



H.E. Wahidullah Shahrani, Minister of Mines and Petroleum  
Pashtunistan Wat, Kabul, Afghanistan

27 June, 2013

Excellency,

We are writing with respect to the landmark commitment the Afghan government made at the Tokyo conference to create a Framework for the Extractive Industries “that governs Afghanistan’s natural wealth through an accountable, efficient and transparent mechanism which builds upon and surpasses international best practices.” We would like to ask the government to use the upcoming Senior Officials Meeting (SOM) to ensure that the potential of the Framework is fully realised.

We warmly welcome the creation of a draft for the Framework by your Ministry, and the positive commitment you have shown to take the process forward – building on the leadership the Ministry showed last year in releasing the great majority of mining contracts. However, we would like to ask if the Ministry would agree to three key requests we believe will be critical in helping produce a robust Framework that will be of greatest possible benefit to Afghanistan.

- To commit to creating the Framework through an open and consultative process. We urge the Ministry to build on its outreach to civil society by making the draft Framework public and allowing adequate time so that any interested party can input meaningfully into the proposals, and be able to feed in as the process moves forward.
- To commit to producing the Framework in time for the next inter-ministerial meeting on Afghanistan, due to take place in 2014 or early 2015.

- To ensure the Framework is both robust and comprehensive, covering the full range of potential issues across the value chain. We believe these should include:
  - *Transparency and Accountability* Including the open publication of all rules and regulations, contracts and related documents, and the beneficial owners of companies – as well as publication of resource-related revenues through EITI.
  - *Community Empowerment* Including mechanisms for grievance resolution, for free, prior and informed consultation, for community involvement in oversight, and for local benefit from exploitation projects – from before contracts are signed through the life of a project.
  - *Minimizing Negative Social and Environmental Impacts* Including mechanisms for open and independent assessment of environmental, cultural/heritage, human rights, and local economic impacts before the awarding of concessions, and for such issues to be properly taken into account in any decision to exploit.
  - *Security* Including ensuring that protection of mine sites and personnel reflect international best practice guidelines, such as the Voluntary Principles on Security and Human Rights; that military or para-military units are not involved in mining activities; and that there is a mechanism to monitor and respond to violence around mining sites.

We particularly ask that you exercise your position of leadership with the international community to ensure that the final statement of the Senior Officials Meeting reflects these points, with a clear reiteration of the commitment to a fully comprehensive and robust Framework, created through an open and consultative process in time for the next inter-ministerial meeting. We believe that such a statement will send a clear signal of the government’s determination to act, and help to coordinate and encourage international support.

We welcome your initiative in organising a dinner in advance of the SOM, dedicated to mining investment and governance issues, and hope that civil society will be able to have a presence at that event. We would also greatly welcome the opportunity to discuss these issues with you in more depth. Several of us wrote to you in December 2012 to discuss holding a round-table event on extractives governance to bring together key stakeholders from government, the private sector, the international community and civil society. If you are happy to proceed, we would like to propose holding this roundtable in Kabul in the near future.

The creation of a robust extractives Framework is an invaluable opportunity to create an important and lasting legacy for the Afghan people, and to ensure natural resources help rather than hinder Afghanistan’s development. We look forward to working with the government towards that shared goal.

Sincerely,

Afgana	Foundation of Solidarity for	Norwegian Afghanistan
Afghan Development	Justice	Committee
Association	Global Witness	OXFAM
Afghanistan Civil Society	Green Wave	People in Peril
Forum	Hajigak Council	Relief International
Afghanistan Watch	Heinrich Böll Stiftung	Revenue Watch
All Afghan Women Union	HRRAC	Shuhada Organization
ARCSO	Human Rights and	Socio-Economic
AYWCBO	Eradication of Violence	Development &
British and Irish Agencies	Organization	Environmental Protection
Afghanistan Group (BAAG)	Integrity Watch Afghanistan	Organization
Christian Aid	Khorasan	SWABAC
CSNRMN	Logar Civil Society	Tearfund
ENNA	Association	The Liaison Office
Equal Access	MADERA	TORAN
Foundation for Culture and	MONDO	
Civil Society		