

113<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. RES. 151

Urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

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IN THE SENATE OF THE UNITED STATES

MAY 21, 2013

Mr. CASEY (for himself, Mr. MCCAIN, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations

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## RESOLUTION

Urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

Whereas Afghanistan's Independent Election Commission has affirmed that Afghanistan will hold presidential and provincial elections in April 2014 and parliamentary elections in 2015;

Whereas Afghanistan's current electoral process was established in 2004 by the Constitution of Afghanistan;

Whereas the Tokyo Mutual Accountability Framework conditions some international assistance to Afghanistan on the

holding of credible, inclusive, and transparent elections in 2014 and 2015, among other measures to improve governance;

Whereas Afghanistan lacks a comprehensive and accurate voter registry, and previous voter registration drives have resulted in duplicate or fraudulent registrations, according to a report by the National Democratic Institute;

Whereas security concerns and voter intimidation have impeded the ability of people in Afghanistan to cast votes reliably and safely in past elections;

Whereas Afghan women in particular are prevented from meaningful participation in the electoral process due to the security environment, the scarcity of female poll workers, and lack of awareness of women's political rights and opportunities, according to the Free and Fair Election Foundation of Afghanistan;

Whereas Afghanistan's 2009 presidential election was characterized by inadequate security for voters and candidates, low voter turnout, and widespread fraud, according to the National Democratic Institute;

Whereas Afghan officials, including President Karzai and Attorney General Mohammad Ishaq Aloko, disputed the results of Afghanistan's 2010 parliamentary elections and established a Special Election Tribunal to investigate allegations of fraud;

Whereas, following the 2010 parliamentary elections, Democracy International's Afghanistan Election Observation Mission concluded that comprehensive electoral reform is necessary to ensure a free, fair, and credible election process in 2014;

Whereas the Honorable Hamid Karzai is the first democratically elected president of modern Afghanistan and has served two terms in that position;

Whereas the Constitution of Afghanistan states, “No one can be elected as president for more than two terms.”;

Whereas President Karzai stated on January 11, 2013, alongside President Barack Obama, “The greatest of my achievements [. . .] will be a proper, well-organized, interference-free election in which the Afghan people can elect their next president.”;

Whereas, on several occasions since the late 1970s, civil war has broken out in Afghanistan over the legitimacy of the Afghan government;

Whereas United States taxpayers have invested more than \$89,500,000,000 in reconstruction and humanitarian assistance to Afghanistan since October 2001, according to the Special Inspector General for Afghanistan Reconstruction (SIGAR);

Whereas a democratically elected and legitimate government that reflects the will of the Afghan people is in the vital security interests of Afghanistan, the United States, its partners in the NATO International Security Assistance Force (ISAF), and Afghanistan’s neighbors; and

Whereas the most critical milestone for Afghanistan’s future stability is a peaceful and credible transition of power through presidential elections in 2014: Now, therefore, be it

1        *Resolved*, That the Senate—

2                    (1) affirms that the electoral process in Afghan-

3                    istan should be determined and led by Afghan ac-

1       tors, with support from the international community,  
2       and should not be subject to internal and external  
3       interference;

4           (2) expresses its strong support for credible, in-  
5       clusive, and transparent presidential and provincial  
6       elections in April 2014;

7           (3) urges the Government of Afghanistan to  
8       conduct the elections in full accordance with the  
9       Constitution of Afghanistan, to include maintaining  
10      the quota for women’s parliamentary participation;

11          (4) honors the sacrifice of United States, coal-  
12      ition, and Afghan servicemembers who have been  
13      killed or injured since October 2001 in defense of  
14      the democratic rights of the Afghan people;

15          (5) recognizes the substantial investment made  
16      by the United States taxpayers in support of sta-  
17      bility and democracy in Afghanistan;

18          (6) recognizes the contributions made by the  
19      government of President Hamid Karzai to the demo-  
20      cratic progress of Afghanistan, including statements  
21      by President Karzai committing to hold presidential  
22      elections in 2014 and not seek a third term;

23          (7) recognizes that transparent and credible  
24      elections will safeguard the legitimacy of the next  
25      Afghan government and will help prevent future vio-

1 lence by groups that may be ready to contest a pro-  
2 cess perceived as rigged or dishonest;

3 (8) recognizes that a democratically elected and  
4 legitimate government is as important to ensuring  
5 the long-term stability of Afghanistan as the suc-  
6 cessful training and fielding of the Afghan National  
7 Security Forces;

8 (9) urges the Government of Afghanistan to  
9 recognize the independence and impartiality of the  
10 Independent Electoral Commission (IEC) and an  
11 elections complaints mechanism with clear jurisdic-  
12 tion over the final results, and urges all parties not  
13 to interfere with their deliberations;

14 (10) urges the Parliament of Afghanistan to  
15 pass legislation that will establish a consultative and  
16 inclusive process for appointing elections commis-  
17 sioners and allowing election disputes to be resolved  
18 transparently and fairly;

19 (11) urges the IEC to adopt measures to better  
20 mitigate fraud, include marginalized groups, and im-  
21 prove electoral transparency of the polling and  
22 counting process and communicate these measures  
23 clearly and consistently to the people of Afghanistan;

24 (12) urges the Government of Afghanistan to  
25 support a credible and effective electoral complaints

1 mechanism whereby its members are perceived as  
2 impartial, it is given the ultimate authority on decid-  
3 ing whether a ballot or candidate is disqualified, and  
4 it has the time and resources to do its work;

5 (13) urges close and continuing communication  
6 between the IEC and the Afghan National Security  
7 Forces to identify and provide security for vulner-  
8 able areas of the country during the election period;

9 (14) urges the Afghan National Security Forces  
10 to make every necessary effort to ensure the safety  
11 of voters and candidates;

12 (15) expresses its support for the full participa-  
13 tion of Afghan civil society in the election process;  
14 and

15 (16) urges the Secretary of State to condition  
16 financial, logistical, and political support for Af-  
17 ghanistan's 2014 elections based on the implementa-  
18 tion of reforms in Afghanistan including—

19 (A) increased efforts to encourage women's  
20 participation in the electoral process, including  
21 provisions to ensure their full access to and se-  
22 curity at polling stations;

23 (B) the implementation of measures to  
24 prevent fraudulent registration and manipula-

1           tion of the voting or counting processes, includ-  
2           ing—  
3                   (i) establishment of processes to bet-  
4           ter control ballots;  
5                   (ii) vetting of and training for election  
6           officials; and  
7                   (iii) full accreditation of and access  
8           for international and domestic election ob-  
9           servers; and  
10           (C) prompt passage of legislation through  
11           the Parliament of Afghanistan that codifies the  
12           authorities and independence of the IEC and an  
13           independent and impartial election complaints  
14           mechanism.

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