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COMMITTEE ON FOREIGN AFFAIRS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: ZALMAY KHALILZAD

Wednesday, November 8, 2023

Washington, D.C.

The interview in the above matter was held in Room 2255, Rayburn House Office Building, commencing at 10:01 a.m.

Present: Representatives Mast and Crow.

1

2 Appearances:

3

4

5 For the COMMITTEE ON FOREIGN AFFAIRS:

6

7 [REDACTED]

8 [REDACTED], SUBCOMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

9 [REDACTED], SUBCOMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15

16

17 For the U.S. DEPARTMENT OF STATE:

18

19 [REDACTED], OFFICE OF THE LEGAL ADVISOR

20 [REDACTED]

1 [REDACTED]. We'll go on the record.

2 This is a transcribed interview of Ambassador Zalmay Khalilzad. Chairman
3 McCaul has requested this interview as part of the committee's investigation of the
4 Afghanistan withdrawal.

5 Would the witness please state his name for the record?

6 Ambassador Khalilzad. Zalmay Mamozy Khalilzad.

7 [REDACTED]. On behalf of the committee, I want to thank you for appearing
8 here today to answer our questions. The chairman also appreciates your willingness to
9 appear voluntarily.

10 My name is [REDACTED], and I'm [REDACTED] on Chairman McCaul's
11 staff on the House Foreign Affairs Committee, and I'm leading the investigation into the
12 Afghanistan withdrawal.

13 I will now ask committee staff present from the majority and minority to introduce
14 themselves as well.

15 [REDACTED]. [REDACTED], with the majority.

16 [REDACTED]. [REDACTED]. I'm [REDACTED] with the majority.

17 [REDACTED] [REDACTED] for the minority.

18 [REDACTED]. [REDACTED] on
19 the minority.

20 [REDACTED]. [REDACTED]. I'm [REDACTED] on the minority.

21 [REDACTED]. [REDACTED] for the Democrats.

22 [REDACTED]. I'd like to now go over the ground rules and guidelines that we
23 will follow during today's interview.

24 Our questioning will proceed in rounds. The majority will ask questions first for 1
25 hour. Then the minority will have an opportunity to ask questions for an equal period of

1 time if they so choose. We will alternate back and forth until there are no more
2 questions and the interview is over.

3 Typically, we take a short break at the end of each hour, but if you would like to
4 take a break apart from that, please just let us know.

5 As you can see, there is an official court reporter taking down everything we say to
6 make a written record, so we ask that you give verbal responses to all questions. Does
7 that make sense?

8 Ambassador Khalilzad. Yes. Thank you.

9 [REDACTED]. So the court reporter can take down a clear record, we will do
10 our best to limit the number of people directing questions at you during any given hour to
11 just those people on the staff whose turn it is.

12 Please try and speak clearly so the court reporter can understand and so everyone
13 can hear you. It is important that we don't talk over one another or interrupt each
14 other if we can help it, and that goes for everybody present at today's interview.

15 Witnesses who appear before the committee have the opportunity to freely
16 consult with counsel if they so choose. It is my understanding that you're appearing
17 today with agency counsel. Is that correct, Ambassador?

18 Ambassador Khalilzad. That is correct.

19 [REDACTED]. Ambassador, you understand that agency counsel represents
20 the State Department and not you personally, correct?

21 Ambassador Khalilzad. I do.

22 [REDACTED]. Thank you.

23 Could the agency counsel and note-taker please identify yourselves and state your
24 names for the record?

25 [REDACTED]. [REDACTED], from the Legal Advisor's Office.

1 [REDACTED] [REDACTED].

2 [REDACTED]. Thank you.

3 We want you to answer our questions in the most complete and truthful manner
4 possible, so we will take our time.

5 If you have any questions or if you do not understand one of our questions, please
6 let us know. Our questions will cover a wide range of topics, so if you need any
7 clarification at any point, just say so.

8 Ambassador Khalilzad. Sure.

9 [REDACTED]. If you do not know the answer to a question or do not
10 remember, it is best not to guess; please give us your best recollection.

11 If there are things you don't know or you can't remember, just say so, and please
12 inform us who, to the best of your knowledge, might be able to provide a more complete
13 answer to the question.

14 Ambassador, this portion of the interview is unclassified. So, if a question calls
15 for any information that you know to be classified, please state that for the record, as
16 well as the basis for that classification and the original classification authority. If you are
17 uncertain of the classification, please consult with your counsel. We'd be happy to go
18 off the record to afford you the opportunity to do so.

19 In the interest of transparency and open access to the Federal Government, we
20 ask that your asserted basis for classification adhere to the uniform system prescribed by
21 Executive Order 13526.

22 Once you've identified the requisite classification, please respond with as much
23 unclassified information as possible.

24 Do you understand?

25 Ambassador Khalilzad. I understand, but I don't remember the exact details of

1 the document that you referred to.

2 [REDACTED]. Of the executive order?

3 Ambassador Khalilzad. Yes.

4 [REDACTED]. I do.

5 Ambassador Khalilzad. Okay. So I will --

6 [REDACTED]. Great. Which is why we have counsel here.

7 Ambassador Khalilzad. Yeah, that's right. Yeah. Thank you.

8 [REDACTED]. Of course. And fair question.

9 Ambassador Khalilzad. Yeah.

10 [REDACTED]. [REDACTED] said sometimes the interpretation is a little bit overly broad.

11 Ambassador Khalilzad. Yeah.

12 [REDACTED]. I would note, we use the Department of State Classification Guide,
13 which is formulated pursuant to the executive order.

14 [REDACTED]. I imagine you are correct.

15 You should also understand that, although this interview is not under oath, that by
16 law you are required to answer questions from Congress truthfully.

17 Ambassador Khalilzad. Right.

18 [REDACTED]. Do you understand this?

19 Ambassador Khalilzad. I understand that.

20 [REDACTED]. This also applies to questions posed by congressional staff in an
21 interview. Do you understand this?

22 Ambassador Khalilzad. Yes, of course. Thank you.

23 [REDACTED]. Witnesses that knowingly provide false testimony could be
24 subject to criminal prosecution for perjury or for making false statements under 18 U.S.C.
25 1001.

1 Does that make sense?

2 Ambassador Khalilzad. I understand.

3 [REDACTED]. Thank you.

4 Is there any reason you are unable to provide truthful answers to today's
5 questions?

6 Ambassador Khalilzad. No.

7 [REDACTED] Finally, I'd like to make note that the content of what we discuss
8 here today is confidential as per Chairman McCaul's terms. We ask that you not speak
9 about what we discuss in this interview to any outside individuals to preserve the
10 integrity of our investigation.

11 For the same reason, the marked exhibits that we use today will remain with the
12 court reporter so that they can go in the official transcript, and any copies of those
13 exhibits will be returned to us when we wrap up.

14 Okay. That is the end of the majority's preamble.

15 Is there anything that my colleagues from the minority would like to add?

16 [REDACTED]. Yes. Thank you.

17 We note that, notwithstanding any agreement made between the majority, the
18 witness, and/or the State Department for this transcribed interview, there is no provision
19 governing or mandating confidentiality of investigations and/or transcribed interviews in
20 the House or committee's rules for the 118th Congress.

21 Thank you.

22 [REDACTED]. And just based on --

23 Ambassador Khalilzad. Yeah. Did I understand -- sorry -- that you don't think
24 what we do here is confidential, necessarily, and you think it is? Is that -- did I
25 understand that correctly?

1 [REDACTED]. We're not making an opinion as to either way. We're stating that
2 there's no House rules governing the confidentiality of the investigation or the use of the
3 transcribed interviews.

4 [REDACTED]. And it's our position --
5 Ambassador Khalilzad. Understood. Thank you.

6 [REDACTED]. You're welcome.

7 [REDACTED]. And it's our position that, as the chairman, Chairman McCaul
8 has the right to prescribe the terms of the transcribed interviews, as has been negotiated
9 with the State Department. And one of his terms is the confidentiality of the
10 transcribed interviews, given the integrity of the investigation.

11 Ambassador Khalilzad. And the minority doesn't agree with that. Did I
12 understand that?

13 [REDACTED]. No, I don't think they're taking an opinion as to Chairman
14 McCaul's terms. They're taking an opinion as to what the law may or may not require.

15 Ambassador Khalilzad. Okay. Understood. Thank you for that clarification.

16 [REDACTED]. Should this arise, you and I can talk about it.

17 [REDACTED]. But not the law. The House and committee rules.

18 Ambassador Khalilzad. Okay.

19 [REDACTED]. Right.

20 [REDACTED]. Which require adherence to by the law, but yes.

21 [REDACTED]. So I also want to note that, based on the last couple of
22 appearances, I would ask that, prior to an attempt to put an exhibit into the record, as
23 agency counsel, I would like to see it, so that I understand --

24 [REDACTED]. Of course.

25 [REDACTED]. Okay. Thanks.

1 [REDACTED]. That was my intention, moving forward. Thank you, [REDACTED].
2 So the time now reads 10:09 a.m. We will start the first hour of questioning.

3 EXAMINATION

4 BY [REDACTED]:

5 Q Ambassador Khalilzad, before proceeding, I want to define a couple of key
6 terms in the interest of clarity.

7 First, when referencing the term "withdrawal," the majority is referencing the U.S.
8 military retrograde, i.e. the "Go to Zero" order, which was officially announced by
9 President Biden on April 14, 2021. This includes related planning by the State
10 Department and other agencies in the decision-making processes.

11 Does that make sense?

12 A Understood.

13 Q And if you require -- if you'd like for us to repeat that definition at any point,
14 we'd be happy to do so.

15 A Your focus is -- of this inquiry, after the announcement that we will go to
16 zero. Is that what you're saying?

17 Q No. Just when we're using the term "withdrawal" --

18 A Yes.

19 Q -- we are pointing to the final withdrawal order which brought the U.S.
20 troop --

21 A Right.

22 Q -- presence down to zero.

23 A Understood.

24 Q Second, when referencing the term "evacuation" or "emergency
25 evacuation," the majority is referencing the evacuation of U.S. citizens and nationals,

1 civilian personnel, and designated persons in August 2021, resulting in the noncombatant
2 evacuation operation, or NEO, initiated on August 16, 2021. This includes planning by
3 the State Department and other agencies in the decision-making processes.

4 Does that make sense?

5 A Understood.

6 Q Thank you.

7 Ambassador, can you please give us a brief overview of your career at the State
8 Department?

9 A The first time I worked for the State Department was in 1986 on an exchange
10 with the Council on Foreign Relations providing a fellowship when I was teaching at
11 Columbia University. And I was a special advisor and then a member of the Policy
12 Planning Council of the Secretary of State Schultz.

13 Q Uh-huh.

14 A And you said only State Department, so -- I've worked in the other agencies
15 too.

16 And then the next time I worked for the Department of State was when I was
17 nominated -- started with my nomination as Ambassador to Afghanistan and then
18 Ambassador to Iraq and Ambassador to the United Nations.

19 And, lastly, after several years of not being with the government, I came back as
20 the Special Representative for Afghanistan Reconciliation, it was called.

21 Q And your appointment to the U.S. Ambassador to Afghanistan, to Iraq, and
22 the United Nations, was that all by President Bush?

23 A They were all by President Bush -- George W. Bush.

24 Q W. Bush.

25 A 43. Yes.

1 Q Okay. Thank you.

2 When did you first discuss the position of Special Representative for Afghanistan
3 Reconciliation, or SRAR?

4 A It was in the summer of 2018 when the Secretary of State called me, if I
5 would come to see him. That was Mike Pompeo.

6 Q Uh-huh. And who created the position for you?

7 A Well, I don't know whether it was for me, but the position was created by
8 Secretary Pompeo, I believe.

9 Q And who recommended you for the position?

10 A I don't know. I was told that a thorough search had been done and many
11 former officials, people with military and civilians, had been consulted, and that at least
12 one other person had been under consideration before I was asked.

13 Q And, of course, as the former U.S. Ambassador to Afghanistan, I'm sure that
14 was a consideration as well.

15 A That must have been a factor. I hope.

16 Q What discussions led up to your assuming the position?

17 A What discussions?

18 Q Uh-huh.

19 A Well, I had several meetings with the Secretary and with the Department of
20 Defense, including the Secretary of Defense, the Chairman, and a couple of others from
21 the previous administration that we had worked together, like Steve Hadley, the National
22 Security Advisor to President Bush.

23 And I had, obviously, lots of questions. It came as a surprise, because I had
24 thought I finished government service with the U.N., at the end of the U.N. position.

25 So, yeah, ultimately, as you know, I accepted, and --

1 Q Uh-huh.

2 A -- but I did have discussions with others.

3 Q And by "previous administration," you're referring to President W. Bush's
4 administration, not President Obama's, correct?

5 A Right.

6 Q Thank you.

7 A I want to correct that. I'm not entirely certain about that, so --

8 Q Of course.

9 A Yeah, yeah. I had friends who'd been part of the Washington policy types,
10 so I may have talked with President Obama's team members too. May have.

11 Q Of course.

12 A But I know Steve and a few others from the period that I was in the
13 government with them.

14 Q Okay. Thank you for that clarification.

15 And when did you assume the position of SRAR?

16 A I think it was at the end of September.

17 Q Of 2018?

18 A Yes.

19 Q And who selected you for the position?

20 A Pompeo. I think he was talking to the President too, he told me, but that
21 was his report to me; I don't have direct knowledge of that. But it was -- the only person
22 I dealt with was Secretary Pompeo.

23 Q Thank you.

24 A Yeah.

25 Q Did they communicate to you why you were selected?

1 A Well, it'd be better if you ask him. But he said that he had talked to a lot of
2 people, and many of them had said, "You need Zal for this job." That's what he said, but
3 he may -- that was his statement to me.

4 And some of the people that I subsequently talked to to get their views, they said
5 they had been called by the Secretary and that, yeah, that's true, that that's what they
6 had recommended.

7 Q Thank you. And, of course, we're interested in sort of your firsthand
8 accounts, so things that you --

9 A Yeah.

10 Q -- specifically were told --

11 A Right.

12 Q -- and experienced.

13 A Yeah.

14 Q So, Ambassador, in the course of our investigation, we've been informed
15 that part of the purported reasoning --

16 A Yeah.

17 Q -- was your assertion that you had access to a reliable secret channel in
18 Dubai with a direct line to Taliban deputy leader Mullah Yaqoob, outside the Taliban's
19 political commission in Doha.

20 Can you please speak to this?

21 A No, no, I didn't say that I had a direct channel. That would be incorrect.

22 There had been, earlier, maybe a year earlier perhaps, under President Obama's
23 period, that I had received a letter that I wasn't sure was authentic, saying -- from Mullah
24 Yaqoob, allegedly --

25 Q Uh-huh.

1 A -- that, you know, there was no military solution to what was going on and
2 they are interested for a way out.

3 And I passed that on, as I do, having been a former government official, to people
4 in the government who have responsibility. And I passed on that note. This was
5 during President Obama.

6 Q Uh-huh.

7 A Yeah.

8 And then a process started for a while to authenticate whether the people who
9 wrote the letter were genuine and they really did have contact with Mullah Yaqoob and
10 what else. And with agency people, the President, I did have a meeting in Dubai with
11 those people. They were all under President Obama.

12 Q Uh-huh.

13 A And then we also asked for demonstration that would prove -- let's call it
14 "prove" -- that they were authentic. And that was coordinated also with the White
15 House National Security Council at that time and the agency.

16 But then the campaign started, Presidential campaign, and we did not pursue that
17 channel subsequently until this, but -- this, the Pompeo probe. And to the best of my
18 recollection, then, we didn't pursue that channel when I was asked to do it.

19 The Talibs had an office that had been established in Doha under the President
20 Obama period. And the expectation was -- and that's what we did, to talk to that -- to
21 the authoritative -- there was a political office -- to talk to that office, which wasn't led by
22 those people that allegedly worked -- or, who were giving a message on behalf of Mullah
23 Yaqoob, but, rather, Mr. Stanikzai, who was the political representative of the team of
24 Talibs who lived and operated, as I understood, from Doha.

25 Q Uh-huh.

1 A So I went to Doha to talk with them.

2 Q That's helpful context. Thank you.

3 A Yes. Sorry it was a little long, but --

4 Q No, no. Clarity --

5 A -- I wanted to put you in the picture.

6 Q Clarity is important. So thank you for that.

7 A Yeah.

8 Q Ambassador, were you given any instruction by either Secretary Pompeo or,
9 more broadly, the Trump administration upon assumption of the position?

10 A Absolutely. That's my approach, too, to know what it is. I consider myself
11 a kind of soldier-diplomat, which is, "Okay, what is my mission? Which hell do you want
12 me to diplomatically occupy for you?" as I worked with the military in Afghanistan and
13 Iraq. And it was a clear direction given to me. Yes.

14 Q What was that direction?

15 A That the President would like to withdraw the forces that we have in
16 Afghanistan. That he did not believe that -- I shouldn't talk about the -- but I was told by
17 the Secretary. I'm not allowed to quote the President, I understand.

18 But that he had, earlier in his tenure, had authorized a surge and had declared a
19 South Asia strategy, and that subsequently he had gotten disillusioned with that, and that
20 the reason they wanted me to take the job is that he wanted a safe withdrawal of our
21 forces, because Afghanistan withdrawal, historically, has been very difficult.

22 The British in the middle of the 19th century lost everyone who they wanted to
23 withdraw, except one doctor that had survived from the withdrawal of many thousands.
24 The numbers are always problematic. So I'm not giving you a specific number that's
25 alleged who were killed. And, two, that the Soviet withdrawal had also been very

1 difficult and bloody, and that that's not what we wanted to see happen.

2 But the President had wanted to withdraw and, at the same time, of course, we
3 wanted to make sure that Afghanistan doesn't become a terrorist haven that will
4 threaten the United States again. And we wanted to get assurances from both the
5 government and the Talibs that that would not happen.

6 And, three, that there would be an Afghan-Afghan negotiation, because the
7 judgment was neither side can win the war in Afghanistan. The two Afghan sides, the
8 Talibs and the government, both of them have -- I am adding from subsequent
9 discussions, but those were the three objectives: to give Afghans a chance to come to a
10 settlement internally, but the American objective, narrowly defined for America, was to
11 have a safe withdrawal of our forces from Afghanistan and terrorism commitment.

12 Q And just so I'm understanding correctly, when you say Afghan to Afghan, you
13 mean the legitimate Afghan Government --

14 A Right.

15 Q -- and its people, and then the Taliban, the terrorist organization, correct?

16 A Exactly. Yes.

17 Q Thank you.

18 Ambassador, what was your position throughout 2021, including the withdrawal
19 and the emergency evacuation?

20 A What do you mean, my position?

21 Q Your position within the State Department.

22 A Oh. I continued to be the Special Representative for Afghanistan
23 Reconciliation. That title did not change during that period.

24 Q Thank you.

25 A Yeah.

1 Q When did you first discuss the position with the new administration, i.e. the
2 Biden administration?

3 A Well, during the transition, I was asked to brief the transition team, which is
4 normal, and I've done that several times when the incoming team tells them what they
5 are going to inherit, what the situation is or what their options are. And I did that with
6 the State Department transition team.

7 Q And when was that, approximately?

8 A Must've been in December, I think.

9 Q December of 2020, correct?

10 A Yes, indeed. Yes.

11 Q And do you recall with whom specifically you discussed this position?

12 A Oh, not the position. No. The briefing.

13 Q The briefing. I apologize. Yeah.

14 A The briefing? With Mr. Chollet.

15 Q Uh-huh.

16 A And Derek Chollet, I think, was the principal -- the most senior member, but
17 there were others also present. I think Mr. Sullivan -- not Jake Sullivan, but the
18 Mr. Sullivan who worked with the Secretary, Tom Sullivan, was there.

19 Q Uh-huh.

20 A Also, some others were there, too, from the transition team. I am sure that
21 there are public documents that list who were members of the State Department
22 transition.

23 But I remember -- Mr. Derek I remember as the most authoritative, and Tom, the
24 second one.

25 And there was also someone who became a representative -- became a member

1 of the NSC staff.

2 Q Uh-huh.

3 A I do not remember her name, but she was there too. I can provide that
4 later if necessary.

5 But there were several people. There were five, six people present for my
6 briefing.

7 Q That's helpful. Thank you.

8 And in terms of the decision to retain you, was there ever an explicit decision?

9 A Well, I was called when I was in Doha, that --

10 Q Uh-huh.

11 A You know, I was still working for the existing administration, the [inaudible],
12 and then making an administration that also continues to have responsibility after the
13 elections have been conducted.

14 And that the President had decided that he would like me to stay and that I
15 shouldn't make -- kind of with a joke -- that I shouldn't make any plans for a long holiday
16 after January 20th.

17 And that's how I heard it. It was maybe early January, late December, maybe.
18 But I recall that I was in Doha.

19 Q Do you recall who called you?

20 A Oh, initially, Derek did.

21 Q Okay. Thank you.

22 And you stated previously, when we asked you about instruction you received
23 from the Trump administration upon assumption --

24 A Yeah.

25 Q -- my understanding and my interpretation -- please feel free to correct

1 me -- is how to execute a safe withdrawal from Afghanistan --

2 A Right. Yeah.

3 Q -- of course, considering all the other factors as well.

4 A Right.

5 Q Was it the same instruction by Counselor Chollet? Or what did you --

6 A No, there was no instruction. I know he said when I returned, there would
7 be a meeting with the new management that would take over our government.

8 Q Uh-huh.

9 A And when I got back -- and my trip got delayed several times because of the
10 requirements, and so I came -- after the inauguration, I made it back, if I remember
11 correctly, and then I had a meeting with the new management.

12 Q Okay. And who was that with?

13 A It was with the President and the Chair -- am I okay with that?

14 [REDACTED]: Uh-huh.

15 Ambassador Khalilzad. -- and the Vice President and the Secretary of State,
16 Secretary of Defense -- the whole team, more or less. I mean, I can't -- at the highest
17 level. So that's what happened.

18 BY [REDACTED]:

19 Q Thank you.

20 And I want to focus on the period in which you were asked while you were in
21 Doha whether you'd stay in the position.

22 A Yes.

23 Q At that point in time, were you told to stop your negotiations and
24 engagement with the Taliban --

25 A No.

1 Q -- pending --

2 A No.

3 Q No?

4 A No. No, no. If I recall, even when the Secretary announced that they
5 were asking me to stay, that the first public thing that I saw, he said, he had asked me to
6 continue with my -- I heard it for the first time -- the evaluation of what he was doing by
7 the incoming administration, by the new administration, and to continue his vital work.

8 Q Thank you.

9 A That was the word that stayed with me.

10 Q And once retained by the Biden administration in 2021, to whom did you
11 report to in that role?

12 A Oh, to the Secretary. Yes. Secretary Blinken.

13 Q And, in practice, was that the same individual? So I understand in the
14 organizational structure, but in practice, did you engage --

15 A Well, in practice, I did talk with Mr. Chollet. For a period when I think the
16 Deputy or Under may not have been confirmed, he had a significant role. And so I
17 consulted with him on occasion.

18 When Deputy McKeon was confirmed, I did talk with him.

19 And, yeah, and I -- when Wendy Sherman became confirmed, I did talk to Wendy
20 also.

21 You know, these are people, you know, my generation, that I had known from a
22 long time ago under the Clinton administration and so forth.

23 And then the Under Secretary -- the now Deputy? Yeah. Victoria. She
24 worked in the Bush administration for Vice President Cheney. So I talked with Victoria.

25 So we, I mean -- but I don't believe that I would call those discussions instructions.

1 Q Uh-huh.

2 A It was just, you know, preparing for the deputies meeting, preparing for the
3 principals meeting, preparing for an NSC meeting. And so, when we would get together,
4 I'd talk with them and talk with the Secretary when we were -- on important issues.

5 Q And we can delve into the meetings --

6 A Please.

7 Q -- after, of course.

8 Who reported to you --

9 A Oh.

10 Q -- in your position as SRAR?

11 A I had established -- if I might provide a little bit of context.

12 Q Uh-huh.

13 A When I was offered the job by the Trump administration, by Secretary
14 Pompeo, that I would -- given that we're talking about war, we're talking about
15 withdrawal of military forces, we're talking about terrorism, we're talking about Agency
16 assets involved, and, you know, I'd served in the war context, that I needed -- that one of
17 the most important things is the unity, not only of command. We know that the
18 President is the Commander in Chief; he ultimately decides. But I wanted all the key
19 players, agencies; that I didn't want to get caught in the bureaucratic infighting, that I
20 wanted a representative of all these agencies on my team --

21 Q Uh-huh.

22 A -- so that there would be connectivity, concerns expressed in time.

23 And so I had the representatives on my team from the White House and from the
24 Pentagon. I had a general officer on my team. And I had from the Agency several
25 people. And I had OSD; in and out, they would go.

1 And the new administration continued to advance that this was a good approach,
2 and, at the same time, they wanted to add two people, which I considered that they
3 wanted to have, politically, people that the administration during the campaign had
4 worked with or had relations with the President or his team.

5 And one was Tom West, who -- Molly Phee had been my deputy, who's in charge
6 of Africa now in the State Department, and Tom West, who succeeded me, became my
7 deputy. And then Mr. Talwar, Puneet Talwar, whom I had known also -- I had known
8 Tom too.

9 They asked for my views of this, and I said I'm fine with them. And Mr. Talwar,
10 who's our ambassador now to Morocco, as I understand it, that if he could be added as
11 my counselor. And I said I knew both of these gentlemen, and I'm fine with it.

12 But I knew that they wanted some people from the winning team to be part of my
13 team as we continued with the work.

14 Q Uh-huh. So two new individuals; it was Tom West and Mr. Talwar, who you
15 mentioned.

16 A Yes.

17 Q Molly Phee was on your team previously, correct?

18 A She continued for a while, but once she was nominated for Africa, she
19 discontinued. But, in effect, Tom West -- I don't remember exactly when he formally
20 took the position and Molly left. It must have been sometime in February, March, that
21 timeframe.

22 Q And how long were you asked to stay in the position? Or was there no end
23 date provided?

24 A There was no clear end date, but I told them that I didn't want to stay
25 indefinitely, but -- yeah. But, you know, we talked, you know, 6 months to a year kind of

1 thing, we talked about that during the initial period. But it wasn't that kind of a --

2 Q Uh-huh.

3 A -- set on a date of on this day you should leave.

4 Q And was there ever a date communicated to you, that on this date you
5 should leave?

6 A No, never.

7 Q Okay.

8 A No. When I departed at the end, it was based on conversations that I
9 had -- and I'm sure we'll get into it, what the situation was, what the options were, and so
10 forth. And, in that context, I decided there was no need for me to stay on.

11 Q Thank you.

12 A It was my decision, to say that I would like to -- given where we are and the
13 circumstances, I would like to leave.

14 Q And when was that?

15 A I think it was probably in the late September, October timeframe of 2001.

16 Q 2021?

17 A 2021. Sorry. 2021.

18 Q And you said given the situation and circumstance. What was the situation
19 and circumstance?

20 A Well, that the, you know, inter-Afghan negotiations, which was one of the
21 remaining tasks that we wanted very much to see succeed -- even on August 15, we were
22 still working it to bring a team from Kabul to negotiate a transition government.

23 Q Uh-huh.

24 A The Talibs had said -- this is context -- that they wouldn't go into Kabul, and
25 that they offered us to take responsibility for Kabul's security, and then a team would

1 come and that there would be a government that they would lead. It had to be from
2 them, but the members could be also from the two sides. And we were discussing
3 numbers and so forth with them.

4 And so with the takeover of Kabul by the Taliban and the government
5 disintegrating and that, that was no prospects in the immediate future. And with the
6 situation in which we were at closed shop in Kabul, groups were out, shuttling between
7 Kabul and elsewhere was not also an option, given the new security environment or the
8 zero-risk environment.

9 And there comes the terrorism issue. We had established a channel that was
10 technical. More or less, it was some political thing, counterterrorism channel, that had
11 been established earlier with the Taliban to make sure -- you know, go over our
12 expectations.

13 So there was no particular role that I thought required somebody like me to
14 continue to stay, to --

15 Q Continue in your position?

16 A The position, yes.

17 Q Thank you, Ambassador. And we'll delve into sort of those specific events
18 at a later point --

19 A Right. Sure.

20 Q -- but we appreciate the helpful context.

21 A Thank you.

22 Q Ambassador, what was your role in the August 2021 evacuation from
23 Afghanistan?

24 A Well, I would say, principally, it was to get the Talibs to do what we needed,
25 whether it was on a security issue of our people at the airport, whether it was about

1 Americans or other people of interest that we had to be allowed to come into the airport,
2 the security of the airport, the steps that we required of them, the negotiations or
3 discussions on the Taliban and declaring authoritatively that they would allow Afghans
4 going forward who had passports and a visa from a country that wanted them to go, that
5 they recognized the right of Afghan citizens to leave Afghanistan.

6 And, you know, dealing with a lot of individual requests of Americans. I was very
7 surprised how intertwined our societies had become. That came as a surprise to me,
8 that I would get calls from all kinds of individuals, organizations, groups, saying, we have
9 people in this place, people in that place; you know, engaging with Qataris, who were an
10 important player in terms of the transportation and getting the ambassador in Kabul to
11 arrange to go by checkpoints.

12 So it was a very hectic period and lots of meetings with Washington, although I
13 wasn't there. It was a busy period.

14 Q Thank you, Ambassador.

15 Ambassador Khalilzad. Hello, Chairman.

16 Mr. Mast. How are you doing, sir?

17 Ambassador Khalilzad. Good. How are you, sir?

18 Mr. Mast. Staying busy. It's been one of those days. Don't let me interrupt
19 you.

20 [REDACTED]. Thank you, Chairman.

21 BY [REDACTED]:

22 Q Ambassador, I'm going to list the names of and ask some questions --

23 A Sure.

24 Q -- about a few Department leaders who were involved in the Afghanistan
25 withdrawal efforts --

1 A Yeah.

2 Q -- and more specifically the evacuation.

3 A Yeah.

4 Q I would appreciate if you could answer my questions to the best of your
5 recollection.

6 A Sure.

7 Q So I'm going to start with Ambassador Ross Wilson.

8 A Yes.

9 Q What was his position at the time of the withdrawal?

10 A He was the charge. I had known Ross for a long time. He'd been our
11 Ambassador to Turkiye when I was Ambassador to Iraq -- and Turkiye, Iraq, Kurdistan
12 issues. So I had known him.

13 In fact, I can say that, when I was asked my opinion whether he would make a
14 good charge, I said, if you can get him. He's a very senior diplomat that can serve an
15 important country like Turkiye. Yes.

16 He was the charge.

17 Q And as charge, you mean he was the chief of mission --

18 A Yes. Sorry.

19 Q -- to the U.S. mission in Afghanistan, correct?

20 A Exactly. He was not entirely an ambassador but like an ambassador. He
21 ran the embassy.

22 Q And did you work with him?

23 A I did, certainly.

24 Q In what capacity?

25 A Well, when I was SRAR, as you referred to, I worked with him. I shuttled a

1 lot --

2 Q Uh-huh.

3 A -- because, for a period, there was no Afghan-Afghan, meaning the
4 legitimate government, as you said, and the Taliban -- one was in Doha, one was in Kabul
5 in the initial period. So I would shuttle, meet with the Talibs, and then, based on that,
6 go to Kabul and meet in Kabul with the government, then go to Doha to see if we could
7 make progress.

8 And it was during this period as charge when I was doing that. Ambassador
9 Wilson, I would keep him informed of what it was that I was doing. And towards the
10 end, I even had one of his people -- [REDACTED] was [REDACTED] name, as I recall.

11 Q From the embassy?

12 A From the embassy -- to come to Doha to be with me and to participate in
13 some meetings with the Talibs and to report, to keep him informed.

14 And when I went to Kabul, I stayed at the embassy, as was the standard practice.
15 And I attended sometimes morning meetings and met with Ambassador Wilson regularly.
16 And he went with me to the meetings with the Afghan leaders, the President and the
17 other leaders -- not necessarily all of them, because if he was busy doing something else,
18 he would send his number-two or number-three to some of the meetings with political
19 leaders.

20 Q And, more generally speaking, you were responsible for engagement with
21 the Taliban, and he was responsible for engagement with the host country, i.e. the
22 Afghan Government? Is that correct?

23 A Yeah, but I also engaged the Afghan Government, but with his full
24 knowledge and participation. Yes.

25 Q That's helpful. Thank you.

1 And did Ambassador Wilson report to you in any capacity?

2 A No. No. There was no formal reporting. I wasn't his boss. But he
3 knew that he -- I think when he was hired, he was told that he needed to -- on the
4 withdrawal and peace process, you know, that he would be expected to be supportive,
5 which would be normal.

6 Nothing unusual there. It was not extraordinary. I had the same relationship
7 with his predecessor, Ambassador Bass. Because when Ambassador Bass left, Wilson
8 went in, and it was a continuation of that. But it wasn't that they reported to me on a
9 regular basis.

10 Q That's helpful. Thank you.

11 A Yeah.

12 Q And when I say "report," Ambassador, just for clarity, I understand there's
13 the formal reporting relationship --

14 A Right.

15 Q -- and there's the reporting relationship that plays out in practice.

16 A Right. In practice, yes, he kept me informed and asked questions as to
17 what's going on. If he went to meet with an Afghan Government official and was
18 uncertain about this or that, he would let me know. Sometimes we would talk on the
19 phone. Besides sometimes regular phone calls with him and General Miller, who was
20 the commander of our forces in Afghanistan during much of this period, then he would
21 also send me a message or we would talk.

22 Q That's helpful. Thank you.

23 Ambassador, what was your relationship with Ambassador Wilson like?

24 A It was -- it was -- was fine.

25 During one period, besides the challenges of Afghanistan itself, then COVID

1 became a big factor in how we operated, or did not operate. And there was a period
2 that he was very concerned about any outsider coming into the embassy, although I was
3 under pressure from my superiors in Washington to continue, given the timetables that
4 we had to operate within. And he was sometimes a little wary of, you know, having
5 people come from D.C. or elsewhere into the embassy.

6 You know, the expectation was very bad for Afghanistan during COVID. The
7 vulnerability of the population and the lack of adequate medical facilities would mean
8 lots of suffering and loss of life.

9 But we worked out a formula then, which was that I would fly into Kabul Airport
10 and fly by helicopter to in front of the embassy that the military provided, and I wouldn't
11 go inside the embassy with my team. He would come out, personally, and join me to go
12 see the President and other leaders.

13 Q Uh-huh.

14 A During that period, there was a little bit of back-and-forth, the requirements
15 of the work on reconciliation and negotiations and the health and safety of the --

16 Q Of course.

17 A -- embassy staff given COVID. So we found out a formula that allowed me
18 to continue to come into Kabul several times, and did that formula.

19 Q That's helpful. Thank you.

20 A Yeah.

21 Q Ambassador, I would like to introduce as exhibit 1 an excerpt from the
22 not-yet-final transcript of Ambassador Ross Wilson.

23 A Yeah.

24 Q This was of his transcribed interview that we conducted here.

25 A Sure.

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[Khalilzad Exhibit No. 1
Was marked for identification.]

BY [REDACTED]:

Q If you could please turn to the page marked as 31. Starting at line 3 --

A Okay.

Q -- you'll see here --

A 31?

Q Correct. Line 3.

A One, two, three.

Q You'll see here that we asked, "Did you trust Ambassador Khalilzad
generally?"

To which Ambassador Wilson responded, "Yes."

A Uh-huh.

Q We then asked, "And did you trust his conveying of the Taliban's positions to
you?"

To which he answered, "More or less."

A Yes.

Q We then followed up, asking, "Can you explain why 'more or less'?"

A Uh-huh.

Q To which Ambassador Wilson responded:

"Zal is a negotiator who holds his cards quite close to his chest. He valued his
role, his personal role. He valued the personal relationships he had with Mullah Baradar
and with some of the other senior Talibs that he negotiated with. His negotiating style
was not, you know, everybody needs to know and sharing a lot of information. When
he shared information, I had every reason to think I was getting an accurate story.

1 "I knew from my previous dealings with him and from others' previous dealings
2 with him that that might not be the whole story. He was a touch -- varied regularly with
3 Secretary Pompeo throughout 2020, conversations I was not part of, that had to do with
4 the U.S.-Taliban agreement and its implementation, possibly some of these other issues.
5 That's probably about the best I can do for you."

6 Ambassador, I want to give you an opportunity to respond to this --

7 A Yeah.

8 Q -- and also follow up with a question: Did you trust Ambassador Wilson?

9 A Oh, I absolutely trusted him. He was the senior diplomat, a seasoned
10 diplomat. Served with distinction in Turkiye. So I had no issue of lack of trust
11 with -- either with John Bass or Ambassador Wilson, both of them very patriotic
12 Americans who have served with distinction.

13 Now, as far as his comments on me is concerned, we had an understanding, if I
14 might explain, that my deputy, Ambassador Phee, Molly Phee -- Ambassador Molly Phee
15 had the task of a regular briefing of Ambassador Ross. And she communicated very
16 frequently --

17 Q Uh-huh.

18 A -- I would say on a daily basis, sometimes several times, if we had meetings
19 with the Talibs to keep him -- and sometimes if General Miller was not -- often, General
20 Miller participated in the negotiations himself, besides having the military people that I
21 had with me from the Pentagon. So we had a complementary or a supplemental
22 channel with my deputy, Ambassador Molly Phee, keeping him informed.

23 If he felt that I wasn't giving him as much details -- if I hadn't done it, it wasn't out
24 of a desire not to share with him, although I never was under some instruction not to
25 share this with -- by Secretary Pompeo -- not to share this with the Ambassador or that.

1 No, I can't recall any such instruction.

2 Q Uh-huh.

3 A But Molly -- I was confident that Molly was keeping him very much informed.

4 Q Thank you.

5 A So he never said that to me, that, for example, Zal, I would like to know
6 more of this or less of that. No. I have no recollection.

7 So -- but, besides, I would tell everything, not only to him and General Miller when
8 I went to visit with -- the three of us meet with the station chief, participating agency,
9 either in the meetings -- what we were doing, what the game plan was, what do we need
10 from President Ghani, what do we need from that. And then he attended those
11 meetings.

12 And he talked to -- he participated in meetings with Secretary Pompeo, when we
13 had our own State Department meeting, he would chime in from Kabul
14 videoconferencing, and then in interagency meetings. So --

15 Q That's helpful. Thank you.

16 A Yeah. So --

17 Q And we'll be sure to cover those meetings as we sort of go down the
18 timeline.

19 A Yeah, yeah. Sure.

20 [REDACTED]. I want to now afford the opportunity to Chairman Mast if he has
21 any questions to ask.

22 Mr. Mast. I do. Thank you.

23 Thanks for being here.

24 Ambassador Khalilzad. Thank you, sir.

25 Mr. Mast. Nice to see you. Sorry I didn't get to shake your hand, but I didn't

1 want to interrupt you all.

2 Ambassador Khalilzad. Thank you. It's a great honor to see you. And thanks
3 for your service and sacrifice. I appreciate it.

4 Mr. Mast. Thank you, sir. Appreciate that.

5 Ambassador Khalilzad. Yeah.

6 Mr. Mast. I want to go back to re-cover some questions that I asked you in May
7 of '21 and figure out where we've gone since then or when you learned of changes to the
8 questions that I asked.

9 Ambassador Khalilzad. All right.

10 Mr. Mast. And I have about five questions on that.

11 So one of them that I asked was: In May of '21, did you know how many
12 principals were eligible for the SIV program at the time? And you had answered me that
13 17,000 to 18,000 had applied but that you didn't have an estimate for how many
14 principals were eligible.

15 Was there a point in time that you did receive an estimate for how many
16 principals were eligible?

17 Ambassador Khalilzad. Not that I recall. In fact, as time went on, my role in the
18 SIV process and selection was negligible.

19 Mr. Mast. Why negligible?

20 Ambassador Khalilzad. Because I was directed as the situation changed on the
21 ground, working on the other elements of the negotiations to get the government
22 together based on an agreement between the Talibs and the government, principally, and
23 then the regional and international engagement that we thought were necessary and
24 helpful to achieving that goal.

25 Mr. Mast. In May, when we were speaking at that time, and let's say even into

1 June, who would've been most accountable for that information?

2 Ambassador Khalilzad. It's my judgment that once -- Deputy Secretary McKeon
3 was the person overall in charge. That was my belief.

4 Mr. Mast. Okay.

5 I also asked at that time, in May of '21, for an estimate for how many total would
6 be eligible. Again, you said you had no estimate for that.

7 Ambassador Khalilzad. Right.

8 Mr. Mast. And I asked, following that, if you had an estimate for how many
9 would be eligible when you add in the size of their families --

10 Ambassador Khalilzad. Right.

11 Mr. Mast. -- one spouse or multiple spouses --

12 Ambassador Khalilzad. Right.

13 Mr. Mast. -- all the children between however many spouses an individual might
14 have.

15 Ambassador Khalilzad. Right.

16 Mr. Mast. And you said, I do not have an estimate, but I will check in, and I will
17 get back to you.

18 Did you check in and get back to us?

19 Ambassador Khalilzad. I don't recall that I did, but if I promised, I suspect I did or
20 I gave it to someone to deal with it. But I don't have a specific recollection of the
21 response. As I mentioned, that I was more narrowly focused on the mission that I was
22 given.

23 Mr. Mast. Do you know who you would've gone to to check in on that?

24 Ambassador Khalilzad. Well, I would've told my deputy to -- for a typical --

25 Mr. Mast. Who was your deputy at that time?

1 Ambassador Khalilzad. Ambassador Phee, Molly Phee.

2 Mr. Mast. Okay. In May of '21?

3 Ambassador Khalilzad. Yeah.

4 Mr. Mast. Okay.

5 And I asked a followup question to that about the efforts to get people documents
6 that they need to apply for their Special Immigrant Visa status and made the point that,
7 once we're gone, their ability to obtain those documents becomes negligible --

8 Ambassador Khalilzad. Uh-huh.

9 Mr. Mast. -- and, in all likelihood, a detriment to their survival, to be holding
10 onto those things.

11 And so I was asking what efforts were being made to make sure that people had
12 the documents --

13 Ambassador Khalilzad. Right.

14 Mr. Mast. -- that they needed, as the writing was on the wall at that point that
15 we would be gone. And you said that you would have to get back to us on that.

16 Ambassador Khalilzad. Right.

17 Mr. Mast. Did you get back to us on that?

18 Ambassador Khalilzad. I don't recall that I did personally. I do not recall that.
19 But I suspect the same thing that I said about your previous question. It should have
20 and must have happened.

21 Mr. Mast. What efforts are you aware of to make sure that individuals had
22 documents that they needed prior to our departure?

23 Ambassador Khalilzad. My overall recollection is that that was in another lane,
24 not mine.

25 Mr. Mast. Do you know of any efforts that were made, that you can recall, to

1 make sure that people who would be seeking Special Immigrant Visa status had the
2 documents that they needed to apply for that without our presence?

3 Ambassador Khalilzad. I don't have a detailed recollection of that.

4 Mr. Mast. I also asked at that time, on May 18 of 2021, about efforts by USCIS to
5 have enough people to work on dealing with what we knew would be a large number of
6 principal visa requests and their large families requesting visas, as well, to travel with
7 them, which there was not an estimate for; what efforts were being made to ensure that
8 we had enough people to work on the wave of requests that would be coming? The
9 answer was that you would get back to us.

10 Do you know if you got back to us on that?

11 Ambassador Khalilzad. I don't have a recollection of that, as I said. But that
12 request, I believe, must have been passed on to the relevant sections of people in the
13 Department and perhaps the embassy.

14 Mr. Mast. Do you know, who was your chief staff at that point that you would
15 bring to hearings with you?

16 Ambassador Khalilzad. I suspect my deputy and one or two others would be
17 joining me.

18 Mr. Mast. And who was that?

19 Ambassador Khalilzad. Ambassador Phee was my deputy at that time. And
20 then I had other staff, but she would be the principal person.

21 Mr. Mast. And who would be the staff of her that would work at, let's say, a staff
22 level to get us those type of answers?

23 Ambassador Khalilzad. I don't know at this point. I couldn't say. That would
24 be her decision, as to who she would use to communicate with others or that she would
25 communicate directly herself.

1 Mr. Mast. You did say also to me at that time, "Someone in the system may
2 know it, but I do not have that information."

3 Ambassador Khalilzad. Right.

4 Mr. Mast. That was largely your closing thought on this.

5 Ambassador Khalilzad. Yes.

6 Mr. Mast. And --

7 Ambassador Khalilzad. I have to say one thing, though. I mean, although, in
8 retrospect, you are right, your judgment, as to what had happened, but the dominant
9 assumption that was, I think, in the government, based on assessments that were being
10 made, was that the government won't collapse that quickly. That was the estimate that
11 guided things and was my own personal judgment on this, putting my official role at that
12 time aside, but that we would have a lot of time to -- maybe 2 years or more.

13 And we didn't do -- or we typically do not do -- I'm also, as you may know, I'm an
14 analyst, a planner, an academic, so to speak -- that we don't do alternative futures -- what
15 if the dominant assumption doesn't happen and something else happens, and what are
16 those, and what are the implications of those.

17 So I would say that the dominant -- you know, time is limited, and people are such
18 that -- the dominant assumption that informed a lot of things was that we would
19 have -- that what happened wouldn't happen.

1

2 [11:03 a.m.]

3 Mr. Mast. Let me try to understand what you just said correctly. I want to
4 make sure I heard that correctly.

5 Ambassador Khalilzad. Yeah.

6 Mr. Mast. Did you just say that you don't plan for contingencies outside of the
7 dominant train of thought?

8 Ambassador Khalilzad. I think not enough of it is done in the -- in our profession,
9 in diplomacy planning in that regard. I think that I also was, as you know, the head of
10 policy planning at the Pentagon. Our military and our think tanks that work for the
11 military do that a lot more typically, and we don't do as much of planning alternative
12 futures and their implications.

13 Mr. Mast. When did you feel as though you would not have what you expected,
14 which was 2 or more years?

15 Ambassador Khalilzad. My own judgment --

16 Mr. Mast. Your judgment.

17 Ambassador Khalilzad. -- was -- now, I don't know whether it would be, you
18 know, one gets -- what you think now gets -- impacts what you thought then, and
19 that -- that -- must've been in August, not before. It was -- yeah.

20 Mr. Mast. Do you still have a good relationship with Mullah Baradar -- how do
21 you say his name correct?

22 Ambassador Khalilzad. Baradar.

23 Mr. Mast. Baradar.

24 Ambassador Khalilzad. Yeah, like Baradar. It's essentially the Farsi or Pashtu
25 version of calling him --

1 Mr. Mast. Do you still have a relationship with Mullah?

2 Ambassador Khalilzad. No, I -- I, of course -- occasionally if I'm asked to convey a
3 message or something, I would do that, but I haven't been asked. So I haven't reached
4 out to him for over a year or maybe longer even. I mean, it was immediately after I left
5 for a few weeks there would be sometimes requests, if I would convey something to him
6 because of -- but now I think, no, I have not been asked for a long time now to do that.

7 Mr. Mast. Do you think there's a U.S. asset that had a closer or better
8 relationship with him than you, somebody that would be more capable, not that you're
9 overly capable to do it, but more capable than you to speak to his perceptions or
10 opinions?

11 Ambassador Khalilzad. Not that I know of. I hope we did, but I wasn't aware of
12 that we did.

13 Mr. Mast. How do you think he perceived the Doha agreement and the, let's
14 say, the strings that were tied to the Doha agreement, the conditions that were tied to
15 the Doha agreement?

16 Ambassador Khalilzad. Well, I think for him it was a big positive, a big -- it was
17 regarded as a success for him personally and for the Taliban. That's my overall
18 judgment, that this was regarded as a positive.

19 Mr. Mast. Do you realize there were metrics that were tied to the Doha
20 agreement?

21 Ambassador Khalilzad. Oh, yes, absolutely. And I made it clear to you and to
22 him and to anyone that this was a package deal, what we -- our obligations are linked to
23 and delivering on them was linked to them delivering on their commitments in the
24 agreement, yes.

25 Mr. Mast. What would you say were the commitments that he had every

1 expect -- every bit of knowledge that we expected they deliver on?

2 Ambassador Khalilzad. I hope -- I can't speak for him, but I hope he knew that
3 we were dead serious about no attacks on U.S. Forces during the withdrawal, which was
4 one of the big asks. I mentioned safe withdrawal was the -- one of the most important.
5 Once the decision had been made to withdraw, safe withdrawal was -- and we regarded
6 that as very positive.

7 And, given the history of withdrawal of people who came, I mentioned from
8 Afghanistan by foreign forces, British in the mid-19th century, the Soviet can be quite a
9 bloody affair, so, the withdrawal, and that we didn't want that to happen to our forces.

10 And so, therefore, that was the hardest thing to get the one-way ceasefire that
11 they could not attack us, but we had the right to attack them if they attacked the Afghan
12 forces. And we did until the August we did -- August when we finalized that withdrawal.
13 So that was one. An attack on -- they -- he argued repeatedly with me how we had
14 violated the agreement that the defense of Afghan forces should be limited to that area
15 where that engagement had occurred, and we attacked whatever General Miller decided
16 was the right target to have given what just had happened. So you -- he had his own
17 complaints, and then there was terrorism that we -- needed to be satisfied. The
18 agreement had an attachment that I can't go into in this session, that what -- how we
19 would measure whether there had been compliance.

20 Mr. Mast. We can go ask about that in the classified session.

21 Ambassador Khalilzad. I'd be happy to talk with you about it. And so that we
22 looked to delivery on those, on terrorism. And those were the -- our withdrawal was
23 tightly connected to those, but somewhat less tightly, but nevertheless interrelated and
24 connected was intra-Afghan negotiations, the establishment for new government based
25 on those negotiations in Afghanistan.

1 Both the government -- the government had a problem with that, the
2 Afghan -- legitimate Afghan Government had a problem with that because they thought
3 why a new government, Talib should join them, become -- several times President Ghani
4 would tell me why can't Baradar, you know, Baradar be another Dr. Abdullah (ph)
5 was -- those who follow Afghanistan, was one of his -- the kind of deputies, he had
6 different type of.

7 So he knew that those were our concerns, and, you know, we asked for specific
8 steps, and I communicated those when I was instructed to do what we want to see,
9 who -- what channel should be established. Again, I can't go into too much detail on
10 them -- on those matters.

11 Mr. Mast. Thank you for answering my question.

12 [REDACTED]: In this setting he can't.

13 Ambassador Khalilzad. Yeah, of course, I would. I'm at your service otherwise,
14 but, yeah.

15 Mr. Mast. Thank you.

16 [REDACTED]: Thank you, Chairman.

17 So I think we are at our time. If we could go off the record.

18 [Recess.]

19 [REDACTED]: We'll go back on the record.

20 EXAMINATION

21 BY [REDACTED]:

22 Q Thank you very much, Ambassador. We'll be asking questions on behalf of
23 the minority. My name is [REDACTED], joined with other colleagues who will also be
24 questioning you. We'd like to turn back to your background and parse that in a bit more
25 detail.

1 A Yes.

2 Q Can you describe for us any relevant you -- relevant experience you have
3 outside of the State Department that informed your job duties as related to your
4 ambassadorship of Afghanistan and also your specialized role as SRAR?

5 A Good. Well, since the mid-1980s, because I -- you know, I was born in
6 Afghanistan, and I came to the United States in 1966 when I was a high school student,
7 and so there is that as part of the background, an interest and a concern about
8 Afghanistan, that sort of the centrally, that part of it.

9 And then, when I finished my Ph.D. at the University of Chicago in '79, 1979, some
10 of you may not have been even born then, but I was teaching at Columbia University at
11 my first job when I -- as I mentioned before, I got this fellowship from Council on Foreign
12 Relations to work in government for a year to see how foreign policy is really made. To
13 learn that you need to teach it, because my teaching was more on nuclear issues at that
14 time, Soviet American rivalry and prospect for nuclear proliferation, the effect of a small
15 nuclear war between two nascent nuclear powers on the potential for a kind of super
16 power nuclear conflict.

17 And I was placed in Under Secretary Clay's (ph) office in OSD to help. But
18 one day, he came and told me that he had made a deal with his counterpart, Mike
19 Armacost in the State Department, that your name somehow came up. And I said, "He
20 works for me." And he said, "What? What does he do there?" He said, "He's
21 working on nuclear issues." And he said, "There are hundreds if not thousands of
22 Americans who can do that. We need someone who can help think about the Soviet
23 invasion of Afghanistan and the Iran-Iraq war." So I came over to the State Department.
24 And then, for several years, at the cost of my job at Columbia University, because I had
25 2 years of public service leave, I ended up staying 4 years to work on Iraq, Iran, and

1 Afghanistan conflicts.

2 But also, during the '90s, and President Bush senior, I was asked to be the head of
3 policy planning at the Pentagon, and the mandate was global, but this region was
4 important focus because of the Iraqi invasion of Kuwait. And that is relevant because I
5 developed a strong relationship with the military, having worked in the Pentagon. And,
6 in Afghanistan and Iraq, the two Embassies I got later, regionally, were situations of
7 conflict in which you had to work very closely with the military.

8 So I think my academic background, my background, my then jobs that I served,
9 had the honor as an immigrant to be -- to be taken in like that and be trusted and be
10 given the job that I had was all, I think, factors. But there's also sometime accidents and
11 being at the right place at the right time, matters that all the other things may not be that
12 consequential.

13 I remember to this day that President Bush said, "What," in a meeting when I was
14 at the NSC. You know, I was initially in charge of transition from President Clinton to
15 President Bush in the Pentagon, and -- but then I moved to the White House rather than
16 stay in the Pentagon. When 9/11 happened, somebody mentioned to him that I was
17 born in Afghanistan. He said, "What?" So he didn't know that when he had hired me.
18 This wasn't something he -- was part of his thing. So but all of this and where you are, at
19 what -- at a particular time, chance, you know, all play a role.

20 Q Understood.

21 A Yeah.

22 Q What percentage of your career has focused on Afghanistan policy
23 specifically?

24 A Career generally or --

25 Q Yes.

1 A -- career in government? Oh, I would say probably less than 10 percent.

2 Q Okay.

3 A Yeah.

4 Q And why do you say that?

5 A Well, because, you know, I have had a long career now. If you go to my
6 first job in 1979, so if you put the '79, I worked in Afghanistan 2 to 3 years, I was doing
7 Iraq and Iran, too, war, but -- in the Reagan administration.

8 Q Uh-huh. So what percentage of your public service career has focused on
9 Afghanistan policy?

10 A Oh, maybe a little higher, maybe, I will say, but not a lot higher. Maybe it
11 would be 25 percent to 30 percent then, yes.

12 Q Okay. Would you classify yourself as an expert on Afghanistan policy?

13 A I wouldn't, because if you -- usually when you say "an expert," you say
14 somebody who's gone to school, university studying something. I never studied
15 Afghanistan. Truth of the matter is that I did a -- my Ph.D. was on nuclear war
16 essentially, conventional nuclear war. I taught that at the Columbia University, and I
17 taught at the University of California La Jolla after. And, at the Rand Corporation, I did a
18 lot of military stuff in the 10 years I was there.

19 But I did help us think about Afghanistan, to the best of my ability, in the '80s
20 during -- what to do, and then, after 9/11, especially from 2001 September to 2003 when
21 I went to -- was asked to go to Iraq.

22 Q Okay.

23 A And then, during the SRAR, during my last job in government, so careerwise.

24 Q Fair enough.

25 A So that qualifies me as an expert. I suppose I leave it to others.

1 Q Is it fair to say, however, that you feel well steeped in issues related to
2 Afghanistan and its people?

3 A I will say, with regard to U.S. encounter with Afghanistan, I am an expert
4 based on what I've done on behalf of the Government of the United States. But that I
5 know about Afghanistan --

6 Q Perhaps this is a better way to ask it: Do you feel that you have a specialty
7 in U.S.-Afghan relations?

8 A I do.

9 Q Fair enough.

10 A Yes.

11 Q Have you received any awards for your contributions related to foreign
12 affairs or the Foreign Service?

13 A Yes, very much so. I've been greatly honored by the President. President
14 Bush has given me an honor. And I have -- from three different Secretaries of Defense I
15 have gotten awards for -- there have been two generous outstanding public service from
16 Secretary Gates, Cheney, and Don Rumsfeld, and I've gotten some awards from the State
17 Department, too.

18 Q Okay. Have you received any awards from the Country of Afghanistan?

19 A Absolutely. I've -- I have the honor of having received the highest award
20 that Afghanistan gives the King Amanullah -- [REDACTED] -- of an award from
21 President Karzai, which is the highest award.

22 Q And have any of your awards from public service pertained to Afghanistan
23 specifically?

24 A Yes, the Afghan award, and the Rumsfeld SecDef, his award was very much
25 Afghanistan focused, yeah. Those two at least. I'm sure I've forgotten some, but those

1 two I recall, yes.

2 Q Okay. Have you ever served in a crisis or conflict zone?

3 A Sure.

4 Q Could you describe a little bit of that for the record?

5 A Well, I was Ambassador to Afghanistan. I was in a crisis and war zone in
6 Iraq, of course. I was a -- in a crisis and war zone, yes.

7 [REDACTED]. And you were Ambassador in Iraq as well?

8 Ambassador Khalilzad. Absolutely, from 2005 to 2007. And also, I have to say
9 that I have been perhaps -- I don't know whether there is another person in the foreign
10 national security history who was a Presidential envoy to both Iraq and Afghanistan for a
11 period, so that I had to go between the two for a period, so in the middle of the fighting,
12 and this is prior to my ambassadorships, both of them. So, yes, I have been to the war
13 zones and crisis period situation, yes.

14 BY [REDACTED]:

15 Q Approximately how many years of your career have you served in a conflict
16 setting?

17 A Well, I would say, 3 years in Afghanistan, 2 years -- 2 and a half years in Iraq,
18 yes, so about 5 to 6 years.

19 Q Okay. Have you ever worked in a complex evacuation situation such as
20 this?

21 A No. And, even in this case, my role was not about directing it and
22 orchestrating it, but I was helping in a particular way, which was to deal with the de facto
23 authorities in Kabul to assist, to not to create impediments and, no, as leading an
24 evacuation effort, no.

25 Q Okay. So your role was not evacuating or directing an evacuation as

1 related to the Afghanistan evacuation, correct?

2 A No, I was not the one in charge of the evacuation.

3 Q Okay. Have you ever contributed to an after-action review or similar
4 post-crisis review?

5 A Yes, I've been interviewed since I left the government by several entities
6 about the -- what has happened. Including the State Department did a review, and I
7 was -- I was interviewed for it.

8 Q And to be more specific, you mean as related to Afghanistan.

9 A Indeed.

10 Q Is that correct?

11 A Yes.

12 Q Okay. Have there been any other instances in which you've been
13 interviewed as part of an after-action review?

14 A Well, I've been interviewed about our interactions in Iraq.

15 Q Okay.

16 A That was many years ago when I had left the government the last time.
17 There is this oral histories. There is several universities that did studies. Yeah, I mean,
18 I remember all of them, because there is quite a few that I did about what happened in
19 Afghanistan, what happened in Iraq. This is after 2009, between 2009 and 2018, when I
20 was not in government, I participated in such efforts.

21 Q Okay. Thank you.

22 I'd like to talk in a little bit more detail about your role as SRAR. You previously
23 testified that you were contacted by Secretary Pompeo to take up this role. Is that
24 correct?

25 A Indeed, yes.

1 Q Okay. You previously testified that it came as a surprise --

2 A Right.

3 Q -- this role. Why did you say that?

4 A Well, because I had, in my own mind, judged that my public service ended
5 with the U.N. And I wrote a book with that in mind called "The Envoy," which, you
6 know, I sort of give a life story first of how I came to America and so on and then about
7 my public service and then lessons learned and recommendations. So I thought that
8 that was it, and I was going to do something else, so I was surprised.

9 I was going to always be prepared to help the United States.

10 Q Okay.

11 A I felt enormous gratitude with what I -- the opportunities I was given. So I
12 know that is I kind of -- you know, being in government or not, like I say now, if anybody
13 from the government calls me and says, "What about this, what about that," I am always
14 responsive. So -- but I didn't think that I would be asked to come back and to be asked
15 to come back to do -- to deal with the issue that I was asked to deal with. That was a
16 surprise that I was asked to come in, to say, "We want to get out of Afghanistan, the
17 President wants that, and we want you to help to make sure it comes out in a particular
18 way."

19 Q Okay. Did you have any concerns about taking the position?

20 A Of course.

21 Q What were they?

22 A One, I didn't know the President that well. I had -- you know. I had
23 developed a very close, personal relationship with President Bush. You know,
24 Presidents, we are -- Presidents. I had known several key members of that
25 administration that I had served in before at the senior level, I mean.

1 But here I had not known Secretary Pompeo. I had met him a couple of times
2 when he was the CIA Director. That was the first time I had met him. There was no
3 background. And I had not known -- although I had introduced Mr. Trump to give a
4 foreign policy speech, because I was on the board of an organization that was hosting
5 candidates to give foreign policy -- the foreign policy statements. And, when it came to
6 Mr. Trump, they asked me if I would do that, and I did, I introduced him. And -- but I did
7 not know the administration people that well, and this topic was a surprise to me given
8 my own background and my public statements about Afghanistan and what should
9 happen. I was surprised by that.

10 Q Can you unpack that a little bit for us?

11 A Yes.

12 Q Why were you surprised, given your policy background and your opinions
13 about the subject matter?

14 A Well, I had thought that we should -- we should prevail in Afghanistan, was
15 what I had recommended. And -- and I had been very unhappy, but, I mean, I had been
16 in favor of adjusting policy rather than total withdrawal.

17 Q Okay.

18 A And I thought that the sanctuary issues for the Taliban and Pakistan, when I
19 was Ambassador too, I made that repeatedly that this was going to become very difficult
20 for us unless we deal with the sanctuary issue, and we never could find a way as an
21 acceptable price, given the challenges we faced to deal with that by the various
22 administrations to do. So I was surprised by that decision, but then, you know, as I say, I
23 consider myself a kind of soldier diplomat, so this is what your country needs from you,
24 and by the President of the United States, so I said, "Yes, sir."

25 Q Okay. Did you ever vocalize these policy concerns --

1 A I -- I --

2 Q -- to President Trump?

3 A Oh, no. When I met President Trump, I was already -- I had the not met
4 President Trump before I took the job, but Secretary Pompeo -- I met with the President
5 several times and subsequently, but Secretary Pompeo persuaded me that this is going to
6 happen. And --

7 Q But you vocalized such concerns to the Secretary. Is that correct?

8 A I may have, but that was -- but he was -- there was no room for kind of
9 deliberations that an alternative policy could be pursued. It was a decision is more or
10 less made: "This is what the President wants, and that's -- and that he would like you, as
11 I do and as others as we have talked to, that you could help uniquely in this regard, and
12 we want you to do this to get us safe withdrawal."

13 Q I believe you testified prior that --

14 A Yes.

15 Q -- a directive was narrowly defined.

16 A Yes.

17 Q Is that correct?

18 A Relatively, yes.

19 Q Right, okay. And why did you end up accepting the position --

20 A Well --

21 Q -- in light of such concerns?

22 A Well, I did feel -- we all suffer from sometimes a sense that one can do a job
23 better than perhaps one actually can, but I thought that they were right, and myself, I
24 came to a judgment that I could help perhaps more, because I knew Afghanistan; I served
25 there as Ambassador. I had many Afghans that I knew, and I knew the military. I

1 served in war zones with them. There was a sense of trust and confidence in both
2 directions, and I worked with the other agencies of our government that were involved
3 heavily in the situation, that, yes, maybe that I could be helpful to the country, here
4 to -- for -- perhaps.

5 And I -- and people ask me -- you haven't asked me, so I shouldn't maybe, if you'll
6 give me a second, that I didn't leave the government even though sometimes during this
7 period, because I thought that if somebody else takes my position at this time, probably
8 things could get out of control, so to speak. It did at the end, but I thought that this safe
9 withdrawal could fall apart, and things could get a lot worse, and that was my concern
10 more than anything else for sticking with that thing until the troops were out.

11 Q Okay. So just to be clear for the record --

12 A Yes.

13 Q -- is it fair to say that the decision to withdraw was firm and made clear to
14 you when you started --

15 A Yes.

16 Q -- in 2018 --

17 A Yes, that was clear.

18 Q -- and you were brought on to implement --

19 A Exactly.

20 Q -- that plan?

21 A Exactly.

22 Q Okay.

23 A It was clear, not only in private settings, in the public statements that
24 probably -- are quite a lot of them available outside by management of -- not say the
25 President, but by management as you say, yes.

1 Q And which month was this in 2018? Do you recall?

2 A When I was engaged?

3 Q Uh-huh.

4 A In the summer, August, I think, is where it became serious, and I started at
5 the end of September.

6 Q Understood.

7 BY [REDACTED]:

8 Q And, again, just to be clear for the record, the decision that you understood
9 President Trump had already made firmly to withdraw by the time you began in --

10 A Yeah, I --

11 Q -- September 2018, did you understand that to be a full withdrawal down to
12 zero U.S. troops?

13 A That is -- there is some ambiguity in that, I would say, because there were
14 times -- and I communicated that to the Talibs and the Afghan Government that if there is
15 an Afghan-Afghan agreement, Talibs and the government, and that government would
16 want us -- would agree that we could have a presence, yeah, some military presence
17 was -- would be possible, would be desirable perhaps even. But there -- but there was
18 other times in which that option was also not -- not, shall we say, not emphasized on as a
19 must for the agreement for withdrawal and the actual withdrawal.

20 But, if it happened, like if intra-Afghan negotiations produced a government, it
21 would be very good. We should work for that. But, at the end, not to leave the
22 withdrawal, although the text of the agreement allowed for connectivity, but when it
23 came to actual implementation not to insist that there be first a government agreement
24 between the two Afghan sides. And I -- when -- if you ask questions, I'll tell you the
25 thinking as to why that was the position taken.

1 BY [REDACTED]:

2 Q Great. So I think it's been made clear that the directive was to withdraw.

3 A Right.

4 Q Is that correct?

5 A That's correct.

6 Q Did that directive include any engagement on Afghan SIV policy?

7 A No, no. We did not -- at the beginning, this issue was not either part of my
8 mandate or raised with me.

9 Q What about security assistance to Afghanistan?

10 A Yeah, there was -- I had a clear understanding that we would want to
11 continue security assistance to Afghanistan, to the government. We even signed or did
12 a joint declaration the day we signed the agreement with the Talibs and that there would
13 be security assistance to the government, financial assistance, arms, training, all of that
14 was very much front and center, that we would continue that.

15 Q Okay. Did your directive include any sort of development or economic
16 assistance?

17 A That would also be -- would -- I mean, it wasn't part of my mandate to
18 negotiate the amounts of anything, but as part of what we wanted for the future with
19 Afghanistan was to also not only continue security assistance but also economic
20 assistance. And that action -- the joint declaration that was announced the same day as
21 the -- in February of 2020 was there too --

22 Q Okay.

23 A -- that we would do that.

24 Q Would you agree with a statement that your role was narrowly focused on
25 securing an Afghan peace deal, not the day-to-day of U.S. policy towards Afghanistan?

1 A And that's correct, if I understand that. My role was, to repeat, to
2 negotiate an agreement for safe withdrawal of U.S. Forces as well as commitment by the
3 Afghan Government, the Talibs on terrorism, and facilitate Afghans negotiating about the
4 future of their country, and to get ultimately a ceasefire.

5 Q Okay. You've used the term "safe withdrawal" a number of times.

6 A Yes.

7 Q Can you clarify what you mean by that term?

8 A What do I mean by "safe withdrawal," that withdrawing forces would not be
9 attacked, would not be bloody because of this impression that was there and that is facts
10 of history supporting it is that withdrawing forces from Afghanistan, because Afghanistan
11 had been invaded many times by various powers, that it can get very bloody.

12 And a bad example is the British withdrawal of 1848 or '52, some -- in that period,
13 in which out of there's some very high numbers of casualties that the Brits suffered as
14 they were withdrawing. And the impression is that the Soviet withdrawal was also very
15 bloody.

16 Q Okay.

17 A And that's what the U.S. didn't want, and that's why we made a huge
18 amount of effort to get this ceasefire by the Talibs not to attack. As soon as the
19 agreement was signed, the attacks would cease on the United States, but yet we were
20 allowed to come to the defense of the Afghan forces to attack them. So it's kind of a
21 one-way ceasefire almost that was regarded as the sort of big achievement for the United
22 States.

23 Q Okay. What preparation did you undergo to assume this role as SRAR?

24 A I didn't go to any class. I got a lot of briefings. I was briefed by my -- by
25 the person that was doing that before I did. She was the Acting Assistant Secretary for

1 South Asia at that time. May I look at my phone, because I could tell --

2 [REDACTED]. Alice Wells.

3 Ambassador Khalilzad. Alice Wells. I was going to say that. I knew Alice, but
4 Wells I'd forgotten. So Alice briefed me, and, you know, there was a team working with
5 her. They all briefed me. And then I had the agency briefing. I had Pentagon people.

6 BY [REDACTED]:

7 Q Did you feel prepared to step into this role?

8 A Yes, I think so, yeah. I felt I knew what the -- what I was supposed to
9 achieve and what the state of play had been and some information about where different
10 people stood in Afghanistan and about the region, about the challenges of dealing with
11 some of the neighbors, yeah, and allies, yeah. It was a good -- good briefing. I give the
12 Department high marks for that.

13 Q Okay. Fair enough. And you had previously testified that the role would
14 not be indefinite.

15 A Right.

16 Q You testified that you would be in the role 6 months to a year. Did you
17 mean that as related to when you started the role --

18 A No.

19 Q -- in 2018?

20 A I meant it with regard to President Biden.

21 Q Okay.

22 A Yes. It wasn't said to me that you should leave on this date, but both of us
23 understood that I wouldn't want to -- I mean, we had a timeframe --

24 Q "Both of us" being you and President Biden?

25 A Let's say the administration --

1 Q The administration.

2 A -- as I said, that it would do this for a period, at least until the withdrawal
3 was completed.

4 Q What was the understanding as related to the Trump administration?

5 A Previous.

6 Q Yeah.

7 A Well, I mean, I understood, not related to my job, I understood the
8 urgency --

9 Q Okay.

10 A -- very clearly that this withdrawal should take place. Sometimes it was
11 the -- I had the impression that it should take place within a year almost or even sooner
12 than that. There was episodic sense of crisis that why this hasn't happened, why the
13 withdrawal is not being completed, why 14 months, why -- why not sooner, that sort
14 of -- but there was no discussion of the tenure. But I knew that, you know, the
15 President was going to be President until the end of his term, which was -- I knew that,
16 that we had that timeframe to -- for a decision to be made. But I'm sure you'll ask about
17 the withdrawal issues because there was a --

18 BY [REDACTED]:

19 Q So, just to clarify your testimony, even though you weren't given a clear end
20 date of your tenure when you began in 2018 --

21 A Right.

22 Q -- is it fair to say you were under time pressure --

23 A Yeah --

24 Q -- as you --

25 A -- for delivering an agreement and a withdrawal.

1 Q And you understood that a withdrawal would essentially need to or was
2 intended to occur during President Trump's term?

3 A That would've been preferred from the management point of view, but, of
4 course, as you know, it did.

5 BY [REDACTED]:

6 Q When you say "management," you mean the White House?

7 A Yeah, ultimately. For me, management, there is a broad definition of
8 "management" and a narrow. I mean in this case a narrow definition of "management."

9 Q And, at that time, the President that you're referencing or the White House
10 that you're referencing to is President Trump?

11 A Right.

12 Q Okay. And what informed your opinion that there was moments of crisis
13 where you only had a year to get this done?

14 A Well, I mean, this would come out of -- in meetings. We had NSCs. We
15 had senior-level meetings, and the President was very -- the management was very
16 determined on withdrawal, whether it happened as part of an agreement or it happened
17 without an agreement, that withdrawal of troops from Afghanistan was clear, loud and
18 clear.

19 And the pessimism about the prospect for success and negative assessment of
20 how we're going there militarily, an appreciation or a belief that the costs were too high,
21 that the opportunity cost of what we were doing was too high, that those resources could
22 be used to deal with other challenges that were now more important and more urgent.
23 So those impressions, those attitudes, those preferences was very clearly and, as I said
24 before, loudly expressed. Yes.

25 BY [REDACTED]:

1 Q Can you describe the structure of your leadership team?

2 A Yeah. Well, I had deputy, a principal deputy, that was Molly Phee, and
3 then I had representatives of different agencies. And I had sometimes two, sometimes
4 three State Department people working for the Bureau or otherwise participating and
5 supporting. And so there would be the -- kind of an intel cell, a military cell inside, a
6 negotiating -- Talib negotiation, government negotiation, people who had known -- had
7 focused on or had dealt with one and government people, and then a support team. It
8 wasn't a huge team that I had.

9 Q About how large was it?

10 A I think we never exceeded, if I'm not mistaken, 10.

11 Q Okay. So fairly small, then?

12 A Yeah, small.

13 Q And did you pick your team?

14 A Some --

15 Q Okay.

16 A -- not all. There were people in place that you inherit.

17 Q Yeah.

18 A And -- but I -- and then interagency, you don't really pick. The White House
19 doesn't have very many kind of people dealing with this portfolio, so you get what people
20 were in place. And the Pentagon, the Chairman sent me some, and I talk with him.
21 And he said, "I want you to have this general," and the fact that he was connected to the
22 Chairman was very important, so I said, of course, and assumed with the agency, yes.

23 Q And did you retain this team in 2021?

24 A There was some change, especially in terms of special assistance. It's a
25 very demanding job with all this travel and all that, but mostly the people stayed, yeah.

1 Q Okay. And what is your assessment as to the qualifications of this team?
2 Was it a highly qualified team?

3 A Yeah, I think so, I mean, hardworking, and they were good at what
4 they -- the assignment they were given. I mean, connectivity with the military was very
5 good, I mean -- and besides, they provided support for the mission, transportation, for
6 example, and other logistical support. And intelligence, very strong, that it's vital on
7 terrorism especially and assessment, and regional and Talib expertise and Afghan. Yeah,
8 I think it was good.

9 Q Okay. Were there any constraints that you feel you and/or your team
10 operated under?

11 A Constraints, always you have constraints, of course, but nothing -- nothing
12 extraordinary.

13 Q Okay.

14 A Yeah.

15 Q What were those constraints, if you could describe them?

16 A Well, you can't get off or get out there and just decide from today to
17 tomorrow that you're traveling. I mean, it takes constraints to organize an aircraft,
18 especially and the COVID concern.

19 Q What about staffing? Did you feel like --

20 A Oh.

21 Q -- you had adequate staffing, resources?

22 A Well, I always -- in all my missions, I've been satisfied with that.

23 Q Okay.

24 A Yeah, that we could get more staff sooner and -- but that's -- all
25 management types, I'm sure, complain about that, yeah.

1 Q Okay.

2 BY [REDACTED]:

3 Q So, thanks. I'm going to maybe take you in a little bit of a different
4 direction and go back to --

5 A Please.

6 Q -- 2017.

7 A Yeah.

8 Q So you took the job in September of 2018?

9 A '18, yeah.

10 Q And you said conversations got serious in August?

11 A Right.

12 Q When did the conversations begin?

13 A It may have started -- I'm not sure. Not -- it didn't go on for a long time, so
14 it may have started in July, for example, maybe second part of July or something.
15 That's -- so I don't mean like it went on for months.

16 Q Got it.

17 A Yeah, yeah.

18 Q And, when you began, were you aware of President Trump's South Asia
19 strategy?

20 A Yes, of course.

21 Q Yeah.

22 [REDACTED]. Let me just -- I'm going to introduce this, just -- you could take a
23 look at it. It's exhibit 2.

24 [Khalilzad Exhibit No. 2

25 Was marked for identification.]

1 BY [REDACTED]:

2 Q I tabbed a page for you. It's the -- this is from WhiteHouse.Gov. It's
3 remarks by President Trump on the strategy in Afghanistan and South Asia, and it's dated
4 October 21, 2017.

5 How did you become aware of the strategy?

6 A Well, I had met with General -- the National Security Advisor McMaster, who
7 was the National Security Advisor who was lead on this. And he had asked me to come
8 to talk to him, and I did. So I was aware from that, and then from the various reporting,
9 and then the -- when it was finished. Yes.

10 Q Were you involved or consulted in the strategies development?

11 A Well, as I said, I had this one meeting with General McMaster. It wasn't me
12 alone. It was with several others. And so, if that's regard as consultation, and then I
13 did have this one meeting, yes.

14 Q And what did you understand the strategies, objectives, or contours to be?

15 A Well, at that time, I had understood it to be to increase the military footprint
16 to give more flexibility to commanders in terms of use of force to make progress or
17 achieve victory. And the context also was that there will be a greater effort to deal with
18 the sanctuary issue.

19 In fact, I wrote a New York Times piece that -- op-ed that I thought that part was
20 the most important part. I mentioned that we -- this is a problem that has persisted,
21 and we have not been able to deal with it, and that the President had made the clearest
22 statement on that of any Presidents since 9/11, including President Bush, W. Bush, so,
23 yeah.

24 Q On sanctuaries?

25 A On sanctuaries, that he had been very -- rightfully had been very clear. I

1 thought that had been what we had messaged for success. If we want to make
2 progress, safe sanctuary is going to be a problem, because I judged a safe sanctuary will
3 add time to achieve our goal. And time was going to be our adversary, because
4 we -- politics, the world, everything, that will change as with time, and sustainability will
5 become hard, and that's what -- that's what happened.

6 Q And when you say the strategies goal was to increase military --

7 A Power.

8 Q -- power --

9 A And rules of engagement.

10 Q -- to get victory --

11 A Yeah.

12 Q -- what kind of -- did you mean military victory or a negotiated settlement?

13 A I could, obviously, depending, the most desirable would be a military victory,
14 but also perhaps will put you in a stronger position for a -- for a negotiated settlement.
15 But I'm now thinking out loud with you rather than that this was at that time what I
16 judged.

17 Q Did you agree with the strategy?

18 A I was -- I was supportive, particularly of this anti-sanctuary issue, which I
19 thought was the one -- the Achilles heel of our Afghanistan strategy, so in that regard, I
20 was positive.

21 Q Okay. And did the strategy have any role guiding your role in SRAR when
22 you assumed it?

23 A No, I suspect not, my judgment is. I think once that there was
24 disillusionment with it is what led to this other decision to get out, to leave, that this
25 wasn't going to work or hadn't worked, and that -- and then the idea that we need

1 someone to come in to help.

2 Q And when you say this hadn't worked, you mean --

3 A The strategy.

4 Q -- the military --

5 A The strategy. That's what I believe, the strongly listening to the
6 management that the military performance had been not what he thought or
7 management thought should be, and that he was -- he had the impression that, if he did
8 what was in this strategy and that in his mind he had given them everything they'd asked
9 for, and the result is this, this is not working. And so one has to -- one has to try the
10 alternative, which is what he did.

11 BY [REDACTED]:

12 Q So to be clear for the record --

13 A Yes.

14 Q -- you're speaking of the U.S. military --

15 A Yes.

16 Q -- not the Afghan military?

17 A Yes, the U.S. military, yes.

18 Q And I just want to be clear, your testimony is that between August 2017,
19 when the South Asia strategy was released publicly and --

20 A And August 2018.

21 Q -- and August 2018, you believe that the White House became disillusioned
22 with the strategy and had essentially abandoned it?

23 A Well, had a change of heart, I would call it.

24 Q Change of heart, okay.

25 A And then with an emphasis on leaving, on getting the troops out.

1 [REDACTED]. So I just want to --

2 [REDACTED]. I think that the record should note that during the period you just
3 asked about he was not part of the administration.

4 Ambassador Khalilzad. Yes. That was my -- that is true, of course. But my
5 impression --

6 [REDACTED]. Right.

7 Ambassador Khalilzad. -- from the interaction was, yes. That's more of a
8 context, right. But the statement during my tenure, when I was in the job, I became
9 convinced that that's what had happened. That was my impression was that because of
10 the statements made and the deliberations and judgments.

11 [REDACTED]. Okay. Thanks. I just want to -- maybe if you could turn to the,
12 one, two, three --

13 BY [REDACTED]:

14 Q Sorry, one more followup on the strategy.

15 A Yes. Thank you.

16 Q Did you ever have the sense that the White House formally discontinued or
17 disavowed its prior strategy?

18 A No, I don't know that. I do not know that.

19 Q So, essentially, it was still officially the strategy, but --

20 A Don't know that.

21 Q -- you didn't think it was being followed?

22 A We didn't refer to the South Asia strategy. It was after I took the job, kind
23 of--

24 Q You did not refer to it?

25 A Refer to that, yes. But, yes, it was the desire to achieve those goals that I

1 have repeatedly mentioned that informed my mission. What my mission was, that was
2 the focus.

3 BY [REDACTED]:

4 Q Okay. I just want to read a portion of the strategy and the remarks. So if
5 you go to the third page --

6 A Yeah.

7 Q It starts -- it's underlined. It should be.

8 A Oh, third, okay. This is --

9 Q Sorry.

10 A Sorry.

11 Q It's -- you have to turn the page. It's double sided.

12 A Oh, the one that's marked on four.

13 Q Yes.

14 A Okay. Sorry.

15 Q Thank you.

16 A You're welcome.

17 Q "A core pillar of our new strategy is a shift from a time-based approach to
18 one based on conditions."

19 A Yeah, very familiar with this wording.

20 Q "I've said it many times how counterproductive it is for the United States to
21 announce in advance the dates we intend to begin or end military options. We will not
22 talk about the numbers of troops or our plans for further military activities."

23 It goes on to say, "Conditions on the ground, not arbitrary time tables, will guide
24 our strategy from now on."

25 A Yeah.

1 Q So I just want to be clear, you're saying from the period of the
2 announcement of this strategy --

3 A Yeah.

4 Q -- to when you began, this may have been the approach?

5 A Right.

6 Q And then, when you began, the approach was no longer a conditions-based
7 approach. You had a timeline that you were given?

8 A Right. Well, no, I was not given a timeline. What I was given is a direction
9 or a mission that we want a safe withdrawal of our troops; two, we wanted commitments
10 on terrorism of -- that Afghanistan once again would not become a platform to threaten
11 the security of the United States by individuals or groups, including -- I mean, that that
12 became clearer later, the details of what we meant by that, and to get the Afghans to sit
13 with each other and negotiate a political settlement. So that's what I was asked to do.
14 And you look at this document and that, what I was given, you can make your own
15 judgment as to what happened.

16 Q What would be your judgment?

17 A Well, I think we went on a different course.

18 Q Okay. Thanks. And then following this announcement of the South Asia
19 strategy, in the fall of 2017, the Trump administration closed the State Department's
20 Office of the Special Representative on Afghanistan and Pakistan, which in some ways is
21 the precursor --

22 A Yeah.

23 Q -- to your office. Let me just -- I'm going to pass out this article, just to give
24 context for the timeline. Were you aware that --

25 [REDACTED]. Introducing --

1 [REDACTED]. I'm sorry.

2 [REDACTED]. That's exhibit No. 3.

3 [Khalilzad Exhibit No. 3

4 Was marked for identification.]

5 [REDACTED]i. And the title is -- it's in the Washington Post. It's from June 23,
6 2017. And it says, "Trump Administration Abruptly Shuttters Diplomatic Office on
7 Pakistan and Afghanistan Policy."

8 [REDACTED]. I just want to make sure, I haven't read this, are there quotes in
9 here that are not publicly attributed in the article, like Official A told Official B, and so it's
10 an unauthorized --

11 [REDACTED]. I'm not going to be asking about that.

12 [REDACTED]. Oh, okay. Thanks.

13 BY [REDACTED]:

14 Q Were you familiar with this prior to taking --

15 A My impression was -- again, we're talking impressions and several years
16 ago -- was that the person who was in charge of that office during the transition had
17 let -- was let go, and I think she's a very distinguished person who was part of this
18 commission now that --

19 Q Laura Miller.

20 A Laura, yeah, very good person, very smart. And that she was let go. I
21 was -- it didn't occur to me that the office had been closed. That I don't recall, that I had
22 a distinct impression, but she -- but Alice Wells had taken over, so to speak, that portfolio
23 in an acting capacity so to speak. That was my -- my impression.

1

2 [12:10 p.m.]

3 BY ██████████:

4 Q Okay. So just if I could maybe clarify, Laurel Miller was at that time in June
5 of 2017 to that point, she was the acting special representative on Afghanistan and
6 Pakistan?

7 A Yeah.

8 Q And simultaneously at that point, Alice Wells was the --

9 A Acting --

10 Q -- senior bureau official in the Bureau of South and Central Asia affairs?

11 A Right. That's what I heard.

12 Q And those are two distinct positions?

13 A Yeah. That had been merged, more or less, that she was doing now both.
14 Alice Wells. Sorry.

15 Q No. No. My apologies. How do you think the merging of the roles
16 impacted Afghan policy?

17 A I can't help you with that. I don't know. That I wasn't in the building. I
18 don't know how Laurel was doing in terms of meeting with the Secretary, the new
19 Secretary of State, whether he was focused on this issue at all, and whether people that
20 he had brought with him were the ones who were actually doing things. I mean, I've
21 been through many transitions, so this could be that she was in the position, but in fact,
22 others were doing the job, so to speak. I have no insight as to how the State
23 Department at that level was operating at that time.

24 Q Okay. And so when you take the position --

25 A Yes.

1 Q -- what was your perception of the work that was being done on, quote,
2 unquote, bringing this work to an end?

3 A Not a lot of focus on that. I would get briefed on what was going on
4 afterwards. But it was clear that they wanted me or someone else to be brought from
5 outside to do this job, because it probably indicated that whatever was happening wasn't
6 satisfactory to the management. But from management, I didn't hear an evaluation of
7 what was going on, and then I got briefed by Alice and others as to what they were doing,
8 and what had happened and what have you.

9 Q Did those briefings conform with your opinion of things weren't going in the
10 right direction?

11 A Well, my impression was that the clarity, a clear mission had not been given.

12 Q A clear mission had not been given?

13 A Given earlier to that -- you are to achieve these three goals within a kind of
14 reasonable timeframe. Although, meetings had been held, for example, I believe -- I
15 don't have a direct knowledge of this, but I believe, based on my recollection of the
16 briefings, that she had met with the Talibs, Alice, just a few weeks before I came on
17 board.

18 Q Okay.

19 A So there was a degree of continuity in that sense.

20 Q Sure. Okay.

21 [REDACTED]. I'm going to introduce another article. It's weird to introduce
22 articles.

23 Ambassador Khalilzad. We live in Washington. We live by articles. So many
24 urgent calls have been made based on what was in the article I know they're very
25 important.

1 BY [REDACTED]:

2 Q So this is a New York Times article dated June 9, 2018, entitled, "Taliban
3 Announced Brief Ceasefire Offering Afghan's Hope for Lull in War."

4 A This is the Eid ceasefire.

5 [REDACTED]: This is exhibit No. 4.

6 [Khalilzad Exhibit No. 4

7 Was marked for identification.]

8 BY [REDACTED]:

9 Q And to be clear, this also happened before you were in office?

10 A Before. Yes.

11 Q But to the best of your recollection, was there any plan in place that you
12 were briefed on when you started about how to deal, with or politically respond to a
13 ceasefire?

14 A Very favorable would be. Ceasefire was one thing we emphasized always.
15 A reduction of violence, ceasefire. Reduction of violence, ceasefire. And you haven't
16 asked about it, but this was positive when I was briefed by the general in charge at that
17 time, and before General Miller under whom Miller was not the commander when this
18 ceasefire happened. He took a lot of pride and satisfaction from it. Then I knew within
19 the management meetings, too, that ceasefire would be very important, especially a
20 ceasefire attack against U.S. forces. Yeah.

21 Q And as a negotiator, when someone offers something -- let me take a step
22 back. To your recollection, was this the first time the Taliban had ever offered a
23 ceasefire in the time of the war?

24 A I can't say for sure, but it's possible that there have been periods of
25 reduction of violence, if not outright ceasefire prior to that, too. I think you might find

1 instances where facilitated with Pakistanis, or otherwise there had been a -- because of
2 something that was going to happen, that there would have been a reduction of violence.
3 That's my impression.

4 Q And as a negotiator, when one side offers a ceasefire, something that's kind
5 of big --

6 A Yeah.

7 Q -- as you just referenced, is it often advantageous to have a response?

8 A Sure. And the Afghan Government embraced it.

9 Q And the United States?

10 A Well, we actually -- the general told me he was the one who negotiated it
11 more or less.

12 Q And was there a political response from the United States to the ceasefire?

13 A Not that I recall, but I think we saw this as a good -- as a positive step.

14 [REDACTED]. So once again, I just want to remind that you weren't --
15 Ambassador Khalilzad. I was not involved.

16 [REDACTED]. We established that I think in the beginning when I said --

17 [REDACTED]. Well, I'm going to keep establishing it if you keep asking questions
18 as though he was actually involved in something. That's all. And he's perfectly entitled
19 to have an impression as to events he didn't participate in.

20 Ambassador Khalilzad. Yes.

21 BY [REDACTED]:

22 Q And then in that timeframe when, again, you were not in office --

23 A Yeah.

24 Q -- was it your view that the Department was prepared to engage politically
25 with the Taliban to respond to a ceasefire?

1 A Again, on the ceasefire, this would have been the military on the lead
2 because it's fighting, seizing, us taking on obligation, not a target, them, and this would
3 have been all in the military channel. But the State Department, my judgment would be
4 that you would find very positive statements from the ambassador and others working on
5 this. But as to whether it affected anything the State Department did materially, I'd be
6 speculating, but I suspect not.

7 Q Okay.

8 A That would be my impression.

9 Q Okay. Thanks. Why don't we -- should we stop there?

10 ██████████. Yeah.

11 ██████████. Let's stop there because I'm going to go in a different direction.

12 Ambassador Khalilzad. We're going to have more time, right?

13 ██████████. We will have more time. That concludes our round. Thank you.

14 [Recess.]

1

2 [12:29 p.m.]

3 [REDACTED]. Back on the record.

4 BY [REDACTED]:

5 Q So Ambassador, I want to go back to our prior line of questioning, but before
6 I do so, I just wanted to preface it's our aim not to interrupt you at any point when we are
7 discussing, but if there is any redirection in the interest of saving time and also making
8 sure we don't keep you here until the middle of the night, we may do that, but we're
9 going to continue to refrain from interrupting you at any point.

10 Let's go back to exhibit 1, which was the transcript.

11 A Ambassador Wilson.

12 Q Ambassador Wilson, correct. And if you can now look at the page marked
13 28 in the upper right-hand corner.

14 A Right.

15 Q And specifically, line 21. So we ask Ambassador Wilson here what his
16 impression of you was, to which he responded, "Ambassador Khalilzad can be an
17 exceptionally capable diplomat, very creative in his thinking, he can be very persuasive
18 and convincing presenting the arguments necessary to try to carry out the policies in the
19 directions he had been given.

20 He is an Afghan, and so he knew everybody. He knew, and he didn't just know
21 them personally, he knew where they came from, he knew the history of the relations
22 with one another, the history of the country, the history of America's role in the country
23 and Afghanistan. That was exceptionally valuable to me as a newcomer who had never
24 served in Afghanistan or anything to do with it before I came on duty in January 2020.
25 Ambassador Khalilzad is a little bit a force of nature, and sometimes not the easiest to

1 work with. I think we collaborated reasonably effectively throughout my time here?"

2 So before I ask my follow-up questions, I just, for purposes of the record and for
3 clarity, Ambassador Wilson refers to you as an Afghan, but you are American and Afghan,
4 correct?

5 A Right. In fact, I've had to renounce my Afghan citizenship as I was the U.S.
6 Ambassador to Afghanistan. So I can't say even -- I am by background, but I had to get
7 the Afghan government to sign a document that they recognize me as the American
8 Ambassador because, you know, when you become Ambassador of the country of your
9 birth where you had citizenship, the Vienna Convention is quite clear that in order to
10 remove any ambiguity, which law applies if something happens while you're serving, that
11 needs to be clarified. So, of course I am Afghan American, meaning I was born in
12 Afghanistan and was a citizen of Afghanistan and lived there for a long time.

13 Q Of course.

14 A So yes, in that regard, what he's said is true, but we could say that about
15 everybody else who's been an immigrant or has a different background.

16 Q Of course. I appreciate you clarifying that. [REDACTED] [REDACTED]

17 [REDACTED] [REDACTED] [REDACTED] [REDACTED].

18 A Yeah. Yeah. Sure.

19 Q So I'd like to move onto my next question, specifically the same question we
20 asked Ambassador Wilson I'll ask you now: What was your impression of Ambassador
21 Wilson?

22 A All positive. I have nothing negative to say about Ambassador Wilson. I
23 may have disagreed with him here and there on policy, but that comes with the territory.
24 But I have nothing negative to say, and no negative comment. I expressed to you my
25 only point that I remember is this, the COVID issue, because the Chief of Mission concern

1 about people under his command not expose them even to somebody sent by
2 management to get this thing done, but and we've worked out on a formula that satisfied
3 him. But no, I don't have anything negative to say about him.

4 Q And given your subject matter expertise on Afghanistan, both personally and
5 professionally, did Ambassador Wilson have subject matter expertise on Afghanistan?

6 A He, himself, says that he didn't. And I was always available to help him, but
7 you know, not everyone goes to be ambassador to some place has subject matter
8 expertise. There are qualities that you look in the person, and you can always get
9 experts to help you and brief you. So, yeah, I had more expertise at the beginning, but
10 over time, it sort of, we got -- he knew more about what was going on in Kabul than I did
11 because I came and left. He had some more recent conversations with some political
12 leaders.

13 So yeah, the question of judgment, yes, that's something that comes with over
14 time, that's what's likely to work, what isn't likely to work, and even the most expert of
15 expert can sometimes be wrong. So, yeah.

16 Q So he didn't exclusively rely upon you, right?

17 A No. No. There is an intelligence component inside the embassy and from
18 all over the world provided information on Afghanistan. Then he had his country team
19 that knew. And he had his own, then developed contacts with people of Afghanistan.
20 He had served in Turkiye as I said before. So he had a Turkish dimension to him as well
21 with Afghans, Uzbeks, and others that he likes and had interacted with. Yeah. When
22 you're diplomat, you don't stop being a human being with all that comes with it, so to
23 speak. So, yeah.

24 Q What was Ambassador Wilson's role in the Doha Agreement specifically?

25 A A direct particular role like many others, but he, during the period

1 proceeding the agreement, there was a kind of proximity talk, but it wasn't really
2 proximate for Doha and Kabul, but it was a kind of shuttling between Kabul and Doha to
3 get something that both that sides could live with as a path forward. And most
4 importantly, address our concerns, the United States' concerns. So he attended
5 meetings, and so on. I wouldn't say a significant role.

6 Q Did you engage with Ambassador Wilson throughout the negotiation of the
7 Doha Agreement?

8 A I don't know because we have to look at the dates that he arrived because
9 Ambassador Bass was there for much of the negotiating period, and the same pattern
10 repeated itself with -- that I discussed earlier in the previous hour, which was myself
11 talking to him. We had a group with Molly Phee interacting a lot more than I did on a
12 day-to-day basis with him. And then visits, and then putting one person from his team
13 in Doha so that he would attend meetings and report back directly. And he also helped
14 me because sometimes our team would be overworked, and we'd put him to task to
15 write some of the cables and stuff. So it was collegial. If there was any tension
16 or -- this was not communicated to me.

17 Q Thank you for that.

18 A Yeah.

19 Q What was Ambassador Wilson's role in planning for the military withdrawal?

20 A That becomes a little more significant, I believe, which was I was not directly
21 involved. Thank you. I should say, because at some stage around the 15th, maybe
22 earlier by a couple of days, perhaps, or a day that Ambassador Wilson got concerned and
23 that the Afghan military --

24 Q 15th of August?

25 A Maybe 15th or 14th of August. I'm not entirely sure. Maybe 15, earlier in

1 the day or the night of the 14 in Kabul. I don't know. At some point. And he became
2 alarmed, again, as I understand. I was not in the -- he didn't call me to express this, that
3 the embassy was becoming vulnerable to threats because security forces in the area
4 was -- were not showing up. And so, he wanted, given the aftermath -- and now this is
5 all my opinion -- aftermath of Libya, what had happened in Iran with the embassies, he
6 got alarmed and a zero risk sort of environment and asked to evacuate.

7 Q So --

8 A And then he was in -- everyone moved to the airport, and he, as part of the
9 team that was at the airport, and over time with others, including us and my deputy
10 there, and Ambassador Bass went and others, and great connectivity with Washington,
11 because at that stage, Washington all the way up to the top of the management or the
12 administration became very focused. So everybody played a kind of role at that time.

13 Q So I want to backtrack a little bit.

14 A Yes. Please.

15 Q August 15, that's the date, from our understanding, that's when the Taliban,
16 you know, marched into Kabul, correct?

17 A Right.

18 Q Now, prior to the August 15, which is the date that Kabul fell in the hands of
19 the Taliban, April 14, 2021, is when President Biden announced his go to zero, i.e. the
20 drawing down of all military troops to zero, so no more presence, military presence in
21 Afghanistan whatsoever.

22 A Right. Right.

23 Q So that's how we're interpreting withdrawals, it's the first formal
24 announcement to zero under the administration. From then onto the date Kabul fell,
25 what was your engagement with Ambassador Wilson like? Did you engage frequently?

1 Was he involved? Were you involved?

2 A Yes. I think that Ambassador Wilson was very much involved because
3 there was continuing review of where things were and Ambassador Wilson participated in
4 them. My focus in that period was several things that Ambassador Wilson, I consulted
5 with.

6 One was, there was an idea of convening a meeting in Istanbul in Turkiye of the
7 senior members of the Taliban and the government. This was an idea that initially had
8 come from the Taliban, and that to accelerate the peace process that the people who
9 were in Doha in the Afghan Government weren't senior enough and they couldn't make
10 decisions, and everything. They had to go back and so forth. So why not have a
11 shortcut and get these very senior Afghan Government people and the Talibs to talk.
12 And since Ambassador Wilson had served in Turkiye and knew Turkiye well, so this
13 concept developing it.

14 Second was to get, you know -- President's announcement added 4 months plus to
15 the timetable of the agreed by earlier from 14 months to effectively made it 18 months.

16 Q But at that point in time under the prior administration, had there been a
17 firm decision to draw down to zero by that May deadline that was initially --

18 A Well, the administration, let's call it, wanted that in the middle of the
19 summer to finish it by the end of the year to accelerate the withdrawal. But then a
20 decision was made, Let's leave it to the next administration to decide to reduce
21 the -- there were documents signed to say we should leave until I think -- as I've seen a
22 document that Mr. Kash Patel communicated to the Pentagon that the withdrawal should
23 be completed as I understood it.

24 But in any case, it wasn't then. So leave it to the next administration. The next
25 administration had the option to go along with it, abandon it, or do something kind of

1 condition-based, which this is what I briefed the management of the new administration
2 as to what their options were. But my direction, however, was to go and convince the
3 Talibs not to attack because the forces, because we had agreed ceasefire not to attack
4 you until May. And now, this President wants to continue until September.

5 This is not based on the agreement. I told them I don't want -- my message,
6 sorry, was very blunt. I don't care whether you agreed with it or not. I don't want you
7 to attack. You can say you don't agree with it. That's your business. But I don't want
8 to see any attack. That's what -- that was the thing, and then the issue of accelerating
9 political negotiations and so forth and so on.

10 Q And we will get into that section, so you'll have an opportunity to make a
11 clarification.

12 A Sure.

13 Q I did want to go back to questions with respect to Dr. Wilson specifically.

14 A Right.

15 Q Moving towards the evacuation, which we touched upon --

16 A Yeah.

17 Q Based on your engagement and your involvement in those efforts --

18 A Yeah.

19 Q -- did Ambassador Wilson appear to be in charge of the evacuation, or
20 Ambassador Bass?

21 A Oh, the truth of the matter is that the evacuation physically, I can't say that
22 anyone was, as such, other than the President ultimately was in charge, because there is
23 the military evacuation. It is run through the chain of command. They have a timeline.
24 They increase the force, the August 15 when General McKinsey came to meet with me,
25 and then we went together to see Baradar.

1 He said, First thing I want tell you is that I'm going to bring 5,000 more forces into
2 Kabul, and then -- that I need to accomplish the withdrawal mission. So there is the
3 military chain withdrawal. They have their own identity.

4 Then there is another part of our government, I don't know how much I can talk
5 about that in this setting, which has its own withdrawal. And then there is the civilian
6 that the embassy --

7 Q So let's focus on the civilian specifically sort of the NEO, noncombatant
8 evacuation operation --

9 A I don't know who could fall in that category when we have a multiplicity of
10 elements, government, different parts of the government, contractors, NGOs. Yeah.
11 And different chain of commands in each.

12 Q So it's your understanding that the President was responsible for ultimately
13 the evacuation, correct, as the Commander in Chief?

14 A He, for everything else, he's -- ultimately, the President is in charge, and I
15 have to say the President spent a lot of time on this, to say it was the most intense period
16 of focus. Yeah. Yeah.

17 Q Let's transition to Secretary Blinken?

18 A Yeah.

19 Q Can you please speak to Secretary Blinken's role in the Doha Agreement?

20 A Well, he had no role in the Doha Agreement. He wasn't a Secretary.

21 Q Apologies. In the aftermath, when you were reassessing whether or not
22 the new administration would adhere to the Doha Agreement?

23 A Yeah. I told you when he announced that I was staying, he said to continue
24 this vital mission. So as to the status of the agreement -- I had a meeting with him and
25 then we had this meeting that I referred to earlier with new management at the very

1 highest level. And we discussed what the options were with regard to Doha.

2 So this is the timetable, perhaps I could say that one was to continue what the
3 previous administration was doing, which is essentially not to insist on conditionality, just
4 emphasize withdrawal and counterterrorism.

5 Two, option two, conditionality. We would agree to implement Doha, the
6 withdrawal part, provided the other elements are -- the Talib part, commitments. Third,
7 is to -- and I refer to it specifically to the Iran deal, nuclear deal, that the Trump
8 administration put the agreement on the Iran Nuclear deal aside, said we're not going to
9 honor that. And this administration, the Biden administration, could do the same with
10 this agreement, saying it's flawed, we don't want to do that.

11 And those are your choices, kind of forcefully mention that, that these are your
12 choices. And they said that the President decided to do a review. And we put -- a lot
13 of time was spent on the review. And I'm sure you'll ask me about the subsequent
14 thing, but that's what happened. And I think Secretary Blinken was part of that briefing
15 and participate -- was a principal participant in the review.

16 Q What was his perspective on whether the administration should adhere to
17 the Doha Agreement of those three options you presented?

18 A I can't say that we had a frontal focus on that. My judgment was that,
19 again, it's my judgment, that obviously he supported the ultimate decision on how
20 things -- the decision that was made after the review. I think he would have -- again, it's
21 a personal observation, that he would have acknowledged that he would have perhaps
22 preferred conditionality.

23 Q But that wasn't the option that was chosen, correct?

24 A That wasn't chosen.

25 Q Okay.

1 A A soft version was selected, and I have to say that carefully. That was that
2 if the Talibs would agree that we could stay in Afghanistan, meaning not to go back to
3 fighting perhaps, not to risk fighting, then we could go along with that to keep the forces
4 there until there is a political agreement.

5 Q That's helpful. Thank you, Ambassador.

6 I'm going to now transition to Ambassador Dean Thompson, who I believe,
7 throughout 2021, am I correct in understanding he was serving as the Acting Assistant
8 Secretary for the SCA Bureau?

9 A I understand that to be true.

10 Q Okay. Thank you.

11 A I did not have much to do with him.

12 Q You did not engage with Ambassador Thompson?

13 A Not much in that role because I reported directly to the Secretary.

14 Although, it was Afghanistan part of South Asia geographically, but he was, I think,
15 essentially sort of saying that this was Zal's lane, the Afghan negotiation stuff, my
16 recollection. And then Don Lu came at some point South Asia.

17 ██████████. Uh-huh.

18 Ambassador Khalilzad. So I don't even know when the timing. I would have to
19 refresh my memory of that. The assistant secretary of state, whether it was Don Lu or
20 Alice Wells for a while, or the one in between, I did not have a lot of dealings with.

21 BY ██████████:

22 Q Just so I'm understanding correctly, the regional bureau responsible for
23 Afghan policy for broadly, not just Doha and Taliban, et cetera, you did not have much
24 engagement with them?

25 A Because I didn't deal with the regular kind of dealings of who goes,

1 becomes -- from the embassy and what sort of --

2 Q How about engagement with the host government, the Afghan
3 Government?

4 A Oh, I was very involved with that.

5 Q But SCA was not involved in that with you?

6 A Not when I went for the peace negotiation. No, SCA was not. Except the
7 ambassador, which reports to the SCA was involved. So it was the Assistant Secretary
8 being heavily involved, no it wasn't with regard to the negotiations.

9 Q How about discussions pertaining to keeping the diplomatic mission in
10 Afghanistan irrespective of the Taliban presence?

11 A I was not involved in that. When Ambassador Wilson requested the
12 evacuation of the embassy, I was not involved in that decision.

13 Q How about during the evacuation? Did you engage with Ambassador Dean
14 Thompson, the August 2021 evacuation?

15 A Not that I recall.

16 Q So let's transition to Mr. Salman Ahmed. What was Mr. Ahmed's position --

17 A But he was not in South Asia bureau. He was director of policy planning.

18 Q That was my next question.

19 A Okay. Sure. I just want to make sure.

20 [REDACTED]: Yeah.

21 Ambassador Khalilzad. I didn't miss something that he served in South Asia
22 bureau.

23 BY [REDACTED]:

24 Q That was a good catch. My next question was going to be what his position
25 was throughout 2021?

1 A Director of policy planning.

2 Q Can you please speak to Mr. Ahmed's role in the Doha Agreement under the
3 new administration, not the negotiations, but --

4 A Not in any particular way, because he didn't -- I didn't see him in the
5 interagency or the President's meetings, the administration's, to decide what to do, what
6 not to do, which was unusually frequent those high-level meetings. I did get a call when
7 I was in Doha from the Secretary of State and the National Security Advisor. We used to
8 have calls frequently saying, Would you object, would you mind if Ahmed would come
9 and join your team to help.

10 Q Was this in August 2021?

11 A August. Maybe arrived I think on August 15 or 14 in my judgment. And I
12 said of course not. You know, I knew his reputation, and I said no problem with that.

13 Q Did they communicate to you why he was being sent over?

14 A They presented it as, you know, things were becoming very intense, we're
15 dealing with so many things, we're having the tri terror -- Russia, China, U.S., Pakistan,
16 and others meeting that we were handling. We were having high-level Afghan
17 Government allegations. Dr. Abdullah and his team were coming. There was a lot of
18 ambassadors from the region and beyond showing up that maybe they presented as that.
19 But I thought maybe, you know, given his political connectivity with the new
20 administration and with Jake and with Tony, the Secretary of State, that maybe they
21 wanted someone that, you know, that had a history of working together with. Perfectly
22 understandable. Things were getting very sensitive. Like I didn't object to saying
23 they -- add a couple people like Tom West and Mr. -- our Ambassador to Morocco,
24 similarly said sure, he's most welcome and he came and he attended several meetings
25 with me and attended -- I think he was in the meeting with -- on the 15th, when the

1 important meeting with General McKinsey, myself, and the Talibs and also our meeting
2 with the Talibs and maybe also some senior Government of Afghanistan officials who
3 were there, he also met with them.

4 Q That's helpful. Thank you, Ambassador.

5 I'm going to transition from sort of State Department officials. What were the
6 White House and the National Security Council's role in the Afghanistan withdrawal, so
7 throughout 2021?

8 A Very important. Vital, of course.

9 Q Would you say they were leading the process?

10 A Yes. Indeed.

11 Q Who were your main points of contact there?

12 A Well, on a day-to-day basis, Jake Sullivan and Jon, his deputy, were the
13 people I dealt with a lot. I'm sure there were others in the room were on the phone.
14 But Jon and Jake were the two that I --

15 [REDACTED]. Jon Finer?

16 Ambassador Khalilzad. Jon Finer, of course, yeah, were the two that I dealt a lot
17 with. And we would have -- during that period -- a lot of NSC meetings so that there
18 would be -- and I would chime in videoconferencing from the embassy in Doha to join the
19 NSC meeting with the President and the chair.

20 BY [REDACTED]:

21 Q Were decisions pertaining to engagement with the Taliban, adherence to
22 Doha, et cetera, were those decisions coming out of the State Department or were those
23 decisions coming out of the White House and NSC?

24 A I believe it was an NSC-centric period when you're talking about August,
25 especially because there's a lot of very important things going on. Lives are at stake.

1 And so, I think it was more of an interagency process. And then, with presenting things
2 to the President for decisions.

3 Q Thank you. Can you please walk us through the key military figures you
4 engaged with at the DOD and in what capacity? Who were some of the key officials at
5 the Department of Defense that you engaged with?

6 A Under the Biden administration?

7 Q Let's start with Biden, and key figures in the Trump administration.

8 A Well, General Austin. Carl, the undersecretary when he was there. And
9 the chairman was --

10 Q Chairman Milley?

11 A Chairman Milley, at a very high level, Chairman Milley even traveled with me
12 a couple of times to the negotiations.

13 Q How about Rear Admiral Peter Vasely?

14 A Oh, yeah, Pete Vasely. Sure. He was, of course, a good guy. He was in
15 Kabul and run the airport. He would call me all the time because -- I thought you meant
16 management. No. He and General Kline were the two responsible, and they would
17 call for my help constantly, get the Talibs to not allow a car or a pedestrian on this road to
18 the north of the airport. Oh, I gave this -- can you call and say, Open the -- buses full of
19 people, we wanted to be brought to the airport, stop by a checkpoint on this road, please
20 call Mullah Baradar or call the guy in Doha, or call the military liaison guy that was agreed
21 to between Taliban and them to release. No Pete, would be in touch with my military
22 advisor 10 times a day I would say during those days because he needed help. They
23 were new to dealing with the Talibs, so they would meet and the Talibs were protecting
24 us, and we needed the Talibs to cooperate against the threat of ISIS, which we became
25 more and more aware of that there is an effort by ISIS to kill some of our people, and we

1 needed their help to go look at this building, missile potential threat from this hill, to go
2 and look at that, to go to this mosque, stop this car. So it would be like he became a
3 part of my extended staff almost. Pete Vasely, that's why I remember him extremely
4 well.

5 BY [REDACTED]:

6 Q When it came to that time period, I'm assuming that these conversations
7 that you're talking about are August 15 onward?

8 A Yes.

9 Q And you mentioned times that -- so would he call you --

10 A Yeah.

11 Q -- to try to get the Taliban to search or raid specific locations?

12 A Yeah. Yeah. He would call me, that we had agreed on August 15 with
13 General McKinsey, the CENTCOM commander, when he came to Doha to tell Mullah
14 Baradar and his team that we were bringing more forces and then we would withdrawal.
15 At the end, if you ask, I'll be happy to answer questions, there was one thing that General
16 McKinsey asked we need a local point of contact from the Talibs, local meaning in Kabul
17 because we were in Doha having discussion in Kabul.

18 And within an hour, he gave me the name and phone number of the local
19 commander in Kabul, and going forward, since we refused to go take charge of Kabul
20 ourself. Talibs offered us this that. You take it. Now, the government doesn't run
21 away. The military is disintegrating. Security is at risk. Karzai, Abdullah are all calling
22 them complaining, what's going to happen tonight with no security in Kabul? What do
23 you want, because we told them stay out of 20 kilometers from the center of Kabul.

24 We don't want to see within that parameter, area, Talibs. Any Talibs within that
25 area will be a target. So he said, Okay. They wanted to know which villages inside the

1 20 kilometers, which not. We had a map giving it -- then he says thank you for all that.
2 That was interesting. Baradar says, what are you going to go to take over Kabul? We
3 would be okay with it. You want us out of that area, did you take security responsibility
4 inside that circle that you just drew? And that was a shocker to General McKinsey. He
5 said, no, that's not my mission.

6 So we had to give a different map. He had to produce quickly a different map
7 where we want the Talibs out of, which was much narrower, which was airport to
8 embassy to the palace, that area. Then he also asked, Okay, give me a point of contact
9 for Pete. Vasely was going to in charge and Kline and these guys to deal with when the
10 issues arise, some incident happens, in Kabul, who do we deal with? That's how it
11 happened.

12 Q It sounds like a green light for the Taliban to come and take over most of
13 Kabul.

14 A I think that's clear because we said just -- initially, we said stay out of
15 20 kilometers from the center circle. We want you all out. By the end of the
16 discussion, when General McKinsey said he's not going to take responsibility for the rest,
17 he said, okay. It's my understanding that he said if you stay out of this area, this
18 narrower belt, what happened in the rest, I have no view on.

19 Q And who was the point of contact, the Taliban military commander on the
20 ground?

21 A If I'm not mistaken, authority given is -- Hamdullah, I think was his
22 name -- Mullah Hamdullah.

23 Q What's --

24 A Maybe his first name could have been. But Hamdullah, I remember. I
25 talked with him on the phone several times when they couldn't locate them. One time

1 the funniest thing was -- and Pete wanted to meet with him. He was at the gate of the
2 airport and nobody would let him in for the meeting. Pete had invited him, and I had to
3 call Pete and say your guest is at the gate from Doha. So, yeah. But I don't know -- I
4 can get back, but I think it -- by my recollection, Hamdullah was his name. But I could be
5 wrong. I haven't checked these things for several years now.

6 Q Was Hamdullah Haqqani?

7 A No, not Haqqani. No Haqqani. He wasn't Haqqani. I know who was
8 Haqqani. No, it was not Haqqani.

9 BY [REDACTED]:

10 Q Ambassador, I'd like to transition to sort of the Afghan Government from the
11 Department of Defense. Who were the key Afghan officials that you were engaging with
12 with respect to the withdrawal and ultimately evacuation?

13 A Well, the President Ghani, the Minister of Defense, the National Security
14 Advisor for a while, although he got himself in trouble with us for a while, so we were
15 ordered not to talk to him. Vice President. We'd go to meetings, and the President
16 would have his entire team with him, and then we would have individual meetings with
17 the Interior Minister, Defense Minister. The Defense Minister for a while was sick in
18 Abu Dhabi. We would meet there, but we could meet the acting people.

19 General Miller was very tight with the -- also the intelligence of Afghanistan. So
20 we meet with the head of intelligence, Interior of Defense. President, Vice President.
21 With the President and others, we would go to their place, which sometimes they would
22 come -- the security people would come to General Miller's quarters, offices, premises or
23 meetings. We had good connectivity with the leadership of Afghanistan. And other
24 political leaders even who were influential even. Dr. Abdullah, we inevitably after
25 meeting President Ghani, we would go to see Dr. Abdullah. And at the end when

1 President Ghani was unhappy that we were having these separate meetings with others,
2 we said, Okay, what's your preference? He said I'd like to host all the meetings in the
3 palace. Fine. It will make our job easy. We just fly into one place. We would meet
4 with not only military leaders, but political leaders, including President Karzai and others
5 showing up to the palace and ask us to tell them what's going on.

6 Q Which other State Department officials engaged with the Afghan
7 Government?

8 A The Ambassador did. And of course, the station chief is not part
9 of -- Pompeo was engaged with them, and of course, Secretary Blinken engaged with
10 them, talked on the phone, visited, and the National Security Advisor from both Trump
11 period and President Biden period engaged. The Afghan leadership, it's my
12 judgment -- you didn't ask for this -- was too connected with Washington, and
13 Washington, as you know better than I do, is a city with many opinions. There are
14 Democrat, Republicans. There are people who have served in Afghanistan, people who
15 have been there, and they all know Afghan leader friends -- Ghani was known to most of
16 them, and he would call them at night saying, you know, the American official, Zal, told
17 us, this is getting serious, we're leaving. And they would say, of course, as you know
18 there are different views, people would say, What? Nonsense, we're never going to
19 withdraw from Afghanistan. And he would say to me, this is your personal view that
20 you want to get out of Afghanistan, I say it, in our system, the President is very powerful,
21 the Presidential system. Yes, we have a lot of opinions, Congress and kind of retired
22 generals who were commander of our forces, yeah, they have opinions, at the end, and
23 this President decided to leave. So you better not miscalculate based on these calls. I
24 think those calls, in my judgment, those connectivity --

25 Q I was about to ask, do you think it misled him?

1 A Yeah. To think that in -- no way -- how could you leave a place next to Iran,
2 next to Pakistan, next to China, next to Russia, this is a golden opportunity America has in
3 Afghanistan. You're going to leave this, no way, never. And I would have this
4 argument with President Karzai, too, when he was President that you need to do your
5 part because you risk America getting disillusioned with this project. You're here, again,
6 to frighten us that you're going to leave. You're never going to leave, so I can say
7 whatever I want. And then he would say things that would make the President angry
8 with him. And then Ghani called me, what your friend said, that Americans are kill our
9 children and occupation and this sort of stuff. Yeah.

10 [REDACTED]: Just for context, the last remarks were set in George W. Bush's
11 administration.

12 BY [REDACTED]:

13 Q Let's transition to the Trump administration and specifically the Doha
14 Agreement --

15 A Sure.

16 Q -- and the negotiations surrounding the agreement.

17 A Yeah. Yeah.

18 Q Ambassador, could you describe how negotiations with the Taliban and
19 accordingly the Doha Agreement began?

20 A Yeah. Well, after I took the job within a few weeks, I went out to Kabul first
21 to explain to the Afghan Government what our approach was and what my mission was,
22 and I look forward to hearing and committing to work closely with him in this important
23 enterprise because of -- the idea was peaceful, orderly, we will continue the relationship
24 with Afghanistan afterwards, different context after an agreement.

25 And then went to Doha to talk to the Taliban my first meetings with them.

1 Although, before I went to Doha, I -- we started in Islamabad so we got the sanctuary
2 issue that Pakistan had a view was influential with the Talibs so get them.

3 Q In line?

4 A In line. Otherwise, going to Pakistan before I took the job as my clearances
5 and so on were being worked, Secretary Pompeo thought this process is taking longer
6 than he anticipated, that he, Chairman, and I should go -- Chairman of Joint Chiefs to
7 [inaudible] so I went with him and was a very difficult meeting with the Pakistani military
8 leaders who told Pompeo in front of me, you've got the wrong person to do this job, he
9 has a record of hostility to Pakistan, look at what he has said on sanctuary relating to this
10 is and that. So nevertheless, I went back to see them and they brought some Talibs to a
11 meeting. So actual negotiations began, we went to Doha.

12 Q What was your perspective on engagement with Taliban at that time?

13 A That was my job. That was my perspective.

14 Q But in your personal opinion, do you think it was a good idea, a bad idea, in
15 your professional opinion?

16 A I thought it was a necessary idea because you have to remember the
17 context, the President wants to leave. He wants Americans not to be killed on the
18 departure. So that's absolutely necessary, who are you going to negotiate with not to
19 attack the withdrawing forces so it was absolutely necessary to do that.

20 Q Ambassador, what was your role on Mullah Baradar released from Pakistani
21 jail in 2018?

22 A Sure. In 2018, early 2019 it happened, I have to say. Pakistan, after they
23 saw that their effort to have me not to be the one selected for this job, not to work, they
24 sort of essentially said, Let's turn a new page, yeah, your mission is different, we support
25 it. That mission of a negotiated political settlement. Then Afghanistan, and therefore,

1 let's start a new page. We will want to cooperate with you, and what can we do to
2 build -- to demonstrate to you that we're serious, that we'll support you.

3 And I said, let me think about it, and after consulting, I heard from the Afghan
4 Government people that Baradar, among the Talibs, is the one who is more nationalist,
5 they thought a lot of them for Pakistani whatever, but he's more nationalist and that he
6 had -- Pakistanis had put him to jail because he reached out to Afghan Government for
7 reconciliation. Although, I learned that we had played a role too also in that arrest.

8 But then we said, let's -- since they have asked me what can we do to
9 demonstrate that, and I had been saying I need an authoritative in Talib delegation that
10 can make decisions. I don't want to waste my time with people are not authoritative, so
11 I said, Release Baradar if you're serious.

12 Q Did you trust him?

13 A Who Baradar?

14 Q Uh-huh.

15 A No, I don't trust anybody. But present company excluded. But no, of
16 course. But Afghans like that.

17 Q Did you trust him as a negotiating partner?

18 A Well, I mean, I have to say when he committed to something, he delivered
19 on it. That's what I wanted to see over time, I saw that.

20 Q But he ultimately didn't deliver completely, did he?

21 A Well on, things we asked. Now, on negotiations, I blame both sides, and
22 we will come to that, what the Afghan Government miscalculations and demands were
23 that I frankly thought was unrealistic. And then I gave, under the Biden administration,
24 a plan to accelerate or draw up. We give them a proposal, why don't you both consider
25 this proposal and maybe begin to negotiate on that?

1 And the one who rejected it offhand was the President Ghani, say Oh, there is a
2 lot of academic papers like this. No. This just come from the President of United
3 States and ask me to give him this. And he talks about it as I came from the Rand
4 Corporation giving him a proposal. And then that led to a letter that Secretary Blinken
5 wrote that he leaked.

6 Q Who leaked the letter?

7 A Our judgment was the Talibs leaked it that said, look, take these things
8 seriously, don't count on us staying forever. I mean, it showed that kind of a very
9 tough-worded message because of his reaction.

10 So when there was not a deal, you know, we blame the Talibs of course mostly in
11 the media and so forth, which is fine. We fought them. They're our enemies. They
12 had Al-Qaeda and all that. But the reality was, months were wasted. The Talibs said,
13 Let's negotiate based on Doha, which says a new Afghan Government based on
14 negotiation is what we're here about, right? They said, No, we don't accept the Doha
15 agreement. What? Why are we here then?

16 Because the whole negotiation started because of Doha. They said, No, let's
17 meet based on the Afghan constitution. Well, they said the constitution is your
18 constitution. We didn't agree to it. There has to be a new government agreement.
19 Then you could blame the demands they made on both sides -- I'm not saying Talibs were
20 better than Ghani. Both sides were difficult.

1

2 [1:18 p.m.]

3 BY ██████████:

4 Q But we're going to get that as sort of the next question, but before we do --

5 A Yes.

6 Q -- I just have another followup question.

7 A Yes.

8 Q What other Taliban officials did you interact with throughout the Trump
9 administration?

10 A Other Taliban? The whole delegation that was there.

11 Q The whole delegation in Doha.

12 A In Doha, there were -- I didn't talk -- the negotiations were not between me
13 and Baradar. The negotiations were between two teams.

14 Q Uh-huh.

15 A The team from our side with General Miller, I was in 90 percent of the
16 meetings he attended personally. The other representatives -- sometimes my deputy
17 would also participate -- were experienced in negotiating South Sudan or Darfur.

18 And their delegation, that included --

19 Q Who --

20 A -- elements of -- what?

21 Q Who comprised their delegation?

22 A Oh, Stanikzai was there. Hanafi was there. Fazl was there. Two
23 Haqqanis were there from the Haqqani Network, one of whom had been at Guantanamo
24 before. A young Haqqani that was released from Kabul, the brother, younger brother,
25 of the leader of the Haqqanis, was there.

1 It was a -- and then, later on, the leader of the Taliban sent additional people, who
2 is now one of the chief justice of the Taliban, was there.

3 I had a whole range of very -- I shouldn't [inaudible] complete this thought of
4 people that I had to deal with. And they were very serious negotiators, I have to say.
5 They were very -- they wanted everything in writing. They never -- you could have
6 informal talks.

7 But, yeah, it was a whole delegation, sometimes more than 10, 12 of them, that
8 participated.

9 Q Let's transition --

10 A And, one time, even the Foreign Minister, the current Acting Foreign
11 Minister of the Taliban was part of the delegation, Muttaqi. I mean, it was a big
12 delegation.

13 Q A pretty expansive group.

14 A Yeah, very.

15 Q So let's transition now to the Afghan Government, the point you touched
16 upon. You said "both sides," but, really, the Afghan Government was not party to the
17 Doha Agreement, correct?

18 A No, the Doha Agreement was the result of our negotiations with the Talibs,
19 with some degree of shuttle diplomacy to get the Afghan reaction. We didn't sign the
20 agreement before we -- and gave it, for example, the final act, both the agreement and
21 the annexes, to their government.

22 Q So why were they excluded from the negotiations?

23 A Well, they were not excluded. This is a misnomer --

24 Q Why were they not a signatory to the agreement?

25 A Yeah. Because there was two separate agreements on the same day.

1 One was the joint statement in Kabul with the NATO Secretary General in Kabul. The
2 other one was the U.S.-Taliban agreement signed in Doha that Secretary Pompeo was
3 there.

4 Because, before, the Talibs were insisting that they wouldn't meet with the
5 government before there is a U.S.-Taliban agreement. And our position -- I'm sure you
6 have studied it -- our position on negotiating with the Taliban changed over time.

7 Initially, in the aftermath of the 9/11 attack and the overthrow of the Taliban, we
8 were very angry, and my mission -- then I had the Presidential Envoy mission -- from the
9 President of the United States, from the administration, that we want to bring them to
10 justice. We were in a strong position. They wanted to enjoin and support the
11 government in exchange for a kind of amnesty.

12 Then we said, okay, we'll meet with you if you accept the constitution, if you
13 renounce violence, if you break with terrorists. Preconditions. This is 6, 7 months
14 after.

15 Then comes the Obama administration, and I'm not saying this in a partisan way.
16 Secretary of State Clinton, as the situation becomes more difficult militarily on the scene,
17 says, those preconditions will become in-conditions of any agreement that includes the
18 Taliban.

19 Move forward, we allow the Taliban to open an office in Doha to negotiate with.
20 And we agree, as during the subsequent years, to, okay, first, an agreement between the
21 Talibs -- because the Talibs were refusing our earlier approaches. And then
22 Afghan-Afghan meeting occurs.

23 Q Ambassador, would you agree that binding Afghanistan, a nation-state,
24 irrespective of the second agreement --

25 A Right.

1 Q -- to the Doha Agreement, to which it was not a party to --

2 A Right.

3 Q -- violated its sovereignty as a country?

4 A Well, we didn't attack them or so on to get their adherence or coerce them
5 into coming and saying they agreed to the Doha Agreement. We decided on behalf of
6 the United States as a -- we are sovereign, as well -- that the U.S. forces will withdraw and
7 that these conditions.

8 We thought this was the interest of Afghanistan too, to sit down -- because it
9 opened the door at Doha for direct negotiations for the first time between the
10 government and the Talibs -- never had happened before -- at a very high level, that this
11 was a workable approach.

12 The alternative would have been if we had insisted that there would be -- Talibs
13 must agree to sit with the government and with us at the same time. That would have
14 meant essentially a prospect to continue the conflict and not reach an agreement. And
15 the Pres- -- management decided, no, let's do it in this sequence.

16 Q So am I correct in understanding that representatives from the Afghan
17 Government were not included in the negotiations over the Doha Agreement, setting
18 aside --

19 A Not directly, but indirectly, yes. We talked to the government and then we
20 talked to the Talibs, and talked to Talibs and then talked to the government.

21 Q But in the fall of 2018, you, as a Special Representative for Afghanistan
22 Reconciliation, met with representatives from Saudi Arabia, Pakistan, and the UAE. Is
23 that correct?

24 A Yeah, that's correct, at the end of 2018, December I think, maybe November,
25 end of November, December. Yeah.

1 Q So I want to go back to my initial point. Why did you exclude Afghanistan,
2 the Government of Afghanistan, to which this has a direct impact on, from negotiations
3 over the Doha Agreement?

4 A First, if you -- I don't know, you asked two questions, one on the UAE
5 meeting.

6 The UAE meeting, for the record, was an initiative of the United Arab Emirates,
7 not us, and which was based on a premise that they had very tight relations with
8 Pakistan, UAE, and that they could deliver the Talibs to a meeting to which the Afghan
9 Government -- which they also invited to that meeting, and we welcomed it -- was
10 invited, plus Saudi Arabia as the other co-convening power. And the United States was
11 invited.

12 At the end, that initiative failed because the Talibs refused to sit with the
13 government and negotiate. And they even refused, with much effort, myself included,
14 that they even socially meet or pray together as Muslims in the evening. They said, we
15 do not recognize the government as a legitimate government of Afghanistan. This is a
16 government, product of occupation by the United States forces. It is not a legitimate
17 government.

18 And so, therefore, we could have said, this is the -- one option would have been,
19 let's go back until they agree to do that and keep doing more of the same. But always
20 have to remember that the decision was a withdrawal.

21 Q So I want --

22 A That is a decision that, in the American kind of -- based on the leadership's
23 perspective and to get an agreement for a safe withdrawal and, plus, that the Afghans
24 come to a decision among themselves.

25 Q So I want to go back to a point that you just said, that they didn't recognize

1 the Afghan Government as a legitimate government --

2 A Yes.

3 Q -- "they" being the Taliban.

4 A Yes.

5 Q Did you consider -- or the government more broadly, but as sort of the chief
6 negotiator --

7 A Yes.

8 Q -- that, by excluding the Afghan Government, you gave credence to the
9 Taliban's contention that the Afghan Government was a U.S. puppet?

10 A Well, we told the Talib each and every instance that we recognize the
11 Government of Afghanistan as a legitimate government, elected, and as a state in good
12 standing as a member of an international community, and we didn't recognize the Talib.
13 Even the Doha Agreement, every time it mentions the Talib on it, says the U.S. does not
14 recognize it as a legitimate entity.

15 But the realities were that the Talibs were not willing to meet with the
16 government before an agreement between the U.S. and the Talibs. And for reasons that
17 I have explained before, a decision was made at the highest levels of the administration
18 to do it the way it happened.

19 Q Thank you, Ambassador.

20 A Yeah.

21 Q I think we're close -- our time is up, actually. So we'll stop the clock and go
22 off the record.

23 [Recess.]

24 [REDACTED]. We can go back on the record.

25 [REDACTED]. Thanks.

1 BY [REDACTED]:

2 Q So we left off right as you were about to take office as the Special
3 Representative on Afghanistan Reconciliation. And I want to talk a little bit about the
4 work that you were doing in that role.

5 A Yeah.

6 Q And I think, you know, in the last round, you talked a little bit about how the
7 conditions and the approach evolved over the years on talking to the Taliban.

8 So, right before you started, the administration reversed years of stated policy
9 that talks related to reconciliation must be Afghan-led and Afghan-owned --

10 A Right.

11 Q -- and to shift into an approach that we would talk directly to the Taliban.

12 A Right.

13 Q And you also -- and I was going to get into this, but -- you also confirmed that
14 this was a reversal of policy, correct?

15 A The talking to the Taliban was not a reversal of policy, because that had
16 begun already under the Obama administration. We had had several meetings,
17 including Alice Wells just weeks before I came on board -- that counted Doha -- and had
18 meetings.

19 But we became very focused, the United States, on getting a negotiated
20 agreement for withdrawal of the forces, plus others became very focused and sharply
21 focused on -- at least, that's my judgment when I was asked to come in and conclude that
22 and get that outcome, get an agreement that would give us those.

23 Q Okay. And what did you understand direct talks with the Taliban meant for
24 the role of the Afghan Government in talks?

25 A Yeah. In our conceptualization, we thought there would be two

1 negotiations simultaneously and then this merges.

2 So there'd be proximity talks, the equivalent. We talk with the government; we
3 talks to the Talibs; we continue what we are doing with the government, with military
4 assistance, giving them support in the fighting, economic support, political support; but,
5 at the same time, then reach an agreement with the Talibs and with the government
6 about a future; and then the two sides sit together and negotiate the end of their war.

7 Q And do you think, looking back now, that this was the right approach?

8 A In my view, given the judgment on the withdrawal, the necessity of a timely
9 withdrawal, this is not only the best negotiating but the only approach that I could have
10 thought of.

11 Now, in the details, there could have been adjustments. For example, after the
12 agreement, when we got to the intra-Afghan negotiations, many thought that we should
13 get the U.N. and then turn it over essentially to a U.N.-led process and get us out.

14 And this administration, the Biden administration, shifted a bit to that, not
15 completely a bit to that, by saying this Turkiye meeting that initially had been a Talib
16 initiative, it should have the U.N. as a co-convenor, if not the convenor. We should
17 press the U.N. to appoint someone to actually, if not replace our hand, but to get
18 also -- to share that burden, to internationalize it and get a greater role for the U.N.

19 But on the withdrawal, on terrorism, on not attacking U.S., those were so critically
20 important for the national security of the United States that we weren't willing to
21 delegate that to the U.N. to negotiate on our behalf.

22 Q And as you engaged in this -- I just wanted to confirm one quick thing.

23 A Yeah.

24 Q You said, kind of, this was the only approach.

25 A Given that. Because, I mean, I might have preferred a different approach

1 myself, but that would not have -- I could not have said that that would produce this
2 withdrawal as quickly as possible.

3 The heart of the matter is, what was the highest priority? And the highest
4 priority was to get us out of this war. Which was believed -- and I haven't said
5 that -- that this was not only not going well, it was a drain, that we were misguided, that
6 we were in a quagmire, that our enemies were having a great deal of fun watching us
7 suffer casualties and cost at little expense to them, while we didn't have a path to victory
8 in a reasonable timeframe.

9 There was a loss of confidence that our people who were in charge of winning the
10 war knew what it would take to win the war and had given the Commander in Chief a
11 plan that he could have confidence in, in the aftermath of the South Asia strategy and
12 what had happened. So it was in that environment.

13 Okay. The other option is no agreement, I'm announcing withdrawal in 6 -- in so
14 many months. Period. Well, that -- you wouldn't have gotten the safe withdrawal, you
15 wouldn't have gotten terrorism commitments, you wouldn't have gotten Afghan-Afghan
16 negotiations. I'm just pulling the plug on this. I can announce that tomorrow, or I
17 could announce it today.

18 So one has to appreciate the context in which this was happening and, therefore,
19 what had priority over what. And the perception was, if we link it to Afghan-Afghan
20 agreement, we will never leave, because there is one side that wants us to stay there
21 indefinitely and they think these are good days, so why would they make a deal if they
22 know that -- unless they agree -- we give them a veto over our forces withdrawal.

23 So this is the complexity in which we had to operate.

24 Q Okay. Thanks.

25 And when you started the negotiations process with the Taliban -- you know,

1 there's a lot of talk of leverage.

2 A Uh-huh.

3 Q What did you see as the biggest source of leverage?

4 A The biggest source? Military force. They didn't want us -- or, they
5 wanted us to withdraw.

6 Two was violence that the military force can do.

7 Three was that, you know, they wanted good relations with us, you know, for the
8 longer term.

9 They said, "We made a mistake, one mistake." I said, "You made many
10 mistakes." But they said, "We made one mistake with you. We allowed al-Qaeda to
11 stay there, although you brought them." And we would have those discussions, that the
12 1980s, during the Soviet occupation, you brought all these folks, encouraged them to
13 come, and, you know, Afghan hospitality -- you know, nonsense like that.

14 But, in any case, at the end, "Okay, we made a mistake. Twenty years of
15 punishment is not enough? How long?"

16 Q Yeah.

17 A And then they wanted to have good relations. So there was a range of
18 things. They wanted American money for reconstruction. They wanted all of that, I
19 mean, the normal stuff. So there was a range of leverage.

20 Q But the main one, you said, was military.

21 A Was military, the main one.

22 Q Was it your understanding from the --

23 A At that time. But over time, of course, that changed.

24 Q Sure.

25 A As we got an agreement, there were other things that became more

1 important. Yeah.

2 Q And, at that time, did the Taliban also understand that our main point of
3 leverage was troops?

4 A Oh, definitely, I think. Yes.

5 Q Okay.

6 A And I would say to our leaders here sometimes that, if we keep saying we're
7 getting out regardless, that doesn't give me a lot of leverage. I would say, "Because this
8 is my leverage. Please don't say much." "Okay. Understood, Zal. We won't do
9 that." But it would last only a week or 2 days and then --

10 Q Well, that's a good transition point --

11 A Yeah.

12 Q -- to my next newspaper article, exhibit --

13 A The New York Times, I have to say for the record.

14 Q I'll get into that part.

15 A Okay. All right, yeah.

16 Q So this is an article from December 20, 2018, from The New York Times, and
17 it's entitled "U.S. to Withdraw About 7,000 Troops from Afghanistan, Officials Say."

18 A Yeah.

19 Q I'm going to just read a couple lines from there.

20 [REDACTED]. Exhibit No. 5.

21 [Khalilzad Exhibit No. 5

22 Was marked for identification.]

23 BY [REDACTED]:

24 Q "The Trump administration has ordered the military to start withdrawing
25 roughly 7,000 troops from Afghanistan in the coming months, two defense officials said

1 Thursday, an abrupt shift in the 17-year-old war there and a decision that stunned Afghan
2 officials, who said they had not been briefed on the plans."

3 Were you familiar with this?

4 A I don't -- I do not believe we executed this, did we? I'm not -- I may have
5 read the piece at the time, but I don't have a strong recollection that -- I think if -- my
6 recollection is that, when I took the job, we were at about 15,000 or so. And then,
7 based on the agreement, we went down. Then phase 1, which the agreement specified,
8 we went to 8,600.

9 Q Correct.

10 A And the subsequent phases were to be conditional on Taliban performance,
11 on their part.

12 So that, sort of, is my recollection.

13 Q Right. I just wanted to ask about the time --

14 A Yeah.

15 Q -- and place of this --

16 A Yeah.

17 Q -- article.

18 A Because this would have been when I came at -- when I was on board
19 already --

20 Q Right.

21 A -- a month into, or a month and a half, or 2 months into the job.

22 Q And after you started discussions with the Taliban.

23 A This, I would've had my first meeting with them.

24 Q When was your first meeting with them?

25 A Sometime in November. And then, as your colleague asked, then I had also

1 a meeting with them in late November, early December in the UAE.

2 Q Right.

3 A Yeah.

4 Q The reason I'm asking this -- and I'd like to get your take on this -- is, a couple
5 of times, I think, while in your tenure --

6 A Yeah.

7 Q -- you just testified that your biggest leverage was military strength.

8 A Sure.

9 Q And I'm wondering how these announcements -- and there were a few of
10 them --

11 A Right.

12 Q -- whether or not they were fulfilled or not, impacted your overall
13 leverage in being able to negotiate.

14 A Yeah. No, absolutely not good.

15 Q Absolutely --

16 A Not good.

17 Q Not good.

18 A Yeah.

19 Q It undermined your leverage, you'd say?

20 A Well, to say "not good" is as far as I'll go, because -- and I must have raised
21 this many times.

22 Q With who?

23 A With the management. And would say, "Look, charm can take you only so
24 far," I would say.

25 These statements or decisions to be made, that so many forces should leave

1 without an agreement, would not help.

2 And I have to say, I had some limited success for a period on reversing or delaying
3 some implementation, because everybody in the room would agree that Zal is right, so to
4 speak, you know, this would not be helpful in terms of negotiations, yes.

5 Q So, to be clear, the instances where there were public statements either via
6 Twitter or in the newspaper --

7 A Right.

8 Q -- that the administration, the management, White House, as you say --

9 A Yeah.

10 Q -- was going to reduce troops undermined leverage and your ability to
11 negotiate?

12 A Right. Not good. Not helpful.

13 Q Okay. Thanks.

14 [REDACTED]: I heard you.

15 Ambassador Khalilzad. Thank you. Right. Yeah.

16 BY [REDACTED]:

17 Q So I wanted to talk a little bit about the framework of the agreement that
18 you announced in January 2019.

19 A Right.

20 Q So this is not your picture, but it is your tweet.

21 A Okay.

22 Q After a while, they changed the picture.

23 A Yeah. Okay. Even for my tweet.

24 Q That's your tweet.

25 A Yeah.

1 Q The government's, the position's tweets.

2 A Yes.

3 Q It's not from The New York Times or --

4 A Yes, it's from my --

5 Q So, in January --

6 [REDACTED]. This is exhibit 6.

7 [Khalilzad Exhibit No. 6

8 Was marked for identification.]

9 BY [REDACTED]:

10 Q So this is a series of tweets dated January 26, 2019 --

11 A Yes.

12 Q -- where, basically, you announced on Twitter that a framework of a deal had
13 been reached between the United States and the Taliban.

14 A Uh-huh.

15 Q Okay. How were the parameters of this framework established?

16 A Well, the framework was withdrawal, counterterrorism commitments, no
17 attack on U.S. forces during withdrawal, ability to attack in support of the Afghan
18 Government if they get attacked, intra-Afghan negotiations for a political agreement, and
19 a cease-fire overall. That was the elements.

20 The details were still to be negotiated. Like, withdrawal over how long, our
21 timeframe? Took a long time. Terrorism, what does that all mean? But the Talibs
22 were willing to make commitments on these other things that we cared about -- no attack
23 on us, terrorism commitment, talking to the government that they had rejected as
24 illegitimate, and a cease-fire.

25 This is a package, that that's the framework, was a package of elements that an

1 agreement would flesh out in the details of.

2 Q So I'll just read the first two --

3 A Yeah.

4 Q -- and leave the "thanks" on the side, but:

5 "After six days in Doha, I'm headed to Afghanistan for consultations. Meetings
6 here were more productive than they have been in the past. We made significant
7 progress on vital issues."

8 "Will build on the momentum and resume talks shortly. We have a number of
9 issues left to work out. Nothing is agreed until everything is agreed, and 'everything'
10 must include" -- "must include" -- "an intra-Afghan dialogue and comprehensive
11 ceasefire."

12 A Yeah.

13 Q Just going back to these parameters, was there an interagency process that
14 established this framework?

15 A Yeah, sure, constantly. Although, in the Trump administration, the process
16 was somewhat different than in the Biden administration. And, sort of, more maybe
17 administration to administration and party to party have different approaches. And this
18 was decided at this very senior level, at the Secretary, ministerial level, let's call it, rather
19 than at the worker-bee level.

20 [REDACTED]. In the Trump administration?

21 Ambassador Khalilzad. Yeah. Because we would -- you know, I had the worker
22 bees with me, so to speak, representing different agencies, but the decision-making
23 approval process was Secretary Pompeo and others and then talking, engaging with the
24 President.

25 BY [REDACTED]:

1 Q And you talked about this a little bit earlier, where you talked about how the
2 conditions had changed and evolved, and initially there were some that were
3 preconditions, and then it became --

4 A Became in-conditions, and then putting aside the conditions and --

5 Q Right. Do you recall what those conditions were?

6 A Which ones?

7 Q The three main ones that had sort of been the preconditions and the
8 post-conditions?

9 A Yeah. Well, because I was the author of the preconditions, because it was
10 during the time I was the Ambassador in Kabul, which was: accepting the new
11 constitution after 2004, that was a -- the new constitution, the Taliban accept; two, they
12 must renounce violence against the government; and, three, to break with terrorists.

13 Q Okay.

14 A These were the three preconditions that Secretary Clinton during the Obama
15 administration made those as in-conditions that we could negotiate -- essentially start
16 negotiations without conditions, but then, in order for an agreement to be reached, these
17 conditions or these requirements have to be met. That's what the -- that was the first
18 big change.

19 Q Right.

20 And what about the inclusion, say, for example -- you know, there's always a big
21 discussion about human rights --

22 A Yeah.

23 Q -- minority rights, women's rights.

24 A Well, that was not -- we would have dealt with those in the course of
25 negotiations, but the big things that the Talibs had to meet were those. It didn't mean

1 nothing else, but those were the ones that were emphasized in the aftermath of 9/11.
2 Especially, it became -- it got sanctified, kind of, within a couple of years of 9/11, and
3 therefore it reacted to those, and then it evolved as I described.

4 But there would have been other issues. If they accepted the constitution -- the
5 constitution, in any case, dealt with all of that, that minorities had rights, women had
6 equality under the law -- all of that -- freedom of religion within the context of
7 Afghan -- all of that were in the constitutional document.

8 But whether they needed to be separated and put forward, I think our allies would
9 have insisted on that, because Europe was, even during the course of the negotiations,
10 was constantly pushing the explicit language on rights of minorities and so forth, that we
11 obviously also supported, but they were a driving force, pushing in all the meetings on
12 that.

13 Q And so, ultimately, did you consult with the Democracy, Human Rights, and
14 Labor Office or the Global Women's Issue Office when you were coming up with the
15 parameters of the agreement?

16 A Well, I personally did not, myself. But I'm sure my team members always
17 engaged with other parts of the Department on these issues.

18 Q And you earlier mentioned, I think when you talked about the parameters,
19 there was an interagency process.

20 A Right.

21 Q The Trump administration had a unique way of doing it, and the Biden
22 administration --

23 A Yeah, those were different.

24 Q Can you tell us a little bit more, comparing and contrasting the difference
25 between the Trump and the Biden administrations?

1 A I think there was -- the Biden administration distinctly had an emphasis on
2 lots of interagency meetings, even though one would know where we're heading, but,
3 nevertheless, more meetings and more meetings. That's a style issue, I think. It's
4 maybe Democratic and Republican administrations, different styles.

5 And I would say that in the Trump administration, too few. So I would say too
6 many versus too few. If somehow they could fuse. So, yeah, I mean, I would say that
7 that would be my judgment. Yeah.

8 Q And in the tweet when you announced the framework -- you frequently
9 emphasize that nothing is agreed until everything is agreed.

10 A Yes, that's what my view was.

11 Q Was that principle reflected in the final text of the --

12 A Yes, it was agreed to.

13 And then I also said that implementation was a package deal. I told Congress
14 that when I came to testify, that this was a conditions-based agreement. You know, our
15 withdrawal, it depends on the other things. But I think it's fair to say that management
16 saw it differently at the end.

17 Q That it was a conditions-based agreement, management saw that
18 differently?

19 A At the end.

20 Q Okay.

21 A Because of the -- and the fear was that if we insist on some of these, such as
22 the Afghans reach an agreement, a new government, and a cease-fire, we'll get stuck
23 there. Because they didn't have confidence.

24 I mean, I was even asked sometimes by management, "Can you guarantee us all
25 that if we extend it another 4 months they will agree?" I said, "Guarantee? What

1 business are we in here? We're talking about negotiating between two warring parties
2 who see things in a zero-sum way, and you're asking me that I can guarantee? I think it
3 increases the prospects. That's the best I can say. But there's no guarantee. I can't
4 guarantee that there will be an agreement."

5 Q And what were the conditionalities included in the agreement to ensure that
6 the Taliban was also making concessions?

7 A Well, the negotiations with the government, which they had refused to
8 meet, that they would sit with the government and negotiate on a new government, and
9 to sit with them on an authoritative level, people that they had called all kinds of names
10 and had killed each other.

11 Two was that they give us a kind of unilateral cease-fire, not attack us while we
12 could attack them.

13 And that, on terrorism, for example, they had -- it took us a long time, a long time.
14 And I said that we must have it to mention al-Qaeda specifically. They will say "no group
15 or individual can use the soil of Afghanistan to threaten the security of the United States
16 and our allies." I said, well, that's good, fine, but I need it to say "including al-Qaeda"
17 here. Because that's what brought us to Afghanistan. If I now get out, I want to
18 know -- make sure that the people who provided them with shelter did not turn them
19 over from where the planning occurred, that that is mentioned.

20 But, again, you have to remember the context, if I mention, that the
21 announcement and the impression that we want to get out almost regardless, it
22 wasn't -- you know, this was the context in which I had to keep pressing them. Because
23 sometimes they would tell me, "Who do you work for? We just saw what the White
24 House has said."

25 Q The Taliban would say that?

1 A Would say that, yeah. "And you are here saying, no, that's not it. This is
2 what it is. I need things from you." So there was that, yeah, yeah.

3 Q And you also talked about a cease-fire in these documents -- in the tweets,
4 rather.

5 A Yeah.

6 Q In what stage of the negotiation process, if any, did the Taliban agree to
7 implement a nationwide cease-fire agreement?

8 A Well, there are two parts that came out.

9 One was that -- there was a question raised by many people, including President
10 Ghani and others, that the people we were negotiating with were not representing all
11 Taliban, they were just some subgroup. How do we know that we are negotiating with
12 the Taliban in their entirety?

13 And so we came up with the idea, how do we test that to prove to President Ghani
14 that there's more to it than just some one group of Talibs and God knows who they
15 represent, sort of idea?

16 So we said there should be -- before we sign an agreement, we want to
17 see -- General Miller said he wanted to see an 80-percent-plus reduction in violence for a
18 period, a week, was the idea.

19 And the Talibs initially were arguing, why -- you know, why? But they ultimately
20 agreed. We said, "We need it. Otherwise, we're not going to sign it." And they did
21 deliver on that. It was actually -- the Afghan Government called it, like, a cease-fire.
22 And it exceeded our expectations, because the people -- we thought there could be gaps
23 between the political leaders and military commanders, but, no, it turned out that
24 they -- they had.

25 Second was that the cease-fire was agreed by both sides to be one of the top

1 items under negotiation for us. Because they were saying that the Afghan-Afghan
2 negotiation -- the American-Talib cease-fire or rules of engagement had been agreed to.
3 Now, they said, with each other, as Afghans, that they would put that as one of the top
4 items in the agenda.

5 And during the period, although I don't know how many people know, many
6 proposals on reduction of violence was given to us by the Talibs -- many, many, as to
7 proposals, while negotiations go on, what can or cannot happen. Unfortunately, we
8 couldn't reach an agreement with the government. They didn't agree to some of those,
9 and they didn't make counterproposals either.

10 Q But, to be clear, there was a reduction in violence for a short period --

11 A Of time.

12 Q -- but never a comprehensive cease-fire?

13 A No, never. But that was to be the subject -- like, the government, a
14 comprehensive cease-fire was to be part of the Afghan-Afghan negotiations.

15 Q But, ultimately, it was your sense from the management that these things
16 did not matter as long as we got to a --

17 A Right. Well, that would've been desirable, but not necessary to execute
18 the withdrawal.

19 Q Okay. Thanks.

20 A Yeah.

21 Q So I wanted to go back to your engagement with another important foreign
22 policy institution in this city, Congress.

23 A Yes.

24 Q When you first started in September, tell us about your relationship with
25 Congress.

1 A Well, I regard Congress as part of my management, when I say, personally.
2 And my record in public service has been that I was always open to engage and have good
3 relations. I'm proud that I got a wall-to-wall vote for my U.N. job, which was a
4 contentious position with domestic dimensions. And my predecessor, John Bolton, is a
5 good friend who had a different outcome.

6 But, you know, the decision for me to appear and to brief was made by
7 management, not by me. And I had to -- there was a time I'd complained, a couple of
8 times, "I'm about to be subpoenaed to appear," you know? "There's no need for a
9 subpoena. I'd like to appear. But I'm not allowed to go do it." So it was a -- I would
10 put that as a decision by management.

11 ██████████: Let the record show that he did appear and the subpoena was
12 withdrawn.

13 Ambassador Khalilzad. Yes. But it was because, in part, of my desire that I do
14 not want to be subpoenaed, as if I'm in violation of a congressional --

15 ██████████: Okay.

16 Ambassador Khalilzad. Yeah. Yes. That's a good point. Thank you.

17 ██████████: There are a variety of interpretations of how that went down, and
18 we don't have to talk about that now.

19 Ambassador Khalilzad. Okay.

20 ██████████: But I do --

21 Ambassador Khalilzad. But, personally, I've been always -- and I believe that
22 Congress has its own role, and I support appearing and briefing and informing. But we
23 have our system, and the decisions are made as outlined in our system, so -- but briefing,
24 I -- yes.

25 BY ██████████:

1 Q You mentioned that management determined that you could not.

2 A Right. For a long time.

3 Q Why?

4 A I don't want to actually express a view on that, because I don't -- I don't want
5 to say anything on that. I think there are comments that people have made. I don't
6 know that they ever intended for me to brief on them. Yeah, they just thought the
7 polite version is not needed right now. Yeah.

8 Q Okay. But did you and your management understand that there was
9 congressional interest in --

10 A Oh, absolutely. Oh, sure, absolutely, I understood it, because I would hear
11 from some Congressmen and -women directly. So, yeah, I know, of course, there was
12 interest.

13 Q Do you believe not consulting with Congress was a mistake?

14 A Well, I don't know whether -- I mean, I always believed that, I always
15 believed that, that it's -- we're doing something because we believe in it. We have
16 reasons for it. We have justification for it. We know more about why we're doing
17 what we're doing than anyone else, including, with all due respect, Members of Congress.
18 And, therefore, we are much better off to go and explain what we're doing and why we
19 are doing it than letting them speculate and worst cases and -- and I believe strongly that.

20 And I have had, historically, good relations with Congress, except this last job.
21 That became more contentious.

22 BY [REDACTED]

23 Q Can I just ask, to clarify for the record?

24 A Yes.

25 Q You said that management was restricting you from speaking to Congress --

1 A Well, decided on when to do it, whether to do it, yes.

2 Q It was determining that you shouldn't speak --

3 A Yes.

4 Q -- to Congress.

5 A Yes. It was not my --

6 Q Can you speak to who was --

7 A Well, management -- I worked directly for the Secretary of State. There
8 was no one other than him --

9 Q So Secretary Pompeo was --

10 A -- in my chain of command telling me, you can't do that. It would've had to
11 come -- I worked for the Secretary of State.

12 Q Okay. Understood.

13 And, to be clear, then, the timeframe that Congress was seeking information from
14 you in which Secretary Pompeo and potentially others in management were not allowing
15 you to brief, that timeframe was what year?

16 A Oh, we're talking about -- I think the request was a lot in '19 and in '20, I
17 believe --

18 Q Okay.

19 A -- if I'm not mistaken.

20 Q And you said earlier that you don't want to explain the reasons, as you
21 understood them, for why --

22 A Well, I don't know whether I would call them reasons. Attitudes, let's call
23 it, yeah.

24 Q So, then, let's split the baby here. You gave a polite reason --

25 A Yes.

1 Q -- in your testimony just now, as, it wasn't needed right now. Can we infer
2 that the reason was, in fact, impolite that you were not sharing?

3 A No, no, I wouldn't like to characterize it beyond what I have done. Yes.

4 BY [REDACTED]:

5 Q Did you vocalize your concerns, you desire to brief Congress?

6 A Oh, I have always. I've always given this argument that I gave, which is, we
7 know more than they do about what it is we are doing, why we are doing it. We're not,
8 kind of, born yesterday and we're just doing something without thinking about it. We
9 have reasons to do it.

10 So, if the most authoritative people who know or have command of the facts,
11 know what our objective is and how we're going about it, does not share that, how will
12 we expect support and understanding?

13 So I feel philosophically that, unless there is something extremely sensitive like
14 lives are going to be at risk if there is a leak -- because that is an issue. The more people
15 you talk to, I believe the more leaks are probable. But in a grand policy, like wanting to
16 get out of Afghanistan or do an agreement that lays the ground and gives us a roadmap
17 for withdrawal, we need to engage and explain.

18 Q Did you address these concerns specifically with the Secretary?

19 A I addressed it with management, yes. I worked for the Secretary, yes. So,
20 right.

21 Q Did you express it to the Secretary individually?

22 A I don't know whether individually, but certainly I've expressed it to him and
23 to the management otherwise. Because there is congressional office and all that, so
24 there may have been all -- "L" and everybody may have been in the room, but, yes, I have
25 expressed my views. I think I was one of the -- people knew that I liked to talk to

1 Congress.

2 [REDACTED]. I want to introduce another exhibit, also not a newspaper article.

3 Let me just give this one to you so you can see it.

4 [REDACTED]: Exhibit 7.

5 [Khalilzad Exhibit No. 7

6 Was marked for identification.]

7 BY [REDACTED]:

8 Q So this is a transcript of a hearing that the House Foreign Affairs Committee
9 held in March of 2019, March 27th.

10 A Yes.

11 Q If you turn to page 88 --

12 A Yes. It was with the Secretary, it seems.

13 Q Yes, Secretary Pompeo.

14 A Yes.

15 Q And an engagement that we had in front of our committee, but it's Colin
16 Allred, who's a member of our committee.

17 A Yeah.

18 Q And he's asking about Afghanistan.

19 He says, "I hope you understand that, with a 17-year war heading into the 18th
20 year, that the Congress deserves to have a role in how we are going to proceed here."

21 Secretary Pompeo: "A hundred percent."

22 Mr. Allred: "OK. Well, thank you. I think this committee deserves to
23 have -- we can have a classified briefing. We can do it in way that I think is secure. I
24 think if you were in our seat during the Obama Administration era and we were having
25 the discussions around the JCPOA, and they refused to give you any information until the

1 very end --"

2 Secretary Pompeo: "I actually was, and they did."

3 Mr. Allred: "Oh, they did not. They gave you briefings. I know that that is --"

4 Secretary Pompeo: "Meaningless and unimportant."

5 Mr. Allred: "Meaningless briefings?"

6 Secretary Pompeo: "Yes."

7 Mr. Allred: "OK. Well, I would like to have some kind of a briefing because we
8 have not had that at all."

9 Secretary Pompeo: "You want more than a meaningless briefing, and I would
10 not be doing it right if I gave you a meaningless briefing."

11 Mr. Allred: Well, this is an important issue, and I think this committee, in
12 particular, deserves to have some information on it. And I want to also talk about the
13 conditions for our withdrawal, because previous U.S. policy has required the Taliban to
14 accept the current Afghan constitution, including its provisions and protections for
15 women and minorities. Why have we dropped that condition?

16 Secretary Pompeo: "You should not be certain that we have dropped any
17 conditions based on what you may have read in some newspaper."

18 Mr. Allred: "Well, I have not had a briefing. So I do not know what our
19 conditions are."

20 So I'll pause there. And there's more in this, but I'd just like to get your reaction
21 to that engagement.

22 A Yeah, that obviously provides a good context for why I was not allowed to
23 come often.

24 Q Okay. Thanks.

25 I wanted to move on a little bit to the March 2019 framework sort of time period.

1 I believe, at that time, the then-National Security Advisor of Afghanistan, Hamdullah
2 Mohib, traveled to Washington for meetings.

3 A Yes.

4 Q Do you recall his visit?

5 A Not in detail, but I was saying, yes --

6 Q Okay.

7 A -- I heard you. Yeah.

8 Q Okay. During this visit, he did regular meetings with the State Department,
9 the White House, came to Congress. And he came and met with Members of Congress
10 and the administration and claimed that you were bypassing the Afghan Government --

11 A Right.

12 Q -- in your negotiations with the Taliban. Do you recall that?

13 A I'm familiar with the charge. I don't recall what he said to Members of
14 Congress. Yes.

15 Q Had you heard that charge before?

16 A I don't know when he made a public, more or less, statement, whether it
17 was during that visit, before or after, I don't know, but he did say something along those
18 lines or worse that made it in various media outlets. Yes.

19 Q Had you heard the concern from President Ghani or Mohib --

20 A No.

21 Q -- or others that the Afghan Government felt excluded from the discussion?

22 A I had not. And when the statement was made, the administration reacted
23 very harshly and negatively. As you know, he was summoned to the State Department,
24 and Under Secretary David Hale reprimanded him and said -- then we got a directive that
25 no American official can engage with him going forward.

1 And I was surprised by it. When I went to Kabul the next time, I asked President
2 Ghani, what was that about? Because we saw that he reflected the President's view.
3 And the President said, this was totally unauthorized -- President Ghani. And that was
4 with the Ambassador and others with me.

5 And he persisted in asking me if we could remove that, because I couldn't have
6 Mohib, the National Security -- in a meeting when I met with President Ghani. And he
7 said, on important things like negotiations, withdrawals, and so on, he would like to have
8 his National Security Advisor with him.

9 And then, after a lot of pleading -- he had pleaded with Secretary Pompeo, I think,
10 and was rejected -- he said, "I ask you now, not as President, but as a friend, to do me this
11 favor and meet with Mohib." And I did. I informed the Secretary that I was going to
12 do that. If he objects, he should let me know.

13 Because he's the President of the country in a very difficult, sensitive
14 time -- although he had attacked me personally. He hadn't attacked so much the policy.
15 He had attacked me personally. I said I forgive him, that sort of thing, you know, if he
16 showed impoliteness toward me. Because I had known him for a long time and had
17 helped to hire him for his first job at the American University of Afghanistan. He and his
18 wife, nice couple, very -- so -- and I did.

19 So, yeah, but -- and I said to the President -- he would occasionally, the President,
20 would tell me, President Ghani, that he would like to hear more from me, because my
21 meetings sometimes to Doha would take a month or 6 weeks and I wouldn't go, so -- but
22 he would think, why am I not getting in touch?

23 So I told him: You call everybody in the U.S., I know that. Why don't you call
24 me if you have some concern? You have my cell phone number. Or call me on Signal
25 or on WhatsApp if you want or, you know, any other way.

1 So then we agreed that I would call him just to say "hello" even if I don't have
2 anything to say, so that he knows that no progress has been made since we talked last in
3 the negotiations, the meetings are not going to take place because we are evaluating or
4 assessing this or that.

5 So, yeah, there was this impression created that the government was not
6 from -- but I have to tell you with the full confidence, there was nothing, nothing, that we
7 said to the Talibs that we didn't say it to Ghani as to what we were doing and why we
8 were doing it and where we were in the process.

9 And not only myself; General Miller would see him very frequently because of the
10 military operating, and he would talk to him about it, because he participated in the
11 negotiations.

12 And then, as Ambassador, I had to briefly do cables as to what happened in a
13 meeting. You would see him frequently.

14 And then are people still saying from the government that the Afghan
15 Government didn't see the annexes, that they were completely in the dark. Believe me,
16 he's the only person, other than the President and the Secretary of State of the United
17 States, that had the document left with him. I couldn't leave it with Bolton, the National
18 Security Advisor of the United States. They said, "You have to read it. I'll take it back."
19 But with the President of Afghanistan I left it, and we left the room, and, you know, and
20 so forth.

21 So I thought the charge was unhappiness with what we were doing, rather than
22 with the content --

23 Q Unhappiness --

24 A -- with the content of the agreement that we were trying to achieve, rather
25 than that Zal was not keeping him informed. That was my judgment.

1 Q I think there's a difference between -- because I don't think they're saying
2 they were not informed. I think they were saying they were excluded from the
3 negotiations, which are two different things.

4 A Well, they were.

5 Q They were --

6 A The Talibs would not negotiate with them face-to-face until there was an
7 agreement.

8 And he knew, then, from get-go -- he told me that he had told Pompeo, too, that
9 I'm the one that he should try to recruit for this job.

10 But Pompeo explained the framework to him, that this is how we're going to do it.
11 And I explained to him, that this is going to be in stages. Stage one, based on what's
12 going on, a desire to leave, is what we would do. We would reach an agreement with
13 the Talibs. Keeps you informed.

14 Stage two, Afghan-Afghan. We'll support your side in that Afghan-Afghan
15 negotiation. We want a democratic Afghanistan. We want human rights respected.
16 We gave them even a written assurances that in the intra-Afghan negotiation we would
17 support those objectives.

18 And he said, I feel satisfied with that.

19 Q You just mentioned --

20 A And then President Biden invited him to the White House. And he came to
21 Congress. Speaker Pelosi showed a lot of warmth and support for him, as well as
22 Members of the Senate.

23 So, I mean, they were highly connected with us. They knew a lot of what we
24 were doing or not doing. They knew it from multiple sources, not only from the
25 administration.

1 Q Right. But you mentioned that -- and you confirmed that they were
2 excluded from the agreement.

3 A From direct participation in negotiations.

4 Q Right.

5 A But indirect, yes. Direct -- they were at the table when we were talking to
6 Talibs. It was we, the government -- and I mentioned to you that UAE thought they
7 could deliver that, because they thought they -- the Pakistani military told them they can
8 deliver that. And we were enthusiastic. And Mohib was heading that delegation in
9 Abu Dhabi. I think you asked about it.

10 They were waiting -- and they got very angry. They were waiting in Abu Dhabi
11 for a couple of days and were not invited to come to the session, which I heard -- which
12 did them damage in, kind of, to their standing in the eyes of the Afghan people, that they
13 went there and were not invited to join the meeting.

14 Q So the Afghan Government at that time period -- so this is in 2019 --

15 A Yeah.

16 Q -- they were excluded from the agreement. Do you think they -- would you
17 agree they --

18 A Not from the agreement. From the negotiations --

19 Q From the negotiations.

20 A -- to reach the agreement. Because they knew what the agreement said.
21 They were not excluded. They knew a draft.

22 Q They were excluded from the negotiations --

23 A Formal negotiations to get agreement, yes.

24 Q That's --

25 A From direct negotiation.

1 Q To get to an agreement.

2 A Agreement. Yeah. But they were informed.

3 Q Sure. Sure.

4 A Not excluded by us.

5 Q So the Afghan Government was informed.

6 A Yes.

7 Q Okay.

8 A Kept informed, you know, continuously. They were in the picture.

9 Q Do you believe that the Afghan Government -- would you agree with the
10 characterization that they disliked the terms of the agreement?

11 A Well, there are parts that they liked, there are parts that they didn't like. I
12 think it's fair to say that they didn't like -- the one that they really objected to strongly
13 was the idea of a new government.

14 Q And --

15 A A new government based on intra-Afghan negotiations.

16 President Ghani at times would say, "Well, I'm not allowed by the constitution to
17 do things that -- go for a new government." I said, "Well, this is for ending a war. And
18 can you defeat them? You know, if you can defeat them, that's one thing. But if you
19 can't defeat them, then we have to compromise or fight. So these are the options.
20 And for the sake of ending a war -- many other places, wars have ended with political
21 agreements. And this is a political agreement that you would have to do."

22 And he preferred that they join. He told me he was willing to give 70,000 (ph)
23 slots to the Taliban in his government. He asked me to pass on to them how much
24 money his government could give to them for their party, kind of, running.

25 But Talibs were not interested in those things. They thought that would mean

1 continuation of occupation, as they described it. And they didn't fight so many years
2 with this sacrifice just to have a few slots in Ashraf Ghani's government. I mean, how
3 can we -- they would argue with me, "How can we fill that? Our rank and file, we lost
4 hundreds of thousands of people. We wanted to be a couple of ministries in the
5 government."

6 But to say, a new government, them and us, they're a reality, that's what we
7 should be talking about.

1

2 [2:19 p.m.]

3 BY [REDACTED]:

4 Q So then, from that time period through, like, August, September, you make
5 good progress in negotiations with the Taliban. You still haven't appeared before the
6 House Committee on Foreign Affairs at that time period.

7 A Yeah.

8 Q And there's some reporting of a meeting where you're finalizing the terms of
9 the deal.

10 A Yeah.

11 Q So let me just give you this article.

12 A New York Times again --

13 Q I am a subscriber.

14 A So am I.

15 Q So this is an article dated September 8th, 2019.

16 A By the way, Mujib is a very well-informed gentleman. I don't know about
17 Peter and Michael. They are good guys. I like both of them. But Mujib really came
18 to Doha. He was living in Doha. So he talked to all sides, and I think he was very
19 hardworking.

20 Q So are you affirming that The New York Times is a fact-based outlet?

21 A No comment.

22 Q You don't have to answer.

23 A No comment.

24 Q So this article is called "How Trump's plan to secretly meet with the Taliban
25 came together and fell apart."

1 A Yeah.

2 [REDACTED]. Exhibit No. 8.

3 [Khalilzad Exhibit No. 8

4 Was marked for identification.]

5 BY [REDACTED]:

6 Q September 8th, 2019. So I want to talk a little bit about this.

7 Can you remind us -- so this is a meeting that happens. And I'm just going to
8 read the -- one, two -- third paragraph: "As they discussed terms of the agreement, Mr.
9 Pompeo and his negotiator, Zalmay Khalilzad, made the case that it would enable Mr.
10 Trump to begin withdrawing troops while securing a commitment from the Taliban not to
11 shelter terrorists. Mr. Bolton, beaming in by video from Warsaw, where he was visiting,
12 argued that Mr. Trump could keep his campaign pledge to draw down forces without
13 getting in bed with killers swathed in American blood."

14 How do you respond to that?

15 A Well, he didn't say these things. There was a fault line inside the
16 administration that I was familiar with -- a school of thought that he should just leave.
17 No agreement. Just leave. The President or the management wanted to make an
18 announcement -- pledges to withdraw forces. If it's just withdrawal, why do you need
19 an agreement with the Talibs? No agreement with anybody. Just get out. Unilateral
20 announcement then.

21 I have to say, John Bolton was an advocate of that. That no agreement. Just
22 get out.

23 And I personally thought, if we are going to get out -- if we're going to get out, if
24 that's the decision that you want to get out, I saw the advantage and the costs. You
25 know, you are negotiating with the Talibs who fought us. But there are benefits, and

1 the benefit is safe withdrawal, which is what you want. And you withdraw as you fight,
2 because if you do a unilateral thing, there's no requirement on the other side.

3 And, two, there is nothing on terrorism -- that the commitment and requirements
4 for terrorism that gives us a path to come back or not withdraw if they don't. There is a
5 basis for adjusting depending on their behavior. It gives us leverage. You didn't do
6 that. You didn't do this.

7 And, third, what the legacy would be in addition if we can get Afghans to talk to
8 each other and perhaps come to even an agreement, rather than leaving a war zone and
9 say, "Have fun, guys. We're out of here, and I'm leaving." No. You want to -- if you
10 could achieve something that gives you in addition to those things, then besides a safer
11 withdrawal, that would be better. And everybody had their say.

12 So that's what the article reflects. This gives more color than necessary of what
13 really happened, but it was a short exchange. And it's in this meeting that something
14 else popped up.

15 Q What else popped up?

16 A Well, there was a meeting.

17 Q What meeting?

18 A A meeting that I thought maybe -- I think it's this meeting in which the idea
19 of bringing the Talibs to Washington came up.

20 Q Do you remember what date that was? The meeting? The meeting was
21 supposed to be September 11th, 2019.

22 A I don't know the exact date because --

23 Q The article suggests that it's supposed to be September 11th, 2019.

24 A Yeah. I don't know that because both sides have to agree, and this idea
25 was kind of whether it should be -- the discussion -- should it be the Talibs? Should it be

1 the Talibs and the government? Both? Should they be together or separate?

2 Q But, to be clear, what we're talking about is the President, at that time,
3 decided it was a good idea to invite the Taliban to sign the agreement you were
4 negotiating --

5 A No, no.

6 Q -- at Camp David.

7 A There was no idea of signing.

8 Q Okay.

9 A I don't remember any --

10 Q But to come to --

11 A To come -- he wanted to -- he wanted to -- as I understood it, to be seen that
12 he had done the achievement.

13 Q The President wanted to be perceived as achieving something by --

14 A Which he would have done it in any case.

15 Q By inviting the Taliban to --

16 A No. I meant, like, he had met with -- the analogy was given to North Korea.
17 He had met with the head of the North Korean Government and had made progress. He
18 felt that he was going to meet with the Taliban to look him in the eye and see that -- have
19 an agreement with them. And that was the context. And everybody around was
20 surprised by that.

21 Q Okay. Everyone was surprised by the --

22 A Surprised by this initiative that came from the chair of the NSC meeting, yes.

23 Q Okay.

24 A Yeah.

25 Q I just wanted to, before our time runs out, also just give you a copy of this

1 agreement, which I'm sure you're familiar with.

2 A Oh, this is -- yeah. This is -- obviously, I'm very familiar with this. Thank
3 you.

4 Q So I think there's a lot of discussion back and forth about this. But I did
5 want to go in here because we talked about some of these important commitments.

6 Sorry.

7 [REDACTED]. This is the agreement for -- quote/unquote, "Agreement for
8 bringing peace to Afghanistan between the Islamic Emirate of Afghanistan, which is not
9 recognized by the United States as a state, and is known as the Taliban and the United
10 States of America," dated February 29th, 2020. Exhibit 9.

11 [Khalilzad Exhibit No. 9

12 Was marked for identification.]

13 BY [REDACTED]:

14 Q Part one goes in here -- we talked a lot about the idea that the Taliban
15 committed to not allowing, as you say, Afghanistan to shelter terrorists.

16 Can you point out where in the agreement it says that?

17 A Oh, in part two, it should be. Yeah: "The Islamic Emirate of Afghanistan,
18 which is not recognized by the United States as a state and is known as the Taliban, will
19 not allow any of its members, other individuals or groups, including al-Qaeda, to use the
20 soil of Afghanistan to threaten the security of the United States and its allies."

21 Q So, to confirm, the terrorists al-Qaeda can be there, but they just can't plan
22 attacks?

23 A Right. But we have an annex, which we will talk about in a separate setting,
24 as to what the details of that are.

25 Q Right. But, in this public agreement, there is --

1 A That they won't allow that. Yes.

2 Q They're not allowed --

3 A Allow them to plot and plan.

4 Q So they can still shelter them, but they just can't plot and plan?

5 A Yeah. We would -- there was a lot of discussion -- I have to provide the
6 context -- of whether we wanted them -- I have to be careful -- to throw them out so that
7 they can go anywhere and plot and plan, or they could be there, and there are a specific
8 set of understandings of which one will be better on balance.

9 And so this language, which reflects a degree of unbalance with the other
10 understandings -- is it better that they be there, and what does that mean? The Talibs
11 are all saying -- some are married and have been there their whole -- there are people
12 who were there from the 1980s and married Afghans and stayed there.

13 Yeah. We found the arrangement satisfactory, let's call it. That's all I can say in
14 this --

15 [REDACTED]: And I think it's important that the Ambassador has already noted
16 that this is not a standalone document. There are associated documents, which he will
17 discuss freely in a classified setting.

18 Ambassador Khalilzad. Yeah. So it's sort of -- if you read it as is, you would
19 think the implication is that they can freely stay there and so forth, but that's not --

20 BY [REDACTED]:

21 Q Okay.

22 A -- the bottom line is that's not what should happen. Yeah.

23 Q Okay.

24 A I mean, they're free to do anything but whatever they call plotting, so to
25 speak. Yeah.

1 ██████████. Okay. Thanks.

2 And we only have a little bit of time left, so we'll stop there.

3 We'll go off the record.

4 [Recess.]

5 ██████████. We're on the record. We can start the time.

6 BY ██████████:

7 Q Ambassador, in the majority's last round, I asked you the question, did you
8 consider that, by excluding the Afghan Government from the official negotiations over the
9 Doha agreement, you gave credence to the Taliban's contention that the Afghan
10 Government was a U.S. puppet. You, I believe, responded to that question.

11 Is there anything else that you would like to add or you would be able to?

12 A I believe that, in order to have a safe withdrawal, in order to satisfy our
13 counterterrorism requirements, and in order to have Afghans sit together to negotiate
14 about their future, that had to be done.

15 If we had not agreed to that, we would -- and it's very unlikely that we would have
16 had the agreement that we did with the Talibs. We would have been able to withdraw
17 our troops safely and have the commitments on terrorism that we achieved.

18 It was a difficult option and difficult choices that had to be made, but what was
19 given priority was the ones that I described.

20 Q Did you consider that, by excluding the Afghan Government, you
21 delegitimized and weakened that government?

22 A No. We emphasized that the Afghan Government is a legitimate
23 government, but that it faced an insurgency for 18 years that has only grown in capability
24 and threat, and that it was -- we didn't see any -- the administration did not see a military
25 option to defeat them at an acceptable price, given our worldwide interest and

1 commitment.

2 So, therefore, the decision was made by the highest authorities in the country that
3 sequencing it was the price that was appropriate to pay to first reach an agreement with
4 the Talibs, then the Afghan Government, and during the negotiation with the Talibs, keep
5 the government informed.

6 Q Let me reframe the question.

7 My question was not whether the U.S. Government on behalf of another
8 sovereign government asserted that that sovereign government had power and was
9 legitimate.

10 My question was that, by excluding that government from being able to defend
11 itself and be able to assert its own position --

12 A Right.

13 Q -- as an independent country --

14 A Right.

15 Q -- did the Afghan Government become weakened, not just in the face of the
16 Taliban, but in the face of its own people and the face of its civilians and the face of its
17 armed forces? Was it destabilized and weakened by the fact that their President
18 couldn't negotiate on their behalf?

19 A They would have the opportunity to do that --

20 Q Yes, but not officially --

21 A -- but not on behalf of the United States.

22 Q -- but not on behalf of the Afghan Government in terms of the signatory.

23 A No. They would have had the opportunity to negotiate on behalf of the
24 Afghan people when they came to intra-Afghan negotiation.

25 But this was a sovereign U.S. decision about the safety of its troops, about the

1 counterterrorism requirements, and given the reality that the two sides, in our judgment,
2 couldn't defeat each other, we had to deal with each to satisfy our concerns, reduce the
3 costs of the burden of Afghanistan, which, in the opinion of management or the
4 administration, was too expensive, with no plausible road for success at an unacceptable
5 price. So that's why the decision was made.

6 But it took nothing away from the government to do what it wanted to do in
7 terms of its sovereign rights, and it took the position separate from us. It did not take
8 our advice at times, but -- because it was sovereign, and we would expect that.

9 Q Did you make assurances to the Taliban about a new government? About a
10 new --

11 A This was part of the agreement that there should be a new government
12 based on negotiations between the government and the Talibs because neither -- and
13 with the judgment -- could defeat the other.

14 So either it was war forever for as long as one could see or some kind of political
15 settlement. And we thought -- given the cost, it was our perspective we couldn't -- we
16 didn't force it on the government. We didn't change the government to -- so to have
17 one that would be --

18 Q But that government -- the Afghan Government was reliant on the U.S.
19 Government, was it not? So effectively --

20 A Sure. I mean, we knew that the reliance would continue, and we are
21 committed to provide the military assistance, economic assistance, weapons, training,
22 continuously.

23 Q Did that reliance continue, now looking at what happened in Afghanistan?

24 A Well, the government, to our surprise -- and the question needs to be asked
25 about what we did prior to that. Why didn't we -- why didn't the security forces -- given

1 their numbers were larger than the Talibs, given the weapons that were better than the
2 Talib weapons, given the money that they had access to bigger than the Talibs, given the
3 international support and recognition, including the United States -- why 20 years of
4 effort and cost didn't produce an entity that could withstand and defend itself and resist a
5 65,000 force versus a 300,000 force, although the numbers -- the Afghan numbers in this
6 regard are to be taken with a grain of salt -- but, nevertheless, a larger force crumbled
7 rather than stand up.

8 What was wrong with it in terms of how -- if I was doing lessons learned, what did
9 we do that should be reviewed? What about the Afghan political situation that
10 caused -- maybe lack of support by the military to the government. There was great
11 disappointment, in my view, in the government.

12 Q Did you consider that, by excluding the Afghan Government, you signaled to
13 the world that the U.S. Government was abandoning its ally and bolstering the legitimacy
14 of the Taliban, a terrorist group that was the enemy of the Afghan Government?

15 A Right. We did not judge it that way. We judged that we were going to
16 give Afghans a chance. The people of Afghanistan were yearning for peace. They
17 didn't want the war to go on. And we didn't see a plausible military victory.

18 Every war must ultimately end. How long should it go on for? And if you can't
19 defeat, do you want to go on fighting endlessly, or do you want to make an
20 accommodation and come to a political settlement? We thought, to serve that interest,
21 to withdraw the force, save resources, adjust to a changed world, and let the Afghans
22 decide their own fate.

23 Q Ambassador, did you trust the Taliban, a terrorist group, as a negotiating
24 partner?

25 A I didn't trust anybody, as I said before, neither the government nor the Talibs

1 and nor the individuals involved in this. But my job was to get an agreement that met
2 American objectives, served the American objectives, and I did.

3 Q Did you support girls in Afghanistan being denied the right to education --

4 A Of course not.

5 Q -- under the Taliban?

6 A Of course not.

7 Q Did you support the Taliban's oppression of women and other minorities?

8 A Of course not.

9 Q Did you support the Taliban's reprisal killings of the United States' Afghan
10 allies?

11 A Of course not.

12 Q Did you expect those things to happen with the Taliban seizing power from
13 the Afghan Government?

14 A Well, the negotiations -- as you know and as I have said -- was to open the
15 door to Afghans reaching an accommodation with each other. A path away from war
16 towards peace and mutual acceptance to end the war. And they didn't reach an
17 agreement in time. We decided that -- management decided not to make the
18 withdrawal conditional on that agreement among Afghans.

19 I'd say I personally condemned their restrictions on women in Afghanistan. But I
20 don't think that -- it's speculation, and that the purpose of U.S. military force wasn't in
21 Afghanistan to enforce girls' rights. That was in Afghanistan. That was not the mission
22 of the U.S. military forces, in my judgment.

23 And there was anticipation that there would be some degradation in human
24 rights, but through other instruments of U.S. policy -- economic, you know, assets, the
25 Taliban's aspiration to be accepted as a member of the international community, and any

1 construction assistance and economic assistance, any recognition. Those are the right
2 instruments to apply with regard to human rights related -- not to send the Afghan -- to
3 send American military forces that -- this was a clear decision that delinked withdrawal
4 from conditionalities of that kind.

5 Q Ambassador, did you genuinely believe that the Taliban were going to allow
6 the Afghan Government to subsist in Afghanistan?

7 A I believe that they agreed -- most importantly, I believe -- putting aside that
8 they will sit with the government to talk about a future government together.

9 Q And you just said that you didn't trust them as a negotiating partner. So
10 what value --

11 A I didn't trust the government either.

12 Q So what value did their word have?

13 A Well, if they didn't do that, they don't get other things. You have to always
14 deal with people's interests rather than trust. And that if they don't have a government
15 that's negotiating that meet the standards, they won't be recognized. They won't
16 receive economic assistance. They won't achieve or get the things they want.

17 But we could have said we won't withdraw militarily. We'll continue the fight
18 until these things happen. And we did that for 17 years. But then we came to a
19 judgment at the highest level that, no, that's just -- we don't want to do that anymore,
20 and we want to adjust because our interests have adjust -- changed in the world.

21 Afghanistan's pessimism about if we are a good partner, pessimism as to whether
22 we have a plan, and that the management could have confidence, and that if we
23 continued to do what we did in 2, 3, 4 years, we would prevail.

24 Q Ambassador, I want to now transition to a different time period --

25 A Yeah.

1 Q -- specifically the Presidential transition period between the Trump
2 administration and the Biden administration.

3 A Right.

4 Q And I know we touched upon this briefly --

5 A Sure.

6 Q -- but we have some questions as to that.

7 A Yeah.

8 Q For clarity of the record, upon assuming the position or being retained by
9 the new administration --

10 A Yeah.

11 Q -- as SRAR --

12 A Right.

13 Q -- did the new administration communicate to you a change in policy toward
14 Afghanistan and the Taliban?

15 A Their change -- in terms of the texts that was in place, there were two
16 adjustments, I would call them.

17 One was to extend the timeline for withdrawal from 14 months to effectively 18
18 months. And the task for me was to make sure that I get the Talibs to understand that
19 an attack -- because for the 14 months, again, there's no attacks on U.S. Forces while the
20 U.S. Forces are free to attack them if they attack the government forces. Does that
21 understanding apply to whether they agree to the 14 -- to the 4-month extension? And
22 so that was one.

23 Two was to accelerate the political negotiations and to have
24 more -- internationalizing it to have more of a U.N. role.

25 Q What negotiations are you referring to? Political negotiations over --

1 A The government issue.

2 Q With the government and the Taliban?

3 A Yes. To press and encourage both sides to negotiate seriously and to try to
4 reach an agreement to -- and the one thing that was positive from the decision to add 4
5 months, that would give more time for the Afghans to negotiate with each other and try
6 to reach an agreement.

7 And then we brought in Jean Arnault, and the Secretary General of the U.N.
8 appointed him to also participate in facilitating the negotiations.

9 Q What was the United States' leverage at that point in time?

10 A Well, one leverage was to affect possibly -- before it was clear that we would
11 withdraw regardless -- and that maybe conditionality was always elaborated. That we
12 would link withdrawal -- completing the withdrawal to the negotiation results -- but there
13 was a concern that if we did that, we didn't know that during -- in a reasonable amount of
14 time, there could be an agreement, and, two, whether the war could restart with the
15 Talibs, which we did ask not attack us.

16 But there was also -- as I told you this -- this approach to the Talibs that I was
17 asked to carry out -- whether they would be okay -- it would be acceptable to them.
18 They will not go back to war if we stayed until there was an agreement between the
19 Afghan Government and that.

20 Q So, Ambassador, let's move on to the interagency review process, which you
21 have previously acknowledged, but we'll go into a bit more depth on that issue.

22 [REDACTED]. I would like to now introduce exhibit 10 into the record.

23 [Khalilzad Exhibit No. 10

24 Was marked for identification.]

25 BY [REDACTED]:

1 Q So this is a statement by NSC spokesperson Emily Horne, issued on January
2 22nd, 2021, on National Security advisor Jake Sullivan's call with National Security advisor
3 Hamdullah Mohib of Afghanistan.

4 According to this statement, Jake Sullivan informed his Afghan counterpart,
5 Hamdullah Mohib, that the U.S. would review the February 2020 U.S. Taliban agreement,
6 i.e. the Doha agreement, including to assess whether the Taliban was living up to its
7 commitments.

8 Ambassador, to the best of your recollection, is it correct that an interagency
9 policy review commenced after this?

10 A I don't know whether that was after, but there was an interagency process at
11 the level of deputy and then overseen by a level of principals for informing the President
12 and getting his decisions that commenced, yes. Took place. Yes.

13 Q And is it fair to say it was around this timeframe that it started? Into the
14 new year, I would imagine, given the new administration.

15 A This was -- the talk was January 10th?

16 Q Apologies. This is January 22nd, 2021.

17 A Yeah. I can't say that -- that it was right here. This is, like, the second day
18 of the new administration.

19 Q Yeah.

20 A So I'm sure they had some other things to deal with. But, yeah, soon
21 thereafter or around this time, a review process did start.

22 Q What was your role in that review process?

23 A I participated. I accompanied senior-level meetings with Secretary Blinken,
24 and I participated. And, at a deputy's level, I also participated sometimes with Deputy
25 Secretary McKeon when he got confirmed when he led, or sometimes it would be Derek

1 Chalet (ph) that would be there. Other times, we even had sometimes Wendy. So it
2 was -- Sherman. So it was -- yeah, I participated in those.

3 Q Was there anyone from the Department who led that review?

4 A Oh, Secretary Blinken, of course, was the principal person on behalf of the
5 Department.

6 Q Did he actively participate in those meetings?

7 A Yeah, absolutely. Yeah.

8 Q Throughout this review, did you advise the administration and more
9 specifically the Department on Taliban issues?

10 A Yes. Yes, of course. Yes.

11 Q Did you assure the administration that the Taliban wouldn't seize power for
12 themselves?

13 A No. Nobody could assure them of that.

14 Q What did you say on that topic?

15 A Well, that we should -- this is the time that we're trying to get to a political
16 agreement, and the product of the review was, in part, as it was going on and
17 afterwards -- these initiatives, as I mentioned, to get the assembled meeting of more
18 senior level, which was -- the focus was to make it happen in April or May.

19 After that, it was more -- get it more internationalized. Give it more a sense of
20 urgency. Even we came up with a proposal to facilitate -- focus attention as to -- here is
21 the kind of draft that you guys might consider to accelerate. Yeah.

22 There was every desire to do -- to consider steps and do things that would help
23 with the intra-Afghan negotiations and get the Afghans from Afghanistan to send the
24 delegations and, you know, have regional meetings with the Russians and Chinese and
25 others to push the Afghan side to reach an agreement.

1 Q So, if you didn't assure the administration that the Taliban wouldn't seize
2 power for themselves, what did you say about -- on the topic of the Taliban's intentions?

3 A Well, I don't know whether we talked about the intentions. We talked
4 about the process that we are involved in and what we want to achieve and how that can
5 be achieved, which is we prefer very much a negotiated settlement.

6 Q So I understand that part.

7 But what did you say about what the Taliban would do in Afghanistan? Did you
8 say that they were going to likely allow the Afghan Government to subsist? Did you say
9 that the Taliban will likely make a move at some point in the future?

10 A No. The likely thing is we don't have an agreement and we withdraw and
11 that there would be fighting. That was the dominant judgment. That we would have
12 fighting. And the fighting will go on.

13 The intelligence -- that would be more -- that would be -- you know, I'm a policy
14 person. That would be more looking to the intelligence assessment of what is going to
15 likely happen if there is no agreement.

16 And the agreement and the judgment -- the best judgment was that the fighting
17 will go on and maybe -- and the government may lose areas. Maybe its position may
18 degrade over time. But no one presented the scenario that what happened happened.

19 Q Is it fair to say that the incoming -- the now administration relied on your
20 advice?

21 A Well, I hope so, but my advice was not with regard to what happens with the
22 likelihood of the war ending and with the government collapsing before our withdrawal
23 was completed. That was not my advice. That wasn't -- in terms of what happened, if
24 there is no agreement -- and it looked increasingly likely as time went on -- that we would
25 see a conflict going on.

1 In fact, I have said it at that time, publicly, the alternative to an agreement is a
2 war. A continuing war. That's what was I informed by what I was being briefed.

3 Q Did you at any point advise the administration that it should enforce the
4 conditions of the Doha agreement against the Taliban?

5 A Well, Secretary Blinken and I, I believe, did recommend that conditionality.
6 That's my judgment, that conditionality would be the prudent thing to do. But then the
7 response was, can you get the other side to -- the Talibs not to go back to fighting?

8 Q Thank you. Ambassador, are you aware of any deals the U.S. engaged in
9 that would have put the Taliban in charge of Afghanistan?

10 A No.

11 Q Can you please speak to a peace government plan that was advanced by the
12 State Department in early 2021?

13 A The peace government? No, this is a negotiation. That's the way it could
14 look like. Yes, this was -- you probably have access to the nonclassified documents since
15 we gave it to the Talibs and to the government.

16 It was essentially kind of a power-sharing formula that our experts had put
17 together, and we -- in consultation with outside experts -- in which the government
18 consists of individuals with ties to both, from the Afghan Government and the Taliban,
19 and be led by somebody acceptable to both sides. And there was lots of speculation as
20 to who could fit that description, from either former Afghan Government leaders, or
21 some Afghan technocrat living abroad, others. There was no shortage of volunteers for
22 that job.

23 Q Did this effort include a High Council for Islamic Jurisprudence that would
24 include members of the Taliban?

25 A I can't say for sure. I would have to look at the documents. It's possible

1 that the --

2 Q What is the High Council for Islamic Jurisprudence?

3 A This was an idea that some experts had that would review kind
4 of -- symbolically, it would say they -- it would look at the laws of Afghanistan that will be
5 enacted will be in accordance or not be in violation of Islamic law.

6 And that's what the Afghan Constitution actually also stated. That, you know, if
7 you review that 2004 Constitution, it says that no law of Afghanistan would be in violation
8 of Islamic jurisprudence or Islam or something.

9 [REDACTED]. Did you think that there was someone who could lead the
10 country that would be acceptable to both the Afghan Government and the Taliban?

11 Ambassador Khalilzad. Well, I thought it was imperative that they find someone.
12 There is plenty of people. I mean, there were plenty of people pushing for themselves
13 saying, you know, "I'm not in the military; I wasn't involved in the war," and -- for the
14 transition. This is maybe for a year or two that they could agree on.

15 And the Talibs -- I had mentioned this idea informally that that could be a way out.
16 Kind of the percentages were an issue. 50-50, 60-40, 70-30. Kind of in terms of
17 power-sharing.

18 As the balance shifted on the ground, as the Afghan forces did not perform well,
19 even without support, they surrendered or shifted sides or disappeared. And the
20 negotiations on the government continued, but the dollar demand with it increased.

21 BY [REDACTED]:

22 Q The Taliban's demands?

23 A Yeah, in terms of the percentages and who -- at one point, when we were at
24 the gates of Kabul -- on August 15, we had that discussion on government. They wanted
25 to make sure that we understand that the head of the government now couldn't be

1 somebody mutually acceptable. Now the reality is that a Talib should lead it.

2 Q Did you believe the Afghan Government would accept this High Council for
3 Islamic Jurisprudence?

4 A Again, I never heard any objection from them on that. They didn't -- what
5 the Afghan Government's most vehement objection was the idea of a new government.
6 Their preferred model was the Talibs join the government.

7 And that -- President Ghani, until August 15, thought he should -- if there is even a
8 transition, he should lead it, and he should serve his term. Then he offered -- okay.
9 There should be an election earlier. One could set a date. Rather than him finishing
10 his term, we could bring the election forward, and there could be an election, and the
11 Talib could put a candidate forward as well, and the Republic could put someone forward,
12 and the election would decide.

13 Q Ambassador, you said something, I believe, in my minority colleagues' round
14 with respect to when you're drawing a comparison between the Trump administration
15 and the Biden administration.

16 A Right.

17 Q If I'm misrepresenting or misstating, please feel free to interject and correct.

18 A Sure.

19 Q You stated, with respect to the Biden administration, that relative to the
20 Trump administration, there were many more meetings.

21 A Right.

22 Q I imagine you're also referencing to these interagency meetings.

23 A Right. Exactly.

24 Q But something to the effect of, you knew what was going to happen, or the
25 decision had already been made, or the decision was already processed.

1 A No, no. Even when -- I mean, right from day one, as it was -- to me, I'm
2 giving you my judgment.

3 Q And that's all I ask for. Yeah.

4 A Yeah. That my judgment was -- and my impression and judgment -- that
5 the Biden administration and I made even a broader statement that the Republican
6 administration versus -- that I served in, also -- that they tend to have -- Democratic
7 administrations have a lot of meetings and a lot of discussion, and sometimes I've even
8 been respond to things reminds me of my graduate school days. Versus the other side,
9 which has very few meetings.

10 And I believe a more perfect thing would be somewhere in the middle, so to
11 speak. One a little more, and one a little less. Yeah.

12 That's sort of the reason I almost -- an academic observation. If I had to write a
13 book about the processes of decisionmaking -- especially -- I think, in fact, that I
14 mentioned that Jim Dobbins -- some people may know him.

15 Dobbins. You know him?

16 ██████████. Yeah.

17 Ambassador Khalilzad. Dobbins wrote a book -- now that I remember it -- talking
18 about Bush versus President Obama, and he served in both. And he made this
19 observation about the Obama team having lots of meetings and the Bush team very few
20 meetings. And he proposed that. So I am giving credit for this observation, which I
21 subscribe to. Yes. A great American. A great public servant.

22 BY ██████████:

23 Q So let's go back to these meetings.

24 A Yeah.

25 Q Let's go back to these meetings in the Biden administration --

1 A Yeah.

2 Q -- as the timeline we're now looking at.

3 A Yeah.

4 Q In full transparency, did the State Department or more broadly the
5 administration care about what the Afghan Government thought when making its
6 decisions?

7 A No, no. Actually, I would say the administration did pay attention to the
8 Afghans, to President Ghani. They tried to address a perception that maybe the
9 previous administration had been too tough. Again, it's an impression I'm giving you
10 and not that they said that. But my impression is they tried to engage more.

11 I remember they invited President Ghani to Washington with Dr. Abdullah and
12 gave him a lot of -- you know, embracing him, reassuring him that we would support him.

13 So I think that, yeah, they took his views seriously, but it wasn't going to change
14 fundamental American policy based on American interests and American goals to adjust
15 that because of President Ghani's concerns or desires or, you know, sort of -- at the end
16 of the day, what mattered was -- and, again, the other context you should remember,
17 nobody thought this thing was going to collapse that quickly.

18 Q But it would collapse eventually?

19 A It was in 2 to 3 years, the judgment. But that's a long time. You could do
20 things to affect things, but not an immediate thing.

21 Q And, by "collapse," are you referring to the country of Afghanistan or Kabul?
22 Because we've heard different accounts.

23 A No. I meant the government collapsing, actually.

24 We knew that the Taliban, even when I started the negotiations, controlled some
25 parts, and the part that was contested, and the part that the government controlled.

1 That was kind of three categories and what they -- over time, the shifts that was taking
2 place.

3 The trajectory was judged not to be good. At least senior people believed that
4 the trajectory is not good of territorial control throughout the country.

5 Q Did you genuinely believe that the Taliban would be deterred from
6 challenging the Afghan Government --

7 A No. I did not believe that.

8 Q -- once the U.S. military withdrew?

9 A No, not at all. If there was no agreement -- we wanted an agreement
10 between the government and Talibs. If there was no agreement, then we fight.

11 Q No, not that there is -- this is the point where -- so an agreement has now
12 been executed by the Trump administration.

13 A No, I'm talking about the political agreement.

14 Q Okay.

15 A If there was no political agreement between the Afghan Government and
16 the Taliban -- between the legitimate Afghan Government and the Taliban -- everyone's
17 understanding was that the fight would go on.

18 Q And what measures were in place if there were a political agreement
19 between the Afghan Government and the Taliban which would disincentivize them from
20 attacking?

21 A Well, we would then negotiate with that government once there was an
22 agreement. We were going to stand behind that government and negotiate with
23 it -- possible presence for a longer period of time -- because the Talibs made it clear to
24 us -- I made it clear to them that one thing that we want and we will consider is to stay.
25 A force that stays behind.

1 Q Did you genuinely believe that the Taliban was interested in any sort of
2 power-sharing agreement with the Afghan Government, one in which they viewed as an
3 occupying force and delegitimate?

4 A Well, if it was a new government that it was saying. Not power-sharing.
5 That they join it. But, if there was a break with the resisting government -- if this is
6 finished -- a new government that's resulting from all Afghan negotiations. "All Afghan"
7 meaning the Talibs, the Afghan Government, other Afghan political leaders.

8 They made repeated statements, and they signed this agreement. Although the
9 trust issue, I have hopefully put aside. But, you know, based on the agreement that
10 there will be a new government as a result of intra-Afghan negotiations.

11 Q What evidence did you have that they were interested in such an
12 arrangement but for their promises and words on paper?

13 A Well, that's what agreements are about. And then you have verification.
14 You have costs of violation. I mean, we have signed on to control agreements. We
15 have signed agreements constantly. But then we have a verification mechanism. We
16 have costs and penalties if they don't.

17 But, you know, you can't behave based on trust. That if they put something on
18 paper, they necessarily will be -- you have to make it in their interest to continue to
19 behave. And that is -- the other leverage is -- and the things they wanted to hold back,
20 and you give it to them when they have delivered.

21 BY [REDACTED]:

22 Q So this is to your assessment?

23 A Yes.

24 Q Your own assessment?

25 A Sure.

1 Q What was your assessment about the Taliban's interests in power-sharing?
2 Very likely? Likely? Not likely?

3 A I've learned from over many years that people decide things based on the
4 context in which they live and they operate. I said in my various writings -- Karzai one,
5 Karzai two. Maliki one, Maliki two. Because in Maliki and Karzai one, you couldn't get
6 a better leader. Wow.

7 And I was told when I went to Baghdad by President Bush, "Please, Zal, find an
8 Iraqi Karzai." But Karzai two, you were the most critical of the United States -- that
9 we're killing Afghan civilians. Because the context was different.

10 And the Talib, like other Afghans and other people -- and not Afghans -- you know,
11 see the context. What the balance is. What the penalties are? To say they don't
12 calculate -- they are just driven by some maniacal belief and they will do whatever -- no.
13 They calculate. They debate. I have -- we have great read into how they negotiate and
14 what they say to each other and so on.

15 So these are people who calculate what's in their interest, what can they achieve
16 when they are not suicidal -- kind of suicide bombers. They employ suicide bombers,
17 but the management is not suicide bombers.

18 Q So what are the penalties now that they ultimately did pursue a total
19 military --

20 A Because the other side collapsed. I mean, imagine we should -- you're not
21 asking, in my judgment, the question that determines things. What changes the balance
22 of power?

23 Should America, after 20 years, with billions that are spent, establish a force of
24 250-, 300,000 and sustain facing a force of 65,000? What happened? What did this
25 force collapse like that? Was it just an adjunct force of the U.S. subcontractors? Or

1 were they a national army that we established? And why did we establish it in a way
2 that they couldn't stay even for a short time? Why? And why didn't we win that war
3 in 17, 18 years? Why?

4 Q Did we defeat the Taliban after a 20-year war?

5 A No.

6 Q So what was our expectation that the Afghan military would be any better
7 than one of the --

8 A Well, because the Afghans -- we were occupying foreign power in small
9 numbers. You know, we didn't have 300,000. And we could have defeated them if we
10 had 3- to 500,000 forces given the size of the country. There were studies done on this.
11 We could have defeated them, perhaps, if the sanctuary problem had been resolved and
12 not allow for them to recover, train, get weapons, get supplies. We didn't do those
13 things. So that's what we've got as a result.

14 Time went. The politics of it changed. The world changed. Technology
15 changed, that we could do things now that we -- differently than we could do in 9/11.
16 Does it still make sense?

17 People have voted for the President, and the President said to me, as the
18 Commander in Chief, "It doesn't make sense; I'd rather bring the troops home." And
19 another President from a different party said, "This doesn't make sense; I want to bring
20 my troops home."

21 Why does this happen? It's not because the President woke up and decided, "I
22 don't like Afghanistan." No. It was 18, 19 years. Why couldn't we do that?
23 Because of your jurisdictions, the State Department. I understand. But where have
24 things gone wrong? Why didn't we build an army that was a true national army that
25 could fight? Why didn't we win the war? Why didn't we destroy the sanctuaries?

1 Why?

2 Have you asked anybody? We spend how many billions of dollars. How many
3 Americans killed? How many wounded? What happened?

4 Q So, Ambassador, I would like to go to sort of the next question.

5 A Sorry.

6 Q No, no. No apologies necessary.

7 A Yeah.

8 Q Specifically about the decision to remain in the Doha agreement.

9 You noted previously sort of these distinctions between conditionality, the three
10 different options that were presented, and that, from my understanding, you and
11 Secretary Blinken recommended a conditional approach or a conditionality approach?

12 A Right. That's my judgment.

13 Q That's your judgment based on your firsthand account and interpretation.

14 A Yeah.

15 Q What was the ultimate decision made by President Biden? It was not
16 conditionality, correct?

17 A It was not conditionality with regard to the withdrawal. Only -- I think it's
18 possible that a definition would have been made if the Talibs had said, "You should stay
19 until we reach a political agreement."

20 Q Who made the recommendation to the President? The one that was
21 ultimately decided.

22 A I don't know that.

23 Q Or who at the State Department supported unconditional withdrawal?

24 A I don't know. No. The State Department -- or the Secretary and myself,
25 we wanted a conditional withdrawal approach. But the ultimate decision was, as we all

1 know, that it was to withdraw based on a timetable.

2 Q When was it clear the decision would be unconditional withdrawal?

3 A I think it was in the course of the summer it became clear. Summer of
4 2021.

5 Q That it would be unconditional?

6 A No, no. I just want to make sure because "unconditional" means regardless
7 of what happens; if the Taliban has attacked us, we would have withdrawn anyway. No.

8 That it wouldn't be linked with a political settlement. That we would delay
9 withdrawal until Afghans reach a political agreement. That's the condition I'm talking
10 about right now. Or that they supported al-Qaeda, and all of a sudden, there were
11 al-Qaeda elements we could see Afghan -- that's not what happened.

12 The focus is on the government -- the Taliban political agreement on
13 power-sharing government, and that we would consider delaying the withdrawal if there
14 was not a risk that the war would restart with the Talibs. Because we weren't fighting
15 the Talibs at that time. We were -- until the government was there, we would provide
16 aid to the government, but didn't -- we fought the Talibs by -- meaning attack them if they
17 attack the government. But the Talibs were not attacking us.

18 So, therefore, if that could not be -- that would not be put at risk, there was a
19 desire to consider a possibility of considering and delaying the withdrawal. But that
20 required that the Talibs also agreed that they wouldn't attack us; the war would not start
21 again. And the Talibs would not agree to that.

22 Q So, in terms of the prior definition of "unconditional," is it your assertion that
23 it became clear that we would proceed with an unconditional -- was it in August 2021?

24 A Before August, but it was, I think, the summertime. I can't put a date to it.
25 I'm talking about June, July, August. That's what I'm talking about. That period.

1 Q Was there ever any consideration given to the fact that the U.S. military
2 withdrawal, i.e. the go to zero order, would be occurring in the middle of the well-known
3 fighting season in Afghanistan?

4 A I don't remember whether the military had a view on that, you know, and
5 whether they pressed that rather than a 4-month withdrawal -- delay that would be 6
6 months or 7 months to be over the fighting season. I don't recall that.

7 Q Did you make any attempts to provide input on that issue?

8 A No. I wasn't asked for that.

9 Q Did you ever recommend that the U.S. withdrawal not occur in the middle of
10 the fighting season?

11 A It's not an issue that I got involved in.

12 Q What impact did the U.S. withdrawal occurring in the middle of the fighting
13 season have on the Taliban campaign?

14 A I don't know what impact it had, but there was no real fighting, though.
15 That's the paradox of it. There was some localized fighting in Helmand, and so -- for the
16 beginning of August, in which the Taliban very vehemently attacked us by -- us bombing
17 in early August of 2021 severely the Helmand/Lashkar Gah area where there was some
18 potential engagement.

19 But, in many areas, there was no real -- there was no fighting. It was deals made,
20 shifting sides, unhappiness by units that they weren't receiving the necessary logistical
21 support and weapons and ammunition. It was -- yeah, no. I think it -- I don't know
22 whether by normal Afghan during our period standard that that summer was -- if it was
23 same or that different. Yeah.

24 [REDACTED]. We have some followup questions on that, but we're out of
25 time.

1 So we'll now go off the record and stop the clock.

2 [Recess.]

1

2 [3:46 p.m.]

3 [REDACTED]. We'll go back on the record.

4 Thank you very much. We are joined this afternoon by Representative Jason
5 Crow. He is the ranking member on the Subcommittee for Oversight and Accountability
6 on the House Foreign Affairs Committee. He'll be asking a few questions of you this
7 afternoon.

8 Ambassador Khalilzad. Please.9 Mr. Crow. Great. Thank you.10 Ambassador Khalilzad. Great honor. Thank you.

11 Mr. Crow. Likewise, Mr. Ambassador. Thank you for coming in and making
12 yourself available. This is obviously an important endeavor as we learn our lessons from
13 America's longest war and determine what went well, what did not, and how we can do
14 better going forward. So we appreciate your time very much.

15 Ambassador Khalilzad. Thank you.

16 Mr. Crow. And I also know this is not an ideal format given the congressional
17 schedule with the people coming and going.

18 Ambassador Khalilzad. Right.

19 Mr. Crow. So I will apologize in advance that some of the questions might be
20 duplicative. We'll try to avoid that to the extent we can, but we appreciate your
21 indulgence in that.

22 Ambassador Khalilzad. Thank you. Well, your questions that you ask, I like.23 Mr. Crow. Well, thank you.24 Ambassador Khalilzad. What lessons to be learned, what went wrong, so I --25 Mr. Crow. Well, you don't know yet. I haven't asked the questions.

1 Ambassador Khalilzad. But the style, the approach, the approach of what went
2 wrong, what do we learn from it, from the longest war, yeah.

3 Mr. Crow. We're already off to a great start. I appreciate that.

4 Ambassador Khalilzad. Thank you. No, no, I can relate to that. Thank you.
5 Yeah.

6 Mr. Crow. Thank you. So let's start with the military component, because I
7 know you touched on this a little bit earlier today.

8 Ambassador Khalilzad. Yes.

9 Mr. Crow. Can you describe for me the interactions and the relationship that
10 you had with General Miller and his senior staff and the military leadership during the
11 negotiation process of the deal.

12 Ambassador Khalilzad. I have to say that there are -- my relationship personally
13 and the team was exceptionally good. You know, I have served as ambassador, as you
14 know, in Iraq and Afghanistan where -- in the middle of the war, and that relationship
15 between the ambassador and the commander is vital, in my judgment. I even
16 recommended that we do a Goldwater Nichols on civil military relations and war zones
17 that are protected war zone, as to what should be in charge of the process in one phase,
18 and who should be in charge in another phase, because in counter-insurgency, especially
19 war, and the political, economic, and military instrument working well together is vital for
20 success.

21 So -- but having learned that lesson, I worked personally very well with General
22 Miller. I knew of his -- of him and his reputation. He essentially became a member of
23 the negotiating team. He would -- he attended -- I would say, 80 to 90 percent of the
24 sessions. If he didn't, he would send his deputy to the negotiating table.

25 Mr. Crow. Who did he send to the negotiating table?

1 Ambassador Khalilzad. His number two, and that changed every --

2 Mr. Crow. And that was whom? Can you opine for me who that was?

3 Ambassador Khalilzad. Well, I will supply that for you for the record, but he
4 would -- if he couldn't come, he would send someone. And I had, on my team, a general
5 officer that was assigned to me from the chairman of Joint Chiefs to help maintain a
6 strong relationship. I can't remember --

7 Mr. Crow. Who was that?

8 Ambassador Khalilzad. General Fenzel was one, Mike Fenzel; and then the other
9 one who succeeded him was Sean Salene. He is a J5 now at CENTCOM, and General
10 Fenzel is in Israel right now. So couldn't ask for a better coordination. And my team,
11 other civilians in my team, such as my deputy, Molly Phee, who was Ambassador Phee,
12 had been our ambassador to South Sudan, also had a very close relationship with the
13 military.

14 And similarly, you didn't ask, but just with the intelligence community because the
15 counterterrorism that I mentioned that I'm sure that you appreciated a lot of intelligence,
16 just -- rather than just broad intelligence function, important role of their own with a
17 significant number of assets and so on. So they were members of my team, and they
18 will also have good relationship with the station chief.

19 Mr. Crow. So you described a very close relationship --

20 Ambassador Khalilzad. Very close.

21 Mr. Crow. -- between the military leadership and your team.

22 Ambassador Khalilzad. Yes.

23 Mr. Crow. And 80 to 90 percent participation in the meetings.

24 Ambassador Khalilzad. Yes, by the commander who is fighting a war, taking time
25 off to come to Doha, which takes time to fly, and then adjust and participate in meetings.

1 Mr. Crow. Was that -- did that relationship develop organically, did -- or was a
2 mandate given to you by the Trump administration to include military leadership in the
3 process?

4 Ambassador Khalilzad. I think both. I was known to the military, because as
5 ambassador in Afghanistan and Iraq, someone with a reputation that works well with the
6 military. Who? Zal works well with the military. And -- but more importantly, kind of
7 my approach that I demanded that I would have a team, that center agency when I go to
8 negotiate, because there are so many interests and issues and roles of different elements
9 of our government that they need to be at the table. I would tell to the Talibs in front of
10 General Miller that on military matters, what he says goes.

11 Mr. Crow. Uh-huh.

12 Ambassador Khalilzad. He's the judge and jury.

13 Mr. Crow. Yeah.

14 Ambassador Khalilzad. I would tell it to them. They are a little more hostile
15 towards him, because, you know, they fought each other, killed a lot of their people.
16 General Miller must have been one of the most effective generals we have had in going
17 after kind of our enemies and --

18 Mr. Crow. Did you encounter any resistance from the administration to
19 including the military to the degree that you did?

20 Ambassador Khalilzad. No. Secretary Pompeo himself was a West Point
21 graduate and knew Miller from the early parts around this. I think I worked for
22 Secretary Pompeo. He was my immediate boss. So he was very favorable, and he
23 appreciated that I got along with Miller and -- because he would call each matter not only
24 in his official capacity, but also as just a fellow military guy, a West Point graduate. So,
25 no, no, there was no issue. Nobody in the Department pushed back.

1 Mr. Crow. Did General Miller raise any concerns about the process of the deal or
2 the ability to implement the deal?

3 Ambassador Khalilzad. Well, we all had concerns. Obviously, we would say,
4 you can't have this kind of negotiation with an enemy that you have fought for so long
5 and with all the complexities, who these people are and what they have done, and what
6 we used to hear from Afghan friends, and some of them had very strong personal
7 relations over many years.

8 So, yeah, there were always concerns and try to do better together more. But I
9 couldn't -- I wouldn't recommend anything that we should do to management if he didn't
10 have a buy-in, if Miller did not have a buy-in. But concerns, yes, concerns, yes.
11 Concerns such as -- we haven't discussed it, what this would mean for the attitude of the
12 Afghan military that we were working with in Afghanistan. Would we face a great
13 challenge of green on blue, as we called it, these people that we supported now saying
14 that we are going to abandon them, and turn their guns on us.

15 Mr. Crow. That was a concern that was raised by General Miller?

16 Ambassador Khalilzad. Yeah. And, of course, I can relate to it, because there
17 had been a lot of green on blue attacks a couple of years earlier. General Miller himself
18 was targeted once even. So, yeah, I mean, I wasn't a stranger to being in a war zone, so
19 to speak, so I knew. But he also knew -- he told me that he's tired of killing Afghans. If
20 we could succeed to end this war, this would be the biggest thing that we could do,
21 because we're just killing these people, and they come back, the more, and both sides
22 control enough people, population, that they could generate, if there was money to be
23 paid. So this could go on indefinitely.

24 So it was a -- it was very statesman like that if we can find a way to achieve our
25 objective and end this war, that that will be his biggest success.

1 Mr. Crow. Did General Miller ever indicate to you that both -- the fact that the
2 negotiations were occurring and the fact that the Afghan Government was not being
3 included in those negotiations --

4 Ambassador Khalilzad. Correct.

5 Mr. Crow. -- was undermining our ability to help build the Afghan Army and to
6 improve their morale?

7 Ambassador Khalilzad. No. That did not raise this, because -- but I described
8 before you came the evolution in our approach to negotiations, which -- from initially
9 being -- saying -- having preconditions to even ask to negotiate, even the Afghans
10 negotiate with the Talibs with each other, because President Karzai wanted to negotiate
11 with the Talibs whether we -- you know, independent of us, called them brothers, and he
12 wanted to reach an agreement with them separately. But for us, declaratory and actual
13 policy was they must accept the constitution, the new post-U.S. intervention constitution,
14 renounce violence against the government --

15 Mr. Crow. Yeah.

16 Ambassador Khalilzad. -- abandon that, accept ceasefire, in other words. And
17 third, to break -- to not allow terrorists to use the Afghan soil against the United States
18 and our allies.

19 Mr. Crow. Yeah.

20 Ambassador Khalilzad. Yeah.

21 Mr. Crow. So you are -- you were --

22 Ambassador Khalilzad. But to make it from preconditions, then we made them
23 in conditions of a negotiation, we were negotiating, but we will seek these at in advance
24 to negotiations with the government, also to embracing -- now we'll have two phase
25 negotiations, negotiation one will be simultaneously we negotiate with the Talibs and the

1 government as a kind of proximity talk, and then we bring them together.

2 Mr. Crow. Yeah, makes sense.

3 Ambassador Khalilzad. Yeah.

4 Mr. Crow. So you are America's chief negotiator with the Taliban?

5 Ambassador Khalilzad. Right.

6 Mr. Crow. And as such, you had several elements of leverage?

7 Ambassador Khalilzad. Right.

8 Mr. Crow. Troop numbers were -- is it fair to say that troop presence was a large
9 element of it?

10 Ambassador Khalilzad. Troop presence was -- was the biggest leverage, and
11 operations, how we use those forces was another leverage. I believe myself and
12 compellants to, if your -- terms, we needed more flexibility, we can address operations.

13 Mr. Crow. Yeah.

14 Ambassador Khalilzad. To -- to timeline for even if we withdraw, however how
15 long period.

16 Mr. Crow. Yeah.

17 Ambassador Khalilzad. Troops, the length of time was leveraged. Then what
18 they wanted from us in other ways, the support for the government, how might we
19 support their opponents so to speak; two, on the military front, this coming to the aid of
20 the military, not only weapons and money and so on, but backing their operations,
21 enabling them to carry out some things or then supplementing; to future relations that
22 we discussed that before you came, they wanted to have relations with us, they also
23 wanted to be on America's door, so to speak, in a financial support and so on. And, you
24 know, a whole range of kind of things they wanted from us. But the number one clearly
25 was troops and how we use them.

1 Mr. Crow. And when you started the process, there were, I believe, 15 --

2 Ambassador Khalilzad. Around 15,000.

3 Mr. Crow. -- around 15,000.

4 Ambassador Khalilzad. It depends what you include, yes.

5 Mr. Crow. Can you explain to me the degree to which there was messaging
6 coming from President Trump about drawing numbers down and both the numbers and
7 the speed at which those drawdowns would occur, was that making it harder for you to
8 negotiate and sending mixed messages?

9 Ambassador Khalilzad. Well, we discussed that in detail earlier, yes, because my
10 language sometimes, and my demands, the Talibs will say, Well, do you work for the
11 same President, as you, you know, you said this, and you're saying something different.
12 Yeah, and I -- I told management that, you know -- I make the joke that I told them that
13 charm can only take you so far. I mean, when one says I'm getting out by this time
14 regardless, they -- why would they give me the things that you ask me to get from them.

15 And so, yeah -- and so I have to say that on occasion, I did succeed that some
16 withdrawal that was ordered to be rescinded so that that would be a kind of leverage that
17 we have, because one thing that we wanted to give, if you did this, I would reduce the
18 force.

19 Although we knew, at some point, that we -- the mission could be carried out by
20 8,600. That was the military judgment and advice to all of us. So I said, Okay. But
21 nevertheless, we use -- don't announce they're going to 8,600. Let me use it to say I will
22 go to 12,000 if you do this, that, then I'll go to this and this, so give me something, yeah.

23 Mr. Crow. When the Taliban asked you if you worked for the same person --

24 Ambassador Khalilzad. Yeah.

25 Mr. Crow. -- person that was tweeting --

1 Ambassador Khalilzad. Right.

2 Mr. Crow. -- how did you respond to that? How did you explain that?

3 Ambassador Khalilzad. Well, I do, but don't pay attention. I shouldn't have said
4 that. That's all -- our domestic politics don't appreciate that. Don't try to -- I don't
5 understand it. Don't -- I speak authoritatively for what our government does. But, you
6 know, I'm sure it did have its facts.

7 Mr. Crow. So you were just talking about the conditions that were being placed
8 on --

9 Ambassador Khalilzad. Yeah.

10 Mr. Crow. -- the sequential drawdown in troops?

11 Ambassador Khalilzad. Right.

12 Mr. Crow. Were those conditions being met by the Taliban, in your view?

13 Ambassador Khalilzad. It was obviously mixed. The most important condition
14 that we had, that I mentioned to your colleague, that there was a desire, a strong desire
15 based on a judgment that we didn't know what we were doing in a sense, that there was
16 no plan that could be priced at an acceptable price level given the change in the world,
17 priorities, and to win this war and meaning defeat the Talibs, questioning whether going
18 that route had been smart from the beginning, to seek to transform a country like
19 Afghanistan, this vision of democratizing the whole Middle East, and given the constraints
20 of time, of our politics, the world not standing still. But then, that we don't have a plan,
21 that one could have confidence that in 5 years, if we do this, or in 3 years we did that, we
22 would win, no, that was just total -- and --

23 Mr. Crow. That's a broader --

24 Ambassador Khalilzad. Which informed --

25 Mr. Crow. -- a broader questioning as to our overall strategy and the

1 philosophy of --

2 Ambassador Khalilzad. Strategy and objective and the --

3 Reporter. Wait, I need one person to talk at a time.

4 Ambassador Khalilzad. Okay. And in there, so --

5 Mr. Crow. But with respect to the terms of the deal itself --

6 Ambassador Khalilzad. Yes, then I come to that. Then once that determination
7 is, we want to get out. We're in a quagmire. We need to get out. Our enemies are
8 having a lot of fun at our expense, the Iranians, this, that, and the other. And we are
9 exposing ourself vulnerable to their mischief-making.

10 What -- how do we want to get out? The perception largely have been that
11 getting out of Afghanistan is the worst part of going to Afghanistan, because then they
12 didn't know that they're retreating, they take revenge on you, they come from the
13 mountains down, the British stories of the 19th century. Only one British soldier
14 survived getting out, and the Soviet withdrawal was also bloody, not as bad as the British.
15 How do we withdraw safely?

16 Mr. Crow. Right.

17 Ambassador Khalilzad. That's it. So getting the Talibs to agree not to attack us
18 after we signed the agreement during the 14 months, and then it was President Biden
19 became 18 months, it was conditionality. That was very important, and we repeatedly
20 said --

21 Mr. Crow. And can I --

22 Ambassador Khalilzad. Yeah.

23 Mr. Crow. I just want to be very specific --

24 Ambassador Khalilzad. Sure, please.

25 Mr. Crow. -- on this point.

1 Ambassador Khalilzad. Yes.

2 Mr. Crow. And there are just so many aspects to this history, et cetera.

3 Ambassador Khalilzad. Of course.

4 Mr. Crow. But there are very specific terms --

5 Ambassador Khalilzad. Yes.

6 Mr. Crow. -- to the deal. So in your opinion, looking at it now and then, were
7 the Taliban compliant --

8 Ambassador Khalilzad. No.

9 Mr. Crow. -- with the terms of the deal as we drew our troops down?

10 Ambassador Khalilzad. No, not a complete element, no.

11 Mr. Crow. Okay. What were the -- what were --

12 Ambassador Khalilzad. The things that stand out, I think, and the thing that
13 stands out as not having happened is the intra-Afghan negotiations leading to a new
14 government. Now, the challenge there is, is it only the fault of the Talibs that an
15 agreement wasn't reached? Or was it the other partner in the Government of
16 Afghanistan was the -- also.

17 And two, if we had said -- and this was debated, you can imagine, inside the
18 government. If we link the withdrawal that there should -- we will not withdraw until
19 there is a government that has agreed to our both sides, do we give a decision on
20 withdrawal to one of the Afghan sides, will drag its feet, doesn't want to do it.

21 Mr. Crow. Right.

22 Ambassador Khalilzad. And that would be our friends, the government side that
23 was a fear. And that's why the language, even that was, if you read it, the way it was
24 put together was intra-Afghan negotiations leading to a new government. It was not
25 put strictly that we -- we said this is all a package deal, is that the President, both

1 Presidents, management, actually, I don't want to quote them, but that they will say to
2 me, Zal -- because I especially knew President Biden quite well because of the service in
3 the Senate -- that if I would delay in 5 months, can you guarantee that there will be an
4 agreement? I said, Well, Mr. President, you know better than I do. We're talking
5 about human beings here. I can't guarantee whether these guys can get to an
6 agreement. So there was pessimism also that -- whether we will not get stuck there if
7 we say explicitly and openly that without an agreement we won't withdraw --

8 Mr. Crow. Do you --

9 Ambassador Khalilzad. -- between Talibs and the other Afghans.

10 Mr. Crow. Do you believe the Taliban -- that at any point the Taliban came to the
11 conclusion that the United States was going to withdraw from Afghanistan regardless?

12 Ambassador Khalilzad. Did they believe that, I think from the previous
13 administration, certainly. That was the message they had more or less received.

14 Mr. Crow. Do you think that the party which you were negotiating with the
15 Taliban had come to the conclusion that the U.S. was getting out?

16 Ambassador Khalilzad. Getting out, they do believe that.

17 Mr. Crow. When do you think that they arrived at that conclusion?

18 Ambassador Khalilzad. I think after a few months, even that this was -- I mean,
19 because the language was unambiguous, kind of this. And I think they were concerned
20 about what the review would produce. And I had told them, because my purpose is to
21 be very clear what I want, what do you want, what my judgment is to them, that a
22 President -- the new President had three options, I told your colleagues, to adhere to the
23 agreement and do more of the same to go ahead and almost unconditionally, other than
24 the attack on us, terrorism, but on the leave it, they link it more in a fact from the
25 government issue.

1 Mr. Crow. Yeah.

2 Ambassador Khalilzad. Two, make it conditional; three, abandon, say this was a
3 bad agreement, flawed, what President Trump had done to the Iran nuclear deal.

4 Mr. Crow. So --

5 Ambassador Khalilzad. And that they were concerned where it will come out,
6 they weren't sure. Although they had given the statements by the President when he
7 was Vice President.

8 Mr. Crow. Can I stop you there for now?

9 Ambassador Khalilzad. Uh-huh, sure.

10 Mr. Crow. I want to break this element down to be extremely clear.

11 Ambassador Khalilzad. Yeah.

12 Mr. Crow. So you're negotiating with the Taliban.

13 Ambassador Khalilzad. Right.

14 Mr. Crow. There are messages coming from the Trump administration, from the
15 President himself --

16 Ambassador Khalilzad. Right.

17 Mr. Crow. -- saying we're getting out.

18 Ambassador Khalilzad. Right.

19 Mr. Crow. So you believe, during your negotiations, the Taliban had already
20 come to the determination that the United States is leaving?

21 Ambassador Khalilzad. Right. That's what they --

22 Mr. Crow. Is that correct?

23 Ambassador Khalilzad. That's a judgment that -- and they took the statement
24 very positively. But also, I have to say --

25 Mr. Crow. And can I stop you? So the answer to that is yes?

1 Ambassador Khalilzad. Yes --

2 Mr. Crow. Okay.

3 Ambassador Khalilzad. -- with the proviso, they also thought we were an
4 unpredictable power, that also they believed and was demonstrated by President
5 Trump's announcement of suspension of talks at one point after inviting them to the
6 White House, or to Camp David, and then they suspended talks. I was ordered by him
7 to come back home.

8 Mr. Crow. Which is a fair conclusion by the Taliban, that were -- that the Trump
9 administration was being unpredictable?

10 Ambassador Khalilzad. That America -- they thought about Trump, but it was
11 general view is you guys, you know, you can change your mind on the dime kind of thing,
12 yeah.

13 Mr. Crow. So -- so you're negotiating with the Taliban.

14 Ambassador Khalilzad. Yeah.

15 Mr. Crow. You believe that the messages coming out of the White House led the
16 Taliban to the conclusion that the United States was getting out regardless --

17 Ambassador Khalilzad. Right.

18 Mr. Crow. -- correct, during the negotiations?

19 Ambassador Khalilzad. Uh-huh.

20 Mr. Crow. So in your view, did you believe that your role was just negotiating
21 the manner in which that withdrawal happened and trying to ensure the safety of U.S.
22 troops?

23 Ambassador Khalilzad. No. I tried to -- I knew that I had a difficult hand, but I,
24 nevertheless, thought that we should try to get as much as we could. There were
25 people who were advocating for withdrawal, period. Don't negotiate, just withdraw.

1 And I was saying, No, if you're going to do that, don't say it, number one; and number
2 two, let me get something for it, because that's what they want. That's what -- they
3 want it very badly, and that gives me huge bargaining chip to get things from them, and
4 let me use it.

5 And I even -- Secretary Pompeo, to this day, jokes with me, it's off point, that, you
6 know, when he -- the President suspended the negotiations asked me to come home, and
7 my first meeting with them, I said, I can use this. He said, what, what are you talking
8 about? I said, remember, we want them to do a week of reduction in violence so we
9 can -- and now I can say that if you don't give me anything, the negotiations are off. And
10 we eventually got 1 week of --

11 Mr. Crow. Can I stop you there again?

12 Ambassador Khalilzad. Uh-huh.

13 Mr. Crow. Mr. Ambassador?

14 Ambassador Khalilzad. Please. It's your show.

15 Mr. Crow. Thank you. Thank you. So you're trying to get as much as you can.

16 Ambassador Khalilzad. Right. That's my --

17 Mr. Crow. When President Biden was sworn into office, I believe there were,
18 what, about 2,500 troops?

19 Ambassador Khalilzad. Yes, 2,500. That's what the -- at the end of the Trump
20 administration was left behind.

21 Mr. Crow. What do you think would have happened had we added more troops,
22 if we had reversed the trajectory of withdrawing troops and we had instead started to
23 add troops again --

24 Ambassador Khalilzad. Right.

25 Mr. Crow. -- what would happen?

1 Ambassador Khalilzad. Well, it depends what intent and what messaging,
2 because we did have 5,000 troops during President Biden's tenure.

3 Mr. Crow. During the NEO?

4 Ambassador Khalilzad. Before the NEO was started.

5 Mr. Crow. In preparation for the evacuation, the NEO.

6 Ambassador Khalilzad. Of the troops. We didn't -- when the decision was
7 made, there was still the assumption the government will survive, we'll fight for maybe
8 up to 2, 3 years. In order to get the troops that were there to get out, General
9 McKenzie --

10 Mr. Crow. Well, just to clarify, as part of a retrograde operation, you always
11 surge more troops to provide security as a retrograde.

12 Ambassador Khalilzad. Right. Exactly. Exactly. The follow-on could have
13 misinterpreted --

14 Mr. Crow. What I'm talking about is something different.

15 Ambassador Khalilzad. Yeah. No.

16 Mr. Crow. If the stated policy was not as part of an evacuation, but if the stated
17 policy was the United States was going to be adding troops again and increasing its
18 permanent precedent --

19 Ambassador Khalilzad. Right, and to stay there indefinitely. That's the other
20 one, we're saying, what else?

21 Mr. Crow. And not to comply -- I'll say this --

22 Ambassador Khalilzad. With the withdrawal timetable.

23 Mr. Crow. What would the Taliban have done?

24 Ambassador Khalilzad. Well, likely, and that's what we have had -- we had the
25 discussion, would've been back at war with the Talibs. That was a likely prospect, yes.

1 Mr. Crow. They would've resumed --

2 Ambassador Khalilzad. Attacking us.

3 Mr. Crow. -- offensive operations?

4 Ambassador Khalilzad. Yeah, against us, and we would have had to attack them,
5 and then the results of this could have been that the military would've asked for more
6 forces in order to be able to do what they needed to -- the tasks they would be given, and
7 you could see a dynamics that those of us who have been around that we've experienced
8 before.

9 Mr. Crow. Were there any discussions with --

10 Ambassador Khalilzad. But this was discussed though. I mean, these things --

11 Mr. Crow. With whom?

12 Ambassador Khalilzad. With management, I call it.

13 Mr. Crow. Can you be more specific?

14 Ambassador Khalilzad. The administration.

15 Mr. Crow. Which administration?

16 Ambassador Khalilzad. The Biden administration.

17 Mr. Crow. Did you discuss it in the Trump administration, too?

18 Ambassador Khalilzad. No, I don't think -- we had -- after the agreement had
19 been made, once it was kind of the rate of withdrawal completed, when, and that.

20 Mr. Crow. But there were discussions with the Biden administration --

21 Ambassador Khalilzad. Yes, to what would happen if we said we are staying
22 indefinitely. And even if we -- let's say, at 2,500 we say we're staying indefinitely,
23 essentially getting out of the door agreement, essentially, because that's what's for the
24 Talib the core, what was happened.

25 Mr. Crow. And your opinion was the Taliban would start attacking --

1 Ambassador Khalilzad. Yeah, that we'll be back to fighting, and then we'll -- I
2 mean, I would ask the General Austin and others in these meetings, so assume this was
3 done, do you think you can win the war, or even protect, what, the current situation with
4 2,500?

5 Mr. Crow. Well, what did -- what was the response to that?

6 Ambassador Khalilzad. Well, no, I mean, of course it's obvious. I mean, you
7 don't need a response.

8 Mr. Crow. Well, it's not obvious. For the record, what was the response?

9 Ambassador Khalilzad. You'll have to assess that probably more will be needed,
10 you know, I mean, you can see, because, you know, we couldn't win the war when we
11 had, what, 20,000, 30,000, 40,000. And we improved the situation for a while. Then,
12 you know, for domestic or other reasons, we were reduced back the force. President
13 Obama announced the surge, then had to reduce the numbers again. And, you know,
14 what happened, the Talibs were stronger than they were before the surge. They took
15 more territory back.

16 So this was essentially my argument with those that question the agreement,
17 which is legitimate to ask: Is that why did we seek this agreement? Why bring me
18 back from -- and I was very happy to negotiate with these guys as we were -- our
19 enemies, we killed them, they kill us, why? Because what we were doing on the military
20 front was not persuasive to their Commander in Chief, that this wasn't -- it wasn't worth
21 it. We weren't achieving our goal. It was too expensive. The world had changed.
22 The opportunity cost was too great.

23 Mr. Crow. Would you say that this view, that if we had broken the agreement
24 with the Taliban --

25 Ambassador Khalilzad. Right.

1 Mr. Crow. -- and reversed course on our withdrawal --

2 Ambassador Khalilzad. Right.

3 Mr. Crow. -- per the agreement --

4 Ambassador Khalilzad. Right.

5 Mr. Crow. -- that the consensus view within the administration, both civilian and
6 military leadership, was that we would have to add troops and increase our footprint to
7 defend against a Taliban offensive?

8 Ambassador Khalilzad. I think -- I would think that this was relatively obvious.
9 There wasn't people who were saying, Let me say something different on that. I mean,
10 it was --

11 Mr. Crow. So the answer is yes.

12 Ambassador Khalilzad. The silence is -- of course, you go back to war, you come
13 down based on a plan, and then you're going back up, you have to be -- you go back to a
14 war, you have to obviously --

15 Mr. Crow. So the answer is yes?

16 Ambassador Khalilzad. What to do is to defend your forces, advance your
17 objective. What would our objectives have been?

18 Mr. Crow. Can I get you to say the answer is yes, Ambassador?

19 Ambassador Khalilzad. Well, it depends. I will say, it depends what the
20 objectives were. If we were going to say we are going to just do nothing and not attack
21 the Talibs, but just protect an airport, is that objective? I would have to -- then you have
22 to have a serious discussion of the --

23 Mr. Crow. Well, let me ask this.

24 Ambassador Khalilzad. But if you go to war, you would have -- 2,500 wouldn't
25 have been enough.

1 Mr. Crow. If the Biden administration had said the Doha agreement is no longer
2 valid --

3 Ambassador Khalilzad. We'd be back at war.

4 Mr. Crow. Okay. And that was the consensus view?

5 Ambassador Khalilzad. Oh, yeah. I mean, I didn't see anybody from intel to
6 others saying no. They would say, Welcome. Why don't you stay? No.

7 Mr. Crow. Was there a discussion about the number of troops that would be
8 necessary if that had occurred?

9 Ambassador Khalilzad. I'm sure there is a Pentagon briefing somewhere on
10 this --

11 Mr. Crow. Are you aware of the number of --

12 Ambassador Khalilzad. -- what it might look like, but I don't think we actively got
13 into the discussion of that.

14 Mr. Crow. So you don't -- you never heard a number --

15 Ambassador Khalilzad. No, that if we go back to war --

16 Mr. Crow. -- tossed around about the --

17 Ambassador Khalilzad. Not that I -- I don't remember at all that, but the idea and
18 the risks of it, that are you -- do we know what we're saying now? Let's be clear, that if
19 you do -- did this, we will be back at war likely, and that will create its own dynamics of
20 what would be required, so -- and, you know, you know what the decision was, so, yeah.

21 Mr. Crow. Okay. I'm going to get back to my committee hearing now. I'm
22 going to leave you in the capable hands of my colleagues here, █████ and █████.

23 Ambassador Khalilzad. I appreciate that you stopped by, and thank you.

24 Mr. Crow. I appreciate you coming. I appreciate your service to the country --

25 Ambassador Khalilzad. Oh, thank you. My great honor.

1 Mr. Crow. -- and for being candid and helpful. This is a very important effort.
2 Ambassador Khalilzad. Sure. No, no, it's been a great honor to serve the
3 United States. America has been very good to me, so the least I could do to serve it a
4 little bit. So thank you.

5 Mr. Crow. Thank you very much.

6 Ambassador Khalilzad. Thank you.

7 BY ██████████:

8 Q Thank you, Mr. Crow.

9 Ambassador, I just want to hit on a couple follow-up issues in the time that we
10 have left, so I'll try to move quickly --

11 A Please.

12 Q -- before we have to get downstairs. You had been discussing previously
13 with my colleague the plans that had been in place to bring Taliban representatives to
14 Camp David.

15 A Not plans. I wouldn't call them plans. Idea.

16 Q Idea.

17 A Okay.

18 Q And then that was ultimately canceled, correct?

19 A That was canceled, yes.

20 Q And --

21 A And it was canceled before it was clear whether the Taliban would come or
22 not. They were deliberating on it.

23 Q Okay. But you also referred, in response to questions from the ranking
24 member, to an instance where there had been an attack that had resulted in an American
25 death --

1 A Yes.

2 Q -- and President Trump had pulled --

3 A In response to that, he said he had pulled the plug.

4 Q -- pulled the plug. So can you help us clarify for the record, was that what
5 ultimately was cited as the reason to not go forward with this Camp David idea?

6 A I can't say that I have personal knowledge of exactly why the President made
7 the decision that he did, because I was not even in Washington. I was in Kabul on my
8 way to Doha.

9 Q And when was this approximately, just to help us?

10 A I think it was September, early --

11 Q September 2019?

12 A Yeah.

13 Q Okay.

14 A And so I don't know. All I was -- I know is I got an alert from Secretary
15 Pompeo that the President is going to issue a statement, so I want to give you a heads-up.

16 Q Okay.

17 A And that was it.

18 Q So at any rate, your understanding is that President Trump ultimately
19 publicly announced --

20 A What he publicly announced.

21 Q -- we are -- we are not --

22 A Yeah.

23 Q -- doing anything at Camp David, and he attributed that to --

24 A Yes.

25 Q -- to the attack on Americans?

1 A What he said publicly, that's how I became informed with the heads-up from
2 Secretary of State, yeah.

3 Q Okay. But then the talks resumed shortly thereafter, right?

4 A Not shortly. I think it took a while.

5 Q It took a while. But I think in December 2019 --

6 A Maybe it was --

7 Q -- the State Department --

8 A I would have said late December.

9 Q Yeah.

10 A Yeah, okay.

11 Q That the State Department then announced that you would be traveling
12 again to Doha and talks would resume?

13 A Yeah, exactly.

14 Q So what changed between September and December --

15 A Okay.

16 Q -- that President Trump enabled these talks to resume?

17 A Right. What changed was that I -- as I mentioned to the Congressman, that
18 we said we can make use of the President, we can't use violence as a factor. And
19 that -- what if we demand something on violence from the Talibs in addition to not
20 attacking U.S. forces after the agreement is signed, but the agreement hadn't been signed
21 when that attack took place. And maybe we can discuss that in closed.

22 Q Okay. But I want to make sure that we have time to get through this
23 sequence.

24 A Yeah. Oh, yes.

25 Q So your testimony is that you saw the potential for a little bit of extra

1 leverage --

2 A Yes, that this could be going back --

3 Q -- after the September events?

4 A -- we could use it as leverage.

5 Q And you could take that to drive --

6 A Yes.

7 Q -- the agreement to conclusion?

8 A Yes.

9 Q And then we know obviously that in February 2020 you did include the
10 agreement?

11 A Right, yes.

12 Q And you made that public. I want to ask you, are you aware of Mark
13 Frerichs?

14 A Oh, very well, yeah. We -- Mark was one of our hostages in Afghanistan,
15 yes.

16 Q And is it accurate that Mark Frerichs was taken hostage by the Taliban in
17 around January 2020?

18 A This has been stated, and it may be factually --

19 Q Does that comport with your recollection?

20 A My recollection is that this happened in March, my recollection, late
21 February, March, after the signing of the agreement. And there is a dispute about that,
22 that -- but we did not know that the -- in my judge -- recollection, that until after the
23 agreement was signed --

24 Q You didn't know with certainty, or you didn't know at all?

25 A With certainty.

1 Q You didn't know with certainty.

2 A That the Talibs had him. There were all kinds of speculation that I would go
3 in a closed-door hearing as to what might be -- or might have been -- might have
4 happened to him in different phases, and then we judge that it was handed off to the
5 Haqqanis. But there was an earlier phase and information about what happened to him,
6 who has him, where he might be, so there was -- there was that phase.

7 Q But is it fair to say that prior to March 2020, and prior to concluding the deal
8 in February 2020, you had some knowledge that he had gone missing in Afghanistan, and
9 that this may be relevant to the Taliban?

10 A No, not to the relevant to the Taliban, we didn't have that. I wouldn't even
11 say that I recollect sharply. It's sort of more ambiguous that -- I mean, I remember the
12 initial phase of -- about Mark was a lot of speculation and reports --

13 Q Okay.

14 A -- indicating who he has been taken by.

15 Q Okay.

16 A And the Taliban was not on that list.

17 Q So there was speculation at the time --

18 A And reporting.

19 Q -- and reporting at the time that you concluded the deal in Doha. Is that
20 accurate?

21 A No, afterwards.

22 Q Afterward.

23 A I'm talking about once we became aware there were this reporting. It took
24 a while to be sure that the Haqqanis had him, yeah.

25 Q Okay. Let me ask you then from a slightly different angle: In concluding

1 the Doha agreement by February 2020 --

2 A Right.

3 Q -- did your talks to conclude it ever address the issue of U.S. hostages past,
4 present, or potential future? Did you -- did you discuss that as part of the types of
5 behavior that you wanted to see stopped?

6 A It was -- it was always as part of our discussion about hostages and hostage
7 taking. We -- we had some internationals were taken from the American University of
8 Afghanistan that had been taken. And we'd release -- got them released. So this issue
9 of hostage and hostage taking was very much on our mind because we were dealing with
10 them prior to the signing of the agreement with the Talibs.

11 Q Okay. It was generally on your mind --

12 A Generally.

13 Q -- not specifically with respect to Mark?

14 A Mark, yeah.

15 Q Okay.

16 A Yeah.

17 Q Let me move on to another topic, because I know our time is limited. I
18 asked you previously in an earlier round about whether you understood President
19 Trump's intent at the time that you started your role in 2018 to ultimately being to bring
20 Trump -- to bring U.S. troops down to zero in the country.

21 A Right.

22 Q And you said, if I'm characterizing correctly, that there was a slim, slim
23 consideration --

24 A Yes, there was a consideration.

25 Q -- or slim possibility of maybe some --

1 A Yes.

2 Q -- small residual troop force.

3 A Yeah, sometimes one would get the impression of zero; another time one
4 would get the impression that there's openness to a residual force,
5 counterterrorism-force thing.

6 Q Okay. Well, let me call you back to exhibit, I forget which number it was.
7 It was the Doha agreement. Do you still have that text?

8 A Of course, the Doha agreement doesn't allow for residual force.

9 Q So this is my question --

10 A Oh, please. Yeah. Yeah. That you don't have to show me. I know that
11 very well.

12 Q Fair enough.

13 A Thank you.

14 Q When I asked you previously --

15 A And I can tell you what the -- that I discussed it with the Talibs and what
16 their response was to that idea.

17 Q Okay. So the point I would like to get you to clarify or confirm for us is that
18 there was no ambiguity in your mind by February 2020 that President Trump's intent was
19 to get all American --

20 A Oh, yes.

21 Q -- troops out of Afghanistan?

22 A Yes. But the only caveat that I would have, I mean, I will say the
23 administration, but is that the Talibs, when we raised the issue that what we want, we
24 would like to maintain residual force and continue to have defense cooperation, security
25 cooperation with the Afghanistan, they would say, as Talibs they would not -- could not

1 put in an agreement that Talibs have agreed America's occupying power has killed so
2 many Afghans, can maintain a military presence after wars.

3 Of course, we talk about the military presence to defend the embassy and the
4 Kabul Airport. We -- maybe we'll come to those. But on a counterterrorism force,
5 they said as Talibs they couldn't agree. But once we have a new government, which the
6 Doha agreement said, which includes all Afghans in their view, the warring parties, then
7 that's the subject that that government could decide. If you ask us as Talibs, we will
8 reject it. We will not accept a residual military presence.

9 Q But I -- so I take your point that the hypothetical possibility --

10 A It was quite hypothetical.

11 Q -- of some future President existed because a new government was the
12 hope --

13 A Right.

14 Q -- that could potentially negotiate that.

15 A Right.

16 Q But I believe you testified previously to the ranking member that the issue of
17 intra-Afghan reconciliation continued to slip lower and lower down your priority list and
18 your focus and ultimately was not --

19 A Actually, it was not the priority, it was the probability of success, because
20 we -- the last few months of the negotiation, especially post signing, was largely focused
21 on that. So it's in the priority if it's measured by how much time and effort we spent on
22 it, that was the highest priority.

23 Q So fair enough. But I believe --

24 A But the probability didn't look very promising over time.

25 Q And that was because, as you testified earlier -- I mischaracterized it

1 previously. That was because the success of troop withdrawals that were unconditional
2 undercut the prospects of that?

3 A I didn't testify that. I did not testify to that. That was the charge. I
4 believe that there was such a gap between the two sides that I blame both sides.
5 Sometimes I blame the government even more, sometimes, and -- which is that we
6 agreed that there has to be a new government because of balance of power, nobody
7 winning, you had -- there has to be compromise, but make up of both, agreed by both, by
8 all Afghans. And the government, and for most of the period until the last week or so,
9 was rejecting that.

10 [REDACTED]. Okay. We're out of time, so we'll go ahead and go off the record.

11 Thank you.

12 [Discussion off the record.]

1

2 [5:58 p.m.]

3 [REDACTED]. Okay. We can go back on the record.

4 BY [REDACTED]:

5 Q Ambassador, we are back on the record in the unclassified segment of the
6 transcribed interview.

7 The first question, coming back to our prior topic regarding the Taliban and the
8 Doha Agreement -- and this is now, just for reference, the timeline, we are now within
9 the Biden administration. But if you have any information predating the Biden
10 administration, please feel free to add.

11 Ambassador, what was your assessment of whether the Taliban was meeting the
12 conditions of the Doha Agreement?

13 A Well, we didn't do an assessment -- on terrorism, which we did, we thought
14 it was mixed to positive, not completely satisfactory, mixed to positive. That was
15 because I relied on the whole of intelligence as well as the channel information and
16 always wanted to incentivize the Talibs to do more.

17 Q Uh-huh.

18 A And so I was going to be -- and that we want to see more from them.
19 Although I have to say parenthetically, even with countries, we always want more. But,
20 nevertheless, I thought we could -- if we had done an assessment, we could have asked
21 for more.

22 Q What --

23 A There was room for improvement, a significant improvement.

24 Q And this is pertaining to --

25 A To terrorism.

1 Q -- to terrorism.

2 A Yeah.

3 Q What provisions of the Doha Agreement did you believe the Taliban was
4 adhering to?

5 A Not attacking us, certainly. That was the most important for us, as we
6 withdrew, because the President wanted -- the management -- sorry -- wanted to leave,
7 and they were performing well in that regard.

8 And they were negotiating with the government, which was -- intra-Afghan
9 negotiations was taking place. They didn't say -- after signing agreement, like they had
10 said before, they won't meet with the government. They met in a very public way, in
11 front of the world, with the government senior leaders. Secretary Pompeo was there
12 from our side to witness.

13 [REDACTED]. She was asking about during the Biden administration.

14 BY [REDACTED]:

15 Q Democrats. During the Biden administration.

16 A Oh. Sorry. Thank you for that.

17 They were still negotiating with the government, and that was continuing,
18 so -- but -- yeah, I would say: no attack, negotiations, and terrorism, the three that I
19 mentioned.

20 Q Thank you.

21 BY [REDACTED]:

22 Q So you said no attacks on the U.S., but --

23 A No loss of life of any U.S. soldiers. That's what I meant, not no attacks.
24 Thank you.

25 Q Because the Taliban did carry out some attacks, including indirect fire

1 attacks --

2 A Sure.

3 Q -- against U.S. and coalition bases --

4 A That's true.

5 Q -- in 2021.

6 A And we killed thousands of them during the withdrawal period. That will
7 be on the record.

8 BY [REDACTED]:

9 Q Ambassador, I am fairly certain I know answer to this question, but are you
10 familiar with the Special Inspector General for Afghanistan Reconstruction, or SIGAR?

11 A I am familiar with it.

12 Q Okay.

13 I'd like to introduce exhibit 11 into the record.

14 [Khalilzad Exhibit No. 11

15 Was marked for identification.]

16 BY [REDACTED]:

17 Q This is an excerpt of a report by SIGAR dated January 30, 2021.

18 [REDACTED]: Oh, I'm so sorry.

19 [REDACTED]: No, no. The SIGAR stamp is on the bottom of the page, and
20 the date as well.

21 [REDACTED]: Yep. I actually had to review.

22 BY [REDACTED]:

23 Q Okay. So I'd like to direct your attention to the top of page 48. It's
24 marked on the bottom.

25 A 48?

1 Q Correct.

2 A Okay.

3 Q And you'll see in the first --

4 A 47. Where am I? Okay, 48. There we go.

5 Q The first paragraph, it's an incomplete paragraph, but you'll see there, it
6 states, quote, "Several Taliban actions continue to belie other commitments in the
7 agreement, including continued affiliation with terrorist groups, high levels of overall
8 violence, and attacks on major population centers and on U.S. and Coalition personnel."

9 Do you agree that the Taliban's repeated actions belie their commitment to the
10 Doha Agreement?

11 A Well, I mean, it's a judgment call, but the Doha Agreement didn't have a
12 cease-fire to go into effect between Afghans and the Talibs, number one.

13 Q There was a promise to --

14 A That was to be negotiated.

15 Q There was a promise to reduce violence, though, against --

16 A Yeah, and the record on that is mixed. There are assessments that there
17 was a reduction in number of civilians that died, had reduced by a certain percentage
18 from pre-agreement to the other.

19 But I agree that Talibs were not in full, complete compliance. You could argue,
20 quibble over the exact details, but they were not in complete and total compliance, yes.

21 Q Thank you.

22 And you --

23 [REDACTED]: See the date here.

24 Ambassador Khalilzad. Yeah, what's the date on that?

25 BY [REDACTED]:

1 Q January 30, 2021.

2 A '21. Okay. All right.

3 Q So, now moving on to the next question --

4 A But we have talked about the conditionality and all that --

5 Q Of course.

6 A -- so we covered what --

7 Q We have. Certainly we've talked about it in the macro sense --

8 A Yes.

9 Q -- but now I want to sort of walk through the specifics and get a better

10 understanding --

11 A Okay.

12 Q -- not just for, sort of, purposes of impeachment or anything, but just to get

13 an understanding for purposes of our investigation --

14 A Right.

15 Q -- what did and did not, in fact, take place.

16 A Right.

17 Q So, next, moving on to whether the Taliban were living up to commitments

18 to cut ties with terrorist groups, based on your testimony, my understanding -- and please

19 correct me if I'm wrong -- is that they could have done better. It wasn't --

20 A Yeah.

21 Q -- complete, correct?

22 A They could have done better. Yeah.

23 Q Okay. And what did you base your assessment on?

24 A Well, just reading all the intel, listening to the reports of the channel that we

25 had, what we wanted, their reaction. I thought we should press them to do better.

1 Q Okay. Thank you, Ambassador.

2 So I'd like to introduce exhibit 12 into the record next.

3 [Khalilzad Exhibit No. 12

4 Was marked for identification.]

5 BY [REDACTED]:

6 Q This is an excerpt from a report by U.N. Sanctions Monitoring Team dated
7 May 27, 2020.

8 A Yeah.

9 Q So this would've been under the Trump administration.

10 A Yeah.

11 Q And in May 2020 you were serving as SRAR, correct? You were the still --

12 A In May?

13 Q -- the Special Representative in May 2020? You were still --

14 A Yeah, of course. Yeah, yeah.

15 Q Did you ever review this report when --

16 A No.

17 Q -- serving as SRAR? Okay.

18 I'd like to direct your attention to the page marked 3 in the bottom right-hand
19 corner -- or bottom left-hand corner, sorry -- no, it's the bottom right.

20 A I don't recall reading this.

21 Yeah? Page 3? Okay.

22 Q Correct. And if you could look to the fifth paragraph in the box, the
23 summary.

24 A Oh, in the box. I'm on the wrong -- oh.

25 Q Right there.

1 A So which paragraph?

2 Q The fifth paragraph.

3 A One, two, three, four, five. Yeah?

4 Q And I'm going to read a quote into the record and then ask you a couple
5 followup questions.

6 A Yeah.

7 Q "The senior leadership of Al-Qaida remains present in Afghanistan, as well as
8 hundreds of armed operatives, Al-Qaida in the Indian Subcontinent, and groups of foreign
9 terrorist fighters aligned with the Taliban. A number of significant Al-Qaida figures were
10 killed in Afghanistan during the reporting period. Relations between the Taliban,
11 especially the Haqqani Network, and Al-Qaida remain close, based on friendship, a history
12 of shared struggle, ideological sympathy and intermarriage."

13 A Right.

14 Q "The Taliban regularly consulted with Al-Qaida during negotiations with the
15 United States and offered guarantees that it would honour their historical ties. Al-Qaida
16 has reacted positively to the agreement, with statements from its acolytes celebrating it
17 as a victory for the Taliban's cause and thus for global militancy."

18 Given your close engagement with the Taliban throughout the Doha negotiations,
19 and this being the 2020 timeframe, were you familiar with this?

20 A I don't remember reading this. Yeah.

21 Q Not specifically with reading this report, but with the sentiments and the
22 observations and assessments that were stated in this?

23 A No, because I don't remember reading it, but we did our own assessment
24 with all-source. I don't know who the U.N. relies on. I rely much more on what our
25 system produces. And this is a highly important topic, al-Qaeda terrorism, so we have a

1 lot of assets focused on it. I relied on those. Because I don't know who is in charge
2 and who are the elements. I know the U.N. very well, so I -- having served there. So I
3 think we have better sources than they do.

4 Q And I believe the individual that signed here, Dian Triansyah Djani, is the
5 chair --

6 A Yes.

7 Q -- Security Council Committee established pursuant to Resolution 1988.

8 A Yeah, it'd be good to see his nationality and where he's worked before and
9 all the committee members that worked on it.

10 So I am not saying anything that I know as if this was not good or whatever, but I
11 say I relied more on our intelligence and our own people.

12 Q So I want to focus on the substance of this message, specifically that
13 al-Qaeda reacted positively and celebrated this as a victory for the Taliban's cause and
14 thus for global militancy --

15 A Right.

16 Q -- the close relationship between the Taliban and al-Qaeda, the synergy
17 between the two.

18 A Right.

19 Q Do you have reason to dispute this assessment?

20 A Oh, I've given you my bottom line as to what our intelligence says about the
21 threat from al-Qaeda to the United States from Afghanistan. I would refer you again to
22 that and to ask for a more detailed briefing on the state of play.

23 Q Okay.

24 I'd like to enter as exhibit 13 an excerpt from a SIGAR report dated July 30, 2020.

25

[Khalilzad Exhibit No. 13

1 quarter that the Taliban-al-Qaeda relationship remained 'close, based on friendship, a
2 history of shared struggle, ideological sympathy and intermarriage.' The 11th report of
3 the UN's Analytical Support and Sanctions Monitoring Team, issued May 27, added that
4 the Taliban consulted with al-Qaeda during their negotiations...and offered guarantees
5 that it would honor their historical ties.

6 "Asked about the UN report, Ambassador Khalilzad said on June 1 that a separate
7 U.S. monitoring group had concluded that the Taliban had been making progress in not
8 hosting al-Qaeda or any other terrorist group that could threaten the security of the
9 United States and its allies. When pressed on whether the Taliban had broken from
10 al-Qaeda, Ambassador Khalilzad said, 'We have succeeded in getting Taliban, which
11 refused to break with al-Qaeda [after September 11, 2001, attacks], to say what I have
12 repeatedly referred to.' DOD appeared more skeptical, writing on July 1 that al-Qaeda's
13 regional affiliate 'routinely supports and works with low-level Taliban members in its
14 efforts to undermine the Afghan Government' and 'maintains close ties to the Taliban in
15 Afghanistan.'"

16 Ambassador, did this comport with your understanding of the --

17 A I have said what I've said on the al-Qaeda issue, which is: The
18 commitments in writing is what mattered.

19 Q Uh-huh.

20 A In writing, they have said what they have said. They weren't willing to
21 specifically mention al-Qaeda --

22 Q Uh-huh.

23 A -- that with regard to commitments that applied to other terrorist groups will
24 apply to al-Qaeda specifically, and the annex issues that I've described.

25 So, yeah, there are alternative views. And we did our assessment. We said

1 progress, but not satisfactory. We wanted to do more.

2 Q I'd like to introduce as exhibit 14 a report by the Inspector General for the
3 U.S. Department of Treasury dated January 4, 2021.

4 [Khalilzad Exhibit No. 14

5 Was marked for identification.]

6 Ambassador Khalilzad. I want to say something else too --

7 BY [REDACTED]:

8 Q Please.

9 A -- which is, conditionality -- I don't know which date we are in. After a
10 certain date, the conditionality focused on terrorism was the one that attention was
11 being paid to by management.

12 They would get reports and assessments from our intelligence community,
13 because this, unlike the intra-Afghan negotiations that was more dependent on the two
14 sides in Afghanistan and the complexities of it, but the issue of terrorism -- and we sent
15 monthly reports to the Department management and the Secretary of Defense. That
16 would be through me, but a DASD, D-A-S-D, from Defense and my deputy, Molly, and
17 then General Salene after she left, would produce these reports and give a detailed
18 assessment from the intelligence community of what was going on, what was not going
19 on, at a very high level of classification.

20 So this was -- the issue of terrorism and al-Qaeda was paid detailed attention to.

21 Q So, Ambassador, I'd like to point your attention to page 4 of this document.

22 A Page 4? Yeah.

23 Q So this is dated January 4, 2021. Our understanding is that you were SRAR
24 at this time as well. And this was immediately -- President Biden had won the election.

25 This was prior to --

1 A Sure.

2 Q Okay.

3 So you'll see at the top of the page, after the bolded language, it states:

4 "Treasury told us, as of 2020, al-Qaeda is gaining strength in Afghanistan while
5 continuing to operate with the Taliban under the Taliban's protection. Al-Qaeda broadly
6 still depends on donations from likeminded supporters, and from individuals who believe
7 that their money is supporting humanitarian or charitable causes.

8 "Treasury told us al-Qaeda capitalizes on its relationship with the Taliban through
9 its network of mentors and advisers who are embedded with the Taliban, providing
10 advice, guidance, and financial support. Senior Haqqani Network figures have discussed
11 forming a new joint unit of armed fighters in cooperation with and funded by al-Qaeda."

12 A Uh-huh.

13 Q Ambassador, do you have reason to refute the findings of the Treasury
14 Inspector General?

15 A No. This, obviously, was available to our leaders, available to me and my
16 team. That was the views of the Department or the section of the Department that
17 wrote them. I don't know whether the other parts -- the other intelligence or national
18 security elements agreed with this or not, but I have no reason to question it at this point.
19 I don't have -- I don't have -- this was more than 2-1/2 years ago, so -- yeah.

20 Q So, just in terms of the timeline on this, this is dated January 4, 2021.

21 A Right.

22 Q I imagine I know the answer to this, but for the record, this predated the
23 interagency review --

24 A The review. That must have been -- this document must have been part of
25 that review process. That's right.

1 [REDACTED]: Just to be clear for the record, this is an Inspector General report.

2 Ambassador Khalilzad. They are Department of Treasury.

3 [REDACTED]: No, no -- right. But they are not an element of the national
4 security apparatus.

5 Ambassador Khalilzad. But the Treasury could have --

6 [REDACTED]: No, no. No. They're independent. They're the --

7 Ambassador Khalilzad. Oh.

8 [REDACTED]: -- Inspector General of the Treasury Department.

9 Ambassador Khalilzad. Yeah. Okay.

10 [REDACTED]: They are not the Treasury Department.

11 Ambassador Khalilzad. But, I mean, the Treasury Department people read it, I
12 assume.

13 [REDACTED]: One hopes.

14 Ambassador Khalilzad. Yeah. So, if they had read it and took it seriously, they
15 must have then presented it in the review process.

16 [REDACTED]: I just want to be clear --

17 Ambassador Khalilzad. Otherwise, why --

18 [REDACTED]: -- that we are not going to conflate --

19 Ambassador Khalilzad. Yeah.

20 [REDACTED]: -- intelligence community assessments and IG assessments --

21 Ambassador Khalilzad. Okay. Thank you for --

22 [REDACTED]: -- which, as you pointed out, are based on interviewing people.

23 Ambassador Khalilzad. Yes.

24 [REDACTED]: They have no independent collection capacity.

25 Ambassador Khalilzad. Yeah. But they -- I mean, you can find people to tell you

1 anything, especially if they're getting paid. So, therefore, I would --

2 [REDACTED]. Just to be clear --

3 Ambassador Khalilzad. Yes.

4 [REDACTED]. -- although this is a Treasury Department --

5 Ambassador Khalilzad. Inspector General.

6 [REDACTED]. -- Inspector General report, it is communicating information from
7 the Treasury Department.

8 Ambassador Khalilzad. Yeah. So, therefore, they should have put it in the
9 review process. And, therefore -- although, at this point, it was so long ago, I don't
10 know whether this specific document was brought to anyone's attention at the senior
11 level.

12 BY [REDACTED]:

13 Q And that was not my -- that wasn't my question, but I appreciate the
14 clarification.

15 A Yeah.

16 Q And I do want to add, just for the record, people were not getting paid in
17 exchange for providing information --

18 A Well, sometimes they are. Not maybe in this case, but we do pay for
19 information.

20 Q So I would like to introduce --

21 A I may be getting in another lane, but --

22 Q So I'd like to introduce exhibit 15 next.

23 [Khalilzad Exhibit No. 15

24 Was marked for identification.]

25 BY [REDACTED]:

1 Q This is an article from the Foundation for Defense of Democracies' Long War
2 Journal dated April 8, 2021, written by senior fellow and editor Bill Roggio.

3 A Right.

4 [REDACTED]: Whoa.

5 [REDACTED]: I know. The font is very small. I apologize.

6 [REDACTED]: Okay.

7 If you can read that --

8 Ambassador Khalilzad. No, I can't read that, but somebody will have to tell me
9 what it says. I don't have my glasses with me.

10 [REDACTED]: I'm happy to read the language --

11 Ambassador Khalilzad. Please. Yeah.

12 [REDACTED]: -- into the record. Of course.

13 Ambassador Khalilzad. I'll predict what they would say, but -- yeah. Go ahead.

14 [REDACTED]: But you need to let her finish --

15 Ambassador Khalilzad. Yeah, I'm joking, but --

16 BY [REDACTED]:

17 Q So this was issued on April 8, 2021. This was a week prior, about a week
18 prior, to President Biden's April 14, 2021, "Go to Zero" announcement, correct?

19 A I don't know whether that's correct, but if you say so, yes.

20 Q President Biden announced the "Go to Zero" on April 14, 2021.

21 A Okay. And this was a week before.

22 Q Correct.

23 A Okay.

24 Q About a week before. And, at this time, you were still serving as the Special
25 Representative, correct?

1 Did you ever review --

2 A No.

3 Q -- remember reviewing?

4 A I don't remember. I mean, I get the -- as you can imagine, my morning read
5 is this high, intelligence and so on. So I don't remember any particular note, whether I
6 read it or not.

7 Q Of course.

8 So, starting at the top of this document, it states, quote:

9 "Al Qaeda and its regional branch, Al Qaeda in the Indian Subcontinent, continue
10 to operate across Afghanistan despite repeated Taliban claims that the group has no
11 presence in the country."

12 A Right.

13 Q "Al Qaeda's enduring presence in Afghanistan is visible both through press
14 reporting on Coalition operations against the terror group, and Thabat, Al Qaeda's own
15 media arm that has noted the group's operations in 18 provinces. Afghan security
16 forces have targeted Al Qaeda operatives in two additional provinces. In all, Al Qaeda is
17 operating in at least 21 of Afghanistan's 34 provinces."

18 A Uh-huh.

19 Q Now, I know you can't see this, but, to the next point, looking at the fifth
20 paragraph in this document, it states, quote, "An analysis of 16 issues of Thabat (Issues 3
21 through 18) shows that Al Qaeda and its constellation of allies in Afghanistan have been
22 involved in dozens of attacks from Nov. 2020 to the present in 18 of Afghanistan's
23 provinces."

24 A Uh-huh.

25 Q Ambassador, were you aware of these attacks?

1 A If the intelligence community focused on it and reported it, I would have
2 been aware of it at that time.

3 I have to say for the record, looking back, that al-Qaeda in the Indian Subcontinent
4 has been dismantled. It doesn't exist anymore, according to our intelligence, since the
5 Taliban took over. That's one, that what has been highlighted about al-Qaeda in the
6 Indian Subcontinent doesn't exist anymore.

7 And the intelligence assessment is that al-Qaeda in Afghanistan doesn't pose a
8 threat to the security of the United States this year, next year, and subsequently that it is
9 at the lowest level since 9/11.

10 Q And the intelligence assessment also predicted that Afghanistan would hold
11 an Afghan Government for 2 to 3 --

12 A Right.

13 Q -- more years, correct?

14 A But the government relies on intelligence. We're not academicians,
15 so -- and we have the structures, and so policy is made based on that information --

16 Q Ambassador, what is the --

17 A -- rather than, you know, U.N. or other think tanks. They are important,
18 obviously; we should take them into account. But the decisions are not made based on
19 those.

20 Q Ambassador, what is the relationship between the Taliban and the Haqqani
21 Network?

22 A They're parts of each. The Haqqani Network was present in the
23 negotiations, yes.

24 Q So they aren't separate entities, correct? In other words, they are
25 intertwined.

1 A They're intertwined. They may be in some ways separate, but in the big
2 picture, on big decisions, they're -- based on my experience, they were present in the
3 negotiations. They participated in the approval and disapproval of decisions or ideas
4 that were negotiated.

5 Q Are you aware of claims by the State Department in August 2021 which said
6 that they were separate entities and that they weren't the same?

7 A Well, I described that, on the negotiating team, they were part of the same
8 team, and the agreement, the text, that they participated with the Talibs in approval and
9 disapproval of, but that they also have separation.

10 Q And Haqqani leadership comprises some of the Taliban leadership as well,
11 correct?

12 A Well, they are part of -- for example, now, they are part of the interim
13 government.

14 Q Uh-huh.

15 A -- which has their differences, but they are differences between Talibs who
16 were in Doha and Talibs who weren't. So there are complexities to the Taliban.

17 But as far as the negotiations is concerned, they were part of the team that I
18 negotiated with.

19 Q Thank you.

20 Ambassador, what is your understanding of the historical relationship between
21 the Haqqani Network and ISIS in Afghanistan?

22 A My understanding is that, while there may be individuals who have gone
23 from one to the other, but that they're -- at the strategic level, the Haqqanis are with the
24 other Taliban in the fight against ISIS.

25 Q Uh-huh.

1 Ambassador, I'd like to enter as exhibit 16 into the record an excerpt from a report
2 by a U.N. sanctions monitoring team dated May 27, 2020.

3 [Khalilzad Exhibit No. 16
4 Was marked for identification.]

5 BY [REDACTED]:

6 Q Just for purposes of the timeline, this was under the Trump administration.

7 A Again, it's a Security Council Chair report. Thank you for pointing that out.

8 Q And if you go to the last page, on page 19 --

9 A Yeah.

10 Q -- bullet point number 73 --

11 A 19?

12 [REDACTED]: Yeah, it's the last page.

13 BY [REDACTED]:

14 Q The last one.

15 A Yeah.

16 Q The report states, quote, "Member States have commented that most
17 attacks claimed by ISIL-K demonstrated some degree of 'involvement, facilitation, or the
18 provision of technical assistance' by the Haqqani Network. Furthermore, they have
19 stated that ISIL-K 'lacked the capability to launch complex attacks in Kabul on its own'
20 while taking responsibility for operations that had, in all likelihood, been carried out by
21 the Haqqani Network. Notably, the tactical autonomy of the Haqqani Network in
22 pursuing Taliban goals enables them to support operations, which undermined the
23 control and credibility of the Government of Afghanistan. Likewise, operations resulting
24 in civilian casualties allow Taliban deniability whereas ISIL-K is willing to claim
25 responsibility to demonstrate capability and relevance."

1 Now, if you look to footnote 35 at the bottom of the page, it states, "The
2 Monitoring Team has previously viewed communication intercepts following ISIL-K
3 claimed attacks that were identified as traceable to known members of the Haqqani
4 Network."

5 Ambassador, were you aware of these relationships between the Haqqani,
6 Taliban, and ISIL-K?

7 A I don't remember whether I had read this or what was our assessment of the
8 allegations or the charges or the assessment that this U.N. entity had made. I have to
9 say that I always look at U.N. documents with skepticism, so I --

10 Q U.N. Security Council documents?

11 A Council documents, because, you know, who's the Chair and what interests
12 are there. Because if you read U.N. documents, they will say a lot of things that will
13 make your hair stand about things.

14 So, having said that, I do not exclude the possibility that, in the complexities of an
15 insurgency with a variety of players in them, that each would try to blame others for
16 horrible things they do and mask their own identity and so on. So would I exclude the
17 possibility that Haqqani did something horrible and mask their identity and do it in a way
18 that would finger ISIS? No, I mean -- so it's complex.

19 What I am saying as a bottom line is that this issue of terrorism was taken very
20 seriously, paid a lot of attention to. And we, as I said, on this issue, we did a review that
21 was a joint committee of State and Defense and briefed the management on what we
22 thought. All-source assessments.

23 Q Thank you.

24 Did you ever consider the fact that some of the attacks which ISIL-K claimed
25 responsible for -- or ISIS-K, whichever variation -- may have, in fact, been facilitated by the

1 Haqqani Taliban?

2 A Well, I would look to our counterterror center at the CIA and our other
3 agencies to brief and let us know their assessment. And when they did, as I said, we did
4 our own assessment of compliance of Taliban with the counterterror commitments and
5 informed the management of what we assessed.

6 Q As the chief negotiator and sort of the front-facing authority for the United
7 States Government with respect to the Taliban, did you ever conduct an independent --

8 A Not authority on all matters within the negotiations with --

9 Q With respect to the Doha Agreement.

10 A The Doha Agreement, yeah, exactly.

11 Q Did you ever conduct an independent investigation into this issue?

12 A Not -- I don't know what you mean by "this issue." We did a monthly -- we
13 did a regular joint Defense-State all-source assessment of what the Taliban were doing in
14 relation to the commitments that they had made on counterterrorism.

15 Q Ambassador, what was your assessment on whether the Taliban was
16 reducing violence more generally against the Afghan population, including women and
17 children? We can start with the Trump administration and then lead it to the Biden
18 administration.

19 A Well, we thought always that the level of violence was too high, and we
20 blamed the Talibs for the level of violence.

21 Q And what did you do to counter the level of violence?

22 A We continued to press, one, the Talibs for a reduction of violence. I did.
23 General Miller and I, together, did.

24 And we responded militarily to the Talibs by pursuing a campaign against them.
25 And they complained that we were escalating violence against them.

1 And the Secretary of State, when it was Pompeo, when he visited with the Taliban,
2 he did that. When the President had his phone call with the Taliban, he did that.

3 And there was continued support for the Afghan Security Forces to be able to
4 defend itself, enabling it to do a better job of protecting Afghan citizens. And we helped
5 directly also.

6 So we -- the range of steps that we took. We weren't happy at all with the level
7 of violence. Yes. And I told you some of the proposals they were making.

8 Q And the violence was still incurring as we entered into the Doha Agreement,
9 correct?

10 A Oh, sure, except that, when we signed it, for a week, there was a reduction,
11 we described.

12 Q A 1-week, temporary reduction.

13 A One-week, temporary, yes.

14 Q Ambassador, what was your assessment of the Taliban's commitment to
15 engaging --

16 A But there were no attacks on us after the Doha Agreement that killed
17 Americans, American soldiers. So that, kind of, have to be always assessed and
18 mentioned.

19 Q Of course. We'll get to the point of U.S. soldiers. This was with respect to
20 women and children.

21 A Yeah.

22 Q But, now, my next question is: What was your assessment of the Taliban's
23 commitment to engage in any negotiations with the Afghan Government? Genuine
24 negotiations.

25 A Well, they had signed up to negotiate, and they did sit down with senior

1 members of the government that they, prior to the agreement, had refused to sit. And
2 they offered proposals and counterproposals.

3 But I would say I was doubtful of both the government and the Taliban of serious
4 negotiations to compromise for the sake of their country to find a way to end the war.
5 And my judgment is, the blame goes to both.

6 Q I'd like to now introduce into the record exhibit 17.

7 [Khalilzad Exhibit No. 17

8 Was marked for identification.]

9 BY [REDACTED]:

10 Q This is an excerpt of an article from the Foundation for Defense of
11 Democracies' Long War Journal dated March 8, 2020, or FDD.

12 A Yes.

13 Q So, given its date of March 8, 2020, this was during the Trump administration
14 as well, during the Doha negotiations period.

15 A Uh-huh.

16 Q This article cites a Taliban fatwa from the Voice of Jihad dated January 28,
17 2016.

18 I'd like to direct your attention to the box at the bottom of what is marked page 3.

19 A Yeah.

20 Q It states here, "The Islamic Emirate has not readily embraced this death and
21 destruction for the sake of some silly ministerial posts or a share of the power. On the
22 contrary they epitomize the nation's hopes and aspirations for a just and peaceful
23 government that will strive to build our beloved nation on the basis of Islamic law, social
24 justice, and national interests. The people of Afghanistan readily sacrifice their sons to
25 achieve this objective. And the Emirate -- as the true representative of our people -- will

1 not end its peaceful and armed endeavors until we have achieved this hope of
2 Afghanistan."

3 A Uh-huh.

4 Q Ambassador, am I correct in understanding that the Taliban had been quite
5 clear that it was not interested in a power-sharing agreement and that its goal was the
6 reestablishment of an Islamic emirate?

7 A I'm sure that was their preferred outcome analytically, or that was the
8 optimal outcome that they were striving for, to restore the emirate. But they also
9 agreed to enter and signed an agreement that said a new government based on
10 intra-Afghan negotiations with the government, which they had rejected before.

11 So, yes, that's what they would have desired, to reestablish the emirate, but it's
12 my judgment that -- I could be wrong -- that there was a phase in which they thought that
13 would not be achievable, perhaps, and that there may be a phase in which they have to
14 do power-sharing of some kind, especially if we made it conditional on that, to get us out.

15 I don't rule that out. This is an analytic judgment. But they did sign an
16 agreement. They did that with many ministers present, set to do what they said they
17 would never do, to sit with the government across, in front of the whole world, and
18 address each other and say that they would negotiate a settlement.

19 Now, their intentions, what it would have been, I don't reject that that would've
20 been their preferred outcome.

21 Q Do you believe that just within several years of this pronounced fatwa that
22 the Taliban's existential purpose had changed?

23 A No, I can't say. They had signed the agreement. They said they would
24 negotiate. They sat across the table from them, and they did negotiate. And I gave
25 you my judgment as to why negotiations failed.

1 Q And they ultimately did establish an Islamic emirate, correct?

2 A Of course. They did. And the other side collapsed, to our surprise.

3 Q And they still proceeded with their efforts to establish an Islamic emirate
4 irrespective of the --

5 A Sure. That was their preferred outcome. And the government of
6 President Ghani and his team, by running away, leaving the fight, facilitated that.

7 Q Ambassador, I'd like to now enter into the record exhibit 18.

8 [Khalilzad Exhibit No. 18

9 Was marked for identification.]

10 BY [REDACTED]:

11 Q This is a transcript of your testimony before the Senate Foreign Relations
12 Committee on April 27, 2021.

13 A Right.

14 Q Ambassador, do you recall giving this testimony before SFRC?

15 A What is the date?

16 Q April 27, 2021.

17 A Yes.

18 Q And you gave this testimony about 2 weeks after President Biden's "Go to
19 Zero" announcement, correct?

20 A Right. Uh-huh.

21 Q Okay.

22 I'd like to direct your attention to page 10, about a third of the way down.

23 A Okay.

24 Yeah?

25 Q Okay. You were asked, "What do you think the Taliban has been fighting

1 for over the course of the past 20 years? What is their goal?"

2 A Right.

3 Q To which you testified, "They have argued that they are fighting to get the
4 international forces -- the foreign forces out of their country, and that they regard those
5 forces as occupation forces."

6 A Right.

7 Q You were then asked, "Would you agree that their vision has been to
8 establish an emirate that would return Afghanistan to the brand of governance seen
9 before 9/11?"

10 A Yeah.

11 Q You testified, "That has been a stated vision, but they have -- also have said
12 that they have changed since the dark days when they ruled Afghanistan in the 1990s."

13 A Yeah.

14 Q So please hold on to this.

15 A Sure.

16 Q I'm going to be introducing another exhibit. We're going to be coming back
17 to this.

18 A All right.

19 Q This is exhibit 19.

20 [Khalilzad Exhibit No. 19

21 Was marked for identification.]

22 Ambassador Khalilzad. Uh-huh.

23 [REDACTED]. Sorry.

24 [REDACTED]. No, that's okay. Oh, actually, I do need to take a quick look.

25 BY [REDACTED]:

1 Q This is an excerpt of a transcript of the NPR interview with Taliban Defense
2 Minister Mullah Yaqoob, the son of Taliban founder and Osama bin Laden ally Mullah
3 Omar, dated August 5, 2022.

4 A Uh-huh.

5 Q Please turn --

6 A 2022?

7 Q Correct.

8 A I'm out of government already for almost a year. Yeah.

9 Q Of course.

10 Please turn to the numbered page 6. It's at the bottom, in the right-hand corner.

11 A Yeah.

12 Q Have you ever listened to this interview at any point?

13 A I don't rule it out, but I don't remember anything from it, if you ask me,
14 because Mullah Yaqoob is very active. He makes a lot of statements.

15 Q Of course. That's no problem. We'll go over the statements relevant to
16 this discussion.

17 A Yeah. Sure.

18 Q Mullah Yaqoob is asked, quote, "U.S. diplomats have been meeting with the
19 Taliban. The U.S. has released some economic aid to the devastated country and has
20 talked of more. But the U.S. also wants to see proof that this regime governs differently
21 that the Taliban of the past. How, if at all, is your vision for Afghanistan different than
22 your father's vision in the 1990s?"

23 To which Mullah Yaqoob replied, "I haven't felt any changes in our thought with
24 my father. I am following his spirit. But there is differences of situation. There is
25 differences of condition."

1 A Right.

2 Q Ambassador, going back to your April 2021 testimony, in which you stated
3 something to the effect of "this is a different Taliban" --

4 A Yeah?

5 Q -- do you feel that you misjudged the Taliban?

6 A Not at all.

7 First of all, you know Afghan culture. To ask somebody, how do you feel about
8 your father, he isn't going to say, "Well, he was an idiot." No. So that's kind of a setup.
9 If anybody were to ask, "Would you renounce your father's vision," and you would say,
10 "Well, of course I renounce my father's vision," that wouldn't -- so I don't take the public
11 statement that no one should pay attention to it, but I stand behind what I said, that their
12 stated vision is to reestablish the emirate.

13 I didn't say that -- but they are saying, and that's what the agreement says, and
14 they have said, that conditions have changed, we're in a different condition, and we
15 would like to negotiate. Ideally, yes, of course, we want to establish the emirate. They
16 always said that. But then we want to negotiate, and if we can come to an agreement, it
17 doesn't have to be called the emirate. You will find that -- at least our negotiating
18 record would indicate they said, it could be called the republic, it could be called emirate,
19 it could be called something that some people said sounds like ISIS, Islamic State. We
20 would have to agree in the negotiations about those details.

21 So I don't think that that was a misjudgment. That was a true characterization of
22 how one saw the situation based on the agreement and the discussions that we had.
23 But there is no question that the vision everybody subscribed to, that the best possible
24 thing is Taliban ruling by themselves and an Islamic emirate being reestablished.

25 Q Thank you.

1 And I think we are out of time, or nearly out of time, so we'll stop the clock and go
2 off the record.

3 [Discussion off the record.]

4 ██████████: We can go back on the record.

5 BY ██████████:

6 Q We have one final question for you, reserving --

7 A Please.

8 Q -- our right for any followup.

9 A Sure.

10 Q Is there anything you'd like to offer or share with the committee in terms of
11 your experiences related to the withdrawal, any questions we may have failed to ask you,
12 et cetera?

13 A Sure.

14 I want to make a distinction between negotiations to reach an agreement on
15 withdrawal and -- given the management desire, strongly felt, that we weren't on a
16 course to victory and any possible future cost too much, the opportunity cost was too
17 high, the world had changed, great-power competition, dealing with China, and what
18 have you, and that we -- that's one thing.

19 Another thing is the phase of August, the withdrawal, the final phase of
20 withdrawal, which surprised management and all of us, which is the disintegration and
21 the abandonment of the fight by the Afghan Government, which created a situation,
22 given this assumption that would've formed the timeline of withdrawal was, besides the
23 conditions that we have discussed, that the government would be still there and that the
24 military deciding to withdraw in a particular way -- which area to leave first, and how
25 Kabul would be the place to withdraw last.

1 And then some information, some statement by the U.S., some U.S. official or
2 otherwise, creates an impression that anyone who can make it to the airport would be
3 taken out. And you get a situation where the withdrawal itself, in that circumstances,
4 becomes very problematic, very difficult, and not good. Nobody -- I mean, the fact that
5 we managed to get a lot of people out was very positive, the military logistics working, all
6 that. But the circumstances were very difficult and created not a very positive
7 impression -- although it was the military that did the withdrawal, but we all had a role.

8 So I think that phase, which is not positive, nobody can be entirely proud of,
9 except the fact that we saved a lot of Afghan lives in the process at risk, perhaps, if we
10 believed they were at risk, that we saved them.

11 But the basic issue is, why did we come to a judgment that staying the course is no
12 longer a valid proposition for the United States in Afghanistan, that that is not
13 acceptable? And, therefore, given that judgment by an elected leader of the United
14 States, by the President, is -- we are, I think, not sufficiently coming to grips with why did
15 that happen, what went wrong, what lessons can we learn.

16 Yes, this last phase was largely, I would say, an intelligence failure, if one could call
17 it a failure, a judgment that turned out not to be correct that informed it. And I have
18 many times said, we need to do alternative futures, that, as I have described, what if,
19 what if, and prepare for it. And military does that.

20 So that's sort of the one point. Because a lot of discussion of the big decisions on
21 getting out, people refer to the unfortunate set of circumstances as a result of the partner
22 that we worked with, who proved -- I mean, if you listen to what President Ghani said to
23 me, what he said to the President, what he said to the Secretary of State, what he said to
24 General Austin, what he said to the media, that "I'm not going to be King
25 Amanullah" -- but I didn't mean -- [REDACTED], I didn't -- to leave. What if -- I loved

1 King Amanullah, but I didn't like that he abandoned the fight.

2 And then -- without telling us what was he afraid of. Was he afraid that the
3 palace would be overrun by the Talibs and he would be hanged like Naji? We could've
4 sent some -- that wouldn't have been my decision, but when we protected Karzai for how
5 long, we sent forces for a long time. Why not call to say, "Look, I am afraid of this"?

6 He talked to Tony Blinken the night before. He said, look, I agree with this
7 formula that you and Taliban have come to terms with. Tomorrow, the delegation is
8 going to go negotiate what would have been, like, a 60-40 division of power. And then
9 leave. And then the whole forces disintegrate.

10 So that would be my only addition to what you've asked, a very good question.

11 Thank you.

12 [REDACTED]. Thank you.

13 On behalf of Ranking Member Meeks and the minority staff, thank you very much
14 for your service --

15 Ambassador Khalilzad. Thank you.

16 [REDACTED]. -- including through your voluntary interview here today.

17 Ambassador Khalilzad. Thank you. Thank you very much.

18 [REDACTED]. That concludes our round.

19 Ambassador Khalilzad. I appreciate that. Thank you.

20 [REDACTED]. We can go off the record.

21 [Discussion off the record.]

22 [REDACTED]. Okay.

23 BY [REDACTED]:

24 Q So I believe you previously testified or acknowledged to my colleague the
25 indirect-fire attacks that the Taliban was carrying out against U.S. and --

1 A Uh-huh.

2 Q -- coalition bases throughout 2021, correct?

3 What did you communicate to the Taliban regarding these attacks?

4 A The Taliban complained continuously about our violation of the agreement,
5 number one. This was a constant theme, of how many people we had killed, where, and
6 how many were done away from the battlefield where we, under the agreement,
7 could've come to their aid. And we had complaints constantly.

8 And then we had a military channel that we established, besides -- I referred to
9 downstairs about the other channel, but we had a military channel where officers from
10 our side and people from the Talib, some of their people who had military experience,
11 would meet, try to resolve disagreements as to what exactly had happened and how we
12 can preclude the repetition of those.

13 So we had a process for dealing with questions and alleged violations from us that
14 they complained about and our reporting that we had received on violations and firing.

15 There was times that there was -- even during the withdrawal, that we were
16 looking at the probability, with intensity of the fighting that was occurring, especially in
17 Helmand and Lashkar Gah and so forth, that this could lead to a total breakdown of the
18 agreement, that they would actually fire and kill a bunch of Americans, which would lead
19 to a much bigger fight. So we were wary and concerned.

20 But General Miller and his team, occasionally they would invite me, the committee
21 also, to come participate and General Miller to come and participate, because at the level
22 of the channel, they couldn't address some of the issues, thinking that we would.

23 And out of some of those discussions came some of the proposals that I told you
24 we would get, how to decrease the likelihood of intra-Afghan fight, that then we get
25 involved in support of the Afghans. And sometimes angry, they would say local

1 commander may have done something that they would deal with and so forth -- which,
2 you know, we did not necessarily always come to a similar judgment as to what had
3 happened.

4 Q So they acknowledged -- just so I'm understanding correctly, they
5 acknowledged that they were engaging in these indirect-fire --

6 A No, they --

7 Q -- attacks?

8 A They never -- we said, you have done it. They said that they have not done
9 it. They never said, we are firing at you to kill you, or firing at you. They never owned
10 up to it.

11 Q Did they explicitly say, "We did not do it"? Or they said, "You are not
12 holding up your" --

13 A They would imply -- and that's their words; I'm not giving my assessment
14 here other than that -- "Because you are violating the agreement, killing so many of us,
15 sometimes local commanders, out of anger, may have done something, but it's not
16 something authorized by the military committee or by Commander Yaqoob or the
17 political leadership. And so, if there is something that's happened, we will investigate
18 and get back to you, but it's not authorized. But I am telling you that your violations," as
19 alleged by them, "is creating a situation which has a lot of anger. We are losing a lot of
20 people." Yeah.

21 Q Thank you for that clarification, Ambassador.

22 I'd like to point you back to exhibit 18, which I had mentioned to hold on to.

23 A My testimony.

24 Q Your testimony, correct.

25 A Okay. Sure.

1 Q This is a transcript of your testimony before the Senate Foreign Relations
2 Committee on April 27, 2021.

3 A Yeah.

4 Q If you could please direct your attention to page 18. It's marked at the top.

5 A Okay. 18.

6 Q Here, you testify, "I do not believe that the Government is going to collapse,
7 that the Taliban is going to take over."

8 A Yes.

9 Q By "Government," just for the record, you're referencing the Afghan
10 Government, correct?

11 A Absolutely, yes. Yeah. Yeah.

12 Q Ambassador, before we get to the part of either overestimating the Afghan
13 Government's capabilities or the Afghan Government's failures, which I anticipate we will
14 get to, the Taliban did take over, correct?

15 A Right. They did.

16 Q And you stated here, "I do not believe that the Government is going
17 collapse," comma, "that the Taliban is going to take over."

18 A Yeah. The two are related to each other. And I believed that -- and I say
19 it was my personal judgment.

20 Q Uh-huh.

21 A And it was informed by the intel -- which I didn't want to say, "Our
22 intelligence people say that to me." I was reflecting what was a common assumption,
23 that the -- and, besides, I wanted to send a message, since it was a public testimony, to
24 the Afghan Government and the military not to say, "Yes, they will collapse, Talib will take
25 over," to not have a negative psychological effect on their morale. I was trying to build

1 them up by saying, I don't believe they'll collapse and the Talibs will take over.

2 Q This testimony was under oath, though, correct, right, so you testified to the
3 truth of what you believed?

4 A Yes. That's what I believed.

5 Q Okay. Did you misjudge, given your personal relationships with the Taliban,
6 the fact that you engaged in --

7 A I have no personal relations with them.

8 Q Given your professional relationship with the Taliban and your negotiations
9 and your interfacing with them over the course of years --

10 A Right. And I did the same thing with the government even longer.

11 Q Of course -- did you misjudge the strength and intentions of the Taliban?

12 A I misjudged it based on intelligence, the resolve of the government and the
13 capabilities of the armed forces, in which we had invested billions of dollars and we
14 thought it was an effective fighting force.

15 Q I'd like to now direct your -- do you have -- go ahead.

16 ██████████. So you don't think that misjudging the Taliban had anything to do
17 with it?

18 Ambassador Khalilzad. I think that the Taliban -- no misjudgments about the
19 Taliban. Because the Taliban, I told you, ideally would've liked to reestablish the
20 emirate. And it was our judgment that they couldn't, because the fight will go on, with
21 or without us, for years. Initially we thought it could go on indefinitely. Then we came
22 to a view -- the judgment was that this was a kind of stalemate and that the stalemate
23 should lead to negotiations.

24 And then, as the situation -- the poor performance of the Afghan Government and
25 the military in the year, especially in 2021, led to the change, that the government

1 nevertheless could last 2 to 3 years.

2 But there was a time that the judgment was that this was a stalemate that could
3 go on indefinitely. Each side had enough people under their control that could generate
4 the force. As long as we could pay the salaries, you could always -- the government
5 could recruit people to fight for it.

6 But there was a loss of will on the part of the government. And that leads to
7 more -- the underlying question that I have raised, not to -- I've not been able to impress
8 on you, as to why the security forces of Afghanistan didn't defend the values of their
9 republic. Is it because they were fighting for the United States, or they were fighting for
10 their country?

1 [6:57 p.m.]

2 BY [REDACTED]:

3 Q And we'll get there. We have information on that. But before we do --

4 A I am glad to hear that you have information on how they lost the war, other
5 than the U.S. shouldn't have left.

6 Q We will get to that.

7 So now I would like to direct you to page 9 of your testimony. This is the fifth
8 paragraph.

9 A Yeah.

10 Q It's very small.

11 A Yeah.

12 Q So I'll read it.

13 A Sure.

14 Q Here, you testify, "It has been evident now for years that there is no military
15 solution" --

16 A Right.

17 Q -- "to a conflict in Afghanistan" --

18 A Right.

19 Q -- "that has gone on for over 40 years."

20 A Right.

21 Q I believe that you -- that during the hearing, you state multiple times there's
22 no military solution in Afghanistan.

23 A Right. Exactly. That's what the common judgment was. And that's why
24 we went to a negotiation because that was the assessment that was made, and judgment
25 that was made.

1 Q Did the Taliban agree there was no military solution?

2 A I'm sure they were surprised by what happened, but repeatedly, they said
3 they didn't see a military solution in our meetings and discussions. There is no military
4 solution, and we have to have a political agreement.

5 I mean, I judged that they wanted us out to shift the balance so -- to deal with the
6 government from a position of strength. That, I thought, was their approach.

7 Q And the Taliban ultimately did pursue a military solution throughout 2021,
8 correct?

9 A Well, I told you that, even in Kabul, they said to us, take it over. We don't
10 want to be accused of taking it over by force. You -- General McKenzie, you take it over,
11 and then bring us the delegation we agreed. We didn't want to -- we didn't want to do
12 that. We didn't want anything to do with that.

13 So in the vacuum that the government created, the Taliban moved in. And this
14 was a gift given to the Talibs by President Ghani and his people, in my judgment. The
15 Talibs, of course, ideally -- they were shocked that this was offered to them on a golden
16 platter by abandoning the fight.

17 We can do a lot of self-flagellation. But the fact of the matter is that the other
18 side left the fight.

19 Q Ambassador, there are a number of statements here that have been shown
20 as of -- you know, whether it be the military solution, which the Taliban did ultimately
21 pursue -- irrespective of President Ghani leaving, he is not the only individual within
22 Afghanistan that could have governed. He was the President. It wouldn't be the first
23 time --

24 A But then the departure led to the disintegration of his security forces.

25 Q Please let me continue. I just want to clarify and make sure I understand.

1 A Yeah.

2 Q The Taliban did ultimately seize Kabul, and it did ultimately seize --

3 A Yeah.

4 Q -- Afghanistan --

5 A Right.

6 Q -- from the government and the people.

7 A It did. That's the description of facts, yes.

8 [REDACTED]: Let her finish.

9 Ambassador Khalilzad. Yeah.

10 BY [REDACTED]:

11 Q Ambassador, based on all these various statements and promises that were
12 provided by the Taliban, do you believe that you were deceived by them in any way?

13 A No.

14 Q So you believe they were honest throughout?

15 A No, I don't know. Nobody is honest throughout. But they -- we
16 negotiated. They made some commitments. We made some commitments. The
17 agreement was condition-based. We did not hold them to the conditions at the end.

18 [Khalilzad Exhibit No. 20

19 Was marked for identification.]

20 BY [REDACTED]:

21 Q So I'd like to enter exhibit 21 into the record. This is an excerpt of a report
22 dated August 2022 that was published by the United Institute of Peace in Britain by Steve
23 Brooking, who was previously the charge for the British embassy in Kabul. I believe he
24 was 1 year prior to you.

25 A I know Steve. No, I know Steve. He worked for the United Nations,

1 actually. Not for the -- I mean, during the time we were negotiating. Yes.

2 Q So I would like to direct your attention to what is marked as page 25, the
3 only page in this excerpt, under the "end game" subheading.

4 A Yeah.

5 Q Here it states, "President Biden announced on April 14, 2021, that all
6 remaining U.S. troops would depart Afghanistan by September 11" --

7 A Yeah.

8 Q -- "thus adhering to the withdrawal component of the U.S.-Taliban deal by
9 pushing back the deadline by 4 months."

10 A Right.

11 Q "The announcement had an immediate impact on the negotiations as well as
12 affecting events in Afghanistan. It emboldened the Taliban, seriously damaged the
13 morale of the Republic's security forces, and persuaded many Afghans to think about
14 switching sides to the Taliban, who are now perceived as likely winners. Moreover, the
15 actual withdrawal of contractor and U.S. military support had practical impacts on
16 Republic military capabilities in terms of Afghan aircraft, needed to evacuate wounded
17 troops and to support beleaguered ground troops, and accurate close air support from
18 the United States."

19 Ambassador, do you agree with Mr. Brooking's assessment on the impact of
20 President Biden's go-to-zero order?

21 A Well, the fact of what happened, and in what sequence as to the reasons
22 would go to the facts, I would have to disagree with some of what he said.

23 The contractors' departure, as I understand it -- you will have to check with the
24 military -- did not happen until sometime in August when the last phase of withdrawal
25 was taking place.

1 And already, we had negotiated with UAE for maintenance, support, and some
2 aircraft before our final withdrawal -- but maybe maintenance of the contractors because
3 of their insurance and other issues. Since we were withdrawing, it would not operate.
4 Some planes were scheduled for maintenance to be taken to UAE.

5 Q By way of Pakistan, correct?

6 A By way -- and there was issues of Pakistan agreeing, or not agreeing, as I
7 recall, although it becomes fuzzier.

8 So yes, I think the combination of the retrenchment of the Afghan forces to
9 be -- to abandon much of the country, and the imminence of U.S. withdrawal without
10 knowing what the calculations of individual commanders of Afghan armed forces or
11 warlords, who are also commanders were. I can't speculate on that.

12 But, yes, that the U.S. withdrawal had a psychological impact and negatively
13 affected the relative balance of power for the government. That's obvious. You have
14 two fighting forces. There is a third force that supports one side. That force wants to
15 leave. It affects the balance. But it affects the balance to the degree that it led to
16 disintegration, and that is the shocking part.

17 I wouldn't have been surprised if there had been some restraint and some loss of
18 territory based on the shift in the balance. But the total disintegration is what was
19 surprising.

20 And we don't know all of the reasons. These are opinions, assessments of one
21 scholar or one observer. But I don't know how many Afghan commanders he has
22 interviewed. But I don't dispute the negative effect on the balance of power of the U.S.
23 withdrawal. That would be strange that it wouldn't have an impact on the balance
24 between the two sides.

25 Q And, Ambassador, just for clarity of record, our understanding, based on

1 what we've learned in the investigation including through testimony --

2 A Yeah.

3 Q It was that there were plans in progress to supplement this issue with the
4 contractors --

5 A Right.

6 Q -- but by the time Kabul had fallen, no plan had been finalized?

7 A Well, that's probably true because nobody expected until very late in the
8 game that this is what would happen. So therefore, you had to adjust and do what you
9 could under those circumstances, yes.

10 So when I was asked to take in what context this was happening -- and the
11 disintegration of the force and the rapid decline in the performance of the Afghan
12 military. But we did adjust, or were trying to adjust, yes.

13 Q Thank you, Ambassador.

14 I just want to correct. This was actually Exhibit 20, not 21.

15 Now I will be entering exhibit 21 into the record.

16 [Khalilzad Exhibit No. 21

17 Was marked for identification.]

18 [REDACTED]: SIGAR is very busy publishing things.

19 [REDACTED]: They are, indeed.

20 Ambassador Khalilzad. Very good.

21 BY [REDACTED]:

22 Q So this is a SIGAR report dated July 30th, 2021.

23 And I apologize for this redundant question, but you were still serving as SRAR at
24 this time, correct?

25 A In June, yes.

1 [REDACTED]: July.

2 Ambassador Khalilzad. July, yes.

3 BY [REDACTED]:

4 Q July 30th, 2021?

5 A I left in October 2021.

6 Q Did you ever read this report?

7 A Not that I recall. Again, it's the same thing I say about all the reports and
8 news articles and papers that I read. It's possible, but I don't know.

9 Q Thank you. I'd like to direct your attention to the first full paragraph on
10 page 85 of this.

11 A Yeah.

12 Q And I will read the language into the record.

13 A Yeah.

14 Q Quote, "USAID-funded monitoring of Taliban public communications found
15 the Taliban's tone to be resoundingly triumphant in April and May following the
16 announced withdrawal of U.S. military forces."

17 A Right.

18 Q "According to Abdullah, the Taliban have sought to use the withdrawal of
19 international military forces to win on the battlefield."

20 A Right.

21 Q Ambassador, were you aware that the Taliban were resoundingly
22 triumphant in April and May following President Biden's go-to-zero announcement?

23 A Yeah. They were triumphant here even during the discussions they had
24 with the Afghan Government. The Afghans report in their meetings -- they sound very
25 triumphant. That rather than winning the war and the way you treated us for the

1 previous 18 years, now you are sitting with us, you know, and your response is leaving.
2 That they would sound kind of triumphant, yes.

3 Q Did that worry you at all?

4 A Yeah. It did worry me. And I wasn't surprised by it. The fact is that we
5 did sit with them after saying we won't sit with you if you don't do one, two, three.

6 And they achieved what -- when I was ambassador, it would have been very
7 difficult to envisage that we would be where we ended up being. And I've explained
8 really why this change happened, and I want us to look at those things that caused us to
9 do some of the things that now you're focused on, because their objective became to get
10 people out safely. And if we could have achieved this intra-Afghan progress, obviously,
11 that would be great, and we worked hard to achieve that as well.

12 Q Thank you. And I'd like to direct your attention to the third full paragraph
13 on this page.

14 A Yeah. Yeah.

15 Q And I'm happy to read this into the record.

16 A Sure.

17 Q "According to State, it is unclear how the U.S. military drawdown has
18 affected the peace process. State noted that some say the Taliban are less likely to
19 engage meaningfully in peace talks" --

20 A Right.

21 Q -- "with the full troop withdrawal imminent."

22 A Right.

23 Q "For example, one Afghan Government negotiator said this quarter that the
24 Taliban are just waiting to get everything by military force and waiting for the collapse of
25 the government of Afghanistan."

1 A Right.

2 Q Ambassador, you previously testified something to the respect of the
3 leverage that the troops sort of -- the leverage that the United States Government had.

4 A Right.

5 Q One of the primary points was the withdrawal.

6 A Right.

7 Q And now that the announcement has been made --

8 A Right.

9 Q -- that you're going to zero --

10 A Right.

11 Q -- were the Taliban indeed just waiting for the Afghan Government to
12 collapse, as this statement by the State Department at that point of Afghan Government
13 negotiations?

14 A I'm sure that was one of the alternatives that they were thinking, but I told
15 you also that they committed not to enter Kabul on August 15th, that we would engage
16 with them.

17 They agreed to a -- in principle, to a cabinet that would have a significant number
18 of Republic members for a transition period. They offered and agreed that we could
19 take over Kabul. Those are also part of the reality of that.

20 But what happened, I think, satisfied their highest desires and aspirations to be
21 able to take over unilaterally and take the government. But that's the circumstances
22 that happened.

23 Q Thank you for your answer. That's helpful and thorough, and we
24 appreciate it.

25 I would like to direct you back to exhibit 18. This is the transcript of your

1 testimony before the Senate Foreign Relations Committee on April 27th, 2021.

2 A Yeah. 18?

3 Q This is exhibit 18, but if you could direct your attention to page 34 --

4 A 34.

5 Q -- which is marked at the top.

6 A Yeah.

7 Q This is going to be about two-thirds of the way down. You were asked the
8 following: "Let me ask you, how many Afghan security forces are there today?"

9 And by today, your testimony was on April 27th, 2021.

10 A Yeah.

11 Q So that is the timeframe we're working within.

12 A Yeah.

13 Q To which you testify in response, quote, "We believe, as I said in my
14 testimony, I think it is about 300,000."

15 Ambassador, what was your source for this 300,000 figure?

16 A Defense and intelligence. That's what my sources would have been. I
17 wouldn't have judged it out of my own kind of guessing. Yeah.

18 Q Did you vet the information yourself at all in any way?

19 A The testimony -- I said as I mentioned in my testimony, and the testimony
20 usually gets cleared by everybody. So I was repeating what I said in my testimony. I
21 don't know what you have experienced in the executive branch. You know how these
22 things work. Yeah.

23 [REDACTED]. His submitted written statement.

24 Ambassador Khalilzad. Yeah. That's what I mean. The testimony. The
25 written statement.

1 [REDACTED]: Because this is also your testimony.

2 Ambassador Khalilzad. Yeah. But I meant that it says that I said in my --

3 [REDACTED]: Yep.

4 Ambassador Khalilzad. -- submitted statement. Yeah.

5 BY [REDACTED]:

6 Q So, Ambassador, when testifying or in your written testimony, did you take
7 into account well-known problems such as ghost soldiers and ghost units?

8 A Yeah. But nevertheless, this was the number that we used, and I believe
9 our most senior leaders and myself referred to those numbers based on the information
10 they had.

11 [Khalilzad Exhibit No. 22

12 Was marked for identification.]

13 BY [REDACTED]:

14 Q I would like to introduce exhibit 22 into the record next. This is a study
15 published by the Countering Terrorism Center at West Point in January 2021. This study
16 is titled, "Afghanistan security forces versus the Taliban: A net assessment."

17 And, again, for the record, in January 2021, you were serving as the special
18 representative, correct?

19 A Right.

20 Q And West Point is one of the foremost military academies in the United
21 States, correct?

22 A Correct.

23 Q Did you, at any point, engage with this article or be presented it?

24 A Not that I recall.

25 Q So if you turn to the next page.

1 A Next page?

2 Q Yes.

3 A Of the article?

4 Q Yes. The only page of the article.

5 A There is -- yeah. Sorry. I didn't see.

6 Q The study states, quote, "According to a net assessment conducted by the
7 author across five factors -- size, material resources, external support, force employment,
8 and cohesion -- the Taliban would have a slight military advantage if the United States
9 withdraws the remainder of its troops from Afghanistan, which would then likely grow in
10 a compounding fashion."

11 Ambassador, were you aware of this conclusion --

12 A No.

13 Q -- or this sentiment that the Taliban had --

14 A I relied on the military assessment, and the military assessment were
15 available to the Department of Defense, which had the responsibility for training and
16 mentoring and supporting, and they were part of the National Security Council process
17 and the review. And so, they had their reviews presented. I don't know about this
18 particular piece, which is the opinion of one author. West Point is respected --

19 Q From West Point?

20 A Yes. But with a lot of respected institutions, individuals give their views,
21 but it doesn't drive unless it comes through the process.

22 Q So I've now presented multiple sources --

23 A Right.

24 Q -- from the United Nations Security Council --

25 A Sure.

1 Q -- from The Peace Institute --

2 A Right.

3 Q -- from West Point --

4 A I didn't say anything about The Peace Institute. I thought that was an
5 opinion of a credible person who has experience that I knew personally. But some of
6 the others, it was about to come through our filtering or assessment review process.

7 Q So I would like to read the author's bio for you just into the record, as this
8 was a point of contention in other respects as well.

9 "Dr. Jonathan Schroden directs the Center For Stability and Development and the
10 Special Operations Program at the CNA Corporation, a nonprofit, nonpartisan research
11 and analysis organization based in Arlington, Virginia. His work at CNA has focused on
12 counterterrorism and counterinsurgency activities across much of the Middle East and
13 South Asia, including numerous deployments to Iraq and Afghanistan."

14 A Sure. Credible. A credible gentleman. I appreciate his service.

15 I have to say that sometimes, based on my long experience that people disagree
16 with what you want to do, which is to get out of, for example, Afghanistan for reasons
17 that have nothing to do with the kind of issues you are raising, and for a bigger strategic
18 reason. People think that is wrong, and I respect that. And I have many friends who
19 had that view that we should stay, not leave.

20 But then, one way to fight that fight is through publication, the articles, the
21 advocacy pieces. And people who predicted that if we had left Afghanistan, another
22 9/11 will happen imminently.

23 You know, people, in order to advocate for their end point, which is, We shouldn't
24 leave, we should stay. The war shouldn't go on. And, yeah, they are entitled to their
25 opinions and their judgments. I respect them. As I said, some of them are my friends.

1 Q So if you could please direct your attention to the bottom of page 3.

2 A Three? Okay. Yeah.

3 Q And it starts at the beginning of that paragraph a few words in.

4 "While almost all of the attention to date has been on the withdrawal of U.S. and
5 coalition military forces, an equally serious threat to Afghan stability is largely being
6 ignored. And that is the provision of last year's U.S.-Taliban agreement that stipulates,
7 in addition to the departure of troops, all nondiplomatic civilian personnel, private
8 security contractors, trainers, advisors, and supporting personnel also must leave the
9 country by May 1st."

10 A Right.

11 Q "Should this come to pass, SIGAR and many others believe this may be more
12 devastating to the effectiveness of the Afghan security forces -- and the survival of the
13 Afghan state as we know it -- than the withdrawal of our remaining military forces.
14 Why? Because the Afghan Government relies on these foreign contractors and trainers
15 to function."

16 Now, if you look to page 4, paragraph 4, it states, "Again, why does SIGAR and
17 other experts view this as a serious threat to Afghanistan's stability? Namely, because
18 contractors currently provide 100 percent of the maintenance for Afghan Air Force UH-60
19 helicopters and C-130 cargo aircraft, and a significant portion for Afghan light combat
20 support aircraft. And TAAC-Air's" -- Defense Department train, advise, assist,
21 commanders -- "bleak assessment is that no Afghan airframe can be sustained as combat
22 effective for more than a few months in the absence of contractor support."

23 Ambassador, were you aware of these issues, including the DOD's assessment?

24 A I wasn't aware. This is, again, in the military channel. The military
25 assessment.

1 But I'm aware of the bigger -- and all the details of the big policy issue, which is
2 that the contractors are not going to stay, especially the American contractors, if the U.S.
3 forces were to withdraw. They simply thought that was too risky for them.

4 And the U.S. -- the conundrum was, was the U.S. going to stay militarily in order
5 for the contractors to be able to stay? And a judgment decision was made way above
6 my pay grade on the withdrawal, as you are aware of, and the decision was made.

7 Q Ambassador, do you believe that President Biden prematurely decided to
8 withdraw before ensuring an issue as important as this one was already resolved?

9 A Well, the alternative was -- and he decided that to delay the withdrawal
10 would go back -- take us back to combat potentially, and the combat would mean send
11 more forces.

12 Q So let me reframe it.

13 A Yeah.

14 Q Decided to withdraw. I'm not stating even the date of the withdrawal.

15 A Yeah.

16 Q I'm talking about the announcement.

17 By the time he made the announcement to withdraw, should he have already,
18 given that these issues were anticipated by the DOD in March, should he have addressed
19 those issues beforehand and ensured that there was a plan in place, a real plan in place
20 with dates, timelines, measures, by the time he announced his withdrawal?

21 A You would have to ask DOD on that. I know there is jurisdictional issues as
22 to whether there was a realistic plan in place. I think I wouldn't be the person that
23 would judge whether a plan to maintain Afghan aircraft was in place or not at that time.
24 It's a question that must have been asked of DOD by the President or by others. I am
25 not aware of that. I don't have a direct knowledge of that.

1 Q Fair enough.

2 A Yeah.

3 Q So I want to just go back to the report by West Point. This was specifically
4 about the language which stated that the Taliban has a slight military advantage --

5 A Right.

6 Q -- to the Afghan military.

7 A Right.

8 Q And this would have been exhibit 22.

9 A Right.

10 Q I'm going to ask a few follow-up questions --

11 A Sure.

12 Q -- given exhibit 23.

13 Do you believe the U.S. Government's failure to timely support the Afghan Air
14 Force resulted in the Taliban having an even greater military advantage over security
15 forces?

16 A I think that the Afghan military and political leadership's problem was much
17 deeper than this technical issue, which was a lack of will to fight for their country.

18 Q So let me ask the next question.

19 A Yeah.

20 Q Do you believe the Biden administration neglected the Afghan Air Force?

21 A You would have to ask the Department of Defense that.

22 Q Do you believe announcing the withdrawal was more important to President
23 Biden and his administration than ensuring our allies were taken care of?

24 A I think -- I can't second-guess what the President -- all the elements of what
25 informed his decision.

1 Q That's fair. Thank you.

2 A Yeah. Yeah.

3 Q I would like to point you back to exhibit 18, your April 27th, 2021 testimony.

4 A Yeah.

5 Q If you could go to page 9, and it would be the eighth paragraph.

6 A Yeah. Yeah.

7 Q You testified, "As this committee well understands, Pakistan has a special
8 role to play in supporting peace" --

9 A Yeah.

10 Q -- "and senior U.S. officials and I have been in close touch with Pakistan's
11 leaders over the past several weeks. We have urged Pakistan leaders to exercise their
12 considerable leverage over the Taliban to reduce violence and support and negotiate a
13 settlement. Pakistan's leaders have emphasized publicly and to U.S. officials that they
14 do not support a military takeover by the Taliban."

15 A Right.

16 Q And then if you look next to page 32, the sixth full paragraph --

17 A Yeah.

18 Q You testified in reference to Pakistan, "They have been supportive of our
19 effort to press the Taliban to reduce violence, to enter negotiations with the Government
20 of Afghanistan, to be an active participant in peace negotiations, including in Istanbul,
21 Turkiye, that planned conference that the Turks have, in corporation with the U.N. and
22 Qatar, have been working on. Pakistan has a special responsibility given its influence
23 over the Taliban, and we so appreciate what Pakistan has done so far."

24 Ambassador, did you and do you really believe that Pakistan opposed a military
25 takeover of Afghanistan?

1 A Right. August 17th? Yeah. Okay. Imran Khan. Yeah.

2 [REDACTED]: Before he was shot.

3 Ambassador Khalilzad. Or put in jail, at least. Shot, too.

4 BY [REDACTED]:

5 Q Ambassador, throughout 2021, Imran Khan was the prime minister of
6 Pakistan, correct?

7 A Correct.

8 Q So when talking about Pakistan's support, you were talking about Pakistan's
9 support under the leadership of Imran Khan?

10 A Well, we know that on matters such as what we're talking about -- that's
11 really civilian leaders of -- I know we're at an unclassified level. And through the
12 window dressing, their decisions or elsewhere. Yeah.

13 Q So just in terms of establishing a timeline, this article was published on
14 August 17th, 2021.

15 A Yeah.

16 Q The Taliban took over on August 15, 2021, correct?

17 A Right. They took over on the 15th, yes.

18 Q I mean on the 15th. Sorry. 2021.

19 A Yeah.

20 Q So if you'll see here on the first page, then-Prime Minister Imran Khan is
21 quoted saying that the Taliban are, quote, "breaking the chains of slavery."

22 A Right.

23 Q By "chains of slavery," is Imran Khan referencing the United States?

24 A I don't know what you'll have me -- what he's talking about. I actually
25 hadn't seen this colorful language. But he was called Talib Khan or something. They

1 gave him a title. Was it something like that? Sorry. That he was close to the Talibs,
2 yes.

3 I don't know how emotional -- it was an emotional statement or whatever. I
4 can't quite judge this.

5 Q So is it fair to interpret this as Imran Khan praising, or even celebrating the
6 Taliban takeover?

7 A It's possible. I can't really say. But I know that I had meetings with him,
8 that he was very supportive of the peace process. He invited Afghan Government
9 officials -- he wanted to host both sides and so on.

10 But, yeah, he believed for many years that the only way is a political settlement,
11 that there wouldn't be a military victory by either side. That's also part of the record of
12 his statement if you look at all his statement.

13 And I used to tell him that I expect him to cooperate fully because now we have
14 embraced what he said, was the only way out is the political settlement among Afghans.
15 So what he has to do as part of the neighbor -- the bigger neighbor -- not to make the
16 mistakes they made in the past.

17 Q Do you recall that he was one of the first officials who then went over to
18 Afghanistan once the Taliban took over celebrating their win?

19 A Did Imran Khan go to Kabul?

20 Q I believe he did. But if you don't remember, we don't have to --

21 A No, I don't remember that Imran Khan did. Not during my tenure. I don't
22 remember him going to -- when I was in government. I have no recollection.

23 His intelligence chief, General Faiz -- the ISI chief who actually decided things went
24 to Kabul soon thereafter, and it was filmed -- taken a picture of in the hotel in Kabul
25 having a coffee, yes. But, yeah, I don't remember that he did. Yeah.

1 Q Thank you, Ambassador.

2 A Thank you.

3 [REDACTED]. And we are now out of time.

4 We'll go off the record.

5 [Discussion off the record.]

6 BY [REDACTED]:

7 Q So I just wanted to clear up a couple things.

8 A Please.

9 Q So we talked a little bit about the contractors.

10 A Yeah.

11 Q And I want to be clear that, in the February 2020 agreement --

12 A Yeah.

13 Q -- that's exhibit No. 9 --

14 A Yeah.

15 Q -- that you negotiated, it says the following.

16 And it's right here in part one.

17 A Yeah.

18 Q "The United States is committed to withdraw from Afghanistan all military

19 forces of the United States" --

20 A Right.

21 Q -- "its allies, and coalition partners" --

22 A Right.

23 Q -- "including all nondiplomatic civilian personnel, private security

24 contractors" --

25 A Right.

1 Q -- "trainers, advisors, and supporting services personnel within 14 months" --

2 A Right.

3 Q -- following announcement on this agreement" --

4 A Right.

5 Q -- "and will take the following measures in this regard."

6 And I'll stop there.

7 A Sure.

8 Q This was blessed by the Trump administration, correct?

9 A It was negotiated under Biden, yeah.

10 Q And as you previously testified --

11 [REDACTED]. Under Trump.

12 Ambassador Khalilzad. What?

13 [REDACTED]. Under Trump.

14 Ambassador Khalilzad. Under Trump. Yes. Sorry. Under President Trump,
15 yes?

16 BY [REDACTED]:

17 Q And as you previous testified, a senior-level interagency group in the Trump
18 administration blessed these parameters, right?

19 A Indeed. Indeed.

20 Q Okay. And further, I just wanted to talk a little about the SIGAR.

21 Is it your understanding that SIGAR's mandate is focused on the monitoring and
22 evaluation of reconstruction assistance in Afghanistan?

23 A It is.

24 Q And does evaluating a withdrawal fall under its mandate?

25 A Not part of its mandate. Not that I understand as part of the mandate.

1 And besides, as I have said repeatedly, it would have access to U.S. information,
2 government information when it makes these pronouncements.

3 Q So to be clear, SIGAR's mandate -- the withdrawal and evaluating it falls
4 outside of SIGAR's mandate?

5 A The mandate that I'm aware of, yes.

6 [REDACTED]. Okay. Thanks. That's all I have.

7 [REDACTED]. We can go off the record. Thanks.

8 [Discussion off the record.]

9 [REDACTED]. I just wanted to say for the record, I know it's getting late.
10 Thank you for indulging us and engaging with us on these difficult questions.

11 BY [REDACTED]:

12 Q Ambassador, how would you characterize Afghanistan's relationship with
13 Pakistan?

14 A Currently?

15 Q Historically.

16 A Historically, it has been a problematic relationship. I have judged it
17 personally as an Achilles heel of Afghanistan, the disagreement with Pakistan.

18 This is not an academic setting. Because of the territorial dispute, Afghanistan
19 did not recognize Pakistan and voted against its membership of the U.N., membership
20 that Pakistan applied for after its creation.

21 And its disagreement with Pakistan and the dispute there was the cause for why
22 we didn't take Afghanistan into western alliances after World War II against the Soviets,
23 despite Afghanistan's desire to do so, and because Pakistan, we chose, to join. It was
24 the most allied nation of us in Asia.

25 And Afghanistan -- because we allied and made an agreement -- a defense and

1 security agreement with Pakistan, Afghanistan went under the Soviet influence slowly
2 because, in order to keep a balance with Pakistan, it became open to receiving Soviet
3 military assistance, Soviet training of officers. And we competed for a period with the
4 Soviets, but then ultimately, more and more, the Soviets prevailed until the various coups
5 that happened.

6 So this issue of territorial dispute has led Pakistan, in my judgment, to think that
7 Afghanistan, until it reconciles, at least while this continues, should either be internally
8 preoccupied or a friendly government should be there in order to avoid a two-front war
9 in which India is on one side and Afghanistan on our side -- Afghanistan on the other side.
10 That could be a simultaneous security challenge for them. And sometimes they have
11 had further bigger ambitions, even.

12 So we worked with Pakistan during the Soviet period to the occupation of
13 Afghanistan to support the resistance to the Soviet Union and Afghanistan, and that
14 further increased substantially Pakistan's influence in shaping Afghanistan. So they have
15 a long war there. Similar people on both sides. So it's a difficult, vital relationship for
16 both of them.

17 Q And what is Pakistan's relationship with terrorism?

18 A Well, Pakistan has had relations with groups that we designate as terrorists.
19 Yes.

20 [Khalilzad Exhibit No. 25
21 was marked for identification.]

22 BY [REDACTED]:

23 Q I would like to introduce exhibit 25 into the record.

24 Apologies. I keep losing count of the exhibits. Exhibit 25.

25 This is an excerpt of your testimony before the House Foreign Affairs

1 Subcommittee on Terrorism, Nonproliferation, and Trade, and on Asia and the Pacific --

2 A Sure. Yeah.

3 Q -- on July 12th, 2016. So it's a joint hearing.

4 A Yeah. Yeah.

5 Q If you could please turn to the page numbered 6 on the bottom right-hand
6 corner, also the only page.

7 A Uh-huh.

8 Q This will be the fifth paragraph.

9 You testified, "First, Pakistan is now a state sponsor of terror."

10 A Yes.

11 Q "There's no question that the Pakistani military and the Pakistani intelligence
12 agency, the ISI, the Inter-Service Agency" --

13 A Right.

14 Q -- "supports the Haqqani Network" --

15 A Right.

16 Q -- "which we regard -- the United States has regarded as a terrorist
17 organization."

18 A True.

19 Q "One of our former chairmen of the Joint Chiefs called the Haqqani Network
20 a virtual arm of the ISI."

21 A Admiral Mullen. The chairman. Yes, he did.

22 Q Good memory.

23 A Yeah.

24 Q And the next point, point two, quote, "It is also clear that the Pakistani
25 military and the Pakistani intelligence provide sanctuary and support for the Taliban,

1 which is an extremist organization that provided sanctuary for al-Qaeda in the earlier
2 period, and even recently, the leader of al-Qaeda, Zawahiri, pledged allegiance to the
3 new leader of the Taliban. So the relationship continues."

4 "The Pakistani support with these two groups has been a critical factor in my
5 judgment and the longevity and successes that these two groups have had against the
6 United States against our forces."

7 A Right.

8 Q So, Ambassador, just calling you back to your April 27th, 2021 testimony
9 before SFRC --

10 A Right.

11 Q -- which is exhibit 18 --

12 A Right.

13 Q You said something to the effect of -- and please correct me if this is not a
14 good summary -- we can trust Pakistan with respect to the Afghanistan issue?

15 A No. That would be a misreading. I always say when they ask me, Do you
16 trust this person, this group, or that, I say we're talking about international relations.
17 There's no trust. Maybe trust but verify, Reagan would have said.

18 No. It's not a question of trust. I just explained even today repeatedly that one
19 element for difficulties in Afghanistan that contributed to the decision reflected
20 dissolution meant with what we were doing. And because of changed circumstances,
21 that we didn't deal successfully with the problem of Pakistan sanctuaries for the ones
22 that -- I was speaking as a private citizen in 2016 still in support of our strategy, that this
23 problem is a big problem that affects us.

24 I must say that I was the first U.S. Government official as ambassador to
25 Afghanistan that raised publicly that there is a sanctuary. It wasn't kosher to say that in

1 2004 and 2005, and maybe even 2003, which led to many intelligence assessments
2 because there was an issue whether the President of Pakistan, General Musharraf, knows
3 what's going on, had authorized that, which meeting -- it was decided we had ambiguity.

4 So this sanctuary not being able to deal with helped create circumstances in which
5 we faced this tough choice. Do we stay or do we change? And the decision was made
6 by the highest level that we are not going to continue with this because it's not -- we
7 don't see a path to success in the foreseeable future.

8 So, therefore, I stand behind this, and I stand later on that in order to extract
9 ourselves from this situation, to bring the troops home and to encourage a political
10 settlement, we needed to -- Pakistan was a key player. An important regional player.
11 We needed to work with it. And we also work with China, with Russia. We were even
12 willing to meet with the Iranians to deal.

13 So they played their role to encourage a political settlement, that the war in
14 Afghanistan should end. And therefore, I traveled a lot to Pakistan as well as to other
15 places with our allies and others to encourage a political settlement.

16 Q Just so I understand correctly --

17 A Yeah.

18 Q Is it then that Pakistan, despite acknowledging that you still stand by your
19 2016 statement --

20 A Right.

21 Q -- in your 2016 testimony --

22 A Yeah. Our world has changed.

23 Q -- Pakistan was a necessary evil to achieve the goals that we had outlined?

24 A Well, I would use better words than that, because this is unclassified. That
25 Pakistan's positive contribution -- I mean, I keep repeating in my testimony -- a special

1 responsibility to assist. That's what the -- yeah.

2 They had provided sanctuary. Sanctuary gives them leverage because they can
3 put them at risk if they don't do what they want, and that the leaders live there, and that
4 gives them leverage, and we want their leverage to use for an objective that they have
5 asserted over many years, even when we were in disagreement that that's what they
6 think is the only way out of this problem. That our judgment to give a military solution
7 defeating the Talibs, they did not support. They facilitated things.

8 Our dilemma was we overthrew Pakistan logistically when we brought supplies
9 because Afghanistan -- one of its problems is it's a landlocked country. So we were, on
10 the one hand, dependent on Pakistan, and on the other hand, Pakistan was not entirely
11 supportive of what we were doing.

12 It was a complicated set of circumstances. I was always interested in pushing to
13 end sanctuary, and we did not succeed in doing so.

14 Q And just for clarity, the Pakistani military and the Pakistani ISI maintained
15 their relationship with the Taliban, including the Haqqani, throughout 2021, correct?

16 A That would be my judgment.

17 Q Thank you.

18 A Although, I notice that things are not that good between them now. That
19 Mrs. Clinton's comment that there are snakes in your backyard. Or what did she say?
20 It was a wise observation. That one day it could come and bite you, and that's exactly
21 what is going on.

22 BY [REDACTED]:

23 Q Ambassador, did --

24 A Sir.

25 Q Sir, did you and your team send cables to headquarters in D.C. providing

1 updates related to the situation?

2 A We sent -- we obviously communicated to the center -- to the headquarters.

3 Q Did you do that using cables?

4 A We used a variety of methods, I think. Little notes quickly after each
5 meeting, and then cables. I think that you could ask the Department as to -- but we
6 communicated very, very frequently and rather quickly after meetings, besides phone
7 calls that I would have with the secretary and with others. That there was
8 communications, yes.

9 Q Did you often send emails to small groups of people rather than sending
10 cables?

11 A I think there was -- I didn't. You would find very few emails from me or
12 [inaudible]. But my staff, Molly in particular, would interface with the rest of the
13 Department and other members of the team.

14 Q Did you ever use emails instead of cables to avoid the broader historical
15 activity?

16 A No. I didn't even know you could do that. The emails are part of the
17 record, aren't they?

18 Huh? Sorry?

19 [REDACTED]. Emails are subject to the records just like a cable.

20 Ambassador Khalilzad. Yeah.

21 So I wouldn't -- no, we were not trying to kind of hide anything from them. I
22 personally believe, also, in an interagency process. And so, there was no -- I mean,
23 that's why I had an interagency team with me.

24 They would know anyway because if I don't send it to the others, each of
25 them -- their first loyalty is to their mother organization because the promotions and

1 future assignments is with their mother agencies, and they were sent there to keep the
2 mother agency informed.

3 So there was military, intelligence, defense. NSC separately, although I'm not
4 going to finish that thought about the NSC. Sorry.

5 BY [REDACTED]:

6 Q Ambassador, how would you typically get information to the President?

7 A Oh, I reported to Pompeo. Pompeo reported to the President.

8 Sometimes I would also -- you know, there would be occasional -- not as frequent, again,
9 as in the subsequent administration, but there are face-to-face meetings with the
10 President or video.

11 But routinely, it would be me to Secretary Pompeo and my team also to -- we
12 would try to get face time for everybody on the team with the Secretary, and then he
13 would pass it on. And occasionally, I would get calls from Bolton when he was the
14 National Security Advisor and from Robert O'Brien, when he became the National
15 Security Advisor. So that would be the way.

16 And they would brief -- I occasionally -- also, the Vice President, Mike Pence,
17 would ask me to --

18 Q Did you ever reach out to officials who were responsible for the Presidential
19 daily briefing?

20 A No.

21 BY [REDACTED]:

22 Q Ambassador, we're going to change gears a bit.

23 A Sure.

24 Q When did you first get the impression that the situation on the ground in
25 Afghanistan was deteriorating and that the Taliban was making significant military gains?

1 A Throughout the 2000s, I would say. My impression is through -- after the
2 first few months of 2001.

3 Q 2021?

4 A 2021. Sorry. I always go back to 9/11. To 2021.

5 Q And what was your reaction to the rapid Taliban gains in June and July of
6 2021?

7 A Very alarmed, of course, and pushing for the negotiations to accelerate.

8 And even I would love to check that -- I know the Department would check in with
9 Tom West and others as to what proposals we were also getting from Talibs to win their
10 proposals not to enter a city. District centers, provincial centers stopped. But we were
11 pushing for reduction of violence and acceleration of a political settlement, yes.

12 Q What specific actions did you take as the districts fell in rapid fashion?

13 A Well, General Miller -- to engage the government, why is this happening?
14 What is needed on the military level to bolster the Afghans? What else we could do in
15 addition to what he was doing?

16 Whenever, at that time, the Taliban massed to attack a center or a provincial
17 center, we had, under the agreement, the right to attack them in defense of the Afghan
18 security forces. But also pressing the Talibs for the reduction of violence and
19 discontinuation of that.

20 They would say that we are not attacking in some of the instances, that we are
21 being invited, and that the local leaders are coming, and that the military is shifting
22 alliances. But we didn't obviously believe them as such, and we kept pressing them.

23 It was a kind of diplomatic push for a settlement, reduction of violence, and a
24 military push to bolster the Afghan Government that General Miller had the responsibility
25 for.

1 Q In terms of self-defense -- and, of course, we only want you to speak to your
2 firsthand account -- did the U.S. ever exercise the ability to defend the Afghan military
3 when being attacked by the Taliban?

4 A Absolutely. Absolutely. Multiple, multiple times. And as I mentioned, I
5 don't know whether it is -- we attacked the Talibs. General Miller was a good friend of
6 the Afghan security force. He felt very strongly. He had shed blood with them. He
7 was like a brother in arms. So he showed great anger and was extremely resolved to go
8 after the Talibs when they attacked the Afghan forces.

9 Q Ambassador, we've spoken at length as to the predictions of how
10 long -- intelligence reporting as to how long the Afghan military would be able to hold off
11 the Taliban as well as the surprise that the U.S. Government faced when the country
12 ultimately collapsed and Kabul collapsing on August 15th, 2021.

13 Did anyone in the Department ever express concerns that the Afghan military
14 would not be able to hold a country without the U.S. military?

15 A Let me refine. That it would not be able to hold the country without the U.S.
16 military almost immediately or in the near term? Because my understanding, based on
17 your testimony, was that there was an understanding that they wouldn't be able to
18 perpetually hold them off.

19 So after 2 to 3 years --

20 A That was the last step towards the end of the assessment.

21 Whether the individuals -- specific individuals from the Department raised this
22 issue, I don't have a distinct recollection. It doesn't mean that -- you know, you have
23 staff meetings, or on-the-side discussions. But I don't remember anything of paper
24 being sent. That's how you get something more serious. That this is a serious concern,
25 I did not -- I do not remember that from my staff or others saying that.

1 I don't know whether it would have made a difference given the determination at
2 the top, but that -- putting aside -- but I don't remember such a serious raising of this
3 point with me or with others. I don't remember that.

1

2 [7:56 p.m.]

3 BY [REDACTED]:

4 Q Thank you.

5 Did you follow military reporting and periodic updates on the situation in
6 Afghanistan --

7 A Yes --

8 Q -- throughout this period?

9 A -- daily.

10 Q Did you -- such as the Commander's placemats? Are you familiar with
11 that?

12 A I got a daily briefing, but I don't -- from our military during this period, a very
13 capable general that you might want to talk with, General Sean Salene, who was the
14 military advisor. As I said, he's a J5 now at CENTCOM. He would, in the morning,
15 besides having the Agency people, do a briefing in the SCIF. I would get the briefing
16 from him on what has happened in the last 24 hours.

17 Q And to the extent you're able to in an unclassified setting, what indicators
18 did they show between April and August 2021?

19 A That's kind of a question that I can't recall the details, but it was
20 deteriorating. I'm sure they looked at the control of territory, district centers, number
21 of incidents. I'm sure they had all these indicators that they must have briefed on as to
22 what's happened in the last 24 -- how many incidents, where, number of fatalities, and
23 what have you. Yeah.

24 Q Ambassador, did you push the Afghan Government to release thousands of
25 prisoners in the summer of 2021?

1 A I did. And the Secretary of State did, and others. Because, as part of the
2 agreement, there was -- after the signing, before beginning intra-Afghan negotiations, the
3 Talibs wanted some confidence-building measures. They argued for release of
4 prisoners. The Afghan Government had some 25,000 to 30,000 Talib prisoners. And
5 the Talibs had about -- were up to 1,000 Afghan Government prisoners, including soldiers
6 and officers.

7 And I have to say, I was advised -- I was personally initially reluctant to agree to
8 this. But, I was advised that in resolving such conflicts, civil war kind of conflicts, when
9 they enter negotiations, confidence-building measures, especially release of prisoners,
10 typically does happen.

11 The Afghan Government was not opposed to the principle; they were opposed to
12 the number, that the number was too high. It should be equal numbers. And you
13 have the disputes in other places; even you see it in Israel, Palestine, and so forth.

14 So, yes, they were a part of my agreement, and the reason for it was that we
15 wanted to get to intra-Afghan negotiations, which was a big concession -- the
16 achievement that the Talibs would sit with the government that they had refused to sit,
17 to get into that process -- while we were still there. We believed it's in the interest of
18 the government to enter serious negotiation while the U.S. was there, that the time
19 doesn't run out, and that then the conditionality might, even if we wanted to exercise it,
20 would not be operational.

21 So, yes, we did.

22 Q And did you continue doing so into August 2021?

23 A No. August '21 is -- this issue got resolved to the satisfaction by
24 September, if I'm -- don't hold me to it -- September of '20.

25 Q How many prisoners were released at the request of the Taliban, or the --

1 A 5,000.

2 Q -- demands of the Taliban?

3 A They said up to 5,000 when we were pushing back. They wanted 5,000.
4 But then I have to say that they became very bloody-minded, as they knew that both the
5 Afghan Government and us wanted this intra-Afghan negotiation, so they became more
6 adamant as time was passing. Because they judged, correctly perhaps, that time was in
7 their favor and that negotiations we wanted very much. So they became very adamant
8 on that.

9 Q Thank you.

10 [REDACTED]. So a question that we had asked just a couple minutes ago was
11 whether you continued to push the Afghan Government to release thousands of
12 prisoners in the summer of 2021.

13 Ambassador Khalilzad. No, sorry, then I want to correct that. Because the
14 prisoners released was prior to the start of intra-Afghan negotiations. And the
15 intra-Afghan negotiation formally, in my judgment -- you'll have to check the
16 date -- happened, I believe, in September or thereabouts of '20.

17 So, sorry if it didn't register. Thank you for asking it. Because that was a
18 precondition that the Talibs had, and it was in the agreement, before intra-Afghan
19 negotiations could formally begin.

20 BY [REDACTED]:

21 Q So in 2020 they were waiting out the clock as well?

22 A Possible, that they thought that we were desperately more interested.

23 And they would have all kinds of arguments with us, I mean, just contextually, not
24 that you would necessarily have to trust them or believe it. One was, this idea that we
25 could kill them and we did and they couldn't attack us and kill us had been very costly for

1 the Talib negotiators back in -- whatever.

2 And that the agreement had been announced and signed and approved, and it
3 had raised expectations by families of prisoners and by others that we had said there
4 would be prisoners released, and the Afghan Government not agreeing to do it was
5 causing them problems. They can't sit with the government when the government is
6 not doing what was in the agreement. So they used all kinds of rationale.

7 But, as I said, my advice that I received from analysts, that confidence-building
8 measures in getting progress on a difficult conflict situation, as Afghanistan was, happens
9 generally, so it was not a surprise.

10 Q Ambassador, what can you tell us about the transfer of power that you were
11 pursuing in August 2021?

12 A Well, it was the final push, which -- and discussions was more broader, and
13 the meetings always were several Talibs. The Talibs didn't like to go places alone and
14 meet with the other side. Occasionally I would manage to get Baradar, because I
15 needed to talk with him; it was very serious. And they said they were willing to meet a
16 senior-level meeting, like we had talked about in Turkiye, and to have a power-sharing
17 with the fact that number-one will be one of them -- and I felt like Baradar was pushing
18 for himself --

19 Q Uh-huh.

20 A -- as an interim government.

21 And a clear message to us -- I mean, this was a delegation that Salman, someone
22 you mentioned before, and my staff were also present. And the agreement was that
23 President Karzai, Dr. Abdullah, and perhaps the National Security Advisor of the President
24 of Afghanistan, Mohib, and many other leaders, like, a dozen, would come to Doha -- and
25 we had arranged for Qatar Airways to go pick them up, as I recall -- and that they would

1 have a power-sharing agreement.

2 And then on the 1st of September or the last day of August, once this government
3 has agreed to, there will be a transfer of power from the President Ghani government to
4 this government in a ceremony that would have 200 members of the loya jirga kind -- a
5 mini loya jirga, they called it -- would be present and internationals will be present, in
6 which the transfer would take place.

7 And President Ghani, as I remember, convened all the key leaders in Kabul,
8 including President Karzai and Dr. Abdullah and others, and said he agrees to that, that he
9 would go, as long as there was this jirga. He didn't want a direct transfer. He wanted
10 to have some representation from the broader Afghanistan.

11 And Talibs said -- they agreed to it and they won't enter Kabul. That was
12 announced publicly, that they wouldn't enter Kabul.

13 And we were -- Tom West was in touch with the -- my deputy -- in touch with staff
14 of the President. They said the situation had calmed down after this announcement.
15 The fear of a bloodbath had declined. Matin Bek, the chief of staff of the President,
16 called and sent a message that things are now -- we're all calm and things have calmed
17 down.

18 Q Uh-huh.

19 A And then, you know, this was all the discussion in the morning, and in the
20 afternoon the report said the President had left.

21 Q But the President was not the only individual that was factored in this,
22 correct, in this jirga? There were other individuals that you just named --

23 A Yeah, yes. All were going to come as the negotiating team. And the loya
24 jirga, which was going to be worked on, the number was agreed to by the Afghans saying
25 200. Both sides agreed that there will be 200. Kind of a mini loya jirga, it was called,

1 would be convened for the ceremony, essentially, for the ceremony of the transfer.

2 Q The Taliban used Ghani's departure as an excuse to disband that idea?

3 A Well, the question was, the whole circumstance changed. The focus
4 became that evening. I mean, we're talking within hours of all of this.

5 Q Uh-huh.

6 A What's going to happen to avoid a night of terror and revenge and looting in
7 Kabul? So the focus immediately became that. And I told you, General McKenzie's
8 meeting -- I briefed you on that.

9 Q Ambassador, in the final weeks and days before the Taliban overran Kabul,
10 at which point during that period did you recognize that much of your efforts had been in
11 vain and that the Taliban was going to take over?

12 A Well, it -- first of all, my effort I divide into three or four parts: This is a
13 safe -- with no Americans getting killed by the Talibs -- withdrawal; and the
14 counterterrorist commitment, for all it's worth; and the annexes and what have you.

15 But, yes, it was August 15 that the departure of President Ghani and the related
16 development that thought what we had in mind for that period had come to an end.

17 Now, I believed that the aim of getting a broader Afghan agreement should
18 continue; that, you know, we are in a different phase, that Taliban are in a much stronger
19 position than they were a few months ago or so -- now they are in Kabul -- but that there
20 would be no peace, no normalcy in Afghanistan without a broader inclusivity in
21 Afghanistan; and that I believed, and I have argued, that we should withhold what we had
22 promised -- besides withdrawal, there were other things that we would do -- until the
23 entirety of the Doha Agreement is there.

24 And I judged, personally, that we needed to continue the negotiations or the
25 discussion with them, with the Talibs, afterwards. Before things cooled off too much

1 and Talibs consolidated it, we needed to use the uncertainties that the circumstances
2 involved to engage and say, "Look, don't forget what we had agreed to" and develop an
3 approach forward in terms of engagement. But I think that perspective did not play.

4 Q Who did you communicate this to?

5 A Well, I communicated it with Jake Sullivan, I communicated it with the
6 Secretary, and I -- that there could be a path, a roadmap for implementation of what
7 hadn't been implemented and that we have leverages -- the moneys of Afghanistan here,
8 they want the political recognition, all that -- and that we needed to get to a roadmap for
9 the implementation in this new environment of what hadn't been implemented. And
10 I -- yeah.

11 Q Ambassador, are you familiar with the often-cited quote by the
12 Taliban -- and they may obviously say this in a different language, but -- "You might have
13 the watches, but we have the time"?

14 A Yeah, they have told that to me when I was in Kabul as Ambassador, that you
15 have all the watches, we have all the time. Yeah, yeah, they did. And they were
16 demonstrating that they are patient.

17 And, you know, the reality, though, as de Tocqueville said about democracy in
18 America, a classic, that democracies, you know, with elections and change of government
19 and administration, and time -- sometimes sticking with something that takes a long time
20 will be harder for democracies.

21 And I have argued in writing and otherwise that we proved them wrong on the
22 containment of the Soviets. We persisted over a very long period of time. So we are
23 capable of. But there are a set of issues that we -- time has consequences that makes
24 persistence difficult. And this is one.

25 And people have said, well, we have stayed in Korea for -- yet I believe that if the

1 war was going on and if there was attacks, it probably would be difficult to say whether
2 we would still be there. Or Vietnam showed that we couldn't, that politically it was not
3 sustainable after a period.

4 Q When --

5 A And I believe that was what happened, and time was a factor. And, again, I
6 repeat, sanctuary added time to the calendar.

7 Q Of course.

8 When did you realize that the Taliban was essentially just focused on waiting out
9 the United States rather than pursuing in good faith negotiations with the Afghan
10 Government?

11 A Well, I've said about the negotiation -- I think you're asking the same
12 question from a different --

13 Q I'm just asking you a different -- the timeline.

14 A I believe the Taliban would have -- it didn't happen -- preferred to have a
15 political deal, because they would have been recognized, there would have been -- a lot
16 of other things they want could've been achieved.

17 Q So is it your testimony that you never had that realization that the Taliban
18 was just waiting out the clock rather than working to negotiate with the Afghan
19 Government?

20 A There were times I believed that. Because I would also talk to other Talibs
21 and others who knew that would give me an impression that there is a fight inside the
22 Taliban and that some of them want to do just what you said --

23 Q Uh-huh.

24 A -- and that they think that we eventually would leave and they can take over.
25 But there were others that said that, no, that will be -- even if that can happen, it would

1 be too costly. And so you had that.

2 Q Ambassador, did you agree to allow the Taliban to free thousands of
3 prisoners from Bagram, including thousands of ISIS-K prisoners, in August 2021?

4 A Of course not. There is a dispute about that, as to, you know, I have raised
5 that with the Talibs, in which they denied that they did that.

6 When I pressed them, they said that the government people that were
7 responsible for the security of those prisons, they disappeared, like they disappeared
8 from checkpoints near the embassy, where the Ambassador got worried that a kind of
9 Iran hostage situation could come, with the Taliban coming, taking Americans as
10 hostages. And because the security disappeared, prisoners left, because there was
11 nobody guarding them anymore.

12 So this idea that they consciously decided to release ISIS, they said, "How could we
13 release ISIS? They are our worst enemy. We are at war with them." So they rejected
14 that, that that was -- they said, your friends did that, so to speak, the way they wanted
15 to -- that their disappearance had caused it.

16 But our point of view was that they released them. I mean, I kept charging them
17 with that. And they were adamant that what you saw about the forces disintegrating
18 and staying home or disappearing is what happened in the prisons as well. People went
19 home, and they kind of let the prisoners go as they did that.

20 Q Ambassador, I want to come to a point that you discussed earlier, but get
21 more, sort of, the specifics. It was a discussion between General McKenzie and
22 Baradar --

23 A Yeah.

24 Q -- during which Baradar offered to allow the United States to secure Kabul,
25 and General McKenzie turned that offer down.

1 A Right.

2 Q Were you present in this meeting?

3 A Yes. I arranged that meeting, so I was present, yes.

4 Q Was Baradar's offer ever communicated to the President?

5 A Later on, the President obviously became aware of. But General McKenzie
6 answered on the spot, and he said that wasn't part of his mission.

7 Q What does that mean?

8 A That he couldn't -- he wouldn't do that, he can't do that, he doesn't want to
9 do that, that's not part of his responsibility or his mandate.

10 Q So that's why, then -- is that why the Taliban were then guarding --

11 A The airport.

12 Q -- HKIA, Hamid Karzai International Airport?

13 A Yes. And then we did give -- I may have mentioned this before, but I'll
14 repeat it. There was a map given, that we wanted the Talibs within -- from the center of
15 Kabul, the map indicated where -- 20 kilometers out, during this period. That was the
16 map initially. And there was a discussion of which villages inside and out, and where the
17 Talibs already are, do you want us to withdraw from those places, sort of speak.

18 To the discussion of Ashraf Ghani, his departure, President Ghani's departure, and
19 the security concerns in Kabul, to then saying, look, you stay out of this area, which was a
20 narrow belt from the embassy --

21 Q Uh-huh.

22 A -- to the airport, to the palace. And the rest, it's not my concern who was
23 there. You should -- meaning, by implication -- although I can't say that he said, you can
24 go take the rest, no. But saying, that's not my concern, the interference with my
25 mission, the departure of the remaining forces, that would cause me to strike at you.

1 Q Uh-huh.

2 A But if you stay out and not interfere -- stay out of this zone and not interfere
3 with my mission to evacuate, it's not my business.

4 BY [REDACTED]:

5 Q So you said that the zone -- that you then told them, stay out of this
6 embassy --

7 A Not me. General McKenzie.

8 Q McKenzie.

9 A Yes.

10 Q -- embassy --

11 A That's the narrow belt. There is a map. You should be able to get it,
12 because we gave it to the Taliban, so it's not a classified map. I'm sure it's available in
13 various places. Two different maps.

14 Q This corridor -- embassy, HKIA, palace -- the Taliban entered into that as
15 well, though, right?

16 A No, they -- I think that the final map just was embassy, airport, that area,
17 yeah. But they did enter.

18 And we asked them to enter. Not the palace, because that was -- we were
19 surprised by that. But we asked them to help with the security of the embassy, with
20 crowd control, with checkpoints, with pushing people away, with securing roads. We
21 asked them because of ISIS, the ISIS threat. We became focused on, aware of -- and
22 then a lot of my communication was to make sure that places that we suspected they
23 might be hiding are checked, hills near the airport are checked so that there is no mortar
24 or rockets being fired by ISIS, and then the human things, and cars and so on.

25 So there was a lot of interaction, a lot of meetings that took place in Kabul

1 between the Talibs. Even Bill Burns, the CIA Director, traveled -- it was in the public
2 media -- to discuss with them and others, so --

3 [REDACTED]. Thank you.

4 We're out of time. I'll stop the clock.

5 So it is now the minority's round. I'll say, we have not a full round left, but we do
6 have some questions still left.

7 Ambassador Khalilzad. Please.

8 [REDACTED]. We will try to go as quickly as possible, but we can --

9 [REDACTED]. Would you like to take a break or eat something?

10 Ambassador Khalilzad. No, no, I'm okay. Let's finish it.

11 [REDACTED]. You haven't eaten all day.

12 Ambassador Khalilzad. That's all right. I can outlast you guys.

13 [REDACTED]. I've got a --

14 Ambassador Khalilzad. I've done worse than that, yeah, so --

15 [REDACTED]. I've got a fig bar in my pocket if you'd like it.

16 Ambassador Khalilzad. No, thank you. Go ahead, please.

17 [REDACTED]. We don't have any more questions.

18 [REDACTED]. Okay.

19 Ambassador Khalilzad. Yeah, I -- thank you.

20 Yes?

21 BY [REDACTED]:

22 Q Okay. So you mentioned the post-August-15th time period and your focus
23 on ISIS-K.

24 A And mine, ISIS-K, an instrument of other agencies' communication, and the
25 President's insistence on things with regard to that.

1 Then a lot of time spent on facilitating the departure of people. As I told you,
2 there was an explosion of contacts of people knowing Afghans. Someone very senior
3 called me, that he would like a driver of someone to be taken out, an Afghan. You
4 know, they range from NGOs, civil society people, family members.

5 People reaching out even to the President of the United States through the
6 connections they had to say, we have people -- people are at checkpoints, they are not
7 allowed to get in, people are at the hotel, there is no transportation -- all of that. A lot
8 of work like that.

9 Q So would the Taliban ever decline or refuse to search or raid some suspected
10 ISIS-K locations?

11 A No, not that I'm aware of. General McKenzie on the record said he hates
12 the Taliban, but the Talibs did everything -- his word, not mine -- that we asked them to
13 do during that period. You'd have to ask him. There was a partnership between
14 the -- I mean, the word is not like that, I'm sure, by everyone -- between them, our
15 security people and the Taliban, during that period in Kabul.

16 Q Did the Taliban place any limits on the U.S. conducting any strikes against
17 ISIS-K during that time period?

18 A Well, we did -- they didn't set any limits, to the best of my knowledge. And
19 we did strike an automobile which we thought had a VBIED on it, vehicle-borne IED.
20 And that explosion, which we thought was ISIS, caused a secondary explosion which was
21 quite damaging. A lot of people got killed. That's somewhere like August 29th, maybe,
22 if I remember. It's late in the August timeframe.

23 And we wanted very much for Taliban leadership not to condemn it or make a big
24 deal out of it. And I was asked at that time -- one of the times, if I could -- should I reach
25 out directly to Baradar, saying, do not make a hostile statement, because we were afraid

1 of the reaction in the last minute of the population and others.

2 So, no, I'm not aware whether they interfered. They shared their assessment
3 during that period of what a likely ISIS mode of attack would be, that they didn't think it
4 would be a rocket, they didn't think it would be a vehicle, that it would be a person
5 carrying -- that likely mode would be that. And we thought that was one of the options.
6 Yeah.

7 So I didn't hear -- I had complained that they were not quick enough in terms of
8 letting people in and that sort of -- but not about security matters, no. I didn't hear any
9 complaints.

10 Q Did you know why the U.S. didn't carry out any air strikes against ISIS-K
11 before the Abbey Gate bombing?

12 A Maybe that we were preoccupied with the exit? There was no agreement
13 with the Talibs that I'm aware of that we wouldn't attack ISIS during that period.

14 Q And you've talked a little bit about the blame. You say you place some
15 blame on the Afghan Government, some blame on the Taliban --

16 A Yeah.

17 Q -- for how things ended up. Who do you blame more?

18 A Of course, the Afghan Government was a partner, our partner. We worked
19 a lot together. We supported them. So, naturally, my kind of prejudice and inclination
20 would be to blame the Talibs. But I think some objective sort of analyst would have to
21 look at the record when it's available of the negotiations as to -- and which one was more
22 realistic.

23 You know, if you don't have a good assessment of balance of power, although you
24 read some good article saying that the balance was shifted -- but President Ghani never
25 said that. President Ghani said, "Now I am free to fight. You guys were holding me

1 back by telling me, you can't do this." I had to be -- I was instructed to tell him, what are
2 you talking about? We thought that he means to, you know, kill families and stuff that
3 would be a violation of international law and laws of war and whatever. So he was
4 saying that he's going to fight.

5 And, besides, you know, the general assessment by David Petraeus, for example,
6 when he was commander in Kabul, was saying the Afghan Special Forces are the best in
7 the entire region, except for Israel. From Israel to Bangladesh, this was the force that
8 we could use for a variety of missions. So what happened to the Special Forces? You
9 know, this was not an adequate, realistic assessment of the balance of forces, what would
10 happen if there was no agreement, I think.

11 Q In the post-August-15th timeframe, did you -- or, actually, in August 2021,
12 before the Taliban took over, did you ever consider asking the Qatari Government to put
13 pressure on the Taliban --

14 A We always did. Qataris, Pakistanis were our countries to go to.

15 Q So what I meant was, to have the Qatari Government put pressure
16 specifically on the Taliban in Qatar proper --

17 A Yes.

18 Q -- in Doha?

19 A Yeah, we -- always that we should consider when things are not going -- I
20 don't know about that period. I can't recall. But as a general matter of policy, we
21 always had that as an issue, that Qatar, if there is no agreement, they can't think they
22 should live in Doha comfortably and so on, that we raised that with Qatar, yes.

23 Q And did you consider asking the Qataris to expel the Taliban in Doha as the
24 Taliban marched towards Kabul?

25 A Not in that timeframe. Not in that timeframe. We had other urgent

1 issues to deal with. But in the early phases of the negotiations, I thought it was
2 perfectly possible that we won't reach an agreement with the Talibs, you know, and that
3 we thought, what are some of the things that should be considered?

4 [REDACTED]: Ambassador, this is going to be our last exhibit. This is going
5 to be exhibit 26.

6 [Khalilzad Exhibit No. 26
7 Was marked for identification.]

8 BY [REDACTED]:

9 Q This is part of a U.N. sanctions monitoring team report dated June 1, 2023.
10 We understand that you were no longer in your position --

11 A Right.

12 Q -- as the Special Representative during that period.

13 A Good.

14 So you don't have to state that.

15 [REDACTED]: Nope. She just did it for me.

16 Ambassador Khalilzad. Thank you. Yes.

17 BY [REDACTED]:

18 Q So the reason I'm asking you about this report is that it pertains to the Doha
19 Agreement.

20 A Yeah.

21 Q And I would like to get your assessments, given your intricate knowledge of
22 the agreement.

23 If you could turn to page 3, the fourth paragraph inside the box.

24 A Yeah.

25 Q It states here, "The link between the Taliban and both Al-Qaida and

1 Tehrik-e-Taliban Pakistan (TTP) remains strong and symbiotic. A range of terrorist
2 groups have greater freedom of manoeuvre under the Taliban de facto authorities.
3 They are making good use of this, and the threat of terrorism is rising in both Afghanistan
4 and the region."

5 Skipping a couple sentences.

6 "There are indications that Al-Qaida is rebuilding operational capability, that TTP is
7 launching attacks into Pakistan with support from the Taliban, that groups of foreign
8 terrorist fighters are projecting threat across Afghanistan's borders and that the
9 operations of ISIL-K are becoming more sophisticated and lethal (if not more numerous)."

10 A Yeah.

11 Q Ambassador, would these actions, this conduct, violate the Taliban's
12 counterterrorism obligations under the Doha Agreement?

13 A You read the commitment. I briefed you on the annex.

14 Q Uh-huh.

15 A I've told you about the assessment by our intel community with regard to
16 American terrorism concerns against the homeland from our interest in the region. So,
17 therefore --

18 Q So these are not viewed as American threats, threats on the United States?

19 A That would be a decision that someone else would make, whether -- we
20 would obviously not like to have any terrorist groups anywhere in the world, but -- and
21 we would, as a matter of course -- but I don't know where we stand on all of this in the
22 current circumstances with regard to Pakistan, Afghanistan, what the exact calculus may
23 be, and where we are in the discussions. I just don't know.

24 We take positive note that al-Qaeda in the Indian Subcontinent has been
25 dismantled. We take positive note that al-Qaeda is not presenting a threat from

1 Afghanistan to us at the present time and in the near term that the assessment is focused
2 on. We take positive note of the war against ISIS by the Taliban.

3 We have -- we are very unhappy about the human rights situation, treatment of
4 women. And we are not as satisfied with the inclusivity government that is broadly
5 representative.

6 And in the next few days, there will be a recommendation by the U.N. Coordinator
7 for Afghanistan as a roadmap for the future, what should be done. And I'm personally
8 waiting to see what the recommendation is.

9 I remain of the view that we need a roadmap and we need to come to an
10 understanding on, in exchange for what has not been implemented by us in the Doha
11 Agreement, what the Taliban must do and, in exchange for what they do, what it is that
12 we will do, because the agreement is not entirely implemented.

13 And I would say -- oh, if you have another question, please.

14 Q No, no. Please, go ahead.

15 A No, no, that -- I know the Doha Agreement is problematic. I am not saying
16 it's a perfect agreement. Under the circumstances of a desire to get out as soon as
17 possible in a way that was -- that was the best deal possible, I think, given that we were
18 determined that this mission is no longer valid and we must disengage from it.

19 Q Uh-huh.

20 Ambassador, looking back, is there anything you think you could or should have
21 done differently?

22 A Oh, I'm sure I -- every day I think, maybe I -- I will think tonight, maybe I
23 shouldn't have responded this way. At least, that is a terrible thing, about an active
24 mind that still is there.

25 But, no, not in any strategic way. But, yeah, "I should have said this to Baradar."

1 I did it that night. I said, let me call you back; I forgot to emphasize this or that.

2 But, no, nothing strategically, because the fundamentals is what it was. And my
3 mission, largely, was a safe withdrawal and commitments on counterterror, and those
4 were the fundamentals. And I think, on those, the situation is good. Could be better,
5 but it's not -- we did fine. It could've been a lot worse. It could've been a lot worse.

6 BY [REDACTED]:

7 Q Al-Qaeda leader Ayman al-Zawahiri was --

8 A Yes.

9 Q -- found in a Haqqani safehouse in Kabul.

10 A Right. Yeah, that's true. Yeah.

11 Q What are your thoughts about that?

12 A A violation, full and complete, and -- yeah, that -- yeah. That's all I can say
13 in this setting.

14 BY [REDACTED]:

15 Q Ambassador, as we wrap up, I briefly want to touch on your preparation for
16 this interview.

17 How did you first learn of the committee's interest in conducting a transcribed
18 interview?

19 A I got some kind of an email from -- I don't know -- yeah, probably from you
20 or you. So that's how I became aware. And I said, "What the hell is this?" Sorry to
21 speak -- "I'm no longer in government service."

22 And the only person who has dealt with me on it has been this [REDACTED] here,
23 and the last couple of days with this [REDACTED].

24 Q So that leads us to my next question --

25 A And I got, also, messages from the chairman. Yes.

1 Q This is correct.

2 A Yeah. So I forgot that, but, for the record, since -- yes, that he wanted me
3 to do this. Yeah.

4 Q Ambassador, what kind of preparations did you undertake for this interview?

5 A Preparations? This is all up here. You know, what preparations? Yeah,
6 yeah. No.

7 They didn't give me any big briefing. I did get some valuable judgment and
8 advice as to what I can't say or can't do because of executive privilege and whatever,
9 but -- which, hopefully, I largely observed.

10 [REDACTED]. It didn't come up.

11 Ambassador Khalilzad. Great, so that you're not up in arms about that. Yeah.

12 [REDACTED]. So, Ambassador, we greatly appreciate you answering our
13 questions today. I know these were very difficult questions on very difficult subjects.
14 Clearly, I would say we have a lot more we could ask, but I think we've asked almost
15 everything.

16 On behalf of Chairman McCaul, thank you for appearing before the committee
17 today and answering our questions honestly and comprehensively.

18 [REDACTED]

19 [REDACTED]

20 Ambassador Khalilzad. Thank you.

21 [REDACTED]. [REDACTED]

22 Ambassador Khalilzad. Yeah, thank you.

23 [REDACTED]. -- thank you.

24 At this time, we'd like to offer you the opportunity for closing remarks.

25 Ambassador Khalilzad. Well, I want to thank you all for your public service.

1 This is what you're doing. I appreciate that. I have been grateful that I've had the
2 opportunity that I've had in the United States.

3 I know that many of my friends in Afghanistan that I have worked with and some
4 here that I have worked with in dealing with Afghanistan and other issues are not pleased
5 with what happened there. I'm not happy with what happened there either. But
6 sentiment, this is not what this is all about.

7 I did the job to the best of my ability, the mission I was given. And, yeah, still it's
8 in progress. We're too close to the events that happened. We'll see in 20, 25 years
9 whether we made a big mistake or that was a very smart move to avoid overextension, to
10 kind of appreciate the limits of what military power can do in a time that there's a
11 democracy such as ours with experiences that that can tolerate.

12 Yeah. That doesn't mean we don't have other points of leverage that we should
13 exercise. I completely oppose abandoning Afghanistan, turning our back. That
14 would -- the blame, then, shouldn't be on the Doha Agreement; it would be on the
15 abandonment generally, to turn one's back.

16 Afghans need our help. We've done a lot together. We've been through a lot
17 together. And, separately, they have been through a lot more difficult time than us.
18 We've done some big things together, like the Soviet war and then, post-9/11, bringing
19 the terrorists to justice. But I think we can be a force for good other than being at war
20 there, and we should do that.

21 And I'm forever grateful to my adopted country that adopted me, in turn, by
22 giving me the opportunities that I have had. I never would've expected when I
23 graduated from the university that I would do all the things that I did. And so I'm
24 grateful for that.

25 Thank you for this, and I appreciate you all. Thank you.

1 [REDACTED]. Thank you.

2 Ambassador Khalilzad. [REDACTED], and it was a pleasure to meet you.

3 Thank you.

4 [REDACTED]. It was great meeting you as well.

5 Ambassador Khalilzad. [REDACTED].

6 [REDACTED] It's now 8:45 p.m. Nearly 12 hours later, we're off the record.

7 Ambassador Khalilzad. I'm still standing --

8 [REDACTED] We, the minority --

9 Ambassador Khalilzad. -- I want the record --

10 [REDACTED]. You're still sitting.

11 [REDACTED]. We wanted to just quickly go back on the record and use a minute of

12 our time to also thank you for being here, I think, for about 11 hours with no food.

13 Ambassador Khalilzad. Sure.

14 [REDACTED]. We really appreciate it, on behalf of Ranking Member Meeks --

15 Ambassador Khalilzad. Thank you. Please give him my very best regards.

16 [REDACTED]. We will. Thank you for your engagement with us today and your

17 frank and honest assessments.

18 Ambassador Khalilzad. Thank you.

19 [REDACTED]. You have a long record of public service, and you rightly pointed to

20 the fact that there's a need to look at a very holistic, long-term set of facts and factors.

21 And we appreciate your contributions today.

22 Ambassador Khalilzad. Thank you so much. I appreciate that. Please tell

23 the -- I used to -- I call him "Chairman," because he was -- that I appreciate --

24 [REDACTED]. No comment.

25 Ambassador Khalilzad. Because of the past, when I got to know him, he was the

1 chairman.

2 [REDACTED]. I will not tell the chairman that.

3 Ambassador Khalilzad. Now he's the ranking member.

4 [REDACTED]. We call him that too.

5 Ambassador Khalilzad. Tell the ranking member I appreciate his engagement
6 when I was in Doha over here, always, and --

7 [REDACTED] We will.

8 Ambassador Khalilzad. And I support the bipartisan foreign policy.

9 [REDACTED] We appreciate that.

10 Ambassador Khalilzad. Yeah, yeah. Thank you.

11 [REDACTED]. Thank you.

12 We're off the record.

13 [Whereupon, at 8:43 p.m., the interview was concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date

Errata Sheet for the Transcribed Interview of Zalmay Khalilzad
dated 11/08/2023

1) majority errata, (2) minority errata, (3) State/agency counsel , (4) private counsel (as applicable) and witness errata

| Page | Line | Change | Reason |
|------|----------------|---|--------|
| 2 | 7 | Change to [REDACTED] [REDACTED] [REDACTED] | |
| 2 | 8 | Change to [REDACTED] [REDACTED] [REDACTED] | |
| 2 | 9 | Change to [REDACTED] [REDACTED] [REDACTED] | |
| 8 | 17 | Change “House and committee rules” to “House or Committee rule” | |
| 15 | 11 | Change “hell” to “hill” | |
| 26 | 10, 14, 16, 17 | Change “charge” to “chargé” | |
| 27 | 8 | Change “charge” to “chargé” | |
| 35 | 5 | Change “followup” to “follow up” | |
| 41 | 5 | Change “Abullah” to “Abdullah” | |
| 79 | 13 | Change “Dr.” to “Ambassador” | |
| 79 | 24 | Change “McKinsey” to “McKenzie” | |
| 87 | 16 | Change “Kline” to “McKenzie” | |
| 95 | 6 | Change “followup” to “follow up” | |
| 120 | 5 | Change “concerns, you desire” to “concerns – your desire” | |
| 143 | 25 | Change “BY MR. GHANDHI” to “BY MS. BISCHOPING:” | |
| 143 | 25 | Change “By Mr. Ghandi” to “By Ms. Bischooping” | |
| 145 | 1 | Change “Chalet (ph)” to “Chollet” | |
| 145 | 1 | Change “Chalet” to “Chollet” | |

| Page | Line | Change | Reason |
|------|------|---|--------|
| 153 | 22 | Change “So this is to your assessment?” to “So this is your assessment?” | |
| 156 | 4 | Change “So, Ambassador, I would like to go to sort of the next question.” to “So, Ambassador, I would like to go to the next question.” | |
| 158 | 24 | Change “followup” to “follow up” | |
| 163 | 18 | Change “administration to including the military” to “administration regarding including the military” | |
| 176 | 18 | Insert “presence” after “we had” | |
| 192 | 9 | Change “belie” to “belied | |
| 195 | 5 | Change “followup” to “follow-up” | |
| 227 | 23 | Change “charge” to “chargé” | |
| 253 | 15 | Change “Haqqani” to “Haqqanis” | |
| 273 | 14 | Change “Talibans” to “Taliban’s” | |
| | | | |