



Date: 12<sup>th</sup> May, 2015

## Natural Resource Monitoring Network calls for Responsive Mining Law

### Promote transparency, development, accountability, stability and security by reforming the mining law and prevent conflict and corruption

Mining Law is one of the first and foremost tools for bringing stability to society and the country. Mining potential of Afghanistan requires smart and responsive laws to provide guidelines to the state to manage the sector in line with aspirations of Afghans.

Afghanistan has huge minerals and hydrocarbon occurrences across all its provinces while stability and security are two important environment enablers for investment environment which are missing.

Afghanistan in the past 13 years has had three mining and two hydrocarbon laws which did not help bring stability to the mining sector and these laws had to be amended because they failed to respond to the needs of the society or bring clean investment in the country. The Natural Resources Monitoring Network advocated intensely for changes in the mineral but Ministry of Mines and Petroleum ignored Civil Society's call. The former President signed a weak law for the sector.

The Ministry of Mines and Petroleum after the formation of National Unity Government has initiated discussions on amendments in the mining law and the Natural Resources Monitoring

Network subjected the current law (2014) to discussion and came up with several recommendations to improve the law.

The members of Natural Resources Monitoring Network after studying and reviewing the draft of the mining law and as well as after consultation with the communities of four provinces around mining sites propose the amendments to the law and call on the President of Afghanistan H.E President Ghani to ensure that the law respond to the needs of the sector and regulations provide additional measures to promote transparent, inclusive, sustainable development of the mining sector.

Considering the concerns of the communities around mining sites and as well as of the civil society organizations, we emphasize and call the government to consider following extremely importuning issues:

“Change of control over license or sale of minerals rights under the current situation should not be allowed as it would fuel lobbying and corruption and not more than three exploration and exploitation licenses to a single company. Contracting process needs to be transparent and monitored by Wolusi Jirga and Civil Society” Said the NRMN.

The Natural Resource Monitoring Network Also calls on the MoMP to describe the circumstances under which a person loses his/her land and discuss mechanism for consultation and remedies for a person who loses his assets in the name of public interest and the rights of people should not ignored.

More over the social, economic, environmental and cultural harmful effects in the villages around mining sites should be assessed before start of extraction and appropriate measures should be planned and managed to eliminate these harmful effects.

“The Mining law is deficient and there is urgent need for broad based intense discussion with several stakeholders” communities around mining sites

The Natural Resource Monitoring Networks draws on its long experience in the sector and firsthand experience seeks inclusion of the following

1. Transparency in bidding process to ensure fairness
2. The law should seek disclosure of Beneficial Ownership
3. The law must provide for full disclosure of all contracts
4. The law must have provision on the use of water by a mine operator
5. The law must carry provision to punish individuals and companies involved in illegal activities in the sector

6. Mining industry and the revenue of it should be gender responsive. Therefore, certain percentage of the budget which responds to the needs and problems of the women should be allocated and the law should have a clear stand regarding this important issue.

A strong mining law would ensure a first strong step and clear guidelines for the stakeholders to develop sector in transparent and accountable manner.

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**About Natural Resources Monitoring Network (NRMN)**

The Natural Resources Monitoring Network was founded on December 19<sup>th</sup>, 2012, with the inclusion of 18 important ecology oriented Afghan civil society activists and organizations (the members consist both male and female).

The Natural Resources Monitoring Network (NRMN) is an independent, non-for profit, non-political body dedicated to promoting the peaceful and sustainable extraction and utilization of natural resources (minerals, water and forest) in Afghanistan.

Transparent, responsible, inclusive and sustainable development of natural resources in Afghanistan is the vision of the network.

Currently the network has more than 70 individuals and organizations as members including Kabul, Logar, Bamyan, Behsood, Herat and Parwan communities working for monitoring effective, transparent, ecology friendly, and peaceful use of Natural Resources to bring sustainable development, economic growth and social welfare