

**Opening Statement of John F. Tierney
Chairman
Subcommittee on National Security and Foreign Affairs
Committee on Oversight and Government Reform**

**“Pakistani Elections: Will They Be Free and Fair
or Fundamentally Flawed? (Part II)”**

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Good morning, and thank you all for coming.

Today, we continue our oversight of the U.S. national security interests at stake in the Pakistani parliamentary elections scheduled for February 18th.

The 9/11 Commission and our own intelligence agencies have repeatedly stressed the central importance of Pakistan in efforts to root out terrorism. They – and a growing chorus of others – have also raised serious concerns about how we’re doing. Most striking was this past summer’s sobering assessment by the National Intelligence Estimate of a resurgent Al Qaeda in Pakistani safe havens.

Over the past year, our Subcommittee has maintained vigorous oversight, having sent two Congressional delegations to Pakistan and held three previous hearings.

The central lesson I’ve learned is that if we care about preventing another 9/11, if we care about bringing Osama bin Laden to justice, if we care about protecting our soldiers in Afghanistan from escalating cross-border attacks, then we have an absolutely crucial interest in ensuring that the government in Pakistan has the popular mandate to confront extremism and terrorism within its borders.

We’ve heard over and over again about the importance of the United States speaking with a clear and unambiguous voice about the need for the upcoming elections to establish the legitimacy of the Pakistani government and instill confidence in the Pakistani people that their will is reflected by election results.

At times, Ambassador Boucher, you – and others in this Administration – have voiced these same sentiments. For example, at our earlier July 12, 2007 hearing, you testified, and I quote, “We believe that Pakistan must make a full transition to democracy and civilian rule.”

But at other times, our country’s message has been mixed and muddled, to say the least. Deputy Secretary Negroponte and other officials have called President Musharraf “indispensable,” and you referred to the suspension of the Pakistani constitution as a

“bump in the road.” Many more times our lack of words and actions – for example with relation to President Musharraf’s purging of judges from Pakistani courts – speak volumes, especially to the people of Pakistan.

All the while, the essential goal of free and fair elections in Pakistan seems to be slipping from our grasp.

Just last month, on December 20, we heard from a distinguished panel of election observers from across the political spectrum who concluded – unambiguously – that pre-election preparations offered little hope to the Pakistani people that their voices will be heard in a free, fair, and transparent election.

Former Senate Majority Leader Tom Daschle, who had recently returned from an election assessment trip to Pakistan, concluded that free, fair, and transparent elections would be impossible without significant, sincere, and immediate corrective action on the part of the government of Pakistan. He noted, “Without the restoration of Chief Justice Iftikhar Chaudhry and the other deposed justices, public confidence in the ability of the judicial system to act independently and ensure the transparency of the electoral process will be significantly curtailed.”

Tom Garrett, with the International Republican Institute, testified that the government of Pakistan – invoking security concerns – had limited polling-place access for international election monitors. Mr. Garrett also spoke about IRI’s recent poll showing a plummeting of support for President Musharraf.

And former Peace Corps Director, Mark Schneider, expressed the view of the International Crisis Group by emphasizing the central role the judiciary plays in the integrity of the Pakistani electoral process. He also noted, “The U.S., and its Western allies, must recognize that fair and free elections are the best option for a secular and moderate parliamentary majority, a unified country against extremist jihadi organizations, the Taliban and Al Qaeda.”

Their testimony emphasized the widespread atmosphere of insecurity and intimidation that strike at the heart of any credible democratic process. The voters’ rolls fail to inspire confidence and raise the specter of massive disenfranchisement. The media continues to operate under a “code of conduct” that criminalizes criticism of President Musharraf’s government.

Many of Pakistan’s leading judges and lawyers remain silenced, if not imprisoned. Opposition parties struggle to make their cases under restrictions on political expression and campaigning. Leading opposition figures remain disqualified. There is a fear that Pakistan’s fearsome intelligence and security services may again play an insipid roll in rigging and intimidation. And international election observers face disabling barriers to polling-place access.

As bleak as these assessments were, the electoral environment in Pakistan has,

unfortunately, only deteriorated even further since our December 20th hearing.

On December 27, former Prime Minister Benazir Bhutto was assassinated in Rawalpindi. Her assassination was a blow to supporters of democracy and opponents of violent extremism everywhere.

Former Prime Minister Nawaz Sharif, in light of the widespread Pakistani view of U.S. complicity with a dictator, sees electoral strength in bashing the U.S. The militancy and terrorism once largely confined to the Federally Administered Tribal Areas have spilled into the streets of the provincial capital of Peshawar and elsewhere. The elections were delayed until February 18th, and rumors abound that President Musharraf is looking for a way to postpone them again and, perhaps, indefinitely.

Yet, despite the essential need of a legitimate and impartial judiciary in the electoral process, the Bush administration appears willing to concede a dismantled judiciary to President Musharraf.

Despite signs that the vaunted Pakistani military establishment is distancing itself from President Musharraf, Bush administration officials appear to continue in expressing steadfast support for President Musharraf.

Despite evidence that President Musharraf's cling to power represents a distraction to our counterterrorism efforts, we continue to pursue policies described by Pakistanis as "Busharraf."

Over the past summer, when you testified earlier before us, I noted: "It is often said that Pakistan is a place of breathtaking complexity. It is in part because of this that our long-term national security interests are best served by forging bonds with the Pakistani people and not with any, one, particular leader."

That's what today's hearing is all about.