دیدبان معادن افغانستان

Excellency,

You kindly met with Integrity Watch Afghanistan and other transparency NGOs on June 16 to discuss policy against corruption in general and against abuses of Afghanistan's natural resources specifically. At that meeting, a briefing was presented to you on substantial weaknesses in Afghanistan's Mining Law which are contributing to conflict, corruption, and a massive loss of revenue from the sector.

We are greatly encouraged that your government is working on amendments to the Mining Law. In response to your request during the meeting for more detailed recommendations, we are writing to follow up with proposals for specific amendments that could address some of the most serious flaws. In a collaboration with a broad group of high-level Afghan and international experts, including Columbia University and Radon Law, we have developed legal language which we believe will greatly strengthen the Law, increase the attractiveness of the mining sector to legitimate investors, and boost government revenues. We have aimed to make these proposals as simple as possible to implement, and to avoid complex mechanisms that would require major increases in the capacity of relevant Ministries. We respectfully ask you to consider the attached proposals in detail, but in very broad summary, they include:

- **Make contract publication a condition for validity**
- **Require publication of project-level production and payment data**
- **Require publication of beneficial ownership**
- **Strengthen rules for a transparent and fair bidding process**
- **Create a single, transparent account for all natural resource payments**
- **Require the use of model contracts**
- **Enable community monitoring and require fair mechanisms for dispute resolution**
- **Ensure communities receive and equitable benefit from mining and their rights are respected**

Excellency, as you know, instead of helping the country, right now Afghanistan's mines are a major source of conflict and corruption, and benefit armed groups who carry out horrific violence on the Afghan people rather than supporting development and contributing to government income. In these circumstances we are extremely concerned that the Mining Law is missing the basic protections which should be our first line of defence.

In the name of the Afghan people, we respectfully ask you to ensure these amendments are incorporated into the law as soon as possible, in fulfilment of the noble commitments you have made to fight corruption and safeguard the natural resources which are the birth right of all Afghans.

Sincerely yours!

Mining Watch Afghanistan