

Annex A: Terms of Reference and Scope of Services

Sustainable Development of Natural Resources in Afghanistan

Program Management Unit (PMU)

Archeological Assessment of Aynak Ancient Sites

Position Number MOM/PMU/81

Rapid Archeological Assessment of Aynak Ancient Sites

1. Background

The Islamic Government of Afghanistan has received a grant from the International Development Association (IDA - World Bank) toward the cost of achieving Sustainable Development of Natural Resources in Afghanistan. The main objective of the proposed project is to strengthen institutional capacity within the Ministry of Mines (“the Ministry”) to administer and regulate private sector led exploration, mining and petroleum development projects and to achieve technically, socially and environmentally sustainable private sector mineral investment in Afghanistan. The Project is being implemented through a Program Management Unit (PMU) reporting to the Minister, Ministry of Mines.

The Aynak contract was signed in November 2008 between the Islamic Republic of Afghanistan (IRoA) and License Holder-Jiangxi Copper Consortium (“License Holder”) and License Holder was subsequently awarded a Mining Licence in accordance with the Minerals Law of Afghanistan 2005. Initial pre-feasibility studies and preliminary works like de-mining, access road construction, and preliminary scoping for environmental and social impact studies have commenced.

The rights to Aynak were awarded to License Holder after a rigorous international tendering process followed by further negotiations to finalise the Mining Contract. The Aynak Mining Contract (AMC) enshrines international best practice as the baseline standard by which the Aynak Copper Project will be implemented by License Holder and regulated by the IRoA. The AMC includes a set of general principles and specific contractual obligations addressing technical, financial, and environmental/social protection requirements and a corresponding enforcement framework that License Holder have agreed to implement and accordingly comply with.

The Aynak copper deposit is a world class copper deposit, with an in-ground resource estimated at 240 Mt @ 2.3% with an estimated value at current copper price of US \$ 43 billion. As such it is a major project for Afghanistan in terms of employment, training revenue and infrastructure development. It has the potential to generate direct employment opportunities of 5,000 jobs at Aynak, several times that indirect jobs, USD300-\$500 million dollars in royalty and tax payments and estimated to increase Afghanistan’s GDP by USD1.2 billion.

It is expected that once all approvals are obtained by MCC, including an approved Environmental and Social Impact Statement, a bankable mining feasibility study and a Mine Development Plan for life of mine operations can begin. It is estimated that this may take another 12-24 months.

a. The Archeological Site at Mès Ainak

Located in a mountainous region 40 kilometers southeast of the capital, Mès Ainak is a hill topped by a 4500-square-meter monastery. Although the site was spotted by archaeologists in the 1960s, it was never excavated. During the late 1990s, the hill was home to an al-Qaida training camp, according to the 2004 report by the National Commission on Terrorist Attacks upon the United States. In recent years, looters have damaged much of the monastery complex in the search for antiquities.

Two millennia ago, this region served as a critical conduit in the spread of Buddhism to Central Asia and China, according to archeologists who are familiar with the ancient history of this region. The Aynak site could provide new data on both the origin and demise of the religion here. Researchers now believe that as late as the 7th century C.E., when Islam arrived in the area, Buddhism was still making inroads as far west as Iran and as far north as Turkmenistan. Experts advise that evidence from Aynak could help provide a new picture of religious blending at an important historical junction

These ancient sites are located either in the middle or adjacent to pending opencast mining operations and it is critical for the understanding of the ancient history of Afghanistan that these sites are properly excavated and document before the area is mined and any relics lost and destroyed. It is critical that this work is completed immediately prior to any mining takes place. Time is of essence. This consultancy assignment is very important for the government of Afghanistan. The government is committed to preserving the past while allowing the present and future to benefit from the Aynak copper mine. The work needs to be started as soon as possible due the pending winter and proposed opencast mining operations.

b. Recent Excavations

The site had been first recorded in 1963 (Fussman, 1976) and visited by a French geological mission in 1977 (Berthoud and Alii, 1977). In 1982 a team of DAFA archaeologist led by J.C. Gardin made there an archaeological survey. From 2002 to probably 2004 the site had been looted, some elements of Buddhist statues were then seized by the police forces which hand them back to the National Museum in Kabul.

Accordingly Mès Ainak was recognised as a probable important archeological site for unraveling ancient Afghanistan history. Archeological investigations from June to December 2009 undertaken by the French Archaeological Delegation to Afghanistan (DAFA) and the National Institute of Archaeology in Kabul, have partially uncovered a monastery under the

village of Gol Wali located inside the Chinese compound. From May until now, archaeological works of INA have been focalized on Tepe Kafiriat, West of the Baba Wali village

c. Preliminary results

Gol Wali

Archeological work has exposed a big and very well preserved building that was a Buddhist monastery from the 5th to the 7th century (but the building was reused until the 15th century). Only 10 % of the building was excavated before the snow forced to stop the work last November, but it seems to be bigger in size than the one uncovered in the nearby area of Goldara. It is also notably in better condition.

Square rooms covered by cupolas and rooms topped by barrel vaults have been discovered. Despite looting and destruction, many unbaked clay statues with polychromic remains were uncovered in one of the chapels. They include a seated Buddha with hands hidden in his robe, a sleeping Buddha and two armoured warriors. Painted representations of Buddhas, Bodhisattvas and donors also adorn the walls of the podium on which these statues were found. Such an ornamentation suggests both a wealthy monastic community and how rich were the people living nearby and whose income probably came from the mine and processing of copper and bronze coins and artifacts.

A campaign to restore the unbaked clay statues from the Gol Wali monastery was led from the middle of January to the middle of June by a conservator commissioned by DAFA and UNESCO and the conservation team of the National Museum of Kabul where the statues had been transferred in December 2009.

Tepe Kafiriat

When the excavation work resumed last May, at the request of MCC, excations commenced on archeological site Tepe Kafiriat. Tepe Kafiria is the first site at risk by the open cast mining and hence MCC directed operations on this site.

Located between the MCC compound and the Baba Wali village, Tepe Kafiriat has been subject to considerable looted during the 1990's, providing many fragmentary sculptures to the black market.

Since May it is estimated that 50% of the site has been excavated. The finds are dated as the 5th and 6th century. A large rectangular enclosure wall (80m by 35m) surrounds a Buddhist monastic complex with the monastery in the northern part and a stupa courtyard in the southern one. A round tower is located on each corner of that wall. All the stupas are built in diaper masonry, the eight small stupas surrounding the main one. Three unbaked clay stupas have been found outside the enclosure wall, built on an terrace next to the wall. Podiums with seated Buddhas made of unbaked clay have also been discovered among the

stupas. On one of the small stupa, a stone sculpture has been found on which a donor is seen standing next to a Bodhisattva seated on a podium.

The monastery consists of a large central room and small square-shaped rooms covered by cupolas on three sides. A corridor gives access to that central area. A staircase suggests that there was a first floor. Many wooden pieces have been found, used for the door frames, the doors and for covering the stairs.

Wall paintings have been discovered in many parts of the building and they are of exceptional quality. More than one hundred unbaked clay statues have also been found in situ. Two chapels were particularly ornamented. In the first one a 3m-long sleeping Buddha is still visible, and there was a 7m-high standing Buddha of which only feet are remaining. The second chapel was filled with 5m-high standing Buddha and Bodhisattvas (still visible until 2m high) surrounding a sleeping Buddha. A wooden sculpture of a seated Buddha has also been discovered here.

If the major part of the paintings and the sculptures could be attributed to the 5th and 6th centuries, different chronological stages can be observed for the building itself. The two more ornamented chapels are thus of a later stage than the central room. Furthermore few arrowhead-shaped windows would suggest that the building was first built as a fortification. The archaeological work in the coming months should clarify that hypothesis.

Unnamed third site being currently excavated

Walls made of stones and mud-bricks have partly been uncovered. These architectural structures are probably part of the fortification that should enclose the area where copper was processed. Ancient walls are also visible running along the northern slope of the main mountain. It is postulated that within the enclosed area there could be discovered ancient copper workshops and remains of the city linked to the mine.

These preliminary elements suggest that Aynak is a major part of the Afghan Cultural Heritage, equal in importance to that of Hadda (Ningrahar Province). Led from the 1920s to the 1970s, the searches on that site provided such an extraordinary quantity of statues and monuments that this site is due to be a major reference for the Afghan cultural heritage.

2. Objectives and Scope of Work

The Ministry of Mines is using its regulatory powers to ensure development of the Aynak copper project is in accordance with Afghanistan's Minerals Law on the protection of historical and cultural relics which are also covered by the both the preservation of Afghanistan's Historical & Cultural Artifacts (2004) Law and the conditions of the Aynak Mining Contract.

The objectives of the consultancy is to undertake a rapid assessment of the archeological elements at Aynak including prioritizing the different areas, develop short and long plans for the preservation and protection of the site, recognizing its co-existence with the mining activity. The results of the archaeological assessment of the site will provide the parameters detailed enough to manage the archaeological management that will achieve the government's goals of preserving the past while allowing the present and future to benefit from the Aynak copper mine.

The archaeological assessment of the site will provide the elements to organize in the best way the archaeological management of Mès Ainak and to recommend priorities and relevant . museographic treatment of the data gathered during the field work,

3. Deliverables

The consultant will provide for the Ministry of Mines, Ministry of Culture and Information, MCC as well as to the archeologists investigating the artifacts at Aynak the following deliverables.

- i. A spatial data base of the archeological artifacts showing the thickness of the archeological deposits, the location of the main structures a zoning of the areas in the different sectors according to their archeological interest and any other relevant archeological parameters. This will include relevant maps superimposing the location of the archeological sites and proposed mining infrastructure such as the open cast mine, various tailings dumps, stockpiles, roads, buildings etc.;
- ii. prioritizing the different areas, including short and long plans for the preservation and protection of the archeological site recognizing its co-existence with the mining activity ;
- iii. a comprehensive practical operation plan to clear the archeological area recognizing its co-existence with the mining activity; and
- iv. Future archeological areas that will need excavation in advance of any mining related activities

4. Timing

The assessment and reporting will be completed by 31st December 2010 in order to organize, as quickly as possible, a clearing campaign starting in early spring 2011.

5. Key Experts and inputs

The Consultant will be required to put together a multi-disciplinary team capable of delivering the objectives and undertaking the above tasks and calling on external expertise as required. The Consultant will manage the requirements of the relevant experts for this project and be

able to call on various skill sets as and when required. The Consultant will work closely with the Ministry of Mines, Ministry of Information and Culture, National Museum and the MCC.

Nationals are to be a key component of the team, professional, artisanal and labor. Where possible local Afghans are to be employed

The Consultant will organize and provide:

- Trained expat archaeologists (to which are going to be associated Afghan archaeologist with a ratio of one for two)
- A team of local workers to support the fieldwork
- Heavy excavating equipment (hydraulic excavators, bull-dozer, etc...) in order to dig test trenches all over the site.
- A proper topographical survey of the existing topography and of the remains already visible.
- Any other relevant equipment and personnel required for the project.

6. Reporting

DAFA will take care of the coordination of the assessment and to the finalization of the evaluation document. The consultant will have two milestones for completing this work. The first is the initial report of consultant's findings based on the stated deliverables and the other the final report.

The following reports already presented by the Consultant as part of this assignment:

- An initial report based on the above deliverables for consultation with the client
- Final Report with above deliverables and recommendations