



United States Ongoing Commitment to Success in Afghanistan

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As Prepared

Madame Chairman, Mr. Chairman, Mr. Ackerman, Mr. Sherman, distinguished members, thank you for inviting me to speak on the United States' ongoing commitment to success in Afghanistan.

I am pleased to be able to report to you that progress to date has been good -- and that it is accelerating. Afghanistan has been making rapid progress in its reconstruction, and the United States has been working closely with international organizations, our NATO allies and members of the international community to help that country take its place among the world community of moderate democracies.

It has been two years since the liberation of Kabul and the defeat of the Taliban regime. Under the Taliban, twenty percent of the population lived as refugees and 200,000 had been disabled by mines. Roads, irrigation, and other infrastructure were barely usable, and few Afghans had access to healthcare and education.

Today, this is changing. Afghans enjoy restored liberties and opportunities that were unheard of in recent memory. An internationally recognized government is in power; schools have reopened; a new banking law is in place; businesses are blossoming around the country; and, most importantly, there is hope for a better future. It is also important to point out the challenges that remain before us, most importantly the threat to security posed by resurgent Taliban and Al Qaeda attacks. These challenges can be overcome with continued support, and we remain committed to success in Afghanistan. Your recent approval of over \$1.2 billion in supplemental funds will allow us to build on our successes and help the Afghans establish a government that is moderate and democratic, stable and at peace with its neighbors, representative of all Afghan people, and that will never again be a haven for enemies of the United States. The supplemental includes \$69 million for support to democracy and governance. Additional funds will support security sector development, which will help train Afghan police and military in the run up to elections.

On December 5, 2001, various Afghan groups came together under U.N. guidance to sign the Bonn Agreement, laying the groundwork for democratic development in Afghanistan. In accordance with the Agreement, an Emergency Loya Jirga took place in June 2002, electing a transitional government (TISA) under President Hamid Karzai. Since then, TISA has continued to implement Bonn. In October 2002, President Karzai established a nine-member Constitutional Drafting Commission, which produced a preliminary draft constitution. In April 2003, a larger Constitutional Commission of thirty-five members began revisions of the draft and public consultations throughout the provinces and among refugee populations.

Afghanistan will soon mark its next important political milestone. In December, 500 delegates will convene a Constitutional Loya Jirga to ratify a final constitution. The Loya Jirga will represent the broad spectrum of Afghan society, including over 90 women delegates. For the first time in almost forty years, the Afghan people will have an opportunity to define the future of their country. The draft constitution unveiled on November 3 represents a genuine effort on the part of Afghans to reclaim their rightful place in the community of nations.

As with our own Constitution, the Constitution of Afghanistan is meant to be a document of the people, by the people, and for the people of Afghanistan. It must establish a democratic government in keeping with the unique cultural values of the Afghan people. Overall, the draft constitution is a good step toward these goals.

The draft constitution establishes a democratically elected government with a system of checks and balances. A president is to be elected for a five-year term with at least fifty percent of the votes nationwide. A single vice president is announced by each presidential candidate before elections, but does not stand for election.

The legislature resides in a bicameral national assembly. The Wolesi Jirga, or lower house, is directly elected for a five-year term. The number of Wolesi Jirga members is proportionate to the population of each region and will range between 220 and 250 members. The Meshrano Jirga, or upper house, is elected in three divisions. The provincial councils elect one third of its members for a four-year term. The district councils elect the second third of the members for a three-year term. And, the President appoints the remaining third for a five-year term. The draft constitution dictates that at least one woman will be elected to the Wolesi Jirga from each of the 32 provinces, and half of the President's appointments to the Meshrano Jirga must be women.

Under the draft constitution, the judicial branch is composed of a single Supreme Court and two layers of appellate courts. There is no provision for a separate Constitutional Court or a Religious Court. The draft also provides for a Loya Jirga, the traditional assembly of Afghan leaders, which can be convened for decisions on changes to the constitution and other serious issues.

In addition to provisions on government structure, the draft constitution establishes protections for human rights. It provides for basic rights and freedoms and specifically cites Afghanistan's obligation to abide by international human rights treaties. The draft also recognizes the important role of Islam in Afghanistan without prohibiting the practice of other religions.

The draft constitution also sets a timeline for elections. Presidential elections are to be held first, currently planned for June 2004 in keeping with the Bonn timeline. Legislative elections will then be held within one year of presidential elections. The United Nations Assistance Mission to Afghanistan (UNAMA) will begin registration for the elections in December, and UNAMA estimates the total cost will be \$78.2 million. We have already contributed \$15 million to UNAMA for registration and other donors have contributed \$27.2 million thus far.

Throughout the drafting process, the United States has fulfilled its role as a friend to Afghanistan by providing resources and expertise to the drafting commission and giving counsel to the government of Afghanistan. The drafting of the constitution must be an Afghan process. As such, it is important to remember that the draft constitution is just that, a draft, and there will be no final constitution until one is approved by the Constitutional Loya Jirga. Until then, the United States will continue to support the constitutional process and offer our counsel when appropriate.

Our objective is to bring lasting peace and stability to a country that has experienced very little of either in the last quarter century. I am confident that with your continued support we will succeed.

Thank you.

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