

113TH CONGRESS  
1ST 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, Mr. MENENDEZ, Mrs. SHAHEEN, Mr. CARDIN, Mr. KIRK, Mr. DONNELLY, Mr. COONS, and Mr. CORNYN) submitted the following resolution; which was referred to the Committee on Foreign Relations

JUNE 25, 2013

Reported by Mr. MENENDEZ, with an amendment and an amendment to the preamble

JULY 9, 2013

Considered, amended, and agreed to with an amended preamble

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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 pro-

vincial 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 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 current president of Afghanistan is serving a second elective term and the Constitution of Afghanistan states, “No one can be elected as president for more than two terms.”;

Whereas the current president of Afghanistan has committed to not seeking another term in office;

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 one of the most critical milestones 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—

1           (1) affirms that the electoral process in Afghan-  
2 istan should be determined and led by Afghan ac-  
3 tors, with support from the international community,  
4 and should not be subject to internal or external in-  
5 terference;

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

9           (3) urges the Government of Afghanistan to  
10 conduct the elections in full accordance with the  
11 Constitution of Afghanistan, to include maintaining  
12 the constitutionally-mandated allocation of seats for  
13 women’s parliamentary participation;

14           (4) honors the sacrifice of United States, coal-  
15 ition, and Afghan service members who have been  
16 killed or injured since October 2001 in defense of  
17 the democratic rights of the Afghan people;

18           (5) recognizes the substantial investment made  
19 by the United States taxpayers in support of sta-  
20 bility, democracy, and the rule of law in Afghani-  
21 stan, including efforts to end public corruption;

22           (6) recognizes the commitment of the Govern-  
23 ment of Afghanistan to hold presidential elections in  
24 2014 and the current president’s commitment not to  
25 seek a third term;

1           (7) recognizes that transparent and credible  
2 elections will help safeguard the legitimacy of the  
3 next Afghan government and will help prevent fu-  
4 ture violence by groups that may be ready to contest  
5 a process perceived as rigged or dishonest;

6           (8) recognizes that a democratically-elected and  
7 legitimate government is important to ensuring the  
8 long term stability of Afghanistan, as is the success-  
9 ful training and fielding of the Afghan National Se-  
10 curity Forces;

11           (9) urges the Government of Afghanistan to re-  
12 spect and support the independence and impartiality  
13 of the Independent Electoral Commission (IEC) and  
14 the need for an independent and impartial elections  
15 complaints mechanism with clear jurisdiction over  
16 the final results, and urges all parties not to inter-  
17 fere with their deliberations;

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

23           (11) urges the IEC to adopt measures to better  
24 mitigate fraud, include marginalized groups, and im-  
25 prove electoral transparency of the polling and

1 counting process and communicate these measures  
2 clearly and consistently to the people of Afghanistan;

3 (12) urges the Government of Afghanistan to  
4 support a credible and effective electoral complaints  
5 mechanism whereby its members are perceived as  
6 impartial, it is given the ultimate authority on decid-  
7 ing whether a ballot or candidate is disqualified, and  
8 it has the time and resources to do its work;

9 (13) urges close and continuing communication  
10 between the IEC and the Afghan National Security  
11 Forces to identify and provide security for vulner-  
12 able areas of the country during the election period;

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

16 (15) expresses its support for the full participa-  
17 tion of Afghan civil society in the election process;

18 (16) urges the President of the United States  
19 to ensure that all United States Government efforts  
20 in Afghanistan are well-coordinated and are fully  
21 consistent with the American taxpayers longstanding  
22 commitment to stability, democracy, and the rule of  
23 law in Afghanistan, including efforts to end public  
24 corruption; and

1           (17) urges the Secretary of State to condition  
2 financial, logistical, and political support for Af-  
3 ghanistan’s 2014 elections based on the implementa-  
4 tion of reforms in Afghanistan including—

5           (A) increased efforts to encourage women’s  
6 participation in the electoral process, including  
7 provisions to ensure their full access to and se-  
8 curity at polling stations;

9           (B) the implementation of measures to  
10 prevent fraudulent registration and manipula-  
11 tion of the voting or counting processes, includ-  
12 ing—

13           (i) establishment of processes to bet-  
14 ter control ballots;

15           (ii) vetting of and training for election  
16 officials; and

17           (iii) full accreditation of and access  
18 for international and domestic election ob-  
19 servers; and

20           (C) prompt passage of legislation through  
21 the Parliament of Afghanistan that codifies the  
22 authorities and independence of the IEC and an  
23 independent and impartial election complaints  
24 mechanism.

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