would be a waste if the very understandable frustrations with our leadership should prompt a precipitous withdrawal during this delicate phase. Drawing down to zero troops before transition is complete would shake the confidence of your true partners in Afghanistan - the Afghan people. And it would send a message to the Taliban that the United States is giving up on all its good work here.

With a small residual force, increasingly tailored over time, all the impressive work of the United States military in helping to build our army and police force can be cemented. Combine this with a Bilateral Security Agreement and a new

government and parliament, and you have the outlines of a far more stable trajectory.

Many Afghans – particularly among our new generation, who constitute the majority of the people – have genuine faith in the continued development of a moderate, democratic Afghan Republic. The U.S. Congress has rightly been concerned about the corruption in our government, but most Afghans do not simply judge the state on the flaws of individuals. It is the state institutions – in particular our armed forces – that have earned the respect of the people. This stands in absolute opposite to the Taliban-era Islamic Emirate of Afghanistan.

This is because beneath the dismal headlines that often dominate the international media, life for most Afghans has changed for the better. Educational and employment opportunities, women’s rights and democratic freedoms represent some of the greatest achievement of these past ten years of international engagement. As this “Decade of Transition,” comes to an end, the highly-anticipated “Decade of Transformation” can be built on the gains of what was achieved in the past 12 years.

But for all these achievements, the future of Afghanistan might still be unstable at best or disastrous at worst without close attention to the following three areas: one, the security transition; two, the political transition, including the election of a new President in less than a year; and three, public confidence in the peace and reconciliation process.

### ***Transition: Impact and Assessment***

First allow me to briefly discuss how Afghanistan looks today, at the end of the Transition decade:

In terms of **social change**:

- We’ve had a rapid demographic shift - with over 60% of the population under the age of 20. This **new generation** benefits from huge improvements in educational opportunities, urbanization and greater social mobility.
- We have some extraordinary **women leaders** in the public sphere, including parliamentarians, doctors, lawyers, judges and civil society leaders, with women’s rights being articulated by men as well as women activists. As a concrete example of their recent gains - two months ago Afghanistan adopted its first workplace anti-harassment regulation championed by two dynamic young technocrats in government in partnership with civil society. It is now enforced throughout local government.
- **Human rights**, including a commitment to the concept of human rights, are becoming firmly established in public discourse.

- Over **8 million children** are enrolled in schools of which 2.6 million are girls. We have over 100 private and public universities compared to only five in 2004.
- **Improvements in primary healthcare** have led to a sharp drop in maternal and infant mortality rates.

Moving on to the **security, democratic and economic** spheres:

- The **security handover** is now complete – and has fared much more successfully than most had predicted. This has only further boosted the confidence of Afghans on their own security forces. This might not be the impression you get here, reading the endless bad news about Afghanistan in the international media. But in Afghanistan we highlight our successes as well as our failures. The June attack on the Presidential Palace was a clear example of this: here in the U.S. it was reported as a dramatic breach of security. In Kabul reporters and analysts also commented on the ability of the Afghan security forces to bring an end to the attack in just 90 minutes.
- Now, to complete what we see as a successful security transition, it is time to finalize the **Bilateral Security Agreement**, which will support the political and ensuing economic transition.

- **In the democratic sphere:** we've seen new maturity and development in our political parties. New political movements and parties have emerged that are not based on individual strongmen or ethnicities, but represent the new generation. Consensus-building is now the norm. For instance, last fall FEFA facilitated negotiations between 48 political parties and civil society organizations, which resulted in the adoption of a 50-point "Declaration of Principles on Electoral Reform". So while our elections still face huge challenges – these trends show democracy is taking root.

- The **media** – a pre-requisite for any democracy - is one of our great success stories. Today 95 percent of the Afghan population is exposed to some form of mass media and almost 500,000 Afghans are on Facebook compared to almost zero access to internet 10 years ago. We have 50 television stations, 150 radio stations, and 100s of newspapers.

- While the **fight against corruption** remains challenging, as it is for so many developing nations, the newfound courage of our media in taking on high level corruption and impunity gives me confidence that we can begin to cure this cancer. Afghan journalists are routinely putting themselves at risk to report on the crimes of some of the most powerful, and in doing so starting to change the culture of impunity.

- And it's not just the media that is pushing for **better governance**. The Free and Fair Election Foundation, which I head, is pushing for electoral transparency and demanding accountability of parliamentarians to their constituencies. Afghan watchdog groups like Afghan Anti-Corruption Network, Integrity Watch, and

Equality for Peace and Democracy have also become bold advocates for cleaner, more transparent government. Their advocacy recently triggered a parliamentary effort to impeach a minister accused of corruption.

- In the **economic and development sphere**, hundreds of Afghan-owned small and medium sized enterprises have sprung up. 16,000 new businesses were registered between 2004 and 2011, and thousands of kilometers of roads have been paved. Our telecommunications industry is thriving with around 20 million cellphone users (out of a population of 35 million). And with significant reserves of rare earth, minerals, gas, copper, and iron ore it is not too outlandish a statement to say that Afghanistan has the capacity to achieve economic autonomy.

- And last but not least – there’s been unprecedented progress in **sports and athletics** – we won two Olympic medals in 2012, our cricket team made it into the international top 20, we have a newly created football league which has jumped up the international rankings after lying dormant for nearly twenty years. We have even nurtured a strong women’s football team.

Alongside these great gains, the reality is that today’s Afghanistan presents a dual picture: there are small but highly visible groups of Taliban and other terrorists who are rooted in Afghanistan’s past—a past wracked by repression, lawlessness and a painful isolation from the rest of the world.

But a growing majority of Afghans have left that past behind. While suicide attacks and violence still make the headlines, most Afghans are now focused on jobs, the rule of law, accountability and the coming elections in 2014.

Our civil society has grown in confidence, diversity and strength – from emerging new political parties to women leaders, to our courageous investigative reporters and dynamic entrepreneurs; we are all invested in the same future, the same path to continued progress.

As 2014 rapidly approaches, we look back at the last decade of our efforts that have born all these fruits with delight. I grew up during the civil war and lived through the Taliban’s brutal rule; I can attest personally that the past decade has led to radical improvements for our nation. But, cementing these achievements and paving the path for future peace and progress is also on our minds, for these gains can be quickly unraveled.

After this “Decade of Transition”, Afghans share a collective sense of ownership with the process, and faith in the system. With international support, we are now leading the “Decade of Transformation”.

### ***Political Transition: Free and Fair, Achievable and Effective Elections***

At the heart of political transition are the upcoming elections in 2014 and 2015, which have the potential to redefine Afghanistan's future as well as to cement the investments of the United States in our emerging democracy. We welcome Secretary Kerry's commitment to promoting a "free, fair, and transparent elections in 2014." However, for this to happen, the U.S. cannot afford to be sidetracked by the likes of the Doha process. Such distractions have the potential to jeopardize the political transition and the achievements made to date. I would therefore urge Ambassador Dobbins and his team to keep their focus on Afghanistan, not Doha, and make the political transition and the elections, their first priority.

Of course, challenges remain, but a credible election is the first step to building a credible government. There is still time to put in place the proper legal framework and to develop the necessary electoral institutions to ensure non-interference. Afghans are working hard to hold their government to account, and ensure that Afghans have the confidence and motivation to take part. The United States can also play an important role in the process.

This upcoming election is already prompting robust campaigns and debates all over Afghanistan. It is clear to anyone and everyone involved with voting, elections, and government in Afghanistan that a sound legal framework is required. There are lively national debates on the progress of two laws that will create an improved legal framework for our elections – both laws have been passed by the upper and lower houses of parliament but still need Presidential approval.

If the President doesn't approve the election laws in the next few days or weeks, the elections will go ahead according to the Presidential Decree that was used in 2010. We know from bitter experience how flawed that legislative decree is. Afghan civil society and our international partners have worked hard to try to make sure we have an improved legal framework, including an independent electoral commission and an electoral complaints process. But time is running out to ensure that happens.

One positive sign is that operational preparations are taking place months earlier than in previous rounds –for example, the Afghan security forces announcing their plans in good time, including polling station locations. Voter registration is taking place –while initial indicators reveal low women's participation, this is an area the Afghan government with the support of the international community can prioritize and rectify.

One of the most pressing challenges is that the presidential elections will take place within a matter of months and the appointment of the Chairman for the Independent Elections Commission has yet to be announced. The IEC is at the front and center of elections. Without a credible leader in place, who has a proven independence and an established record, and is driven, committed, and capable, the election commission will struggle to build the necessary confidence with the public.

To counter these challenges and to ensure Afghanistan is given the fighting chance it deserves to hold free and fair elections, there are a few actions to consider:

- 1) All efforts should be made to make sure that appointment of the IEC commissioners and in particular the chairperson are made through transparent and consultative means so that the next IEC will be perceived as credible and can perform independently of the executive.
- 2) While the United States cannot support an individual candidate, it should not shy away from supporting democratic parties, platforms and institutions so that there is a level playing field. It should continue to stress the need for non-interference by the Afghan executive in the electoral processes, and fair access to the media.
- 3) The U.S. should continue to insist on the elections being held on time and according to the Afghan constitution, and continue to support and strengthen the IEC's anti-fraud measures and capacities so that they can manage a smooth post-election period.
- 4) All efforts should be made to facilitate the deployment of international election observers as well as supporting domestic electoral observers like my group – the Free and Fair Elections Foundation of Afghanistan (FEFA), not just through the 2014 elections, but through the 2015 elections and beyond.
- 5) By 2014 the Afghan security forces will have sole responsibility for security, including the polling centers. With a small contingency force NATO and U.S. forces can provide confidence, and if required can assist with small but important tasks should an emergency arise - such as providing the IEC logistical support for deployment of electoral material.

## **Doha, the Threat of the Taliban Emirate, and a Real Path to Peace**

The people of Afghanistan want peace, not appeasement. The U.S. should not be giving any sense of false legitimacy or credibility to a terrorist group, or to Pakistan's games. When the "political office" of the Taliban was opened in Doha it sent a signal to Afghans that the U.S. was not committed to working with the representative government of Afghanistan.

This uncertainty about the position and priorities of the U.S. is dangerous for a number of reasons. Firstly because it distracts the highest levels of the U.S. government from helping to ensure a smooth and viable political transition, and sidelined negotiations over the Bilateral Security Agreement. The message that Doha sent can lead to hedging behavior by Afghans, which can be very destabilizing.

Secondly, it emboldened the Taliban. The audacity of the Taliban flying a flag of the "Islamic Emirate of Afghanistan" was shocking for Afghans, and exposed clearly their vision of themselves as the rightful rulers of our people. They may have temporarily closed down their office to protest demands that they stop

calling themselves the Emirate, but that again shows how central to their movement is this notion of themselves as a 'government in waiting.'

The Taliban have not become a "moderate" group, they remain draconian, highly ideological and are in fact becoming more and more extreme in their attacks on innocent civilians. The Taliban have never categorically said that they will respect human rights and women's rights, or that they are committed to furthering the progress in this field. Nor do they show any sign that they are ready to engage in the political process – which would mean respecting a (man-made) constitution, and accepting defeat at a ballot box.

U.S. actions in Doha, therefore, risk undermining the proud sovereignty and fragile authority of the Afghan government. As this Afghan government has been supported by the U.S., it also undermines the credibility of American foreign policy.

This is not to say that we in Afghanistan are against the Taliban joining mainstream politics. We would welcome that with tears of joy – there are one or two former Taliban who participate peacefully in our parliament – more would be welcome. However, we cannot entertain a political process wherein the Taliban refuses to denounce violence, rejects the constitution, and maintains relations with Al Qaeda and other dangerous regional networks.

The U.S. should also be very wary of playing into Pakistan's hands, in particular the designs of the Pakistani military, which treats the Afghan people as expendable pawns in their bigger contest with India.

Throughout the past decade there have been genuine efforts by the Afghan government and its international partners - including the United States - to gain the support of the Pakistani government in a peace process, but hard facts suggest that elements in the Pakistani state continue to prove that they are not faithful partners.

The government of Afghanistan has also until recently failed to provide a clear path towards peace. They do not seem to have a clear sense of the end goal, they allow multiple tracks and institutions to engage in the process, creating confusion among the people, and among those elements within the Taliban that might be serious about peace. The government has also failed to build a consensus among different sectors of society about a path to peace – a precursor to an inclusive and sustainable peace process.

Such a process is likely to take time and patience. Those who are rushing to this track seem to feel that the alternative is civil war. Most Afghans fear the shadow of civil war, but it is far from inevitable. We must ask you not to look at Afghanistan with the lens of the 1990s where the only contest is between the warlords and the Taliban.

The new Afghanistan is changed – citizens want jobs for themselves and schools to be built for their children. This Decade of Transition has exposed even our warlords to far more attractive horizons – where peace and prosperity have been made possible. The overwhelming majority of Afghans does not identify

with warlords or the Taliban – and will not be carried by either group – but are forging new political identities and platforms.

We need to focus on the great test of the Constitution that lies ahead of us in 2014 – because really the political settlement is the Constitution. Building upon it, building upon the center, and upon the wishes of the majority, is the real and the sustainable path to peace. Anything else is short-lived and will not ensure lasting peace for the people.

If we have a new government, which reaffirms our commitment to our constitutional order, backed by the Strategic Partnership Agreement and a new Bilateral Security Agreement, we create the right incentives for the Taliban and Pakistan to rethink their strategy. I'm confident that these conditions might lead to a Pakistani and Taliban strategy that is more conducive to peace.

What can be done, at this point, when so many mistakes have been made?

- 1) The U.S.G – in particular the office of the Special Representative, Ambassador Dobbins - should focus on political transition in this critical moment. The next Afghan government will have a far stronger mandate and the energy to play this role.
- 2) The U.S. should immediately halt any talks or preliminary negotiations with the Taliban until the latter has expressed firm commitment to engage with the Afghan government.
- 3) The U.S. should not engage in any talks or preliminary negotiations until the Taliban cease their deliberate attacks on civilians. 'Talking while fighting' may be common in many peace processes, it is not standard practice to talk while one side is consistently carrying out what might amount to war crimes.
- 4) If talks do begin in earnest, the U.S. priority should be working with the government to secure firm commitments from the Taliban that they would that they would renounce violence and seek power through the democratic system, they would respect the Afghan constitution, respect human rights, in particular women's rights, including women's right to work and participate in the political system.

### ***Cementing the Security Transition Will Preserve Gains and Provide Lasting Stability***

Let me now take a closer look at the achievements and challenges of our security transition. In October 2012, Afghanistan exceeded its goal of having a 350,000-troops strong Afghan National Security Forces. Many Afghans want to join the ANSF to defend their own country. This is a magnificent achievement - just six years ago the total ANSF was not even 80,000 and recruitment was a problem.

With this impressive force, Afghan leaders have been able to take responsibility for leading security in Afghanistan, with less and less reliance on the NATO-led International Security Assistance Forces (ISAF). This shift towards Afghan

leadership has not been accomplished overnight and has not been easy. But as an Afghan whenever I see our young men and some women in uniform I feel secure and proud, Mr. Chairman. For most Afghans in their 30s and older are seeing this uniformed national security force, carrying their country's flag, for the first time in their lives. Our forces show steady improvements in their capacity and their courage, as demonstrated by recent attacks in our capital that were swiftly closed down with minimal disturbance for our citizens.

The people of Afghanistan welcomed the successful completion of transition. However, we recognize that these achievements come despite enormous challenges that still need to be addressed. There is still great doubt as to whether ANSF is capable of continuing this progress after 2014, given the challenges we face. For example, without "coalition enabler" support, there is a risk that the ANSF are facing severe limitations. The Afghan Air Force is not yet in place, and air capacity is just at the beginning of development. Our people want to be in the Air Force, but they need time to develop the technical skills required. In addition, a basic essential service like medical evacuation is not yet in place. With a high attrition rate and literacy levels requiring time to improve, the ANSF is under great pressure. There are also shortcomings in transportation, logistics, and equipment. Technical knowledge, like counter-IED and military intelligence is growing, but slowly.

On top of all this, our brave forces are not yet supported by a commander in chief they deserve. A number of military officers told me that morale is significantly affected because their commander in chief still cannot define who the enemy is, and who his brother is. Mr. Chairman, we are aware as Afghans that the task of choosing the right commander in chief is solely ours, and I am confident that the nation has learned hard lessons to be able to make the right decision in this coming election. We Afghans know our forces are now fighting bravely, sacrificing themselves, being killed and wounded, for the defense of their own country. But they need continuing help. They need help not just to keep fighting, but to make sure that they are a responsible, accountable military that works for the good of the people, and that dangers such as corruption, abuse of the people and seeking political power do not arise. Both Afghans and Americans want an Afghan military that we can be proud of.

Finalizing the Bilateral Security Agreement is of paramount importance. It will give confidence in the political and ensuing economic transition. It will mutually benefit Afghanistan and the U.S. as the partnership against terrorism is cemented, and it will preserve the gains we worked so hard for and sacrificed so much for in the past decade. At this point, Afghans want to be assured of the U.S. commitment to Afghan independence, security, and respect for the constitution. In return, the Afghan people will partner with the U.S. in building a country that is a productive part of the world community and an ally in an uncertain region. The Afghan government will afford the U.S. access to military bases and partner with the U.S. in necessary counter-terror operations. Afghans from different walks of life have echoed their endorsement of the strategic partnership between Afghanistan and the United States, including a Loya Jirga and the Afghan parliament. The rhetoric, Mr. Chairman, which you hear from some of our political leaders, is far from what the majority of Afghans desire. Most of those I

speak with—not just the educated elites but average rural Afghans in remote parts—are voicing their strong sense of anxiety, caused by delays in signing of the BSA. We want to move forward with the United States as our primary ally.

Based on this brief outline, there are a few steps to be taken to support the security transition:

- 1) Prioritize signing a Bilateral Security Agreement.
- 2) As part of the Chicago Commitment, provide resources and technical support to the Afghan Air Force for the time necessary.
- 3) Maintain the minimum level of international air power support until the Afghan Air Force and medical evacuation teams are ready to take on the job themselves.
- 4) Continue to provide the necessary advice, support, training and capacity building for the ANSF through 2014 and beyond from literacy campaigns, to recruiting all ethnicities and women, to technical vocations, so that the ANSF becomes and remains a professional and responsible military.
- 5) As committed to in the Strategic Partnership and by NATO in Chicago last year, maintain the financial and material support necessary for the continued development of the institution of the army, police and intelligence.

In the last several years many Afghans like myself have been enormously reassured to see the great strides our military has taken, and remain indebted to the United States and our NATO allies for their assistance in training and financing our security forces. We appreciate that there must be a limit to this heavy burden for you, and this is not a request for open ended support, but we humbly request that you continue your support until the ANSF can not only manage, but truly lead security across the country.

While I stress the importance of our military becoming a capable, well-resourced and trusted institution, I recognize that we need an equally capable and well-resourced civilian government, in order to avoid the fate of some countries in our region.

After this decade-long strategic partnership, with all its successes and sacrifices, now is not the moment to squander the achievements and possibilities that are within reach today, because of short term frustrations or gains. Nor is it the moment to chase after quick deals, when we're so close to getting a new government with a fresh mandate, which will be capable of bringing all Afghans with it to reach a lasting and inclusive peace.

Thank you, Senator Menendez and all the Committee members for your continued engagement and interest, and for giving me the opportunity to provide frank testimony at this important time.