

# RAPAT MSG EITI

Sekretariat EITI  
5 Januari 2017

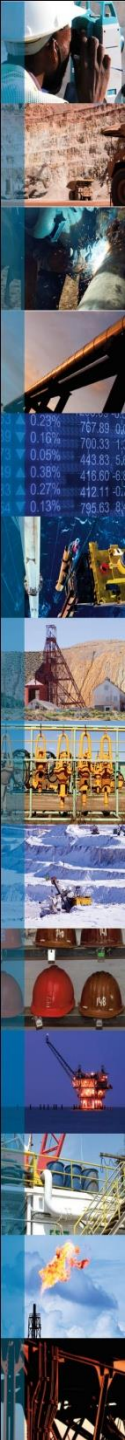
# Agenda

1. Pembahasan Inception Report
2. Persetujuan Workplan 2017
3. Rencana Laporan EITI 2015
4. Rencana Kerja Laporan Commodity Trading
5. Tindak Lanjut Rekomendasi Laporan EITI 2012-2013
6. Lain-Lain:
  - Surat kepada Menteri Keuangan mengenai permintaan pembukaan informasi pajak
  - Iuran Indonesia kepada EITI
  - Keanggotaan EITI Daerah
  - Laporan Roadmap BO dan surat permintaan extension dateline Laporan EITI 2014
  - Kebijakan keterbukaan data (Open data policy)

# Inception Report

Presentasi oleh IA

# Workplan 2017



## REALISASI 2016

1. Penyusunan Laporan EITI 2014  
(sedang berjalan, sd Feb 2017)
2. Sosialisasi:
  - Pelaksanaan sosialisasi Laporan EITI 2012-2013
  - FGD dgn Pemda dan masy lokal
  - Diskusi dgn DPRD
  - Penerbitan newsletter
  - Update website secara berkala
  - Distribusi laporan kpd stakeholder
  - Penyiapan video script
  - Pembuatan infografis
3. Peningkatan kapasitas:
  - Review/analisis data penerimaan negara
  - Review perusahaan EI
  - Diskusi, workshop, konferensi
  - Pengembangan portal data EITI
  - Penyusunan Roadmap BO
4. Regulasi:
  - Review Perpres 26/2010
  - Tindak lanjut rekomendasi

## RENCANA 2017

1. Penyusunan Laporan EITI 2015
2. Sosialisasi:
  - Sosialisasi laporan EITI 2014
  - Forum diskusi dg stakeholder daerah (Pemda, DPRD, akademisi, masyarakat)
  - FGD Pengembangan EITI Daerah
  - Newsletter
  - Pembuatan video sosialisasi
  - Distribusi laporan
  - Launching laporan EITI
  - Launching Data Portal
  - Fact sheet EITI per wilayah
3. Peningkatan kapasitas:
  - Review/analisis data penerimaan
  - Database perusahaan
  - Koord/pelaksanaan BO
  - Laporan commodity trading
  - Kajian analisa dampak
  - Portal data lanjutan
4. Regulasi:
  - Workshop Perpres 26/2010
  - Review regulasi EI

# Workplan 2017

**Objective 1:** Peningkatan transparansi pengelolaan industri ekstraktif Indonesia.

**Rational:** Industri ekstraktif menyangkut penerimaan negara yg besar, namun selama ini pengelolaannya cenderung hanya diketahui kalangan terbatas shg potensi terjadinya ketidakefisienan yg mengarah pd korupsi sangat besar. Upaya transparansi diharapkan dpt mencegah potensi korupsi dan meningkatkan efisiensi dan selanjutnya diharapkan dapat meningkatkan kinerja industri ekstraktif di Indonesia

**Tantangan** yg dihadapi adalah: 1. masih rendahnya kesadaran dari parapihak untuk berpartisipasi aktif dlm proses keterbukaan informasi publik; 2. masih adanya regulasi yg tidak sejalan dgn semangat keterbukaan;

| Activities                                                                                                                                                                                                                                                                            | Outcomes                                                                                                                                                                              | Responsible party                                          | 2016         |      |        |                       | 2017         |      |                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------|------|--------|-----------------------|--------------|------|---------------------------|
|                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                       |                                                            | Timelin<br>e | Plan | Actual | Fundin<br>g<br>Source | Timelin<br>e | Cost | Fundi<br>ng<br>Sourc<br>e |
| <b>1. Menyusun Laporan EITI 2014 dan 2015,</b> termasuk memasukkan informasi yg belum dicakup di workplan 2014-2015, sbb:<br><br>a. Perhitungan DBH per kab/perusahaan<br><br>b. Informasi data <i>cost recovery</i><br><br>c. Data produksi dan penjualan<br><br>d. Implementasi MPN | Tersedianya informasi tata kelola industri ekstraktif Indonesia yg dpt diketahui masyarakat luas, termasuk data DBH, cost recovery, data produksi dan penjualan, dan implementasi MPN | Kemen. ESDM,<br>Kemenko Perekonomian<br>(Sekretariat EITI) | June-Nov     | 1800 | 1612   | MDTF                  | Jan-Nov      | 1900 | GOI                       |



|                                                                                                      |                                                                                                                                                                                         |                             |          |     |     |              |         |     |      |
|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|----------|-----|-----|--------------|---------|-----|------|
| 3. Melakukan diskusi publik:                                                                         |                                                                                                                                                                                         |                             |          |     |     |              |         |     |      |
| a. Diskusi dgn pemerintah daerah                                                                     | 1. Meningkatnya pengetahuan bersama ttg isu-isu industri ekstraktif di daerah; 2. Identifikasi perlunya perbaikan kewenangan pengelolaan antara pemerintah pusat, provinsi dan kab/kota | Sekretariat, Pemda          | Sept     | 80  | 250 | MDTF         | Feb-Agt | 200 | MDTF |
| b. Diskusi dgn akademisi dan perusahaan                                                              | Merumuskan isu dan alternatif solusi bagi tata kelola industri ekstraktif                                                                                                               | Sekretariat, PT, Perusahaan | Sept     |     |     |              | Jul-Okt |     |      |
| 4. Meningkatkan kualitas laporan                                                                     |                                                                                                                                                                                         |                             |          |     |     |              |         |     |      |
| a. Diskusi bulanan utk tema2 tertentu, termasuk membahas tindak lanjut rekomendasi Laporan EITI 2015 | Meningkatnya pemahaman stakeholder ttg isu2 tematik, termasuk langkah2 tindak lanjut rekomendasi Laporan EITI 2015                                                                      | Sekretariat, MSG            | June-Aug | 80  | 40  | MDTF --> GOI | Jan-Okt |     |      |
| b. Diskusi utk persiapan validasi                                                                    | Tersusunnya informasi ttg proses, output yg telah dicapai, tindak lanjut yg diperlukan, serta peran serta parapihak dalam penyusunan laporan EITI                                       | Sekretariat, MSG            | Sept-Nov | 80  | 0   | MDTF         | Sep-Okt | 200 | GOI  |
| c. Penguatan scoping notes                                                                           | Tersedianya bahan2 terkait data, informasi, isu permasalahan yang harus dicakup dalam laporan EITI tahap berikutnya                                                                     | Sekretariat, MSG            | Aug-Oct  | na  |     |              | Sep-Nov |     |      |
| 5. Melaksanakan monitoring/outreach                                                                  | Tersosialisasinya informasi ttg EITI dan sinkronisasi kebijakan                                                                                                                         | Sekretariat                 | May-Oct  | 310 | 445 | GOI          | Jan-Okt | 170 | GOI  |

Tantangan yang dihadapi: 1. kesadaran yg rendah utk berubah dan cenderung mempertahankan kemapanan (status quo); 2. mekanisme perubahan tata kelola memerlukan keterlibatan banyak pihak shg cenderung sulit/memakan waktu dan konsistensi parapihak untuk menyelesaikannya

| Activities                                 | Outcomes                                                                                                                                                                     | Responsible party               | Timelin e         | Cost |     | Fundin g Source |         |     |      |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------|------|-----|-----------------|---------|-----|------|
| 1. Melaksanakan impact assessment          | Tersedianya informasi lengkap tentang manfaat yg didapat dari keberadaan EITI sejak 2010, isu2 yg masih belum dapat diselesaikan, dan kendala2 yg dihadapi dalam pelaksanaan | MSG, Sekretariat EITI           | MSG, Sekreta riat | na   |     |                 | Jul-Okt |     |      |
| 2. Meningkatkan kapasitas pelaksanaan EITI |                                                                                                                                                                              |                                 |                   |      |     |                 |         |     |      |
| a. Diskusi dgn akademisi dan perusahaan    | Merumuskan isu dan alternatif solusi bagi tata kelola industri ekstraktif                                                                                                    | Sekretariat, PT, Perusahaan     | Sept              | 80   | 220 | MDTF            | Jul-Okt | 200 | MDTF |
| b. Pelatihan stakeholder EITI              | Meningkatnya pengetahuan, kepedulian, dan partisipasi stakeholder thd isu2 EITI                                                                                              | MSG, Sekretariat EITI           | May, Oct          | na   | 0   | GOI             |         | 200 | MDTF |
| c. Penguatan database EITI meliputi:       |                                                                                                                                                                              |                                 |                   |      |     |                 |         |     |      |
| i. Pengembangan portal data EITI           | Mudahnya akses data EITI untuk berbagai keperluan                                                                                                                            | WB, MSG, Sekretariat            | Jan-May           | *    |     | WB              | Feb     |     |      |
| ii. Pelatihan database utk stakeholder     | Meningkatnya kemampuan stakeholder dlm mengakses dan interpretasi data EITI                                                                                                  | WB, MSG, Sekretariat, Konsultan | July              | *    |     | WB              | Mar     |     |      |
| iii. Memperkaya cakupan dan analisis data  | Meningkatnya ketersediaan dan hasil analisa data EITI                                                                                                                        | Sekretariat                     | June-Nov          | 10   | 0   | GOI             | Apr-Okt |     |      |

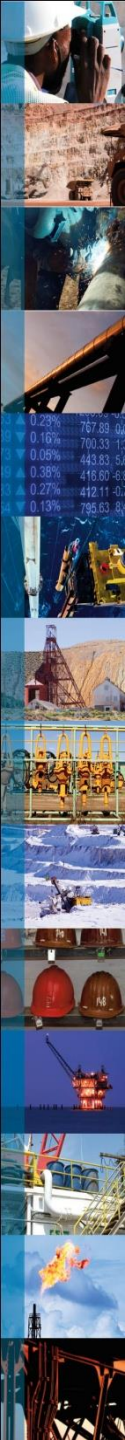




# Rencana Laporan EITI 2015



# Rencana Kerja Laporan Commodity Trading



# Rencana Kegiatan Commodity Trading

| Kegiatan                              | Jadwal          | PJ                      |
|---------------------------------------|-----------------|-------------------------|
| 1. Persetujuan TOR                    | M1 Jan          | Sekr EITI               |
| 2. Pengadaan konsultan                | M1-M4 Jan       | EITI Intern             |
| 3. Kontrak konsultan                  | M2 Feb          | EITI Intern             |
| 4. Pengumpulan data/information       | M2-M4 Feb       | Konsultan               |
| 5. FGD                                | M4 Feb & M3 Mar | Sekr EITI/<br>Konsultan |
| 6. Draft zero                         | M4 Mar          | Konsultan               |
| 7. Workshop                           | M2 April        | Sekr EITI/<br>Konsultan |
| 8. Draft Final                        | M3 April        | Konsultan               |
| 9. MSG Approval                       | M4 April        | MSG                     |
| 10. Final Report                      | M1 Mei          | Konsultan               |
| 11. Penyampaian ke EITI International | M2 Mei          | Sekr EITI               |

# Tindak Lanjut Rekomendasi Laporan EITI 2012-2013

## Oil and Gas

| No. | Issue                                                                         | Recommendation                                                                                               | Agencies                 | Follow Up                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | Information coordinate of working areas                                       | - Information coordinate of working areas should be accessible by the public free of charge                  | DG Oil and Gas           | - The regulation concerning non-tax payment that regulates accessed charges for the information is still being reviewed by government,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 2   | Information concerning names of the bidders for working areas of oil and gas  | - Information concerning names of the bidders should be published for public disclosure                      | DG Oil and Gas           | - In the MSG meeting, DG Oil and Gas has agreed to disclose information concerning names of bidders for public. IA should follow up this consent to DG Oil and Gas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 3   | Information of Ultimate Beneficial Ownership (BO) of oil and gas working area | - Ultimate beneficial ownership (BO) of oil and gas working areas should be included into annual EITI Report | DG Oil and Gas           | - The MSG (including DG Oil and Gas) is still working to finalize the BO roadmap and expectedly will be submitted at the end of 2016. Based on the roadmap, information of BO will available in EITI Report by 2020.                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 4   | Public access to the content of oil and gas contract                          | - Document of contract should be disclosed to the public                                                     | DG Oil and Gas/SKK Migas | <ul style="list-style-type: none"> <li>- SKK Migas can not disclosed the whole contents of contract since they refer to Law No.14/2008, article 17d concerning transparency of public information, that the document of contract is excluded for public information</li> <li>- In the past, an order by KIP (Central Information Commission) to BP Migas (now SKK Migas) to disclose document of contract as public information had been rejected by South Jakarta Court and also reaffirmed by the Supreme Court</li> <li>- For the EITI Report, SKK will provide information concerning draft of contract that contains general information related the contract</li> </ul> |

| No. | Issue                                                                            | Recommendation                                                                                                                                       | Agencies                                     | Follow Up                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----|----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | Public access for cadastre information                                           | Encouraging transparency of key information in accordance with the EITI standards through assessment, multi-party agreements, or regulatory changes. | DG Mineral and Coal (DG M&C)                 | <ul style="list-style-type: none"> <li>- DG M&amp;C has been implementing trial for limited cadastre data access to the public through MOMI System</li> <li>- Soft launching has been conducted in the socialization of EITI Report in Denpasar, August 25, 2016</li> <li>- Similar with the case in oil and gas, full access for public of the information is still hampered by Government Regulation No.9/2012 concerning Type and Tariff for Non Tax Revenue in the Ministry of ESDM</li> </ul> |
| 2.  | Public access for contents of Mineral Contract of Work and Coal Contract of Work | Encouraging transparency of key information in accordance with the EITI standards through assessment, multi-party agreements, or regulatory changes. | DG Mineral and Coal                          | <ul style="list-style-type: none"> <li>- Similar with the case in oil and gas, DG M&amp;C is hampered by Law No.14/2008; further discussion is needed for confidentiality status of the contract.</li> </ul>                                                                                                                                                                                                                                                                                       |
| 3.  | Information of Ultimate Beneficial Ownership of mineral and coal working area    | MSG should identify Ultimate Beneficial Ownership and define it to the reporting format (template)                                                   | DG Mineral and Coal, Governor, Regent/May or | <ul style="list-style-type: none"> <li>- Central Government only issued 5% of mining licenses from all mining licenses in Indonesia, so that it needs cooperation from local government to identify BO.</li> <li>- The MSG (including DG M&amp;C) is still working to finalize the BO roadmap and expectedly will be submitted at the end of 2016. Based on the roadmap, information of BO will available in EITI Report by 2020.</li> </ul>                                                       |

# Mineral and Coal

| 4. | Copy of Mining Licenses (IUP)                                                                                            | Mining licences should be accessible by public                                                                                                                                                                 | Governor, Regent, Mayor                        | Information for IUP that has a Clean and Clear (CnC) status can now be accessed by public through DG M&C                                                                                                                                                                                                                                                                                                             |
|----|--------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. | Difficulties and slow process to collect data and information from the companies, especially companies with IUP licences | Encourage publication of technical regulations concerning obligation for IUP companies to submit report to the local government, and the local government also submit the reports to the central government.   | DG Mineral and Coal                            | Central Government has published regulation to require local government to submit report concerning mining activities in its regions, but only very few Local Governments that submit the report, probably because last year was just a transition period with the new regulation; Central Government needs to intensify socialization the new regulation and give harder sanction for the disobey local governments |
| 6. | Article 34 of Tax Law make process of data reconsiliation longer                                                         | Head of Steering Committee/Head of MSG should send letter of request to the Minister of Finance to give written authorization for the Director General of Tax to disclose tax payments from reporting company. | Head of Steering Committee/Head of MSG, DG Tax | This recommendation will be followed up by Head of Implementing Team (MSG) for EITI Report 2016                                                                                                                                                                                                                                                                                                                      |
| 7. | Materiality threshold for searching discrepancies in reconciliation process                                              | MSG should define the materiality threshold of differences to be traced by IA, for example 5% as required by Financial Service Authority (OJK)                                                                 | MSG                                            | In principle MSG affirms with materiality threshold suggested in the recommendation, however, it is not necessary to be mentioned since the task of Independent Administrator (IA) is to close the discrepancy as small as possible.                                                                                                                                                                                 |

# Mineral and Coal

|    |                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                            |                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8. | Difference in unit conversion for gas.                                                                                                                                                                                                                                                              | The template should use both units, MSCF and MBTU<br>The report should also provide data of conversion rate, from MBTU to MSCF and from ton to MSCF for gas.                                                               | IA and SKK Migas                                               | It is difficult to apply one standard of conversion rate for gas since each type of gas has different quality and qualification. Common practice is that to determine the volume of gas production using the unit of MSCF, but when it is sold, it uses MBTU unit. So the EITI Report should uses both units, depend on requirements;Solution for EITI reporting: KKKS will fill the template according to the requirement of the EITI report, i.e.: for production data will use MSCF unit, and for sales of LPG will use MT unit, and for sales of LNG will use MBTU unit. |
| 9. | Mistakes in accounts recording in the Mining sector cause differences between records in General Accounting System (SAU) and in Institution Accounting System (SAI); it consequently cause a delay in the allocation process of revenue sharing fund by the central government to local government. | Dissemination of payment system of non-tax revenues to the companies and Local GovernmentImplementation of integrated payment and reporting system so that not raising data differences between the SAU and SAI recording. | DG Mineral and Coal<br>DG of Fiscal balance and<br>DG Treasury | Minister of Finance has issued Minister Regulation No 833 / MK / 2014 concerning the use of Non Tax revenue information systems Online called SIMPONI for non tax revenue payment Ministry of Finance, Ministry of ESDM, and local governments have conducted several socialization activities in order to promote SIMPONI. Until now, 99% of non tax revenue payment has been using SIMPONI system.Starting on August 1, 2016, DG Treasury has obliged perception banks not to provide services for revenues payment using MPN G1 system, since the system is still manual  |

# Lain-Lain:

- Surat kepada Menteri Keuangan mengenai permintaan pembukaan informasi pajak
- Iuran Indonesia kepada EITI
- Keanggotaan EITI Daerah
- Laporan Roadmap BO dan surat permintaan extension dateline Laporan EITI 2014
- Kebijakan keterbukaan data (*Open Data Policy*)

## Kebijakan keterbukaan data (*Open Data Policy*)

- Berdasarkan EITI Standar:
  - ✓ 7.1.b) *“Agree a clear policy on the access, release and reuse of EITI data”*
  - ✓ 7.1.c) *“Make EITI Report available in an open data format (xlsx or csv) online and publicise its availability”*
  - ✓ 7.2 *Data accessibility*
- → setiap negara EITI diminta membuat Kebijakan Keterbukaan Data
- Sekretariat akan membuat draft awal yang akan dikonsultasikan kepada MSG

