

Framing Public-Private Partnership Models for Community Development and Empowerment in the Mining Industry in Indonesia

Researchers: Bernadetta Devi
School/Centre: Centre for Social Responsibility in Mining
University/Institutions: Sustainable Minerals Institute
The University of Queensland

Key themes: Community and Environmental Sustainability
Key countries: Indonesia
Completion: June 2015

Research aims:

This action research aimed to :

- develop a methodology to investigate suitable partnership models in the Indonesian mining sector via three case studies in Kalimantan, Sulawesi and Papua
- organise and host a workshop for the Indonesian Ministry of Energy and Mineral Resources research team in Brisbane
- participate in a site visit to at least one of the case study regions and provide advice to the Indonesian MEMR during the visit

For further information on this action research:

Contact person: Bernadetta Devi
b.devi@uq.edu.au

IM4DC Action Research Report



Summary of Action Research Activity

Framing public-private partnership models for community development and empowerment in the mining industry in Indonesia

Public-Private Partnerships (PPPs) are specifically partnerships between the public sector (governments) and the private sector (private companies). Despite risks potentially associated with promoting PPPs, these partnerships are a way for governments to achieve goals that they might struggle to accomplish on their own. The International Council on Mining and Metals suggests that mining companies should create and maintain strong partnerships with key in-country stakeholders (with both governments and civil society) to promote mining for development – to the extent whereby mining companies are viewed as key to poverty alleviation in mining regions.

As mandated by Indonesian mining Law, the Indonesian Ministry of Energy and Mineral Resources (MEMR) has drafted the implementing regulation on community development and empowerment (CDE) which was intended to guide companies and other parties (e.g. sub-national governments) to conduct their social investments on CDE in 2011. However, to date this draft regulation has not been enacted due to the lack of evidence of necessity and findings – especially due to a lack of input from companies, communities, and sub-national governments.

The MEMR research team requested CSRSM to provide the supporting research activities ‘Framing Public – Private Partnership Models for Community Development in the Mining Industry in Indonesia’, with financial support provided by Australian Aid through the International Mining for Development Centre (IM4DC).

This report summarises the results of the activities supporting the MEMR team, as listed under the Research Aims.

SMI **CSRM**

Centre for Social
Responsibility in Mining

Framing Public-Private Partnership Models for Community Development and Empowerment in the Mining Industry in Indonesia

June 2015

Centre for Social Responsibility in Mining
Sustainable Minerals Institute
The University of Queensland, Australia
csrm@smi.uq.edu.au
www.csr.uq.edu.au

The Centre for Social Responsibility in Mining (CSR) is a leading research centre, committed to improving the social performance of the resources industry globally.

We are part of the Sustainable Minerals Institute (SMI) at the University of Queensland, one of Australia's premier universities. SMI has a long track record of working to understand and apply the principles of sustainable development within the global resources industry.

At CSR, our focus is on the social, economic and political challenges that occur when change is brought about by resource extraction and development. We work with companies, communities and governments in mining regions all over the world to improve social performance and deliver better outcomes for companies and communities. Since 2001, we have contributed to industry change through our research, teaching and consulting.

Report Author

Bernadetta Devi (CSRM Research Manager)

Report Reviewer

Matthew Weatherby (CSRM PhD Candidate)

Acknowledgements

The Author would like to thank The Director of IM4DC, Ian Satchwell and the Deputy Director of IM4DC, Robin Evans for their support in this action research.

The Author also would like to thank Dr Jo-Anne Everingham (CSRM Senior Research Fellow) in providing guidance for this research and jointly convening a workshop on Public-Private Partnerships for Community Development held in Brisbane from 17th – 22nd May 2015.

Finally, the Author would like to thank the Indonesian research team from the Directorate General of Minerals and Coal, Ministry of Energy and Minerals Resources for their valuable contribution and active participation:

Ms Rani Febrianti	Indonesian Team Coordinator and Legal Drafter
Mr Bayu Romas	Legal Drafter
Ms Iko Dessy	Public Relations and Communication Officer

Introduction

Background

Partnerships have been discussed in the literature as a key means of making progress towards sustainable development. Partnerships for sustainable development can be defined as “two or more parties working in close co-operation together and bound, whether legally or not, by joint rights and responsibilities to achieve a common aim of benefiting society”.¹ Forms of cooperation in partnerships range from networking and information sharing, through dialogue and cooperative planning, to sharing resources for joint action and implementation. Similarly, there are several different ways of describing parties to partnerships such as public-private partnerships (PPPs), multi-stakeholder partnerships and many others.

The PPPs are specifically partnerships between the public sector (governments) and the private sector (private companies). Despite risks potentially associated with promoting PPPs, these partnerships are a way for governments to achieve goals that they might struggle to accomplish on their own. Those goals tend to cover a broad range of developmental sectors, from critical infrastructure (e.g. water supply) to literacy (e.g. teacher and student funding programs). On the other hand, for the private sector such as mining companies, PPPs are important to ensure successful strategic social investments for their communities of interest. These, in turn, will provide mining companies with reputational benefits and promote their social license to operate. Consequently, the International Council on Mining and Metals or ICMM (2010)² suggests that mining companies should create and maintain strong partnerships with key in-country stakeholders (with both governments and civil society) to promote mining for development – to the extent whereby mining companies are viewed as key to poverty alleviation in mining regions.

As it stands, the Indonesian government is acknowledging the importance of PPPs with mining companies as a contributor to the national development agenda as evidenced by the Indonesian mining law (No 4/2009). This law stipulates that the national and sub-national governments and mining companies should partner together to conduct community development programs and empower the capacities and welfare of communities affected by mining operations.

As mandated by Indonesian mining Law, the Indonesian Ministry of Energy and Mineral Resources (MEMR) has drafted the implementing regulation on community development and empowerment (CDE) which was intended to guide companies and other parties (e.g. sub-national governments) to conduct their social investments on CDE in 2011. However, to date this draft regulation has not been enacted due to the lack of evidence of necessity and findings – especially due to a lack of input from companies, communities, and sub-national governments.

¹ Whitfield, R. 2005. *Partnerships*. In Hens, L and Nath, B. The World Summit on Sustainable Development: the Johannesburg Conference. p. 347

² ICMM. 2010. *Mining: Partnerships for Development Toolkit*.
<http://www.icmm.com/document/1945> (retrieved March 2015).

MEMR is currently re-visiting its draft implementing regulation on CDE by firstly conducting research titled: 'a legal review on the implementation model of public-private partnerships for CDE (*kajian hukum tentang model implementasi public private partnership dalam pengembangan dan pemberdayaan masyarakat*)' so that results from this research can inform the content of the intended regulation on CDE.

To have a more rigorous action research including necessary engagement strategies, the MEMR research team requested CSRSM to actively participate in this research and support MEMR research capacity. As a result, CSRSM provided the supporting research activities 'Framing Public – Private Partnership Models for Community Development in the Mining Industry in Indonesia' with financial support provided by Australian Aid through its International Mining for Development Centre (IM4DC).

Supporting research activities

The supporting research activities that have been provided to the MEMR research team comprise:

Activity #1: Developing a methodology for the research with MEMR and investigate suitable partnership models in the Indonesian mining sector via three case studies in Kalimantan, Sulawesi and Papua

Activity #2: Organising and hosting a workshop for the MEMR research team in Brisbane

Activity #3: Participating in a site visit to at least one of the case study regions and provide advice to the MEMR research team during the site visit

In addition, CSRSM also provided policy advice to the MEMR research team as on-going activities from September 2014 until June 2015.

Timeframe

Since September 2014, CSRSM has provided supporting research activities to the MEMR research team coinciding with the early stage of MEMR research development. Once the MEMR research was approved and implemented, CSRSM sought funding from IM4DC to provide research support to the MEMR research team within the period March to June 2015.

Report Aim and Structure

The aim of this report is to highlight the outcomes of the supporting research activities that have been conducted by CSRSM. The report consists of four sections::

- Introduction
- Research methodology development (activity #1) – this section provides the research methodology in particular the development of semi-structure questionnaires and interview or meeting protocols

- The Workshop on PPPs for community development in the mining sector (activity #2) – this section highlights the outcomes of the workshop that was held in Brisbane from 17 – 22 June 2015
- A field visit to PT Freeport Indonesia (activity #3) – this section provides a brief summary of field findings based on the meetings with key stakeholders in Mimika Regency.

Research methodology development (activity #1)

This section highlights the research methodology and it covers three main approaches namely: literature review; case study approach; and interviews with a semi-structured questionnaire.

Literature review

It was suggested to the MEMR research team they conduct a literature review and desk-based study upon commencement of their research activities. The literature review was necessary to understand the key concepts of partnerships and to investigate international best practices of the collaborative models that have been promoted by other sectoral development (e.g. infrastructure, agriculture) within other nations. The literature review covered publicly available journal articles, international organisation reports and other nation's regulatory approaches that were relevant to the research (a literature review list of useful toolkits and examples of PPP is provided at Appendix 1).

Case study approach

The first objective of the supporting research activities was to assist the MEMR research team with its research methodology in conducting the research. The MEMR research team suggested a case study regions approach. The selection of case study regions was based on the following criteria:

- To represent different resource-rich regions and local contexts (and communities) such as Kalimantan, Sulawesi and Papua and Maluku islands
- To represent companies with different commodities such as: coal, nickel, copper and gold

Subsequently, both research team (MEMR and CSRM) agreed to focus on four major mining companies (presented at Table 1).

Table 1: Four case studies

Region	Company	Commodities
Sulawesi	PT Vale Indonesia	Nickel
Papua	PT Freeport Indonesia	Copper and Gold
Maluku	PT Nusa Halmahera Minerals	Gold
Kalimantan	PT Berau Coal	Coal

Interviews with semi-structured questionnaire

CSRSM suggested for the MEMR research team to conduct interviews with key respondents selected on the basis of their knowledge, role/responsibility and experience in promoting partnerships for community development in the mining industry. The respondents were selected as data-rich sources using purposeful rather than probability or random sampling. The MEMR research team recruited the appropriate participants as the representatives of mining industry, sub-national government, communities and civil society organisations. Publicly available information (e.g. websites, reports, academic literature) assisted the MEMR research team to select and recruit participants.

The CSRSM researcher drafted the semi-structure questionnaire (provided at Appendix 2) and discussed the draft with the MEMR research team in Jakarta (undertaken in March 2015). Following the discussion and agreement, the final version of the semi-structured questionnaires was translated into the Indonesian language (provided at Appendix 3).

Workshop: public-private partnerships for community development in mining sector (activity #2)

Objectives

A workshop titled: 'Public-Private Partnerships for Community Development in Mining Sector' was designed for the MEMR research team and other participating MEMR officials. The workshop was held in Brisbane from 17th – 22nd May 2015 at the Centre for Social Responsibility in Mining within the University of Queensland. The workshop was jointly convened by Ms Bernadetta Devi, (CSR Research Manager) and Dr Jo-Anne Everingham (CSR Research Fellow).

The objectives of the workshop were to:

- provide the participants with an overview of key concepts relevant to PPP
- learn from key Queensland Government agencies about PPP policies and case studies
- conduct a field visit to learn about social and environmental issues
- undertake in-depth discussions regarding the research methods and future research opportunities

Workshop participants and their feedback

The workshop was attended by five MEMR officials (see Table 2).

Table 2: Indonesian MEMR delegation

No	Participants	Institutions and job title
1	Mr Yuli Bintoro	Head of Sub-directorate Mineral Enterprise Assistance, Directorate General of Mineral and Coal, MEMR
2	Mrs Fachri Ariyati	Head Section of Mineral Exploration Business Service Directorate General of Mineral and Coal, MEMR
3	Ms Rani Febrianti	Head of Legal Information Sub-section Directorate General of Mineral and Coal, MEMR
4	Mr Bayu Romas	Public Relation Officer Directorate General of Mineral and Coal, MEMR
5	Mr Rendi Pangeli	Mineral Licensing Officer Directorate General of Mineral and Coal, MEMR

Through the evaluation feedback received, participants were overall highly satisfied with the workshop content and activities. They indicated they valued the workshop content and practical examples as they were vibrant and introduced them to new ideas. The participants suggested that all the presenters were well-prepared and imparted good knowledge and skills. The participants suggested that all materials provided (presentations, readings and toolkits) were extremely useful and could be utilised to assist their research. In addition, the participants suggested that before they arrived in Brisbane to undertake the workshop there was some concern that the workshop timeframe may be too long. However, upon arriving in Brisbane and commencement of the workshop, the participants noted that they were appreciative of the extent of material and discussions and were grateful they had allocated five days for the workshop as they had learned a lot during the workshop and found it to be very interesting.

Themes and activities covered

Several themes were covered in the workshop which included presentations by the participants, UQ Academia, and Queensland Treasury officials. The following are the eleven presentation topics:

- 1) An overview of Indonesia's resource development arrangements and issues presented (Mr Rendy Pangeli)
- 2) Current progress of PPP research activities (Ms Rani Febrianti)
- 3) Leading practice in infrastructure planning and delivery and delivering PPP benefits to mining communities (Mr Robin Evans)
- 4) General concepts of CSR and community development in extractive industry (Dr Jo-Anne Everingham)
- 5) Case studies of PPP (Ms Bernadetta Devi)
- 6) PPP in academia (Dr Saleem Ali)
- 7) Learning PPP from QLD infrastructure development (Professor Kenneth Wiltshire)
- 8) Policy initiatives for community development (Dr Daniel Franks)
- 9) Queensland mining and petroleum royalties (Mr Simon McKee, QLD Treasury)
- 10) Analysing useful toolkits and international examples (Dr Jo-Anne Everingham and Ms Bernadetta Devi).
- 11) A visit to Stradbroke Island to observe and investigate social and environmental impacts from sand-mining operations and the partnerships that exist between company and communities

A sample of the activities undertaken during the workshop are presented in the photographs below.



Photo 1: The presentation of topic 2 by Ms Rani Febrianti



Photo 2: The presentation of topic 3 by Mr Robin Evans



Photo 3: The presentation of topic 6 by Dr Saleem Ali



Photo 4: The participants with Professor Ken Wiltshire, the presenter of topic 7



Photo 5: The presentation of topic 9 by Mr Simon McKee



Photo 6: A visit to UQ Moreton Bay Research Centre - Stradbroke Island



Photo 7: Presentation of a workshop certificate to a participant

A Field visit to PT Freeport Indonesia (Activity #3)

Objectives

PT Freeport Indonesia (PTFI) was selected as a case study region. The CSRSM researcher joined the MEMR research team to conduct a field visit to PTFI in Mimika Regency, Papua Province during the period 10-15 June 2015.

The main objectives of the field visit were to:

- conduct meetings / interviews with key respondents in Mimika Regency to identify and learn the challenges and opportunities that have been faced by local practitioners and governments in promoting PPPs
- observe social and environmental impacts and benefits of PTFI mining operations in the region
- apply the field research methodology that was identified during the workshop (MEMR researchers)
- provide on-site advice to the MEMR research team to conduct a field study (CSRSM Researcher)

Participants

The CSRSM and MEMR team members who conducted this field visit comprised:

- Ms Rani Febrianti (MEMR)
- Mr Bayu Romas (MEMR)
- Ms Iko Desy A (MEMR)
- Ms Bernadetta Devi (CSRSM)

Activities

The CSRSM and MEMR research team conducted the following activities during the field visit:

A group meeting with the PTFI CSR Team: the CSRSM and MEMR research team met the senior management of the PTFI Community Affairs Division and discussed partnerships that had been developed to promote PTFI community development and empowerment (CDE)

A meeting with the representatives of local government: the CSRSM and MEMR research team conducted an interview with representatives of the Mimika Regency Government (Regional Planning Office and Mining Office) to understand the perspective of local government in promoting PPP and to identify possible contributing success / failure factors based on the local government perspective

A group meeting with PTFI Community association for Amungme and Kamoro Peoples: the CSR and MEMR research team discussed the CDE programs that were conducted by this association and gained an insight from their experiences for develop partnerships. The team was informed how aspects of PPP can be better incorporated to govern CDE programs in the mining sector

Site visits: these were conducted to receive further insights about PTFI mining operations and potential social and environmental impacts. In addition, the team visited PTFI community programs

A sample of photographs from the activities conducted during the field visit are presented below.



Photo 8: A group meeting with the PTFI Community Affairs senior managers



Photo 9: A group meeting with the PTFI LPMK



Photo 10: A group meeting with the Head Office of Energy and Mineral Resources at the Mimika Regency



Photo 11: CSRM and MEMR research team at the PTFI Grasberg mine



Photo 12: A presentation by the PTFI mine planning manager at the Grasberg mine site



Photo 13: The health centre for people from Amungme and Kamoro



Photo 14: The PTFI reclamation and biodiversity research centre

A summary of findings

The findings of the field visit to PTFI are summarised below:

Appreciation for the evidence based policy making: the key informants appreciated the approach that MEMR has undertaken to develop its CDE policy in the mining sector. In particular, the industry representatives positively valued the willingness of the MEMR officials to conduct evidence based research for their policy development.

Policy Dialogue needs to be promoted as part of this research: the representatives of the mining industry expressed interest for the MEMR to organise and initiate policy dialogues on this topic. The policy dialogues could be organised among mining industries to collectively learn their experiences in conducting their current CDE, and to contribute to ideas for conducting PPP for CDE. All respondents informed that the team engaged were interested to be involved in future activities for this research.

Partnerships can be promoted in Indonesia and achieved despite challenges: the partnerships for CDE were promoted by the mining industry despite an observable lack of framework and mechanisms to inform their activities.

The PTFI established its 'partnership fund' in 1996 and it is currently managed by the '*Lembaga Pengembangan Masyarakat Amungme and Kamoro*' (LPMMAK) – otherwise known as the Community Foundation for Amungme and Kamoro People. In implementing the community development and empowerment programs, the LPMMAK also established partnerships with other local institutions for specific CDE programs including:

- Financial management (e.g. local banks, Ernst & Young, and Deloitte)
- Health (e.g. relevant local government institutions, Yayasan Caritas Timika, International SOS and other local suppliers)
- Education (e.g. relevant local government institutions, and schools/universities)
- Economy (e.g. Catholic diocesan, local banks, Indonesian universities and other civil society groups involved in community economy programs)
- Infrastructure (e.g. local contractors)
- Other initiatives such as community engagement (e.g. Papuan customary groups) and a highland agriculture program (local cooperation and local suppliers)

A tangible and contained PPP model must be promoted: it was suggested that the MEMR research team draft practical PPP policies for CDE. All agreed that the model needs to be workable and tangible. The mining industry believes that it is better to focus on the process and mechanism of PPP for CDE rather on the cash contribution (e.g. percentage of CSR fund). It is therefore important to define the role and responsibilities of the actors involved in the PPP for CDE. The CDE programs in the mining sector need to be linked with the overall development vision for the region. In

this case, the local government must pro-actively undertake a lead-role in the planning process.

Adaptive approach – to act now and ‘learn by doing’: the key respondents provided strong support for the MEMR to formulate its PPP policy for CDE. All agreed that there is no ‘single-fit model’ that can be applied for each region or location. However, they acknowledged that action needs to occur immediately. In addition, it was evident that the PPP will evolve based on the capacities of the institutions and actors that are involved. Therefore, it is important to understand the adaptability of the policy to acknowledge the local context and that most participants prefer to undertake action in the form of ‘learning by doing’.

It is important to note that the above findings were based on the interview results and field observations in Mimika Regency, Papua as part of CSR research methodological support to the MEMR research team. To obtain a more comprehensive input into PPP models for community development in Indonesia mining sector, the MEMR research team will continue their research activities until December 2015 and will further develop these research findings based on an additional three case studies that are currently underway.

Appendix 1. Useful toolkits and examples of PPP

1. Partnerships analysis Tool & Checklist (VicHealth)

<http://www.vichealth.vic.gov.au/en/Publications/VicHealth-General-Publications/Partnerships-Analysis-Tool.aspx>

While initially created for the health sector, this analysis tool and checklist provides a useful guide to plan, assess, monitor and maximise partnership effectiveness. It was revised in 2011 and now includes information on changing organisations. It is designed to help organisations:

- Develop a clearer understanding of the range of purposes of collaborations
- Reflect on the partnerships they have established
- Focus on ways to strengthen new and existing partnerships by engaging in discussion about issues and ways forward.

2. Guidebook for Promoting Good Governance in Public-Private Partnerships (United Nations Economic Commission for Europe)

<http://www.unece.org/fileadmin/DAM/ceci/publications/ppp.pdf>

This Guidebook demonstrates how governments and the private sector can improve governance in Public-Private Partnerships (PPPs) and creates a basis for the elaboration of training modules for PPPs. It addresses four key questions:

- What does governance mean in PPPs?
- How can governments improve their governance?
- What technical, financial, legal, and other challenges must be overcome to build capacity?
- How can PPPs improve efficiency and achieve social, economic and environmental objectives simultaneously?

3. Public-Private Dialogue Handbook (DFID, WB, IFC, OECD)

<http://www.publicprivatedialogue.org/papers/PPD%20handbook.pdf>

This handbook is for anyone who is interested in promoting public-private dialogue (PPD) as a tool for improving the conditions for the private sector. This includes donor agencies, governments, private sector representative associations, and individual businesspeople.

There is also a Charter of Good Practice using Public Private Dialogue for Private Sector Development available from: http://www.publicprivatedialogue.org/charter/PPD_Charter.pdf

4. Mining: Partnerships for Development Toolkit (ICMM)

<http://www.icmm.com/document/1945>

This toolkit focuses on six thematic areas where there is potential for partnerships between companies and other stakeholders to enhance the positive contribution and minimize the negative impacts of mining:

- Poverty reduction
- Economic development: Revenue management
- Economic development: Regional development planning
- Economic development: Local content
- Social investment
- Disputes and resolution

5. Public-Private Partnership Handbook (Asian Development Bank)

<http://www.apec.org.au/docs/ADB%20Public%20Private%20Partnership%20Handbook.pdf>

This Public–Private Partnership (PPP) Handbook provides an overview of the role, design, structure, and execution of PPPs for infrastructure development. With inputs from policy and transaction specialists, this handbook addresses a range of matters associated with PPPs, from policy considerations to implementation issues.

6. Assessing Your Collaboration: A Self Evaluation Tool

<http://www.joe.org/joe/1999april/tt1.php>

This is a short, simple self-assessment checklist on the key features involved in the collaborative process. It uses a likert-scale series of questions (12 questions total) and provides recommendations for improvements based on your total score.

7. Partnership Self-Assessment Tool

<http://partnershiptool.net/>

This tool is designed as an internal assessment of successful collaboration in partnerships. It includes a detailed questionnaire and a reporting template – both available to download in pdf format.

8. Sharing mining Benefits in developing countries (World Bank)

<https://openknowledge.worldbank.org/bitstream/handle/10986/18290/624980NWP0P1160ns00trusts0and0funds.pdf?sequence=1>

http://siteresources.worldbank.org/EXTOGMC/Resources/Sourcebook_Full_Report.pdf

These WB research reports discuss the use of Foundations, Trusts and Funds as vehicles for sharing benefits of mining operations with communities of interest. The reports provide several case studies from developing countries. The WB research identified six criteria that facilitate comparison and analysis of FTFs: programming approach; financing structure; geographic focus; community participation in governance; influence of mining company and influence of government.

9. PPP toolkit and resources (Cardno)

<http://cdcp4.org/resources/ppp-toolkit/>

This link provides information and resources (e.g. practical templates for MoU; governance template; etc) how PPP is managed under a specific program (PPP under the US President's Emergency Plan for AIDS relief countries). The aim is to ensure the effectiveness of project implementation amongst different parties.

10. PPP country and sectoral development cases

India	http://toolkit.pppinindia.com/ports/module3-lar-ltwaoopr.php?links=lar1
Kenya	http://pppunit.go.ke/index.php/toolkit
Infrastructure	http://ppp.worldbank.org/public-private-partnership/library/public-private-partnership-india-toolkit-ppiaf-world-bank-and-ausaid
SIA hub	http://www.socialimpactassessment.com/resources-cat.asp?type=Guides%20and%20tools

Appendix 2. Draft Semi-Structured Questionnaires

INTERVIEW PROTOCOL

Interview Process

- Introductions
- About the project/process/feedback loop
- A brief introduction about the research (refer to Project Information Sheet)
- Interview might take up about 30 – 45 min. Possibly some follow up if there are still things to discuss.
- If you're not comfortable answering any of the questions, please say so and we can move on.
- If you would like to stop the interview, or withdraw your participation, you can do this at any time – even after the interview – without any consequences.
- There are no right or wrong answers to the questions.

Documentation

Please alert us to any publicly available documentation that is relevant to our discussion, we will try and source these. We record your suggestions as we go.

Confidentiality and Ethics

This interview is confidential. We will not record your name as a participant in this project or include any information that may identify you personally in the report.

With your approval we would like to record this conversation. This is for the purposes of accuracy of our notes. Taped interviews will be deleted once transcripts are finalized, which is usually no more than a week after the interview. Typed transcripts will be de-identified.

This study adheres to the Guidelines of the ethical review process of the University of Queensland. We need your formal consent in order to proceed further. Would you be happy to proceed on the basis that we have outlined so far?

General

1. Can you please tell us about your organisation and your role?
 - a. What services does your organisation provide?
 - b. What is your role within your organisation?
 - c. How long have you been fulfilling this role?

Public Private Partnerships (PPP) Initiative

2. What is your perspective about partnering in promoting community development and empowerment?
 - a. What organisations that you have partnered?
 - b. What are the initiatives?
 - i. In what forms (e.g. dialogue, cooperation, coordination, etc) and sectors (e.g. agriculture, local suppliers and procurements, education, infrastructure, etc)
 - ii. At what stage do you see it fitting within your business activities? (e.g. exploration, production, mine closure, value-chain activities, etc)
 - c. What have you learnt through the partnering initiatives?

Role and responsibilities

3. In promoting effective partnerships, what are the roles of:
 - a. Public institution
 - b. Private entities
 - c. Community organisations
 - d. NGOs
4. How role and responsibilities are being shared amongst different parties involved in the partnerships? How benefits and risks of partnership initiatives are managed?

Values and processes involved

5. What values that PPP can bring to your organisation?
6. Based on your experience, what processes are involved in promoting PPP?
 - a. What challenges do you face in creating effective partnerships?
 - b. What are the critical factors that can contribute to the success (or failures) of partnerships?

Perception on effective partnerships

7. How effective do you think your current partnership initiatives in CDE?
8. What aspects do you want to suggest for better and effective public and private collaboration?

Regulating the partnerships

9. How effective do you think the current regulation and policies to promote genuine partnerships between public and private organisations?
10. What is your opinion of the government to further regulate the PPP initiatives?
 - a. What aspects should be regulated? What are your reasons?
 - b. What aspects should not be included? What are your reasons?
 - c. What processes need to be followed in the regulatory development?
 - d. Would you consider yourself to actively participate in the engagement processes?

Interview close

11. That's all my questions. Is there anything else that you would like to tell me about this topic?

Thank you for participating in this discussion, I appreciated your time and your opinions. It has been a pleasure talking with you. Hopefully, you have also enjoyed the interviewing process.

Review withdrawal/confidentiality/feedback/consent.

Any questions?

Appendix 3. Semi-Structure Questionnaires in Bahasa Indonesia

KAJIAN HUKUM IMPLEMENTASI MODEL PUBLIC PRIVATE PARTNERSHIP DAN PENGEMBANGAN DAN PEMBERDAYAAN MASYARAKAT

Pedoman Wawancara

Proses Wawancara

- Pengenalan tentang proyek kajian hukum PPP
- Pengenalan riset kepada yang diwawancara
- Wawancara akan berlangsung selama 35 – 45 menit. Kemungkinan ada beberapa hal yang dapat ditindaklanjuti dengan diskusi
- Jika anda tidak ingin menjawab beberapa pertanyaan, harap mengatakan sehingga kami dapat melanjutkan ke pertanyaan berikutnya
- Apabila anda ingin menghentikan wawancara atau menarik diri dari partisipasi, atau anda tidak ingin ikut berpartisipasi, anda dapat melakukannya kapan saja
- Tidak ada jawaban yang benar dan salah – semua pendapat kami hargai

Dokumentasi

Harap menginformasikan apabila ada anda memiliki bahan yang dapat dipublikasi yang relevan dalam diskusi kita

Kerahasiaan dan Etika

Wawancara ini bersifat rahasia. Kami tidak akan mencantumkan nama partisipan dalam proyek ini termasuk segala informasi yang bisa mengidentifikasi anda.

Dengan persetujuan anda kami akan merekam percakapan ini. Tujuannya adalah untuk catatan yang akurat. Rekaman akan dihapus setelah transkrip diselesaikan yang dimana tidak lebih dari 1 minggu dari wawancara.

Pertanyaan Umum

1. Apa peran organisasi anda dan peran anda?
 - a. Apa kewenangan organisasi anda?
 - b. Apa peran anda dalam organisasi?
 - c. Berapa lama anda telah menjalankan peran anda?

Inisiatif Public Private Partnership (PPP)

1. Bagaimana pendapat saudara tentang kerjasama dalam memajukan PPM?
 - a. Pihak – pihak mana saja yang anda ketahui telah bekerja sama dengan anda dan institusi dimana anda bekerja?
 - b. Bentuk kerja sama apa saja yang telah anda atau institusi anda lakukan
 - c. Bentuknya (contoh dialog, kerjasama, koordinasi) dan sektor (contoh pertanian, perusahaan lokal dan pengadaan, pendidikan dan infrastruktur)

- d. Pada tingkat apa anda melihat keserasian pada perusahaan anda (eksplorasi, produksi, pasca tambang)
- e. Apa manfaat yang institusi anda dapatkan dari kerja sama dimaksud?

Peran dan Tanggung Jawab

1. Dalam mendorong kerjasama yang efektif, menurut anda, apakah peran dari:
 - a. Pemerintah/ Lembaga public
 - b. Pihak perusahaan/Swasta
 - c. Organisasi masyarakat
 - d. LSM
2. Bagaimana peran dan tanggung jawab yang terbagi diantara para pihak yang terlibat dalam kerjasama ini? Bagaimana keuntungan dan resiko diatasi?
3. Bagaimana menurut anda tentang terbentuknya platform kerjasama seperti "FORUM Multi-STAKEHOLDER"?
 - a. Siapakah yang seharusnya mengkoordinir forum multi-stakeholder?
 - b. Apakah keberadaan forum ini dapat membuat program PPM lebih efektif (transparan, akuntabel dan tepat sasaran)
 - c. Apakah ada distribusi peran dalam forum multi-stakeholder? Jika ya, apa saran anda? Jika tidak mengapa?

Nilai dan Proses yang Dibutuhkan

1. Apa manfaat baik langsung atau tidak langsung dari inisiatif PPP untuk organisasi atau institusi Saudara?
2. Berdasarkan pengalaman anda, proses apa yang dapat mendorong terwujudnya PPP?
 - a. Apa tantangan yang anda hadapi dalam menciptakan kerja sama yang efektif?
 - b. Apakah factor penting yang dapat berkontribusi untuk terciptanya:
 - kesuksesan dalam kerjasama
 - kegagalan dalam bekerjasama?

Pandangan dalam Kerjasama yang Efektif

1. Seberapa efektifkah kerjasama yang terbentuk selama ini dalam PPM di sector pertambangan di Indonesia?
2. Aspek apa sajakah yang ingin anda sarankan untuk PPP yang lebih baik dan efektif?

Pengaturan Kerjasama

1. Seberapa efektif menurut anda peraturan saat ini untuk mendorong kerja sama antara lembaga public dan swasta?
2. Apa pendapat anda tentang inisiatif Pemerintah yang ingin membuat aturan-aturan hukum yang berkaitan dengan terwujudnya inisiatif PPP untuk PPM di sector pertambangan?
 - a. Aspek apa saja menurut anda yang harus diatur? Alasannya?
 - b. Aspek apa yang tidak ingin dimasukkan dalam regulasi? Apa alasannya?
 - c. Proses apa yang ingin di standar-kan dalam regulasi?
 - d. Apakah anda ingin terlibat dalam pembahasan regulasi?

Perusahaan

1. Apakah perusahaan pernah membuat dokumen sosial baseline? Mohon dijelaskan aspek yang tercantum; apa manfaatnya?
2. Apakah perusahaan membuat dokumen pemetaan social (social mapping)?
3. Apakah perusahaan melakukan 'need assessment' yang partisipatif dalam merencanakan kegiatan PPM ?
4. Bagaimanakah anda menentukan skala prioritas program kegiatan PPM (pengembangan dan penguatan masyarakat) yang berkelanjutan?
5. Bagaimana peran serta masyarakat yang terkena dampak dalam penyusunan kegiatan PPM?
6. Bagaimana target capaian yang ingin dicapai perusahaan dalam program Comdev?

Demikian wawancara singkat kami - terima kasih atas waktu dan diskusi ini. Kami sangat menghargai pendapat dan saran anda. Silahkan jika anda punya pertanyaan, kami bersedia menjawab.