ANNEXES

6TH AEITI ADDENDUM REPORT

SUPPORTING DOCUMENTATION AND
MATERIAL EVIDENCE TO THE
6TH AEITI ADDENDUM REPORT 2020

AEITI
Afghanistan Extractive Industries
Transparency Initiative

AEITI SECRETARIAT

Supporting Documentation and Material Evidence in Accordance to the AEITI Action Plan 2018-2020 and as per the 6th Reconciliation Report Addendum

The following Table 1 highlights key supporting evidence for the 6th Reconciliation Report Addendum and addressing key corrective actions identified by the EITI 1st Validation of the AEITI. The following supporting documents feature, reports, internal memos' emails and other available documentation that provides material support and evidence. Items as highlighted in the Table 1 are linked directly with the AEITI Action Plan and aim to address and provide additional support to any information gaps that are not provided through systematic disclosure on the AEITI or MoMP Website, Transparency Portal or Other Relevant Sources.

Organizational Structure of Section

> **This section aligns with the AEITI Action Plan from 2018-2020. The Action Plan has been a key driver in ensuring that all materials have been collected. The Action Plan can be found on the AEITI Website:**
> **http://aeiti.af/en/documents/category/msg-docs**
> **The Action Plan**

The following Appendix of information is organized in sections that correspond to the AEITI Action Plan and aligns with the 6th Reconciliation Addendum as highlighted in the sections below.

1. Section One: Multi-Stakeholder Group Oversight

2. Section Two: Systematic Disclosure: Licenses and Contracts

3. Section Two: Systematic Disclosure: Exploration and Production

4. Section Two: Systematic Disclosure: Revenue Collection

5. Section Two: Systematic Disclosure: Revenue Allocation

6. Section Two: Systematic Disclosure: Social and Economic Expenditures

7. Section Three: Outcomes and Impacts

Table 1 highlights the corresponding numerical action item number with that of the Action Plan. Action Item numbers correspond directly to the AEITI Action Plan.

Table 1 AEITI Workplan and Addendum Supporting Documents

Action Item	Item as per April 2020
1.1	H. E. President Transfer Orders of AEITI National Secretariat from the MoF to MoMP
1.2	Transfer orders of the AEITI Vehicle to the MoMP
1.3	Terms of Reference: AEITI- National Secretariat
2.1	MSG Workshop Meeting
3.1	Standard Terms of Reference for Independent Administrators
3.2	A Brief Report of the Dubai Workshop conducted in Dubai from December 6 to 9, 2018
3.8	Preparation and approval of Scoping for 6th Reconciliation Report
3.18	A Short Guide for the Stakeholders
3.30	Set up a conference call with the IA and the International Secretariat to ensure there is clear understanding of the TORs.
4.1	Official launch of the Transparency Portal
5.2	It is recommended that 'ring-fencing' of mining income taxes be implemented, with the MoF issuing individual TINs per mine or contract.
5.4	Dubai workshop report
5.5	Extension request for 6th reconciliation report
5.12	Explore possibility to include EITI related benchmarks in the Word Bank IP DPG and EU SRBC.
6.6	To Adopt a procedure to regulate and encourage participation of all stakeholders in MSG meetings and ensure that papers are submitted in time by AEITI secretariat.
6.1	To ensure the Independent Elections of MSG Civil Society members. The drafting of the election procedures and multi-stakeholder participation. An election procedure should be drafted by CSOs to ensure independent and transparent processes. The document was drafted by the CSOs and approved. Ongoing communication to inform the EITI to ensure criteria is met and ongoing support. CSO Constituency plan, progress and request for future capacity support. In addition, internal guideline on communication and grievance to be in place for CSOs.
6.2	Review the terms of reference regulating the relationship between the constituencies in MSG
6.3	Review the internal guidelines regulating how the MSG conducts its business

7.3	To clarify the technical and financial criteria (and their weightings) used for assessing license allocations and transfers.
7.5	It is recommended that each provincial MoMP office collect and maintain data of non-tax revenues on a 'per-company', 'per-revenue stream', and 'per-payment' basis, and share it as such with the central MoMP office.
7.9	Publication of bidders BO data.
8.2	The MSG should work with the MOMP to ensure all license information listed in Requirement 2.3.b is available for all extractives licenses active.
	(Date of application, date of award and duration of the license. In the case of production licenses, the commodity being produced.)
9.4	AEITI may wish to align reporting with the government's corporatization strategy for the two extractives SOEs with a view to providing annual diagnostics to support reforms.
10.3	Afghanistan may wish to use EITI reporting to explain challenges in the production of official production statistics and track the implementation of key reforms in the MOMP's mine inspection and oversight.
11.3	Afghanistan may wish to use EITI reporting as a diagnostic tool to identify discrepancies in export data from different sources and support the government's efforts to curb smuggling.
13.2	Afghanistan may wish to explore the extent to which it could use extractives-specific GFS (Government Finance Statistics) classifications from its EITI summary data tables (together with its per-license tax ID numbers) as a means of disaggregating extractives revenues in MOF systems.
18.1	Inspection of complete database of licenses and contracts available within MoMP and to develop a definitive list of those companies and to present it to MSG
18.2	Inspection of the database systems of MoMP if they comply with EITI Standards and to provide recommendations to MoMP and MSG regarding their efficiency
18.3	Implementation of recommendations from Nilesh's Report on MCAS, NTRS and Transparency Portal.
18.4	Inspection of the database systems of MoF if they comply with EITI Standards and to provide recommendations to MoF and MSG regarding their efficiency
18.5	Support to MoMP database systems to keep, update and publish private sector data and financial data in order to comply with EITI standards, as well as provide recommendations to MSG and MoMP in this respect
19.1	Improvement in filing system of Government Departments (MoF and MoMP) and SOEs for manual Record Keeping

19.2	LTO to be held responsible for all major corporate mining, oil and gas tax-payers and LTO and Revenue Monitoring Department held all details of relevant records of transaction
20.1	Strengthening of SAO and Revenue Monitoring and Evaluation Department of MoF, continuity of the trainings and maintenance of its role in Afghanistan
21.1	MOF and MOMP to consider bringing in additional professional resources to support Revenue monitoring and management in order to assist in the preparation of scoping and reporting data for future reports;
21.4	Manual data-sharing between the MoMP, MoF and ACD through the common excel data reporting template that is currently under development is recommended.
21.5	MOMP and Revenue Monitoring and Evaluation (MOF) with AEITI to examine the areas where the GIZ IS report identifies revenue to the government with a view to seeking to incorporate them into EITI reporting prior to EITI next report.
22.2	MSG to investigate differences in figures reported by MOMP and companies in respect of 1391 (Mar-Dec 2012), 1392 (2013) 1393 and 1394 (2014-2015)
25.1	MoMP to provide production data on transparency portal
26.1	Form working group to accompany MIS implementation process to ensure that needs are addressed for EITI: Build user stories for MIS from MSG & EITI perspective
	(What should be visible for Gov agencies? What could be made public?)
27.1	To strengthen implementation, Afghanistan is encouraged to ensure that government representatives on the MSG attend meetings regularly.
27.2	The MSG should ensure that an assessment of progress with achieving the objectives set out in its work plan is carried out, including the impact and outcomes of the stated objectives. The MSG may wish to use the APR template provided by the International Secretariat to ensure that the different tools to review progress are harmonised.
27.11	Afghanistan should ensure that its assessment of the materiality of any revenues from the transportation of oil, gas and minerals be publicly documented and that any such material revenues be disclosed disaggregated to levels commensurate with the reporting of other payments and revenue streams.
27.14	The MSG should also ensure that summary data tables for all EITI Reports are prepared in a timely manner in line with requirements of the Board-approved IA's ToR.
27.15	In accordance with requirement 7.1, Afghanistan should ensure that EITI reports are comprehensible, actively promoted, publicly accessible and contribute to public debate.
27.16	Taking into account the security situation, the MSG should continue to seek to carry out outreach events to spread awareness of and facilitate dialogue about the EITI Report across the country whenever possible.

27.19	In accordance with Requirement 7.4, Afghanistan should ensure that all stakeholders are able to participate in the production of the annual progress report and review the impact of EITI implementation. Stakeholders beyond the MSG should be able to provide feedback on the EITI process and have their views reflected in the annual progress report.
28.7	production data, by volume, values, commodity and per project could not be located online on transparency portal/MOMP new website and to be done in 6th AEITI Report.
28.8	Exports and Customs Data to be linked from Transparency Portal to ACD
29.2	Currently, there is the old 'MoM' website, data from which remaining must be migrated to new 'MoMP' website comprehensively and old website then deleted to avoid confusion. Where duplicate data sets exist, such as on beneficial ownership, we will need to ensure these are not contradictory
29.3	Descriptions on the data sets contained in each of the tabs of the MOMP website.
29.4	Export Data from ACD needs to be hyperlinked to the new MOMP website
29.7	AEITI website, with its activities and context briefly described, can be linked to the MOMP transparency page as well
30.1	All Government Agencies must use a unique TIN to record the payments received from the extractive companies. SE-• New invoice format should include TIN number to help IA for tracking companies.
28.7	production data, by volume, values, commodity and per project could not be located online on transparency portal/MOMP new website and to be done in 6th AEITI Report.
28.8	Exports and Customs Data to be linked from Transparency Portal to ACD
29.2	Currently, there is the old 'MoM' website, data from which remaining must be migrated to new 'MoMP' website comprehensively and old website then deleted to avoid confusion. Where duplicate data sets exist, such as on beneficial ownership, we will need to ensure these are not contradictory
29.3	Descriptions on the data sets contained in each of the tabs of the MOMP website.
29.4	Export Data from ACD needs to be hyperlinked to the new MOMP website
29.7	AEITI website, with its activities and context briefly described, can be linked to the MOMP transparency page as well
30.1	All Government Agencies must use a unique TIN to record the payments received from the extractive companies. SE-• New invoice format should include TIN number to help IA for tracking companies.
30.4	We recommend that MSG takes the necessary steps in order to encourage the focal points of reporting entities to take more prominent roles in providing data and information as well as to give comprehensive explanations and confirm statements made in the EITI report.

30.7	The MSG should consider carrying out a post award process audit by an independent consultant/firm in order to assess the veracity of any allegations of impropriety.
30.9	We noted that the accounting systems, capacity of finance staff and audit environment in the two extractive SOEs is inadequate. MoF and MoMP should prepare a plan to improve these areas and implement the necessary actions.
30.11	Government Agencies and SOEs should devise a suitable process and filing system to manage the manual records and should provide training to staff on the importance of maintaining the systems. Assistance from professionals in process review should be considered, so that experience and good practice from other countries can be brought to bear
30.12	MoF-LTO should be given responsibility for all major corporate mining and oil and gas taxpayers, and the Kabul-based Ministry ensures that it holds details of all relevant records and transactions relating to those companies;
31.9	Missing Data on the Transparency Portal (Explanations regarding Company TINs, Beneficial Ownership and Procedures)
	Exploitation contract for coal company terminated without any justification, to be justified (new)
31.11	Clarify difference in figures on production from one year to another which casts doubts over the reliability of the data. (new)
31.15	Cadaster to remove the value from company reporting forms.
	* The estimated values can simply be linked to the Data. (New)
31.23	MoMP to share list of companies whose TIN is missing with MoF for TIN issuance / sharing. (new)
31.24	New invoice format should include TIN number to help IA for tracking companies. (30.1)
31.27	Synchronization / institutionalization of systems through trainings of the NTRS and MCAS.

Section One Multi-Stakeholder Group Oversight

The following section contains supporting documents and evidence as highlighted in the following Table 2.

Table 2 Corrective Actions based on AEITI Workplan

Action Item	Item as per April 2020
1.1	H. E. President Transfer Orders of AEITI National Secretariat from the MoF to MoMP
1.2	Transfer orders of the AEITI Vehicle to the MoMP
1.3	Terms of Reference: AEITI- National Secretariat
	- Leadership strengthened shift from MoF and the MoMP - Improved coordination between the AEITI Championship and AEITI National Secretariat. - Hiring of National Coordinator for guidance and leadership

Action Item	Items as per April 2020
2.1	MSG Workshop Meeting
	Improved understanding of the EITI Validation Process and capacity around the 6th Reconciliation Report

Action Item	Items as per April 2020
3.1	Standard Terms of Reference for Independent Administrators
3.2 & 5.2	A Brief Report of the Dubai Workshop conducted in Dubai from December 6 to 9, 2018
3.8	Preparation and approval of Scoping for 6th Reconciliation Report
3.18	A Short Guide for the Stakeholders
3.30	Set up a conference call with the IA and the International Secretariat to ensure there is clear understanding of the TORs.
4.1	Official launch of the Transparency Portal
5.2	It is recommended that 'ring-fencing' of mining income taxes be implemented, with the MoF issuing individual TINs per mine or contract.
5.4 & 3.2	Dubai workshop report
5.5	Extension request for 6th reconciliation report
5.12	Explore possibility to include EITI related benchmarks in the Word Bank IP DPG and EU SRBC.
	- Ensuring publication of the 6th Reconciliation Report - Hiring of Independent Administrator

	• MSG agreements focused around materiality 1) disclosure of tax and revenue 2) transportation revenue and 3) social expenditure • Reporting templates, publishing of the report • Overall scorecard progress

Action Item	Items as per April 2020
6.6	To Adopt a procedure to regulate and encourage participation of all stakeholders in MSG meetings and ensure that papers are submitted in time by AEITI secretariat.
6.1	To ensure the independency of Civil society MSG members in operation, and in policy terms: An election procedure should be drafted by CSOs to ensure the independency and transparency of acquiring Civil society MSG members in through their election process. Also inform the EITI CSO Constituency about the plan, progress and request for future capacity support. In addition, internal guideline on communication and grievance to be in place for CSOs.
6.2	Review the terms of reference regulating the relationship between the constituencies in MSG
6.3	Review the internal guidelines regulating how the MSG conducts its business
	• Updated and approved ToRs for MSG and National Secretariat • ToRs are representative of the actual practices being followed and implemented • Election Procedures developed • MSG meetings translated • Advance notice of meetings
31.22	Key stakeholder consultation
	MSG and AEITI Sec must ensure that key stakeholders and wider constituencies are consulted and asked for inputs to the work plan. Written proof to be provided when a constituency claims they consulted their wider constituencies for inputs - at least in the form of emails sent and so on (discussion of MSG on documents such as work plan and procedures to be discussed with wider constituencies). (new)

The following letter is the transfer letter from AEITI to the MoMP from the MoF. This letter was dated and signed by the MoMP Minister and approved by H. E. the President. The proposal and approval specifically discuss and decide on the transfer of AEITI to MoMP, progress reports by MoMP to the Presidential Office, MSG meeting attendance and dismissals in case of missing more than two meetings.

دافغانستان اسلامی جمهوریت د کانونو او پترولیم وزارت	جمهوری اسلامی افغانستان وزارت معـــــادن و پترولیم

Islamic Republic of Afghanistan
Ministry of Mines & Petroleum
Chief of Staff

ریاست دفتر

آمریت ارتباط خارجه

تاریخ: _____   شماره : _____

موضوع: کاندیداتوری عضویت افغانستان در EITI

حکام

شماره حکم: ۱۸۸۲

تاریخ: ۱۳۹۷/۹/۱۱

ملاحظه شد؛

با در نظر داشت توضیحات متن پیشنهاد، موارد آتی منظور است:

● انتقال سکرتریت AEITI از وزارت مالیه به وزارت معادن و پترولیم.

● وزارت معادن و پترولیم موظف است تا از پیشرفت کار، تدویر جلسات و سطح اشتراک همـه اعضـا، طـور دوامـدار بـه ریاست جمهوری ا.ا، گزارش دهد.

● مسوولین موظف انـد در تمـام جلسـات MSG اشتراک نمایند.

عضویت هر یک، در صورت غیابت بیشـتر از دو جلسه لغو و عضو جدید به عوض شـان معرفـی گردد.

محمد اشرف غنی
رئیس جمهوری اسلامی افغانستان

پیشنهاد

بمقام محترم عالی ریاست جمهوری اسلامی افغانستان!

با تقدیم احترامات فایقه:

طوریکه مقام .محترم عالی در جریان قرار دارند، افغانستان جهت تشویق و جذب سرمایه گذاری و عملی نمودن تعهدات که به جامعه بین المللی و ارگانهای تمویل کننده سکتور صنایع استخراجی در راستای ترویج شفافیت و حسابدهی سپرده است؛ در سال ۲۰۰۹ برای گرفتن عضویت EITI درخواست نمود و در فبروری ۲۰۱۰ درخواست افغانستان منحیث کشور کاندید تطبیق کننده معیارات EITI پذیرفته شد. روند اعتباردهی به خاطر عضویت افغانستان بعد از ۹ سال در اول نوامبر ۲۰۱۷ به راه انداخته شد که که بر اساس معیارات ۲۰۱۶ ابتکار شفافیت صنایع استخراجی بود. این ارزیابی پیشرفت های افغانستان را از ماه فبروری ۲۰۱۰ الی نوامبر ۲۰۱۷ تحت پوشش قرار میدهد.

ارزیابی تکمیل شده و هیأت رهبری EITI در رابطه به پیشرفت عمومی افغانستان در راستای تطبیق معیارات ذکر شده تصمیم نهایی شانرا تا هنوز ابلاغ ننموده اند. بادرنظرداشت پیشرفت افغانستان در جوانب مختلف این معیارات و به اساس Scorecard؛ احتمالاً پیشرفت افغانستان نابسنده شمرده خواهد شد که در این صورت کاندیداتوری افغانستان برای عضویت EITI به طور مؤقت شاید به حالت تعلیق در بیاید. باوجودیکه وزارت معادن بعد از نوامبر ۲۰۱۷ پیشرفت چشمگیری در راستای تطبیق این معیارات داشته که شامل این ارزیابی نشده است. درصورتیکه هییت رهبری EITI پیشرفت افغانستان را نابسنده اعلام نمایند؛ سکرتریت بین المللی EITI برای افغانستان یک سلسله از اقدامات اصلاحی جهت تطبیق معیاراتیکه پیشرفت نداشته و یا هم پیشرفت از تطبیق آن نابسنده بوده است را با مهلت معین (در حدود ۱۸ ماه) توصیه خواهد نمود که بعد از تطبیق آن تعلیق عضویت افغانستان رفع خواهد گردید.

افغانستان از سال ۲۰۱۰ بدینسو آمادگی لازم را جهت تطبیق این معیارات نداشته است. گرچه پیشرفت قابل ملاحظه ای از ماه نوامبر ۲۰۱۷ بدینسو در این راستا صورت گرفته اما هنوز هم رضایت بخش شمرده نمیشود. لهذا، وزارت معادن و پترولیم الی 7 ماه آینده فرصت نیاز دارد تا پیشرفت های قابل ملاحظه باشدکه در این راستا کار جدی جریان دارد و جلسات هفته وار تحت نظر بنده تدویر میگردد.

از جمله دو چالش که حمایت مقام محترم عالی را نیاز داریم عبارتند از:

1. همنوا نبودن سکرتریت با EITI Championship در افغانستان که پیشرفت کار را به طور جدی متاثر نموده است.
2. کمرنگ بودن و در بعضی موارد حتی عدم اشتراک مسؤلین بلند رتبه ارگانهای ذیدخل.

بنابرین، احتراماً پیشنهاد مینماییم تا سکرتریت و EITI Championship در افغانستان همنوا گردد؛ چون وزارت معادن و پترولیم تطبیق کننده این معیارات است؛ بناءً بهتر پنداشته میشود تا مسؤلیت سکرتریت و EITI Championship به این وزارت سپرده شود. ضمناً به اعضای محترم دایمی MSG هدایت لازم داده شود تا شخص مسؤل در مجالس EITI اشتراک ورزیده و تصامیم اتخاذ شده در این جلسات را جدی تعقیب و تطبیق نمایند.

موضوعات فوقاً به مقام محترم عالی احترامانه عرض گردید. در مورد آنچه لازم دانند، هدایت خواهند فرمود.

بااحترام

1.2 Transfer orders of the AEITI Vehicle to the MoMP

The AEITI purchased a vehicle with donor funding for the organization. This vehicle was transferred from the MoF to the MoMP in   The letter describes the transfer.

1.3　　　　　Terms of Reference: AEITI- National Secretariat

Terms of Reference: AEITI- Secretariat
Date: 20/March/2019

Part 1: Context and Definitions

Context:

The Afghanistan Extractive Industries Transparency Initiative (AEITI) is an initiative charged with developing and implementing a framework for transparent data disclosures, and facilitating enhanced accountability in the mining, oil and gas (extractives) sector in Afghanistan. The main duties of AEITI include facilitating transparent disclosures pertaining to (i) the legal, fiscal and regulatory framework pertaining to the extractives sector, (ii) license allocations, contracts, and information on their corresponding beneficial owners, (iii) reconciled revenue data submitted by the government, and corresponding payment data submitted by extractive companies, (iv) data on State Owned Enterprises (SoEs) operating in the sector, and (iv) data on production, exports, and the economic and social contribution extractives sector to Afghanistan .

The AEITI has been a signatory to the Extractives Industry Transparency Initiative (EITI) Global Standard since 2010. The AEITI implements the EITI Standard through a Multi Stakeholder Group (MSG) comprised of representatives from civil society, the private sector and government ministries. The MSG is responsible for steering the AEITI process, including with regard to establishing data reporting templates, establishing an annual work plan for AEITI, and aligning the work of AEITI with national priorities. The AEITI Secretariat, housed within the Ministry of Mines and Petroleum (MoMP), is an agency that provides administrative and operational leadership for the implementation of AEITI.

Aligned with international best practice, AEITI was established to help promote the efficient and effective management of extractive resources in the country. It operates in accordance with the EITI principles and criteria, such as transparency, inclusiveness and openness in the management of extractive resources, which are viewed as engines for sustainable growth and national development.

Definitions:

Mineral Law: means the Mineral Law of Afghanistan- version 2018 or latest

Multi Stakeholder Group (MSG): means the steering body of the AETI, comprised of representatives from the government, extractive companies, and civil society

Business: means the activities of the AEITI

EITI Standard: means the global EITI Standard 2016, or if applicable, a more recent version of the EITI Standard in effect internationally

Secretariat: means the AEITI Secretariat, housed within the Ministry of Mines and Petroleum (MoMP), which is the agency in charge of the administrative and operational aspects of AEITI

- *National Coordinator*: The operational head of the National AEITI Secretariat

- *Chair:* means the chair of the MSG

- *Deputy Chair*: means the deputy chair of the MSG

- *Secretary:* means the person normally fulfilling the duties of a 'board' secretary to the MSG

- *Members:* members of the Multi Stakeholder Group

- *GoIRA:* Government of the Islamic Republic of Afghanistan

Relevant Entities: Any statutory or non-statutory bodies directly or indirectly benefiting directly form the extraction of natural resources

Part 2: Purpose

This Terms of Reference serves to define the AEITI Secretariat's scope, functions, processes and governance. It is to be read in light of the MSG TOR dated 09 March 2019.

The Secretariat carries out the directives of Multi Stake Holder Groups in implementing EITI and provides administrative and operational support to the Multi-Stakeholder Group (MSG) and directly reports to the MSG champion.

The Secretariat acts as a coordinating body between EITI International, the EITI Board and the MSG.

Part 3: AEITI Secretariat Governance Process

3.1 The Role of the Secretariat

The Secretariat will conduct the affairs of the AEITI under the direction and supervision of the Multi Stakeholder Group.

In order to effectively carry out the directives of the MSG, the Secretariat will be organized in the most effective manner and will comprise of four (4) departments[1] to carry out specific duties as assigned to the Secretariat by the MSG: at least 30 % of total AEITI staffs within these departments should be females.

- Communications Department

- Admin/HR Department

- Reconciliation Department

- Technical Department

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[1] Annex 1: Secretariat Organogram.

The National Coordinator is the head of the Secretariat and will direct the Secretariat's departments as necessary to satisfy the Purpose of the Secretariat. All departments within the Secretariat will report directly to the National Coordinator.

3.2 The Role of the National Coordinator

The MSG will decide on the AEITI secretariat's governance and management functions through (as advised by) the National Coordinator.

All MSG authority conferred on the AEITI Secretariat is delegated through the National Coordinator so that the authority and accountability of the Secretariat is the authority and accountability of The National Coordinator so far as the MSG is concerned.

The MSG will agree with the National Coordinator to achieve specific results directed towards the AEITI goals. This will usually take the form of an annual EITI Work Plan under which the National Coordinator is authorized to make any decision and take any action within the Secretariat's limitations directed at achieving the AEITI goals.

Between MSG meetings the Chair maintains an informal link between the MSG and the National Coordinator and expects to be kept informed by the National Coordinator on all important matters and is available to the National Coordinator to provide counsel and advice where appropriate.

Only decisions of the MSG acting as a body are binding on the National Coordinator.

Decisions or instructions of individual members, officers or Working Groups should not be given to the National Coordinator and are not binding in any event except in those instances where specific authorization is given by the MSG or consensual agreement is made between the National Coordinator and the person / group. Decision by the Chair or Co-chair will be binding on the National Coordinator. The role of the national coordinator is defined in the MSG TOR, which shall be limited to it, but will also include any other assignment decided by the MSG.

3.3 Accountability of National Coordinator to MSG

The National Coordinator, in association with the chair, is accountable to the MSG for the achievement of the AEITI goals and the National Coordinator is accountable for the observance of the limitations within the Secretariat.

At each of its normal/regular meetings the MSG should expect to receive from or through the National Coordinator:

- the operational and other reports and proposals referred to above

- such assurances as the MSG considers necessary to confirm that the Secretariat limitations are being observed.

3.4 Secretariat limitations

The National Coordinator is expected to act within all specific authorities delegated to him or her by the MSG.

The National Coordinator is expected to not cause or permit any practice, activity or decision that is contrary to commonly accepted good business practice or professional ethics.

In allocating the capital and resources of the Secretariat, the National Coordinator is expected to adhere to the AEITI goals and the EITI Standard.

- The National Coordinator is expected to not cause or permit any action without considering the health, safety, and political consequences and their effects on the stakeholders.
- In managing the Secretariat, the National Coordinator is expected to not cause or permit any action that is likely to result in the AEITI becoming financially embarrassed.
- In particular, the Secretariat must be operated with a comprehensive system of internal control, and assets or funds must not be received, processed or disbursed without controls that, as a minimum, are enough to meet standards acceptable to the Secretariat's external auditors.
- In managing the risks of the Secretariat, the National Coordinator is expected to not cause or permit anyone to substitute their own risk preferences for those of the stakeholders (for example, as expressed through an MSG approved risk management plan).
- The National Coordinator is expected to not permit employees and other parties working for the AEITI to be subjected to treatment or conditions that are undignified, inequitable, illegal, unfair or unsafe.

Part 4: Operational Activities of the Secretariat

The Secretariat, under the National Coordinator, is responsible for the day to day administration of AEITI through the following key departments:

4.1 National Coordinator's Office:

Among other functions, the office performs the following key responsibilities:

- Ensures that AEITI complies with appropriate legal requirements for its continued existence;

- Provides support on all related aspects of AEITI's activities with the aim of promoting its corporate image and managing the interface with other corporate entities and the public/ society at large;

- Provides strategic and operational support to the National Coordinator.

- Preparation of all MSG documents prior to any MSG or Working Group meetings.

4.2 **Communications Department**:

The Communications Department is charged with the following responsibilities:

- Develops and ensures the implementation of an effective / comprehensive communications strategy, policies and procedures for grass root understanding of AEITI in Afghanistan.

- Defines overall operational plan for the management of the day-to-day communication related issues.

- Provides professional advice and guidance to AEITI on communications and public relations issues.

- Manages cross-functional relationships with other stakeholders such as the Mass Media, Print Media, Consultants, Subcommittees, and CSOs.

- Shares collaborative case studies, Audit findings, issues, policy analysis results and other research that informs policy of critical issues in AEITI's thematic areas in terms of transparency, accountability, service delivery and its design.

Develops and monitors corporate communication plans countrywide with the aim of achieving the AEITI's set objectives.

- Coordinates and acts as the central communication anchor point for national media activities in AEITI.

- Documents all AEITI activities in library services and publications.

- Disseminates information on AEITI activities, AEITI Report and its results to AEITI stakeholders and the Citizens of Afghanistan.

4.3 Administration/HR Department:

The Admin/HR department supports the AEITI operations by:

- Effectively supporting the Secretariat as regards Human Resources Planning (staffing, promotion, compensation and succession).

- Providing expertise and technical support in the conduct and management of AEITI secretariat audits and develops / supervises remediation master plan.

- Designing, developing and monitoring the implementation of a technical capacity building strategy to enhance understanding and interpretation of   technical issues identified in AEITI annual audits.

- Taking responsibility for the facilitation of the development of new and existing technical processes and procedures to ensure the secretariat is abreast with the continuous changes in the sector and prompting generation of Management Information reports when due.

- Managing AEITI assets, developing and maintaining asset registers, maintaining filing systems and developing procurement plans.

- Reviewing and updating administrative procedures and operations manuals.

- Is responsible for the coordination / procurement of all equipment, supplies and services required and authorized for use by the AEITI Secretariat.

4.4 Reconciliation Department:

The Reconciliation department helps in the data collection and other extractive sector's findings for the AEITI Reconciliation Reports. The Department role is to collect, consolidate and manage the financial statements and information on taxes, royalties, fees and revenues in accordance with the laws of Afghanistan and as required by EITI standards.

- Assisting in data capturing, system strengthening, and revenue management tracking.

- Develops and implements financial information systems, management policies and procedures.

- Designing and coordinating the planning and implementation of the technical component of the audit/reconciliation.

- Collect, review and consolidate the tax and non-tax revenues from relevant government offices, companies and SOEs and report it to the Independent Administrator.

- Review and investigate discrepancies in data reported by companies, SOEs and government departments and follow up on Independent Administrator's recommendations on financial gaps.

- Co-ordinates budgetary processes and controls.

- Facilitates and co-ordinates external audits and Independent Administrator.

- Prepares financial reports as directed by the MSG.

- Conduct ad-hoc financial review/audit on the difference of tax and non-tax revenue collected from / by companies, SOEs and government departments.

- Carrying out research on possible revenue leakages within extractive sector and suggesting ways of strengthening the governance of the system

- Utilizing existing models and contributing to the development of improved models for revenue forecasting and fiscal planning

- Assisting the AEITI in research, auditing of Covered Entities, compilation and review of audit reports

- Advising clients on financial data and record keeping

- Reconciling the revenues and taxes paid by extractive industries to the government with GoA-related agencies

- Reconciling of extractive data from MoMP with Afghanistan finance management information system of MoF

- Maintaining accounting records and preparing reports and financial information from all extractive companies

- Maintaining working relations with the implementing partners (MSG) and reconciler.

- Working closely with provincial directorates of MoF and MoMP for data collection regarding extractive industries revenue
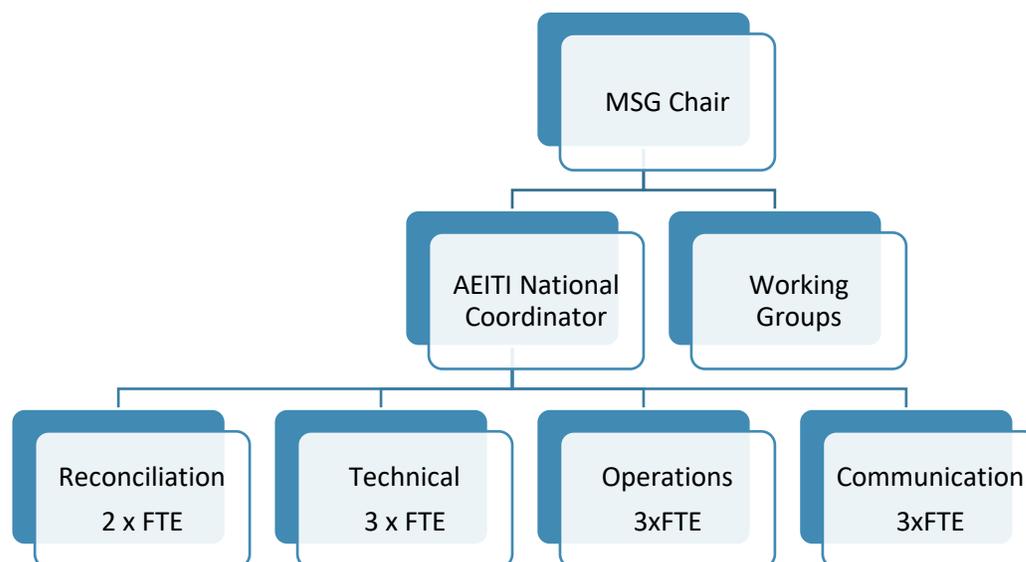
4.5 Technical Department:

The technical department consists of technical specialists in the mining revenue management sector placed at MoMP and MoF. The specialists will coordinate with MoMP and MoF to ensure findings and comments from validation and reconciliation reports and other assessments/studies are addressed and the relevant entities (MoMP, MoF, Extractive Companies and SOEs) practices and functions are compliant with the EITI latest standards.

- Ensuring relevant information on extractive resource policy and economic analysis is available and used towards the achievement of AEITI's objectives

- Managing and coordinating collaborative case-studies, impact surveys and other operational analysis approaches to inform critical issues in sector governance

- In close coordination with Reconciliation team, undertaking economic analysis on mining, oil & gas sector related issues and the varying implications on the activities and objectives of the AEITI

- Ensuring the management of the data files and the appropriate filing of the revenues recorded with extractive sector and government agencies and to keep the hard copies of the financial documents and reports

- Provide capacity development trainings to relevant entities staffs to ensure they understand EITI requirements and align their working mechanism accordingly

- Follow up with recommendations from Validation, Reconciliation and other studies / assessments to be fulfilled by the relevant entities.

- Provide advice / assistance to the relevant entities to ensure addressing comments and compliance with EITI standards and Afghanistan laws.

- Serve as focal points between the AEITI secretariat and relevant entities.

- Provide support to the National Coordinator in reviewing processes and practices across AEITI

- Ensure that the relevant entities align their processes to comply with EITI standards

- Coordinate with MSG working groups to ensure they have easy access to the required information and facilitate their meetings/activities with relevant entities

- Review current governance processes within the relevant entities and suggest better approach to ensure compliance with EITI standards

- Verify that relevant entities are complying with EITI standards and provide support as needed

Annex 1- Secretariat Organogram

Signatories:

Name	Organization	Signature
H. E. Nargis Nehan	Ministry of Mines and Petroleum	
Abdullah Rqaeebi	Customs - MoF	
Amina Ahmadi	Revenue - MoF	
Eng Qaseeemullah Qaderi	Cadester - MoMP	
Abdul Wahid Jaihon	Admin/Finance - MoMP	
Ahmad Tariq Sarfaraz	ACBRA - MOCI	
Ramzan Jumazada	Parliament	
Ibrahim Jafari	ENRMN	
Javed Noorani	ENRMN	
Syed Ahmad Ataee	ENRMN	
Afzal Sherzad	WADAN	
Habib Nang	FETWO	
Naser Timory	IWA	
Shafiqullah Attai	ACCI	
Ashaq Hussain	Core Drillers	
Eng. Bashir Andesha	Khoushak Brothers	
Mohammad Hussain	MCC/MJAM	
Ahmad Ramin Rahi	CNPCI/WATAN	
Eng. Sardar Hussain	Mesaq-E-Sharq	

2.1 MSG Workshop: Email Correspondence in Dari and in English

The AEITI National Secretariat through correspondence and communication uses a bilingual/trilingual combination of Dari, English or Pashtu to communicate with members, to conduct meetings or outreach activities and events. AEITI understands that language is key to transmitting important messages and recognizes limitations related to the English language. The following email excerpt is a sample of the bilingual language use.

Dear All,

Due to lack of adequate facilities we are postponing the workshops to;

First Workshop   15 January 2019
Second Workshop   22 January 2019
Third Workshop   29 January 2019

Please find attached the revised nomination form for each sessions so that you can introduce your staffs for all of the three sessions with less impact on their tasks. Kindly send the filled forms to Itemad Khan (CCed) by Tuesday 8th of January 2019.

همکاران عزیز سلام,

به دلیل عدم دسترسی سکرتریت به امکانات لازم تاریخ ورکشاپ ها برای یک هفته به اساس تواریخ فوق به تعویق افتاده است. بناآ لطف نموده کارمندان خویش را طبق تقسیم اوقات ذریعه فورمه ضمیمه شده معرفی نموده و فورمه تکمیل شده را به آقای اعتماد خان (به جواب ایمیل ذیل) الی روز سه شنبه فرستاده ممنون سازید.

Best Regards,

Hashmatullah Sayes

د MSG محترمو غړو

AEITI په پلان کی لری چی د دري اونیو په اوردو کي دري یو ورځنی ورکشاپونه چمتو کړی (د اتمهجنوری ۲۰۱۸ څخه دوویشتمه جنوري ۲۰۱۸ - هره سه شنبه)، چی هر یو ورکشاپ به په هر اونی کي ترسره کیږی. دا څانګړیترتیب پلان شوی دی ترڅو مسولین وکولی شي د خپل وخت په اساس خپل کارکونکی ورکشاپ ته معرفی کړی.

تاسو څخه په مهربانی سره غوښتنه کیږی چی د دې ورکشاپونو لپاره خپل استازي / کارمندان / د هغوی تقسیم اوقاتو یا ښتون پهاساس دی دریو غوندو کی یو ورکشاپ ته معرفي کړئ.

ورکشاپونه په لاندی ډول پلان شوي دي:

د 2018 کال د جنوري په 8 مه نیټه لومړی ورکشاپ

د 2018 کال د جنوري په 15 مه دویمي ورکشاپ

د 2018 کال د جنوري په 22 مه دریمي ورکشاپ

دغه ورکشاپونه چی د EITI معیارونو باندی د برخه اخیستونکو ظرفیت لوړول او په ښه توګه دا معیارونه په خپل مربوطه ادارو کی تطبیقولو باندی تمرکز لري، پکار ده چی ټول هغه کلیدی کارکونکی پدی ورکشاپو کی ګډون وکړی.

نوټ: د کارکونکو د معرفی لپاره لست پدی ایمیل کی ضمیمه دی چی باید ډک او بیرته د سکرتریت ته تر ۴۲ ساعتونو پوری راواستول شی.

Dear MSG Members,

AEITI Plans to hold three workshops spanning over three weeks (from 8 Jan 2018 till 22 January 2018), where one workshop will be held each week. Please note that all the workshops will cover the same topics and a participant has to only attend one workshop; this special arrangement has been planned so that participants are able to attend the workshop according to their schedules.

You are kindly requested to refer/introduce your representatives/staff members to the mentioned workshops according to their availability among one of the three sessions.

The workshops are planned as below:

First Workshop on 8th January 2018

Second Workshop on 15 January 2018

Third Workshop on 22 January 2018

The workshops have been planned in accordance with the action plan (shared with MSG already) and will cover key topics including; building the participants' capacity on EITI Standards and on how better they could use that knowledge to meet the standards towards better compliance, therefore all those representatives should participate.

Note: The participants list is attached, please fill it in (participants names) and send it to us by no later than 24 hours upon receival of this email. Thank you

Sincere regards,

_____

Islamic Republic of Afghanistan

Ministry of Finance

Afghanistan Extractive Industries Transparency Initiative

Standard Terms of Reference for Independent Administrators

This document is a standard Terms of Reference (TOR) for Independent Administrator services in accordance with the EITI Standard, endorsed by the EITI Board on 15 February 2016. The TOR sets out the work to be undertaken by the Independent Administrator hired to produce the EITI Report. It is typically attached to the contract between the Independent Administrator and the government.

The MSG is required to use this standard TOR when hiring an Independent Administrator (Requirement 4.9.b.iii). Should the MSG wish to deviate from the procedures set out in this TOR, the International Secretariat should be consulted as advance approval from the EITI Board might be required (Requirement 8.a). The TOR includes sections [bracketed and highlighted in blue] that should be completed by the multi-stakeholder group (MSG) in order to adapt the TOR to the specific circumstances in the country. The TOR includes comment boxes to guide the MSG in completing each section. It is a requirement that the MSG approve the TOR (Requirement 4.9.b.iii).

The TOR is addressed to the Independent Administrator. A *guidance note on MSG oversight of the EITI reporting cycle*[2] is also available to guide MSGs and national secretariats on the issues that need to be addressed in advance of completing this TOR, and key issues to consider in overseeing the reporting process to ensure compliance with the EITI Standard. Utilisation of the TOR does not guarantee compliance. The MSG needs to ensure that the reporting process is rigorous, comprehensive and reliable.

The Board will review the procedures and the template on a regular basis. Comments on the template should be directed to the EITI International Secretariat (contact: sbartlett@eiti.org).

Terms of Reference

Independent Administrator for the [1395-1396] EITI Report, Afghanistan

Approved by the [MSG] on [date]

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[2] https://eiti.org/document/guidance-notes-implementing-countries#GN8

Table of Contents

Background

The Extractive Industries Transparency Initiative (EITI) is a global standard for improving transparency and accountability in the oil, gas and mining sectors.

EITI implementation has two core components:

Transparency: oil, gas and mining companies disclose information about their operations, including payments to the government, and the government discloses its receipts and other relevant information on the industry. The figures are reconciled by an Independent Administrator, and published annually alongside other information about the extractive industries in accordance with the EITI Standard.

Accountability: a multi-stakeholder group (MSG) with representatives from government, companies and civil society is established to oversee the process and communicate the findings of the EITI reporting, and promote the integration of EITI into broader transparency efforts in that country.

The EITI Standard encourages MSGs to explore innovative approaches to extending EITI implementation to increase the comprehensiveness of EITI reporting and public understanding of revenues and encourage high standards of transparency and accountability in public life, government operations and in business. The requirements for implementing countries are set out in the EITI Standard[3]. Additional information is available via www.eiti.org .

It is a requirement that the MSG approves the terms of reference for the Independent Administrator (requirement 4.9.iii), drawing on the objectives and agreed scope of the EITI as set out in the MSG's workplan. The MSG's deliberations on these matters should be in accordance with the MSG's internal governance rules and procedures (see requirement 1.4.b). The EITI requires an inclusive decision-making process throughout implementation, with each constituency being treated as a partner.

It is a requirement that the Independent Administrator be perceived by the MSG to be credible, trustworthy and technically competent (Requirement 4.9.b.ii). The MSG and Independent Administrator should addresses any concerns regarding conflicts of interest. The EITI Report prepared by the

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[3] http://eiti.org/document/standard

Independent Administrator will be submitted to the MSG for approval and made publicly available in accordance with Requirement 7.1.

These terms of reference include "agreed-upon procedures" for EITI reporting (see section 4) in accordance with EITI Requirement 4.9.b.iii. The international EITI Board has developed these procedures to promote greater consistency and reliability in EITI reporting. The EITI process should be used to complement, assess, and improve existing reporting and auditing systems. The Board recommends that the process rely as much as possible on existing procedures and institutions, so that the EITI process draws on, complements and critically evaluates existing data collection and auditing systems. In this way, the EITI process has the potential to generate important recommendations to strengthen other oversight systems.

EITI Implementation in Afghanistan

Afghanistan announced its intent to implement the EITI in March 2009, and became an EITI Candidate country on 10 Feb, 2010.

In the international EITI board meeting in Oslo in February 2010 The Government of Islamic Republic of Afghanistan (GOIRA) requested the donor community to provide immediate technical and financial support to develop good governance and accountability mechanisms in Extractive Industries Sector via effective EITI implementation process in Afghanistan. For this purpose the AEITI Secretariat was established within the Ministry of Finance in July 2010 to take the lead of EITI implementation in Afghanistan.

In Afghanistan, the extractive sector is expected to contribute a significant and growing proportion of Government revenues for the country's' development. In light of this, GOIRA has fully committed to EITI implementation to ensure that all payments and receipts in the extractive industry are made in an effective and transparent manner. So far five EITI Reports have been published by the secretariat which gives an overview of the whole extractive sector of Afghanistan; the publication of these reports is intended to give public access to the information about the extractive industry and the revenue generated each year from the extractive industry by the Government of Afghanistan.

Afghanistan till yet remains an EITI candidate country and has forgone 3 validations since its implementation, the recent of which was in February 2018 and the result of which is expected by June 2018. Nevertheless AEITI has made great progress and has made several achievements including reforms within the extractive industry. AEITI is currently working on implementing the recommendations of the previous reports which will pave the way for major reforms within the Extractive Industry and especially Ministry of Mines and Petroleum of the country contributing to the transparent and effective management of the revenues of the sector. AEITI will publish EITI reports on annual basis and the EITI will be used as a diagnostic tool to identify gaps and/or weaknesses in the government's management of the sector across the value chain and provide recommendations for reform. EITI reports and communication activities can also be used to show-case the sector reform projects currently underway in Afghanistan which will improve the Government's ability to manage the sector in a more transparent and equitable way. Training and capacity building can also be provided to MSG members and wider EITI stakeholders on issues related to sector management. Afghanistan is endowed with significant mineral resource potential; however there is a misperception among some stakeholders that the extractive sector, and a number of

high-profile large-scale projects, will provide a solution to Afghanistan's revenue shortfalls over the short to medium term. The EITI can play a valuable role in highlighting the current financial contribution provided by the sector to the national economy and the prospects for future growth. . Information on natural resource contracts, license information, rules, regulations, and policies, as well as supporting documents such as bidding documents, list of pre- qualified companies, successful and unsuccessful bids, technical information, and social and environmental impact assessment and mitigation plans are currently not readily available for expert and broader audiences. Easy accessibility of license and contract information, and supporting documentation and information is a key measure to achieve transparency and foster accountability in the extractive resource sector. Unless genuinely overriding imperatives of confidentiality or national security exist easy availability of such information should be the default modus operandi. Afghanistan EITI also aims to improve understanding of natural resources management among the AEITI partners/stakeholders and public, to create opportunities for dialogue & productive engagement in natural resource management in order to build trust and awareness among the stakeholders. Achieving reconciliation of financial flows between the extractive industries and the state including tax and non-tax payments, and to make quality and productive MSG in place for better monitoring and make quality decisions are also part of the objectives of the EITI in Afghanistan. All these objectives have been elaborated in the AEITI Work Plan. (More information about Country Work Plan is available on www.aeiti.af)

Objectives of the assignment

On behalf of the government of Afghanistan and [MSG], the [contracting party] seeks a competent and credible firm, free from conflicts of interest, to provide Independent Administrator services in accordance with the EITI Standard. The objective of the assignment is to:

 [- Produce an EITI Report for [1395-1396/s] in accordance with the EITI Standard and section 3, below.

 [- Summarise any additional objectives and work to be undertaken by the Independent Administrator].Scope of services, tasks and expected deliverables

The work of the Independent Administrator has five conceptual phases (see figure 1). These phases may overlap and there may also be some iteration between the phases. EITI reporting is generally preceded by scoping work which is sometimes undertaken by the Independent Administrator (phase 0 in the figure), and sometimes undertaken by the MSG or other consultants.

The Independent Administrator's responsibilities in each phase are elaborated below.

Figure 1 – Overview of the EITI Reporting process and deliverables
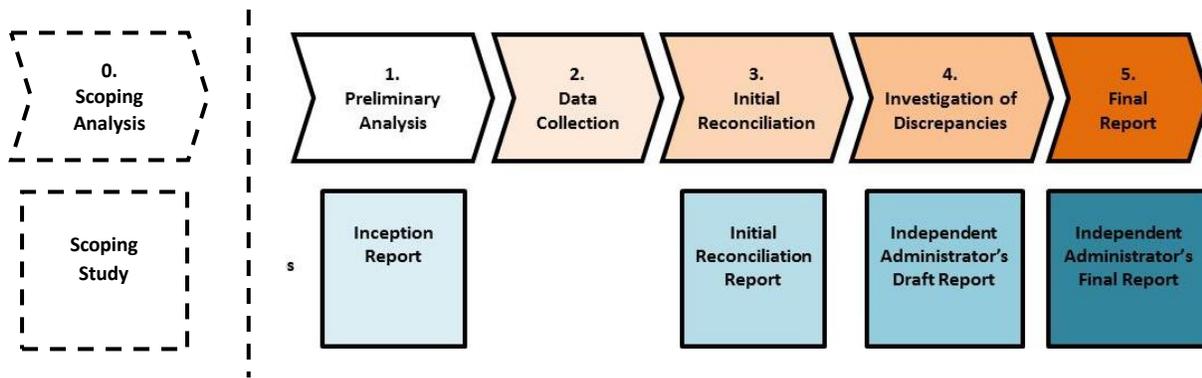
[Phase 0 – Limited Scoping

Objective: Scoping work aims to identify what the EITI Report should cover in order to meet the requirements of the EITI Standard. Scoping sets the basis for producing a timely, comprehensive, reliable and comprehensible EITI Report. It commonly involves looking at issues such as the fiscal period to be reported, the contextual information that should be part of the EITI Report, reviewing the types of assurances that are needed for ensuring that the data submitted by reporting entities is credible, determining which revenue streams from oil, gas and mining are significant, and consequently which companies and government entities should be required to report. It is also an opportunity for the multi-stakeholder group to consider the feasibility of extending the scope of EITI reporting beyond the minimum requirements in order to address the objectives outlined in the EITI workplan. Scoping may also investigate likely gaps or issues that may be particularly challenging to include in the EITI Report with a view to identify options, solutions, and recommendations for an appropriate reporting methodology for consideration by the multi-stakeholder group.

For the purpose of this report, the Independent Administrator is expected to review past scoping studies (attached) and AEITI reports and provide updated information for the year under review that will help the MSG fill in Annex 1 of these terms of reference. Besides the above mentioned tasks, the limited scoping study shall cover the following three tasks along with the above mentioned. These include:

The IA to do an overview of the sector and provide options for MSG to choose threshold and sample and number of companies to be covered and to investigate which revenue streams could be investigated and reconciled and present the information before the MSG to help them make a decision.

Conduct a study regarding the status of earlier AEITI reports' recommendations i.e. have the recommendations been met or if not where they stand

Prepare a brief on illegal mining as stipulated in this ToR in table 1.

It is to be noted that among the above mentioned tasks, the second and third could be carried out simultaneously while preparing the report to save time. Meanwhile it is necessary to complete the first task before work on the report kicks off.

Phase 1 – Preliminary analysis and inception report

Objective: The purpose of the inception phase is to confirm that the EITI reporting process has been clearly defined, including the reporting templates, data collection procedures, and the schedule for publishing the EITI Report. In cases where the Independent Administrator is involved in scoping work, the inception phase will not be extensive. Where the Independent Administrator is not involved in scoping work, some work is required by the Independent Administrator to review prior scoping decisions and considerations taken by the MSG (1.1-1.2 below). The inception report thus ensures that there is a mutual understanding between the MSG and the Independent Administrator of the scope of the EITI Report and the work to be carried out.

The MSG's proposal for the scope of the EITI Report, to be revised and confirmed with the Independent Administrator during the inception period, is set out in annex 1.

The Independent Administrator is expected to undertake the following tasks during the inception phase:

Review the relevant background information, including the governance arrangements and tax policies in the extractive industries, the findings from any preliminary inception report, and the conclusions and recommendations from previous EITI Reports and Validations. (A list of relevant documentation is provided as Annex 2).

The Independent Administrator should review the scope proposed by the MSG in annex 1 with a particular focus on the following:

Reviewing the comprehensiveness of the payments and revenues (Central and Provincial) to be covered in the EITI Report as proposed by the MSG in Annex 1 and in accordance with EITI Requirement 4.

Reviewing the comprehensiveness of the companies and government entities that are required to report as defined by the MSG in Annex 1 and in accordance with EITI Requirement 4.1

Supporting the MSG with examining the audit and assurance procedures in companies and government entities participating in the EITI reporting process. This includes examining the relevant laws and regulations, central and provincial contracts of the companies and any reforms that are planned or underway, and whether these procedures are in line with international standards. It is recommended that the EITI Report includes a summary of the findings, otherwise the MSG should make the results of the review of audit and assurance practices publicly available elsewhere.

Developing draft reporting templates and providing advice to the MSG on **the reporting templates based on the agreed benefit streams to be reported and the reporting entities (1.1.1– 1.1.2 above)**. Sample templates are available from the International Secretariat. It is recommended that the templates include a provision requiring companies to report "any other material payments to government entities" above an agreed threshold. [

On the basis of 1.1 and 1.2 as applicable, produce an inception report that:

Includes a statement of materiality (annex 1) confirming the MSG's decisions on the payments and revenues to be covered in the EITI Report, including:

The definition of materiality and thresholds, and the resulting revenue streams to be included in accordance with Requirement 4.1(b).

The sale of the state's share of production or other revenues collected in-kind in accordance with Requirement 4.2.

The coverage of infrastructure provisions and barter arrangements in accordance with Requirement 4.3.

The coverage of social expenditure in accordance with Requirement 6.1.

The coverage of transportation revenues in accordance with Requirement 4.4.

Disclosure and reconciliation of payments to and from state owned enterprises in accordance with Requirement 4.6.

The materiality and inclusion of direct sub-national payments in accordance with Requirement 4.5.

The materiality and inclusion of sub-national transfers in accordance with Requirement 5.2.

The level and type of disaggregation of the EITI Report in accordance with Requirement 4.7.

[Any other aspects as agreed by the MSG].

Includes a statement of materiality (annex 1) confirming the MSG's decisions on the companies and government entities that are required to report, including:

The companies, including SOEs,that make material payments to the state and will be required to report in accordance with Requirement 4.1(c).

The government entities, including any SOEs and sub-national government entities, that receive material payments and will be required to report in accordance with Requirement 4.1(c-d), 4.5 and 4.6.

Any barriers to full government disclosure of total revenues received from each of the benefit streams agreed in the scope of the EITI report, including revenues that fall below agreed materiality thresholds (Requirement 4.1(d)).

Based on the examination of the audit and assurance procedures in companies and government entities participating in the EITI reporting process (1.2.3 above), **confirms what information participating companies and government entities are required to provide to the Independent Administrator in order to assure the credibility of the data in accordance with Requirement 4.9.**

The Independent Administrator should exercise judgement and apply appropriate international professional standards[4] in developing a procedure that provide a sufficient basis for a comprehensive and reliable EITI Report. The Independent Administrator should employ his /her professional judgement to determine the extent to which reliance can be placed on the existing controls and audit frameworks of

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[4] For example, ISA 505 relative to external confirmations; ISA 530 relative to audit sampling; ISA 500 relative to audit evidence; ISRS 4400 relative to the engagement to perform agreed-upon procedures regarding financial information and ISRS 4410 relative to compilation engagements.

the companies and governments. Where deemed necessary by the Independent Administrator and the multi-stakeholder group, assurances may include:

Requesting sign-off from a senior company or government official from each reporting entity attesting that the completed reporting form is a complete and accurate record.

Requesting a confirmation letter from the companies' external auditor that confirms that the information they have submitted is comprehensive and consistent with their audited financial statements. The MSG may decide to phase in any such procedure so that the confirmation letter may be integrated into the usual work programme of the company's auditor. Where some companies are not required by law to have an external auditor and therefore cannot provide such assurance, this should be clearly identified, and any reforms that are planned or underway should be noted.

Where relevant and practicable, requesting that government reporting entities obtain a certification of the accuracy of the government's disclosures from their external auditor or equivalent.

The inception report should document the options considered and the rationale for the assurances to be provided.

1.3.4 **Confirms the procedures for integrating and analysing non-revenue information in the EITI Report**. The inception report should incorporate table 1 below, confirming the division of labour between the Independent Administrator, the MSG or other actors in compiling this data, and how the information should be sourced and attributed.

Table 1 – Non-revenue information to be provided in the EITI Report

Non-revenue information to be provided in the EITI Report	Work to be undertaken by the Independent Administrator	Work to be undertaken by the MSG/others
Review legal framework and fiscal regime in accordance with EITI Requirement 2.1.	To prepare a draft review of legal framework and fiscal regime	Approval of the draft review
To provide an overview of the extractive industries, including any significant exploration activities in accordance with EITI Requirement 3.1.	To provide an overview of the extractive industries, including any significant exploration activities in accordance with EITI Requirement 3.1.	MSG to help (in any) and give its approval on the information in the process with regard to exploration activities in sector
Collect Information about the contribution of the extractive industries to the economy in accordance with EITI Requirement 6.3.	The IA to collect information about the contribution of the extractive industries to the economy in the accordance with EITI requirement 6.3 but this will be subject to the MSG decision to publish or not in the report	MSG to assist IA if the later needs any assistance
To Collect Production and export data in accordance	IA to collect all information on production and export data available	The data to be crossed checked with MSG and the IA

with EITI Requirement 3.2 and 3.3	within the relevant government departments in accordance with EITI requirement 3.2	to address the concerns (if any) of the MSG over the sources the data has been collected from
To collect Information regarding state participation in the extractive industries in accordance with EITI Requirement 2.6 and 6.2.[5]	IA to collect Information regarding state participation in the extractive industries in accordance with EITI Requirement 2.6 and 6.2.[6]	The MSG to decide on whether the collected data is acceptable or not
To collect Information about the distribution of revenues from the extractive industries in accordance with EITI Requirement 5.1.	IA to collect information about the distribution of revenues from the extractive industries in accordance with EITI Requirement 5.1.	MSG to review and decide on the information
To collect any further information requested by the MSG on revenue management and expenditures in accordance with EITI Requirement 5.3.	IA to collect any relevant information requested by the MSG during the duration of the development of the report which can add quality to the report on revenue management and expenditures in accordance with EITI requirement 5.3	MSG to analyse the information and data and to approve of the collected information
To collect Information about license holders in accordance with EITI Requirement 2.3 [7,] and the allocation of licenses in accordance with EITI Requirement 2.2.[8]	IA to review all contracts available within the MoMP and to collect information about the license holders and lincense allocation in accordance with EITI requirement 2.3 and 2.2 respectively	MSG to decide on whether all the contracts information have been reviewed by the IA and also to give its approval on the information collected on the license holders and license allocation
To collect any information requested by the MSG on beneficial ownership (BO) in accordance with EITI Requirement 2.5	For the purpose of this report, the Independent Administrator should: Explore Beneficial owners of the above threshold companies covered by the sixth EITI report Propose the details to be disclosed about the identity of the beneficial	For the purpose of this report, the MSG will: Consider and agree the recommendations by the IA with regards to the definition of BO, the details to be disclosed about the identity of

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[5] Guidance Note 18: SOE participation in EITI Reporting, https://eiti.org/files/GN/Guidance_note_18_SOEs_EN.pdf
[6] Guidance Note 18: SOE participation in EITI Reporting, https://eiti.org/files/GN/Guidance_note_18_SOEs_EN.pdf
[7] Guidance Note 3: Licence Registers, https://eiti.org/guidance-notes-and-standard-terms-reference#GN3
[8] Guidance Note 4: Licence Allocations, https://eiti.org/guidance-notes-and-standard-terms-reference#GN4

	owners.[9] This should include whether the beneficial	the BO, and the approach for BO data assurance.
	owners are politically exposed persons (PEPs), drawing on existing	Provide information on the government's policy and multi-stakeholder group's discussion on disclosure of beneficial ownership.
	definitions of PEPs and asset declarations if available.	
	Propose an approach for assuring the BO data assurance for adoption by the MSG[10].	
	Reflect the MSG's decisions on the definition of BO, the details to be disclosed about the identity of the beneficial owners, and the data assurance process in the EITI's model BO template[11].	
	Develop guidelines to reporting companies on how to identify their beneficial owners and complete the reporting template.	
	Distribute the BO template to the companies included in the scope of the EITI Report, collect data and follow up on any missing or incomplete submissions.	
	Compile the data in an open data format (xlsx or cvs)[12].	
	Present the findings in the EITI Report, noting for each of the companies in the scope of the report: the name of the BOs of each company, details about their identity, and information about how ownership is exerted. Where legal owners have been disclosed, this	

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[9] https://drive.google.com/file/d/0B7UljQS1EKz4dEpjQ0VVdzNFcTg/view?usp=sharing
[10] https://drive.google.com/open?id=0B7UljQS1EKz4ZVhjX0pKeWF3NVk
[11] Template beneficial ownership declaration, https://eiti.org/files/Template-beneficial-ownership-declaration-form.doc
[12] An open data standard for beneficial ownership reporting is being developed. Please be in touch with the EITI International Secretariat for further information.

	should be clearly distinguished from beneficial ownership. Provide comments on the comprehensiveness and reliability of the BO information, and present recommendations for improving beneficial ownership reporting in the future.	
To collect any information requested by the MSG on contracts in accordance with EITI Requirement 2.4 [13]	…	
Illegal Mining	Prepare a brief note on illegal mining activities in the sector through key informant interviews, government documents, media and civil society's sources	MSG to assist in providing information to IA on illegal mining

1.2.6 **Confirms the reporting templates, as well as any procedures or provisions relating to safeguarding confidential information**. [The Independent Administrator should also develop guidance to the reporting entities on how to complete the reporting templates, and provide training to reporting entities].

Phase 2 – Data collection

Objective: The purpose of the work is to collect the data for the EITI Report in accordance with the scope confirmed in the Inception Report. The MSG and national secretariat will provide contact details for the reporting entities and assist the Independent Administrator in ensuring that all reporting entities participate fully.

The Independent Administrator is expected to undertake the following tasks during the data collection phase:

Distribute the reporting templates and collect the completed forms and associated supporting documentation directly from the participating reporting entities, as well as any contextual or other information that the MSG has tasked the Independent Administrator to collect in accordance with 1.3.4 above. [Where an alternative approach is proposed - e.g. where the national EITI secretariat assists with data collection, or where the data is collected through an existing reporting mechanism, there should be consultations with the Independent Administrator to ensure the integrity of the information transmitted to the Independent Administrator].

The most common procedure is that the Independent Administrator is mandated by the MSG to distribute the reporting templates and collect the completed forms and associated supporting documentation, as

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[13] Guidance Note 7: Contract Transparency, https://eiti.org/guidance-notes-and-standard-terms-reference#GN7

well as any other contextual or other information requested to be collected by the MSG, directly from the participating reporting entities. The government typically provides contact details for the reporting entities and assists the Independent Administrator in ensuring that all reporting entities participate fully.

At the direction of the MSG, the Independent Administrator may be tasked to provide advice on ensuring that the request for data includes appropriate guidance to the reporting entities, and on where to seek additional information and support.

The Independent Administrator is mandated to contact the reporting entities directly to clarify any information gaps or discrepancies in the reported information.

Independent Administrator should compile a database with the data provided by the reporting entities; the database will be handed over to the EITI Secretariat in Afghanistan along with the final report.

Contact the reporting entities directly to clarify any information gaps or discrepancies.

Note: The local representative of the firm/company must be fully aware of the EITI roles and must have close coordination with the AEITI Secretariat

Phase 3 – initial reconciliation

Objective: The purpose of this phase is to complete an initial compilation and reconciliation of the contextual information and revenue data with a view to identify any gaps or discrepancies to be further investigated.

The Independent Administrator should compile a database with the payment and revenue data provided by the reporting entities.

The Independent Administrator should comprehensively reconcile the information disclosed by the reporting entities, identifying any discrepancies (including offsetting discrepancies) in accordance with the agreed scope and any other gaps in the information provided (e.g. assurances).

 [The Independent Administrator should identify any discrepancies above the agreed margin of error established in agreement with the MSG]

The Independent Administrator should prepare an initial EITI report based on the reported (unadjusted) data for consideration by the MSG in accordance with the agreed scope.

MSG and the Independent Administrator may fix and agree an acceptable margin of error in determining which, discrepancies should be further identified and investigated. The decision on acceptable margin needs to be recorded in the minute of the MSG meeting and/or Independent Administrator's communications with the MSG.

Phase 4 – investigation of discrepancies and draft EITI Report

Objective: The purpose of this phase is to investigate any discrepancies identified in the initial reconciliation, and to produce a draft EITI Report that compiles the contextual information, reconciles financial data and explains any discrepancies above the margin of error determined by the MSG, where applicable.

The Independent Administrator should contact the reporting entities to clarify the causes of any significant discrepancies or other gaps in the reported data, and to collect additional data from the reporting entities concerned.

The Independent Administrator should submit a draft EITI Report to the MSG for comment that comprehensively reconciles the information disclosed by the reporting entities, identifying any discrepancies, and reports on contextual and other information requested by the MSG. The financial data should be disaggregated to the level of detail agreed by the MSG and in accordance with requirement 4.7. The draft EITI Report should:

describe the methodology adopted for the reconciliation of company payments and government revenues, and demonstrate the application of international professional standards.

include a description of all revenue streams, related materiality definitions and thresholds (Requirement 4.1).

include an assessment from the Independent Administrator on the comprehensiveness and reliability of the (financial) data presented, including an informative summary of the work performed by the Independent Administrator and the limitations of the assessment provided.

indicate the coverage of the reconciliation exercise, based on the government's disclosure of total revenues as per Requirement 4.1(d).

include an assessment of whether all companies and government entities within the agreed scope of the EITI reporting process provided the requested information. Any gaps or weaknesses in reporting to the Independent Administrator must be disclosed in the EITI Report, including naming any entities that failed to comply with the agreed procedures, and an assessment of whether this is likely to have had material impact on the comprehensiveness of the report.

document whether the participating companies and government entities had their financial statements audited in the financial year(s) covered by the EITI Report. Any gaps or weaknesses must be disclosed. Where audited financial statements are publicly available, it is recommended that the EITI Report advises readers on how to access this information.

include non-revenue information as per Requirement 2,3,5 and 6 and other information requested by the MSG. The contextual information should be clearly sourced in accordance with the procedures agreed by the Independent Administrator and the MSG.

Where previous EITI Reports have recommended corrective actions and reforms, the Independent Administrator should comment on the progress in implementing those measures. [The Independent Administrator should make recommendations for strengthening the reporting process in the future, including any recommendations regarding audit practices and reforms needed to bring them in line with international standards, and where appropriate, recommendations for other extractive sector reforms related to strengthening the impact of implementation of the EITI on natural resource governance. The Independent Administrator is encouraged to collaborate with the MSG in formulating such recommendations.]

The Independent Administrator is encouraged to make recommendations on strengthening the template Terms of Reference for Independent Administrator services in accordance with the EITI Standard for the attention of the EITI Board.

Phase 5 – final EITI Report

Objective: The purpose of this phase is to ensure that any comments by the MSG on the draft report have been considered and incorporated in the final EITI Report.

5.1   The Independent Administrator will submit the EITI Report upon approval to the MSG. The MSG will endorse the report prior to its publication and will oversee its publication. Where stakeholders other than the Independent Administrator decide to include additional comments in, or opinions on, the EITI Report, the authorship should be clearly indicated.

[The final EITI Report must be translated to the following languages:]

Pashto

Dari

Draft Translated reports to be shared with MGS for quality check and approval

5.3   The Independent Administrator should produce electronic data files[14] that can be published together with the final Report. The Independent Administrator should provide the report in an open data format.

Following approval by the MSG, the Independent Administrator is mandated to submit summary data from the EITI Report electronically to the International Secretariat according to the standardised reporting format available from the International Secretariat[15].

[The Independent Administrator shall take appropriate measures to ensure that the report is comprehensible. This includes ensuring that the report has high levels of readability, legibility and usability. The MSG may wish to request that the report be edited by a professional copy-editor and/or be designed by a professional graphical designer.]

[The MSG may request that the Independent Administrator submit to the national secretariat all data gathered during EITI reporting available, including the contact information of all institutions contacted during the reporting process.]

Qualification requirements for Independent Administrators

The reconciliation of company payments and government revenues must be undertaken by an Independent Administrator applying international professional standards (requirement 4.9). It is a requirement that the all Independent Administrator is perceived by the MSG to be credible, trustworthy

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[14] The files can be in CSV or Excel format and should contain the tables and figures from the print report. In accordance with requirement 7.1.c, the multi-stakeholder group is required to make the EITI Report available in an open data format (xlsx or csv) online.
[15] The latest version of the summary data template can be found at: https://eiti.org/document/eiti-summary-data-template

and technically competent (ibid). Bidders must follow (and show how they will apply) the appropriate professional standards for the reconciliation / agreed-upon-procedures work in preparing their report.

The Independent Administrator will need to demonstrate:

Expertise in accounting, auditing and financial analysis in the oil, gas and mining sectors in [Afghanistan] or in any EITI countries.

 Previous experience in EITI reporting is not required, but would be advantageous.

Must have knowledge in project evaluation, public and private sector audit and accounting matching to international standards and should have completed one similar contract with minimum value of USD 80,000

Shall have adequate staff and resources to devote to the task in the field .

The assignment is open to all local as well as international firms including joint-ventures

In order to ensure the quality and independence of the exercise, Independent Administrators are required, in their proposal, to disclose any actual or potential conflicts of interest, together with commentary on how any such conflict can be avoided.

Qualification requirements of Key Stafff

Enlist here the number, title of the key staff, education level and years of relevant experience

Key Experts Qualification Details

S.N.	Position	Qualification	Years of experience
1	Key Expert 1 (Project Director)	Master	10 years
2	Key Expert 2 (EITI Expert)	Chartered Accountant	10 years
3	Key Expert 3 (Researcher)	Financial Expert	5 years
4	Key Expert 4 (Auditor)	Chartered Accountant	5 years
5	Key Expert 5 (Financial Expert)	Master in Finance	5 years

Reporting requirements and time schedule for deliverables

The assignment is expected to commence on [depends on procurement process] culminating in the finalisation of the EITI Report by [ ]. The proposed schedule is set out below:

Signing of contract	When procurement process completed
Phase 0: Limited scoping report	Complete Scoping Within 3 weeks from signing of contract
Phase 1: Inception Report	Complete Inception report within 3 weeks from limited scoping report
Phase 2 : Sharing of draft Inception report with MSG for approval	Share draft report with MSG within one week from Inception report
Phase 3: Data collection and Initial reconciliation	Collection of data within one month from finalization of drat inception report
Phase 4: Investigation of discrepancies	Resolve discrepancies within 15 Days from data collection
=> Draft report and sharing with MSG	Finalize drat report within 15 Days from resolving discrepancies
Phase 5: Integration of comments/feedback by stakeholders in the report	Share draft report with MSG and received their feedback within 15 days
=> Final report	Submit final report within 15 days from integration-feedback by MSG

The schedule of payments shall be as follows:

- 10 % of the completion of Inception Report
- 30 % of the completion of data collection
- 60 % of the completion and approval of the reconciliation report by MSG
- Client's input and counterpart personnel

Afghanistan Extractive industries Transparency Initiative will assist the Independent Administrator in coordination and facilitation (i.e. letters and official procedures, meetings coordination and training facilitations) with government entities and other reporting stakeholders **[Other comments]**[The MSG may include additional commentary on the assignment not addressed abov

Annex 1 – Statement of materiality

The purpose of this statement of materiality is for the Independent Administrator to understand the scoping work and associated decisions that have already been carried out by the multi-stakeholder group or by other consultants. The Independent Administrator confirms the joint understanding of the scope of the services in the inception report. Annex 2 lists relevant attachments, including any scoping studies undertaken in the past.

Taxes and revenues to be covered in the EITI Report (Requirement 4.1)[16]

With regards to the revenue streams set out in Requirements 4.1-4.2, the multi-stakeholder group has agreed that the following revenue streams from the extractive sector are material and should be reconciled in the EITI Report:

Table 1 – Material revenues to be reconciled

Revenue stream	Estimated value and share of total extractive industry revenue	Government recipient	Additional commentary on work to be undertaken by the Independent Administrator as necessary.
<list of revenue streams, taking into account common revenue streams set out in Requirement 4.1 >	<value> (<percentage>)	…	…
The materiality and inclusion of the state's share of production collected in-kind (Requirement 4.2[17], where applicable			

The multi-stakeholder group has agreed that the revenue streams from the extractive sector listed in Table 2 should be unilaterally disclosed by the government in the EITI Report rather than reconciled with company figures. The reasons for unilateral disclosure rather than reconciliation should be documented by the MSG.

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[16] Guidance Note 13: on defining materiality, reporting thresholds and reporting entities, https://eiti.org/files/Guidance%20note%20on%20defining%20materiality_0.pdf

[17] Guidance Note 18: SOE participation in EITI Reporting, https://eiti.org/files/GN/Guidance_note_18_SOEs_EN.pdf

Table 2 – Material revenues to be unilaterally disclosed by the government

Revenue stream	Estimated value and share of total extractive industry revenue	Government recipient	Additional commentary on data sources and work to be undertaken by the Independent Administrator as necessary.
…	<value> (<percentage>)	…	…

The multi-stakeholder group has agreed that the following revenue streams from the extractive sector are immaterial and should not be reconciled or unilaterally disclosed by the government in the EITI report:

Table 3 – Immaterial revenue streams from the extractive sector to be excluded from the EITI Report

Revenue stream	Estimated value and share (%) of total extractive industry revenue	Government recipient	Additional commentary on data sources and rationale for concluding that the revenue stream is immaterial
…	<value> (<percentage>)	…	…

Additional benefit streams:

With regards to the benefit streams set out in Requirements 4, the MSG has agreed the following:

Table 4 – Additional benefit streams

Benefit stream	Applicable/material?	Estimated value and share (%) of total extractive industry revenue	Government recipient	Additional commentary on data sources and work to be undertaken by the Independent Administrator as necessary.
The materiality and inclusion of infrastructure and				

barter arrangements (Requirement 4.3) [18]				
The materiality and inclusion of <u>mandatory</u> social payments (Requirement 6.1(a))[19]				
The materiality and inclusion of <u>voluntary</u> social payments (Requirement 6.1(b))[20]				
The materiality and inclusion of transportation revenues (Requirement 4.4)[21]				

Reporting companies (Requirement 4.1)

The MSG has agreed that any company making payments [equal to or above [insert threshold]] against the material revenue streams identified in table 1 are required to be included in the EITI Report:

Table 5 – Companies to be included in the EITI Report

Companies	Sector	Additional commentary on work to be undertaken by the Independent Administrator as necessary.
…	…	

Government - government transactions (Requirement 4)

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[18] Guidance note 15: Infrastructure and barter provisions: https://eiti.org/guidance-notes-and-standard-terms-reference#GN14

[19] Guidance note 17: Social expenditures: https://eiti.org/guidance-notes-and-standard-terms-reference#GN17

[20] Guidance note 17: Social expenditures: https://eiti.org/guidance-notes-and-standard-terms-reference#GN17

[21] Guidance note 16: Revenues from transportation of oil, gas and minerals: https://eiti.org/guidance-notes-and-standard-terms-reference#GN16

Table 6 – Government to government transactions included in the scope of the EITI Report

Transactions	**Applicable material?**	**Financial flow**	**State-owned company**	**Government agency**	**Additional commentary on work to be undertaken by the Independent Administrator as necessary.**
The disclosure and reconciliation of payments to and from state-owned enterprises (Requirement 4.6) [22]					

Transactions	**Applicable/material?**	**Financial flow and revenue sharing formula**	**Government agency executing the transfer**	**Government agency receiving the transfer**	**Additional commentary on work to be undertaken by the Independent Administrator as necessary.**
The materiality and inclusion of mandatory sub-national transfers in accordance with Requirement 5.2 [23]					

Annex 2 – Supporting documentation

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[22] Guidance Note 18: SOE participation in EITI Reporting, https://eiti.org/files/GN/Guidance_note_18_SOEs_EN.pdf
[23] Guidance Note 10: Sub-national reporting, https://eiti.org/files/Guidance-note-10-Subnationalreporting.pdf

- Documentation on governance arrangements and tax policies in the extractive industries, including but not limited to the following relevant legislation & regulations
- [Income tax law]
- Customs Law
- [Tax manual]
- Tax administration law
- [Procurement law]
- Sub-national Governance law
- Public revenues and expenditure laws
- [Mineral and Hydrocarbon law and regulation
- EITI workplans & other documents
- [AEITI Country Work plan]
- Previous EITI Reports
- [AEITI 1st ,2nd , 3rd , 4th & 5th EITI Reports]
- Commentary on previous EITI Reports
- [1st & 2nd Resolving discrepancy report]
- Validation Reports
- [1st Validation Report]
- [EITI secretariat Review report]
- Other relevant documentation (e.g. annual activity reports)
- [AEITI Annual Reports]
- Minutes of the MSG
- CSOs and Media Reports on Mining Sector
- Mineral and Hydrocarbon Policies
- Extractive Road-map
- MoMP Reform Strategy
- Afghanistan National Peace and Development Framework (ANPDF)

3.2	AEITI MSG Meeting #37 December 25,2018

Minutes of the MSG meeting

Date:	Venue:	Time:
December 25, 2018	Ministry of Mines and Petroleum	02:00 PM to 04:00 PM

Opening remarks by H.E. the chair of the MSG:

In her opening remarks, H.E. Minister of Mines and Petroleum said that in the past three months Minisry of Mines and Petroleum (MoMP) and Ministry of Finace (MoF) had put together efforts to improve the AEITI affairs and also mentioned that issues such as AEITI budget transfer from MoF to MoMP which will result in improvement of AEITI performance should be completed as soon as possible. H.E. Nehan emphasized on regular MSG meetings and that the MSG members should be committed to ensure effective and timely arrangement of the MSG meetings. There is need for strong and active cooperation in all areas by MSG according to their role and TOR in order to work together as a team to achieve the defined goals and objectives. Before starting discussing the agenda of the meeting, the AEITI Secretariat reported on progress of the tasks assigned to the group members during the previous meeting. It was reported that all the tasks were completed but the only one remaining was the the preparation of procedures for the election of Civil Society members to the MSG (the details in this regard is available below).

Review of the Action Plan:

According to the meeting agenda (annex #1), after the official opening of the meeting the Work Plan and Action plans were reviewed and MSG made comprehensive agreement regarding the activities included in the plans. Finally, the action plan was approved and it was decided that after incorporating the comments the final version should be shared with the participants of the meeting. Although, Mr. Nelish, the EU advisor, had the responsibility for the preparation of the general work plan however, due to urgency and till the preparation and implementation of the work plan, the MSG prepared an action plan for the urgent activities to be prioritized. It is worth mentioning that Mr. Nelish, will prepare a unified plan out of the work plans and action plans for the year 2019 which will be presented in the upcoming MSG meeting. A working group, consisting of Mr. Ali Reza Jafari, Mr. Attai and Mr. Abdul Mateen Shinwari was assigned to work with Mr. Nelish to enable him prepare the new work plan that will be presented in the coming MSG meeting. Moreover, the working group was assigned to do the necessary follow up with the relevant departments on the progess of the mentioned plan and report on implementation of the activities included in the coming MSG meetings.

Dubai Workshop Report:

A brief report of the Workshop which was conducted in Dubai from December 6 to 9, 2018, was presented to meeting participant by AEITI Secretariat. The main goal of the workshop understanding comments, recommendations and findings of the AEITI 5th EITI Report and the Validation Report by the workshop participants. Along with that, a work plan for the MSG and the draft technical annexes of the TOR for the Independent Administrator were drafted and prepared to assist the MSG on defining the scope of responsibilities of the Independent Administrator. The MSG members in the workshop were able to properly understand the problems and the suggested solutions to the findings of the AEITI 5th EITI Report along with the Validation Report and discussed how their work was in compliance with the EITI standards and readiness was shown to improve their practices. The AEITI Secretariat also pointed out that the report of the Dubai program had already been shared with the MSG colleagues in advance, and the members can get a copy from their constituencies as well.

Mandatory Social Expenditure:

The issue of Mandatory Social Expenditure was discussed, a definition for Mandatory Social Expenditure had been developed by Mr. Jafari and was presented to the MSG members. As a result, the MSG members commented that consultation with the local communities should also be included in the definition. After incorporating the comments and completing the definition, it was shared with the MSG members once again, but still some MSG members mentioned that they had not received the revised version. Hence, Mr. Jafari was assigned to share the mentioned definition with the MSG and if the members did not have any comments within three working days, the definition will be considered as finalized.

Beneficial Ownership Threshold:

The AEITI Secretariat requested the MSG members to specify the Beneficial Ownership threshold in the light of the new law. The issue of BO threshold had also been discussed and finalized in April 2018 meeting, but, despite the determination of the threshold previously, for more clarity the issue was submitted to the technical board to be finalized in consultation with Legal Directorate of MoMP. As current definition published on AEITI website is in conflict with new law, hence, the AEITI Secretariat was assigned to share the current definition with Legal Directorate for revision and the revised the version should be then made available for the MSG. In case, no comments are received from the MSG on the issue the revised version of the definition will be considered as final and should be published on AEITI website, and also a copy of it should be shared with Independent Administrator to be hired for the purpose of preparing the 6th EITI Report in light of which they can colletct the necessary data.

Including extra topics in AEITI 6th EITI Report:

Based on the proposal from EITI International Secretariat the inclusion of Extra Topics in the AEITI 6th EITI Report for the purpose of reforms in the Mining Governance Sector and creating public debate was included in the agenda of the MSG meeting and was presented by AETI Secretariat for discussion and

views of the MSG members. The aim of including extra topics in the 6th EITI Report were issues that will become of interest for the public and especially the MSG, the result of which will be registered in the 6th EITI Report by the Independent Administrator to help improvement within mining governance and creating public debate. Eventually the participants of the meeting agreed to include the issue of illegal mining and some (or if possible all) small companies in the 6th EITI Report, so that at least illegal mining can be prevented on one side and on the other hand, it will be an experience (or advice) for all companies that their accounts will be audited.

Procedures for Civil Society members' Election:

Based on the validation report it is seen that there were problems in the civil society members' election, therefore to ensure a transparent and timely election the Civil Society should submit their election procedures to the MSG on time. This issue was discussed in the previous MSG meeting and is assumed that the Civil Society should conduct election in accordance to its own procedures which has been agreed upon. Therefore, an election procedure to acquire membership in MSG is required to be prepared by the Civil Society members and be presented in the next MSG meeting in order to enable the members to supervise the civil society election process.   The position of the Ministry of Mines and Petroluem is that in case of problem in the civil society election process or any complaint registered in this regard is the internal affair of the Civil Society and no governmental entity should interfere, but the procedures should be prepared in a way to ensure the transparency of the election. The CSO members expressed their commitment that they will prepare the election procedures by January 15, 2019 and will share it with the MSG.

Miscellaneous Topics:

Preparation of the Secretariat and the MSG Documents

As mentioned above in connection to AEITI budget transfer, the Secretariat was assigned to prepare its procurement plan and send it to Procurement Directorate for further process as soon as possible. The AEITI Secretariat reported to the MSG on standardizing the process of MSG work and activating the Secretariat in a way to comply with EITI standards and to improve the mining governance, hence, Mr. Nelish was given the responsibility for preparing the key documents such as TORs for MSG and AEITI Secretariat, the operational procedures for MSG, AEITI organizational chart, and the TORs for AEITI Secretatriat staff (including comprehensive working / operational plan as mentioned above). As Mr. Nelish has prepared some of the documents and will prepare the remaining as well, the procurement plan will be prepared based on the volume of work, type of work, and number of employees after the provision of the mentioned documents. The AEITI Secretariat and Mr. Nelish in full coordination with the committee members were assigned to prepare the TORs and Organizational Chart for the Secretariat by end of December 2018 and send it to the MSG. Moreover, for the better performance of the AEITI Secretariat in accordance to the EITI standards, the AEITI Secretariat was assigned to conduct educational workshops for the employees of Ministry of Finance, Ministry of Mines and Petroleum, Civil Society members, Private Sector and Provinicial employees in Mining Sector and Mastofiats.

<u>Hiring and TOR for Independent Administrator:</u>

Since, the process of hiring of Independent Administrator has been completed and the contract will be singed soon, the AEITI Secretariat had shared with MSG meeting participants the annexes for technical TORs of the years 1395 and 1396 and the extra information for the determination of range and importance of the revenue a week prior to the meeting and this issue was raised in the meeting once again to discuss the necessity for changes and reforms in the TORs or extra information to take a final decision on this. Some of the MSG members stated that they had not studied the case yet and requested for more time. Thus, the AEITI Secretariat was assigned to share the above issues with meeting members once again, and give them 3 working days deadline, in case no comments are received within the mentioned period the documents will be considered finalized and will be shared with IA after the required corrections.

In regard to progress on hiring the IA, the members of the procurement committee stated that one of the reasons for delay in hiring the IA was the absence of MoF procurement department employee who had been away from office due his wedding which delayed the hiring process for two weeks, once he was back in office the delay in signing of contract by the IA firm occurred for some days as its employees were away from office for Christmas and new year holidays. Finally, it was decided that the committee members share the emails they had sent to the MoF procurement employee for follow up to Ms. Lida Sarhadi for further process. H.E. Nehan, the Minister of Mines and Petroleum considered the AEITI transfer to be one of the reasons for lack of coordination among the Ministries and instructed that the MSG to do the necessary cooperation with IA, not only with the IA ,but also with all stakeholders to ensure quality and on time preparation of the 6th EITI Report.

<u>Disaggregation of Tax Revenues</u>:

The participant of the meeting discussed the Disaggregation of Tax Revenue comprehensively and asked the MoF to issue a separate TIN number for each project so that the comments in previous report in respect to disaggregation of tax revenues per project can be solved. In response the MoF colleagues stated that the TIN is allocated only for the real person not for the activities or projects, but if it is assumed absolutely necessary, first MoMP should ensure the existence of TIN for all companies, secondly, the send a list of all companies that have more than one project to MoF, so that the MoF based on the information can oblige each company to provide separate tax statement (Ezharnama) to MoF.

<u>Volume and Value of Exports</u>

The Cadastre Director reported on identifying the volume and value of the exports stating that the volume of exports has been finalized, but its information or the estimate value will be obtained from Afghanistan Chambers of Commerce and Industries (ACCI). Some of the members of the meeting criticized the matter as why ACCI should estimate per unit of the exports. The issue was explained by the ACCI representative to the members from the law's point of view to get their contentment on the matter. As a result, the Director of Cadastre and Mr. Ibrahim Jafari were assigned to have a meeting with RND who have carried

out the chain value assessment and are aware of the daily rates and ensure the accuracy of the rates and report on the matter in the next MSG meeting.

Small Scale Mining and ASM:

In regard to the small scale mining and ASM the government reports show that Afghanistan has had no Lazuli exports, but the GIZ IS report shows illegal mining of Lazuli and tax payment to the GoIRA from it. In this regard Mr. Ali Reza Jafari and the Director of Cadastre were assigned to obtain the GIZ IS report from Mr. Sultani and after a review and assessment of the findings of the report, present it to next MSG meeting for discussion and decision making.

Per diem Policy:

It is mentioned in the validation report that performance of the MSG was not in accordance with its TOR, and in case of deviation (and or lack of possibility of compliance with conditions of the standard TOR) the MSG should publish its justification online for non-compliance with TOR. Hence, the AEITI Secretariat raised the issue in the meeting, so that the MSG members agree on publishing the justification or identify alternative for the problem. Some of the meeting members requested Per diem payment for MSG members, in response the current budget limitations of AEITI Secretariat and absence of specific budget for this matter was explained to them. Nevertheless, a consensus was reached that Mr. Javid Noorani would report on the pros and cons of the Per diem payment to the members of the meeting by January 10, 2019.

Decisions taken:

Action	Deadline	Responsibles
The action plan was approved and to be shared with meeting participant after incorporating a few comments.	December 31, 2018	AEITI Secretariat
Mr. Ali Reza Jafari, Mr. Attai and Mr. Abdul Mateen Shinwari were selected as new working group to assist Mr. Nelish in providing him the documents. The new work plan should be presented in the coming MSG meeting.	January 20, 2019	Mr. Ali Reza Jafari, Mr. Attai, Mr. Abdul Mateen Shinwari and Mr. Nelish
The revised definition of Mandatory Public Expenditure was shared with the MSG. Unless any comment is received withing 3 working days from the members, the definition will be considered as final.	December 31, 2018	Mr. Ali Reza Jafari
Determinition of Benificial Ownership threshold to be shared with Legal Directorate. Unless any comment is	December 31, 2018	AEITI Secretariat

received in this regard within 3 working days, the revised version will be considered as final.		
The issues regarding illegal mining and the inclusion of some (or if possible all) small companies in the 6th EITI Report.	January 15, 2019	Mr. Jafari, and Secretariat
The Civil Society members promised to prepare and send their election procedures by January 15, 2019.	January 15, 2019	Civil Society members of MSG
The AEITI Secretariat and Mr. Nelish were assigned to prepare in coordination with the above mentioned committee, the TORs and the Organizational Chart for AEITI and send them to the MSG.	December 31, 2018	The AEITI Secretariat, Mr. Ali Reza Jafari, Mr. Attai, and Mr. Abdul Mateen Shinwari
The TOR annexes for the Independent Administrator and the extra information to be shared one more time with the members of the meeting and unless no comment is received in this regard within 3 working days, the documents will be considered as final and will be shared with the IA (to be hired).	December 31, 2018	AEITI Secretariat
The evaluation committee members for procurement process of IA should share the emails they have sent to the MoF focal point with Ms. Lida Sarhadi for further follow up.	December 31, 2018	Ali Reza Jafari
The list of all those companies that have more than one project has to be sent to MoF so that MoF can oblige them to provide separate tax payment statement for each project.	January 10, 2019	The Director of Cadastre
The Director of Cadastre and Mr. Ibrahim Jafari were assigned to meet with RND team which has carried out the Value Chain assessment and are aware of the daily rates, and ensure the accuracy of the rates and also report on the result in coming MSG meeting.	January 10, 2019	Mr. Ibrahim Jafari and Mr. Qaderi
A brief report on the pros and cons of Per diem payments to be provided to the meeting members.	January 10, 2019	Mr. Javed Noorani
The GIZ IS report to be obtained from Mr. Sultani and after the review and assessment of the findings of the report it should be presented to the coming MSG for discussion and decision taking.	Coming MSG meeting	Mr. Qaderin and Mr. Ali Reza Jafari

Annex 2: Participants' L

List of Participants

Name	Designation	Organization
Mustafa Hussain	Finance Dept	MCC/MJAM
M. Aman Sultani	CDO	GIZ
Javed Noorani	Rep	ENRMN
Ibrahim Jafari	Rep	ENRMN
M. Qais Yaseeni	P.M	FETWO
S. Ahmad Ataee	Rep	ENRMN
AB. Wahed	Director Finance	MoMP
Anis Panah	Director	MoF
Leda Sarhadi	Director	MoF
Shafiqullah Atayee	Deputy CEO Policy	ACCI
Ahmad Ramin Rahi	Finance	CNPCI/WATAN
Eng. Bashir Andisha	Head Engineer	Khoushak Brothers
Eng. Sardar Hussain	Engineer	Mesaq e Sharq
Ashaq Hussain	Director	Core Drillers
Sajidullah Shirzai		MoMP
Qaseemullah Qaderi	Director Cadester	MoMP
Hashmatullah Sayes	National Coordinator	AEITI
Abdul Rahman Farhan	Admin Manager	AEITI
Waheed Khalili	Rep	AEITI
M. Fahim Hashimi	Acting Internal Audit	MoMP
Naser Rawan	Rep	MoMP
Naser Timory	Head of Advocacy	IWA
Abdul Mateen	Extractives Expert	IWA
Ali Reza Jafari	Advisor to Minister	MoMP

3.8	AEITI MSG Meeting #38 - 20 March 2020 Preparation and Approval of the Scoping for 6th Reconciliation Report

MSG Meeting

MoMP Conference Room

20 March 2019 13:30-16:30 Hours

Opening:

The meeting commenced with the recitation of the Holy Quran, followed by a welcome note by the H. E. Minister of Mines and Petroleum (Chair of the MSG).

Opening Remarks by H.E Acting Minister of Mines and Petroleum:

In her opening remarks, following her welcome note, H.E expressed pleasure over the participation of Deputy Minister of Customs and Revenue (of the Ministry of Finance) saying that his participation shows the Government's commitment to implementing EITI and hoped that participation of DM Customs and Revenue will further smoothen the implementation of the EITI standards in a timely manner. She also wished the participants a happy new year and prayed that it brings peace and prosperity. Outlining the developments within the sector, she said that 147 sites have been approved by the cabinet which are to be advertised by Ministry of Mines and Petroleum (MoMP) and 38 new areas were also to be approved by the economic committee for exploration. In addition, the MoMP hopes to develop the mining regulations for the mineral law within a timeline of two months which will incorporate compliance of mining governance with 2016 EITI standards.

Previous Meeting Agenda Review:

*** All of the previous meeting agenda items were completed except the following which required some review and deadline extension:

The CSOs had to develop a procedure to ensure fair and transparent elections of CSOs representation in MSG; this procedure had been shared with MSG previously but no comments had been received on it. The secretariat expressed its concern about whether or not the procedure could address the Validation Comments. It was agreed that the procedure will be shared with MSG once again for comments by the MSG members and will be decided upon in next MSG meeting.

Finance Department of MoMP was tasked to process EITI Annual Fee (Funding) in the last MSG meeting. Although it has initiated the process, the MoF required the funding request to be channeled through

Ministry of Foreign Affairs (MoFA) so that MoF can release the payments. Therefore, AEITI Secretariat was tasked to inform EITI International Secretariat about the requirements.

Constituencies were required to introduce at least one women in the previous MSG meeting. The MSG members expressed their concern about the MSG membership tenure as the members were selected for a defined period (3 years) where the government constituency is able to do so. As a result of the discussion, it was decided that the Private Sector (P. S.) and Civil Society Organizations (CSOs) should at least nominate a back up (Female) members by the next MSG meeting (MSG members were informed in the previous MSG meeting as well as reminded in this meeting that a workshop by the IA is scheduled on 2nd of April).

Presentation – Deciding on IA's Scope of Work and Materiality Threshold:

A presentation was delivered by Mr. Jafari to help MSG decide the materiality threshold for the 6th AEITI report. The presentation detailed each of the four options including the number of companies, revenue streams, threshold for revenue streams and company payment, and total coverage percentage. In this presentation four options provided by IA were put forward to the MSG to decide on where different members had different opinion about which stream to select and why. Therefore, the Chair has decided to go for vote where the result of votes were;

Year	Option 1	Option 2	Option 3	Option 4
1395	3	0	0	5
1396	3	0	1	5

As a result of the above votes, the decision were made as per the following;

Option 4 - For the year 1395:

Total revenue streams above AFN 100 million Vs Total payments by company above AFN 20 million. This option identifies 6 companies and 3 revenue streams. It allows a coverage of 89.20% of the total Government revenues compared to the 92.42% which is maximum coverage rate.

Option -4 - For the year 1396:

Total revenue streams above AFN 100 million Vs Total payments by company above AFN 20 million. This option identifies 8 companies and 3 revenue streams. It allows a coverage of 89.60% of the total Government revenues compared to 93.32% which is maximum coverage rate.

Based on the suggestion from Mr. Timory that a number of small-scale companies should also be included in the report to have a picture of small-scale mining in the country and also set a warning alarm for the immaterial companies that their accounts will be audited in future, the MSG has agreed to the recommendation and tasked the AEITI secretariat to inform the IA about the decision.

Establishment of Committees (MSG TOR) – TOR for Reconciliation of 1393 and 1394

AEITI secretariat has highlighted the importance of establishment of committees as per the MSG TOR at this critical time where the committees needed to work on developing TORs for reconciliation of the 1393 and 1394 data gaps. During the discussion on establishing the committees, it was agreed that each constituency would introduce their members to each of the committees by 2ⁿᵈ April 2019, in case a member hasn't been introduced during the mentioned time, the establishment of committees would be put on the agenda of the next MSG meeting where the members would be selected for each of the committees.

Appointment of Constituency Focal Points – Plan for Outreach Trips by CSO in consultation with G-2

AEITI secretariat has requested the MSG to assign one representative for each of the constituency where the Secretariat can follow up the tasks with the concerned person where the focal point will be responsible to coordinate the activities within their constituencies and the wider constituencies as well as report to the MSG about the tasks assigned to the relevant constituency. Mr. Shafiqullah Atayee and Mr. Timory both said that there existed focal points from CSOs and Private Sector, according to them, IWA was focal point from CSO constituency and Mr. Ramin from Private Sector. However, no such data existed in the records of the AEITI secretariat and the secretariat has requested the constituencies to nominate one of the members as focal point. Mr. Salarzai volunteered his candidacy and said that incase a member from private sector isn't introduced, he was ready to represent private sector.

Approval of AEITI Secretariat Organizational Chart – Deciding on CSO Recommendations

The AEITI secretariat has discussed the CSOs recommendations which proposed some changes including hiring a social development specialist for the secretariat as well as revised number of AEITI Secretariat staffs with changes to the last version of the TOR shared with MSG members; the chart and the CSOs recommendations were presented before the MSG and it was agreed to give the secretariat authority to manage its internal resources and functions to be able to meet the overall responsibility and cope with the load of work. However, the condition, as per the previous MSG meeting decision, was to consider gender equality where staffs of the secretariat should consist of at least 30% females.

In addition, two of the critical comments on the MSG TOR were also discussed and presented to the MSG members. The first one was mandatory status of the MSG members who must know English language. Mr. Salarzai and Shafiqullah Atayee have expressed that since the business of EITI and its documents are in English the members must be familiar with the language where Mr. Timory and Bashir Andesha have expressed their concerns about the openness of MSG membership which could restrict those who cannot speak English. As a result of the discussions, it was decided that the term "recommended" to be used in the MSG TOR which encourages the members to be familiar with English language but not mandatorily require them. The second point raised was about the Voting Quorum for the voting mechanism to be considered valid. It was decided that the quorum should be set to presence of 50% of the members (eg; 9 out of 18) for the votes to be considered valid (regardless of constituencies). The AEITI secretariat was tasked to bring the changes in the MSG TOR and re-share the TOR with members, incase they do not have comments by the next MSG meeting, the MSG members will sign the TORs.

Nominations to EITI Global Conference – CSO to Prepare Mechanism on Capacity Development and Participations in Internal and External Events

Based on the request of the CSO members, the AEITI secretariat has discussed the necessity of a procedure to ensure the CSO capacity development and participation in internal and external events. Mr. Timory stated that the CSOs did not need to prepare such a mechanism / procedure where they can decide on the methods of the capacity development and participation in internal and external events. However, H. E. the Champion stated that to ensure transparency, it is better that both CSOs and Private Sector develop a procedure to participation in events and capacity development. Therefore, the CSOs and Private Sector were asked to prepare a mechanism; it was agreed that CSOs will develop the mechanism after consultations within their respective constituency while private sector gave the assignment to the secretariat to come up with such a mechanism to enable fair participation of private sector's members in the events.

Any Other Business:

It was agreed that MSG and Secretariat's ToRs will be signed in next MSG meeting. As for voting quorum, at least 50% of members should be present before a vote is considered valid on a matter.

The MSG agreed to extend the deadline by a week for the members to comment on the communication strategy.

Haji Jafar's request to be granted observer's status with MSG, will be decided ion the next MSG meeting where secretariat should display his email on the screen to know what and why he has requested MSG membership, actually.

Annual Work Plan which was shared with MSG members for progress updates to be re-shared giving MSG members time until 2nd of April.

Origin of Exports to be published on the ACD website.

MoF to introduce a focal point for MoF related business.

MoF SOE Director to participate in the MSG meetings.

Meeting Decisions:

AEITI Secretariat was tasked to inform EITI International Secretariat about the requirements for EITI annual fee payment.

AEITI secretariat to inform the IA about the decision for inclusion of small companies in the 6th EITI report.

Private Sector (P. S.) and Civil Society Organizations (CSOs) should nominate a back up (Female) members by the next MSG meeting.

Introduction of focal points from each constituency be introduced through email by CSOs and private sector to AEITI secretariat.

Constituencies to nominate their members for the committees as per MSG ToR by the Next MSG meeting.

CSOs to develop a mechanism for nominating representatives for participating in national and international events and share it with AEITI secretariat.

AEITI secretariat to develop a nomination mechanism for Private Sector for participating in national and international events.

MoMP Director of SoEs and Benafsha Motawakel from Provincial Directorate to be introduced to MSG.

MoF to Introduce a female representative to MSG.

With regard to materiality threshold, MSG agreed to opt for option 4 for the year 1395 (covering total revenue streams above AFN 100 million vs total payments by company above AFN 20 million and identifies 6 companies and 3 revenue streams. It allows coverage of 89.20% of the total Government revenues).

With regard to materiality threshold, MSG agreed to opt for option 4 for the year 1396 (covering total revenue streams above AFN 100 million vs total payments by company above AFN 20 million and identifies 8 companies and 3 revenue streams. It allows coverage of 89.60% of the total Government revenues).

Mr. Abdul Wahid Jaihon, Director Finance, MoMP assigned responsible pertaining to resolve the gaps in the SoEs data with IA.

Mr. Ali Reza Jafari, Advisor to Minister on AEITI, to follow up the inconsistencies in the export data with customs department MoF.

The MSG agreed that no barter arrangements and infrastructure provisions existed in Afghanistan.

The AEITI structure chart was approved; MSG authorized the secretariat to independently hire its employees but to consider appointment of 30 percent female staff in its staffs.

MSG and Secretariat's ToRs to be signed in next MSG meeting.

Haji Jafar's request to be granted observer's status with MSG will be decided until next MSG meeting.

For voting on a matter, at least 50% of the members (regardless of constituencies) to be present.

The MSG agreed to extend the deadline by a week for the members to comment on the communication strategy.

Secretariat to share Annual Progress Report (APR) with MSG members once again through email and have members input on it.

Deputy Minister Customs and Revenue to introduce a focal point from MoF and publish the origin of export on ACD website.

MoF SOE Director to participate in the MSG meetings.

List of Participants		
Name	Designation	Organization
H.E. Nargis Nehan	Minister of Mines and Petroleum	MoMP
Abdullah Raqebi	DM Customs and Revenue	MoF
Shafiqullah Atayee	Deputy CEO Policy	ACCI
Sahar Nasimyaar	Program	GIZ
M. Aman Sultani	CDO	GIZ
Bashir Andesha	Head Engineer	Khoushak Brothers
Ahmad Shah Gardezi	Cadester Department	MoMP
M. Tamim Qaderi	Directorate of SoEs	MoMP
Eng. Moh. Aaqil	Directorate of Provincial Coordinator	MoMP
Abdul Wahid Jaihon	Director Finance	MoMP
M. Faheem Hashemi	Director Legal	MoMP
Nasir Timory	Communication Manager	IWA
Wahidullah Azizi	Communication Specialist	IWA
Abdul Qadeer Mufti	Spokesperson	MoMP
Abdul Mateen	Extractive Specialist	FETWO
Ashaq Hussain	Director Technical	Core Drillers
Mujeeb Sherzad	Deputy Auditor General	SAO
Hashmatullah Sayes	National Coordinator	AEITI

3.18	A Short Guide on AEITI for the Stakeholders AEITI Brochure

Welcome to our short guide for 1395-1396!

What will you find in this?

The Extractive Industries Transparency Initiative (EITI) is a global standard to promote open and accountable management of natural resources. It facilitates transparent data disclosures across several vital aspects of oil, gas and mining sector governance. By doing so, it enables strengthening of Government and company systems, informs public debate, and enhances trust. To that effect it requires oil, gas, and mining companies to disclose their payments to Government agencies and for the reconciliation of these payments with Government receipts from these companies.

This guide focuses on the years 1395-1396 only. In order to make sure our information is reliable and of the highest quality, it takes time to collect a whole year's worth of data and then to independently verify it.

If you would like to read the full and original AEITI report for 1395-1396, please visit our website at www.aeiti.af where it is easy to access.

AEITI — Afghanistan Extractive Industries Transparency Initiative

What is the Extractive Industries Transparency Initiative?

The EITI is a global standard which helps to enhance transparency and accountability in the oil, gas, and mining sectors. It is primarily designed to reconcile how much money extractives companies claim to have paid over to the Government (through taxes, royalties, and levies) with the amount that the Government has declared as being received in the year.

Is EITI present in Afghanistan?

The implementing organisation of EITI in Afghanistan (AEITI) is the AEITI MSG, which meets on a quarterly basis, with options for additional meetings. The AEITI MSG is chaired by the Minister of Mines and Petroleum. The AEITI Secretariat provides coordination and administrative support to the MSG. Figure below sets out the EITI timeline for Afghanistan.
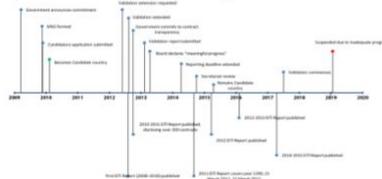
Source: International EITI Secretariat's website.

What does AEITI do?

The overall purpose is to transparently disclose the data required under the 2016 EITI Standard. A main component of this process is the reconciliation of the data provided by extractive companies (hereafter referred to as "companies") with the data provided by relevant Government Agencies.

It is aimed to assist the Government of the Islamic Republic of Afghanistan in identifying the positive contribution that mineral resources make to the economic and social development of the country and to realise their potential through improved resource governance that encompasses and fully implements the requirements of the EITI Standard.

Collect   Summarise   Verify *(independently)*   Publish

Who are our stakeholders?

The EITI Multi-Stakeholder Group (MSG) comprised of representatives from the Government, Extractive Sector and Civil Society oversees the EITI implementation process. MSG is the main decision-making and monitoring body responsible for setting objectives for EITI implementation, producing EITI reports and ensuring that the findings contribute to public debate.
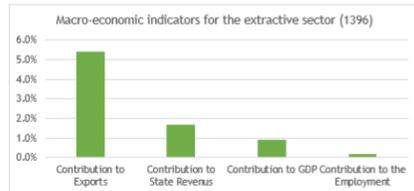
A snapshot of the Afghanistan mining sector in 1395-1396

According to the data collected from Ministries, revenues generated from the extractive sector totaled **AFN 3.27 billion** in 1396 and **AFN 1.87 billion** in 1395 after the reconciliation work, hence an increase of **42%**.
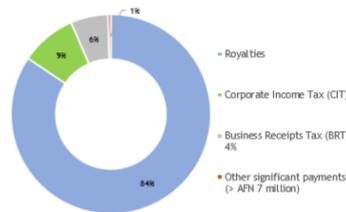
The main reconciled revenues were royalties collected by the Ministry of Mines and Petroleum (MoMP) and Corporate Income Tax (CIT) and Business Receipts Tax (BRT) 4% collected by the Ministry of Finance (MoF). These revenues totaled **AFN 2.40 billion** in 1396 and **AFN 1.35 billion** in 1395.

Mining is vital to Afghanistan's economy

The estimated contributions of the extractive sectors to GDP, State revenues, exports and employment for FY 1396 are presented in Figure 4 below:

Macro-economic indicators for the extractive sector (1396)

What makes up the AFN 2.4 billion?

- Royalties
- Corporate Income Tax (CIT)
- Business Receipts Tax (BRT) 4%
- Other significant payments (> AFN 7 million)

Production of the major mines in Afghanistan in 2016-2015

Mining sector

The analysis of mining production by commodity indicates that talc accounted for almost 57% of the total mining production during the FY 1396, while salt represented half of the total production during FY 1395:

Commodity	Unit	Volume	Value (in AFN million)	%
Talc	Tons	2,724,912	13,625	56.69%
Coal	Tons	1,765,810	8,829	36.74%
Marble	Cubic meter	66,649	432	1.80%
Cement	Tons	75,913	372	1.55%
Construction Stone	Cubic meter	285,91	284	1.18%
Top 5			23,541	97.95%
Other minerals	-		493	2.05%
Total			24,034	100.00%

Commodity	Unit	Volume	Value (in AFN million)	%
Salt	Tons	9,122,286	13,683	49.86%
Coal	Tons	2,173,517	10,868	39.60%
Talc	Tons	192,527	963	3.51%
Cement	Tons	129,739	636	2.32%
Construction Stone	Cubic meter	460,207	458	1.67%
Top 5			26,608	96.95%
Other minerals	-		837	3.05%
Total			27,444	100.00%

The variance in production data between 1395 and 1396 is explained mainly by the fact that number of active contracts has decreased as a result of the decrease in the demand in the market and the insecurity conditions.

Oil and Gas sector

Table below sets out the variance of Afghanistan's Oil and Gas production between 2016 and 2017:

Indicator	Unit	2017	2016	Variance	%
Crude Oil (Amu Darya Project)	Volume in barrels	6 435	198 311	-191 876	-96,76%
	Average price in USD	33	33	0.00	0.00%
	Value in USD	212 355	6 544 263	-6 331 908	-96,76%
	Value in AFN million	15	442	-428	-96,70%
Gas	Volume in million M³	156,1	165,3	-9,2	-5,57%
Source : NSIA	Value in AFN million	531,8	410,8	121	29,45%
	Value in AFN million	546,38	853,22	-306,84	-36%

Additional payments by mining companies

Government Agencies were requested to disclose unilaterally revenue streams collected from companies but not included within the reconciliation scope in accordance with EITI Requirement 4.1.d. These revenues are set out by in the table below

Description	FY 1396	FY 1395
Revenues collected from in-scope companies and out-scope flows by MoMP and MoF	32.11	16.50
Revenues collected from out-scope companies by MoMP and MoF	208.96	186.28
Revenues collected by MoIC (from in and out-scope companies)	2.32	1.77
Total	243.39	204.54

AEITI Afghanistan Extractive Industries Transparency Initiative

Next steps for AEITI

Afghanistan EITI publishes its 6th EITI report on the 30th June 2019 – the report summarises information about the reconciliation of fiscal and non-fiscal revenues from the extractive sector in Afghanistan as part of the implementation of the EITI standard 2016 for the years 1395 and 1396 (2015/16 – 2016/17) respectively.

On 20th July, AEITI with kind support of GIZ held a one-day capacity building roundtable session for AEITI MSG, Ministry of Mines and Petroleum, Ministry of Finance, Civil Society Organizations and Private Sector but also representatives from Supreme Audit Office, National Statistics and Information Agency and Ministry of Commerce and Industries.

Keep in touch with us

We are always looking for ways to improve communication and reporting.
Please contact us on feedback@aeiti.af to share your feedback on this short guide.

Afghanistan Extractive Industries Transparency Initiative
Shash Darak, Electricity station,
Kabul
Afghanistan
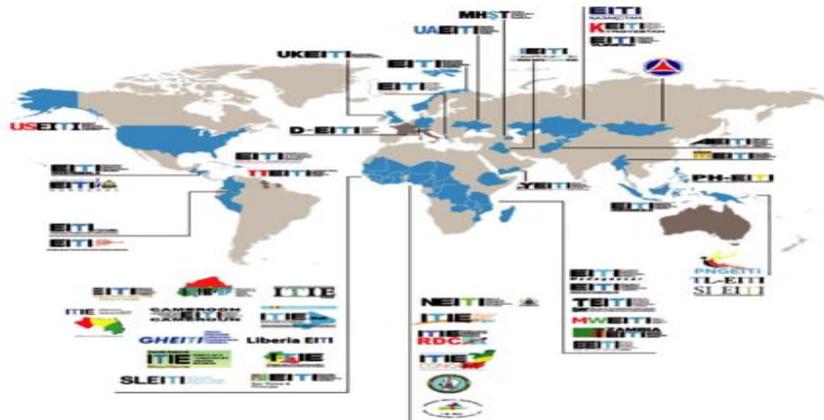
| 3.30 | Conference calls with the IA and the International Secretariat to ensure there is clear understanding of the TORs. |

A series of email correspondence highlighting the clarification of the Terms of Reference (ToRs). The following highlights key segments of the email correspondence between AEITI and Independent Administrator March 2020.

Email Correspondence Based on the scoping Report
Comments on the scope of the EITI Report: The meaning of the term "provincial government" in Table 56 (p.77) should be clarified to specify whether the term relates (a) to provincial branches of central government institutions such as the MOMP, or (b) to subnational governments (e.g. municipalities) with tax-raising powers. Clarity on the existence of direct subnational payments would be necessary to ensure that the approach to scoping of material revenue flows is comprehensive. We would like to confirm that the approach proposed for selecting material revenue streams and material companies would allow the Independent Administrator to provide a clear assessment of the comprehensiveness of reconciled financial data, provided all material entities duly reported. We would like to clarify whether there are any revenue streams that are specific to SOEs, as we did not identify any in Table 56 of the report. In previous EITI Reports, a revenue stream labelled "MOMP Profits from SOEs", which we considered to be the equivalent of dividends, had been included in the scope of reconciliation. It would be good to clarify this issue to ensure comprehensive reconciliation of transactions related to SOEs. While the report refers to "the state's share of production" for both NCE and AGE, the legal status of this share of production is unclear from the report. It would be good to clarify whether "the state's share of production" refers (a) to fiscal payments by companies to SOEs in line with some sort of production-sharing arrangements, or (b) the SOEs' own production (presumably under license) that is sold. This would determine the applicability of Requirement 4.2 and help clarify the flow of extractives revenues. We would encourage the MSG and IA to consult previous studies on NCE and AGE, referenced in the initial assessment for Afghanistan's first Validation, including: Ministry of Mines and Petroleum (April 2011), 'Financial Assessment of the Northern Coal Enterprise', unpublished, provided by stakeholders in January 2018. Ministry of Mines and Petroleum (June 2016), 'Reform and restructuring of Northern Coal Enterprise', unpublished, provided by stakeholders in January 2018. USAID (November 2016), 'Afghan Gas Enterprise: assessment report', accessed on http://pdf.usaid.gov/pdf_docs/PA00MM5C.pdf in January 2018. It would be necessary to describe the terms of SOE loans listed in Annexes 4 and 5, in accordance with Requirement 2.6.b.
Comments on the approach proposed for ensuring data reliability: The scoping report provides an overview of the statutory audit and assurance procedures for both companies and government entities, but does not provide an overview of actual audit practices for the years under review. This would consist of an overview of the existence of audited financial statements (and their accessibility) for all material companies and government entities. Given that the proposed approach to quality assurances for EITI reporting includes certification of companies' reporting templates by their external auditors, it would be necessary to confirm whether this approach is realistic, including for companies that may not have external auditors. Given the proposed approach of requiring State Audit Office certification of government's reporting templates, it would be helpful for the inception report to describe the proposed approach and

methodology for the SAO to provide this certification. We assume that the IA and MSG have undertaken consultations with the SAO to develop a set of agreed procedures for the SAO's certification of government's EITI reporting methodology for the SAO to provide this certification. We assume that the IA and MSG have undertaken consultations with the SAO to develop a set of agreed procedures for the SAO's certification of government's EITI reporting.

Appointment of the IA March 2020

Phase 1 – Preliminary analysis and inception report

Objective: The purpose of the inception phase is to confirm that the scope of the EITI reporting process has been clearly defined, including the reporting templates, data collection procedures, and the schedule for publishing the EITI Report. In cases where the Independent Administrator is involved in scoping work, the inception phase will not be extensive. Where the Independent Administrator is not involved in scoping work, some work is required by the Independent Administrator to review prior scoping decisions and considerations taken by the MSG (1.1-1.2 below). The inception report thus ensures that there is a mutual understanding between the MSG and the Independent Administrator of the scope of the EITI Report and the work to be carried out.

The MSG's proposal for the scope of the EITI Report, to be revised and confirmed with the Independent Administrator during the inception period, is set out in annex 1.

The Independent Administrator is expected to undertake the following tasks during the inception phase:

1.1   Review the relevant background information, including the governance arrangements and tax policies in the extractive industries, the findings from any preliminary scoping work, and the conclusions and recommendations from previous EITI Reports and Validations. (A list of relevant documentation is provided as Annex 2).

1.2   The Independent Administrator should review the scope proposed by the MSG in annex 1 with a particular focus on the following:

1.2.1   Reviewing the comprehensiveness of the payments and revenues to be covered in the EITI Report as proposed by the MSG in Annex 1 and in accordance with EITI Requirement 4

1.2.2   Reviewing the comprehensiveness of the companies and government entities that are required to report as defined by the MSG in Annex 1 and in accordance with EITI Requirement 4.1

1.2.3   Supporting the MSG with examining the audit and assurance procedures in companies and government entities participating in the EITI reporting process. This includes examining the relevant laws and regulations, any reforms that are planned or underway, and whether these procedures are in line with international standards. It is recommended that the EITI Report includes a summary of the findings, otherwise the MSG should make the results of the review of audit and assurance practices publicly available elsewhere.

1.3   On the basis of 1.1 and 1.2 as applicable, produce an <u>inception report</u> that:

1.3.1   Includes a statement of materiality (annex 1) confirming the MSG's decisions on the payments and revenues to be covered in the EITI Report, including:

·   The definition of materiality and thresholds, and the resulting revenue streams to be included in accordance with Requirement 4.1(b).

·   The sale of the state's share of production or other revenues collected in-kind in accordance with Requirement 4.2.

·   The coverage of infrastructure provisions and barter arrangements in accordance with Requirement 4.3.

·   The coverage of social expenditure in accordance with Requirement 6.1.

·   The coverage of transportation revenues in accordance with Requirement 4.4.

·   Disclosure and reconciliation of payments to and from state owned enterprises in accordance with Requirement 4.6.

·   The materiality and inclusion of direct sub-national payments in accordance with Requirement 4.5.

·   The materiality and inclusion of sub-national transfers in accordance with Requirement

5.2. The level and type of disaggregation of the EITI Report in accordance with Requirement 4.7.

· [Any other aspects as agreed by the MSG].

1.3.2   Includes a statement of materiality (annex 1) confirming the MSG's decisions on the companies and government entities that are required to report, including: The companies, including SOEs, that make material payments to the state and will be required to report in accordance with Requirement 4.1(c). The government entities, including any SOEs and sub-national government entities, that receive material payments and will be required to report in accordance with Requirement 4.1(c-d), 4.5 and 4.6.

Any barriers to full government disclosure of total revenues received from each of the benefit streams agreed in the scope of the EITI report, including revenues that fall below agreed materiality thresholds (Requirement 4.1(d)).

1.3.3   Based on the examination of the audit and assurance procedures in companies and government entities participating in the EITI reporting process (1.2.3 above), confirms what information participating companies and government entities are required to provide to the Independent Administrator in order to assure the credibility of the data in accordance with Requirement 4.9.

The Independent Administrator should exercise judgement and apply appropriate international professional standards[1] in developing a procedure that provide a sufficient basis for a comprehensive and reliable EITI Report. The Independent Administrator should employ his /her professional judgement to determine the extent to which reliance can be placed on the existing controls and audit frameworks of the companies and governments. Where deemed necessary by the Independent Administrator and the multi-stakeholder group, assurances may include:

· Requesting sign-off from a senior company or government official from each reporting entity attesting that the completed reporting form is a complete and accurate record.

Template form

Non-revenue information to be provided in the EITI Report	Work to be undertaken by the Independent Administrator	Work to be undertaken by the MSG/others
Legal framework and fiscal regime in accordance with EITI Requirement 2.1.	…	…
An overview of the extractive industries, including any significant exploration activities in accordance with EITI Requirement 3.1.	…	
Information about the contribution of the extractive industries to the economy in accordance with EITI Requirement 6.3.	…	
Production and export data in accordance with EITI Requirement 3.2 and 3.3	…	

Information regarding state participation in the extractive industries in accordance with EITI Requirement 2.6 and 6.2.[2]	…	
Information about the distribution of revenues from the extractive industries in accordance with EITI Requirement 5.1.	…	
Any further information further information requested by the MSG on revenue management and expenditures in accordance with EITI Requirement 5.3.	…	
Information about license holders in accordance with EITI Requirement 2.3 [3]**and the allocation of licenses in accordance with EITI Requirement 2.2.**[4]	…	
Any information requested by the MSG on beneficial ownership in accordance with EITI Requirement 2.5[5]	…	
Any information requested by the MSG on contracts in accordance with EITI Requirement 2.4 [6]	…	
[Add any other contextual information that the MSG has agreed to include in the EITI Report]	…	

Confirms the reporting templates, as well as any procedures or provisions relating to safeguarding confidential information. [The Independent Administrator should also develop guidance to the reporting entities on how to complete the reporting templates, and provide training to reporting entities].

Requesting a confirmation letter from the companies' external auditor that confirms that the information they have submitted is comprehensive and consistent with their audited financial statements. The MSG may decide to phase in any such procedure so that the confirmation letter may be integrated into the usual work programme of the company's auditor. Where some companies are not required by law to have

3.30 - 2　Set up a conference call with the IA and the International Secretariat to ensure there is clear understanding of the TORs.

A series of email correspondence was conducted with the Independent Administrator to confirm an understanding of the Terms of Reference. Emails dated between May 22, 2019 to April 22 2019 between AEITI and World Bank and the Independent Administrator BDO. Details of points of discussion include and are highlighted in the email chains.

Email Correspondence Chain May 2020 regarding key elements to be discussed

Key highlights of the teleconference with the IA included:
 	
• The end of May for AEITI Report first draft (with certain missing data- to be confirmed
• what data is missing during call, but all reported data of high quality)
• MSG/World Bank inputs on first draft by 7 June
Draft final AEITI Report by 15 June (complete with all data sets) for MSG/ EITI
• Oslo/
• WB comments
• *Presentation on draft final report in Paris Conference with AEITI*
Revert on draft final report from MSG/ EITI Oslo/ WB by 21 June
Final AEITI Report (including English language edits, templating etc) by June 27-28
 	
What data is missing and what reporting entities must deliver data? WB stands by to inform Govt of data remaining to be collected.
Feedback on financial statements of Afghan Gas and Northern Coal- data quality, and sharing these with the State audit Agency to explore audits.
Whether data reported incorporates online disclosed data? Are they in sync, or different? Discussions on capturing online reported data.
Tracking AEITI Report data against required corrective actions and EITI requirements
Also
 	
    • What data is missing and what reporting entities must deliver data? WB stands by to inform Govt of data remaining to be collected.
    • Feedback on financial statements of Afghan Gas and Northern Coal- data quality and sharing these with the State audit Agency to explore audits.
    • Whether data reported incorporates online disclosed data? Are they in sync, or different? Discussions on capturing online reported data.
Tracking AEITI Report data against required corrective actions and EITI requirements

Further correspondence outlines key timelines and an understanding of the gaps and requirements that need to be met for EITI

4.1   Official Launch of the Transparency Portal

Thwe following document highlights the launch of the Transparency Portal in November 2018.

افتتاح پورتال شفافیت معادن و پترولیم افغانستان

عمومی : رده Nov 25, 2018 :تاریخ نشر

محترمه نرگس نهان سرپرست وزارت معادن وپترولیم ج.افغانستان به منظور شفافیت و حسابدهی، سرعت کار، و تسهیلات بیشتر در راستای محندکاری، برای اولین بار پورتال شفافیت معادن افغانستان را با حضور داشت معینان، مشاورین، عده از روسای این وزارت و رسانه ها بروز یکشنبه ۴ قوس ۱۳۹۷ طی کنفرانس مطبوعاتی در دالار رسانه های حکومت افتتاح نمود.

محترمه نهان ضمن اینکه معادن را از جمله سکتور مهم در راستای خودکفایی، اشتغالزایی، انکشاف اقتصادی و اولویت دولت دانست در رابطه به مزایای پورتال گفت:" برای اولین بار پورتال شفافیت معادن افغانستان در بخش کم ساختن آسیب پذیری، مبارزه علیه فساد اداری، شفافیت و حسابدهی در سکتور صنایع استخراجی افتتاح میگردد. مئبد بازدید کنندگان میوانند که بدون رمز همه معلومات را در این پورتال مشاهده نمایند. جامعه مدنی، سکتور خصوصی، ادارات نظارت کننده و رسانه ها میوانند که همه فعالیت ها، قرارداد ها و پرداخت های وزارت را به منظور شفافیت و حسابدهی بهتر به گونه انلاین برسی کنند."

محترمه نهان در مورد دورنمای این پورتال چنین گفت:" این پورتال یک فرصت خوب برای افزایش مقدار تولید، پرداخت و جمع آوری رویالتی، فیس ها میباشد. در ضمن سهولت های بیشتر را جهت ثبت و راجستر شرکت ها بشکل آنلاین نیز مهیا میسازد."

محترمه نهان افزود:" دولت جمهوری اسلامی افغانستان به منظور مبارزه علیه فساد اداری در عرصه های مختلف مبنی بر تعهدات جامعه بین المللی، ایجاد سهولت برای سکتور خصوصی و ادارات دولتی به ویژه معدن کاران جهت پرداخت های رویالتی، جمع آوری رویالتی و سایر فیس ها به گونه شفاف می باشد."

محترمه نهان هدف از افتتاح پورتال شفافیت را سهولت لازم جهت پیگری درخواست ها، پرداخت رویالتی و جمع آوری فیس ها توسط سکتورخصوصی، درخواست های آنلاین، دسترسی معلومات مردم و علاقمندان در مورد شرکت های قراردادی که شامل درخواستی، پرداخت و فعالیت های معدنکاری میباشد و بالاخره حکومت داری خوب، ابتکار شفافیت در صنایع استخراجی و تاثیرات مستقیم بالای جلب و جذب سرمایه گذاری خارجی و افزایش فعالیت های بیشتر تمویل کنندگان در سکتور معادن دانست.

این سیستم (Transparency Portal) وزارت معادن و پترولیم را کمک می کند تا معلومات چون قراردادها، قراردادی ها، در خواست ها و پرداختها را با اداره ذیربط با روش استندرد و قابل اطمینان شریک و مدیریت نماید. ایجاد پورتال شفافیت معادن وپترولیم افغانستان، تاثیر مستقیم بر جلب سرمایه گذاران خارجی و فعالیت های بیشتر تمویل کنندگان در سکتور معادن، خواهد گذاشت.

سرپرست وزارت معادن در مورد کمیته محافظت از معادن افغانستان معلومات ارایه نموده گفت:" کمیته محافظت معادن از نمایندگان وزارت های معادن، داخله، دفاع، ریاست امنیت ملی و شورای امنیت برای تامین امنیت و حفاظت از معادن کشور ایجاد گردیده است و خوشبختانه در بعضی بخش ها سبب جلوگیری استخراج غیر قانونی نیز گردیده است."

در اخر پاسخ های قناعت بخش توسط سرپرست و معینان وزارت معادن و پترولیم افغانستان به پرسش های خبرنگاران ارایه گردی

Below is the email from Ministry of Finance (MoF) Larg Taxpayers Office (LTO) to the AEITI Secretariat in regards to the implementation of the Ring Fencing, Filing System at MoF, and Training Relevant Staffs on Revenue Colelction. The Ring Fencing issue is discussed by the relevant committee as reflected on the next page.

Date: March 16, 2019 at 10:17 AM

Dear Sayes Sb,

Please find below updates from LTO department.

March 16, 2019, 10:04:37 AM GMT+4:30

Subject: اجراات ریاست مالیه دهنده گان بزرگ به ارتباط اکشن پلان گذارش ششم AEITI

سلام جناب سرحدی صاحب.

مطابق به جلسه که در هفته گذشته داشتیم موارد که مربوط به ریاست مالیه دهنده گان بزرگ دراکشن پلان گذارش ششم میشد تهیه و خدمت تان ارایه میگردد.

5.2-مطابق به احکام قوانین مالیاتی نمبر تشخیصیه به اشخاص (حقیقی و حقوق) توزیعمیشود اشخاصیکه تابع پرداخت مالیه میباشد طبق حکم به ماده 28 قانون اداره امورمالیات مکلف به اخذ نمبر تشخیصیه مالیاتی بوده اظهار نامه های مالیاتی خویش را خانهپری و تمام عواید حاصله خویشرا که در برگیرنده مجموع قرار داد های آن میشود درجاظهار نامه های مالیاتی خویش مینماید.

1.   91-ریاست مالیه دهنده گان بزرگ به اساس سیستم سگتاس دارای فایلنگ منظم اعماز فورم پرداخت های مالیات و اعم از سایر اسناد یک مالیه دهنده میباشد.

بطور مثال هر پرداخت که صورت میگیرد ابتدا شامل سیستم شده بعدا فایل میشود و ازمدت پنج سال بدینسو تمام فورم های پرداختی بعد از شمولیت در سیستمً فایل شده است.

2.   12-تمام کارمندان ریاست مالیه دهنده گان بزرگ که در جمع آوری عواید مالیاتیسکتور معادن کار میکنند کارمندان مسلکی بوده از قوانین مالیاتی آگاه میباشند. برای هرکارمند این ریاست وقتاً فوقتا آموزش مسلکی داده میشود که جهت رسیدن به این هدفمعینیت عواید و گمرکات, اکادمی مالیات و گمرکات را تأسیس نموده است. تشکر

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The committee decision on the Ring Fencing, along with number of other issues, had been attached to the above email confirming that based on the applicable laws Tax Identification Numbers (TINs) are given to natural or legal persons and extractive sector contractors and firms as natural or legal persons receive TINs but not the projects.

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فیصله کمیته مسلکی عواید:

محل تدویر جلسه: دفتر رئیس خدمات حقوقی عواید.

اشتراک کننده گان: محترم عبدالولی "نوری"، محترم انیس "پناه"، محترم نیکمت الله "خوستوال"، محترم بریالی "شینواری"، محترم محمد حامد "نیکزاد"،

محترم نصرالله "درانی"، محترم حاجی عبدالودود "عثمان"، محترم عبدالرقیب "مطمئن"، محترم مجیب الرحمن "سهار" و محترم صفی الله "نوری"

تاریخ: 27 حمل 1398   شماره (3)

ساعت 2 بعد از ظهر

شماره	موضوعات	فیصله
1	پیشنهاد ریاست محترم انسجام و انکشاف عواید ولایات ذریعه ایمیل مؤرخ (Sat, Apr 6, 2019 at 11:02) جهت درج موضوع در اجندا کمیته مسلکی عواید ذیلاً مواصلت ورزیده است: به اساس قوانین نافذه شرکت های قراردادی استخراج معادن به اعتبار قرار داد های مختلف مکلف به داشتن یک نمبر تشخیصیه هستند؟ یا نظر به هر قرار داد مکلفیت به اخذ نمبر تشخیصیه جداگانه را دارد.	کمیته مسلکی عواید بعد از بحث همه جانبه در مورد چنین فیصله نمود: نظر به احکام قوانین نافذه شرکت های قراردادی استخراج معادن شخصیت واحد بوده و به اساس جواز تجارتی و احد فعالیت می نماید، بناً ایجاب نمی نماید تا نمبر تشخیصیه جداگانه نظر به هر قرارداد یا پروژه توزیع گردد. همچنان مطابق به حکم ماده (79) قانون مالیات برعایدات شرکت های قراردادی استخراج معادن مکلف به ارائه اظهار نامه جدا گانه به اساس هرقرارداد می باشد. ریاست سیستم عواید نظر به کود نمبر جداگانه یا هر نوع تغییرات لازم که در سیستم عواید ایجاب نماید ترتیب و زمینه ارائه اظهارنامه جداگانه تحت یک نمبر تشخیصیه را فراهم نماید.
2	هدایت مقام محترم ریاست عمومی عواید ذریعه ایمیل مؤرخ (Wed, Apr 10, 2019 at 8:22 PM) جهت درج موضوع در اجندا کمیته مسلکی عواید ذیلاً مواصلت ورزیده است: اشخاص حقیقی و حکمی که تابع مالیه موضوعی 7% اند مکلف به اخذ نمبر	کمیته مسلکی عواید بعد از بحث همه جانبه در مورد چنین فیصله نمود: مطابق حکم ماده بیست و هشتم قانون اداره امور مالیات (هر شخصی که مطابق احکام قوانین مالیاتی تابع پرداخت مالیه می باشد، مکلف است درخواست اخذ نمبر تشخیصیه را در فورمه منظور شده به اداره مالیات

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Workshop Report

Date: 6-8 December 2018

Venue: Premier Inn Hotel, Ibn Batota Mall, Dubai, UAE

Objective: The overall objective of the workshop was to enable the Afghan government officials understand the findings of the 1st Validation and 5th Reconciliation reports and their expectations, discuss the corrective actions and scope and materiality for the next EITI Report, agree a work plan for 2019 corresponding to the steps needed to address corrective actions from Validation, and understand the potential for systematic disclosure of information.

Deliverables: The following deliverables were targeted and achieved in the workshop.

1-   To develop a draft work plan that the group could take to the MSG for further discussion
2-   To help the MSG with a proposal that they could bring to the IA for further discussion on scope and materiality decisions.

Overview: the workshop was held from 6-8 December 2018 for three days consisting of 16 sessions, each session concentrating on one of the above objectives. The theme of workshop was interactive where the findings of the Validation have been presented by the EITI experts and followed by open discussions by the participants. Most of the sessions required the participants to split into two or three groups related to the relevant fields of their expertise or areas of work. The participants were provided reading materials beforehand and asked to discuss the findings presented by the EITI experts to enable them understand the findings at the first place and then discuss the gaps by expressing their ideas about what the EITI standards or the Validation expected and what had to be done in order to address the gaps and issues. Subsequently, the participants from the government institutions came up with basic ideas of what had to be done within their institutions to ensure overall improvements in the extractive sector governance and specifically to address the findings of the report.

The first day of the workshop mainly concentrated on the review of the corrective actions from Validation ensuring the participants understood them well. The workshop started with brief comments on the purpose, objectives, roles of stakeholders and supporting agency (GIZ), and the EITI objectives by the participants from the World Bank, GIZ, EITI, and AEITI secretariat setting the goals of the workshop followed by introduction of participants. Major points raised included the inconsistency in commitments from government, reported by Mr. Shamsi from the World Bank; approval of the new Result Matrix Module by the GIZ that will support the activities of the AEITI secretariat fallen within the scope of the

Module and subsequently approved and agreed by the GIZ office; findings from Afghanistan's Validation where the EITI staffs have declared that Afghanistan is not the only country struggling with implementation of the EITI standards where not all of the countries can implement all of the principles to the required standards and that the EITI requirements are the same for all but various methods are looked at in terms of compliance. In terms of corrective actions from the MSG, Pablo added that the second Validation depends on the corrective actions addressing the findings.

Major issues highlighted from the findings of the Validation are;

- Difference in data reported by the government agencies
- MSG role or involvement in extractive sector governance
- AEITI secretariat being inactive due to absence of National Coordinator
- Lack of awareness about the extractive sector and roles of stakeholders
- Location of the AEITI secretariat office and its reporting line/s
- Different reporting templates used by AEITI secretariat and MoMP

Discussing the Validation comments, Pablo recommended that the MSG should ensure transparency in all of the review streams in compliance with EITI standards 4.1, 4.6, 6.1, 5.1, 6.2, 5.2 and 4.5. Furthermore, he added that to ensure better transparency all of the revenue generating ministries have to be involved in the process as there were cases where at one point of time MSG had 6 member ministries but it was later decided not to involve all of them in the process. He also added that the contract disclosure policy does not allow access to Cadaster System but the overall practice is good. During the first day of the workshop, two focus groups were established consisting members from relevant institutions that discussed the findings on licenses, contracts, monitoring production, state-owned enterprises, distribution of revenues, social expenditure and economic contribution (requirements 2.2, 2.3, 3.2, 3.3, 2.6, 4.5, 5.1, and 6.1-6.2 of the 2016 EITI standards).

The focus of the second day was to conclude the discussions on the corrective actions and scope and materiality for the next report. The topics discussed were revenue allocation, MSG oversight and outcome/impact, and scope and materiality for the next EITI report (requirements 4.1, 4.4, 4.9, 1.1, 1.4, 1.5, 7.1, 7.3 and 7.4 of the 2016 EITI standards). The above-mentioned topics were discussed in three sessions where the participants were divided into two groups in each of the sessions to discuss the findings and understand the requirements. Major findings from the discussions of the second day were;

- The report claims for having collected transportation fee which is actually not the case where the MSG needs to look at the scenario and justify the issue
- The term "Transportation Fee" should be defined by the MSG
- The mandatory and volunteer social expenditure need to be defined
- The code for miscellaneous should be divided so that any deviation or major difference should be known for each of the revenue streams
- MSG should ensure Civil Society participation and diversity by giving the responsibility to the civil society to come up with a comprehensive plan and timeframe for their diverse selection
- The AEITI secretariat needs to be fully involved in review & compliance of documents prior to presenting it to the MSG /Chair
- In order to identify or measure the materiality of the tax revenue streams, a three step process should be emplaced

1. Explain the universe (broader concept) of streams
2. Identify the one with the data (reported)
3. Select the materiality of the streams

- If the revenue streams, based on the template, is not reported by the government, all of the non-reported streams should be subject to audit regardless of the their materiality
- If a company made payment to the government but is not active, it should be included in the reconciliation
- The MSG can ask the Independent Administrator to conduct analysis of the illegal mining
- The shares between SOEs and government should be disclosed in the report
- Any revenues collected in kind should be disclosed in the report
- The governance structure and transparency in the SOEs need to be reviewed, involving the SOEs into the debate
- Beneficial Ownership (BO) definition is already addressed in the law. Although Afghanistan deadline for BO is 2020, it needs to specify the materiality of the BO criteria

During the third day of the workshop, a presentation was provided on the EITI work plan to enable the participants understand the contents, structure and importance of the plan so that they are well aware of prioritizing the tasks and costing the activities in a work plan. This was followed by a presentation of the World Bank's study on systematic disclosure presented by Sridar Kannan that declared;

- TINs are not collected for majority of the companies reported payments (this is with respect to the NTRS and Cadaster systems of MoMP, MoF already collects and stores TINs of companies for payments in the SIGTAS system). TINs need to be collected by MoMP as well.
- The Anti-Corruption strategy mentions project base reporting but the MSG needs to look at its possibility
- Data should be published as soon as possible. Now, it is possible with the Cadaster System.
- Bidding procedures and minutes of decisions are not published for provincial contracts which need to be published to ensure transparency in awarding contracts
- Bidding criteria are only disclosed at the time of fee payment against the RFPs. MoMP should disclose bidding criteria to allow the bidders to understand the weightings at the time of announcement.
- The establishment of focal points for AEITI within each governmental reporting entity to address the intricacies of AEITI implementation can also be explored
- The sharing of export data by the Afghanistan Customs Department with the AEITI MSG and AEITI National Secretariat is advised.
- The AEITI MSG is advised to modify its reporting templates to capture data on actual production, as well as planned production.
- The MoMP is advised to publish bidding procedures and minutes of meetings pertaining to issuance of contracts at the central level and provincial levels.
- Manual data sharing between the MoMP, MoF and ACD through the common excel data reporting template is recommended until the systems are to be linked in 2019 (compatibility study already conducted by MoMP). The reporting templates of each department can be aligned to each other as far as possible.
- It is recommended that each provincial MoMP office collect and maintain data of non-tax revenues on a 'per-company', 'per-revenue stream', and 'per-payment' basis, and share it as such with the central MoMP office.

- It is recommended that 'ring-fencing' of mining income taxes be implemented, with the MoF issuing individual TINs per mine or contract.
- The MoMP's transparency portal (which is operational now), receives data feeds from the MCAS and NTRS systems, causes issues at the sign-up stage which needs to be fixed.
- Continuation of ongoing capacity building programs in SAO/CAO, as well as considering the option of the SAO possibly engaging a suitably qualified independent firm to audit SoEs as recommended in Recommendation 8.3.3.2 of the 5th AEITI Report, may be considered.
- The sharing of export data by the Afghanistan Customs Department with the AEITI MSG and AEITI National Secretariat is advised.
- The AEITI MSG is advised to modify its reporting templates such that the reporting companies are required to report data on actual production, as well as data on planned production, so that these figures can then be reconciled with the royalties actually paid.

In the subsequent sessions, Afghanistan's current work plan, donor support and accountability frameworks, brainstorming sessions on national priorities and AEITI 2019 work plan have been presented and discussed where the participants were required to provide their comments and feedback to further enhance the quality of the documents. An initial version of the AEITI 2019 work plan has been drafted that will be shared with the AEITI secretariat so that they will need to cross check it with previous plans to include remaining actions from the previous plans and present it to MSG for approval.

Participants:

List of Participants		
Name	**Designation**	**Organization**
Frank Schmitz	Head of Office	GIZ/MinGov
Mohammad Aman Sultani	Capacity Dev. Officer	GIZ/MinGov
Otte Bettina	Financial Advisor	GIZ/MinGov
Mohammad Anis Panah	Director, MoF	MoF
Hasina Jalal	Policy Advisor	MoMP
Ashaq Hussain	Director, Private Sector	Core Drillers
Abdul Wahid Jaihoon	Finance Director	MoMP
Javed Noorani	Director, CSOs	ENRMN
Qaseemullah Qaderi	Acting Director Cadaster	MoMP
Abdul Rahman Farhan	Acting National Coordinator	AEITI
Mariam Ghaznavi	Director, MoF	MoF
Hashmatullah Sayas	National Coordinator	AEITI
Kul Robert		RDF
Pablo Valverde	Regional Director	EITI
Christina Berger		EITI
Ehsanullah Shamsi	Operations Analyst	World Bank
Ehsanullah Shirzai		RDF
Sridar Kannan	Consultant Extractives	World Bank

This is the text of the letter sent to EITI by the MSG Champion to extend the deadline for publication of the 6th AEITI report due to the mentioned reasons.

V To: The EITI Board   Date: 12/15/2018

Skippergata 22,

0154 Oslo, Norway

Subject: Request for Extension of Reporting Deadline for AEITI's Sixth Reconciliation Report

Dear EITI Board Members,

I am writing this letter to request an extension of the deadline for submitting Afghanistan's data under the EITI Standard corresponding to fiscal years 2016 and 2017 in accordance to the EITI standard 8.5 (Extensions). We have been unable to meet the reporting deadline due to the following exceptional challenges hindering the completion of the report within the deadline. The MSG acknowledges the obstacles are genuine enough to call for an extension and thus it agrees to forward the request to the EITI board.

The key challenge continues to be the exceptional security situation, which has adversely affected the development initiatives within the government agencies and specifically the governance in the mining sector. Specifically, in the absence of local firms with sufficient capacity to carry out the reporting exercise, the security situation has affected the willingness of the international firms and experts in Audit of EITI standards, to bid for the report. An example is that during the first procurement process only one firm applied but the procurement rules did not allow us to move forward.

Therefore, the process was re-advertised applying different procurement methods to allow us to recruit an expert firm meeting the criteria. Nonetheless, a qualified firm has now been selected and we are currently at the contract negotiation stage. We expect to have the contract signed by end of December 2018 so that the firm can commence its work and we are able to publish the report well before the completion of the extension of time. Among other things, the MSG has recently conducted a workshop in Dubai to prepare a comprehensive work plan that will enable it to track the overall progress and a proposal to the IA on scope and materiality decisions. It has also prepared preliminary thresholds and definitions for the report and begun the process of collecting non-revenue data.

With the endorsement of the MSG on the issues above causing a delay in the process, I am hopeful that you would kindly grant an extension until the end of June 2019 (for six months) so tan could take its time to develop a quality report.

Acting Minister of Mines and Petroleum
I.R.Afghanistan

copy To:
Office of H.E. President, I.R. Afghanistan
Minister Qayoumi, Minister of Finance, I.R. Afghanistan
AEITI MSG
EITI International Secretariat
World Bank, Afghanistan

5.12 Explore possibility to include EITI related Benchmarks in the Word Bank IP DPG and EU SRBC.

The following are a series of documents that align the Benchmarks with the AEITI. These Banchamarks have been met and are further outlined in the Addendum document.

State and Resilience Building Contract for Afghanistan (SRBC 2018-2021) – Basis for the endorsement of the 2019 targets and specific policy dialogue objectives

	SRBC 2018-2021		SRBC 2018		SRBC 2019	
	Objective **2021**	**Indicator**	**Target** **31 December 2018**	*Specific policy dialogue objectives* **31 December 2018**	**Target PROPOSAL** **31 December 2019**	*Specific policy dialogue objectives PROPOSAL* **31 December 2019**
1)	Reform of the extractives sector increasing domestic revenue and contributing to sustainable inclusive growth	a) Establishment of a transparent legal framework for the mining sector. b) Formalisation of provincial mining activities. c) Implementation of Extractives Industries Transparency Initiative (EITI) standards. d) Reduction of illegal mining and protection of legal mining.	a) Mining Law approved at Cabinet level. Financial Regulations and Bidding Regulations submitted to the legal committee of the Ministry of Justice (Taqnin) for approval. b) Implementation of the cadastre action plan started in five pilot Provincial Mines Directorate offices. c) 6th Afghanistan EITI reconciliation report submitted to the EITI Secretariat including pilot beneficial ownership and SOE operations reporting. d) Approval by High Economic Council (HEC) of the formalisation strategy for Artisanal Small Scale-Mining (ASM) that includes facilitation and incentives for ASM to become registered and to fall under the legal framework.	i. The complete core business process for the management of licenses is defined and captured. ii. Institutionalization of the cadastre system at Kabul HQ completed. iii. Data in the Mining Cadastre System (MCAS) and non-tax-revenue system (NTRS) consolidated with quality control. iv. Production volumes and values for all extractive commodities produced made publicly accessible. v. Alignment of leadership responsibility of AEITI with budget and resources for AEITI Secretariat (SE), sound management system, procedures established. vi. Standard Operating Procedures (SOPs) for collection of information from the Inspectorate regarding illegal mining activities and integrated into the geo-database. vii. Operationalised Security Sector strategy/mechanism between the MoMP and Security Stakeholders. viii. Monitoring system for the implementation of the Security Coordination Strategy approved.	a) Comprehensive Mining Regulations as identified in the 2018 Mining Law (including notably the Financial Regulations, Bidding Regulations, Technical Regulations, Community Proceeds Regulations) approved by Taqnin, the Legislative Committee and Cabinet. b) Roll-out to operative status of the Cadastre System to additional 5 of the Provincial Mines Directorates selected based on objective criteria. c) In line with the EITI standards, roll-out to operative status of the systematic disclosure of: key financial statement on the two state-owned enterprises (NCE and AGE); production data (volumes and values, disaggregated by commodity and project); non-tax revenue information; d) The integration of relevant elements of ASM Formalization Strategy into the Comprehensive Mining Regulations (including a simplified licencing mechanism, simplified rules for environmental management and rehabilitation, indications of royalties/fees/rehabilitation costs), and piloting of ASM licence granting scheme for the construction material in at least 5 provinces.	i. Process and responsibility mapping for the preparation, consultation and approval of the Comprehensive Mining Regulations. ii. Inclusive transparent consultative process for the preparation of the Comprehensive Mining Regulations with Government stakeholders, private sector, Civil Society and Development Partners. iii. Comprehensive repository of relevant laws, regulations, decrees, circulars, policies applicable to the extractive industries accessible online iv. Align relevant Ministry directorates (including Cadastre & Inspection Directorates) to meet the requirements of the 2018 Mineral Law & EITI Standards through the implementation of auditable/documented business processes. v. Establish and initiate roll-out of an auditable Data Management and quality control processes/procedures to ensure the data integrity of the mining cadastre administration system (MCAS) and non-tax-revenue system (NTRS) during the data consolidation and reporting process. vi. In line with the EITI standards, implement the systematic disclosure of Beneficial Ownership data. vii. In line with the EITI standards, implement the systematic disclosure of consolidated non-tax revenues collected every fiscal year. viii. In line with the EITI standards, 6th Afghanistan EITI reconciliation report submitted to the EITI Secretariat including pilot beneficial ownership and SOE operations reporting. ix. In line with the EITI standards, AEITI Secretariat at the Ministry of Mines and Multi-Stakeholder Group (MSG) fully operational (with all relevant EITI corrective actions addressed) producing timely reports of high standards. x. Conduct training on ASM Formalization Strategy for 5 provincial offices with a targeted number of ASM miners. xi. Establish a monitoring mechanism to ensure the ASM Formalization Strategy implementation.

State and Resilience Building Contract for Afghanistan (SRBC 2018-2021) - Basis for the endorsement of the 2019 targets and specific policy dialogue objectives

	SRBC 2018-2021		SRBC 2018		SRBC 2019	
	Objective **2021**	**Indicator**	**Target** **31 December 2018**	*Specific policy dialogue objectives* **31 December 2018**	**Target PROPOSAL** **31 December 2019**	*Specific policy dialogue objectives PROPOSAL* **31 December 2019**
2)	Domestic revenue mobilisation through preparation for the introduction of Value Added Tax (VAT).	a) Single Large Tax Payers Office (SLTO) set-up. b) Preparation for VAT introduction for FY1399/2021.	a) SLTO dedicated project team & Steering Committee established and both started operating. b) VAT implementation team appointed (minimum 10 members spanning revenue and customs departments with legal, audit, risk management, communications and liaison expertise) & Steering Committee established and both started operating.	i. SLTO organizational structure & functional statements drafted & approved by the Minister of Finance. ii. SLTO staffing plans, job descriptions, work performance objectives and measurements approved by the Minister of Finance. iii. VAT organizational structure & functional statements drafted & approved by the Minister of Finance. iv. VAT staffing plans, job descriptions, work performance objectives and measurements approved by the Minister of Finance.	a) Transfer of taxpayer case files between the SLTO and other offices (including MTO, STO, and provincial offices) completed according to the 2018 transfer procedure and filing thresholds. b) VAT regulations drafted, approved by Taqnin (MoJ), the Legislative Committee and Cabinet. The VAT regulation shall include VAT import exemptions by HS-code, definitions for zero-rated activities, and procedures for VAT refunds. The regulations will also indicate the funding modality for VAT refunds.	i. List of taxpayers by TIN, taxpayer office, annual turnover, exceptions and any other relevant criteria for classification. ii. VAT implementation team fully operational with all appointed VAT staff working at SLTO. iii. VAT manuals finalized and published. iv. VAT general guide and taxpayer's guide (registration, compliance requirements, filing, payment, refund claim and processing, objections, etc.) prepared and published. v. VAT assessment studies (VAT yield, VAT revenue projections, tax burden, VAT distributional income, sectorial VAT impact) completed and approved by DM R&C. vi. Prepare the compliance strategy, including compliance approaches and tools. vii. Prepare the risk management strategy, develop risk analysis & research main tools, and draw risk analysis and files' selection procedures. viii. Design and streamlining of core VAT processes and procedures (registration, tax returns issuance and filing, payment, reconciliation, refund processing, interest and penalties calculation, collection, compliance and enforcement, risk management, and audit, objections and appeals) and review of Review Customs processes to align with VAT requirements. ix. Preparation of an overall communication strategy that includes a master plan of key actions and messages by stakeholder group and preparation of specific communication plans for different target groups, incorporating mapping of target audience and related messages and communication channels.

State and Resilience Building Contract for Afghanistan (SRBC 2018-2021) - Basis for the endorsement of the 2019 targets and specific policy dialogue objectives

	SRBC 2018-2021		SRBC 2018		SRBC 2019	
	Objective 2021	Indicator	Target 31 December 2018	Specific policy dialogue objectives 31 December 2018	Target PROPOSAL 31 December 2019	Specific policy dialogue objectives PROPOSAL 31 December 2019
3)	Reform of the budget process resulting in a policy-based national budget based on available fiscal space.	a) Align the budget with high-level policy priorities. b) Increase budget efficiency.	a) Budget allocations for the executive proposal of the national budget FY1398/2019 set on the basis of the estimated budget execution for the FY1397/2018 budget, with unspent balances not automatically carried forward. b) Criteria to appraise (Standard Project Concept Notes [PCN] and costing) and select large and most significant public investment projects (above the threshold of USD 5 million) as well as for small scale projects (below the threshold of USD 5 million) approved and applied for the executive draft of the FY1398/2019 national budget.	i. Fiscal strategy paper with indication of priority sectors prepared & submitted to Cabinet (H.E. the President) and the Budget Committee, and reflected in the Budget Circular (BC) for Line Ministries. 2019 budget initiatives in the executive draft are prioritised - 2019 budget initiatives included in the budget submitted to Parliament are evaluated using strategic screening to improve alignment between expenditures and policy priorities. ii. Review of the project portfolio is completed in time for the mid-year review (MYR) of the FY1397/2018 budget leading to the identification of fiscal space through reallocation of resources from poorly performing projects. iii. Development budget execution of around AFN 104.2 billion for 2018 (International Monetary Fund IMF quantitative target of the ECF). iv. FY1398/2019 executive draft of the budget presented as a consolidated budget in conformance with GFS standards.	a) Costed Implementation Strategies are completed for all 10 National Priority Programmes (NPPs) and approved by the respective responsible High Councils. All new investments above USD 5 million included in the executive draft of the 2020 national budget undergo strategic fit analysis by MoF to confirm their alignment with the costed NPP implementation strategies as well as the growth strategy implementation plan. b) The budget circular for the 2020 budget specifies that no project proposal above USD 5 million in the discretionary budget for the executive draft of the 2020 national budget is approved for implementation without a completed project appraisal including economic analysis and cost estimates for operating and capital expenses needed for the project life cycle.	i. Fiscal strategy paper approved by the Cabinet and the President includes strategic priorities and allocates resources on the basis of the available fiscal space. ii. On the basis of the portfolio reviews (WB, UN, ADB) and Development Cooperation Dialogues (DCDs) with donors, all on- and off-budget expenditures are assessed against policy priorities identified in the costed implementation plans for all NPPs in particular the four NPPs presented in 2018 (agriculture and ACB, human capital, private sector, governance) and the results guide budget hearings and are discussed with development partners. iii. The execution of the 2020 budget is supported by an annual financial plan for the release of allotments, for all line ministries and government agencies. iv. Public expenditure review (PER) completed for the security sector to identify scope for savings and efficiency improvements. PER results are socialized with Development Partners. v. 2020 budget prepared at the object level, allowing comparison between budgets and accounts

State and Resilience Building Contract for Afghanistan (SRBC 2018-2021) - Basis for the endorsement of the 2019 targets and specific policy dialogue objectives

	SRBC 2018-2021		SRBC 2018		SRBC 2019	
	Objective 2021	Indicator	Target 31 December 2018	Specific policy dialogue objectives 31 December 2018	Target PROPOSAL 31 December 2019	Specific policy dialogue objectives PROPOSAL 31 December 2019
4)	Better governance and reduction of the levels of corruption in the civil service.	a) Unification of the Pay & Grade scale (P&G). b) Merit-based appointments.	a) All of civil service pay policy submitted to the High Council and subsequently the Cabinet by the Independent Administration Reform and Civil Service Commission (IARCSC). b) P&G grade 1+ 2 (director generals and directors) appointment procedure endorsed by the IARCSC.	i. Pay review completed for all of civil service and pay policy for all of civil service developed by the technical committee (IARCSC/MoF/WB) ii. Development of performance evaluation methodology for appraisal and promotion. iii. Action plan for payroll reform process (business process, resource allocation, budget, timeline) approved by IARCSC and MoF. Connection of the two IT systems related to Payroll and Human Resource (HR) management.	a) Regulation for merit-based appointment for deputy ministers developed by IARCSC. Regulations for cadres (customs, procurement, PFM) approved by Cabinet. b) Grade 1+2 appointment procedure applied for all new recruitment and over 75% vacant posts filled - resulting in 7% of female civil servants in grade 1+2.	i. Human Resource Management Information System (HRMIS) developed and priority functionalities of the HRMIS modules established (Civil Service Workforce Management; Payroll Management; and Position and Establishment Management). ii. Independent external verification of the HRMIS for security and functional adequacy conducted and recommendations implemented. iii. Roadmap approved by Cabinet for the integration of HRMIS and Afghanistan Financial Management Information System (AFMIS) payroll module biometric civil servant enrollment, and e-Payment Systems. iv. Pay policy (2018) reflected in the executive draft of the FY1399/2020 national budget notably the lower grade one-time adjustment, competency based adjustment for the established cadres, discontinuation of ad-hoc allowances.

State and Resilience Building Contract for Afghanistan (SRBC 2018-2021) - Basis for the endorsement of the 2019 targets and specific policy dialogue objectives

SRBC 2018-2021		SRBC 2018		SRBC 2019	
Objective	**Indicator**	**Target**	*Specific policy dialogue objectives*	**Target PROPOSAL**	*Specific policy dialogue objectives PROPOSAL*
2021		**31 December 2018**	**31 December 2018**	**31 December 2019**	**31 December 2019**
5) Successful roll-out of the Citizens' Charter National Priority Programme (NPP) through provision of basic services to the rural and urban population meeting minimum service standards.	a) Community Development Council (CDCs) elections. b) Minimum service standards.	a) A total of 8,000 urban and rural CDCs elected with a minimum of 35% female CDC members (additional 2.000 urban and rural CDCs with respect to the baseline). b) Construction of 4,000 new rural water points completed.	i. 4,200 rural and urban communities had completed their community development plans (CDPs) by March 2018; continue engagement in dialogue for additional 1.000 communities to complete their community development plans. ii. USD 65 million of grants disbursed to communities for rural infrastructure projects, including clean drinking water, energy, roads, schools, and irrigation.	a) A total of 12.000 urban and rural CDCs elected with a minimum of 40% female members. b) A minimum of 5000 rural and urban communities have completed at least one project, including energy, roads, irrigation, and drinking water.	i. A total of 11.500 rural and urban communities have completed their community development plans (CDPs); ii. USD 300 million of grants disbursed to communities for rural infrastructure projects, including clean drinking water, energy, roads, schools, and irrigation (out of CCAP's total budget of USD 800 million including additional funding and Government's counterpart funding). iii. A minimum of 2500 scorecards completed as part of the citizen monitoring of the delivery of basic package of health services of the Ministry of Public Health's (MoPH) existing health package with respect to health facilities/health posts/health sub-centres/basic health centres/comprehensive health centres' opening hours/staffing/provision of mandated services; iv. A minimum of 2500 scorecards completed as part of the citizen monitoring of the delivery of quality education in government schools as part of the Ministry of Education's (MoE) existing education standards with respect to teachers' education level and number of weekly education provided to students. v. A minimum of 6000 scorecards completed as part of the citizen monitoring of the delivery of infrastructure and water points;

Indicator no. 1	**COLLECT MORE:** Reform of the extractives sector for increasing transparency and domestic revenue mobilisation. a. Establishment of a transparent legal framework for the mining sector. b. Formalisation of provincial mining activities through the roll-out of the cadastre action plan c. Implementation of Extractives Industries Transparency Initiative (EITI) standards. d. Reduction of illegal mining and protection of legal mining.
Policy	Mining Sector Roadmap (2018) and Extractive Industries National Priority Programme (2018) National Growth Strategy (2018); ASM Formalization Strategy (2018).
Objective	The sustainable development of the extractive sector and the adequate management of revenues from extractive industries could help a resource-rich country such as Afghanistan generate stable government revenue and enough foreign exchange earnings to replace the expected decline in aid, while stimulating growth. The Government estimates of 2010 suggested that the value of the country's mineral resource potential could be USD 3 trillion although U.S. estimates suggest a lower figure of USD 1 trillion. Based on the Government's current economic plan, the annual income from mining could increase to USD 3.5 billion within the next 15 years while they stood only at USD 92 million in the FY1396/2017.[24] However, unlocking this potential will depend on improvements on the security situation, the pursuit of major governance reforms to establish the regulatory framework and transparency, the implementation of adequate measures to ensure that communities stand to benefit, and last but not least, addressing the issue of illegal mining through decisive actions to prevent that exploitations finance terrorism on the one side and by promoting formalization of artisanal and small scale mining (ASM) on the other side. The Afghanistan National Peace and Development Framework (ANPDF 2017-2021) stipulates the objectives of making minerals law EITI compliant, reforming contracting and professionalizing internal governance, and establishing full government control over mining areas as priorities for the Afghanistan Government. The Extractives Industries National Priority Programme (2018) with its five components on 1) Institutional reform, 2) Geological data acquisition and management, 3) Contract management and compliance, 4) Transparent and accountable governance and 5) Growth and enabling environment sets out the path towards achieving the priorities and objectives stipulated in the ANPDF. The EITI Board decided on 18 January 2019 to temporarily suspend Afghanistan from the validation process for the period of 18 months. While recognising the particularly challenging circumstances in which Afghanistan is implementing the EITI, the EITI Board concluded that Afghanistan has made inadequate progress overall in implementing the EITI 2016 Standard. In accordance with the Standard, Afghanistan is temporarily suspended until it demonstrates meaningful progress in a new validation. The EITI Board commended Afghanistan's efforts to improve transparency in the management of the extractive industries and encouraged the Government of Afghanistan to continue making progress. While this is an anticipated but nonetheless disappointing outcome, this decision does not affect Afghanistan's membership of the EITI. Also, suspension from the

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[24] 5th EITI reconciliation report, AEITI, April 2017.

	validation process is temporary mechanism and Afghanistan is still an EITI Implementing Country. EITI has issued a comprehensive list of corrective actions and the progress on these will be assessed in a second validation commencing in 18 months unless Afghanistan requests an earlier re-admission to the validation process.
	In taking the decision for temporary suspension, the Validation Committee took note of progress subsequent to the commencement of validation, as highlighted in two letters to the EITI Board from Acting Minister of Mines and Petroleum Nargis Nehan. Corrective actions are agreed addressing government engagement (1.1), multi-stakeholder group oversight (1.4), work plan (1.5), license allocations (2.2) and register (2.3), state participation (2.6), production data (3.2), export data (3.3), data comprehensiveness (4.1), transportation revenues (4.4), SOE transactions (4.5), data quality (4.9), distribution of revenues (5.1), SOE quasi-fiscal expenditures (6.2), economic contribution (6.3), public debate (7.1), follow-up on recommendations (7.3) and outcomes and impact of implementation (7.4) .
	The EU incentivizes reforms of the extractive sector since 2017 through the SBC / SRBC with complementary short term and output-based technical assistance[25]. As such, in line with the new National Priority Programme and the recommendations from the EITI International Secretariat (see above for the corrective actions following the temporary suspension of Afghanistan from the EITI validation process in January 2019), this composite indicator intends to promote a number of key reforms in the extractives sector that are crucially needed for increasing transparency and domestic revenue mobilization, in view of seeking re-admission to the EITI validation process on the basis of a strong dossier that demonstrates increased and credible compliance of Afghanistan with the EITI standard of 2016.
	The targets are also closely aligned with the Self-Reliance Through Mutual Accountability short-term deliverables for 2019/2020 (GMAF)[26].
	This EU engagement builds on a close collaboration with Development Partners, notably the EITI Secretariat, WB Afghanistan Reconstruction Trust Fund, Germany's GIZ and the UK's DFID.
Departments responsible	Ministry of Mines and Petroleum; Ministry of Finance; Security Sector Institutions (Ministry of Defence, Ministry of the Interior, National Security Council, National Directorate of Security); Afghanistan EITI Secretariat.
Indicator type	Process indicator
Measurement unit	N/A

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[25] The EU programme is the only policy action programme that incentivizes reforms in the Ministry of Mines and Petroleum, as neither the WB ARTF nor the IMF ECF include any targets with MoMP. The IMF ECF includes a structural benchmarks for the 6th review related to the extractives sector but for which the responsibility lies with the Ministry of Commerce and Industries (MoCI) and it reads as follows, "Strengthen the governance of the mining industry through publication of company-level tax and customs revenue data for extractive firms". As this important transparency aspect is already covered by the IMF ECF, it was decided against a double-incentivization through the SRBC in view of the capacity constraints of EUD to engage yet with another line ministry.

[26] GMAF12.1: Adoption of a Hydrocarbons Fiscal Regime by end of 2019. GMAF12.2: Following the adoption of the Artisanal Small-Scale Mining Formalization Strategy, implementation started in 2019 with first reporting by mid-2020. GMAF12.3: Regulations of the new Mining Law with respect to a) bidding, b) technical issues, c) financial matters, and d) health and safety prepared and approved by cabinet by the end of 2019 and all the other regulations foreseen in the law by the end of 2020. GMAF12.4: As per the terms of the mining law, comprehensive, accurate, and timely publication of extractives contracts, beneficial ownership of contracts, and project-level revenue and production data by the end of 2019. GMAF12.5: Afghanistan works towards achieving EITI 2016 standards and demonstrates "meaningful progress", as defined and confirmed by the EITI Board by the end of 2019.

Calculation method	N/A
Disaggregation	N/A
Data collection method	Government reports and official documents notably the comprehensive mining regulations as well as proof of approval by Taqnin, the Legislative Committee and Cabinet; process and responsibility map for the preparation, consultation and approval of the comprehensive mining regulations; readouts from consultation meetings on the comprehensive mining regulation and a report on the consultative process for the comprehensive mining regulation; evidence of the comprehensive repository of relevant laws etc; cadastre action plan implementation report for 2019 covering Kabul HQ and the new provinces to which the cadastre system was rolled-out; financial statements of the two state-owned enterprises (NCE and AGE); production data (volumes and values, disaggregated by commodity and project); non-tax revenue information; report on the piloting of the ASM licence granting scheme for construction materials in the relevant provinces; proof of implementation of auditable/documented business processes for all MoMP directorates; proof of the roll-out of an auditable data management and quality control processes/procedures for MCAS and NTRAS; proof of the systematic disclosure of Beneficial Ownership data; proof of the systematic disclosure of consolidated non-tax revenues per fiscal year; 6th Afghanistan EITI reconciliation report; activity and operations reports of the AEITI Secretariat and the Multi-Stakeholder Group (MSG); training activity report on ASM Formalization Strategy in the relevant provinces; copy of the report on the monitoring mechanism for the implementation of the ASM formalization strategy.
Measurement periodicity	Annual – Quarter 1, 2020
Department responsible *(for reporting to the EUD)*	Ministry of Finance - the implementing partners/agencies are responsible for their respective indicator's implementation. In terms of reporting, the implementing partners/agencies will report on progress to the Policy Action Coordination Platform (PACT) at the Ministry of Finance. PACT from the Ministry of Finance is then responsible for reporting to the EUD.
Delivery date	Quarter 1. 2020
Limitations and bias	Narrative government reports and documents with no external independent (3rd party) verification foreseen; This limitation can be mitigated through the consultation of reports of the World Bank, International Monetary Fund, and EU-contracted technical assistance. Additional contracting for external verification by EUD if required.
Means of interpretation	Content and specifications of all deliverables. The comprehensiveness and quality of these deliverables can be jointly assessed by EUD in consultation with relevant Development Partners, notably the EITI Secretariat. Target a: The recently adopted 2018 mining law needs to be underpinned by a set of more detailed regulations around licensing, environmental management, applicable taxation (reference to the relevant tax code in vigour), royalties and fees, and community development management. The MoMP is working with the President's Office on the preparation of these regulations. It is expected that the regulatory framework provides comprehensive guidelines and a secure path for potential investors for acquiring exploration and mining licenses. This needs to include both large- and small scale mining, as well as artisanal mining (part of small scale mining) (see target d).

Target b: The cadastre system for the management of mines and contracts/licences is established centrally at MoMP while the cadastre action plan of 2018 guides the gradual roll-out to 5 provinces for 2018 and 5 provinces for 2019 according to selected priority areas, based on the security situation of the province and its importance in terms of the number of active licences and contracts.

Target c / SPDO v - viii: this target and related specific policy dialogue objectives address comprehensively the delay in the preparation of the 6th EITI reconciliation report by specifically reinforcing elements and processes required for adhering to EITI transparency standards and compliance with the EITI corrective measures issued after the suspension of Afghanistan from the EITI validation process in January 2019[27]. The target and the associated SPDOs aims not only addressing those areas within the reconciliation process where compliance gaps have been identified, but also to promote the set-up of a reporting system that allows the provision of key fiscal data (from the two SOEs, production data and non-tax revenue) in real time and without the complex administrative efforts that are associated with a standard EITI report. Therefore actions include setting up systems of systematic (that is continuous and real-time availability of data) reporting on beneficial ownership and non-tax revenue. A requirement for this to happen is an AEITI secretariat that is fully functional, staffed and operational. Also, the successful draft of the 6th EITI report will serve as proof whether all the mentioned reporting systems and underlying support mechanisms (such as the secretariat) are in place and working as per the required procedures.

Target d: The formalisation of artisanal small scale mining is an important aspect of reducing the extent of illegal mining in Afghanistan. The implementation of the two indicators under this target are ought to promote the formalization process i) through a more comprehensive regulatory environment that provides incentives for illegal miners to license and ii) through piloting a licensing roll-out scheme for the construction materials sector in five provinces. The improved regulations should at least provide clear guidance on a simplified licensing mechanism as well as simplified rules for environmental management and rehabilitation. Also, the overall costs of doing business under a license must be clear for miners (taxes – reference to the relevant elements of the tax regime in vigour, royalties, other fees, rehabilitation costs). These are to be considered core requirements, but it is possible to further improve the framework through directives (but these are not part of the indicators, of course). With regard to the licensing pilot, the construction materials sector was chosen *as a first step*. Furthermore, it is assumed that entrenched adverse interests are less dominant due to the lower overall value of the sector. On the other hand, the impact on the security situation is probably less profound than tackling marble, talc, gemstone or gold, but the underlying justification is that the Government will draw important lessons from this pilot and then be able to advance to more complex sectors. Specifications and deliverables include: The respective contractual documents and licenses have been developed and issued to the license holders, including relevant (i.e. cadastral and other key technical information)

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[27] The corrective actions address government engagement (1.1), multi-stakeholder group oversight (1.4), work plan (1.5), license allocations (2.2) and register (2.3), state participation (2.6), production data (3.2), export data (3.3), data comprehensiveness (4.1), transportation revenues (4.4), SOE transactions (4.5), data quality (4.9), distribution of revenues (5.1), SOE quasi-fiscal expenditures (6.2), economic contribution (6.3), public debate (7.1), follow-up on recommendations (7.3) and outcomes and impact of implementation (7.4).

information of the miners; this information should be available in the provincial MoMPs. An outreach /information campaign has been conducted. The roles and responsibilities regarding ASM management have been assigned, specifically regarding mines inspection and monitoring. Overall, the MoMP should be able to prove that a specific number of small-scale mining operators are licensed, are operating under a legal regime and will be monitored.

SPDO i and ii: in order to guarantee a meaningful process that in the end reflects that needs of key stakeholders of the Afghan mining sector (investors, communities, the Government, artisanal miners), it needs to be ensured that the drafting process follows sound procedures as well as consultations with external (i.e. non-governmental) stakeholders.

SPDO iii: The availability of the legal and regulatory framework including policies and strategies is considered standard today in order to guarantee investors early access to this key information. The governing framework thus must be readily accessible.

SPDO iv: This includes process maps for various levels at all relevant MoMP departments that are involved with bidding, licensing requests, licensing issues and monitoring. Also the process maps should be accompanied by clear work instructions and standard operating procedures (SOPs) in order to facilitate implementation.

SPDO ix: A fully operational EITI Secretariat is a necessary requirement to ensure that the decisions of the AEITI multi-stakeholder working group (MSG) are implemented. It includes a coordinator and other support staff as decided by the MSG. Also, the Secretariat should be budgeted and lead on the implementation of the Annual Work Plan(s).

SPDO x: Conduct training on ASM Formalization Strategy for 5 provincial offices with a targeted number of ASM miners

Content: It is expected that those elements of the formalization strategy that are directly relevant to the pilot licensing scheme (i.e. legal requirements, duties, obligations and rights of both the miners and the government, the licensing process) are transmitted to the relevant groups of stakeholders in the 5 pilot regions. This requires an outreach/information campaign as well as the availability of a training agenda and supporting material. It is expected that the trainings are being attended by provincial Government representatives, miners' representatives, local and community leaders, as well as police and security organs.

SPDO xi: Establish Monitoring mechanism for the ASM Formalization Strategy implementation

Content: A tool that details the specific areas, individual actions, responsibilities and timelines as set out in the formalization strategy has been developed. The monitoring tool should be readily applied for the pilot licensing scheme; it is not required that the full set of activities as outlined in the Strategy are completed (or indeed started) at the end of 2019, but rather that they are being implemented in a pragmatic way. |

| **Change in methodology** | Not anticipated |
| **Baseline (31 December 2018)** | Target a / SPDO i, ii: The draft of the new Mining Law has been developed and approved by the Cabinet in September 2018. Following the approval by Presidential Decree in September 2018, the Mining Law was submitted for approval to the Parliament. The Bidding Regulations and Financial Regulations have been submitted to MoJ (Taqnin) for approval. In the meantime the decision was taken by President Ghani to combine all mining related regulations in one comprehensive regulation of which the prepared Bidding and Financial Regulations will form part. |

	Target b: the implementation of the cadastre action plan in five pilot Provincial Mines Directorate offices has taken place with five Provincial Mines Directorate offices (Kabul, Nengarhar, Herat, Balkh and Parwan) having been connected to the e-cadastre system of MoMP. The data was checked and verified by MoMP. The complete core business process for the management of licenses mapping is completed. The e-cadastre system in Kabul HQ has been institutionalized and is functioning. The institutionalization of the cadastre system has ensured the proper functionality of the MCAS NTRS and the Transparency Portal. MoMP has established an internal committee to consolidate the data in MCAS and NTRS with quality control. The committee has consolidated and quality-checked all the data. The completion of all these activities was verified by an external expert.

Target c: Afghanistan has been temporarily suspended from EITI in January 2019, and can apply for a re-validation any time before the end of 18 months (by 18 July 2020). Although Afghanistan has had an EITI process for several consecutive years, and has already produced a total of five EITI reports, the 2018 validation found that progress in some important areas has stalled. The proposed corrective actions mirror the indicators and actions as envisioned under target c.

Target d / SPDO x,xi: The formalization strategy for Artisanal Small-Scale Mining (ASM) – that includes facilitation and incentives for ASM to become registered and to fall under the legal framework has been prepared and was approved by HEC in early February 2019.

A comprehensive standard operating procedure for the collection of information from the Inspectorate regarding illegal mining activities and MoMP Mining Inspectorate was prepared through a consultative process. The Mines Protection Commission (MPC) was established in November 2017 and has ever since been active and has operationalized the Security Sector mechanism. So far, the MPC has had its regular meetings, during which instructions/responsibilities have been assigned to all associated stakeholders to provide security for the mining projects, identify, register and end/formalize illegal mining operations, and strengthen border control measures to prevent mineral smuggling. As a result, a number of illegal mining operations were identified and terminated in five provinces (Kabul, Panjshir, Kapisa, Parwan and Samangan). The monitoring system for the implementation of the Security Coordination Strategy was developed and externally verified.

SPDO iii: The relevant laws, regulations, decrees, circulars, policies applicable to the extractive industries are partially available across various Government websites including the Ministry of Justice and the Ministry of Mines.

SPDO iv: In general, work-procedures exist, but they have been established on a piece-meal approach. Hence, the objective now is to consolidate existing procedures and SOPs into one coherent systems that spans the relevant departments within MoMP.

SPDO v: The basis for a data management and quality control system is in place. Similar with the description of the indicator above, it is now pertinent to integrate all systems together, including sound business processes and SOPs.

SPDO vi: Beneficial ownership data is available, but no system that ensures systematic disclosure.

SPDO vii: Through the recent inauguration of the Transparency Portal, issued licenses and related payments are accessible to the public. The portal is updated automatically

	every day, directly from the Ministry's license management system MCAS and the integrated payments system NTRS installed in the Ministry. At the moment it contains over 1,000 licenses and over 9,000 license-related payments from small and large-scale mining and oil companies. The payments published represents over USD 180 Million in government revenue. SPDO viii: The 6th EITI reconciliation was not prepared and finalized within the delay of the SRBC 2018 target. However, the preparation has started and is expected to be completed by June 2019. SPDO ix: The leadership responsibility of AEITI with budget and resources for AEITI Secretariat has been aligned with the move of the AEITI Secretariat from the Ministry of Finance to the Ministry of Mines. The AEITI SE structure, procedures, sound management systems and ToR as well as the MSG ToR have been developed. The completion of all these activities was verified by an external expert (EU consultant). In terms of AEITI SE budget (on-budget funding from the WB ARTF FSP programme but tied to MoF), a retro-active financing procedure was launched to allow for the transfer of these funds from MoF to MoMP through a change to the allotment process. In the meantime, MoF is expected to continue financing AEITI SE.
Targets **(31 December 2019)**	a) Comprehensive Mining Regulations as identified in the 2018 Mining Law (including notably the Financial Regulations, Bidding Regulations, Technical Regulations, Community Proceeds Regulations) approved by the Cabinet and published in the official Gazette. b) Roll-out to operative status of the Cadastre System to additional 5 of the Provincial Mines Directorates selected based on objective criteria. c) In line with the EITI standards, roll-out to operative status of the systematic disclosure of: key financial statement on the two state-owned enterprises (NCE and AGE); production data (volumes and values, disaggregated by commodity and project); non-tax revenue information; d) The integration of relevant elements of ASM Formalization Strategy into the relevant mining regulations (including a simplified licencing mechanism, simplified rules for environmental management and rehabilitation, indications of royalties/fees/rehabilitation costs), and piloting of ASM licence granting scheme for construction materials in at least 5 provinces.[28]
Specific policy dialogue objectives (SPDO - 31 December 2019)	i. Process and responsibility mapping for the preparation, consultation and approval of the Comprehensive Mining Regulations. ii. Inclusive transparent consultative process for the preparation of the Comprehensive Mining Regulations with Government stakeholders, private sector, Civil Society and Development Partners. iii. Comprehensive repository of relevant laws, regulations, decrees, circulars, policies applicable to the extractive industries accessible online iv. Align relevant Ministry directorates (including Cadastre & Inspection Directorates) to meet the requirements of the 2018 Mineral Law & EITI Standards through the implementation of auditable/documented business processes. v. Establish and initiate roll-out of an auditable Data Management and quality control processes/procedures to ensure the data integrity of the mining cadastre

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[28] In Afghanistan, ASM can be divided in two major groups: 1) Licensed small scale mines that are engaged formally in mining decorative stones and industrial/construction materials; 2) Unlicensed artisanal and small scale mines that are engaged on a family or individual basis mostly in mining construction materials, precious and semi - precious stones and work for licensed miners or on their own. The purpose of the ASM Strategy is to focus on the latter segment of the ASM population active in Afghanistan which is the informal miners who are outside the formal system of the mining regulatory framework. The focus of the indicator on construction materials reflects the focus of the ASM Strategy.

	administration system (MCAS) and non-tax-revenue system (NTRS) during the data consolidation and reporting process.
	
	  vi.In line with the EITI standard, implement the systematic disclosure of Beneficial Ownership data.
	
	 vii.In line with the EITI standard, implement the systematic disclosure of consolidated non-tax revenues collected every fiscal year.
	
	viii.In line with the EITI standard, 6th Afghanistan EITI reconciliation report submitted to the EITI Secretariat including pilot beneficial ownership and SOE operations reporting.
	
	  ix.In line with the EITI standard, AEITI Secretariat at the Ministry of Mines and Multi-Stakeholder Group (MSG) fully operational (with all relevant EITI corrective actions addressed) producing timely reports of high standards.
	
	   x.Conduct training on ASM Formalization Strategy for 5 provincial offices with a targeted number of ASM miners.
	
	  xi.Establish a monitoring mechanism to ensure the ASM Formalization Strategy implementation.

> **6.1** To ensure the Independent Elections of MSG Civil Society members. The drafting of the election procedures and multi-stakeholder participation. An election procedure should be drafted by CSOs to ensure independent and transparent processes. The document was drafted by the CSOs and approved. Ongoing communication to inform the EITI to ensure criteria is met and ongoing support. CSO Constituency plan, progress and request for future capacity support. In addition, internal guideline on communication and grievance to be in place for CSOs.

The following is a summary highlights an email chain regarding the independent election procedure for the Civil Society Organizations. Correspondence also includes the participation of AEITI with EITI and World Bank and MSG members. It should be noted that the COVID-19 has currently played a role on the election process as it requires a technological approach.

Emails February 1, 2020

Correspondence February 1 2020
AEITI Clarification on the ToRs with World Bank
Clarification on Article-8 of the election procedure in the ToRs reads 'each entity - which is a translation of Dari term Organization' has one voting right in each of the quotas (categories). The following sub-article requires participants to present original license copy and ID card of the representative, meaning that, any Civil Society Organization which is registered within the mentioned ministries can have voting right.
Comments on the election procedures for CSO indicate good practice. CSO capacity building workshop was held by AEITI, and now a more open election procedure has been adopted. Identified as positive steps towards corrective actions. According to the Election procedure CSO document, each organization gets 1 vote, and there are 3 categories eligible for membership. I understand that there was recently a CSO coalition established- it would be great is all members of the coalition, beyond the two networks, get a vote for the process.
CSO election procedure drafted by the two networks in their meeting on 27th of January 2020. The meeting has been observed by AEITI Secretariat. The draft procedure is to be presented in the coming CSJWG meeting to be decided, once participants are brainstormed by the AEITI Secretariat. Shared with EITI , World Bank and MSG members January 2020.
January 29, 2020 Election procedures for the CSOs is approved.
The CSJWG (Civil Society Joint Working Group) to be held in mid-Jan as promised, but we haven't heard anything about it yet. Since we only have limited days of February 2020, would you please let us know when will the meeting take place and when can we expect the let us know when will the meeting take place and when can we expect the adaptation and execution of the CSO Election Procedure. Follow-up on the election procedures.
The final version will be shared with EITI CS Board Members (November 2019)

However, after long discussion within the MSG and CSO networks, the election procedure was finally approved by the CSJWG.

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شماره مکتوب:

تاریخ: 11 مارچ 2020

به دیدبان شفافیت افغانستان

<u>موضوع: تائیدی طرزالعمل انتخابات نمایندگان نهادهای مدنی برای گروه چند جانبه ابتکار شفافیت صنایع استخراجی افغانستان</u>

محترما!

گروه کاری مشترک نهاد های جامعه مدنی افغانستان پس از بررسی و مطالعه دقیق طرزالعمل انتخابات نمایندگان نهادهای مدنی در گروه چند جانبه ابتکار شفافیت صنایع استخراجی، به اطلاع شما می رساند که این طرزالعمل از جانب گروه کاری مشترک نهاد های جامعه مدنی افغانستان تایید است.

با احترام

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Note: letter is cropped for privacy proposes.

6.2 Review the Terms of Reference regulating the relationship between the constituencies in MSG

Terms of Reference: AEITI- Multi Stakeholder Group (MSG)

Date: 20/March/2019

Part 1: Context and Definitions

1.1 Context:

The Afghanistan Extractive Industries Transparency Initiative (AEITI) is an initiative charged with developing and implementing a framework for transparent data disclosures, and facilitating enhanced accountability in the mining, oil and gas (extractives) sector in Afghanistan. The main duties of AEITI include facilitating transparent disclosures pertaining to (i) the legal, fiscal and regulatory framework pertaining to the extractives sector, (ii) license allocations, contracts, and information on their corresponding beneficial owners, (iii) reconciled revenue data submitted by the government, and corresponding payment data submitted by extractive companies, (iv) data on State Owned Enterprises (SoEs) operating in the sector, and (iv) data on production, exports, and the economic and social contribution extractives sector to Afghanistan .

The AEITI has been a signatory to the Extractives Industry Transparency Initiative (EITI) Global Standard since 2010. The AEITI implements the EITI Standard through a Multi Stakeholder Group (MSG) comprised of representatives from civil society, the private sector and government ministries. The MSG is responsible for steering the AEITI process, including with regard to establishing data reporting templates, establishing an annual work plan for AEITI, and aligning the work of AEITI with national priorities. The AEITI Secretariat, housed within the Ministry of Mines and Petroleum (MoMP), is an agency that provides administrative and operational leadership for the implementation of AEITI.

Aligned with international best practice, AEITI was established to help promote the efficient and effective management of extractive resources in the country. It operates in accordance with the EITI principles and criteria, such as transparency, inclusiveness and openness in the management of extractive resources, which are viewed as engines for sustainable growth and national development.

1.2 Definitions:

- *Mineral Law*: means the Mineral Law of Afghanistan- version 2018 or latest
- *Multi Stakeholder Group (MSG):* means the steering body of the AETI, comprised of representatives from the government, extractive companies, and civil society
- *Business:* means the activities of the AEITI
- *EITI Standard*: means the global EITI Standard 2016, or if applicable, a more recent version of the EITI Standard in effect internationally
- *Secretariat:* means the AEITI Secretariat, housed within the Ministry of Mines and Petroleum (MoMP), which is the agency in charge of the administrative and operational aspects of AEITI
- *National Coordinator*: The operational head of the National AEITI Secretariat

- *Chair:* means the chair of the MSG
- *Co-Chair*: means the deputy chair of the MSG
- *Secretary:* means the person normally fulfilling the duties of a 'board' secretary to the MSG
- *Members:* members of the Multi Stakeholder Group

Part 2: Purpose

2.1 This Terms of Reference defines the scope, functions, processes and governance mechanisms of the MSG**.**

Part 3: Multi Stakeholder Group Governance Process

3.1 The Role of the Multi Stakeholder Group

I.   The role of the MSG is, firstly, to provide oversight on AEITI mandated activities within Afghanistan, and secondly, to act as representatives of the stakeholders involved in the AEITI, but not limited to, Government, Civil Society Organizations, the Private Sector and the citizens of Afghanistan.

II. In regard to its role, the MSG will direct and supervise the management of the Business and affairs of the AEITI which are implemented through the AEITI Secretariat, and in particular:

- Ensuring that the AEITI goals are clearly established in relation to Afghanistan's national priorities for the extractives sector, and strategies are in place for achieving them
- Ensuring that AEITI meets its objectives of ensuring compliance with the EITI Standard.
- Ensuring disclosure of information required under AEITI in accordance with the EITI Standard, including by agreeing on appropriate scope, definitions, materiality thresholds, reporting templates, data disclosure mechanisms, and communication processes.
- Responsible and accountable for the development of an AEITI Work Plan that adheres to the requirements of the EITI Standard. The AEITI Work plan would, *inter-alia*, define the scope, detailed activities, implementation schedule, and associated costs of AEITI Business.
- Monitoring the performance of AEITI as compared to the AEITI work plan.
- Establishing and providing support to any sub-groups to examine specific issues relating to AEITI Business, which may include preparation of reporting templates and synthesis of any information required to be disclosed under AEITI
- Determining and agreeing on the scope of the annual AEITI audit in Afghanistan.
- Developing the terms of Reference (ToR) for, and appointing an Independent Administrator (IA) to undertake the annual reconciliation following the Procurement process under Afghanistan law.
- Developing and disseminating guidelines on the reporting requirements for the Private Sector and other entities engaged in the extractives sector.
- Ensuring that MSG members are representatives of their wider constituencies and that members must consult with them regularly in order to ensure that they continue to reflect the views of their constituency.
- Ensuring the regular dissemination of the results of the AEITI's work to its constituents and the wider public in Afghanistan through available mechanisms such as website, social media, community meetings and other effective methods.

- Assess, review, and facilitate the enhancement of the impact and outcomes of AEITI implementation on extractives sector governance in Afghanistan through tools such as the annual activity report, and annual progress reports.
- Establishing policies for strengthening the performance of the AEITI, including ensuring that the AEITI Secretariat is proactively seeking to enhance Business activities through innovation, initiative, and technology.
- Monitoring the performance of the AEITI Secretariat.
- Working with the AEITI Secretariat in ensuring that the AEITI's financial statements are true and fair and otherwise conforming to law.
- Ensuring that the AEITI adheres to high standards of ethics and corporate behavior.
- Ensuring that the AEITI has appropriate risk management/regulatory compliance policies in place.

3.2 Relationship of the Multi Stakeholder Group to its Stakeholders

The stakeholders in the EITI process are the citizens of Afghanistan, extractive industries currently engaged in the sector in Afghanistan or are potential investors, and governmental agencies.

With regards to Stakeholder relationships, the MSG must:

- Ensure that MSG members are representatives of their wider constituencies and those members must consult them regularly to ensure they continue to reflect the views of their constituency.

As indicated in section 3.4 (below) membership of MSG is open. Therefore, any entity beyond those mentioned in section 3.4 (eg; international CSOs and organizations) can request membership of the MSG which can be granted as observers in the process – subject to the decision of the MSG.

3.3 Composition of AEITI MSG

The MSG Chair is the designated EITI Champion. H.E. The Minister of Mines and Petroleum is the Chair of AEITI MSG, and the and Co-chair is H. E. The Minister of Finance or his representative.

The secretary to the MSG is the National Coordinator of AEITI and is a non-voting position.

The AEITI Multi-Stakeholders Group shall comprise of 18 members in the following order:

- 6 seats for members representing the Government Ministries and Agencies.
- 6 seats for members representing Civil Society Organizations.
- 6 seats for members representing the private sector in the Extractive Sector.

Each of the above constituencies should be represented by at least one female member.

3.4 Selection Criteria

Participation in the MSG is open to stakeholders in the extractives sector and is defined further by the Standard to include representatives from Government, Civil Society and the Private Sector in Afghanistan. It

is desirable that membership of the MSG be diverse and pluralistic in nature to better represent the interests of the country.

MSG members for the private sector and civil society must be elected by their respective constituencies in an open, transparent and documented process. This election process will be observed by the AEITI Secretariat and/or donors/partners.

Government representatives shall be appointed through appropriate governmental procedures, and shall be high- ranking officials such as Directors, Directorate Generals, and if need be, the relevant Deputy Ministers.

3.5 Membership Requirements

Members must have the necessary capacity to carry out MSG duties; members who can read, write, speak and understand English language are recommended; should have relevant background experience in the extractives sector, and be able to commit to the requirements of the AEITI MSG membership as specified below:

- MSG members must be committed to participate in, and contribute effectively to MSG and Committee meetings.
- The member shall have relevant background and working experience or run a relevant business within the extractives sector.
- The member should have interest in the mining sector and/or transparency and currently work in this field at a national/provincial level.
- The members must be able to liaise on behalf of AEITI with the member's constituency and disseminate AEITI results and information to their constituents.
- The member must be able to commit time to carry out the tasks and responsibilities assigned to them by the MSG.
- MSG membership for the private sector and civil society shall shall be given based on votes of the wider constituency.
- Each member of the MSG will name an alternate who will attend the MSG meetings in case they are not able to attend.
- The nominated Alternate member must have delegated authority to voice opinions and vote on matters arising during meetings and must have background and current knowledge of AEITI.

3.6 Membership Tenure

Each member of the MSG (Including the Chair) shall be appointed for a three-year term.

While the tripartite nature of the group must be maintained (e.g. government, private sector and civil society must always be represented), the group may agree by broad consensus at any time to change the number of members.

The MSG Champion/ Chair or Co-Chair will be appointed by the president or cabinet, at the inaugural meeting of the in-coming MSG.

3.7 Termination of MSG membership

The MSG may, through general agreement, (or if a general agreement cannot be reached), a formal vote, remove a full member of the MSG if there are grounds:

- For believing that member's participation would be detrimental to the ongoing work or reputation of the Afghanistan EITI, in line with the EITI Association Code of Conduct (https://eiti.org/document/eiti-association-code-of-conduct).
- And/or if any member of AEITI MSG and his/her alternate misses two consecutive meetings without prior notification and legitimate reasons. The MSG will review their membership so that it can make decisions about their membership. The decision that there might be a replacement by another member from the same group, will be announced in the next MSG meeting.

Where a member resigns, or the MSG terminates his/her membership for any reason, the resigning/terminated member's constituency (in case of private sector and civil society) shall elect a replacement member who can meet AEITI requirements.

The members constituency/parent organization shall formally notify the MSG of this replacement member within one week of the election results being announced.

3.8 MSG Remuneration

Participation in the MSG is not remunerated, and per diems are not paid to any member.

3.9 MSG Reporting

The MSG will submit and/or publish any documents required to be reported for the purposes of AEITI Business, and required by the EITI Standard.

The Chair will report to the President of GoIRA or person/entity authorized by Him.

The Chair will report to the appropriate committee in Parliament when called upon to do so.

3.10 Observers

The MSG will agree on who is permitted to attend MSG (and Working Group) meetings as observers.

MSG observers are participating in the meetings as observers, they would not have voting rights, and their contributions are limited to the needs of the MSG and per the decision of the Chair and the Co-Chair.

3.11 Stakeholder responsibilities to the MSG
These responsibilities are in addition to the responsibilities as MSG members under Section 3.1

Chair and the Co-Chair

- The chair and co-chair should remain impartial and encourage impartial contribution and intervention from the members.

- Lead the advocacy of AEITI, and publicize its information and value added to the Senior Government Officials, influential leaders, parliamentarians and other Government and Non- Government institutions and the media
- Advise the AEITI and the MSG in order to fulfil the EITI standards, pursue recommendations of Reconciliation and Validation Reports and remove any obstacles to the implementation of AEITI at national level
- Guarantee the AEITI sustainability through subsuming AEITI budget in the country's Annual National Budget
- Facilitate commitment of Annual Financial contributions to the EITI budget from the National Budget, and ensure the AEITI's sustainability and independency, by facilitating from the donor's financial support;

Government MSG Members

- Ensure the EITI implementation (at National and Sub-national level), as applicable;
- Provide strong back- up to the secretariat, by participating in, and contributing to the MSG and WGs (working groups) meetings, and providing the secretariat with complete data and accurate information as and if required;
- Ensure all documents related to Afghanistan's natural resources are available to AEITI MSG upon request;
- Take the lead and commit to work together with civil society and companies in implementing EITI at national and sub-national level, by facilitating;
- Commit to perform in line with AEITI Business and accepted Country Work Plan (CWP)
- Participate productively in terms of policy and functional support to the AIETI and MSG; and remove obstacles to the AEITI implementation;
- Facilitate conducting assessments of obstacles in the regulatory framework relevant to the implementation of the EITI, and propose or facilitate enactment of legal/regulatory amendments to bring about more transparency;
- Responsible for awareness- raising and publicizing of AEITI standards within the relevant government institutions, and publicly through official government media and promoting of AEITI standards while communicating in the public forms and via media;
- Take responsibility and action for fulfilment of any recommendation received by reconciler and validator relevant to changes in the related Government entities and regularly share the progress with MSG;
- Assist the AEITI secretariat in bringing other partners e.g. parliament members, International partners, donors etc. on board to contribute to the process;

Civil Society MSG Members

- Commitment to engage in successful implementation of AEITI in full collaboration with the MSG and the AEITI secretariat;
- Participate productively in terms of policy and functional support to the AEITI and MSG;
- Awareness- raising and dissemination of AEITI information to the wider CSOs and Afghanistan citizens, keeping in mind that the information dissemination is not limited to the CSO-members of MSG but to all the relevant CSOs (or whole civil society) in accordance to the available budget;

- Fully engage together with AEITI secretariat in outreach activities, capacity building, and programs focused on wider civil society groups and extractive companies, informing them of the government's commitment to the EITI implementation and importance of companies and civil society's role in accordance to the available budget;
- Commitment to perform in line with AEITI Business and the Country Work Plan;
- Establish working relation with AEITI secretariat to pave the way for smooth and successful implementation of EITI;
- Provide the required support (election venue, procedure, oversight, etc) to the secretariat in properly re-assigning of the MSG members as provided for in section 3.6 and 3.7;
- Committed to promoting AEITI Business while communicating in relevant public forums and via media;
- Thorough full and active participation in the MSG and Working Group meetings and any meeting called by MSG's members or AEITI secretariat (in cooperation with CSOs) to support the secretariat in fulfilment of the EITI requirements;
- Take responsibility for fulfilment of the recommendations received from reconciler and validator relevant to CSOs and report the progress to MSG;
- Analyze the reconciliation and validation reports for further advocacy and lobbying for the sake of transparency at the country in accordance to their budget;
- Help the AEITI secretariat in bringing other qualified and relevant experts (e.g. parliamentarians, International partners, and donors etc.) as far as possible, on board to participate in the process;
- MSG membership would be based on transparent and open election;
- Wider engagement of CSOs in provincial level, and communicate well with them regarding AEITI efforts and findings in accordance to their budget;
- Represent civil society and voluntary participate in capacity- building events across the country as well as disseminating information on AEITI activities and progress;

Private Sector MSG Members

- The member shall be committed to EITI successful implementation at national and sub-national level, as applicable;
- Their parent companies must express public support for the EITI implementation process widely in both English and local languages;
- Facilitating timely private sector cooperation with the validation and reconciliation reporting and audit process. This includes facilitating the provision of data required for the purposes of AEITI Business by private sector companies.
- Participate productively in terms of policy and functional support to the AEITI secretariat and MSG;
- Commitment to perform in line with AEITI Business and Country Work Plan;
- Extractive companies should disclose agreed data in accordance with the assurance process agreed by the MSG;
- Committed to promote AEITI Business while communicating in the public forums and via media;
- Provide the required support to the secretariat in order to re-assign the MSG members, through open voting and transparent selection process as provided for in section 3.6 and 3.7;
- Awareness- raising and dissemination of AEITI information and reports to other related stakeholders;

- Thorough full participation in the MSG and the Working Group meetings, support the secretariat and MSG efforts in fulfilment of the EITI requirements;
- Responsible for fulfilment of the recommendations received from reconciler and validator relevant to the extractive sector and share the progress with MSG;
- Help the AEITI secretariat in bringing other partners e.g. parliamentarians, International partners and donors etc., on-board to participate in the process;

Part 4

4.1 MSG Meeting Procedures

Draft minutes of MSG meetings (attendance, summarized statements and action points) will be prepared by AEITI Secretariat and shared with MSG members within 5 working days after the meeting, as well as made publicly available on the AEITI's website within 5 working days of the receipt/deadline of comments from members.

The relevant documents will be supplied to all MSG members as a complete 'pack' one week prior to the MSG meeting. These documents will be prepared by the Secretariat. The final agenda will be shared with the members 48 hours prior to the meeting.

The conduct of members will be consistent with their duties and responsibilities to the AEITI and, directly, to their constituent stakeholders as well as the citizens of Afghanistan.

The MSG will be disciplined in carrying out its role, with the emphasis on strategic issues and policy.

Members will use their best endeavours to attend MSG meetings and to prepare thoroughly.

Members are expected to participate fully, frankly and constructively in MSG discussions and other activities and to bring the benefit of their knowledge, skills and abilities to the MSG.

Members unable to attend a meeting will advise the secretariat at the earliest date possible and confirm in writing to the secretary.

MSG discussions will be open and constructive, recognizing that genuinely-held differences of opinion can, in such circumstances, bring greater clarity and lead to better decisions.

The chair will, nevertheless, seek a consensus in the MSG but may, where considered necessary, call for a vote. The voting quorum should be presence of at least 50% of the MSG members (9 out of 18) where the number of successful votes should be majority (more than half) of votes from the present members (eg; 5 out of 9 in case of minimum participation).

At MSG meetings, MSG responsibilities supersede all Working Groups responsibilities.

The MSG has sole authority over its agenda and exercises this through the chair.

Any member may request the addition of an item to the agenda.

The final agenda will be set by the chair in consultation with the National Coordinator.

The MSG will meet a minimum of (but not limited to) once in a yearly quarter or as required.

In addition, the MSG will, at intervals of not more than one year:

- Review the strategies and operating plans for achieving the AEITI goals
- Approve the annual report
- Review the MSG composition, structure and succession
- Review the performance of, necessity for and composition of MSG committees
- Review stakeholder relationships
- Members are entitled to have access, at all reasonable times, to all relevant AEITI information and to management.

4.2 MSG Working Groups

MSG Working Groups (WG) will be formed only when it is efficient or necessary to facilitate efficient decision-making. Working Groups will observe the same rules of conduct and procedure as the MSG unless the MSG determines otherwise.

Working Groups will only speak or act for the MSG when so authorized.

The MSG has four Working Groups, namely:
1. **Validation & Reconciliation Working Group (G-1)**- leads, directs and oversees the production of the Validation and Reconciliation reports, as well as assignments related to resolving discrepancies and studies / assessments - from drafts of documents/formats till end of implementation.
2. **Communications Working Group (G-2)**- assists in, directs and oversees the dissemination of information to stakeholders and the wider public from drafts of documents/formats till end of the distribution. In addition, oversee AEITI website, its contents, display methods and outline. The group will also hold outreach events and workshops on findings of the validation, reconciliation, studies and assessment reports in coordination with G-1.
3. **Financial Working Group (G-3)**- maintains oversight of financial reports provided by the companies, receipt of taxes by the government and financial transactions by the SOEs and that their audits are compliant to the laws of Afghanistan. This Working Group will also be responsible to trace the financial gaps with the SAO or relevant audit entity.
4. **Technical Working Group (G-4)-** should work together with all of the relevant government, SOEs and private sector companies in order to ensure compliance with EITI standards. They will also need to be verifying if reports (from government, SOEs, private sector companies) on addressing the recommendations from Validation or Reconciliation reports and other assessments / studies are meeting the EITI standard or further work is to be done.

The formation of Working Groups is the responsibility of the MSG. Additional Working Groups may be formed as and when required.

Working groups will meet based on the requirements of the work plan or when its assistance is required either in person or via email for specific tasks.

Part 5 MSG relationship with AEITI Secretariat

5.1 Position of National Coordinator

The MSG will link its governance and management functions through the National Coordinator.

All MSG authority conferred on the AEITI Secretariat is delegated through the National Coordinator so that the authority and accountability of the Secretariat is the authority and accountability of the National Coordinator in so far as the MSG is concerned.

The MSG will agree with and support the National Coordinator to achieve specific results directed towards the AEITI goals.

Between MSG meetings the chair maintains an informal link between the MSG and the National Coordinator and expects to be kept informed by the National Coordinator on all important matters and is available to the National Coordinator to provide counsel and advice where appropriate.

Only decisions of the MSG acting as a body are binding on the National Coordinator.
Decisions or instructions of individual members, officers or Working Groups should not be given to the National Coordinator and are not binding in any event except in those instances where specific authorization is given by the MSG or consensual agreement is made between the National Coordinator and the person / group. Decision by the Chair or Co-chair will be binding on the National Coordinator.

5.2 Accountability of National Coordinator to MSG

The National Coordinator, in association with the chair, is accountable to the MSG for the achievement of the AEITI goals and the National Coordinator is accountable for the observance of the limitations within the Secretariat.

At each of its normal meetings the MSG should expect to receive from or through the National Coordinator:
• the operational and other reports and proposals referred to above
• such assurances as the MSG considers necessary to confirm that the Secretariat limitations are being observed.

5.3 Secretariat limitations

- The National Coordinator is expected to act within all specific authorities delegated to him or her by the MSG.

- The National Coordinator is expected to not cause or permit any practice, activity or decision that is contrary to commonly accepted good business practice or professional ethics.

- In allocating the capital and resources of the Secretariat, the National Coordinator is expected to adhere to the AEITI goals and the EITI Standard.

- The National Coordinator is expected to not cause or permit any action without considering the health, safety, and political consequences and their effects on the stakeholders.

- In managing the Secretariat, the National Coordinator is expected to not cause or permit any action that is likely to result in the AEITI becoming financially embarrassed.

- In particular, the Secretariat must be operated with a comprehensive system of internal control, and assets or funds must not be received, processed or disbursed without controls that, as a minimum, are enough to meet standards acceptable to the Secretariat's external auditors.

- In managing the risks of the Secretariat, the National Coordinator is expected
- to not cause or permit anyone to substitute their own risk preferences for those of the stakeholders (for example, as expressed through an MSG approved risk management plan).

- The National Coordinator is expected to not permit employees and other parties working for the AEITI to be subjected to treatment or conditions that are undignified, inequitable, illegal, unfair or unsafe.

Signatories:

Name	Organization	Signature
H. E. Nargis Nehan	Ministry of Mines and Petroleum	
Abdullah Rqaeebi	Customs - MoF	
Amina Ahmadi	Revenue - MoF	
Eng Qaseeemullah Qaderi	Cadester - MoMP	
Abdul Wahid Jaihon	Admin/Finance - MoMP	
Ahmad Tariq Sarfaraz	ACBRA - MOCI	
Ramzan Jumazada	Parliament	
Ibrahim Jafari	ENRMN	
Javed Noorani	ENRMN	
Syed Ahmad Ataee	ENRMN	
Afzal Sherzad	WADAN	
Habib Nang	FETWO	
Naser Timory	IWA	
Shafiqullah Attai	ACCI	
Ashaq Hussain	Core Drillers	
Eng. Bashir Andesha	Khoushak Brothers	
Mohammad Hussain	MCC/MJAM	
Ahmad Ramin Rahi	CNPCI/WATAN	
Eng. Sardar Hussain	Mesaq-E-Sharq	

AEITI Multi Stakeholder Group
Standard Operating Procedures (SOP)
MSG & Working Groups

Part 1: Context and Definitions

1.1 Context:

The Afghanistan Extractive Industries Transparency Initiative (AEITI) is an initiative charged with developing and implementing a framework for transparent data disclosures, and facilitating enhanced accountability in the mining, oil and gas (extractives) sector in Afghanistan. The main duties of AEITI include facilitating transparent disclosures pertaining to (i) the legal, fiscal and regulatory framework pertaining to the extractives sector, (ii) license allocations, contracts, and information on their corresponding beneficial owners, (iii) reconciled revenue data submitted by the government, and corresponding payment data submitted by extractive companies, (iv) data on State Owned Enterprises (SoEs) operating in the sector, and (iv) data on production, exports, and the economic and social contribution extractives sector to Afghanistan .

The AEITI has been a signatory to the Extractives Industry Transparency Initiative (EITI) Global Standard since 2010. The AEITI implements the EITI Standard through a Multi Stakeholder Group (MSG) comprised of representatives from civil society, the private sector and government ministries. The MSG is responsible for steering the AEITI process, including with regard to establishing data reporting templates, establishing an annual workplan for AEITI, and aligning the work of AEITI with national priorities. The AEITI Secretariat, housed within the Ministry of Mines and Petroleum (MoMP), is an agency that provides administrative and operational leadership for the implementation of AEITI.

Aligned with international best practice, AEITI was established to help promote the efficient and effective management of extractive resources in the country. It operates in accordance with the EITI principles and criteria, such as transparency, inclusiveness and openness in the management of extractive resources, which are viewed as engines for sustainable growth and national development.

1.2 Definitions:

- *AEITI Multi Stakeholder Group (AEITI MSG):* means the steering body of the AETI, established and broadly governed under the Terms of Reference for the MSG (MSG ToRs), dated 20th March 2019.

- *Business:* means the activities of the AEITI

- *Chair:* means the chair of the AEITI MSG

- *Co-Chair*: means the deputy chair of the AEITI MSG

- *EITI Standard*: means the global EITI Standard 2016, or if applicable, a more recent version of the EITI Standard in effect internationally

- *National AEITI Secretariat*: means the department housed in the Ministry of Mines and Petroleum (MoMP), Government of Afghanistan, that is operating under the Terms of Reference for the National AEITI Secretariat (National AEITI Secretariat ToRs) dated 20th March 20119.

- *National Coordinator*: The operational head of the National AEITI Secretariat

- *Members:* members of the AEITI MSG, including observing members, permanent members and their alternates / back-ups.

Part 2. Scope and Applicability

2.1. This SOP details the procedures to be adopted by the AEITI MSG in its day-to-day operation, governance, and decision-making process. It applies to the AEITI MSG, the AEITI National Secretariat, and any MSG working committees, and sub-committees that may be established as provided herein.

2.2. This SOP is to be read in context of the MSG ToRs, the National AEITI Secretariat ToRs, and the EITI Standard.

2.3. This SOP details the processes that the Multi Stakeholder Group (MSG) will follow to:

(a) to ensure transparency and accountability in the AEITI decision-making process

(b) ensure that all MSG meetings, and meetings of sub-committees and working groups are productive and efficient

(c) enshrine the participation of CSOs, private sector, and government (through their representatives of their broader constituencies at the MSG) in the AEITI decision making process

(d) ensure that templates, minutes of meetings, resolutions, and other documents, are standardized as far as possible across the various organs of AEITI

Part 3. Meetings of the MSG

3.1. Meetings of the MSG shall be chaired by the Chair of EITI, or an appropriate delegate nominated by the said Chair as and when needed.

3.2. The MSG will meet a minimum of, but not limited to, once every quarter year through 'Standard Meetings'. 'Additional Meetings' or 'Urgent Meetings' of the MSG may also be held as required, organized by the National AEITI Coordinator acting upon the advice of the AEITI Chair, or upon the decision of the AEITI MSG which is arrived at as per section 4 of this document.

3.3. The Standard Meetings, as well as 'Additional Meetings' shall be held only upon an advance notice of at least 7 days. The invitations shall be communicated to the Members via email, followed up by telephone calls (subject to three attempts).

3.4. Non-conformity with Section 3.3 above would mean the Standard Meeting and Additional Meeting are invalid from the start (*void ab initio*), except where the Chair determines that exceptional 'Urgent Meetings' shall be held (upon an advance notice of 48 hours), based on urgent Business needs. Such meetings should be flagged 'Urgent' in the email body (first sentence).

3.5. Members unable to attend Standard, Additional or Urgent Meetings, shall nominate an alternate to attend such meetings.

3.6. Members take sole responsibility for such alternate's attendance at the Standard, Additional or Urgent Meetings, and Section 3.7 of the MSG TORs *('Termination of MSG Membership in case of absence in two consecutive meetings')* as well H. E. President's Order number 1852 ("*Termination and Replacement of Membership in case of absence for a total of more than two meeting during the Membership tenure*") shall apply to the Member if the alternate and/or the respective Member, are absent without prior notification and legitimate reasons.

Part 4. Agenda and decision-making by the MSG

4.1. The agenda for the Standard and Additional Meetings will be finalized in accordance with Section 4.1 of the MSG ToRs with the addition that the Secretariat shall share all of the documents (including the final agenda) at lest 48 hours before the Urgent Meetings. These are clarified as follows:

(a) The MSG has sole authority over the agenda and exercises this through the Chair;

(b) The agenda shall be finalized by the National Coordinator in consultation with the Chair, and shared with the Members at least 48 hours prior to the Standard, Additional or Urgent Meeting;

(c) Any Member may request the addition of an item to the agenda, either before or during Standard, Additional or Urgent Meeting, or by communication to the National Coordinator via email or (if not possible) telephone, at least 3 days prior to the Standard or Additional meeting and 24 hours prior to the Urgent Meeting;

(d) Notwithstanding 4.1 (b) and 4.1 (c) above, additional items may also be added to the agenda of a Standard, Additional or Urgent Meeting due to urgent Business need by either the Chair or upon vote of Members as per section 4.2 below, anytime during or prior to the applicable meeting. Such changes should be reflected in the minutes of the meeting by the secretariat.

4.2. The MSG, under the leadership of the Chair, shall endeavour to arrive at consensus-based decisions. Where such consensus is not possible, decisions shall be arrived at through a voting process by raising of hands. The minimum quorum requirement for undertaking a vote shall be half of the total MSG (eg; 9 out of 18) members present at the Meetings. The winning vote shall be in favour of the majority of Members present and voting, eg; at least 5 permanent members or their alternates or back-ups. In case both Permanent Members and their Alternate / Back-up are present, only one shall vote. Observing Members will not have voting right but are encouraged to express their opinion to support effective and efficient choice/s.

4.3. Decision-making, as provided for in Section 4.2 above, shall be only upon items in the agenda for the Standard or Additional Meetings which are established in terms of Section 4.1 above. However, if the Chair considers that a matter arising from the discussions of the meeting or elsewise conveyed to the Chair is urgent can be discussed and voted upon if no consensus agreement is reached among the permanent members or their alternates/back-ups.

4.4. Resolutions of the AEITI MSG shall be subsequent to applicable decision-making process referred to in Section 4 of the MSG TOR and Section 4 of this SOP (this section).

Part 5. Establishment and Functioning of Working Groups

5.1. Working Groups of the AEITI MSG will be formed only when it is efficient or necessary to facilitate efficient decision-making. The establishment of a future Working Group or Committees, or modification of an existing Working Group, shall be decided by the Chair (to be announced in the relevant meeting) as and when need arises. The secretariat shall record the decision and relevant tasks in the meeting minutes.

5.2. The authority conferred on a Working Groups or Committees will not derogate from the authority delegated to the National Coordinator. The National Coordinator shall provide logistical and administrative support to the Working Groups or Committees, according to the provisions of the National AEITI Secretariat ToRs.

5.3. Working Groups will observe the same rules as provided herein (this section), or as the MSG determines and communicates otherwise.

5.4. Working Groups will only speak or act for the AEITI MSG when so authorized.

5.5. The MSG currently has four existing Working Groups, namely:

5. **Validation & Reconciliation Working Group (G-1)**, which assists in, directs and oversees the production of the Reconciliation reports; provides feedback, inputs and support to the Validation Report; as well as assignments related to resolving discrepancies.

6. **Communications Working Group (G-2)**, which assists in, directs and oversees the dissemination of information to stakeholders and the wider public from relevant AEITI documents. In addition, it oversees the AEITI website (www.aeiti.af), its contents, display methods and outline. The group will also hold outreach events and workshops on findings of the validation, reconciliation, studies and assessment reports in coordination with G-1.

7. **Financial Working Group (G-3)**, which maintains oversight of financial reports provided by the companies, receipt of taxes by the government and financial transactions by the SOEs and that their audits are compliant to the laws of Afghanistan. This Working Group will also be responsible to trace the financial gaps with the SAO or relevant audit entity.

8. **Technical Working Group (G-4),** which will work together with all the relevant government, SOEs and private sector companies in order to facilitate compliance with the EITI Standard. This Working Group will also verify and provide inputs on how best recommendations from previous AEITI Reports, and Validation reports, can be addressed.

5.6. Each of the above Working Groups G-1 to G-4, shall be headed by a 'Working Group Chair', who will report on the activities of the respective Working Group to the MSG at each Standard or Additional Meeting. The Working Group Chair is also responsible for holding meetings and ensuring active participation by all members of the Working Group.

5.7. The Working Group Chair shall be nominated by the Chair of AEITI. Advice of the National Coordinator and Members may be considered during this process.

5.8. Working Groups will meet based on the requirements of the work plan, or as deemed necessary by the Chair of the Group. The Chair of the Group will decide to hold either participatory or online meeting. All participatory meetings (pursuant to clause 5.2 above and subject to the Chairs decision) shall be held at AEITI Secretariat where the group will have necessary logistics, databases, files, and dedicated computers. The provisions of Part 4 hereinabove are not directly applicable with regard to such notices and communications, unless so expressly agreed between the parties involved. The Chair of the Group shall invite meetings on minimum of 3 days' notice and may require specific assistance from AEITI Secretariat (through a written request, at least 24 hours in advance of the meeting).

5.9. Decisions by each Working Group, where required, shall be made by consensus, or by a majority (more than half of the group) members present and voting through show of hands.

5.10.	Each Working Groups may adopt simplified procedures for the publication of the minutes of Working Group meetings based on the attached template in Annex-4.

5.11.	The Chair of the Working Groups shall be free to authorize either the National Coordinator or relevant member of the group to act on behalf of the Chair in case s/he is unable to attend the meeting due to exceptional circumstances.

5.12.	AEITI Secretariat should make available at least one staff for assisting the Group in setting up equipment (computer, projector, etc) and taking and circulating minutes of the meetings. The mentioned staff will be focal point for the members to support them in accessing the relevant documents, materials and facilitating their visits to the meeting venues.

Part 6. Documents prior to meetings, and publication procedures for Minutes of Meetings:

6.1. Documents relevant to a Standard or Additional Meeting of the MSG will be prepared and circulated by the AEITI Secretariat to all Members one week prior to such meeting. This is in exception of the documents and agenda for the Urgent Meeting as described in clause 4.1 A and B above.

6.2. Full Minutes of Standard, Additional or Urgent Meetings of the MSG (attendance, summarized statements and action points) will be prepared by the AEITI Secretariat, and published on the AEITI's website.

6.3. While publishing the Minutes as provided for in Section 6.2 herein above, the following procedures shall be followed:

(a) the AEITI Secretariat will communicate a draft set of Minutes for review by the members within three working days of the applicable meeting, excluding the day of the meeting;

(d) Members will be given one week to share their inputs on the draft Minutes received;

(e) The National Coordinator (or if deemed necessary, the Chair) will consider the responses of the Members on publishing a final set of Minutes. The final minutes will be circulated to the MSG members and published on the AEITI Website within one week of the meeting data in all applicable languages.

6.5. The Final Minutes cannot be changed, but if made a part of the agenda as provided in Section 4 herein above, may be tabled at the next Standard/Additional Meeting for discussion of the Members.

6.6. The minutes of Working Groups (Decisions and Action Points) shall be recorded by AEITI Secretariat with the inputs of the Working Group. The Working Group Minutes will be shared with relevant members within 48 hours of the meeting and members will be allowed 48 hours to share their inputs. The Secretariat will publish the minutes within 3 working days of the receipt of the final comment / set deadline in all of the applicable languages.

6.7. The document templates detailed in Annexes shall be followed, as far as possible, with regard to the agenda for meetings, Minutes (Dari, Pashto & English), and action items.

Part 7. Document Review

7.1. The relevant AEITI documents to be reviewed by the Members shall be circulated to the Members by the National Coordinator. In cases where such documents are to be discussed in Standard or Additional meetings, these shall be circulated along with the notice of such meetings circulated under Part 3.3 hereinabove. The documents shall be communicated at least one week (eg; Monday to Monday) prior to the date of the Standard

or Additional meetings, and in any case of Urgent meeting, at least 48 hours – along with invitation and final agenda.

7.2. Notwithstanding anything contained in part 7.1. hereinabove, the National Coordinator, while attempting to adhere to the expressed timelines in good faith, may require shorter timelines for Members' feedback on AEITI related documents that do not include final drafts of: Terms of Reference for annual AEITI Reports, Annual AEITI Reports, Annual AEITI Progress Report and Annual AEITI Work Plan. A notice of at least 7 days shall be adhered to for providing comments on such documents, which are materially vital for the implementation of AEITI. However, if the relevant documents are channelled from the external sources, the deadline for providing comments by the MSG members will be shortened by the AEITI Secretariat to the extent that the Secretariat will have enough (official working) time to collect, assess, and consolidate comments and share them with the relevant parties within the given deadlines. These, for example, can include deadlines of EITI Circulars, donor / stakeholder's correspondence requiring MSG inputs / comments, sub-AEITI (scoping, inception) reports with specified deadlines to enable the IA and AEITI meet deadlines for publication of the AEITI reports, briefings and reports to higher governmental agencies and/or parliament requiring MSG inputs and clarifications within specified deadline, etc, etc.

Part 8. Outreach and Communication

8.1. Members, representing their respective constituencies of government, industry and civil society, shall perform outreach, communication, and data dissemination activities with their broader constituencies. Such functions shall be governed by the Annual AEITI Workplans, Communication Strategies, Corrective Action Plans, and/or any other documents adopted by the MSG from time to time. Outreach and Communication activities will also focus on enhancing the impact of AEITI in enhancing the sustainable development of the extractive industries sector in Afghanistan.

8.2. Focial points of Private Sector and Civil Society Constituencies will be responsible for engaging with the broader constituencies and providing reports on the activities and acheivements to the AEITI Secretariat for the relevant documents such as AEITI Annual (or Quarterly) Progress Report, benchmark reports to donors / stakeholders, briefings and reports to higher governmental authorities, parliament and stakeholders.

8.2. Chair of the Communication Working Group (G-2) will be responsible to coordinate with CSOs and AEITI Secretariat on implementation of Communication Strategy, Outreach Programs, and planning / initiating additional outreach activates conducted by the relevant constituencies (especially CSOs through joint workshops with AEITI Secretariat and AEITI Secretariat through online outreach initiatives & compaigns).

Annex-1: Agenda Template (Standard, Additional, Urgent Meeting)

Agenda

Standard, Meeting # 01

Date: 1st January / 2000 – Time: 1:00 to 4:00 PM

Time	Topic Description	Presenter

Annex-2 Agenda Template (Working Group Meeting)

Agenda

G-1, Meeting # 01

Venue

Date: 1ˢᵗ January / 2000 – Time: 1:00 to 4:00 PM

Time	Topic Description	Presenter

MSG Meeting Minutes
Standard, Meeting # 01
Venue
01 January 2000 - 01:00-04:00 Hours

Summary

1. **<u>Opening Remarks:</u>**
2. **<u>Review – Previous Meeting Decisions:</u>**

Details

3. **<u>Discussions on Main Agenda Items:</u>**
    a. **<u>A</u>**
    b. **<u>B</u>**
    c. **<u>C</u>**
    d. **<u>D</u>**
4. **<u>Discussions on Any Other Business (AOB):</u>**
    a. <u>A:</u>
    b. <u>B:</u>

<u>Meeting Decisions:</u>

1. A
2. B
3. C

End of the Minutes.

Annex-4 Minutes of Meeting (Standard, Additional, Urgent)

G-1 Meeting # 01 **Venue** 01 January 2000 - 01:00-04:00 Hours	
Summary	
Decisions 1- A 2- B 3- C 4- D	Acion Points 1- A 2- B 3- C 4- D

MSG Meeting
MOMP Conference Room
25 February 2019 13:30-16:30 Hours

Commencement:

The meeting commenced with the recitation of the Holy Quran followed by a welcome note by the Chair of the MSG and introduction of the meeting participants.

Opening Remarks:

H. E. the Minister of Mines and Petroleum and Champion of MSG group, in her opening remarks, said that prior to Validation numerous developments took place, which were not included in the Validation Report because the validation focused on the duration prior to October 2017, and therefore unfortunately caused suspension. She said that there were a set of recommendations in the Validation report, emphasizing on MoMP and MoF cooperation where both entities have jointly held several meetings to address those recommendations and they were hopeful that until next Validation they would be able to achieve more in term of compliance with EITI standard. She said that MoF will need to be reporting on developments related to AEITI and a report was being compiled for H.E the President's Office. She stressed on the importance of Private Sector and CSOs and their cooperation so that Afghanistan can be marked successful (having meaningful progress) in next Validation. She has also declared that MoMP is finalizing its mining regulations where it intends to have consultations with broader stakeholders. Therefore, the MSG members can be called urgently for a meeting on regulation.

Current Developments:

The members were briefed on the current developments, that IA (Independent Administrator) was recruited by the Ministry of Finance and it made its first visit to Afghanistan having met most of the concerned stakeholders and strted data collection from the relevant entities. However, some of the entities have not share required data with the IA so far where the information requested is in the areas marked as "inadequate / no progress" in the previous Validation which means that either incorrect data was shared with the previous IA or there is lack of cooperation by the relevant agencies. The members were informed that IA required data and other information from Customs, SoEs, SAO, Central Statistic Office by 27th February 2019 mostly consisting of exports, comprehensiveness, distribution of revenues, revenue management, state participation and SoEs transactions. Based on the schedule provided by the IA, it would

share the final draft of the 6th EITI report with MSG for comments and finalization within the month of May where the Afghanistan has sought extension of the deadline from EITI until June 2019. Therefore, the importance of cooperation by the relevant entities was requested by H. E. the Champion of MSG requiring all of the agencies to extend their cooperation in data collection for the 6th EITI report so that Afghanistan can publish its report within the deadline.

To accelerate the process, H.E. tasked the AEITI secretariat to seek regular updates from the IA and share it with the MoMP secretariat so that either the secretariat's advisors or senior MoMP officials can follow up with the relevant entities. The current MSG meeting was supposed to confirm the threshold and scope of IA work in respect of its scoping study. However, the scoping study is not provided by the IA as the information is still to be provided by the relevant entities. Therefore, an urgent MSG meeting can be called to decide on the materiality and scope of AI work.

Previous Meeting Agenda Review:

All of the previous meeting agenda items were completed except the following which required some review and deadline extension:

1. The BO (Beneficial Ownership) definition was shared with the MoMP legal department by AEITI secretariat so see its compliance with the text of the new law where the legal department said that the current BO definition was in contradiction with the mineral law. A review of the same was shared with Mr. Ajmal Ahmadi (the President's advisor) office so that they can revise the definition. Instead, Mr. Ahmadi shared the relevant texts of the law referring to the provisions about BO and PEP (Politically Exposed Persons) where the same was shared with EITI International secretariat for their comments. EITI secretariat has declared that the law included BO and PEP related provision to some extent but more could be done to ensure better compliance.

H. E. instructed the AETI secretariat to work with Mr. Asifi to ensure that EITI standards are considered in the mining regulations attend the incoming meeting on finalization of the regulations and convey EITI comments so that EITI comments and requirements of 2016 EITI standards are at least considered in the regulations.

2. Based on the previous validation comments, the CSOs were tasked to develop a procedure for nomination and election of their staffs as MSG members. The CSOs members presented the secretariat with a decision letter confirming that the members on the meeting of ENRMN and Mining Watch Committee networks have decided to authorize the joint working committee to propose CSO staffs for MSG membership. But H.E the chair of the MSG highlighted the concerns of EITI Validation Team which was not satisfied and asked the two networks to prepare a certain procedure which could be satisfactory to the Validation and also provides opportunity to all CSOs who have relevant qualifications and are interested in joining the MSG through transparent and fair elections. It was agreed that the two networks will jointly develop a procedure for nominating CSO staffs for MSG membership and share it with MSG members by 10th of March 2019.

3. Regarding the AEITI 2019 work plan and TORs for MSG and AEITI secretariat, it was agreed that though the deadline for comments from the MSG members on the work plan and TORs has passed and no comments were received, a further one week extension would be granted to MSG to provide their comments. Therefore, AEITI secretariat was tasked to share the TORs and work plan once again with MSG members and seek their comments by 5th of March. If no comments were received by then, the work plan and the TORs will be considered approved by the MSG.

Review of Work Plan / Action Plan:

The AEITI 2019 work plan was presented in the meeting along with actions from the action plan which are relevant to the MSG members (beyond government constituency) which were part of the agenda. The MSG members will share their comments on the work plan by 5th of March as mentioned above.

Establishment of Legal Committee:

The agenda item was proposed as part of the action plan and to establish a legal committee to work on legal framework. Since the mineral law has already been enacted and the mineral regulations first draft has been prepared, it was decided in the MSG meeting that a wider consultation is considered by MoMP on the mineral regulations. Therefore, once the final draft of the regulation is passed internally by MoMP, an MSG meeting will be held in this regard to discuss the comment on the regulations so that MSG contribution in the finalization of the regulations is also ensured.

Establishment of Committees of MSG:

Subject to the above motioned approvals on the MSG TORs and the work plan where AEITI secretariat needs to give one week more time to the MSG members to comment on the TORs and the work plan, the committees will be established in the next MSG meeting.

Nomination to the EITI Global Conference:

The EITI global conference will be held in Paris in June 2019; three MSG members and one secretariat employee are invited to join the conference. The private sector and CSO constituencies are required to select one representative among themselves and send the information to AEITI secretariat by 5th of March 2019. It was agreed that the constituencies will nominate their representatives before March 5th through email. Regarding the government constituency representative, one of Deputy Ministers of MoMP (in consultation with MoF) will need to evaluate the purpose and impact of the participation and recommend who from the government side needs to be introduced to the EITI Global Conference.

Report on CSOs Comments:

Based on the agenda topics, three questions from CSOs comments made before the previous validation have been included in the agenda which were to be reported by the relevant responsible directorates / persons. Hence, on the progress on publication of production value and volume, the Cadaster department reported that MoMP has published all the information online. The production volume was already in transparency portal, regarding the production value, ARD was working on it and it would be completed by the end of February 2019 for the years 1397 and 1398 respectively by companies and revenue streams. On the current status of the Mineral Law, the legal department reported that the new law is enforced and published by the Ministry of Justice of Afghanistan. On the CSOs comments made before the previous validation, Mr. Ali Reza Jafari provided a presentation reflecting that majority of the eight recommendations made by CSOs were taken into consideration and therefore addressed by MoMP. He said that the MOMP developed computerized systems (NTRS, MCAS and Transparency Portal) to establish an effective register of contracts. CSOs provide some recommendations in their note to be included in the relevant legislations. Mr. Jafari mentioned that government is now working on a comprehensive Mining Regulation and these recommendations will be taken into consideration. The rest of his presentation can be summarized as following:

- Provide meaningful explanations for existing gaps
  - AEITI Secretariat has planned to hire a firm to resolve the data discrepancies exist in the AEITI 5th Report.

- *Include artisanal and small scale reporting*

  - This issue is already included in the TOR of IA for the preparation of AEITI 6th Report.

- *Disclose information on oil and mining licenses*

  - Published on MoMP Website and Transparency Portal.

- *Improve MSG management and governance*

  - New TORs developed for MSG and AEITI Secretariat

- *Stronger government engagement*

  - MSG meetings are led by H.E. Acting Minister of Mines and Petroleum.

  - Successive AEITI Implementation meeting led by H.E. Acting Minister of Mines and Petroleum.

- **Include sub-national payments**

  - This issue is already included in the TOR of IA for the preparation of AEITI 6th Report.

AEITI Working Languages:

It was agreed that official documents will be published in three languages on the AIEIT website while normal routine correspondence will take place in English. Furthermore, it was agreed that the correspondence need to broken down into three stages;

1- The urgent and regular communication need to be exchanged in English language.
2- The ordinary documents (not urgent) need to accompany at least an explanatory paragraph in one of the local languages.
3- The routing official documents such as minutes of meetings, plans and other AEITI documents need to be published in all three languages.

MSG Membership to SAO and Parliament:

It was decided by the MSG members that those entities which has MSG membership (such as MoF, MOCI and Parliament) but their participation is not continuous, a letter to be sent by AEITI secretariat requesting the entities to ensure continuous participation of their representative. It was also decided that MSG membership should be given to SAO, Central Statistics Organization and Afghanistan Oil and Gas Regulatory Agency because they are relevant organizations in terms of implementation of EITI standards and need to be involved in MSG meeting so that they are well aware of the progress, challenges, and recommendations.

GMAF Benchmarks:

AEITI secretariat reported that an action plan was prepared based on the draft validation report to address all of the comments from validation, 5th EITI report and other recommendations from studies conducted by various stakeholders to improve EITI implementation and recover Afghanistan's candidacy status. To date, MSG was able to address number of these comments and there is hope that MSG could address all of the comments by June 2019 so that along with the EITI Global Conference, Afghanistan can request re-validation. In this case, if EITI could complete its validation and disclose the result, Afghanistan can achieve the GMAF benchmark related to EITI which is Afghanistan to demonstrate meaningful progress in confirmed by EITI by end of 2019. Therefore, the issue was conveyed to MSG members so that they are well aware of the benchmark and extend their cooperation in meeting the EITI standards one hand and achieving GMAF (EITI related) benchmark on the other hand.

Per-diem Policy:

CSOs were tasked to prepare pros and cons of paying per diem for MSG members which they did and it was shared with donors. However, based on the NTA regulations per diem cannot be paid to members which was informed to the MSG members and this has also become part of the new MSG ToR.

Numbering MSG Meetings and Groups:

The MSG groups are already defined and numbered in the new MSG TOR. However, it was decided that numbering MSG meetings would also be advantages. Therefore, the AEITI secretariat was tasked to come up with numbers of MSG meeting in the next meeting.

Sharing Information:

Due to lack of proper cooperation in regards to sharing extractive related information, the issue was raised by AEITI secretariat to either make a decision in the MSG meeting binding all of the relevant parties to share the information with IA, Validator or any other agencies requiring information related to EITI standards. AEITI secretariat requested MSG to either sign inter-agency MoUs to pave a legal base for sharing information or decide in the meting which will need to be binding on the members and their institutions. Therefore, it was agreed that based on the decision of this MSG meeting, the relevant entities and MSG members should share information with relevant organizations (IA, Validator, Inspector, donors, supporters, etc) to ensure smoothen implementation of the EITI standards.

AEITI 2018 Annual Progress Report (APR):

It was decided that all of the MSG members need to contribute to the development of the 2018 APR. Therefore, AEITI will share the APR with MSG members giving them a deadline for reporting their progress on EITI implementation in 2018.

Gender Equality:

The three constituencies were requested to take into consideration of women participation in EITI process and should at least introduce one female member to the MSG group. Likewise, AEITI secretariat was also tasked to maintain a balance of gender where it should have at least 30% female employees in its hiring.

EITI Membership Fee:

AEITI secretariat reported that EITI requires Afghanistan to pay membership. However, since the secretariat is shifted to MoMP and the fee has to be paid from ordinary budget, MoMP/MSG needs to decide on the payment of the fee. Therefore, H. E. the Minister of Mines and Petroleum has instructed the finance department of MoMP to send a request letter to MoF to include the fee in the special code which exists at MoF for country's memberships so that EITI membership fee can be paid on time.

Ghazanfar Company Omission Issue:

The issue was re-evaluated and it wasn't found in the report but was a concern of the CSOs because Ghazanfar was a shareholder with Dragon Oil and Turkish Petroleum as member of consortium. The issue was conveyed to CSO members to obtain their satisfaction in this regard.

Meeting Actions:

1- MoF will need to be reporting on developments related to AEITI and a report was being compiled for H.E the President's Office (continuous).

2- AEITI secretariat to seek regular updates from the IA and share it with the MoMP secretariat so that either the secretariat's advisors or senior MoMP officials can follow up with the relevant entities (continuous).

3- An urgent MSG meeting can be called to decide on the materiality and scope of AI work.

4- AETI secretariat to attend the incoming meeting on finalization of the regulations and convey EITI comments so that requirements of 2016 EITI standards are considered in the regulations.

5- CSO networks will jointly develop a procedure for nominating CSO staffs for MSG membership and share it with MSG members by 10th of March 2019.

6- AEITI secretariat to share the TORs and work plan once again with MSG members and seek their comments by 5th of March.

7- The private sector and CSO constituencies are required to select one representative (for EITI Global Conference) among themselves and send the information to AEITI secretariat by 5th of March 2019.

8- One of Deputy Ministers of MoMP with one of the Deputy Ministers of MoF to decide who from the government constituency, based on purpose and impact, needs to be introduced to the EITI Global Conference.

9- A letter to be prepared by AEITI secretariat and sent requesting the relevant entities to ensure continuous participation of their representative.

10- It was also decided that MSG membership should be given to SAO, Central Statistics Organization and Afghanistan Oil and Gas Regulatory Agency.

11- AEITI secretariat to come up with numbers of MSG meeting in the next meeting.

12- based on the decision of this MSG meeting, the relevant entities and MSG members should share information with relevant organizations (IA, Validator, Inspector, donors, supporters, etc) to ensure smoothen implementation of the EITI standards.

13- AEITI will share the APR with MSG members giving them a deadline for reporting their progress on EITI implementations in 2018.

14- The Finance Department of MoMP to send a request letter to MoF to include Afghanistan's EITI membership fee in the special code which exists at MoF for country's memberships so that EITI membership fee can be paid on time.

Name	Designation	Organization
Ghulam Hussain Nazari	Advisor	Second Vice-President's Office
Ahmad Ramin Rahi	Finance Manager	CNPCI/WATAN
Qaseemullah Qaderi	Director Cadester	MOMP
Bashir Ahmad Andesha	Engineer	Khoushak Brothers
Aziz ur Rahman Habibi	Employee	Revenue Dept. MoF
M. Aman Sultani	CDO	GIZ Mining Governance
Ali Reza Jafari	EITI Advisor	MoMP
Hashmatullah Sayes	National Coordinator	AEITI
Wahidullah Azizi	Comm Specialist	IWA
Nilesh Mistry	Consultant	EU
Abdul Rahman Farhan	Admin Manager	AEITI
Mirwais Shalgarai	Rep	SoEs
M. Afzal Sherzad	Finance	WADAN
Naser Rawan		MOMP
Masoom Mahmoodi		MoMP
Mohammad Hussain	Finance	MCC
Ab. Wahed Jaihon	Director Finance	MoMP
Qadeer Mufti	Spokesperson	MoMP
Ibrahim Jafari	Rep	ENRMN
M. Qais Yaseeni	Rep	FETWO
S. Ahmad Ataee	Rep	ENRMN
Ashuq Hussain	Director	Core Drillers

> **31.22** MSG and AEITI Sec must ensure that key stakeholders and wider constituencies are consulted and asked for inputs to the work plan. Written proof to be provided when a constituency claims they consulted their wider constituencies for inputs - at least in the form of emails sent and so on (discussion of MSG on documents such as work plan and procedures to be discussed with wider constituencies).

AEITI Secretariat has ensured that both the AEITI Work Plan and Annual Progress report are discussed with wider constituencies to ensure broader level participation in development of these two critical documents. Following emails are examples that confirm the message is conveyed to the relevant stakeholders and they have ensure broader level consolations.

Thank you. We did circulate it with our network. My colleague Wahid will share the details with you.

Regards,

Dear Mining Watch Afghanistan members,

Please see attached, the Annual Progress Report and work plan for 2020 for AEITI and let us know if you have any comments.

Thanks you.

Section Two Systematic Disclosure

The following section contains supporting documents and evidence as highlighted in the following Table 3.

Table 3 Corrective Action and AEITI Workplan

Action Item	Items as per April 2020
7.3	To clarify the technical and financial criteria (and their weightings) used for assessing license allocations and transfers.
7.5	It is recommended that each provincial MoMP office collect and maintain data of non-tax revenues on a 'per-company', 'per-revenue stream', and 'per-payment' basis, and share it as such with the central MoMP office.
7.9	Publication of bidders BO data.
	- Number of licenses and transferred are publicly accessible - Description of the transfer - Process and procedure for awarding licensing - Process and procedures for tendering and bidding - Process for transfer of licenses - Beneficial ownership definition and listings - Clarifications on 2014-2015 licenses, bids and transfers - Publication

Action Item	Items as per April 2020
8.2	The MSG should work with the MOMP to ensure all license information listed in Requirement 2.3.b is available for all extractives licenses active.
	- All license information is published as per Requirement 2.3.b - Key license details published on line

Action Item	Items as per April 2020
9.4	AEITI may wish to align reporting with the government's corporatization strategy for the two extractives SOEs with a view to providing annual diagnostics to support reforms.
	Available information and additional supporting documentation posted on the MoMP Transparency Tab

Action Item	Items as per April 2020

10.3	Afghanistan may wish to use EITI reporting to explain challenges in the production of official production statistics and track the implementation of key reforms in the MOMP's mine inspection and oversight.
	• Public disclosure of production volumes and values • Non-disclosure is clearly explained on-line • Explanation of challenges in the disclosure of official production

Action Item	Items as per April 2020
11.3	Afghanistan may wish to use EITI reporting as a diagnostic tool to identify discrepancies in export data from different sources and support the government's efforts to curb smuggling.
	• Export volumes and values for all extractive's commodities are publicly accessible • Estimates disclosed and compared • MoF uses EITI reports as a diagnostic tool • Signing of MoUs with other governments to curb smuggling

Action Item	Items as per April 2020
13.2	Afghanistan may wish to explore the extent to which it could use extractives-specific GFS (Government Finance Statistics) classifications from its EITI summary data tables (together with its per-license tax ID numbers) as a means of disaggregating extractives revenues in MOF systems.
	• Revenues are collected in Afghanistan's single account called Treasury Single Account • MoMP has used GFS (Government Finance Statistics) classification from its' summary data tables, the chart of account has been revised and corrected

Action Item	Items as per April 2020
18.1	Inspection of complete database of licenses and contracts available within MoMP and to develop a definitive list of those companies and to present it to MSG
18.2	Inspection of the database systems of MoMP if they comply with EITI Standards and to provide recommendations to MoMP and MSG regarding their efficiency
18.3	Implementation of recommendations from Nilesh's Report on MCAS, NTRS and Transparency Portal.
18.4	Inspection of the database systems of MoF if they comply with EITI Standards and to provide recommendations to MoF and MSG regarding their efficiency

18.5	Support to MoMP database systems to keep, update and publish private sector data and financial data in order to comply with EITI standards, as well as provide recommendations to MSG and MoMP in this respect
	• Improved database with reliable information and data • Ongoing inspection of data and data collection guidelines • Continued support of the MCAS and NTRS system and Transparency Portal

Action Item	Items as per April 2020
19.1	Improvement in filing system of Government Departments (MoF and MoMP) and SOEs for manual Record Keeping
19.2	LTO to be held responsible for all major corporate mining, oil and gas tax-payers and LTO and Revenue Monitoring Department held all details of relevant records of transaction
	• Improved MoMP record keeping through digitization

Action Item	Items as per April 2020
20.1	Strengthening of SAO and Revenue Monitoring and Evaluation Department of MoF, continuity of the trainings and maintenance of its role in Afghanistan
	• Data Quality Assurance Mechanisms implemented • Supreme Audit Office Report on State Owned Enterprises

Action Item	Items as per April 2020
21.1	MOF and MOMP to consider bringing in additional professional resources to support Revenue monitoring and management in order to assist in the preparation of scoping and reporting data for future reports;
21.4	Manual data-sharing between the MoMP, MoF and ACD through the common excel data reporting template that is currently under development is recommended.
21.5	MOMP and Revenue Monitoring and Evaluation (MOF) with AEITI to examine the areas where the GIZ IS report identifies revenue to the government with a view to seeking to incorporate them into EITI reporting prior to EITI next report.
22.2	MSG to investigate differences in figures reported by MOMP and companies in respect of 1391 (Mar-Dec 2012), 1392 (2013) 1393 and 1394 (2014-2015)
	• Sub National payment is not applicable in Afghanistan • Figures investigated by MSG

Action Item	Items as per April 2020
25.1	MoMP to provide production data on transparency portal
	• Production Data Published

Action Item	Items as per April 2020
26.1	Form working group to accompany MIS implementation process to ensure that needs are addressed for EITI: Build user stories for MIS from MSG & EITI perspective
27.1	To strengthen implementation, Afghanistan is encouraged to ensure that government representatives on the MSG attend meetings regularly.
27.2	The MSG should ensure that an assessment of progress with achieving the objectives set out in its work plan is carried out, including the impact and outcomes of the stated objectives. The MSG may wish to use the APR template provided by the International Secretariat to ensure that the different tools to review progress are harmonised.
27.11	Afghanistan should ensure that its assessment of the materiality of any revenues from the transportation of oil, gas and minerals be publicly documented and that any such material revenues be disclosed disaggregated to levels commensurate with the reporting of other payments and revenue streams.
27.14	The MSG should also ensure that summary data tables for all EITI Reports are prepared in a timely manner in line with requirements of the Board-approved IA's ToR.
27.15	In accordance with requirement 7.1, Afghanistan should ensure that EITI reports are comprehensible, actively promoted, publicly accessible and contribute to public debate.
27.16	Taking into account the security situation, the MSG should continue to seek to carry out outreach events to spread awareness of and facilitate dialogue about the EITI Report across the country whenever possible.
27.16	Taking into account the security situation, the MSG should continue to seek to carry out outreach events to spread awareness of and facilitate dialogue about the EITI Report across the country whenever possible.
27.19	In accordance with Requirement 7.4, Afghanistan should ensure that all stakeholders are able to participate in the production of the annual progress report and review the impact of EITI implementation. Stakeholders beyond the MSG should be able to provide feedback on the EITI process and have their views reflected in the annual progress report.
	• Benchmark December 2019 for the MIS implementation process • Recruitment of Women for AEITI Staff • Procurement Plan alignment with Work Plan • MSG ToRs are adequately codified • Representatives from HEC and Presidential Advisor • Quality Assurance agreed upon by MSG • Reports produced in a timely manner

Action Item	Items as per April 2020
28.7	Production data, by volume, values, commodity and per project could not be located online on transparency portal/MOMP new website and to be done in 6th AEITI Report.
28.8	Exports and Customs Data to be linked from Transparency Portal to ACD
29.2	Currently, there is the old 'MoM' website, data from which remaining must be migrated to new 'MoMP' website comprehensively and old website then deleted to avoid confusion. Where duplicate data sets exist, such as on beneficial ownership, we will need to ensure these are not contradictory
	• MSG follows governance Standard Operating Procedure (SoP) as demonstrated in meetings • Provincial contracts published into English • Materiality reporting included in AEITI Report • Allocation of extractives revenues included in Report • Mandatory Social Expenditures included in Report • SoE quasi fiscal expenditures included in Report • Sector contribution to economy included in Report • Communication Strategy approved

Action Item	Items as per April 2020
29.3	Descriptions on the data sets contained in each of the tabs of the MOMP website.
29.4	Export Data from ACD needs to be hyperlinked to the new MOMP website
29.7	AEITI website, with its activities and context briefly described, can be linked to the MOMP transparency page as well
30.1	All Government Agencies must use a unique TIN to record the payments received from the extractive companies. SE-• New invoice format should include TIN number to help IA for tracking companies.
28.7	production data, by volume, values, commodity and per project could not be located online on transparency portal/MOMP new website and to be done in 6th AEITI Report.
28.8	Exports and Customs Data to be linked from Transparency Portal to ACD
29.2	Currently, there is the old 'MoM' website, data from which remaining must be migrated to new 'MoMP' website comprehensively and old website then deleted to avoid confusion. Where duplicate data sets exist, such as on beneficial ownership, we will need to ensure these are not contradictory
29.3	Descriptions on the data sets contained in each of the tabs of the MOMP website.
29.4	Export Data from ACD needs to be hyperlinked to the new MOMP website

29.7	AEITI website, with its activities and context briefly described, can be linked to the MOMP transparency page as well
30.1	All Government Agencies must use a unique TIN to record the payments received from the extractive companies. SE-• New invoice format should include TIN number to help IA for tracking companies.
30.4	We recommend that MSG takes the necessary steps in order to encourage the focal points of reporting entities to take more prominent roles in providing data and information as well as to give comprehensive explanations and confirm statements made in the EITI report.
30.7	The MSG should consider carrying out a post award process audit by an independent consultant/firm in order to assess the veracity of any allegations of impropriety.
30.9	We noted that the accounting systems, capacity of finance staff and audit environment in the two extractive SOEs is inadequate. MoF and MoMP should prepare a plan to improve these areas and implement the necessary actions.
30.11	Government Agencies and SOEs should devise a suitable process and filing system to manage the manual records and should provide training to staff on the importance of maintaining the systems. Assistance from professionals in process review should be considered, so that experience and good practice from other countries can be brought to bear
30.12	MoF-LTO should be given responsibility for all major corporate mining and oil and gas taxpayers, and the Kabul-based Ministry ensures that it holds details of all relevant records and transactions relating to those companies;
31.9	Data of some companies (TIN, owner, procedure) missing on Transparency Portal (new)
	Exploitation contract for coal company terminated without any justification, to be justified (new)
31.11	Clarify difference in figures on production from one year to another which casts doubts over the reliability of the data. (new)
31.15	Cadaster to remove the value from company reporting forms.
	* The estimated values can simply be linked to the Data. (New)
31.23	MoMP to share list of companies whose TIN is missing with MoF for TIN issuance / sharing. (new)
31.24	New invoice format should include TIN number to help IA for tracking companies. (30.1)
31.27	Synchronization / institutionalization of systems through trainings of the NTRS and MCAS.
	• Publication and disclosure of data i.e. export data, licenses, contracts • Beneficial Ownership and PEP information provided and disclosed • Update system include employment figures and templates

7.3	To clarify the technical and financial criteria (and their weightings) used for assessing license allocations and transfers.
10.3	Afghanistan may wish to use EITI reporting to explain challenges in the production of official production statistics and track the implementation of key reforms in the MOMP's mine inspection and oversight.

Technical and financial criteria used for assessing license allocation and transfer

During year under review 1395 and 1396 only 120-construction materials authorization (Sand, Gravel and stone) were awarded. Nor a large scale a medium scale contract was award during that period.

Regulatory framework used for authorization licenses during years (FY 1395 and FY 1396) were as below:

- 2014 mining law
- 2008 mining regulation
- authorization procedure

Article 20th of 2014 mining law is regulatory base for awarding authorization licenses.

Authorization procedure has several steps as follow:

Step 1:- Paying 2500 Afghani nonrefundable fee of application form and receiving application form.

Step 2:- Returning filled application form within one week to the provincial mining office.

Step 3:- Evaluation of received application form of applicants within 2 working days by provincial cadaster department and sending delegation to the mine site.

Step 4:- Sketching and taking coordinates of mine area by technical delegation and performing a feasibility study from technical, economic, environmental and social perspective and sharing their areal report with provincial cadaster department.

Step 5:- Evaluation of areal report by provincial evaluation committee and taking decision of approval or rejection.

Step 6:- If respective applicant is not identified as successful applicants informing him through formal letter along with justification of application rejection within one week.

Step 7:- Sharing processed documents with cadaster directorate (central MoMP).

Step 8:- Evaluation of processes undertaken in the provincial directorates within 7 working days and obtaining minister's approval and sharing one copy of authorization license with small and artisanal mine directorate and submitting original copy of authorization license to the related provincial mine directorate. The successful applicant is obliged to pay 5000 Afghani as a license fee.

Step 9:- Disseminating authorization license to local governor office, IDLG, and other related governmental entities.
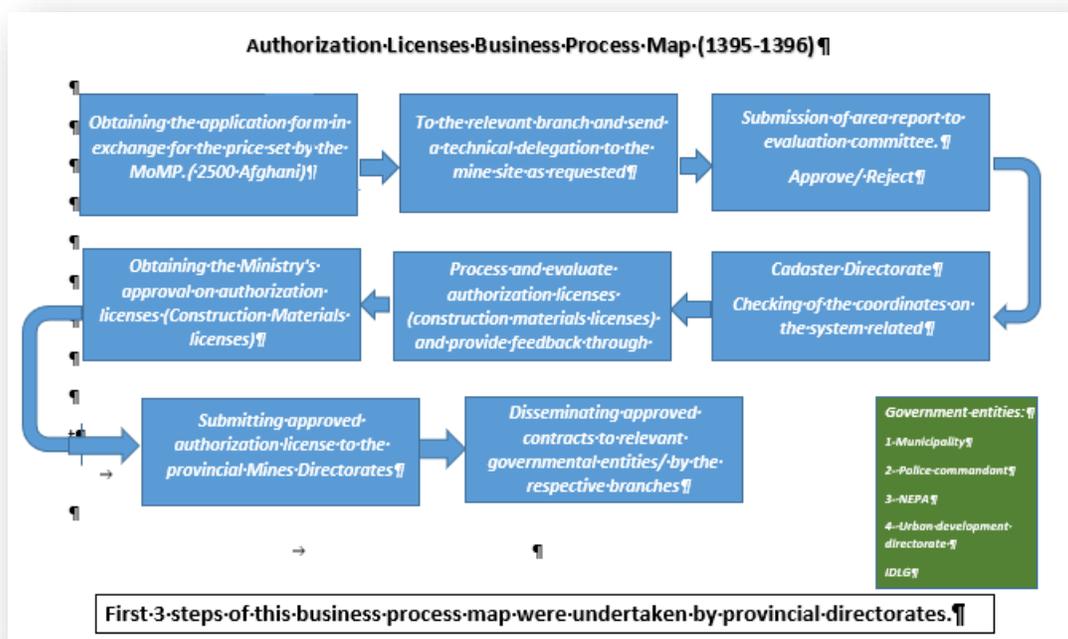
> **7.5** It is recommended that each provincial MoMP office collect and maintain data of non-tax revenues on a 'per-company', 'per-revenue stream', and 'per-payment' basis, and share it as such with the central MoMP office.

The letter invites all of the Provincial Cadaster Managers to attend the training on Companies Revenue Calculation format, Companies Exploration and Exploitation Reporting Format, and Construction Material Procedure.

7.9 Publication of Bidders Beneficial Ownership Data.

Internal Email Correspondence highlighting the Beneficial Ownership Data.

Internal Email from February 3 2020
Email refers to a series of scanned PDFs that reveal the BO of missing companies
Names of companies are provided as are there details and TINS
These are on the Website Transparency Portal

Dear Sayes Sahib,

I 'll make sure to have an adequate proof for sure.

Best Regards,

Shirzai

On Wed, 5 Feb 2020 at 11:45, Hashmatullah Sayes:

Dear Sherzai sahib,

You have to have adequate proof about changes in the name and ownership of the company to avoid uploading incorrect information.

Best Regards,

Hashmatullah Sayes

On Feb 5, 2020, at 11:17 AM, Ehsan Shirzai wrote:

Dear Gardezi Sahib,

Many thanks!

I hereby confirm That BO is registered. only one question although you mentioned that the MEGA ARYANA company has changed its name to ARYANA SANG, is it correct to register its BO since we know the company by the name of MEGA ARYANA company, so I would change its name to ARYANA SANG for the time being, if its possible please ask the respective directorate to confirm it officially and send us the Maktoob or anything.

Best Regard,

Shirzai

On Mon, 3 Feb 2020 at 14:58, Ahmadshah Gardezi wrote:

Dear Shirzai sb

Please find attachment scan copy of BO form of 8 companies. and kindly upload it to the system.

H.E. DM Zadran sb

As per your instruction now i am confirming that all missing TINs and BOs are collected and shared with Shirzai.

Regards

On Sun, Feb 2, 2020 at 10:28 AM Ahmadshah Gardezi wrote:

Dear Shirzai sb

Below are list of TINs collected from companies, please upload it to the system, and list of missing BOs will be shared with you by COB today.

Name	TIN
Arif Sarwari	9000209180
Hasan Aqa son of Amir	9000902198
Bakhter Crystal	9001305672
Farooq Amiryan	9001166603
Ayoub Shirzad	1007502089

Regards

On Tue, Jan 28, 2020 at 11:09 PM Wali Zadran Deputy Minister Policy& Programs wrote:

Please confirm when done.

Regards,

On Mon, Jan 27, 2020 at 13:34 Ahmadshah Gardezi wrote:

Dear Shirzai sb

Thanks a lot for sharing the list, we will collect the missing TIN and BO for mentioned contracts.

Regards

On Mon, Jan 27, 2020 at 1:22 PM Ehsan Shirzai wrote:

Dear Gardezi Sahib,

I cross-checked the sent list with Cadastre colleague only 8 companies do not have BO the following

1. Mega ARia process company

2. Technologist company

3. Cepti oghlo company

4. Faroq stankzai company

5.Almas ghaznyan.

6. Bet united eng companies

7. Khalid Ayz.

8. AYou sherzad.

The following companies do not have TIN

1.Bakhter Crystal.

2. ARif sarwari.

3.hussan Aqa son of M.Ameer.

4. farooq Ameryan.

5.Ayoub Sherzad.

Best Regards,

Shirzai

On Sun, 26 Jan 2020 at 19:25,

Dear Shirzai sb

As you are in picture recently we are working on AEITI action plan verification,we have reported that TIN and BO for all active contracts are available in MCAS.

Please find attachment list of active contracts, and based on that kindly cross check for the TIN & BO off all active contracts, as you are aware we are very close to the validation. if any TIN or BO of a company is missing please share the list with us to collect it at the earliest possible time.

Regards

8.2 The MSG should work with the MOMP to ensure all license information listed in Requirement 2.3.b is available for all extractives licenses active.

Dec 2018 Target	Verification by EU Consultant	Comments
1. The complete core business process for the management of licenses is defined and captured.	Verified OK	Can be streamlined further to achieve time and cost savings (WB Doing Business indicator).
2. Institutionalization of the cadastre system at Kabul HQ completed.	Verified implementation	Training and work instructions required for roll-out
3. Data in the Mining Cadastre System (MCAS) and non-tax-revenue system (NTRS) consolidated with quality control.	Verified implementation	Improvements in data presentation is required in order to meet EITI validation.
4. Production volumes and values for all extractive commodities produced made publicly accessible.	Verified that the data is publicly available.	To be disaggregated by commodity.
5. Alignment of leadership responsibility of AEITI with budget and resources for AEITI Secretariat (SE) and sound management system and procedures for AEITI SE established.	Verified that this is done and is an ongoing process	TORs and organogram written, processes are being developed, currently planning resources
6. Standard Operating Procedures (SOPs) for collection of information from the Inspectorate regarding illegal mining activities and integrated into the geo-database.	Verified	Roll-out of training to Inspectorate.
7. Operationalized Security Sector strategy/mechanism between the Ministry of Mines and Petroleum	Verified this is in progress and a mechanism is in operation	Ongoing
(MoMP) and Security Stakeholders (Mine Protection Committee).	Verified	Ongoing
8. Monitoring system for the implementation of the Security Coordination Strategy approved.		

9.4 AEITI may wish to align reporting with the government's corporatization strategy for the two extractives SOEs with a view to providing annual diagnostics to support reforms.

The below minutes reflect (in the first decision point) that the Cabinet has approved the changes to the 6th and 9th articles of the relevant law and required the Minister of Justice to prepare the decree and present to the Presidential Office.

جمهوری اسلامی افغانستان
مصوبهٔ کابینه
شماره (۱۲) سال ۱۳۹۸

جلسه کابینه جمهوری اسلامی افغانستان عصر روز دوشنبه مورخ ۱۳۹۸/دلو/۲۱ در ارگ ریاست جمهوری به ریاست جلالتمآب محمد اشرف غنی رئیس جمهوری اسلامی افغانستان دایر و روی موضوعات ذیل تصامیم لازم اتخاذ گردید.

صحبت های مقدماتی جلالتمآب رئیس جمهور و موضوعات مهم قبل از اجندا:

- ابراز تسلیت به نماینده گی از کابینه ج.ا.ا بابت شهادت محمد باقر محقق فرزند محترم استاد حاجی محمد محقق و اتحاف دعا به روح متوفی؛

موضوع اول اجندا: طرح تعدیل فقره های (۶ و ۹) مادهٔ پنجاهم قانون شرکت های دولتی؛
ارایه کننده: محترم وزیر عدلیه
هدف: رفع تناقض قانون شرکت های دولتی با اساسنامه تصدی ملی محافظت عامه و رفع خلاء قانونی.

موعد اجرا	فیصله کابینه:	
دوهفته	طرح تعدیل فقره های (۶ و ۹) مادهٔ پنجاهم قانون شرکت های دولتی تصویب است؛ وزارت عدلیه موظف است تا فرمان تقنینی آن را طبق صراحت ماده (۷۹) قانون اساسی افغانستان ترتیب و غرض توشیح به مقام عالی ریاست جمهوری ارایه نماید.	۱

موضوع دوم اجندا: طرح تعدیل و ایزاد برخی از مواد قانون امور ذاتی افسران، بریدملان و سانتمنان؛
ارایه کننده: محترم وزیر عدلیه
هدف: تشویق از رشادت نیروهای امنیتی و دفاعی کشور با اجرای ترفیع فوق العاده برای افسران جوان.

موعد اجرا	فیصله کابینه:	
دو هفته	طرح تعدیل و ایزاد جزء ۳ فقره (۵) ماده سی و هفتم و فقره (۱) ماده چهل و دوم قانون امور ذاتی افسران، بریدملان و سانتمنان تصویب است؛ وزارت عدلیه موظف است تا فرمان تقنینی آن را طبق صراحت ماده (۷۹) قانون اساسی افغانستان ترتیب و غرض توشیح به مقام عالی ریاست جمهوری ارایه نماید.	۲

موضوع سوم اجندا: طرح قانون تنظیم امور زندان ها؛
ارایه کننده: محترم وزیر عدلیه
هدف: مدیریت و تنظیم برنامه های آموزشی، تعلیمی، اصلاحی، حرفه آموزی و اشتغال محجوزین و محبوسین، تنظیم امور مالی، اقتصادی و محافظت زندان ها، تامین حقوق بشری اشخاص تحت نظارت و توقیف، محجوزین و محبوسین و طرز برخورد با آنها، اصلاح محجوزین و محبوسین و آماده ساختن آن ها به رعایت و احترام قوانین و زندگی اجتماعی و عدم برگشت به ارتکاب جرم.

موعد اجرا	فیصله کابینه:	
دو هفته	طرح قانون تنظیم امور زندان ها تصویب است؛ وزارت عدلیه موظف است تا فرمان تقنینی آن را طبق صراحت ماده (۷۹) قانون اساسی افغانستان ترتیب و غرض توشیح به مقام عالی ریاست جمهوری ارایه نماید.	۳

10.3   Afghanistan may wish to use EITI reporting to explain challenges in the production of official production statistics and track the implementation of key reforms in the MOMP's mine inspection and oversight.
Also See 7.3

Email Correspondence from the MoMP Cadaster Directorate directly responding to the EITI reporting procedures.

Email Correspondence March 5 2020
Cadastre has always strived to implement and use the AEITI's standards to explain challenges in the production of official production statistics and track the implementation of key reforms in the MOMP's on its workflow, as example, we can mention the followings: · For the accuracy and adapting the reports of production value and volume, MoMP created mining revenue managing directorate at 1398 structure of MoMP. · TIN (tax identification number) and B.O (beneficial ownership) is collecting from all mineral contracts · Prepared procedure for B.O · TIN is included in tariffs · MCAS (mining cadaster administration system) and NTRS (non-tax revenue system) is rolled out in 10 provinces and it is in progress to connect 5 more provinces in near future. · The procedure is prepared for Data collection and Data quality control for Transparency Portal · The mechanism is prepared for calculating the production value · All contracts are registered in MCAS · Receipts of all revenue payments are uploaded in NTRS

11.3 Afghanistan may wish to use EITI reporting as a diagnostic tool to identify discrepancies in export data from different sources and support the government's efforts to curb smuggling.

Email Correspondence highlighting the efforts to curb smuggling.

Email Correspondence March 17, 2019 Custom Department of MoF
Q1: Afghanistan may wish to use EITI reporting as a diagnostic tool to identify discrepancies in export data from different sources and support the government's efforts to curb smuggling.   **A/S:**   1- ACD has signed MoU with Tajikistan and Uzbekistan for Exchange Data to find out the discrepancy and control the smuggling. And some of the other countries such as Turkmenistan, China, Pakistan, Georgia and Kazakhstan are under process to sign the MoU.   2- ACD has an enforcement with Mobile verification Team (MVT) and intelligence Department for controlling of smuggling which many of smuggling cases are detected.   **Q2: Improvement in the filing system of Government Departments (MoF and MoMP)and SOEs for manual Record Keeping.**   **A/S:**   ACD uses the ASYCUDA (Automated System for Customs Data) to declare export and import commodities. This system is a computerized system designed by the United Nations Conference on Trade and Development (UNCTAD) to administer a country's customs. At present, the ASYCUDA system implemented in more than 70 countries. It is implemented 2006 in Afghanistan and covers 99% of the customs.   And the ASYCUDA following tasks: · Automated calculation.   · More speed in the workflow.   · Providing accurate statistics report based on system.   · And etc providing information related to statistics.   **Q3: The undertaking of capacity evaluation and training need assessment within MoMP and the MoF. Capacity Building measures to be implemented in order to bring improvement in staff competence in medium term within MoMP and the MoF related departments**   **A/S:**   Also the ACD has a Statistics Department for collection, analyzing and preparation every type of technical report which it helps the ACD to identify the key challenges. The statistics technical team trained in ASYCUDA, Data analysis in Afghanistan and out of country such as Iran, China, and Tajikistan. And plan to train this team in SPSS for the Month of July 2019 as well. And train the Customs Statistic focal point in Academy for the Month of April 2019

A Weekly AEITI Meeting was held in Monday 10th February 2020 in the MoMP Ministers Conference Room to discuss the following to discuss disaggregation of extractive sector revenues. A series of email correspondence resulted from the Meeting which included MoF members. The AEITI was provided with the following Chart of Accounts to reflect that the task is achieved.

د افغانستان اسلامی جمهوریت
د مالیی وزارت
د عوایدو و ګمرکونو معینیت

جمهوری اسلامی افغانستان
وزارت مالیه
ریاست عواید و ګمرکات

ریاست عمومی عواید
ریاست پلان و ارزیابی عواید

فشرده عواید سال مالی 1396 وزارت / اداره مستقل : وزارت معادن و پطرولیم

				قابل انتقال به سال اینده				تحصیلات					تحصیلات			باقی	شرح کود	کود تفصیلی	فصل	باب	شماره
	میزان	گذشته	جاری			میزان	گذشته	جاری			میزان	گذشته	جاری							
	-	-	-			125,000.00		125,000.00			125,000.00	-	125,000.00		150,000.00		12013	138	13	132
	-	-	-			1,963,633,963.00	-	1,963,633,963.00			1,963,633,963.00	-	1,963,633,963.00		830,934,096.00	مجموع فصل 138				
	-	-	-			1,984,065,204.00	-	1,984,065,204.00			1,984,065,204.00	-	1,984,065,204.00		830,999,099.00	مجموع باب 13				
																14022	140	14	134
																14021	140	14	135
	-	-	-			230,314,113.79	-	230,314,113.79			230,314,113.79	-	230,314,113.79		23,960,811.00		14023	140	14	136
	-	-	-			73,738.00	-	73,738.00			73,738.00	-	73,738.00		65,000.00		14025	140	14	137
	-	-	-			235,387,851.79	-	235,387,851.79			235,387,851.79	-	235,387,851.79		23,025,811.00	مجموع فصل 140				
	-	-	-			235,387,851.79	-	235,387,851.79			235,387,851.79	-	235,387,851.79		235,387,851.79	مجموع باب 14				
																15000	150	15	138
																15021	150	15	139
																15002	150	15	140
																15023	150	15	141
																مجموع فصل 150				
																15203	152	15	142
																15201	152	15	143
																15202	152	15	144
																مجموع فصل 152				
																مجموع باب 15				
																17100	171	17	145
																17101	171	17	146
																17102	171	17	147
																مجموع فصل 171				
																مجموع باب 17				
	-	-	-			2,219,477,205.86	-	2,219,477,205.86			2,219,477,205.86	-	2,219,477,205.86		832,725,606.00	مجموع عمومی				

14002 (انتقال عودت از سالهای گذشته - یافت)

																15100	161	16	148
	-	-	-			2,219,477,205.86	-	2,219,477,205.86			2,219,477,205.86	-	2,219,477,205.86		832,725,606.00	مجموع عمومی بشمول فصل قرارباب 19				

مدیر تحصیلی عواید

رئیس مالی و حسابی

معاون وزارت / اداره

18.1 Inspection of complete database of licenses and contracts available within MoMP and to develop a definitive list of those companies and to present it to MSG

Following the a detailed (5 page) report prepared and presented (signed) by the relevant committee confirming the inspection, review and assessment of all licenses and contracts including the work methodology, number of contracts by province, challenges during the process, achievements of the committee, and committee recommendation for improving the online contracts management process.

جمهوری اسلامی افغانستان

وزارت معادن و پترولیم

گزارش کمیته بررسی معلومات مندرج

سیستم های MCAS وNTRS

ارایه شده به: مقام محترم وزارت معادن و پترولیم

۸ حوت ۱۳۹۷
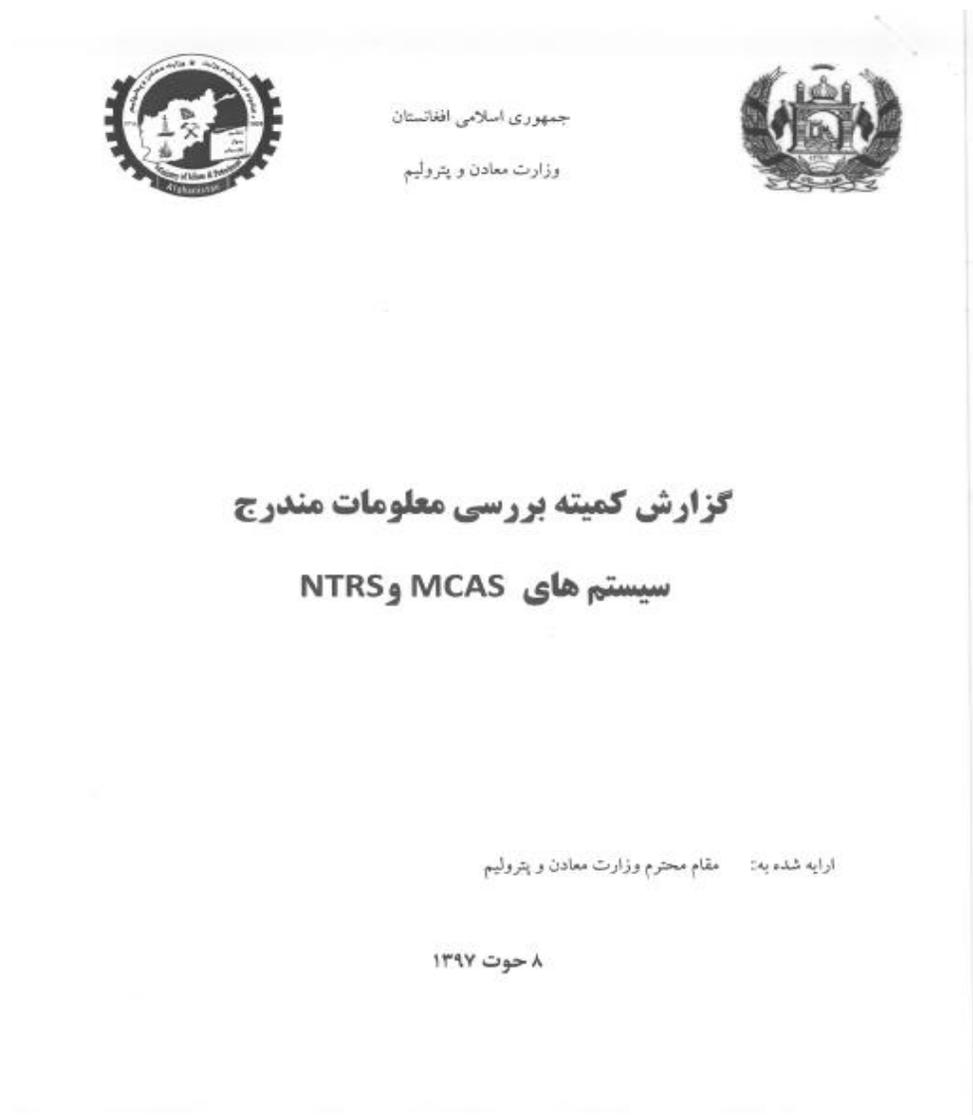
روند کاری کمیته

تمامی اعضای کمیته قبل از آغاز به کار توسط کارمندان بخش درج معلومات و همچنان کارمند RDF در رابطه به چگونگی استفاده از سیستم آموزش دیده اند، اعضای کمیته قراردادها را بر اساس هر ولایت مورد بررسی قرارداده و در صورت موجودیت عدم تطابق سیستم با اوراق مندرج دوسیه (ویا ساقت کاپی قرارداد و آویزهای موجود در خود سیستم) آنرا در فورم مشخص که بدین منظور تهیه گردیده است یادداشت و در ختم روز با کارمندان بخش درج معلومات شریک نموده اند.

بر اساس تفاهم کاری بین اعضای کمیته و کارمندان بخش درج معلومات تمامی مشکلات شناسایی شده باید حین ارایه فورم تصحیح میشد و در هر روز پنجشنبه کمیته به منظور اطمینان بار دیگر از تصحیح آنها مجدداً بررسی به عمل آورده است. لیست ولایات و تعداد قراردادهای بررسی شده قرار ذیل می باشد:

No.	Province	Total Contracts	Contracts Received & Registered	Checked Contracts
1	Badgis	6	6	6
2	Bamyan	46	46	46
3	Badakhshan	17	17	17
4	Baghlan	25	25	25
5	Balkh	43	43	43
6	Parwan	40	40	40
7	Pakteya	5	5	5
8	Panjsher	3	3	3
9	Takhar	25	25	25
10	Jauzjan	8	8	8
11	Khost	10	10	10
12	Daikundi	7	7	7
13	Zabul	2	2	2
14	Sar-e-Pul	8	8	8
15	Samangan	41	41	41
16	Ghazni	17	17	17
17	Ghor	6	6	6
18	Faryab	56	56	56
19	Farah	3	3	3
20	Kabul	251	247	247
21	Kapisa	11	11	11
22	Kunduz	27	27	27
23	Kandahar	64	64	64
24	Kunar	28	28	28
25	Laghman	3	3	3
26	Logar	73	73	73
27	Wardak	12	12	12
28	Nangarhar	121	121	121
29	Herat	42	42	42
30	Helmand	20	20	20

18.2 Inspection of the database systems of MoMP if they comply with EITI Standards and to provide recommendations to MoMP and MSG regarding their efficiency

The below email is exchanged with the relevant WB consultant who has confirmed the inspection of database systems and meeting the relevant criteria.

Dear Sayes,

Many thanks for your email! Between the MCAS, NTRS and TP. I can confirm that the MIS at MoMP can be declared as functional. Additionally, if the SIGTAS and ASYCUDA are linked, it will be beneficial. I understand MoMP is scoping out the possibility of this.

Warm Regards,

> Item # 26.1 of the action plan (attached) is a WB benchmark which requires MoMP to have the MIS functional by end of 2019. Our colleague interpret it as having multiple systems (MCAS, NTRS and TP) that can address this benchmark.
>
> Would you please let us know if their interpretation is accurate so that we can mark the action Done. Otherwise, would you please advise how can address the action?
>
> Best Regards,
>
> Hashmatullah Sayes
> AEITI National Coordinator

18.3   Implementation of recommendations from Nilesh's Report on MCAS, NTRS and Transparency Portal.

Dear Sayes Sahib,

I would like to confirm that activity 18.3 on the AEITI Action Plan has been completed. "Implementation of recommendations from Nilesh's Report on MCAS, NTRS and Transparency Portal."

In addition I have verified that the EU indicator: "-3. A comprehensive repository of relevant laws, regulations, decrees, circulars, policies applicable to the extractive industries accessible online" has been completed and is now integrated into the new MOMP website.

I would like to congratulate Milad Sahib and his team on their work, and would like to add that the site looks great and is user-friendly.

Regards,
Nilesh

18.4	Inspection of the database systems of MoF if they comply with EITI Standards and to provide recommendations to MoF and MSG regarding their efficiency
18.5	**Support to MoMP database systems to keep, update and publish private sector data and financial data in order to comply with EITI standards, as well as provide recommendations to MSG and MoMP in this respect**

Email Correspondence from Revenue Development Foundation May 15 2019
The database systems fulfil most of these minimum requirements, as they include data records on license/contract holders, financial data and license/contract data. Only, in some cases certain data is missing: Our main gaps are geographical coordinates and TIN for many mining companies.

Also, The Online Transparency Portal is capable of receiving online applications of license holders by now. This function needs to be based on registration of the email addresses in MCAS for all companies that wish to use this function. However, currently very few Afghan Mining Companies are using the Online Portal. I assume that some more outreach is required here.

As for the future support of the database systems, please review the action plan sent to you previously and adjust as you see fit. When that is complete, we shall contact RDF together, to show that MoMP and GIZ are requesting for the same work items and motivate RDF to deliver on time. Also, based on recent feedback by both MoMP and GIZ, we should use this opportunity to request RDF to mind an effective and quick communication procedure to all essential MoMP Counterparts, as well as the appointment of a project manager with according decision power to react promptly on MoMP requests. To put the matter a bit more diplomatically, we could use this opportunity to introduce DM Zadran to RDF as the relevant DM for their activity who should always be informed About ongoing Progress, challenges etc. |

19.1 Improvement in filing system of Government Departments (MoF and MoMP) and SOEs for manual Record Keeping

The below email is shared by MoF on 16th of March 2019 confirming that the MoF uses automated filing system and their employees are well aware of the relevant legal framework and receive regular trainings.

Subject: اجراات ریاست مالیه دهنده گان بزرگ به ارتباط اکشن پلان گذارش ششم AEITI

سلام جناب سرحدی صاحب.

مطابق به جلسه که در هفته گذشته داشتیم موارد که مربوط به ریاست مالیه دهنده گان بزرگ در اکشن پلان گذارش ششم میشد تهیه و خدمت تان ارایه میگردد.

2.5-مطابق به احکام قوانین مالیاتی نمبر تشخیصیه به اشخاص (حقیقی و حقوقی) توزیع میشود اشخاصیکه تابع پرداخت مالیه میباشد طبق حکم به ماده 28 قانون اداره امور مالیات مکلف به اخذ نمبر تشخیصیه مالیاتی بوده اظهار نامه های مالیاتی خویش را خانه پری و تمام عواید حاصله خویشرا که در برگیرنده مجموع قرار داد های آن میشود درج اظهار نامه های مالیاتی خویش مینماید.

1.19-ریاست مالیه دهنده گان بزرگ به اساس سیستم سگتاس دارای فایلنگ منظم اعم از فورم پرداخت های مالیات و اعم از سایر اسناد یک مالیه دهنده میباشد.

بطور مثال هر پرداخت که صورت میگیرد ابتدا شامل سیستم شده بعداً فایل میشود و از مدت پنج سال بدینسو تمام فورم های پرداختی بعد از شمولیت در سیستم فایل شده است.

2.21-تمام کارمندان ریاست مالیه دهنده گان بزرگ که در جمع آوری عواید مالیاتی سکتور معادن کار میکنند کارمندان مسلکی بوده از قوانین مالیاتی آگاه میباشند. برای هر کارمند این ریاست وقتاً فوقتاً آموزش مسلکی داده میشود که جهت رسیدن به این هدف معینیت عواید و گمرکات, اکادمی مالیات و گمرکات را تاسیس نموده است. تشکر

The below text is an example of the email shared with AEITI Secretariat on 5th of November 2019 by the SOEs directorate of MoMP attaching pictures of the trainings they delivered on filing systems.

محترم سایس صاحب !

احترامات تقدیم است.

اینک گزارش برنامه آموزشی سیستم فایلنگ که بتاریخ 17 میزان سال جاری که برای 6 تن از کارمندان ریاست محترم تصدی برگزار گردیده بود جهت معلومات و اجراآت بعدی بکیار دیگر خدمت گسیل است. امید از دریافت ایمیل هذا ما را اطمینان ممنون سازید.

از همکاری های همیشه گی تان در زمینه ابراز سپاس و امتنان مینماییم.

با احترام

19.2 LTO to be held responsible for all major corporate mining, oil and gas tax-payers and LTO and Revenue Monitoring Department held all details of relevant records of transaction

The below text is from an email on 11 February 2020 that is sent by the MoF and confirms that all of the extractive companies have been transferred to LTO. The email has a list of 173 transferred companies attached as a proof.

سلام صاحب.

لطف نموده لست شرکتهای استخراجی معادن که در مالیه دهنده گان بزرگ ثبت هستد را دریافت کرده ، و به تعقب آن اسناد حمایتی مبنی بر انتقال دوسیه ها از سایر ادارات به مالیه دهنده گان بزرگ را برایتان بفرستم.

تشکر

20.1 Strengthening of SAO and Revenue Monitoring and Evaluation Department of MoF, continuity of the trainings and maintenance of its role in Afghanistan

The below letter is shared by the SAO, along with a number of other letters and training participants lists reflecting the continuity of the trainings. Further proof can be seen in the SAO Monthly Bulletin on the following pages which is in local languages reflecting various SAO activates – including the trainings.

کتابخانه اداره عالی بررسی یکی از منابع غنی و مجموعه‌های کاملی از کتاب‌ها سلکی حسابرسی ، علمی تاریخی، سیاسی، اجتماعی، حقوقی ،مدیریت و اقتصادی را دارا می‌باشد. این مجموعه‌ها به بیش از یازده هزار منبع علمی می‌رسند. این کتابخانه دیتابیس معیارق مشهور کتابداری بنام سیستم ردبندی دیوئی را دارا بوده.

ردبندی دیوئی (DDC)، ردبندی مشهور علوم کتابداری و اطلاع‌رسانی برای تعیین موضوع اصلی کتاب می‌باشد. این ردبندی جهانی ،منطقی ،فلسفی وعلمی در سهولت انتخاب، تحقیق، تعیین مکان، فهرست نویسی علمی کتاب‌ها نقش مؤثر دارد.

ماده یازدهم:

وظایف و صلاحیت ها مفتیش:

۱-انجام بی طرفانه و مسولانه وظایف مطابق به احکام قانون.

۲-بررسی تمام اسناد، دفاتر، صورت حساب های مالی، گزارشات، مدارک، مهرها، اسنادبهادار، معلومات الکترونیکی وسایر اسناد مرجع تحت تفتیش و مرتبط به آن، گرچه توسط تفتیش داخلی بازرسی شده باشد

۳-ارایه مشوره ها و سفارشات قانونی طور واضح، صریح، موجز و مدلل به مراجع تحت بازرسی جهت تنظیم و اداره بهتر امور مالی و حسابی

۴-شناسائی تخلفات مالی و حسابی مراجع تحت بازرسی و مرتکبین آن

۵-ارجاع تخلفات مورد تفتیش به څارنوالی در ولایات در صورتی که تعقیب عدلی را ایجاب کند، گزارش آن به اسرع وقت به رئیس اداره عالی تفتیش

۶-عدم افشای معلوماتی که در جریان تفتیش حاصل می نماید

۷-بازرسی عینی از چگونگی تهیه و تدارک، حفظ، توزیع و استفاده از اجناس، وسایط و سایر اشیاء و دارائی های با ارزش جهت تامین کاربرد موثر آنها

۸ – بررسی عملکرد از لحالظ اطمینان کیفیت کار.

همکاران این شماره:

ویراستار: ذبیح‌الله ذکی و محمد احسان

دیزاین: محمد احسان بابکرخیل

د ملګرو ملتونو سازمان د فساد پروړاندي دمبارزي کنوانسیون غړو هېوادونو په اتمه ناسته کې اداري فساد نوه لویه ننګونه وبلله

دپلوټپ عالي اداري پلټونکو لپاره دولس ورځینی زده کړئیزه برنامه پای ته ورسیده

آګاهی کارمندان اناث اداره عالی بررسی از قانون منع خشونت علیه زنان، موارد خشونت و نحوه مبارزه با آن

تدویر برنامه آموزشی دوازده روزه برای تمام مفتشین اداره

دینځو پروړاندي دتاوتریخوالي پای ته رسولو ترېوالپ ورځې لمانځفونده

حضور معاون مسلکی اداره عالی بررسی در هشتمین نشست کشورهای عضو کنوانسیون مبارزه با فساد اداری سازمان ملل متحد

فعالیتونه اولاسته راورنې

گزارش مختصر اجراآت و دست آورد های ریاست بررسی مساعدت‌های خارجی، ریاست بررسی تکنالوژی معلوماتی

و ریاست بررسی تصدی ها و موسسات

بابت سال مالی ۱۳۹۸

ریاست بررسی مساعدت‌های خارجی

ریاست بررسی تکنالوژی معلوماتی

ریاست بررسی تصدی ها و موسسات

گزارش سفر ورکشاپ عملی و آموزشی بررسی عملکرد در شهر دبی

ډیلیټی په عالي اداره کی دهیواد اساسي قانون شپارلسمي کلیزی لمانځنه

افتتاح مرکز آموزشی در اداره عالی بررسی

ویدیو کنفرانس مقامات اداره عالی بررسی با اعضای دیوان محاسبات ترکیه

تدویر برنامه آموزشی دوازده روزه برای تمام مفتشین اداره

به تاریخ ۲۳ قوس ۱۳۹۸ قبل از ظهر محمد نعیم حقمل رئیس اداره عالی بررسی با سخنرانی خویش برنامه آموزشی دوازده‌روزه برای مفتشین را با حضور معاون مالی واداری، رهبری و مفتشین اداره در تالار اجلاس‌های اداره افتتاح نمود. منظور از برنامه آموزشی کنونی ارتقای توانایی‌های مسلکی مفتشین بوده تا پیامد مثبت آن در مراجع هنگام بازرسی محسوس شود. رئیس اداره عالی بررسی در رابطه گفت: اطمینان بخشی از چگونگی شفافیت و مدیریت سالم دارایی عامه یکی از وظایف مهم این اداره بوده و همچنان ارائه سفارش‌های اصلاحی مالی به مراجع درنتیجه بازرسی؛ یکی دیگر از وظایف این اداره می‌باشد که لازمه آن ارتقای توانایی‌های مسلکی بالاتر از کارمندان مالی مراجع را ایجاب می‌نماید و ما به همین منظور به خاطر همگام شدن با تقاضای زمان و تجدید سیستم‌ها و معیار‌های روز از تغییر کمی به تغییر کیفی این برنامه را تدویر نمودیم تا درنتیجه؛ بتوانیم علاوه از تفتیش،خدمات مشورتی را برخلاف تفتیش سنتی رعایت قوانین و مقررات در ادارات ارائه نماییم. آقای حقمل از ارتقای ظرفیت در ابعاد دیگر؛ چون برنامه آموزشی FIA، کورس های انگلیسی و بقیه برنامه‌های آموزشی یاد نموده و از اشتراک کنندگان تقاضا نمود تا از این فرصت مطلوب در ارتقای توانایی‌های خویش استفاده اعظمی نمایند تا خدا خواسته باشد درنتیجه مسلکی سازی اداره وظایف سنگین تفتیش را با حسن و نتایج کیفی به ثمر برساند.

در ادامه مجیب الرحمن شیرزاد معاون مالی واداری گفت: خوشحال هستیم که پس از یک سال دوره کاری بار دگر در زیر این سقف باهمی به خاطر تبادل تجارب و رفع نیاز های آموزشی گرد هم آمده‌ایم.آقای شیرزاد افزود: برنامه‌های آموزشی به اساس نیازسنجی آموزشی برای دو هفته تنظیم و در آن نیاز ها دسته‌بندی گردیده که تفتیش مساعدت‌ها وقطعیه در یک بخش، تفتیش عواید، شار والی‌ها و تفتیش مرکزی در بخش دیگر و تفتیش ساختمانی و عملکرد در بخش دیگر در نظر گرفته‌شده تا موضوعات به‌صورت اختصاصی آن به شما پیشکش گردد.معاون مالی و اداری اداره با اشاره به دست آوردهای سال یار گفتند: تغییر قانون اداره با رعایت معیارهای بین‌المللی؛ استقلالیت اداره و مصئونیت کاری؛ تحت طی مراحل قانونی می‌باشد. ارزیابی وظیفوی اداره که شامل ساختار و پروسه‌های کاری می‌باشد و نتیجه آن اصلاحات مثبت را برای اداره در پی خواهد داشت؛ تکمیل و پروسیجر های کاری برای انجام کار های مسلکی مفتشین تهیه گردیده است که برای شما تدریس می‌گردد.ایشان در پایان گفتند: نتیجه ارزیابی آموزش بالای نتیجه ارزیابی سالانه شما تأثیر مستقیم داشته بنائن توقع می‌رود تا با تعهد بلند شما در فراگیری آموزش ما شاهد تفتیش کیفی در مراجع باشیم.این در حالی است که ارتقای ظرفیت دوامدار، مبارزه با فساد و استقلالیت یکی از اصول و معیارهای انتوسای می‌باشد که این اداره پیوسته در تحقق آن تلاش دارد.

حضور معاون مسلکی اداره عالی بررسی در هشتمین نشست کشورهای عضو کنوانسیون مبارزه با فساد اداری سازمان ملل متحد

فضل هادی فضل معاون مسلکی اداره عالی بررسی در هشتمین نشست کشورهای عضو کنوانسیون مبارزه با فساد اداری سازمان ملل متحد که با حضور و اشتراک ۳۳ کشور و نهادهای بین‌المللی برگزار گردیده است عازم کشور امارات متحده عربی گردیده و در نشست یادشده اشتراک نمود.

منظور از برگزاری کنفرانس جانبی دوروزه در امارات متحده عربی؛ همکاری بین اداره عالی بررسی و اداره‌های مبارزه با فساد اداری بوده که به کمک و همکاری اداره عالی بررسی امارات متحده عربی، انتوسای و UNODC تدویر گردیده است.

گفتنی است که هشتمین نشست عمومی کشورهای عضو کنوانسیون مبارزه با فساد اداری سازمان ملل متحد در شهر ابوظبی به اشتراک بیشتر از ۳۳ کشور و نهادهای بین‌المللی از ۱۶ تا ۲۰ دسمبر ادامه می‌یابد.

این در حالی است که مبارزه با فساد، استقلالیت و ارتقای ظرفیت دوامدار یکی از اصول و معیارهای انتوسای می‌باشد که این اداره پیوسته در تحقق آن؛ مخصوصاً در مبارزه علیه فساد اداری با گام‌های متین و اصولی و حضور فعال در نشست‌های ملی و بین‌المللی اعتبار خویش را افزایش داده است.

دبنځو پروراندي دتاوتریخوالی پای ته رسولو نړیوالي ورځي لمانځغونده

هغه همدارنګه څرګنده کړه: دا چي دبنځو پروراندي تاوتریخوالی له مینځه ولاړ شي، باید ډیوهاوي غونډي ترسره شي . خو لومړی باید میرمني دبنځو پروراندي دبنځو تاوتریخوالی له مینځه ویسي اوبیا یو ځای دبنځو پروراندي دنارینوو تاوتریخوالی سره مبارزه وکړي. دادارۍ مشترکه له تاسو څخه غوښتنه کوي چي پدي اداره کي دبنځو دحضور دډیروالي په اړه له مور سره همکاري وکړئ. دتاوتریخوالي له مینځه وړل عملي فرهنګ جوړوني ته اړتیا لري، چي دا فرهنګ باید مور لومړی له خانه ،کورنۍ اوادارۍ څخه پیل کړو.

ورپسي میرمن نجیه امیری ددي ادارۍ یوتن پلټونکي وویل: زموږ په دیني او فرهنګي ارزښتونو کي؛ دښځي او نارینه ترمینځ هیڅ کوم توپیر شتون نلري ؛ توپیریواخي ددوی په تقوا او ورتیا کی ده. نوموري دتاوتریخوالي دله مینځ وړلو قانون د تنفیذ او په ځانګړي توګه ددي قانون څخه دخارنی څخه بی یادونه وکړه دغونډي په پای کي میرمن سوفیا ددي ادارۍ کارکونکي د بنځو پروراندي دتاوتریخوالي د څرنګوالي جزئیاتو په اړه ګڼون والو ته په مفصله توګه پریزنتیشن وړاندی کړ.د یادولو وړ ده چي اداره د بنځو د حقوقو د تحقق په برخه کي همیشه تعهد لري او له هغوی څخه ملاتړ کوي.

هغه غونډه چي د ۱۳۹۸لمریزکال د مرغومي په لومړی نیټه دپلتتي عالي ادارۍ دکنفرانسونو په تالار کي پرانستل شوی وه د اداري مالي او اداري مرستیال ښاغلي مجیب الرحمن شیرزاد او د اداري دکارکونکو په ګڼون د بنځو په وړاندی د تاوتریخوالی دمخنیوي نړیوالي ورځي څخه لمانځنه ترسره شوه.ددي غونډی دپرانیستی څخه موخه دهغو مبارزو ستاینه او یادونه وه چي دبنځو دحقونو ترلاسه کولو په لاره کي د وخت په اوردو کی قرباني ورکړي وي اوهڅي کړي، چي په ۱۹۹۹زیږدیز کال کي د ملاړو ملتونو دا ورځ د بنځو په وړاندی د تاوتریخوالی د مخنیوي نړیوالي ورځي په نوم ونومومله اومانتریبی تري وګړ. ددي غونډی لومړی ویناوال د اداري مالي او اداري مرستیال وه چي پدي اړه یی داسی وویل: سره لدي چی اسلامي او فرهنګي لوړ ارزښتونو لرو، خو تر اوسه پوری هم د بنځو پروراندي دشرم آوره تاوتریخوالی شاهدان یو. پدي اړه دهیواد نافذه قوانینو او ارزښتنو څخه بی خبری او ناپوهي اوداسی نور لاملونو دي چی دنارینه تاوتریخوالی دبنځو پروراندي اودبنځو پروراندي دبنځو تاوتریخوالی ترسره کیږي.

دملګرو ملتونوسازمان دفساد پروراندي دمبارزي کنوانسیون دغرو هیوادونو اتمه ناسته دپلتنی عالي اداري مسلکي مرستیال فضل هادي فضل اودافغانستان سفیر په ګډون سره د۲۰۱۹زیږدیز کال ددسمبر له ۱۶ لخه تر۲۰نیټي پوري دعربي متحده اماراتو کي ترسره شوه.

یو له هغو مهمو اوکلیدي خبرو چي پدي ناسته کي پري بحث وشوهغه داده چي؛ فساد د ټولو هیوادونو لپاره یو چلنج ،ننګونه او یوه بنسټیزه اندیښنه اودټولو پرمختګونو پر وړراندي خند ده چي د هیوادونو داقتصادي ماتې اصلي عامل ګڼل کیږي.

ددی ناستې ټټګار پردي وه چي دفساد پروراندي مبارزه کي باید یووالی او نړیوالی اجماع رامینځته شي .ترڅو ددي ناوړه پدیدي د له مینځه وړلو لپاره لاري چاري ولټوو او یوه څرګنده پایله لاسته راوړو او پروراندي ودریږو.

دا پداسي حال کي ده چي دفساد پدیده د اسلامي، فرهنګي ارزښتونواو د هیواد داساسي قانون سره په ټکر کي ده. او د فساد پروراندي مبارزه دټولو عامه بنسټونو یووالي، دمدني ټولنو او رسنیو همکاریو ته اړتیا لري.

د ملګرو ملتونو سازمان د فساد پروراندي دمبارزي کنوانسیون غړو هیوادونو په اتمه ناسته کي اداري فساد یوه لویه ننګونه وبلله

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دپلټنې عالي اداري پلټونکو لپاره دولس ورځينی زده کړئیزه برنامه پای ته ورسیده

د ۱۳۹۸ کال دمرغومی په څلورمه دپلټنې عالي اداري پلټونکو لپاره دولس ورځینی زده کړئیزي برنامې اختتامیه غونډه کې ښاغلی محمد نعیم حقمل دپلټنې عالي اداري رئیس ، فضل هادی فضل دپلټنې عالي اداري مسلکي مرستیال ، مجیب الرحمن شیرزاد دپلټنې عالي اداري مالي او اداري مرستیال ،رئیسانواو پلټونکو ګډون درلود دغونډی په پیل کې ښاغلی حقمل، له ټولو پلټونکو څخه یدي زده کړئیز برنامه کې په فعاله توکه ګډون کړي وه مننه وکړه.

ښاغلي حقمل د دي زده کړئیز برنامې موخه دپلټونکو دمسلکي وړتیا لوړوالی په ګوته کړ، چې پلټونکي باید دپلټنې د ترسره کیدو په وخت کې په مراجعو کې پلی کړي نومړي څرګنده کړه : ننی غونډه له نورو غونډو سره توپیر لري نن زه دلته راغلی یم چې تر خو ستاسو ټول وړاندیزونه او ستونزي واورم اود حل لاري ورته ولټوو. دپلټنې عالي اداري رئیس د پلټونکو ټول وړاندیزونه چې مخکي ورته رسیدلي وه په خپل وار سره واوسئل چې لدي جملي څخه هغه وړاندیزونه د پلټنو لاندي مراجعو کې په ټاکل وخت خواب نه ورکول ، دپلټونکوترانسپورټي ستونزي ، دپلټنې دترسره کیدو په وخت کې دپلټونکو خوندینوب ، مراجعو ته په ټاکلي وخت دپلټونکو دریوتونو لپرد، دسیمه ایزو پلټو ریاستونو پلټونکو لپاره دانګلیسی اومسکي زده کړئیز برنامو برابرول اودپلټونکي مسلکي امتیازونه چې د اداري په قانون کې وړاندینه شوي. داداري رئیس د وړاندیزونو دپلي کیدو په اړه دهمکاري ژمنه وکړه اوویل: ستاسو معقوله وړاندیزونو او ستونزو ته به په ټاکل وخت سره رسیدنه وشي.

وزيرسي د اداري مالي او اداري مرستيال بناغلي مجيب الرحمن شيرزاد ديلټونکو وړاندیزونو په اړه وويل: پر ګينو وراندیزونو باندي کار جریان لري دبيلګي په توګه د پلټونکو مسلکي امتياز مقرره اود پلټتي دنرسره ګيدو په وخت کي ديلټونکو خونديتوب. بناغلي شيرزاد د چين او هندوستان هيواد ته هرکال دماستري اودکتورا ترکجي پوري د دی اداري دکارکونکو استولو څخه يادونه وکړه اووبل : د اداري مشرتابه ټل پدي هڅه کي د ده تر څو ستاسو ستونزي لري شي اودسيمه ايزو پلټتي رياستونو پلټونکو لياره بي دترانسپورتي اسانتياو زمنه وکړه.

مالي او اداري مرستيال يوځل بيا له پلټونکو څخه وغوښتل تر څو خيلي ستونزي له مقام سره شريکي کړي اود اداري مشرتابه يدي برخه کي هر اړخيزي همکاري کوي.

پدي لړ کي د اداري مسلکي مرستيال فضل هادي فضل ديلټتي د ريوټونو دکيفيت اود معيارونو په پام کي نيولو په اړه داسي وويل: دپلټتي په ريوټونو کي باید د ريوټ ليکني مسلکي معيارونه په پام کي ونيول شي او په ټاکلي وخت مراجعي ته واستول شي . له پلټونکو څخه یي وغوښتل چي پدي برخه کي هراړخيزه همکاري وکړي. همدارنګه مسلکي مرستيال دزده کړئيزو برنامو او اودسفارتونو دبررسي په برخه کي دسفرونو په اړه خرګنده کړه موږ له هيواد څخه بهر دزده کړئيزو سفرونو او دسفارتخانو دپلټتي په برخه کي دپلټونکي وړتيا ،ښايسته ګي او خيني نور معيارونه په پام کي نيسو جي لدي جملي څخه یوبي هم دانګليسي ژبي زده کړه ده.

> # 21.1   MOF and MOMP to consider bringing in additional professional resources to support Revenue monitoring and management in order to assist in the preparation of scoping and reporting data for future reports;

As stated in section 19.1 above, the below email reflects MoF systems being automated, staff well qualified and aware of the legal framework as well as trainings being provided on continuous basis.

سلام جناب سرحدی صاحب.

مطابق به جلسه که در هفته گذشته داشتیم موارد که مربوط به ریاست مالیه دهنده گان بزرگ در اکشن پلان گذارش ششم میشد تهیه و خدمت تان ارایه میگردد.

5.2-مطابق به احکام قوانین مالیاتی نمبر تشخیصیه به اشخاص (حقیقی و حقوقی) توزیع میشود اشخاصیکه تابع پرداخت مالیه میباشد طبق حکم به ماده 28 قانون اداره امور مالیات مکلف به اخذ نمبر تشخیصیه مالیاتی بوده اظهار نامه های مالیاتی خویش را خانه پری و تمام عواید حاصله خویشرا که در برگیرنده مجموع قرار داد های آن میشود درج اظهار نامه های مالیاتی خویش مینماید.

19.1-ریاست مالیه دهنده گان بزرگ به اساس سیستم سکتاس دارای فایلنگ منظم اعم از فورم پرداخت های مالیات و اعم از سایر اسناد یک مالیه دهنده میباشد.

بطور مثال هر پرداخت که صورت میگیرد ابتدا شامل سیستم شده بعداً فایل میشود و از مدت پنج سال بدینسو تمام قورم های پرداختی بعد از شمولیت در سیستم فایل شده است.

21.2-تمام کارمندان ریاست مالیه دهنده گان بزرگ که در جمع آوری عواید مالیاتی سکتور معادن کار میکنند کارمندان مسلکی بوده از قوانین مالیاتی آگاه میباشند. برای هر کارمند این ریاست وقتا فوقتا آموزش مسلکی داده میشود که جهت رسیدن به این هدف معینیت عواید و گمرکات, اگادمی مالیات و گمرکات را تاسیس نموده است. تشکر

For the MoMP, EU (through SRBC) has provided many consultants (to both MoMP and MoF) from time to time to assist these relevant ministries in various aspects including implementation of the AEITI process. Following are some of the email exchanges which reflects the relevant discussions.

Thanks a lot for sharing this CV. This is to express our no objection on recruitment of Ms. Guenduez, and please process her mobilization the soonest possible.

Dear Hashimi Saheb,

I hope that you are fine and well,

I am writing you on behalf of the EU Institutional Strengthening & Policy Dialogue Support project Team to present the AEITI Governance Short-term Senior Expert whose Curriculum Vitae you will find attached herein.

The expert has been identified by our team to undertake the accompanying Terms of Reference, and we would like to receive your confirmation of no objection to mobilise them for the assignments.

We look forward to your kind response.

Dear Mr. Darko,

Please find MoMP comments on the ToR for your records and processing.

Please let us know if you have any inquiries.

Dear Hashimi sahib,

Please find attached revised TOR. The changes are highlighted in yellow.

21.4 Manual data-sharing between the MoMP, MoF and ACD through the common excel data reporting template that is currently under development is recommended.

Below is an official letter shared by the Cadaster Directorate with the IT Directorate informing about the relevant MoU and the need to share the data manually.

The following letter (followed by the MoU) is shared by the Revenue Directorate of MoF with the MoMP reflecting the MoU conditions were not being met regularly by then and requested MoMP to keep sharing the information as needed.

Islamic Republic of Afghanistan
Ministry of Finance
ریاست عمومی عواید
ریاست سیستم عواید

جمهوری اسلامی افغانستان
وزارت مالیه

د افغانستان اسلامی جمهوریت
د مالی وزارت

RVSO – 1850

98 – 7 – 4

موضوع : تطبیق تفاهمنامه و شریک ساختن معلومات

درجه اهمیت:
☐ محرم
☐ عاجل
☐ عادی

به وزارت محترم معادن وپطرولیم؛

عطف توجه معینیت محترم پالیسی

به اساس تفاهمنامهٔ منعقدهٔ تاریخی ۱۳۹۸/۲/۱۳ فی مابین وزارت مالیه و وزارت محترم معادن و پطرولیم که بمنظور اتصال و همآهنگی سیستم ها معلوماتی به امضاء رسیده است طبق مادهٔ دوم این تفاهمنامه طرفین مکلف به تطبیق مواد آن میباشند. قرار یکه دیده میشود آن وزارت محترم معلومات لازم در اسرع وقت در سیستم این اداره ارسال نمیگردد.

لهذا از آن وزارت محترم تقاضا بعمل میآید، تا طبق مواد تفاهمنامهٔ منعقده و ارسال معلومات در اسرع وقت از طریق خویش به این اداره طوریکه لازم است همکاری های همه جانبه نموده، تا به استناد آن در شفافیت و جمع آوری عواید حاصله از سکتور معادن اقدامات لازم صورت گیرد. جهت معلومات مزید شما تفاهمنامهٔ منعقده در ضمیه موجودست.

وزارت مالیه با اغتنام از فرصت از همکاری های همیشگی شما اظهار سپاس و امتنان مینماید.

با احترام

دولت جمهوری اسلامی افغانستان

تفاهمنامه

فی مابین

وزارت مالیه و وزارت معادن و پترولیم

پیرامون

هماهنگ سازی سیستم های معلوماتی وزارت مالیه و وزارت معادن و پترولیم

۱۳/ جوزا /۱۳۹۸

مقدمه

وزارت مالیه و وزارت معادن و پترولیم جمهوری اسلامی افغانستان که منبعد در این تفاهمنامه "طرفین" نامیده میشوند، مصمم به همکاری پیرامون هماهنگ سازی و وصل نمودن سیستم مدیریت قرارداد ها (MCAS) و سیستم عواید غیر مالیاتی (NTRS) وزارت معادن و پترولیم با سیستم جامع و معیاری اداره مالیات (SIGTAS)، سیستم اتومات اطلاعات گمرکی (ASYCUDA) و سیستم مدیریت معلومات عواید(RMIS) وزارت مالیه در مطابقت به معیار های سازمان EITI و قوانین نافذه کشور بوده و روی موارد ذیل توافق مینمایند:

اهداف تفاهمنامه

مادهٔ اول:

این تفاهمنامه بمنظور وصل نمودن سیستم های وزارت مالیه و وزارت معادن و پترولیم و تشریک معلومات بشکل اتومات جهت تحقق اهداف ذیل ترتیب گردیده است:

* شفافیت در جمع آوری عواید و افزایش عواید حاصله از سکتور معادن،
* جلوگیری از کتمان عواید و فرار از مالیات،
* هماهنگی در بخش صادرات مواد معدنی و جلوگیری از قاچاق آن به خارج از کشور،
* مدیریت بهتر قرارداد های سکتور معادن.

مکلفیت های طرفین

مادهٔ دوم:

طرفین جهت تحقق اهداف مندرج ماده اول این تفاهمنامه مکلف به اجرای مواد این تفاهمنامه میباشند:

۱-۲ مکلفیت های وزارت معادن و پترولیم:

* شریک ساختن معلومات قراردادیان فعال معدنکاری با وزارت مالیه (در فارمت لازم که توسط وزارت مالیه ارایه میگردد و شامل معلومات ضروری سگتاس و نمبر تشخیصیه مالیه دهنده میباشد).
* شریک ساختن معلومات مقدار تولید قراردادیان فعال معدنکاری و ارزش آن با سیستم وزارت مالیه.
* شریک ساختن معلومات مقدار پرداخت های قراردادیان فعال معدنکاری از درک عواید غیر مالیاتی با وزارت مالیه.
* شریک ساختن معلومات قراردادیان مقروض این وزارت از درک پرداخت های عواید غیر مالیاتی با مقدار مقروضیت آنها به وزارت مالیه توسط فارمت مشخص.

- هماهنگی با وزارت مالیه جهت حصول اطمینان از داشتن نمبر تشخیصیه مالیاتی IIN حین توزیع و یا تمدید جواز و حصول اطمینان از تصفیه وجایب مالیاتی شان حین عقد قرارداد و یا تمدید جواز قراردادیان فعال معدنکاری.

- حفظ محرمیت معلومات شرکت ها و عدم افشا آن به اشخاص حقیقی و حکمی ثالث و غیر مجاز در مطابقت به احکام قوانین نافذه.

- استفاده از معلومات حاصله از سیستم های وزرات مالیه تنها برای تحقق اهداف ذکر شده ماده اول این تفاهمنامه.

۲،۲ - مکلفیت های وزارت مالیه:

مالیات (SIGTAS):

- شریک ساختن معلومات مالیه دهندگان سکتور معادن با وزارت معادن و پترولیم.
- ارائه معلومات اطاعت پذیری پیرامون تصفیه وجایب مالیاتی قراردادیان معدن کاری.

صادرات (ASYCUDA):

- شریک ساختن معلومات شرکت های صادر کننده مواد منرالی با وزارت معادن و پترولیم.
- شریک ساختن مقدار صادرات مواد منرالی با وزارت معادن و پترولیم.

عواید (RMIS):

- شریک ساختن معلومات سکتور معدن به تفکیک ولایت و کود عوایدی آن.

تکنالوژی مورد استفاده و مصئونیت معلومات

مادهٔ سوم:

- جهت اتصال سیستم MCAS با سیستم SIGTAS طرفین بعد از تشخیص معلومات اولیه ضرورت دارند تا API را ایجاد و بعداً از طریق VPN سیستم ها را با هم وصل نمایند.

- جهت اتصال سیستم MCAS با سیستم ASYCUDA طرفین ضرورت دارند تا API را ایجاد و بعداً از طریق VPN سیستم ها را با هم وصل نمایند. سیستم ASYCUDA معلومات خویش را بشکل XML نیز میتواند شریک سازد.

رفع و اصلاح اختلاف نظرها

مادۀ چهارم:

هرنوع اختلافات ناشی از نحوه تفسیر و یا شیوه تطبیق مواد این تفاهمنامه ذریعه گفتمان متقابل و کسب رضایت طرفین حل و فصل میگردد.

ایزاد و تعدیلات

مادۀ پنجم:

- ایزاد و تعدیلات در این تفاهمنامه بر اساس موافقه طرفین صورت میگیرد.
- ایزاد و تعدیلات وارده در یک سند جداگانه در تفاهم طرفین ترتیب گردیده و ضمیمه این تفاهمنامه محسوب میگردد و مطابق حکم مادۀ ششم این تفاهمنامه مرعی الاجرا میباشد.

کمیت، معیاد و تنفیذ

مادۀ ششم:

این تفاهم نامه شامل (۶) ماده بوده و بعد از تاریخ امضاء برای مدت تا محدود قابل تطبیق است.

این تفاهم نامه به تاریخ ۱۳ / جوزا / ۱۳۹۸ در دو نسخه اصلی امضاء گردیده است.

مهر و امضاء مقامات ذیصلاح:

از جانب وزارت معادن و پترولیم   از جانب وزارت مالیه

21.5 MOMP and Revenue Monitoring and Evaluation (MOF) with AEITI to examine the areas where the GIZ IS report identifies revenue to the government with a view to seeking to incorporate them into EITI reporting prior to EITI next report.

Email Correspondence related to the GIZ Report.

Email Correspondence Highlights March 8 2020
Regarding the activity number 21.5 of the AEITI action plan, Below are some comments from Cadastre Directorate: We read the report from GIZ IS regarding establishing a gem bourse in Kabul, It is worth mentioning that for the short term solution, Cadastre has developed a procedure for gem exportation which allows the individuals to export their gemstones after paying the royalty and other taxes to the government. (We have published the royalty payments from the individuals regarding the royalty for exported gems in the transparency portal.) For the long-term solution, MoMP is working cooperatively with MoF for establishing the gem bourse in Kabul.

22.2 MSG to investigate differences in figures reported by MOMP and companies in respect of 1391 (Mar-Dec 2012), 1392 (2013) 1393 and 1394 (2014-2015)

Email Correspondence of the MSG investigating different figures reported for companies. The following highlights the investigation.

Email Correspondence highlights February 13 2019
The technical working group meet January 23, during that TWG meeting a discussion and agreement on the following issues: Review Ghazanfar Investment Group Omission case (23.1 in Action Plan) TWG discussion: The AEITI secretariat will follow up with Hart Group and collect information regarding Ghanzafar and update the TWG in the next meeting. Examine flows from extractive sector to sub-national government (22.1 in Action Plan) TWG discussion: The MSG will discuss it in the next MSG meeting and ask the government about the progress of 5% payment to sub national governments, if it's not implemented yet then the MSG will ask the government when they will start the implementation of 5% payments to sub national government. payments to sub national government. Comprehensive Review of SOEs quasi-fiscal expenditures (15.1 in Action Plan) TWG discussion: TWG decided that the Independent Administrator (IA) should undertake a comprehensive review of all expenditures undertaken by extractives SOEs that could be considered quasi-fiscal and present it to MSG for further discussion and approval. Reporting process for SOEs quasi-fiscal expenditures (15.2 in Action Plan) TWG discussion: TWG agreed that the IA will work on the draft reporting process for quasi-fiscal expenditures with a view to achieving a level of transparency commensurate with other payments and revenue streams and brief the MSG have to use the reporting template in the future. Financial System Review: TWG discussion: Mr. Ibrahim Jafari will review the transparency portal and update the TWG Mr. Ali Reza Jafari+ Farhan will review the MoMP financial system and update the TWG Before we invite the MSG meeting the AEITI will recommend to invite TWG members this week on Wednesday 13 Feb 2019 at 2pm , AEITI office to discuss two pending activities (1- Financial system 2-

Ghazanfar investment Group).

25.1   MoMP to provide production data on transparency portal

26.1	Form working group to accompany MIS implementation process to ensure that needs are addressed for EITI: Build user stories for MIS from MSG & EITI perspective (What should be visible for Gov agencies? What could be made public?)

Email Correspondence date November 16 2019 confirms the operation of the MCAS, NTRS and Transparency Portal. The possibility of SIGTAS and AYSCUDA being linked is also considered beneficial.

The below chart is drown from the MSG attendance history for the year 2019 where a total of 8 MSG meetings have been held and the participation ratio of government employees is shown more than the other constituencies.

2019 MSG Average Attendance by Stakeholder Group
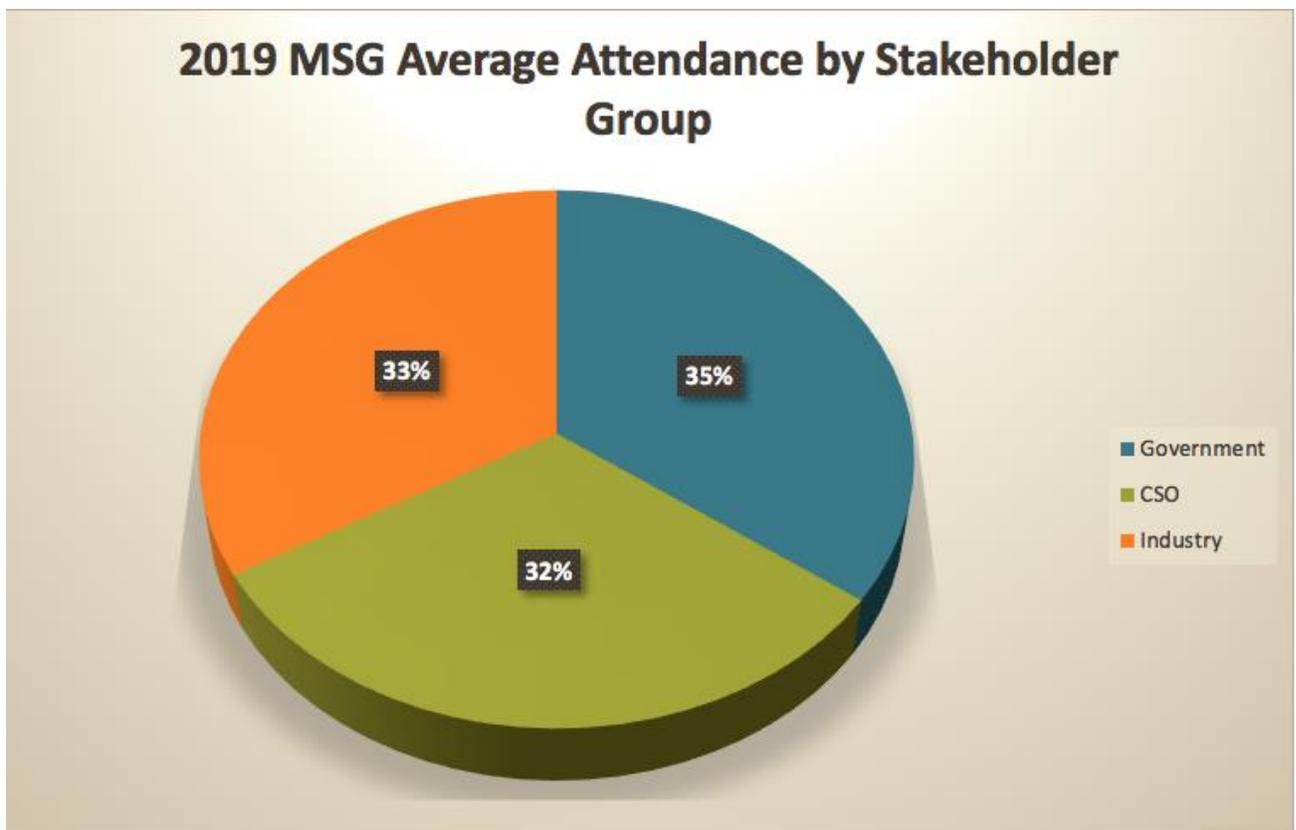
27.2 AEITI should also consider inviting representatives from SEC and Presidential advisors given their apparent influence over extractives issues.

To ensure broader level participation in the MSG, the below letter has been sent to the SAO, MoCI, Parliament, AOGRA and NSIA to introduce their representatives to attend the AEITI MSG meetings. The 2nd Vice President advisor was also introduced from the presidential office.

As stated in section 7.1.2 of the Addendum Report itself, no transportation cost is applicable in Afghanistan. However, the MoMP has still codified all of the relevant revenue streams and shared it with the MoF Revenue Directorate through the below letters for consideration in their systems.

وزارت معادن و پطرولیم   جمهوری اسلامی افغانستان

دکانونو او پطرولیم وزارت   دافغانستان اسلامی جمهوریت

**Islamic Republic of Afghanistan
Ministry of Mines & Petroleum**

ریاست مالی و حسابی

امریت محاسبه نقدی

مدیریت عواید

تاریخ: ۱۳۹۶/...   شماره: ۲۳ / ۱۳
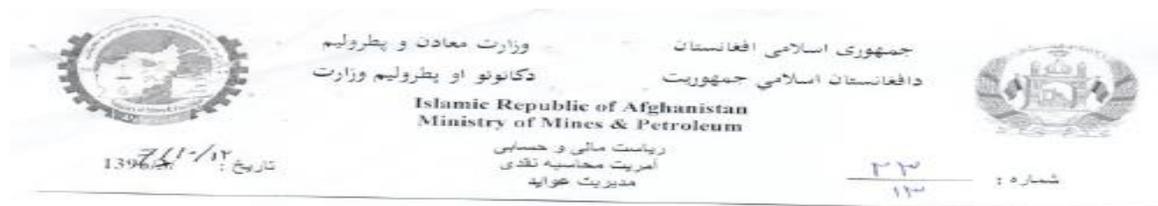
به وزارت محترم مالیه

قابل توجه معینیت عمومی عواید

موضوع: در مورد همسان سازی کدهای عایداتی معادن

به تعقیب مکتوب نمبر ۱۴ مورخ ۱۳۹۷/۱۰/۹ خویش نگاشته می شود:

وزارت معادن برای عملی کردن معیارهای شفافیت صنایع استخراجی افغانستان (AEITI) همسان سازی کدهای عایداتی وزارت معادن با وزارت محترم مالیه میباشد کدهای که نزد وزارت مالیه موجود می باشد و بخاطر اینکه وزارت معادن از آنها استفاده نمی نماید خواهان حذف آن میباشیم.

شماره	منابع عایداتی	کد عایداتی
1	فروش ریگ و سنگ	13222
2	فروش گاز طبیعی	13400
3	فروش نفت و محصولات نفتی	13401
4	فروش مرال ها (معادن)	13402
5	حق الاستخراج معادن	13403
6	جریمه تاخیر تادیات حق الامتیاز	13606
7	قرارداد انکشاف مرال ها	13612

کدهای که عناوین آنها باید تغیر نمایند قرار ذیل میباشد.

شماره	منابع عایداتی (عنوان فعلی)	منابع عایداتی (عنوان مورد نیاز)	کد عایداتی
1	فیس جواز استخراج معادن	قیمت کتابچه پارسه و سایر اسناد و معلومات بهادار (Bill of lading, valuable Documents and Information Fee)	13600
2	کرایه زمین تحت استخراج	انعام (Bonus)	13604

کدهای مورد نیاز وزارت معادن و پترولیم که در سیستم وزارت مالیه هم موجود میباشد باید مطابق جدول ذیل عنوان شان در سیستم اصلاح شود.

Revenue Stream	کدهای عایداتی	منابع عایداتی	شماره
Reconnaissance License Fee	13607	فیس جواز تفحص	1
Exploration License Fee	13608	فیس جواز اکتشاف	2
Exploitation License Fee	13609	فیس جواز بهره برداری	3
Small-scale Mining License Fee	13610	فیس جواز معدنکاری به مقیاس کوچک	4
Artisanal Mining License Fee	13611	فیس جواز معدنکاری حرفه ای	5
Construction Material Authorization Fee	13613	فیس اجازه نامه سنگ و مواد ساختمانی و پروسس	6
License and Authorization Extension Fee	13614	فیس تمدیه جواز و اجازه نامه قرارداد	7
Royalty	13601	حق الامتیاز یا رویالتی	8
Surface Rent	13603	کرایه سطح زمین	9
Late Payment Penalty	13602	جریمه تاخیر پرداخت	10
Request for Proposal (RFP) Fee	13605	قیمت شرطنامه	11

از اداره محترم خواهشمندیم تا کدهای عایداتی وزارت را مطابق به جداول بالا تنظیم نموده ممنون سازند.

> **27.14 The MSG should also ensure that summary data tables for all EITI Reports are prepared in a timely manner in line with requirements of the Board-approved IA's ToR.**

EITI
Extractive Industries
Transparency Initiative

Completed on: YYYY-MM-DD

Summary data template for EITI disclosures
Version 2.0 as of 1 July 2019

Filling in this summary data template with EITI Report data will make your EITI Report data accessible in a machine-readable format. (requirement 7.1.c.)
"Make the EITI Report available in an open data format (xlsx or csv) online and publicise its availability."

How publishing EITI Report data works:
1. Use one excel workbook per fiscal year covered. If you are reporting on both oil & gas and mining, both can fit into one workbook.
2. Fill in the entire workbook - parts 1-5.
3. This Data sheet should be submitted alongside the EITI Report. Send it to the International Secretariat: data@eiti.org
4. The data will be used to populate the global EITI data repository, available on the international EITI website: https://eiti.org/data. You will receive the file back which will be fit for publication via the channels of your choice.

This template should be <u>completed in full and submitted</u> to the EITI International Secretariat for each fiscal year covered under EITI Reporting.

This workbook has five parts. Insert the data starting with part 1 and work your way through to part 5

Part 1 (About): Insert country and data characteristics.
Part 2 (Disclosure checklist): Fill in contextual and aggregate financial data for EITI Requirements 2, 3, 4, 5, and 6.
Part 3 (Reporting entities): Enter reporting entities (Government agencies, companies and projects) and related information.
Part 4 (Government revenues): Enter data on government revenues per revenue stream, according to GFS classification.
Part 5 (Company data): Enter company- and project-level data per revenue stream.

The International Secretariat can provide advice and support on request. Please contact data@eiti.org

| Cells in orange must be completed before submission | Cells in light blue are for supplying sources and/or comments | White cells require no action |

Cells in grey are for your information: You will receive immediate feedback on many of the data entries and some cells will fill in automatically.

Terminology: Disclosure	*Terminology: Simple options*
<u>Yes, systematically disclosed</u>: If data is regularly and publicly disclosed by government agencies or companies, and the data is reliable, please select Yes, systematically disclosed	*<u>Yes</u>: All the aspects of the question are answered/covered.*
<u>Yes, through EITI reporting</u>: If the EITI Report covers certain data gaps in government or corporate disclosures, please select "Yes, in EITI Report".	*<u>Partially</u>: Aspects of the question have been answered/covered.*
<u>Not available</u>: The data is applicable in the country, but no data or information is available.	*<u>No</u>: No information is covered.*
<u>Not applicable</u>: If a requirement is not relevant, please select "Not applicable". Refer to any evidence documented as part of the EITI Report, or through minutes of a multi-stakeholder meeting.	*<u>Not applicable</u>: The question is not relevant for the case. When it is required, please refer to evidence of non-applicability.*

For the latest version of Summary data templates, see https://eiti.org/summary-data-template
Give us your feedback or report a conflict in the data! Write to us at data@eiti.org

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| ◄ ► | **Introduction** | Part 1 - About | Part 2 - Disclosure checklist | Part 3 - Re |

AEITI Secretariat has been promoting its EITI report regularly throught the following main channels:

1- *AEITI Website*
2- *Through email chains*
3- *Distribution of over 1000 copy printed versions*
4- *AEITI Social Media Pages such as Facebook and Twitter*

AEITI Website statistics from June 2019 to May 2020.

Summary by Month									
Month	**Daily Avg**				**Monthly Totals**				
	Hits	**Files**	**Pages**	**Visits**	**Sites**	**KBytes**	**Visits**	**Pages**	**Files**	**Hits**
May 2020	876	606	553	239	474	69496	719	1661	1818	2629
Apr 2020	1263	827	862	288	2938	1290542	8653	25888	24815	37899
Mar 2020	1117	835	727	289	3501	2355952	8960	22541	25896	34645
Feb 2020	1264	881	830	343	6143	2470963	9948	24081	25553	36658
Jan 2020	1060	711	705	271	4710	1200421	8425	21862	22058	32884
Dec 2019	843	163	653	318	3713	317247	9873	20268	5072	26153
Nov 2019	2181	1822	917	311	4517	3080263	9336	27514	54682	65432
Oct 2019	2729	2314	542	235	2937	3807649	7309	16805	71745	84605
Sep 2019	747	614	504	169	2401	1332405	5078	15146	18432	22432
Aug 2019	1176	907	823	321	3186	2331689	9979	25513	28131	36463
Jul 2019	1151	882	725	323	4375	1470846	10041	22500	27369	35686
Jun 2019	935	746	552	196	2362	1464567	5900	16578	22386	28055
Totals						21192040	94221	240357	327957	443541

Based on the 44th MSG decision, AEITI Secretariat has developed a database of emails from civil society organizations, participants of various AEITI events, private sector companies and general public for promotion of its documents and news items. The following two emails are examples of circulating the local translations of the 6th AEITI infographic report.

این ایمیل توسط این رایور ششم ابتکار شفافیت صنایع استخراجی افغانستان (AEITI 6th Report) و ضمیمه آن انفوگرافیک یا رایور تصویری رایور ششم ابتکار شفافیت صنایع استخراجی افغانستان — 6th AEITI Report (Infographic) با شما شریک ساخته شد.

قابل یادآوری است که رایور مذکور در بر گیرنده معلومات مفصل در مورد سکتور استخراجی افغانستان برای سالهای 1395 و 1396 میباشد.

Dear Recipient,

The 6th Report of AEITI and its Infographics version is being shared with you for your kind information — the report contains complete information on the extractive sector of Afghanistan for the year 1395/1396.

Sincerely,

_____

محترما!

اینک توسط ایمیل هذا راپور ششم ابتکار شفافیت صنایع استخراجی افغانستان (AEITI 6th Report) و همچنان اینفوگرافیک یا راپور تصویری راپور ششم ابتکار شفافیت صنایع استخراجی افغانستان – AEITI Report 6th) Infographic) با شما شریک ساخته شد.

قابل یادآوری است که راپور مذکور در بر گیرنده معلومات مفصل در مورد سکتور استخراجی افغانستان برای سالهای 1395 و 1396 میباشد.

Dear Recipient,

The 6th Report of AEITI and its infographics version is being shared with you for your kind information -- the report contains complete information on the extractive sector of Afghanistan for the year 1395/1396.

Sincerely,

> **27.16** Taking into account the security situation, the MSG should continue to seek to carry out outreach events to spread awareness of and facilitate dialogue about the EITI Report across the country whenever possible.

List of AEITI outreach Events 2019 and 2020.

No.	Description	Date	Location
1	Journalists' and CSOs Workshop on the MoMP Online Transparency Portal	Pb Mar 20, 2019	Kabul
2	Independent Administrator's Workshop for Companies on Reporting Template	Apr 07, 2019	Kabul
3	Workshop on EITI Standard and Validation Expectations	May 07, 2019	Kabul
4	MSG Session with World Bank Mission	May 20 ,2019	Kabul
5	AEITI Two Days Training Session on 6th AEITI Report	May 26, 2019	Kabul
6	Roundtable Session on Capacity Development of AEITI Stakeholders	July 20, 2019	Kabul
7	Presentation to the Members of the Environment and Natural Resources Commission	October 31st 2019	Kabul
8	Workshop on Capacity Building of SoEs' Staff on Filing System	October 16,2019	Kabul
9	AEITI Holds a Public Awareness Workshop for CSOs' Representatives.	December 02-03, 2019	Kabul
10	AEITI Public Awareness Workshop in Herat	January 15th and 16th	Herat
11	AEITI Public Awareness Workshop in Nangarhar	January 27-28, 2020	Nangarhar
12	AEITI Public Awareness Workshop in Balkh	February 11-12,2020	Balkh
13	AEITI one day orientation workshop for Journalists	March 04, 2020	Kabul

> **27.19** In accordance with Requirement 7.4, Afghanistan should ensure that all stakeholders are able to participate in the production of the annual progress report and review the impact of EITI implementation. Stakeholders beyond the MSG should be able to provide feedback on the EITI process and have their views reflected in the annual progress report.

MSG Meeting # 40
MoMP Conference Room
09 April 2019 13:30-16:00 Hours

The meeting was commenced with the recitation of the Holy Quran, followed by a welcome note and introduction of the participants. Due to H. E. Nehan's participation in the Cabinet Meeting followed by other priorities, H. E. Deputy Minister of Finance for Customs and Revenue who has recently been introduced as Co-Chair, was requested to lead the meeting.

5. Opening Remarks by Deputy Minister of Finance:

In his opening remarks, the Deputy Minister of Finance & MSG Co-Chair, welcomed the participants and expressed his pleasure over the higher number of members' participation in the meeting; saying it was a good indication of the commitment of the MSG for implementing the initiative in the country. He said that the future and prosperity of Afghanistan depend on the development and good governance of the extractive sector. Talking about celebrating the mining day at the presidential palace, he reiterated the Government's commitment to implementing EITI and expressed his hope that Afghanistan gets compliance status.

6. Review – Previous Meeting Decisions:

*** All of the previous meeting agenda items were completed except the following which required some review and deadline extension:

a. Female Representatives' Introduction as Backup in MSG:

As per the agenda of the previous meeting, the CSOs and Private Sector were required to introduce at least one female member as backup; responding to the matter, the representative of private sector (Mr. Rahi) said that they had held a meeting at ACCI (Afghanistan Chamber of Commerce and Industries) where all the members of the private sector's constituency had participated and it was decided that ACCI would

introduce a female member as backup. According to him, though the decision's implementation would take some time. In the meantime, the representative of CSOs (Mr. Timory) also said that they had held a similar meeting and had raised the issue in their meeting with other CSO's representatives. According to him, the CSOs had agreed upon a draft procedure and possibly the results would be concluded before the next MSG meeting. Both constituencies asked for more time and insisted that they will introduce the mentioned female back ups by next MSG meeting. They further added that they were weighing their options with regard to selection of the female member as they considered the efficiency and effectiveness of their participation in MSG meetings and not just to introduce a member to ensure the gender balance. MoF had also not introduced a female backup, it was agreed that MoF would introduce a female representative as replacement of the two (permanent and back up) MoF members whose membership were suspended based on the order of H. E. the president and MSG procedure.

b. Focal Points Introduction from MSG CSO and PS Constituency:

With regard to introducing focal points from each constituency, it was agreed that Mr. Naser Timory and Ramin Rahi who had been introduced to AEITI as focal points before were to be considered valid. AEITI Secretariat mentioned that it brought up the issue so that the Secretariat could have written document and channel its communication to the right people instead of targeting a group without a proper indication of the concerned member.

c. PS and CSOs Participation Event Participation Procedure:

AEITI secretariat, based on the previous MSG meeting, drafted a procedure for Private Sector and shared it with them for their review and comments. With regard to developing a procedure for participating in internal and external events, the CSOs mentioned that they have been working on the procedure and would need more time; it was agreed that PS will share its comments with AEITI secretariat and CSOs to share their draft procedure by end of April 2019.

d. Communication Strategy:

Though the deadline for providing feedback on the communication strategy was extended twice before, no comments were received on it, the MSG agreed to discuss the strategy in the working group before presenting it to the MSG. The co-chair of the meeting stressed upon providing a response to the emails, where documents are shared with MSG members, he instructed the members that if they have any comment/feedback they should provide it, otherwise, they should respond to the email in simply indicating "no comments" if they don't have any, to at least let the secretariat know and leave an evidence for the sake of records.

e. Annual Progress Report 2018:

Regarding the APR, the AEITI Secretariat reported that some of the MSG members and counterparts have not shared their annual progress report yet which is a requirement of the EITI standard that the MSG members should contribute to the development of the APR and provide their feedback. It was also reported that majority of the non-responsive were MoMP directorates. The Deputy Minister of Finance once again urged the responsible persons to complete their parts in the APR as soon as possible, because it was important and would have positive impact on the EITI process.

7. MSG Members' Participation:

With regard to the members' participation in the MSG meetings, the co-chair of the MSG instructed the members to actively participate in the meetings because it was a directive from the President which requires all of the members to actively and regularly participate in the MSG meetings; the same directive also said that any member missing more than two MSG meetings would be subject to dismissal from the MSG membership and be replaced. It was suggested during the meeting that if a member couldn't participate in the meeting, he/she should inform the secretariat of the reason or send his/her backup. Mr. Noorani said that in recent times the notice for the MSG meeting is very short, and members are unable to participate in the meetings because of their prior engagements, he said that it was agreed that MSG members would be given at least one week notice for MSG meetings to enable them to keep with the MSG as well as their other commitments. It was brought to the attention of the members that in compliance with their wishes the previous MSG meeting which was criticized by the members to have such short notice, was postponed though the meeting was of urgent nature. For the application of the H. E. President's order, the co-chair stressed that the MSG will have to abide by the order of the head of the state and there is no excuse to override such order. Therefore, the order will be applicable to all of those members who have missed more than two meetings and should be a reminder for those who have missed one or two meetings.

8. Any Other Business (AOB):
  a. Haji Omar Request - MSG Observer Membership

In the previous meeting, the issue of Haji Omar's request for being granted the observer status was left pending until the AEITI Secretariat presented his email in the meeting to give the MSG members an idea of why and for what reason he requested the membership. The discussion among the MSG members did not reach a consensus and therefore it was decided to go for votes as per the MSG ToR, the MSG voted to give Haji Omar the observer status within the MSG as 4 out of 9 votes went against him and 5 out of 9 went in his favor.

  b. 7th Afghanistan EITI Report:

During the discussion over the 7th Afghanistan EITI report, it was suggested a long term contract should be signed with IA to avoid time delay in developing the next Afghanistan EITI report. Mr. Noorani said that it was a good suggestion but was skeptical of its efficiency, saying how would the cost of the assignment be assessed as the number of companies being reconciled might vary during the years. Though the members acknowledged that it might be a good idea to have long-term contract with IA to avoid time delay, but they were of the opinion that a 2 to 3 years' contract would be efficient instead of a 5-year contract. The Co-Chair asked why AEITI can't produce the report on its own but have to outsource it? Responding to his query, Mr. Sayes said that there were precedents that some other EITI countries were only publishing the data on their website which was acceptable to EITI as report and they don't even have to outsource the report, but it wasn't feasible in Afghanistan at this stage. The discussion went nowhere as the members have expressed concerns over many technical issues and was left to be decided in the next MSG meeting. However, the AEITI Secretariat was tasked to assess the matter in line with the EITI standard and see if AEITI or the government can do the reconciliation so that to avoid waste of donor

funds. Based on the AEITI Secretariat report in the next MSG meeting, it will be decided to either outsource the activity for multiple years or ask the government / AEITI to do so.

c. Establishment of Committees As Per MSG ToR:

Based on the previous MSG meeting, it was decided that the following members will be part of the MSG committees as per the TOR.

I. **Validation and Reconciliation Working Group (G-1):** Mr. Naser Timory, Mr. Ramin Rahi and Mr. Panah were selected. Qaseemullah Qaderi, Mateen Shinwari and Nargis Azizshahy are proposed by the AEITI Secretariat.

II. **Communication Working Group(G-2):** Mr. Afzal Sherzad, Mr. Shafiqullah Ataye were selected. Ibrahim Jafari and Sayed Ahmad Atayee are proposed by the Secretariat.

III. **Financial Working Group(G-3):Mr. Abdul Wakil Attahi**, Mr. Ramin Rahi and Mr. Wahid Jaihon were selected. The new Revenue Director of MoMP is proposed by the Secretariat.

IV. **Technical Working Group(G-4):** Mr. Javed Noorani, Mr. Salarzai, Mr. Naser Timory and Mr. Qaseemullah Qaderi were selected. Ibrahim Jafari and Mateen Shinwari are proposed by the Secretariat.

It was decided that the other members who were absent in the meeting to be proposed by the AEITI secretariat. Therefore, AEITI secretariat, in addition to the selected members, has also proposed the above mentioned individuals for the Groups.

d. Ring Fencing:

AEITI Secretariat has reported to the MSG that the issue of ring fencing was raised in the validation comments and AEITI considered it as corrective action in its action plan. After months of discussions in AEITI weekly meetings, it was decided that MoMP to send a list of companies possessing more than one project / contract so that MoF can ask those companies for per-project reporting basis. The process, as per the MSG Chair's instruction, was conveyed to the EITI International Secretariat to analyze if it could meet the EITI requirements. However, EITI International Secretariat stated that MSG needed to define the term first and then see how can it implement the ring fencing. The ring fencing refers to implementation of the procedures that prevent a company which has more than one project from misusing the tax system; the issue under the discussion was whether the MoF issues separate TINs to the projects or one TIN to the company; Mr. Panah, the representative of MoF said that the TINs are issued to individuals and therefore cannot be issued to each separate project. In addition, AEITI Secretariat was tasked to send a letter to MoF Revenue Directorate and seek their technical advice on the issue and its management and share the result in the next MSG meeting for decision. In its follow-up the secretariat received a response from MoF which referred this case to its technical committee and as per the committee's decision which was received by the secretariat, stated that based on the provisions of the enforced laws, mining companies are single legal persons and operating through a single license. Therefore, it is not feasible to issue separate TINs for each of the projects or contracts. In addition, based on the provision of the article 79 of the Income Tax Law, mining companies are required to present separate tax returns for each of their contracts. The Revenue Directorate should ensure that companies can file tax returns based on separate codes or any other changes into the system.

Based on the committee's response, it was agreed that MoMP to send the multi-project companies list to MoF quarterly to address the issue and ensure adequate ring fencing.

e. Schedule of the Remaining Phases:

The schedule of the remaining phases of the production of the 6th Afghanistan EITI report was shared with the MSG members; the members were briefed on the phases; it was highlighted that Afghanistan had to publish a quality EITI report before the EITI global conference where Afghanistan intended to request a re-validation and therefore it was important that all the activities are completed within their due time including the publishing of the 6th report. Therefore, it was recommended by the AEITI Secretariat that the relevant parties must share the correct information with the IA on time so that the report is drafted and finalized prior to the deadline. The co-chair highlighted its importance and asked the involved parties to ensure the data requested by the IA is provided on time.

9. **Regulations:**

A brief presentation was delivered on the regulations. The representative of the legal department said that new mineral law had already been approved and is in effect. Currently the legal department was working on developing the Mining Regulations. According to him the regulations have been drafted and till now 4 versions of the regulations have been developed which has been shared with wider stakeholders for feedback and comments. Mr. Javed Noorani said that CSOs had provided comments on the previous draft of the Regulations but they are not sure if their comments are incorporate as the MoMP legal directorate has not conveyed the result to them. The deputy minister, co-chair of the MSG, took notice of the matter and asked for an explanation from the legal department and to provide updates on the issue. Mr. Asifi, the Head of Tapi Project who is a focal point on the Regulations, explained the process for receiving and incorporating comments as once MoMP receives comments, it shares them with the relevant experts for review and then they are shared with the relevant legal firm to ensure that the comments are not contradicting other laws and are necessary to be incorporated. He also mentioned that the regulations were in the consultative process yet and has to be sent to Ministry of Justice. He said that there was still time and the comments could be integrated in the draft and that the ministry is also planning to hold a consultative session consisting of wider stakeholders including CSOs where they will be given the opportunity to provide their inputs on the draft regulations.

It was agreed that the 4th draft of the regulations would be shared with the MSG by the secretariat right after the meeting and members should be allowed by 15th April 2019 to provide their comments. After receiving the comments/inputs, the comments would be shared with the legal department which will see its compatibility with the mineral law and after consultations would be considered in the regulations draft.

Meeting Decisions:

4. CSOs and Private Sector constituencies to nominate female (back up) members to the MSG by end of April.

5. MoF to introduce replacements to the suspended MSG member and his/her backup from the customs department through email.
6. Ministry of Finance to consider introducing a female member to MSG.
7. Mr. Naser Timory and Ramin Rahi who had been introduced to AEITI as focal points will be acting on behalf of their constituencies (CSO and Private Sector, respectively).
8. Private Sector to share its comments on event participation procedure with AEITI secretariat and CSOs to share their draft procedure by end of April 2019.
9. Responsible persons to complete their parts in the APR and send their progress updates to AEITI secretariat ASAP.
10. MSG members to share if they have any comment/feedback, otherwise they should respond to the email in simply indicating "no comments"
11. Based on H. E. President's Order, the MSG members who were absent for more than two meetings to be replaced by alternates from the same entity / constituency.
12. Haji Omar to be given the observer's status within the MSG.
13. AEITI Secretariat was tasked to assess and see if AEITI or the government can prepare EITI (reconciliation) Reports and inform the MSG of its result.
14. AEITI Secretariat to send a letter to MoF Revenue Directorate and seek their technical advice on the Ring Fencing and share the result in the next MSG meeting for decision.
15. Involved parties to ensure the data requested by the IA is provided on time.
16. AEITI Secretariat to share the Regulations with the MSG right after the meeting and members should provide their comments by 15th April 2019.
17. The following members were selected & proposed as members for MSG Technical Committees;
    a) **Validation and Reconciliation Working Group (G-1):** Mr. Naser Timory, Mr. Ramin Rahi and Mr. Panah were selected. Qaseemullah Qaderi, Mateen Shinwari and Nargis Azizshahy are proposed by the AEITI Secretariat.
    b) **Communication Working Group(G-2):** Mr. Afzal Sherzad, Mr. Shafiqullah Ataye were selected. Ibrahim Jafari and Sayed Ahmad Atayee are proposed by the Secretariat.
    c) **Financial Working Group(G-3):Mr. Abdul Wakil Attahi**, Mr. Ramin Rahi and Mr. Wahid Jaihon were selected. The new Revenue Director of MoMP is proposed by the Secretariat.
    d) **Technical Working Group(G-4):** Mr. Javed Noorani, Mr. Salarzai, Mr. Naser Timory and Mr. Qaseemullah Qaderi were selected. Ibrahim Jafari and Mateen Shinwari are proposed by the Secretariat.

End of the Minutes.

> **27.20   The MSG should ensure that an assessment of progress with achieving the objectives set out in its work plan is carried out, including the impact and outcomes of the stated objectives. The MSG may wish to use the APR template provided by the International Secretariat to ensure that the different tools to review progress are harmonised.**

Acheivement of the MSG Work Plan was presented in the 45th MSG meeting and the members were ensured that the 2019 work plan overall objective was achieved but some of the activities due to various reasons. Here is relevant text from the 45th MSG Meeting Minutes.

    I.   <u>2019 and 2020 Work Plans:</u>

Mr. Sayes briefed the members on the 2019 work plan and reported that all major but 7 activities of the work plan couldn't be completed along with justifications.

Regarding the approval of the 2020 work plan, the members were hesitant to approve it as they deemed that the new MSG members might have their own priorities. It was explained to them that AEITI required a work plan for the purposes of budget execution and when the new MSG members are introduced they could revise and amend the work plan as needed.

With 10 votes in favor, the members approved the work plan for 2020 in principal but insisted that the new MSG members can revise and amend the work plan as they may wish.

Also the Annual Progress Report (APR) was shared with all of the relevant stakeholders, including the EITI International Secretariat, who confirmed that the APR followed the right format. Here is the text of the email.

Dated 29 March 2020.

2. Draft 2019 annual progress report
<u>The report follows the structure recommended in the EITI's guidance</u>. There is much rich information on AEITI activities in it, well done for accomplishing so many results. Attached is the APR with a few minor comments for your consideration. For instance, the MSG may wish to consider drawing on the results of the APR's impact survey and the sections of the addendum on outcomes and impacts to develop a standalone policy brief on the impacts of EITI in Afghanistan.

EITI

Requirement	Progress	Remarks
Oversight by MSG	In the light of the approved MSG Terms of Reference (ToR) and Standard Operating Procedures (SOP), the MSG is now more active and involved in the oversight of the implementation of EITI in Afghanistan, both those documents govern and regulates the internal business of the MSG – the Government has reiterated its commitment to the process – the President has issued a decree directing all MSG members to actively participate in the meeting following which more active participation of the members has been seen. The CSOs and Private Sector has also been independently involved in the process now and are more vocal and acknowledging MSG as a platform for promoting openness and access to information and conveying their voices to the Government on issues and challenges. The MSG had prepared and published costed workplan for the year 2019 which have been almost been thoroughly implemented and is available publicly to give an insight into the MSG oversight of the process.	
Legal and institutional framework, including allocation of contracts and licenses	Although the mineral law has been approved and the ministry of Mines and Petroleum has been working on the regulations, as per sources, the "Natural Resources and Environmental Protection Committee" (NRCE) of the Parliament has been considering bringing changes in the mineral law. In its meeting dated 28th November 2019, the MSG decided to set-up a working group meeting to propose and draft their recommendations and share it with the committee so that CSOs and Private Sector voice is heard and their recommendations are addressed. The current law covers all the legal aspects governing license transfers, license allocation and contracts. EITI standard requires quasi-fiscal expenditures to be disclosed and accordingly the secretariat in line with the AEITI action plan has asked the SoEs directorate to disclose those expenditures as per EITI standard. To address the recommendation, the SoE Directorate of MoMP has proposed a definition for quasi-fiscal expenditures comprising of partial IMF's and EITI's definitions but the MSG members, after due deliberation, agreed on adopting the IMF's definition of the quasi-fiscal expenditures highlighting that the items which are not applicable in Afghanistan can be applicable in the coming years and wherever the SOEs report, they can simply tick the irrelevant items as not applicable for now. A transparency portal has been developed which contains mining license and contract along with beneficial ownership	

	data. The MoMP also provided bidding documents and procurement requirements for prospective bidders. To address the EITI requirement on establishing a publicly available license register, the MoMP website offers comprehensive information on all mining, oil and gas licenses including license holder name, dates of application, award and expiry, commodity covered, beneficial ownership and geological coordinates. A comprehensive assessment of transactions between SOEs and government entities to ensure that the reporting process comprehensively addresses the role of SOEs, including transfers between SOEs and other Government agencies have now been completed. Though a detailed explanation of the prevailing rules and practices regarding the financial relationship between the Government and state-owned enterprises have been published by MoMP including a comprehensive account of any loans or loan guarantees extended by the state or SOEs to mining, oil and gas companies.	
Exploration and Production	As the EITI requires of the countries to disclose the exploration, production and exports, AEITI has been able to drift MoMP and MoF towards complying with this standard – in the previous 6th EITI report, data on these areas was published comprehensively including the export data, which had long been ignored in the previous reports, the cause for not being able to publish it previously could be traced back to the customs law and some uncertainties within the practices and exports of the country with regard to extractive materials. On the basis of the mineral law and license awarded, the companies are obliged to pay for the actual or planned production – the issue of publishing the actual and planned production value and volume were discussed in the meeting. The MSG approved the 3rd Option where both actual and planned production value and volume would be published alongside providing a description of methodology used for calculating the values. This action would further bring transparency and would have a huge impact on the relationship of the Government and Companies. With regard to the disclosure of export data, this has been a step further as EITI has been used as a tool to track the export data for the first time and would pave the way for future reforms in the customs department. It should also be noted that the secretariat has also provided recommendations to the MoF on customs law in line with EITI requirements which is in the process of being considered, all this has been possible due to AEITI impact.	

Revenue Collection	This requirement has been fully addressed in the 6th AEITI report, which provides a comprehensive disclosure of taxes and revenues. On the level of disaggregation, AEITI has been in consultation with MoMP and MoF to ensure it is met. The AEITI has always been committed to data timeliness and has ensured to publish its report within the deadlines provided by EITI board. With regard to the quality assurance of the data provided by the reporting companies in the 6th AEITI report, AEITI Secretariat informed the MSG members that SAO has audited both of the reporting SOEs which form major portion of the data reported in the 6th AEITI report. Therefore, the MSG members were requested if they would rely on the SOEs audit and consider the data validation addressed. The audit of SOEs by the Government (SAO) met with criticism by the CSO members, citing that Government won't be able to identify issues and might cover some of the critical aspects. In reply to the comments, the secretariat informed the members that AGE has already undergone the audit process which was declared as Adverse Opinion by the SAO and NCE results are expected next week, and as soon as the secretariat received the audit report, it would be shared with MSG. In addition, the AEITI Secretariat has also reported that post contract award audit has been recommended by the G-1 group to be done through an independent auditor. The MSG members agreed that an independent auditor should be hired to review and assess the status of post-contract award process for post 2016 contract and to audit the accounts of companies included in the 6th AEITI report to ensure data validity and assurance of data completeness.	
Revenue Allocations		
Social and Economic Spending	With the help of National Statistics and Information Agency and MoF, the 6th Report contains the information on the contribution of the mining industry to the GDP of the country and social expenditures by extractive companies. EITI standard requires quasi-fiscal expenditures to be disclosed and accordingly the secretariat in line with the AEITI action plan has asked the SoEs directorate to disclose those expenditures as per EITI standard. To address the recommendation, the SoE Directorate of MoMP has proposed a definition for quasi-fiscal expenditures comprising of partial IMF's and EITI's definitions but the MSG members, after due deliberation, agreed on adopting the IMF's definition of the quasi-fiscal expenditures highlighting that the items which are not applicable in Afghanistan can be applicable in the coming	

Requirement	Progress	Remarks
	years and wherever the SOEs report, they can simply tick the irrelevant items as not applicable for now.	
Outcomes and Impact		

Outcomes and Impact

Requirement	Progress	Remarks
Public Debate	AEITI has been producing paper copies of its EITI reports since publishing of its first EITI report – these reports are being regularly distributed across the country. Besides the dissemination of hard copies, the reports are also made public online on AEITI and MoMP websites. The CSOs constituency of the MSG actively promotes and hold debates on the published reports. Following the publishing of the 5th AEITI report, IWA held a media conference on the report paving the way for debate on the gaps and asked the government to ensure that those gaps were bridged. Each AEITI report when it is published generates a debate among the CSOs' constituency and media and opens new dimensions of dialogue on the governance of the extractive sector. AEITI has an open data policy and all the information in these reports can be reused without prior consent – these reports are published in open data and machine readable formats in local as well as English languages on AEITI and MoMP websites. During the 2019, the following outreach events were held by AEITI: 1. Workshop on EITI Standards and Validation Process 2. Journalists' and CSOs Workshop on the MoMP Online Transparency Portal 3. EITI Global Conference June 2019 4. Towards Afghanistan's Extractive Industries Transparency Initiative (EITI) Re-Validation 5. Promoting Good Governance in the Extractive Sector – Data-Exchange and Cooperation 6. Roundtable Session on Capacity Development of AEITI Stakeholders 7. AEITI Self-Assessment Workshop	

	8. AEITI Outreach Session for CSOs Representatives The above mentioned events were held in partnerships with GIZ and were to ensure promotion of public debate, dissemination of information to the right parties, building capacity of AEITI stakeholders and creating trust between the public and government and AEITI.	
Data Accessibility	AEITI has each year been producing summary of its AEITI reports including in local languages – the lately published AEITI 6th report's summary reports have also been produced and published online. These reports have been produced in line with the EITI requirement 7.2. Besides, AEITI has also been working on developing the info-graphic versions of these reports which will further summarize the information and make it easy for public understanding. The following capacity building events have been held for AEITI stakeholders: 1. Journalists' and CSOs Workshop on the MoMP Online Transparency Portal 2. Towards Afghanistan's Extractive Industries Transparency Initiative (EITI) Re-Validation 3. AEITI Self-Assessment Workshop 4. Workshop on EITI Standards and Validation Process 5. Roundtable Session on Capacity Development of AEITI Stakeholders	
Discrepancies and Recommendations from EITI reports	All the AEITI reports provides recommendations which have usually concentrated on the areas repeatedly ignored - post suspension AEITI created an action plan taking into consideration each recommendation from all AEITI reports, weekly meetings under the Minister of Mines and Petroleum also MSG chair are held on the progress of each activity in the action plan. The developments and follow-up is reviewed with each department and most of the recommendations have now been addressed. This has very positive impacts on the governance	The delay in hiring a firm for resolving the discrepancies of the previous reports was due to budget transfer from MoF and MoMP but the issue has now been resolved and the ToR has been announced. A firm is expected to be hired somewhere

	of the extractive sector. These recommendations have found very helpful in identifying the gaps which needs to be bridged and will reform the extractive sector. Besides AEITI has also been a tool to bring the government's attention towards several areas which were previously ignored including legal framework. These are now been actively considered by MoMP and MoF. Regarding the discrepancy of the previous reports, AEITI has announced the ToR for resolving the discrepancy of the previous report and soon a firm will be hired for the task.	in the beginning of the 2020 which will investigate the discrepancies and provide its results to the MSG.
Review the outcomes and impact of EITI implementation	The MSG has been actively publishing the Annual Progress Reports each year which included a summary of EITI activities undertaken during the reported year. The AEITI Annual Progress Report for the year 2018 was first of a kind to provide detail information about the sector – the report was the result of the contributions of MSG, MoF, MoMP, NSIA, MOCI, SAO and other stakeholders. This was a step further in providing information about the extractive sector.	

Now the production value can be found on the Transparency Portal for each single company / project as reflected in the below image.

28.8   Exports and Customs Data to be linked from Transparency Portal to ACD

The export data is linked from the MoMP website to the ACD website so that visitors of the MoMP website, searching for export data, can be redirected to the ACD website.

29.2 Currently, there is the old 'MoM' website, data from which remaining must be migrated to new 'MoMP' website comprehensively and old website then deleted to avoid confusion. Where duplicate data sets exist, such as on beneficial ownership, we will need to ensure these are not contradictory

Now, the beneficial ownership data can be found on the Transparency Portal for each of the company.

29.3   Descriptions on the data sets contained in each of the tabs of the MOMP website.

A description for each datasets on the MoMP website is added so that English readers can at least get an idea of what type of documents are in a specific place.

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ISLAMIC REPUBLIC OF AFGHANISTAN
Ministry of Mines and Petroleum

ABOUT US ˅   GEO SURVEY ˅   LAWS & POLICIES ˅   OPPORTUNITIES ˅   TRANSPARENCY ˅   TAPI ˅   INFO ˅

🏠 ⟩ Mining Transparency Portal

MINING TRANSPARENCY PORTAL

Afghanistan's Transparency Portal – a window on mining and oil projects.

The portal is the window the public has (once they've completed the free registration) on the status of licenses that the Ministry of Mines and Petroleum has issued to companies. MoMP has launched this portal and includes the name of the license holder, details on whether the license is active, the type of minerals extracted and the payments made in connection with the license for the purpose of to encourage transparency and accountability in extractive sector.

To access the Portal, please click here

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ISLAMIC REPUBLIC OF AFGHANISTAN
Ministry of Mines and Petroleum

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🏠 ⟩ Small Mines Projects Details

SMALL MINES PROJECTS DETAILS

Small scale mining. Is an activity that licenses are Awarded According   the applications. This type of licenses incudes' all kinds of minerals apart from iron ore, coal, manganese, copper restricted minerals and any other mineral which is prescribed by regulation. The maximum mining area can be one kilometer square and depth of maximum 60 meters. The licenses are awarded for a period of 5 years and can be extended up to the term of another five years.

Central and provincial production Value and Volume information

To access the Value and Volume, Please Click here.

Production value calculation mechanism

To access the value calculation, Please click here

DIRECTORATE GENERAL LARGE SCALE MINES

In accordance with the Mineral Law of 2018 & Mining Regulation of 2019, any mineral area which exceeds 1 km^2 shall automatically be dealt with as a "Large Scale Mining Area".

After the completion of the successful bidding process with the preferred bidder, the DG-LSM discloses all the information and documents which includes; EoI, PQQ, NDA, RFP, Scoring Matrix, Scoring Methodology, Mining Concession & Minutes of meeting.

The aforementioned documents of awarded contracts are available in section below.

Tendering Process Projects

- Cement Projects
- Marble Projects
- Travertine Projects
- TALC Projects

AEITI website is linked from the MoMP website along with an overview of EITI, AEITI and AEITI objective.
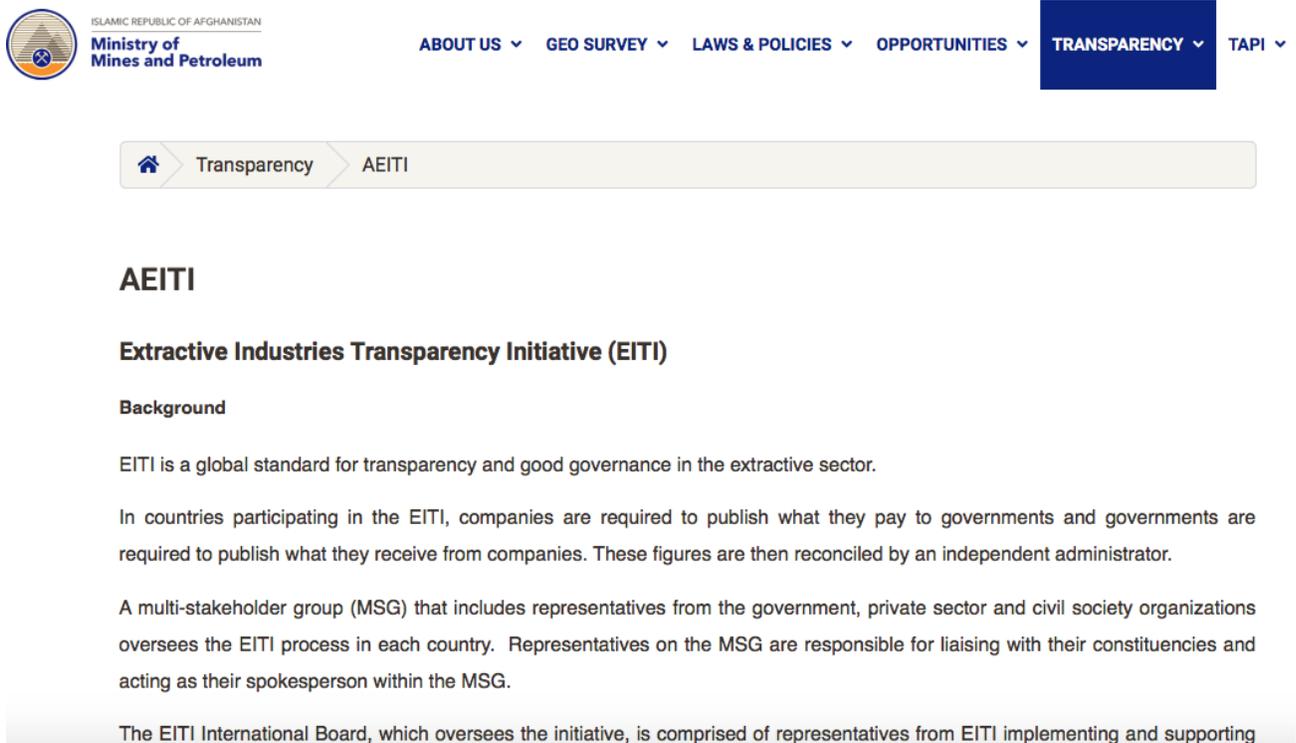
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🏠 › Transparency › AEITI

AEITI

Extractive Industries Transparency Initiative (EITI)

Background

EITI is a global standard for transparency and good governance in the extractive sector.

In countries participating in the EITI, companies are required to publish what they pay to governments and governments are required to publish what they receive from companies. These figures are then reconciled by an independent administrator.

A multi-stakeholder group (MSG) that includes representatives from the government, private sector and civil society organizations oversees the EITI process in each country. Representatives on the MSG are responsible for liaising with their constituencies and acting as their spokesperson within the MSG.

The EITI International Board, which oversees the initiative, is comprised of representatives from EITI implementing and supporting

The TIN number ensures that companies are not avoiding the payment of taxes if they have more than one project. With the new processes and procedures in place ring fencing has been achieved. The following highlights the TIN numbers, each number is unique and all are disclosed in the Transparency Portal.

> **30.4** We recommend that MSG takes the necessary steps in order to encourage the focal points of reporting entities to take more prominent roles in providing data and information as well as to give comprehensive explanations and confirm statements made in the EITI report.

MSG Meeting Minutes
Standard, Meeting # 41
MoMP Conference Room
10 June 2019 13:30-16:00 Hours

10. Opening Remarks:

In her opening remarks, the Minister of Mines and Petroleum and the MSG Chair, welcomed the participants and extended Eid greetings to the members, expressing hope that their prayers, devotion and reflections during the holy month of Ramadan has been accepted by Almighty. She said developments had taken place since Afghanistan's suspension by EITI board and a lot more needed to be done to demonstrate satisfactory progress taking into consideration the time constraints Afghanistan was facing. She hoped that Afghanistan will display these developments during the EITI Global Conference in Paris in the best possible manner, which will help in accepting the upcoming re-validation by the EITI prior to the deadline.

11. Review – Previous Meeting Decisions:

*** All of the previous meeting agenda items were completed except the following which required some review and deadline extension:

    a.   MSG to share comments or declare "no comments":

Briefing the members on the previous meeting decisions, the secretariat said that following the meeting, they still didn't receive the comments or responses from the MSG members on the documents shared with them despite that it was agreed in the previous MSG meeting although the deadlines were passed, stating that it hindered their ability to process the documents which required MSG's endorsement and caused critical time delays. Noting it H.E, the Chair asked the members to kindly share their comments on

the documents shared by the secretariat and in case they don't have any comments/feedback, they should respond to the secretariat's email nevertheless by simply indicating "no comments" so that the documents are processed within the deadline.

b. CSO Election and Events Participation Procedure:

With regard to receiving draft of the CSOs' election and events' participation procedures, the secretariat acknowledged the receipt of the drafts from Mr. Timory, IWA and hoped that MSG members to review and provide their comments within the deadline. H. E. the Chair requested all of the MSG members to review the procedures and share their comments within the deadline or at least declare "no comments".

c. Preparation of AEITI Reports by the Government:

Briefing the MSG members on the matter, the secretariat stated that after its review of whether or not the government can prepare AEITI Reports (Reconciliation Reports), they couldn't find anything in the standard that directly mentions that a country cannot produce the report without hiring an Independent Administrator (IA). However, the standard refers to the IA at various points in the requirements which is understood that the an implementing country should hire IA to reconcile the figures independently. H. E. the Champion confirmed that AEITI needs to seek services from IA for preparation of AEITI Reports. However, the MSG can also look into aspects where, in the long term, it can disclose revenues and payments where it will not need support from IA.

d. Ring Fencing:

The members were briefed on the progress which had taking place in regard to the ring fencing. Following the instructions of the H. E. Champion, a letter to MoF had been sent by the secretariat seeking MoF technical advice on the ring fencing. The MoF referred this case to its technical committee and as per the committee's decision which was received by the secretariat, stated that based on the provisions of the enforced laws, mining companies are single legal persons and operating through a single license. Therefore, it is not feasible to issue separate TINs for each of the projects or contracts. In addition, based on the provision of the article 79 of the Income Tax Law, mining companies are required to present separate tax returns for each of their contracts. The Revenue Directorate should ensure that companies can file tax returns based on separate codes or any other changes into the system.

Based on the committee's response, it was agreed that MoMP to send the multi-project companies list to MoF quarterly to address the issue and ensure adequate ring fencing.

12. **Discussions on Main Agenda Items:**

a. EITI Global Conference Paris 2019:

As the EITI Global Conference was being held on June 18th and 19th 2019, the participating countries were provided with options by EITI International Secretariat to display "their progress" at the Global conference, the recommended options by the EITI International Secretariat included:

a. Presenting an info-graphic explaining what the top 5 projects in Afghanistan are.
b. Transparency Portal that MoMP wanted to show on a screen (Recommended).
c. How Afghanistan collects Beneficial Ownership Data.

Among the above 3 areas, only one was to be selected by the MSG to present at the EITI Global Conference. After the discussions, it was agreed to choose option "b" with further focus on NTRS and MCAS systems to project the reforms and developments that had taken place in Afghanistan and also because the option "b" included the BO data along with top projects in Afghanistan.

b. MSG Oversight of the MoMP Reform Strategy:

The Monitoring and Evaluation Committee (MEC) recommended that AEITI MSG to oversee the MoMP reform strategy as a third party. Policy Directorate made a presentation about the MoMP Reform Strategy which was previously shared with the members through email. To save time and provide an overview of the strategy, Mr. Zadran, MoMP Deputy Minister for Policy, briefed the members on the reform strategy stating that it included five pillars and each pillar of the strategy included several factors aimed at bringing reforms and transparency within the sector. He said that the reform strategy has been developed in line with the new mineral law. He mentioned that previously there were issues within the contracts area and therefore that area has been addressed in the reform strategy, he also said that some contracts in the face of the reform strategy has been cancelled or re-announced and several others have been under review collectively to bring reforms and transparency into the sector. He further added that Gender Equality, Good Governance, Capacity Building and Beneficial Ownership have been taken into consideration in these 5 pillars of the reform strategy aligning it with EITI implementation in the country and was very similar to the work of MSG.

In the discussion over whether the MSG should take the responsibility of the oversight of the reform strategy, members were divided over the matter – members were of the opinion that the oversight was a time-consuming task and the MSG couldn't oversee all the five pillars of the reform strategy. Some of the members were of the opinion that the MSG was already overseeing some aspects of the reform strategy in the form of EITI Implementation in Afghanistan and therefore it was not a new task for them while others were opposed to the idea because of its broader scope and other commitments of the MSG. Mr. Javen Noorani from CSOs suggested that an independent consultancy firm should be hired to oversee the reform strategy which would report to MoMP and MSG. The move to bring the reform strategy was especially welcomed by CSOs members of the MSG which they deemed to bring the government accountable to general public and indeed was an appreciable step towards transparency and good governance as stated by Mr. Naser Timory. Following a number of suggestions, it was finally concluded that the matter was put on hold until next MSG meeting to decide upon to give the members some time to review the strategy and then decided whether then should take the charge of it as an overseer.

c. <u>Appointment of Working Group Chairs and Tasks</u>**:**

The matter was brought to the attention of the MSG because in the previous meeting, the members of the each working group had been selected but the chairs of the groups weren't decided upon. However, the MSG Standard Operating Procedure (SOP) which was shared with MSG members with no comments on the documents (to be conceptually considered as final) states that MSG Chair to appoint the chairs of the groups. The heads for each committee were decided as below:

- Mr. Naser Timory was selected as the chair of the working group G1
- Mr. Ibrahim Jafari was selected as the chair of the working group G2
- Ms. Nargis Azizshahi was added and also selected as the chair of the working group G3
- Mr. Javed Noorani was selected as the chair of the Working Group G4

13. Discussions on Any Other Business (AOB):

a. <u>Outreach Plan by CSOs:</u>

The secretariat reported that the CSO constituency of the MSG to be requested to prepare Outreach Plan for four workshops in four zones of the country aimed at promoting public debate. CSOs were informed that the workshops would be supported financially by World Bank and secretariat would provide technical and administrative support. Mr. Naser Timory stated the matter was not conveyed before to the CSO constituency and requested the AEITI Secretariat to share details of the Outreach Workshops so that they can prepared their plans. He stated that CSOs held a meeting prior to the 41st MSG meeting to finalize the Election and Events Participation Procedure and also discussed preparation of such a plan as they saw it on the agenda. He also assured that CSOs would have a meeting in the coming 10 days where they would develop the plan and share it with the secretariat.

b. <u>Standard Operating Procedure (SOP) Approval:</u>

The SOP will be shared with the members through email for an additional period of three days, unless the members have no comments, it would be considered approved.

c. <u>Publication of MSG Members List:</u>

The MSG members had no objections as to the publication of the MSG list which might include information such as their names, positions, organizations, contact numbers, email addresses and so on. It was confirmed that the formation of the MSG is mainly to ensure disclosures and publication of list is also part of the disclosures.

d. <u>Approval and Publication of 2018 Annual Progress Report:</u>

The APR was approved by the MSG to be published.

e. Approval and Publication of 6th AEITI Report:

The secretariat reported that the 6th AEITI draft report was prepared by the IA and shared with the MSG members for their comments allowing them up to June 21st. Since the current arrangement was that the collective comments would be shared with the IA for preparation of the final report that needed to be published by end of June 2019 which is a binding deadline for AEITI, the MSG members were requested to ensure they can review the report and provide their final comments by or before the mentioned date. Mr. Panah, MoF representative said that he had found errors in the reporting templates forwarded to him by IA for verification, he said when he reviewed the data MoF had provided the IA, he noticed that there were irregularities between the data the MoF had provided and which the IA wanted him to verify, therefore, he requested that IA to be invited for the next MSG meetings concentrating on the AEITI reports. MSG decided that an MSG review session will be held on 18th June 2019 where a representative of IA will also be present. The MSG members will review the report in detail in this review session and provide their collective comments to the IA.

For the publication of the 6th AEITI Report, the AEITI Secretariat stated that the IA will provide the final 6th AEITI report by 27th of June 2019 and the report must be published by end of June 2019. Therefore, it was necessary to have an MSG meeting to endorse the 6th EITI which is to be published by 30th June. The MSG has decided that the 42nd second MSG meeting to be held on 28th of June for endorsement of the report.

f. Revised timeline for requesting re-validation:

The chair informed the MSG about her meeting with World Bank officials and advisor who have consulted for requesting the re-validation by EITI in January 2020 to allow sufficient time for the newly adapted MSG documents to be proven (for compliance) and allowing more time for AEITI to demonstrate meaningful progress. She has requested the members of the MSG to confirm if they agree on the request for re-validation in January 2020 instead of June 2019. She said that previous plans for request for a re-validation which was set for June 2019 to be assessed due to upcoming presidential elections and to allow sufficient time for the newly adapted MSG documents for proving compliance. Therefore, MSG has decided that a re-validation request would be placed in Jan 2020. However, the members also requested that a brainstorming presentation to be provided to the members so that they are aware of the progress. The AEITI Secretariat has requested the session to be part of the 42nd MSG meeting on 28th of June which was approved by the MSG members.

Meeting Decisions:

18. AEITI to share CSO election procedure with MSG members for comments and finalization in the 42nd MSG meeting.
19. MoMP to share the multi-project companies' list with MoF on quarterly basis, with regard to ring fencing.
20. AEITI Secretariat to prepare a presentation on Transparency Portal, including MCAS and NTRS in collaboration with relevant directorates, to be presented at the EITI Global Conference.

21. The MSG agreed to put the MoMP Reform Strategy on the agenda in the next meeting, so that they could review it before deciding on it.
22. Mr. Naser Timory was selected as the chair of the working group G1, Mr. Ibrahim Jafari was selected as the chair of the working group G2, Ms. Nargis Azizshahi was added to the working group G3 and also selected as the chair of the working group G3 and Mr. Javed Noorani was selected as the chair of the working group G4.
23. AEITI Secretariat to share details of the Outreach Workshops with CSOs so that they prepare plans for it.
24. The SOP will be shared with the members through email for a period of three days, unless the members have comments, it would be considered approved.
25. The MSG members had no objections as to the publishing of the MSG Contacts lists.
26. The APR was approved by the MSG to be published.
27. MSG decided that a full-day session for reviewing 6th AEITI report will be called on 18th June 2019.
28. The MSG has decided that the 42nd second MSG meeting to be held on 28th of June for endorsement of the report.
29. MSG has decided that a re-validation request would be placed in Jan 2020.
30. AEITI Secretariat to provide a brainstorming presentation to the MSG members in the 42nd MSG meeting.

End of Minutes.

> ## 30.7 The MSG should consider carrying out a post award process audit by an independent consultant/firm in order to assess the veracity of any allegations of impropriety.

The following is a report prepared by the MoMP Cadaster Directorate on non-trivial deviation for post award contracts. A summary of the email correspondence supports the finding and the engagement of the AEITI G-4 Working Group to monitor and review part of the process. Issues in carrying out such a 3rd party review are challenged by financial funding and capacity. The 3rd Party monitoring and evaluation is critical to this process to ensure transparency.

<div align="center">Report on Post-Award Contracts</div>

Background:

Post the publication of the 6th AEITI report in which the government confirmed non-trivial deviation in contract / license award process for the years 1395 and 1396 which resulted in concerns about the none-trivial deviation, further clarity to the matter was discussed in AEITI Self-Assessment Workshop and considered in the AEITI Action Plan which needed to be included in the addendum report. The matter was brought to the attention of the AEITI MSG in its 44th and 45th meetings and it has been decided to review the case based on a sample size — through MSG technical working group and led by Cadaster Directorate.

Methodology:

The licenses awarded during the year 1395 were in accordance with the Mineral Law (published during the year 1393).

During the year 1395, a total of 120 construction licenses were awarded; the said licenses were awarded in accordance with the mineral law, based on the applications and without specific bidding. It should be noted that during the year 1396, no licenses have been awarded.

The applications were received by the provincial mining directorates which were evaluated and shared with the central Cadaster directorate of MoMP for review, These applications were reviewed and approved by the Cadaster Department and sent to the Minister of Mines and Petroleum for signature.

The sample licenses awarded were based in Kabul, Bamyan, Baghlan, Balkh, Badghes, Herat and Nangarhar.

The licenses were awarded based on the article number 74 of the mineral law. The basic implementing criteria for awarding the licenses were as follow:

- Submission of application with definite fee by the applicant

- Submission of work plan with technical and financial capabilities by the applicant

- Dispatching of a reporting representative to the area of interest by the provincial directorate for reporting purposes

- The evaluation of application and field report by the provincial directorate's designated committee

- Asking for guarantees of the effective implementation of the work plan by the provincial directorate

- Drafting of licensing contract by the provincial directorate and sending it to the center for the purpose of approval

- Evaluation of the implementing processes of the provincial directorate by the center based on the related procedures

- Checking of coordinates with the definite area for licensing and recording them in the related systems

- Getting approval from the designated authorities and sending the contract for implementation to the related provincial directorate

Conclusion:

For the reporting purposes and to evaluate that the licenses have been awarded in accordance with the mineral law and that all the related procedures have been duly followed, the random licenses which were selected as sample from the list were 2, 12, 22, 32, 42, 52, 62, 72 and 92. The provincial directorates of the MoMP where the mentioned licenses were awarded were requested to share the soft copy of the mentioned contracts from the initial process i.e. from submission of applications till the signature of the contracts.

It is note-worthy to mention that after the approval of licenses, the original copy of the licenses have been sent to the related provincial directorate and its copies to the contract management department of the related zone, small-scale mining directorate and one copy to the public relations department of the MoMP for the purpose of publication on the MoMP website.

It should be noted that the awarded licenses which were processed by the related provincial directorates in accordance with the compulsory forms were being submitted to the center for approval, the administrative process and checking the coordinates in comparison with the area is reevaluated by the responsible authority with the cadaster directorate. In case of any deviation or lack Of supporting documents, the applications had rejected and sent to the related provincial directorate for corrective actions, following which the cadaster directorate submitted the license to the designated authorities of MoMP for approval

Internal Email Correspondence Highlighting Post Contract Review with the MoMP Cadaster Department Correspondence March 1 2020
A series of emails related to Post Contract Review identified the 10 companies that had been evaluated. A PDF was provided as supporting evidence of the methodology and procedures used to undertake the spot evaluation. A full report is not available.
AEITI requires a report that cadaster should review the deviations (of the 10 companies) and confirm whether or not there were deviations. Committee requires that Cadaster share the review and final report
Internal Email Correspondence Announcing G-4 Committee Meeting Correspondence February 2020(post contract award review)
Call for Meeting of the G-4 Committee Meeting schedule for 16 February 2020 1:30 pm Request for reports on Non-Trivial Deviation Working Group will review whether the contracts for the years 1395 and 1396 in the 6th AEITI Report have been awarded in accordance to the Mineral Law and other legal processes. To ensure processes were followed. Meeting is being held in the context of preparing the Addendum to the 6th AEITI Report
Attached Minutes for meeting held on the 16th of February 2020
Email referring to the checking of the 10 licenses and the assigned individuals undertaking the task Ensure report is shared for the Addendum.
Email confirmation (Feb 25, 2020) that 5 contracts for 1395 were awarded according to the law and regulations. Waiting on word of the next confirmation
Issues regarding lack of human resources to undertake the post contract review and to write the report
Suggestions of outsourcing the post contract review
Confirmation that the 5 other remaining licenses that were awarded for 1395 were awarded according to procedures by the MoMP (Feb 25, 2020)
Committee members feel that the post contract review is beyond the scope of the Committee; role is to oversee the process – if the MoMP does the review the Committee will oversee and provide comments
Cadaster Directorate to undertake the task of the review and report and as per the 6th Reconciliation Report confirmed no non-trivial deviation.
The final report by Cadaster Directorate is prepared and sent to the Committee on March 2, 2020. Report confirms that all processes and procedures were followed and that there is no non-trivial deviation.
Committee reviews the report

> **30.9** We noted that the accounting systems, capacity of finance staff and audit environment in the two extractive SOEs is inadequate. MoF and MoMP should prepare a plan to improve these areas and implement the necessary actions.

SOEs directorate and HR directorate of MoMP have implemented a number of trainings for the MoMP and SOEs staffs on filing system, finance and administrative procedures. Below is an email from HR directorate on the number of trainings and employees that are still ongoing. Please see section 30.11 for the training report.

Dear Sayes Sahib,

Since I was absent in today's meeting. Please find below update with regards to my area of responsibility:

Reference to point 1: All directorates are trained. The only concern was to have google drive linked to the databased for which IT Directorate took responsibility. Milad Sb is copied.
Reference to point 2: The training plan is finalized, we are only waiting to hear from Ibn Sina university to add short training courses in our plan. (Attached training plan)
Total 26 Training programs (Minimum Number of training days 8) IN HOUSE
(Maximum Number of training days 3 Months – Indonesian Technical Training)
Target FY 1398 = To train above 700 Employees

If there is still any pending items from my side, please let me know,

Regards,

> 30.11   Government Agencies and SOEs should devise a suitable process and filing system to manage the manual records and should provide training to staff on the importance of maintaining the systems. Assistance from professionals in process review should be considered, so that experience and good practice from other countries can be brought to bear

The following training document are part of the training that was undertaken with the State-Owned Enterprise staff. The Afghan Gas Enterprise and Northern Coal Enterprise received fiscal and management training to ensure that manual processes would become digitized. A total of 19 trainings (including Filing System and accounting – 30.9) were held in 2019 on various topics covering more than 400 staffs.

وزارت معادن و پترولیم
معینیت مالی و اداری
ریاست منابع بشری
آمریت آموزش و ارتقای ظرفیت

گزارش برنامه های تدویر شده داخل وزارت

مقدمه

ریاست منابع بشری یکی از ادارات کلیدی در تشکیلات وزارت ها و دوایر دولتی و غیر دولتی می باشد، که بدون موجودیت این اداره فعالیت و موجودیت سایر ادارت ناممکن میباشد. همین اداره است که سایر ادارات را در راستای بدست آوردن اهداف استراتیژیک بسیج و تداوم فعالیت میبخشد.

بدون منابع بشری در یک دولت با سازمان بزرگ، منابع فزیکی، منابع مالی و منابع غیر محسوس دیگر به وجود آمده نمی تواند چون منابع بشری است که سایر فعالیت ها را ممکن میسازد.

ریاست منابع بشری وزارت معادن و پترولیم که قبلاً تحت نام مدیریت عمومی مامورین و بعدا به نام آمریت منابع بشری تغییر نام کرده بود بعد از سال ۱۳۸۸ نظر به نیازمندی های دولت به نام ریاست منابع بشری در چوکات وزارت معادن و پترولیم ایجاد شد که در تشکیل آن چهار آمریت و یک مدیریت عمومی می باشد.

از اینکه کارمندان هر اداره ضرورت به ارتقای ظرفیت و بلند رفتن علمیت و مهارت های مسلکی، تخنیکی و مدیریتی دارد بناءً ضرورت است تا آمریت آموزش و ارتقای ظرفیت در این عرصه فعالیت های ارزنده را انجام دهد تا بتواند جهت نیل به اهداف اداره کارمندان مسلکی و مجرب را تربیت نماید.

وزارت معادن و پترولیم

مطابق ماده نهم قانون اساسی افغانستان ، دولت جمهوری اسلامی افغانستان مالکیت معادن و سایر منابع طبیعی در کشور را وزارت معادن و پترولیم به عهده دارد .

به همین منظور وزارت معادن و پترولیم به عنوان وزارت کلیدی و سکتوری در عرصه های تفحص، اکتشاف، انکشاف، استخراج و پروسس منرال ها و هایدروکاربن ها فعالیت میتماید. همچنان وزارت معادن و پترولیم مسوولیت حراست از مالکیت، حمل ونقل و بازاریابی منابع طبیعی را مطابق به قانون منرال ها و هایدروکاربن ها به عهده دارد.

اهداف درازمدت وزارت شامل ایجاد اداره موثر جهت استفاده موثر از منابع طبیعی، ایجاد اشتغال و تشویق سرمایه گذاری در سکتور معادن و هایدروکارین ها و بلند بردن عواید و توانایی های دولت میباشد.

وزارت معادن و پترولیم دارای ۲۹ ریاست و در حدود ۲۱۰۰ تن کارمند می باشد، که شامل محققین ، کارمندان اداری ، تخنیکی و مسلکی میباشد.

ریاست منابع بشری:

قبل از ایجاد ریاست منابع بشری تمام فعالیت های مرتبط به منابع بشری (تقرر، تبدیل، آموزش و انکشاف، حفظ سوانح، تشویق و ترغیب کارکنان) به شکل پراگنده در چارچوب کاری معینت ها تحت عنوان مدیریت عمومی کارکنان صورت میگرفت، که این پراگندگی ها سبب عدم هماهنگی در روند کاری مدیریت منابع بشری وزارت معادن و پترولیم شد بنابر این جهت به کار گیری از فنون مدیریت نوین در راستای تحقق اهداف کوتاه مدت و طویل المدت وزارت، ریاست منابع بشری به مثابه ستون فقرات اداره براساس حکم شماره (۳۳۷۹) مورخ ۱۳۸۸/۰۵/۲۴ مقام عالی

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ریاست جمهوری اسلامی افغانستان در چوکات تشکیلاتی وزارت معادن و پترولیم ایجاد و مورد منظوری مقام عالی قرار گرفت. که از نظر ساختار تشکیلاتی و اداری به پنج بخش اساسی تقسیم گردیده است.

ساختار تشکیلاتی

آمریت انکشاف اداره: این آمریت نقش اساسی را در پایه گذاری و پلانگذاری منابع بشری داشته که مسوولیت نیاز سنجی تشکیلاتی، طرح ساختار تشکیلاتی، تحلیل وظایف، ترتیب لایحه وظایف، ترتیب فورم (۱،۱) و نهایی نمودن تشکیلات را به عهده دارد.

آمریت استخدام:

آمریت استخدام یکی از آمریت نهایت مهم ریاست منابع بشری بشمار میرود که مسوولیت جذب اشخاص واجد شرایط از طریق رقابت آزاد و حفظ افراد ورزیده، مسلکی و متخصصی را با رعایت اصل شایستگی در سراسر وزارت به عهده دارد.

آمریت آموزش و ارتقای ظرفیت:

آموزش و ارتقای ظرفیت به معنی انکشاف منابع بشری بوده که نقش حیاتی و نهایت مهم را در راستای انکشاف، پیشرفت و حصول اهداف اداره ایفا مینماید. آمریت آموزش و ارتقای ظرفیت به مثابه یک آمریت مهم و حیاتی ریاست منابع بشری مسوولیت دارد، تا با ایجاد همآهنگی کامل با دونر ها، ادارات همکار و مراجع بورس دهنده در قسمت ارتقای ظرفیت و بلند بردن سطح تحصیلی کارکنان از هیچ سعی و تلاش دریغ نورزد.

آمریت ارزیابی اجراآت کارکنان و سوانح:

ایجاد سیستم فایلینگ و نگهداشت سوانح کارکنان و تطبیق سیستم ارزیابی اجراآت کارکنان وزارت معادن و پترولیم به وقت و زمان معین بدون هیچ نوع تبعیض در مطابقت با قوانین و مقررات نافذه کشور با در نظرداشت شفافیت کامل و با رعایت رهنمود ها و اسناد تقنینی کمیسیون اصلاحات اداری و خدمات ملکی مسوولیت های اساسی آمریت ارزیابی اجراآت کارکنان و سوانح ریاست منابع بشری را تشکیل میدهد.

مدیریت عمومی ارتباط کارکنان:

مدیریت عمومی ارتباط کارکنان منحیث پل ارتباطی بین هئیت رهبری و کارکنان این وزارت ایفای وظیفه نموده و در چارچوب تشکیلاتی ریاست منابع بشری فعالیت دارد. که ایجاد محیط کاری سالم، صحت و مصونیت کاری کارکنان، تعیین اهداف در مورد ارتباط مامورین، مفاهمه، انضباط و رسیده گی به هر نوع مشکلات، منازعات و شکایات کارکنان از اولویت وظیفوی این مدیریت میباشد. در کنار فعالیت های مذکور این مدیریت از حقوق قانونی کارکنان موافظت کرده و در زمینه برنامه های آگاهی دهی را نیز تدویر مینماید.

ماموریت

ماموریت مدیریت منابع بشری، انجام کلیه امور مربوط به تامین، نگهداشت و توسعه نیروی انسانی می باشد. این مدیریت ماموریت خود را با مرکزیت دادن به مشتریان به عنوان محور ارائه خدمات و با تکیه بر بهره گیری از شایستگی کارکنان، تعهدات خود را بر پایه اصول علمی وبا مشارکت کارکنان به صورت اثربخش و کارا به انجام خواهد می رساند.

اهداف ریاست منابع بشری

- طرح ساختار تشکیلاتی مطابق به معیار های تائید شده.
- تأمین نیروی انسانی مورد نیاز.
- پرورش و توسعه استعداد کارکنان از طریق تدویر برنامه های ارتقای ظرفیت.
- حفظ و نگهداری کارکنان متخصص، شایسته، با انگیزه، پرتلاش، دانش محور و نیروی های خلاق انسانی.
- جلب رضایت کارکنان.
- ایجاد هماهنگی میان کارکنان.
- انگیزش (ایجاد انگیزه در کارکنان بمنظور حصول اهداف اداره).
- بهبود زندگی شغلی کارکنان.
- ثبات زندگی شغلی کارکنان.

وظایف عمده ریاست منابع بشری

- وظایف عام: شامل پلانگذاری، سازماندهی، رهبری، هماهنگی و کنترول
- وظایف خاص: ذیلاً تذکر میگردد:
- رهبری ومدیریت پرسونل تحت اثر به متظور تحقق اهداف پلان.
- پلانگذاری منابع بشری.
- طرح و ترتیب ساختار تشکیلاتی مطابق به نیازمندی های اداره.
- تحلیل و تجزیه وظایف، و ترتیب لوایح وظایف بمنظور جلوگیری از تداخل وظیفوی.
- انتخاب و استخدام کارکنان با در نظر داشت اصل شایستگی از طریق رقابت آزاد.
- حفظ و نگهداری نیروی با تجربه و مستعد کار بمنظور اجراآت بهتر.
- تدویر برنامه های کوتاه مدت و طویل المدت آموزشی غرض ارتقای ظرفیت کارمندان.
- تطبیق مؤثر سیستم ارزیابی اجراآت مطابق به قانون خدمات ملکی افغانستان.
- برقراری ارتباطات با کارکنان.
- تطبیق سیستم پاداش مطابق به قوانین و مقررات نافذه کشور.
- فراهم آوری تسهیلات و مراقبت جدی از صحت و مصئونیت کارکنان شامل در کار.

- ایجاد محیط کاری مصئون و امن برای کارکنان.
- تثبیت ادوار خدمت جهت اجرای حقوق تقاعد و انفصال کارکنان.

دست آورد های عمده ریاست منابع بشری:

❖ طرح ساختار و سقف تشکیلاتی وزارت معادن و پترولیم مطابق به نیازمندی های اداره.

❖ اجرای امتیازات سوپراسکل مطابق به سهمیه داده شده.

❖ تحلیل و تقسیم وظایف با بکارگیری میتود های نوین و جلوگیری از تداخل وظیفوی.

❖ تطبیق سیستم جدید رتب و معاش در سطح اداره (مرکزی و ولایتی).

❖ استخدام کارمندان عالیرتبه از طریق برنامه ارتقای ظرفیت مبتنی بر نتایج (CBR) بر اساس سهمیه وزارت معادن و پترولیم.

❖ تدوین و انکشاف دیتابیس (ایجاد سیستم معلومات مدیریت منابع بشری).

❖ مدیریت مؤثر زمان با بکارگیری از تکنالوژی عصری (حاضری برقی).

❖ ارزیابی اجراآت کارکنان در سطح وزارت (مرکزی و ولایتی) جهت تثبیت مؤثریت عملکرد آنها در خصوص حصول اهداف کلیدی وزارت، وارسال نتایج ارزیابی به مراجع ذیربط .

❖ تامین ارتباطات موثر با مراجع تحصیلی، آموزشی و مراجع بورس دهنده بمنظور ارتقا سطح دانش و مهارت های کارکنان.

❖ معرفی کارمندان واجد شرایط جهت فراه گیری پروگرام ماستری به داخل و خارج کشور.

❖ تدویر برنامه های آموزشی در بخش های مدیریتی و مسلکی در داخل کشور.

❖ معرفی کارمندان واجد شرایط به برنامه های آموزش کوتاه مدت به خارج از کشور.

❖ به کارگماشتن افراد که دوباره از آموزش طویل المدت برمی گردند.

آمریت آموزش و ارتقای ظرفیت:

از آن جایکه آشکار است آمریت آموزش و ارتقای ظرفیت به معنی انکشاف منابع بشری بوده، که نقش حیاتی و نهایت مهم را در راستای انکشاف و پیشرفت امورات اداره ایفا می نماید.

این آمریت با ایجاد هماهنگی با دونرها و ادارات همکار بورس دهنده و با به راه انداختن برنامه های آموزشی داخلی و خارجی (بلند مدت، کوتاه مدت و میان مدت) در قسمت ارتقای ظرفیت و بلند بردن سطح تحصیلی کارمندان وزارت از هیچ سعی و تلاش دریغ نمی ورزند.

آمریت آموزش و ارتقای ظرفیت طبق معمول در سال جاری هم برنامه های گوناگون را به راه انداخته است که از جمله برنامه تشریح قانون جدید معادن، سواد آموزی، کمپیوتر، ارتباطات و سیستم فایلینگ مدیریت ورهبری، گزارش نویسی را نام گرفت که به طور نمونه از آن نام برد.

۱. آگاهی دهی قانون اجراآت اداری برای کارمندان وزارت معادن و پترولیم

هدف برنامه: آگاهی از قانون و تطبیق آن در عرصه کاری عندالضرورت.

کارگاه آموزشی یکروزه تحت عنوان " قانون جدید اجراآت اداری از جانب ریاست منابع بشری به همکاری ریاست تقنین کمیسیون مستقل اصلاحات و خدمات ملکی به روز دوشنبه ۱۳ حوت ۱۳۹۷ در تالار موزیم جیولوجی وزارت معادن وپترولیم تدویریافت.

دراین برنامه که به تعداد ۳۴ تن از کارمندان بست های ۴و۳ این وزارت اشتراک نموده بود، محترم نوید ذوالفقار رئیس منابع بشری ضمن ارایه معلومات همه جانبه در راستای قانون جدید اجراآت اداری، تدویر همچوبرنامه ها را برای کارمندان موثر تلقی نمود.

متعاقباً پرزنتیشن توسط محترم محمد عیسی رحیمی آمرانکشاف قوانین وپالیسی کمیسیون مستقل اصلاحات اداری وخدمات ملکی ارایه گردید.

در اخیر برنامه با پاسخ به پرسش های اشتراک کننده گان خاتمه یافت.

۲. برنامه آموزشی تشریح قانون جدید معادن:

هدف برنامه: آگاهی از قانون و تطبیق آن در عرصه کاری عندالضرورت.

برنامه آموزشی دو روزه تحت عنوان تشریح قانون جدید معادن از طرف آمریت آموزش و ارتقای ظرفیت ریاست منابع بشری و ریاست خدمات حقوقی با حضور داشت ولی الله حدران معین پالیسی و برنامه ها و نوید ذوالفقار رییس منابع بشری، برای ۴۱ تن از کارمندان وزارت معادن و پترولیم از تاریخ ۱۲ حمل سال ۱۳۹۸ الی ۱۴ حمل ۱۳۹۸ تدویر یافت.

این برنامه به منظور آگاهی، نقش قانون جدید معادن در توسعه فعالیت های اقتصادی و اجتماعی ساحات معدنکاری، تامین حداکثر عواید دولت و مفاد سکتور خصوصی از استخراج و پروسس مثرال ها برنامه ریزی گردیده بود.

قابلی یاد آوریست که، در برنامه تشریح قانون جدید معادن روی اهداف، وظایف و صلاحیت ها، ممنوعیت معدنکاری غیر قانونی، جوازها، ثبت و شفافیت درخوا ست ها برای معدنکاری به مقیاس کوچک و سایر مو ضوعات به ا شتراک کنندگان ارایه گردید.

۳. برنامه آموزشی سیستم فایلینگ

هدف برنامه: ایجاد سیتم دوسیه بندی و دسترسی سریع به آنها.

برنامه ای آموز شی یک روزه تحت عنوان سیستم فایلینگ (دو سیه بندی) برای ۲۵ تن از کارمندان شعبات مختلف وزارت معادن و پترولیم به تاریخ ۱۹ حمل سال روان از طرف آمریت آموزش و ارتقای ظرفیت ریاست منابع بشری برگذار شد.

این برنامه به منظور شفافیت در روند گزارش دهی از احصائیه مکتوب ها در وزارت معادن و پترولیم و استفاده این سیستم برای مدیران اجرائیه ریاست ها در نظر گرفته شده بود. تا با استفاده از این سیستم کارمندان بتوانند دوسیه بندی را به شکل (update) در سیستم درج کنند.

۴. برنامه آموزشی کمپیوتر

هدف برنامه: بهبود مهارت های مسلکی در بخش(Ms. Office)

نظر به نیاز سنجی که در بین کارمندان وزارت معادن و پترولیم صورت گرفته, برنامه آموز شی کمپیوتر از تاریخ ۱۷ حمل الی ۲۹ حمل سال روان از طرف آمریت آموزش و ارتقای ظرفیت ریاست منابع بشری برای کارمندان اداری وزارت برگزار شد. در این برنامه آموزشی که ۳۲ تن از کارمندان وزارت اشتراک کرده بودند, پروگرام های مختلف کمپیوتر را درساحه کاری که روزمره از آن استفاده می گردد آموزش دیدند.

۵. برنامه آموزشی ارتباطات

هدف: آگاهی از چگونگی ارتباطات درسطوح مختلف.

وزارت معادن وپترولیم ورکشاپ دو روزه از ۲ الی۳ ثور سال روان را تحت عنوان «ارتباطات» با ا شتراک محترم نوید ذوالفقار ریس منابع بشـــری برای ۳۵ تن از کارمندان وزارت تدویر نمود. در آغاز، محترم نوید ذلفقار ضـــمن خوش آمدید و ابراز سپاس از تیم آمریت ارتقای ظرفیت منابع بشری، ارتقای ظرفیت کارکنان را یکی ازاهداف مهم واولویت های کاری این وزارت دانسته و نقش ارتباطات را به عنوان ابزاری مهم در رشد اقتصادی وایجاد فرصت های کلیدی در راستای معدنکاری عنوان کرد.

سپس محترمه سمیرا "رسا" آموزگار برنامه، پریزنتیشن را روی بخش های مختلف اطلاعات وارتباطات ارایه کرده و اشتراک کنندگان نیز نظریات خویش را دررابطه به موضوع مطرح نمودند. قابل یاد آوریست که درختم روز دوم برنامه برای اشتراک کننده گان سرتیفیکیت نیزتوزیع گردید.
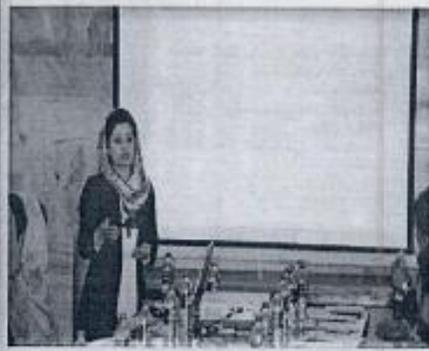
۶. برنامه آموزشی کوتاه مدت مدیریت پروژه

هدف : چگونگی مدیریت کردن از یک پروژه

ریاست منابع بشری وزارت معادن و پترولیم با در نظرداشت استراتیژی ارتقای ظرفیت، برنامه آموزشی کوتاه مدت را در بخش مدیریت پروژه جهت افزایش دانش مدیریتی نیروی انسانی این وزارت برای ۲۵ تن از کارمندان بخش‌های مختلف اداری را به همکاری دانشگاه محترم ابن سینا مورخ ۱۳۹۸/۴/۱ برای مدت ۱۱ روز برگزار کرد. مدیریت پروژه یکی ازمهم‌ترین حوزه‌های مدیریتی بوده که زمینه کاربردی فراوانی را در فرصت‌های مختلف کاری دارا می‌باشد. در مراسمی که به مناسبت فراغت دانش‌آموزان برنامه متذکره با اشتراک محترم نوید ذوالفقار رئیس منابع بشری وزارت، محترم عبدالغفور عفا آموزگار برنامه، محترم همایون شارق کارشناس منابع بشری، محترم فهیم یوسفی کارشناس تطبیق برنامه‌های آموزشی و سایر همکاران بخش‌های مربوطه برگزار شده بود، تصدیق نامه‌های فارغین توضیح شد. دیدگاه ما، رسیدن به رسالت و اهداف بلند مدت سکتور معادن کشور است، که با متخصص شدن نیروی انسانی سرعت می‌یابد.

۷. برنامه آموزشی پلانگذاری وگزارش نویسی

کارگاه‌آموزشی دو روزه تحت عنوان " پلانگذاری وگزارش نویسی " ازجانب ریاست منابع بشری در تالار موزیم برای ۱۵ تن از کارمندان وزارت به تاریخ های ۶ و ۱۷ اسد سال ۱۳۹۸ تدویریافت این برنامه آموزشی با سخنرانی محترم فهیم هاشمی سرپرست ریاست طرح و ارزیابی پالیسی ها، در راستآ اهمیت ومزایای پلانگذاری وتشریح پلان کاری وزارت آغاز یافت.به همین منظور اشتراک کننده گان، پیرامون مدیریت اهداف، مزایای ومراحل پلان گذاری، ارتباط جامع وعملیاتی، مفاهیم واجزای اساسی یک پلان استندرد ومعیاری تشریح پلان کاری در وزارت معادن وپترولیم آموزش دیدند.

۸. برنامه آموزشی "مدیریت یا رهبری"

هدف: مدیریت خوب است یا رخبری

کارگاه آموزشـی یکروزه تحت عنوان "مدیریت یا رهبری" برای کارآیی بیشـتر اجراآت محوله به همکاری ریاسـت اطلاعات و ارتباط عامه برای ۱۷ کارمندان وزارت معادن و پترولیم مورخ ۱۳۹۸/۵/۱۶ راه اندازی شد.

اجرای بهتر کارها و تقویت روحیه کارمندان نیازمند تأثیرگذاری و نفوذ درمحیط کار اسـت؛ ما قدرتمندانه در جهت رسیدن به این مهم تلاش می‌نماییم. آمریت آموزش و ارتقای ظرفیت منابع بشری ریاست منابع بشری وزارت جهت نیل به اهداف اصلاحی، برنامه فوق الذکر را برای کارمندان این وزارت برگزار کرد.

اشـتراک کنندگان این کارگاه با سـهم‌گیری فعال در محتویات برنامه، برگزاری چنین کارگاه‌ها را در کنار برنامه‌های قبلی مؤثر دانسـته و رکن سالم بهبود مدیریت در جریان اجرای امور دانستند.

ما قدرتمندتر از گذشته، مسیر توسعه سکتور صنایع استخراجی را می‌پیماییم

۹. برنامه آموزشی مبارزه با فساد اداری

هدف: آگاهی از قانون مبارزه باقساد اداری و حمایت از طلاع دهنده گان

برنامه آموزشـی یک روزه تحت عنوان "مبارزه با فـساد اداری" جهت ریشـه کن کردن فساد اداری در ادارات، برای کارمندان وزارت معادن و پترولیم از طرف آمریت آموزش و ارتقای رفیت به همکاری سـکرتریت ویژه مبارزه با فساد ادای در صالون کنفرانس های این وزارت برای ۳۳ تن کارمندان وزارت مورخ ۱۳۹۸/۶/۶ راه اندازی شد.

این برنامه با سخنان محترم ولی الله خدران معین پالیسی و برنامه های وزارت معادن و پترولیم در رابطه به شیوه‌های مبارزه با فساد اداری و تطبیق آن در ادارات آغاز گردید. او با اشاره به پلان مبارزه با فساد اداری وزارت که در سال ۱۳۹۶ ساخته و به اجراً درآمده است، سخن گفته و از گامهای مؤثر مبارزه با فساد در این وزارت یادآور شد.

محتوای برنامه شامل؛ ارائه و پیشکش برنامه استراتیژی ملی مبارزه علیه فساد اداری، ارائه و پیشکش قانون مبارزه با فساد اداری و قانون حمایت از اطلاع دهنده‌گان جرایم فساد اداری بوده که برای اشتراک کنندگان پیشکش و اشتراک کنندگان مکلف به انتقال برداشت های خود به سایر همکاران شدند.

۱۰. برنامه آموزشی آگاهی‌دهی بیمه و بیمه تکافل (اسلامی)

هدف: آگاهی از بیمه و چگونگی شمولیت در بیمه
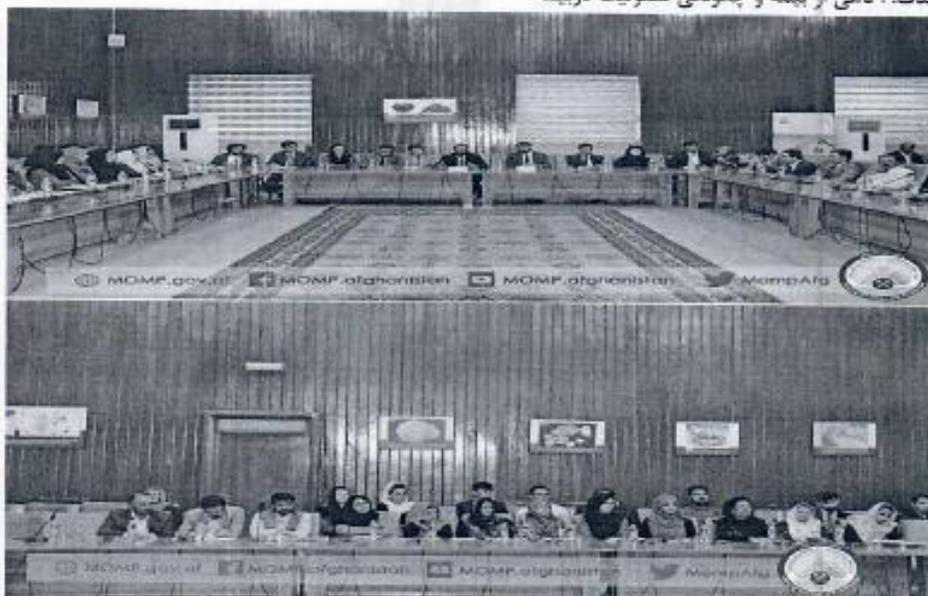
کارگاه آگاهی‌دهی بیمه و بیمه تکافل برای کارمندان وزارت معادن و پترولیم برگزار گردید

کارگاه آگاهی‌دهی بیمه و بیمه تکافل (اسلامی)، توسط امریت آموزش و ارتقای ظرفیت با همکاری ریاست امور بیمه‌های وزارت محترم مالیه؛ به منظور آگاه‌سازی کارمندان این وزارت پیرامون این مهم برای ۳۸ تن کارمندان وزارت مورخ ۱۳۹۸/۴/۲۴ برگزار گردید.

این کارگاه با بیانات محترم سید محبوب‌الله ربانی معین مالی و اداری وزارت معادن و پترولیم در رابطه به اهمیت و ماهیت بیمه آغاز در رابطه چنین گفتند: بیمه در سکتور صنایع استخراجی افغانستان در بخش‌های مختلف مانند بیمه شرکت‌های معدنکاری، بیمه معدنکاران و بیمه مامورین سکتور صنایع استخراجی دارای اهمیت بوده که استفاده از خدمات بیمه درین سکتور یک امر مهم و ضروری میباشد.

سپس پریزنیتیشن‌ها توسط ریاست محترم امور بیمه‌ها و شرکت‌های بیمه پیشکش گردید وبرنامه با پاسخ دهی اشتراک کنندگان خاتمه یافت.

۱۱. برنامه آموزشی رهنمود تحلیل و شناسایی ریاست های برتر منابع بشری

هدف: چطور یک مدیریت رئیس برتر شده می توانیم

برنامه آموزشی یک روزه تحت عنوان رهنمود تحلیل وضعیت، شناسایی ریاست برتر، رهبر و طرح برتر ریاست های منابع بشری، از طرف کمیسیون محترم مستقل اصلاحات اداری و خدمات ملکی افغانستان به کمک آمریت آموزش و ارتقای ظرفیت ریاست منابع بشری وزارت معادن و پترولیم برای ۴۲ کارمندان وزارت مورخ ۱۳۹۸/۶/۲۴ برگزار گردید.

در این برنامه، محترمه پروانه رحمانی و محترم ذبیح الله جامی کارشناسان کمیسیون مستقل اصلاحات اداری و خدمات ملکی اهداف، مکانیزم ها و مکلفیت های منابع بشری را به منظور شناسایی ریاست های برتر، رهبر و طرح های برتر ریاست های منابع بشری را برای اشتراک کننده گان تشریح و توضیح نمودند.

برنامه پس از پرسش و پاسخ های اشتراک کننده گان به پایان رسید.

۱۲.برنامه آموزشی صحت و مصؤنیت برای کارمندان لابراتوار ها
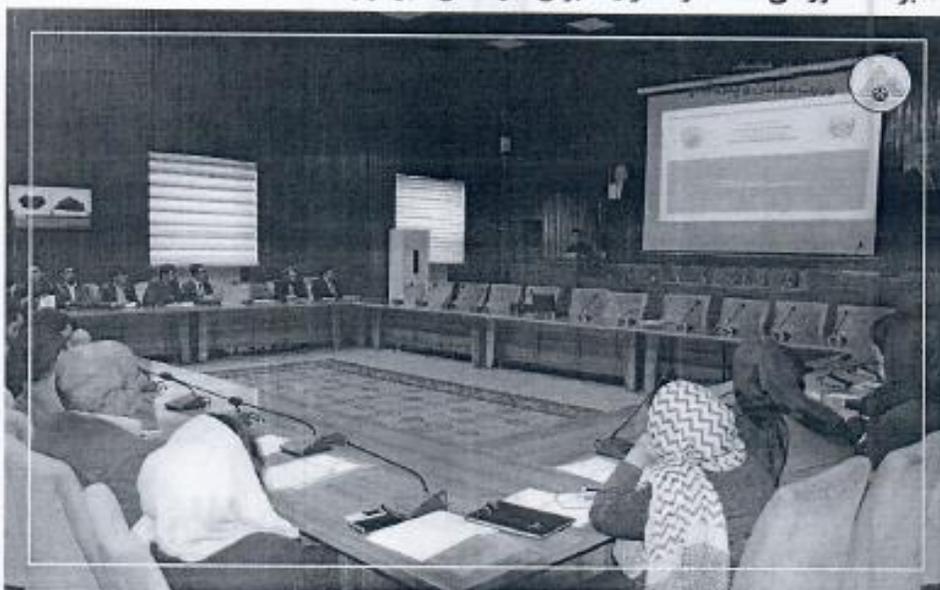
هدف: مراعات نمودن اصول و رسامات لابراتوار

برنامه آموزشی صحت و مصؤنیت برای کارمندان لابراتوارهای وزارت معادن و پترولیم به تاریخ ۱۵ میزان سال روان در صالون کنفرانس‌ها برای ۲۶ تن کارمندان وزارت برگزار گردید.

در این برنامه روی موضوعات چون، معلومات در مورد مواد حساس لابراتوارها، معلومات در رابطه به خطرات احتمالی در جریان کار لابراتوارها و قوانین ایمنی که سبب جلوگیری از این خطرات می‌شود، توضیحات لازم ارائه گردید.

گفتنی است که این برنامه را ریاست لابراتوارها در هماهنگی با آمریت آموزش و ارتقای ظرفیت منابع بشری وزارت به هدف بلند بردن سطح آگاهی کارمندان وزارت معادن و پترولیم برگزار کردند.

۱۳.برنامه آموزشی انگلیسی

هدف: بهبود مهارت های لسان انگلیسی

ما برای ارتقای ظرفیت کارمندان خود در تلاش هستیم. به منظور تقویت آموزش زبان انگلیسی، سپری نمودن امتحان ورودی زبان انگلیسی دوره‌های ماستری و براساس نیازسنجی قبلی کارمندان؛ آمریت آموزش و ارتقای ظرفیت ریاست منابع بشری وزارت معادن و پترولیم، برنامه آموزشی زبان انگلیسی را برای (۶۶) نفر از کارمندان این وزارت به سویه ابتدائی و متوسط از تاریخ ۲۳ سنبله سال روان برگذار کرده است.

۱۴.برنامه آموزشی کمپیوتر برای کارمندان وزارت معادن و پترولیم

هدف: بهبود مهارت های مسلکی

بنابر نیازسنجی کارمندان این وزارت، برنامه آموزشی کمپیوتر برای (۱۵) نفر از کارمندان ریاست های تحت اثر معینیت مالی‌واداری نیز به همکاری محترم احمد بشیر بیگزاد کارمند ریاست تکنالوژی معلوماتی از طرف آمریت آموزش و ارتقای ظرفیت مورخ ۷/۱۳الی ۱۳۹۸/۷/۳۰ برگزار گردیده است ما متعهد به بهبود ظرفیت منابع بشری، مطابق تقاضا برای اداره سالم هستیم.
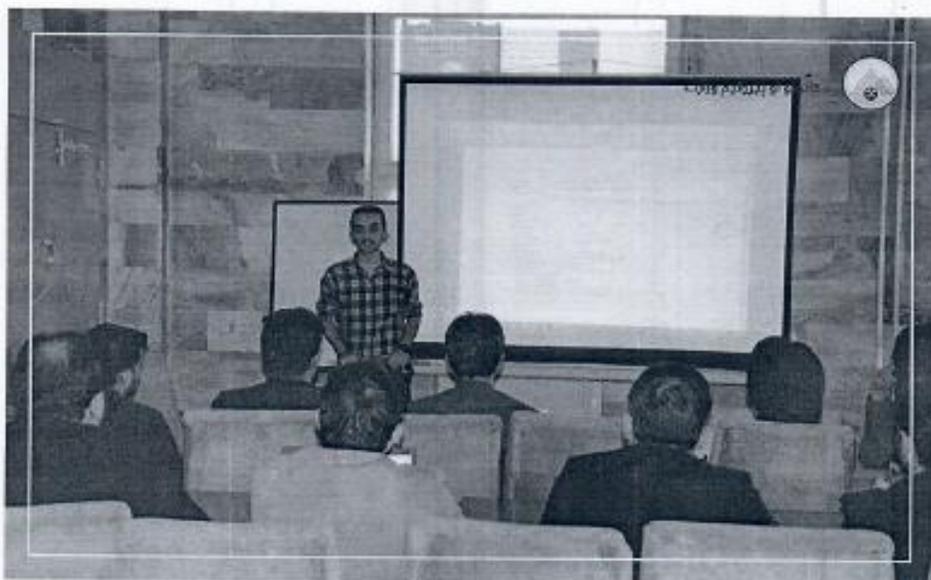
۱۵.برنامه آموزشی تحت عنوان "اعتماد به نفس و طرز سلوک مسلکی در محیط کاری

هدف: سلوک مسلکی درمحیط کاری

برنامه آموزشی تحت عنوان "اعتماد به نفس و طرز سلوک مسلکی در محیط کار" برای ۳۳ تن کارمندان وزارت معادن و پترولیم مورخ ۱۴ عقرب سال ۱۳۹۸ تدویر یافت.

برنامه متذکره برای کارمندان وزارت معادن و پترولیم در همکاری با دفتر (WIG — Promote) برگزار گردید.

وزارت معادن و پترولیم همواره در تلاش است تا با استفاده از نیروی کاری پر توان و مسلکی، سکتور صنایع استخراجی را توسعه بخشد،.

۱۶.برنامه آموزشی تاثیر پس انداز در زندگی

هدف: آگاهی دهی درمورد پس اندازنمودن

سمینار تاثیر پس انداز در زندگی به همکاری محترم سیحون کامگار سرپرست ریاست اطلاعات و ارتباط عامه ارائیه برای ۳۶ تن از کارمندان وزارت مورخ ۱۳۹۸ /۷/۱۰ ازطرف آمریت آموزش و ارتقای ظرفیت برگذار گردید.

#سمینار اثرات پس‌انداز در زندگی

ما با شعار؛ «پس‌انداز، کاهش دهنده‌ی اضطراب»، سمینار آموزشی را پیرامون اثرات پس انداز و روش‌های آن برای شماری از کارمندان این وزارت برگزار نمودیم.

۱۷.برنامه آموزشی سنجش از راه دور (Remote Sensing)

هدف:ارتقای ظرفیت تخنیکی و بهبود ومهارت های مسلکی

برنامه آموزشی سنجش از راه دور (Remote Sensing) برای ۲۰ تن از کارمندان وزارت معادن و پترولیم به تاریخ ۱۳۹۸/۸/۲۷ از طرف امریت آموزش و ارتقای ظرفیت برگذار شـد. این برنامه توسـط محترم همایون شـارق کا شناس منابع ب شری آغاز و پریزنتی شن های بخش سنجش از راه دور و فوتوگرامتری نو سط محترم میرزا شیرین زمانی محصل ورزیده و لایق دانشگاه پولیتخنیک کابل ارائه گردید و برنامه با پا سخ به سوالات ا شتراک کننده گان خاتمه یافت.

۱۸.برنامه آموزشی گزارش‌دهی عواید مالی و حسابی

اهداف برنامه

- چگونگی اجراآت فورمه‌های عواید؛
- تشریح فورم‌های راپوردهی عواید؛
- پیشکش استراتیژی مبارزه با فساد اداری و قانون مبارزه با فساد اداری؛
- آگاهی‌دهی در خصوص قانون حمایت از اطلاع دهنده‌گان قضایای مشکوک به فساد؛
- پیشکش دست‌آوردها و پلان مبارزه با فساد اداری؛
- آگاهی از طرزالعمل صدور اجازه نامه‌های پروسس مواد معدنی؛
- روند اجراآت مالی و حسابی (بخش بودجه) و سیستم دفترداری؛
- آگاهی‌دهی از طرزالعمل مالی و حسابی؛
- آشنایی و آگاهی ازموضوعات تکنولوجی معلوماتی (سیستم شریک نمودن اطلاعات)؛
- دراخیر برنامه متذکره با پاسخ‌دهی به پرسش‌های اشتراک‌کننده‌گان پایان یافت.

برنامه آموزشی گزارش‌دهی عواید مالی و حسابی برای کارمندان وزارت معادن و پترولیم به تاریخ‌های ۷ و ۸ عقرب برگذار گردید.

برنامه آموزشی گزارش‌دهی عواید مالی و حسابی برای (۶۱) نفر از کارمندان ریاست‌ها و آمریت‌های ولایتی وزارت معادن و پترولیم توسط محترم سید محبوب‌الله ربانی، معین مالی و اداری وزارت افتتاح و برای مدت دو روز ادامه یافت.

۱۹. پریزینتیشن Coal and Mineral Mining Policy Course

هدف: برنامه شریک ساختن معلومات

پریزینتیشن آموزشی تحت عنوان Coal and Mineral Mining Policy Course از جانب اشتراک کنندگان برنامه آموزشی برای ۲۶ تن کارمندان وزارت ارایه گردید مورخ ۱۳۹۸/۹/۲۴ برای مدت یک روز برگزار گردید.

۱. امضا تفاهمنامه همکاری میان وزارت معادن وپترولیم ونهاد های تحصیلی رنا وکابورا

تفاهمنامه همکاری میان وزارت معادن وپترولیم و دونهاد تحصیلی غیر دولتی به روز چهارشنبه مورخ ۴ سرطان سال روان در تالارمعینیت مالی واداری امضا گردید.

این تفاهم نامه ها توسـط محترم سـید محبوب الله ریانی معین مالی واداری با دوکتور یونس کریمی رئیس موسـسه تحصیلات عالی کابورا و محترم نوید ذالفقار رئیس منابع بشری ها محترم عبدالتواب بینش معاون اداری پوهنتون رنا به امضا رسید . هدف از امضای این تفاهم نامه ها ضمن مساعی مشترک مبنی بر تربیه کادر ها ومتخصصین علمی و مسلکی در سکتور معادن، برگزاری برنامه های مدیریشی، رهبری وتخنیکی جهت ارتقای ظرفیت کاری کارمندان این وزارت در سـطوح مختلف نیز می باشـد. بر بنیاد این تفاهم نامه ها، ریاسـت منابع بشـری وزارت معادن وپترولیم مسوولیت تطبیق وپیشبرد آنرا با همکاری نهاد های تحصیلی به عهده دارد.

۳. امضا تفاهم نامه همکاری میان وزارت معادن وپترولیم با چهارنهاد تحصیلی خصوصی

وزارت معادن و پترولیم به منظور ایجاد مشـــارکت و بهره گیری از توانایی های علمی و آموزشـــی و در جهت نیل به اهداف خویش تفاهم نامه های را با پوهنتون های خصوصی مشعل، کاتب، ابن سینا و باختر امضاء نمودند.

این تفاهم نامه ها تو سط سید محبوب الله "ربانی " معین مالی واداری وزارت معادن وپترولیم وم سوولین دان شگاه های مشعل، کاتب، ابن سینا و باختر به تاریخ ۱۳ حمل سال ۱۳۹۸ در تالار معینیت مالی واداری به امضا رسید.

هدف ازامضـاء این تفاهم نامه ها همانا ایجاد فضـای همکاری های مشـترک بین وزارت معادن و پترولیم و نهاد های تحصیلی خصوصی در زمینه های آموزش و ارتقای ظرفیت کارمندان این وزارت میباشد.

رهبری وزارت معادن و پترولیم به خصـوص ریاسـت منابع بشـری همواره درتلاش اند تا زمینه ارتقای ظرفیت کاری کارمندان خویش را طی عقد تفاهم نامه های همکاری آموزشی جهت برگزاری برنامه های آموزشی کوتاه مدت، میان مدت و بلند مدت (دوره لیسانس وما ستری) با دان شگاه های معتبر خصوصی ک شور م ساعد نمایند تا از این طریق کادرهای مسلکی مورد نیاز سکتور صنایع استخراجی و ایجاد زمینه اشتغال برای فارغان ر شته های مرتبط به صنایع استخراجی، مصدر خدمات ارزنده و شایان شده باشد.

رهبری وزارت معادن و پترولیم بخصوص ریاست منابع بشری مصمم است تا تفاهم نامه های همکاری آموزشی را با سایرنهاد های تحصیلی معتبر خصوصی در آینده نیز به امضاء برساند.

۳. امضا تفاهم نامه همکاری میان وزارت معادن وپترولیم با دونهاد تحصیلی خصوصی

به منظور فراهم سازی فرصت های آموزشی برای کارمندان، وزارت معادن وپترولیم تفاهم نامه های همکاری را با دانشگاه های خصوصی سید جمال الدین افغان و گوهر شاد امضا کرد. این تفاهم نامه ها توسط سید محبوب الله "ربانی " معین مالی و اداری وزارت معادن وپترولیم وم سوولین دانشگاه های سید جمال الدین و گوهر شاد به روز یک شنبه ۲۶ جوزا ۱۳۹۸ در تالار معینیت مالی واداری به امضاء رسید. هدف ازام ضای این تفاهم نامه ها همانا ایجاد فضای همکاری های مشترک بین وزارت معادن و پترولیم و نهاد های تحصیلی خصوصی در زمینه های آموزش و ارتقای ظرفیت کارمندان این وزارت میبا شد. رهبری وزارت معادن و پترولیم بخصوص ریاست منابع بشری همواره درتلاش اند تا زمینه ارتقای ظرفیت کاری کارمندان خویش را طی تفاهم نامه های همکاری آموزشی جهت برگزاری برنامه های آموزشی کوتاه مدت، میان مدت و بلند مدت (دوره لیسانس وماستری) با دانشگاه های معتبر خصوصی مساعد نمایند تا از این طریق کادرهای مسلکی مورد نیاز سکتورصنایع استخراجی و ایجاد زمینه اشتغال برای فارغان رشته های مرتبط به صنایع استخراجی، مصدر خدمات ارزنده و شایان شده با شد. رهبری وزارت معادن و پترولیم بخصوص ریاست منابع بشری مصمم است تا تفاهم نامه های همکاری آموزشی را با سایرنهاد های تحصیلی معتبر خصوصی در آینده نیز به امضاء برساند.

۱. اخذ امتحان ۲۵۰ تن از کارمندان در بورسیه آموزشی کشور اندونیزیا.

هدف : معرفی کارمندان به برنامه های آموزشی کوتاه مدت خارجی.

به منظور معرفی کارمندان وزارت معادن و پترولیم به بورسیه آموزشی کشور اندونیزیا، امتحان ۲۵۰ تن از کارمندان این وزارت، با حضور محترم نوید ذوالفقار رییس منابع بشری و هئیت کشور اندونیزیا روز دوشنبه مورخ ۶ جوزا ۱۳۹۸ در صحن این وزارت اخذ گردید. دراین امتحان که تعداد ۱۷۰ تن از کارمندان مرکز و ۸۰ تن کارمندان ریاست های معادن ولایات اشتراک کرده بودند، بعد از اخذ امتحان از سوی کمیته موظف ارزیابی ۱۰۰ تن از افرادی که نمره ای معیاری را کسب نماید به بورسیه معرفی می شدند. قابل یاد آوریست که این بورسیه به اساس تفاهم نامه ای میان وزارت معادن و پترولیم و سفیر کشور اندونیزیا در بخش های تخنیکی منرال ها و نفت و گاز می باشد.

۲. آزمون رقابتی بورسیه کشور آسترالیا تحت عنوان حکومتداری در سکتور معادن

به منظور بلند بردن مهارت های تحصیلی وتخنیکی کارمندان وزارت معادن وپترولیم امتحان رقابتی۸۴ئن از کاندیدان واجد شرایط بورسیه هندوستان با حضور محترم نوید ذوالفقار رئیس منابع بشری در صحن وزارت معادن وپترولیم اخذ گردیداین بورسیه از جانب کشور دوست آسترالیا جهت افزایش ارتقای ظرفیت کاری کارمندان وزارت معادن و پترولیم بوده که به تعداد تن از کارمندان وزارت که در برنامه ای تحت عنوان (حکومتداری در ســکتور معادن) که قرار است در شهر های کلکته و دهنیاد کشور هندوستان برای پانزده روز برگذار گردد اشتراک خواهند نمود.

۳. زمون تثبیت سویه زبان انگلیسی

یادگیری زبان انگلیسی یک ضرورت اجتناب ناپذیراست. زبان انگلیسی، زبان بین المللی است و آموزش رشته‌های مختلف در سطوح عالی به زبان انگلیسی صورت می گیرد یا پیشرفت روند جهانی سازی ارتباطات بین المللی، تجارت جهانی و آموزش علوم جدید به زبان انگلیسی انجام می شود و عدم آشنایی با این زبان معادل عدم حیات در دنیای مدرن است.انگلیسی زبان رسمی اخبار و اطلاعات مبادله شده‌ی جهان است .قریب به نیمی از روزنامه‌های منتشرشده در سر تا سر دنیا به انگلیسی است. بنا اهمیت و ضرورت مبرم لسان انگلیسی رهبری وزارت معادن و پترولیم بالاخص آمریت آموزش و ارتقای ظرفیت ریاست منابع بشری وزارت معادن و پترولیم و با همکاری دانشگاه کاتب اینبارآزمون رقابتی زبان انگلیسی را درصحن این وزارت برگزار کرد.

دراین آزمون که با حضور بیش از ۲۵۰ تن ازکارمندان علاقه مند یادگیری لسان متذکره ازریاست های مرکزدرمقاطع مختلف (ابتدایی، متوسط و عالی) در صحن وزارت معادن و پترولیم برگزار گردیده بود به تعداد ۶۰ تن آنها برای مدت شش ماه درصنوف جداگانه به آموزش خواهند پرداخت.

البته قابل یاد آوریست که برگزاری برنامه آموزشی زبان انگلیسی بنابر عدم دریافت بودجه از طرف وزارت محترم مالیه توسط دانشگاه خصوصی کاتب صورت نگرفته، توسط یک تن از استادان بخش قراردادی صورت گرفته است.

آمریت آموزش و ارتقای ظرفیت ریاست منابع بشری در جهت نیل به اهداف والای ارتقای ظرفیت و مسلکی سازی کارمندان وزارت، همواره با تلاش های شبانه روزی خود و با استفاده از امکانات دست داشته خویش زمینه های آموزش بیشتر را در داخل و خارج از کشور برای همکاران وزارت فراهم خواهند نمود.

> ## 30.12 MoF-LTO should be given responsibility for all major corporate mining and oil and gas taxpayers, and the Kabul-based Ministry ensures that it holds details of all relevant records and transactions relating to those companies;

Signed Document of Confirmation of MFO – LTO in charge of major mining

31.9   Missing Data on the Transparency Portal (Explanations regarding Company TINs, Beneficial Ownership and Procedures)

Email Correspondence (Internal) February 3, 2020. Confirmation of Information. Note these have all been uploaded to the MCAS-NTRS Transparency Portal.

Summary of Email Correspondence regarding Missing Information
Between Cadaster Directorate and AEITI
February 2020
The following TINS had not been uploaded Below are list of TINs collected from companies, please upload it to the system, and list of missing TIN   - Arif Sarwari 9000209180   - Hasan Aqa son of Amir 9000902198   - Bakhter Crystal 9001305672   - Farooq Amiryan 9001166603   - Ayoub Shirzad 1007502089   Companies do not have BO the following 1. Mega ARia process company 2. Technologist company 3. Cepti oghlo company 4. Faroq stankzai company 5.Almas ghaznyan. 6. Bet united eng companies 7. Khalid Ayz. 8. AYou sherzad. The following companies do not have TIN 1.Bakhter Crystal. 2. ARif sarwari. 3.hussan Aqa son of M.Ameer. 4. farooq Ameryan. 5.Ayoub Sherzad. Verification Documents Attached to the email addressing the above companies. Signed and sealed.

31.11   Clarification on Production Figures that cast doubt over data reliability

Email Correspondence (Internal) March 2020. Confirmation of Information

Clarification Production Figures

Summary of Information Between Key Parties
In response to task no 31.9 based on AEITI action plan: Aferasiab Company signed contract of coal with ministry of mine for Chalo area of Khak Jabar district of Kabul province on 17/12/1394 for 10 years which first 2 years were for the exploration. After submitting an exploration plan and getting approval of the Plan from Ministry, the company conducted its' exploration phase and completed the exploration phase within 2 years, and submitted the exploration report to Ministry of Mine and Petroleum. Which was rejected several times from the evaluation committee and the company brought amendments to the report. Finally, the company applied for withdrawal of mine area (contract termination) and requested its bid bond guarantee. For the following reasons 1- Coal include florin gas in its composition which cannot be used in apartments and residential area. 2- The GCV (gross calorific value) is very less 3- And no one is ready to purchase such type of coal for using. Later on the company decided to extend the exploration activities and submit the final amended exploration report. The exploration phase is still going on and the ministry will decide aer receiving the final exploration report. The company does not have any production during the exploration phase. **In response to task no 31.11 based on AEITI action plan:** Difference in figures between productions of 1395 -1396 The main difference during years under review was concerning coal and talc, which in year 1395 production of coal and talc was in larger amount but during year 1396 the amount decreased. 1- During year 1396 government banned the export of unprocessed minerals so the production volume of talc decreased from one year to another year. 2- During year 1396 the border with Pakistan was closed for a while, as we know beer that large amount of coal is exploring to Pakistan that is why the amount of production decreased from one year to another year.

31.15	Cadaster to remove the value from company reporting forms.
	* The estimated values can simply be linked to the Data. (New)

The following template indicates the removal of the value from the company reporting form. This is the new format moving forward.

جمهوری اسلامی افغانستان
وزارت معادن و پترولیم
ریاست معادن ولایت (   )
شرکت (   )
گزارش تولیدی سال (   )

تاریخ: /   /

مصارفات اداری:	مصارفات تخنیکی:	مقدار پرداخت ها از درک جرایم تاخیر ویا فیس جواز ها:	پرداخت کرایه سطح زمین:	مقدار رویالتی پرداخت شده: (به اساس مقدار تولید در هر ربع)	مقدار فروشات (از قرار فی تن/ مترمکعب):	مقدار تولید: (به اساس ربع قرارداد)	ربع (مطابق به تاریخ قرارداد)
							ربع اول
							ربع دوم
							ربع سوم
							ربع چهارم
							مجموع

مهر و امضاء مسئول شرکت:

اسم:...........................

وظیفه:.........................

امضاء:.........................

31.23 MoMP to share list of companies whose TIN is missing with MoF for TIN issuance / sharing. (new)

The following is the current TIN template. Invoices have a place for the TIN. All active contracts have a place for the TIN owners and licenses are available on-line on the MoMP Transparency Portal.

31.24   New invoice format should include TIN number to help IA for tracking companies. (30.1)

The following template format identifies the location of the TIN number. Note this is highlighted.

31.27   Synchronization / Institutionalization of Systems through Trainings of the NTRS and MCAS.

Training and capacity building on the NTRS and MCAS System has been ongoing throughout 2019 and 2020. The following forms demonstrate 3 key training sessions held by the Research and Development Foundation. These include Editor Application Training, Editor License Management Training as well as a series of other trainings in-house. These have provided ongoing sustainability of the system. Training were held in Kabul (2) and Provinces (1).

MCAS Editor Application Training

List of Attendance

Date: 20 / 08 / 2019

Name	MoMP Position	Signature Attendance
Najeeb	RD	
M. Tamim Gader	RD	
Najeeb Ali	RD	
Mahdi Rezaie	RD	
Mokhtiar Ahmad	RD	
Mujtaba Rahimi	RD	
Jaber sedigi	RD	
Mohammad rasool	RD	
Mohsen rezaie	RD	
Ehsanullah	R.D.f	

MCAS Editor License Management Training

List of Attendance

Date: 22 / 01 / 2020

Name	MoMP Position	Signature Attendance Day 1
انجنیر گل آغا صمد	نورک آوریت روب نوب	
عبدالحمید	کوبست آوریت خدمات وظیفوی	
گل اراحیم	عضو آوریت وادار دین و امور کلتوری	Thakaghta
Abdul Bashir	آمر قراردادها لیسه زونکار	
شید حسنی آغا علوی	شرکت آوریت قندل ۸۴	
عبدالمکلف	دوریه لیسن بی داوطلبی	
امیر وحید	آمریت نون شرق	

MCAS Editor Application Training

List of Attendance

Date: 05 / 08 / 2019

Name	MoMP Position	Signature Attendance
Shamsulrahman Shah	Technical Mining & Cement Spt.	Shaker
Gul Ahmed Ahmadzev	LSMU	
Mujtaba Nayaur	Mining Eng	Nayur
Sayed Sabihullah Shadab	Mining Specialist	
Mehran rezaxi		
Mujtaba Rahimi	NLS	
Said Najeeb Ullah	RDF, Revenue State	
Ratib Salehi	LSMU	
M. Ismail Amin	LCMU	
Ehsan swirm	RDF	
ZIA AMIRI	LSMU	

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Systematic Disclosure

The following is a summary of all the Systematic Disclosure Sections from Section 1-3.

Type	Link
AEITI Website	http://aeiti.af/en
Minutes	http://aeiti.af/en/documents/category/minutes-2015-2019
AEITI Reports	http://aeiti.af/en/documents/category/reconciliation-reports
Annual Progress Reports	http://aeiti.af/en/documents/category/annual-progress-reports
MSG ToRs	http://aeiti.af/Content/Media/Documents/FINALMSGTOR201904012010201951239414553325325.docx
National Secretariat ToRs	AEITI Secretariat ToR (http://aeiti.af/en/documents/category/aeiti-docs)
Government Decree of Appointments to MSG	http://www.aeiti.af/en/page/govt-sector http://aeiti.af/en/documents/category/minutes-2015-2017
AEITI Civil Society Guidelines	https://eiti.org/document/eiti-protocol-participation-of-civil-society
Conflict of Interest	To be Approved
Workplan	http://aeiti.af/Content/Media/Documents/2020Workplan20200129113202003137997553325325.xlsx
Results Based Management for MSG and Stakeholders	http://aeiti.af/en/documents/category/provincial-and-outreach-reports
Communications Plan	Communication Strategy 2020-2021 (http://aeiti.af/en/documents/category/aeiti-docs)
Grievance Handling	Draft to be approved in 1st Quarter 2020
MSG Operations Handbook	To Be Completed 1st Quarter 2020
Gender Policy	Completed 1st Quarter 2020
Contracting and License Allocation	
Mining Laws and Regulations	https://momp.gov.af/sites/default/files/2019-06/قانون%20معدن_compressed.pdf and
Mining Law 2018 English	https://momp.gov.af/sites/default/files/minerals_law_2019english.pdf
Mining Law 2018 Dari	https://momp.gov.af/laws-and-regulation
Mining Regulation 2019 English	https://momp.gov.af/sites/default/files/mining_regulations_2019_english.pdf
Mining Regulations 2019 Dari	https://momp.gov.af/laws-and-regulation
Mining Laws 2009	http://old.moj.gov.af/Content/files/Pages/OfficialGazetteIndex_D-header.htm
Mining Regulations 2009	http://old.moj.gov.af/Content/files/Pages/OfficialGazetteIndex_D-header.htm
Mining Laws 2014	http://old.moj.gov.af/Content/files/Pages/OfficialGazetteIndex_D-header.htm
Mining Laws 2018	http://old.moj.gov.af/Content/files/Pages/OfficialGazetteIndex_D-header.htm
Hydrocarbon Law 2009	http://old.moj.gov.af/Content/files/Pages/OfficialGazetteIndex_D-header.htm and https://momp.gov.af/sites/default/files/2019-03/Hydrocarbons_Law_2009-%28Unofficial_English_Translation_dated_March_2014%29-Final_0.pdf
Hydrocarbon Law 2017	http://old.moj.gov.af/Content/files/Pages/OfficialGazetteIndex_D-header.htm

Bidding Projects	http://mom.gov.af/en/page/transparency-information/projects-in-bidding
Bid Evaluation Contracts	https://momp.gov.af/sites/default/files/bid_evaluation_criteria_4.pdf
Licenses Portal	https://transparency.mom.gov.af/license
Licenses Dashboard	https://transparency.mom.gov.af/dashboard
Register of Licenses	
Register License	https://transparency.mom.gov.af/license
License Owner	https://transparency.mom.gov.af/owner
License	https://transparency.mom.gov.af/license/589
Revenue Licenses	https://afghanistan.revenuedev.org/license/589
Transparency Licenses	https://transparency.mom.gov.af/license/64022
Transparency Licenses	https://transparency.mom.gov.af/license/696
ASM Formalization Strategy	https://momp.gov.af/sites/default/files/2019-04/ASM%20SS%20Formalisation%20Strategy%202018_V4_reduce_0.pdf
Beneficial Ownership	
Beneficial Ownership Roadmap	https://eiti.org/files/documents/aeiti_bo_roadmap_draft_29.01.171.pdf
Beneficial Ownership Disclosure	https://www.bing.com/search?q=momp+beneficial+ownership&form=EDNTHT&mkt=en-us&httpsmsn=1&msnews=1&rec_search=1&plvar=0&refig=b7ac45aa38e44a3d9e2afe9bfb839e4e&PC=HCTS&sp=-1&pq=momp+beneficial+ownership&sc=0-25&qs=n&sk=&cvid=b7ac45aa38e44a3d9e2afe9bfb839e4e
State Participation	
State Owned Participation	https://momp.gov.af/soes
Summary Addendum to SOEs Benchmark	https://momp.gov.af/sites/default/files/soes_addendum_report.pdf
State Owned Enterprises	
Northern Coal Enterprise: Memorandum of Association (Dari)	https://momp.gov.af/sites/default/files/nce_memorandums_of_association.pdf
Northern Coal Enterprise: Legal	https://momp.gov.af/sites/default/files/trh_tjarty_dhghalsng.pdf
Northern Coal Enterprise: Legal	https://momp.gov.af/sites/default/files/mswbh_10_shwray_wzyran.pdf
Northern Coal Enterprise: Legal	https://momp.gov.af/sites/default/files/mktwb_mswbh_10_w_8.pdf
Afghan Gas Enterprise: Memorandum of Association (Dari)	https://momp.gov.af/sites/default/files/age_memorandums_of_association.pdf
Afghan Gas Enterprise: Legal Documents	https://momp.gov.af/sites/default/files/age_legal_documents.pdf
Data Disclosure and Data Quality	
Data Quality Operations Handbook	https://momp.gov.af/sites/default/files/data_quality_mechanism_.pdf
Standard Operating Procedures	https://momp.gov.af/dr/طرزالعمل-ها-و-چارچوب-های-کاری
Production Data	https://momp.gov.af/index.php/small-mines-projects-details
Production Value and Volume	https://momp.gov.af/central-and-provincial-production-value-and-volume-information
Production Calculation	https://momp.gov.af/production-value-calculation-mechanism
Export Data	https://customs.mof.gov.af/afghanistan-customs-statistics-reports/
Data Quality Control Mechanism	https://momp.gov.af/eiti-disclosures
Transparency Portal	https://transparency.mom.gov.af/dashboard

	Social and Environmental Expenditures
Definition	The MSE definition already shared with and confirmed by MSG. Article 90 (4).5.5 of MR
Legal Framework	https://momp.gov.af/index.php/dr/قوانین-و-مقرره-های-معدنکاری
	Quasi Fiscal Expenditures
Quasi Fiscal Addendum	https://momp.gov.af/sites/default/files/soes_addendum_report.pdf
MSG Definition Decision	http://aeiti.af/Content/Media/Documents/MeetingMinutsEnglish201812251022019329124055325325.pdf
	Contribution of Extractives Sector to the Economy
SOE Contribution	https://momp.gov.af/sites/default/files/soes_addendum_report.pdf
Employment Figures	https://momp.gov.af/eiti-disclosures and https://momp.gov.af/sites/default/files/2020-02/Employment%20Data.xlsx
ISCO	https://ec.europa.eu/eurostat/documents/1978984/6037342/ISCO-88-COM.pdf
	Social and Environmental Expenditures
Definition	The MSE definition already shared with and confirmed by MSG. Article 90 (4).5.5 of MR
Legal Framework	https://momp.gov.af/index.php/dr/قوانین-و-مقرره-های-معدنکاری
	Outcome and Impacts
Location	Link
Annual Report 2018	http://aeiti.af/en/documents/category/annual-progress-reports
Annual Report 2018	http://aeiti.af/en/documents/category/annual-progress-reports
Outreach Activities	http://aeiti.af/en/news
Feedback Forms	MSG Survey Questionnaire (Annex-B to the 2019 Annual Progress Report)