

Mapping Sustainable Development Goals and Constitutional Rules: Looking from Human Rights Approach in Malaysia

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ABSTRACT

The 2015 Sustainable Development Goals (SDGs) provide the UN with a roadmap for development until 2030. The goals would also be subjected to the national agenda. The study explored the associated legal and normative implications of SDGs. The 17 goals and 169 targets of the SDGs covered crucial areas of poverty reduction, climate change, clean water, and access to justice. Combining both thematic and goal-specific analysis, the study establishes the relevance not just of international law, but also of a broader range of normative frameworks including constitutional norms, domestic regulatory law, and human rights. Connecting the SDGs to wider debates in constitutional economics and sustainable development, this study ultimately demonstrates that law has an important constitutive and instrumental role to play in both implementation and analysis. The method used is based on the review of the constitutional provision in Malaysia and major international agreements on sustainable development which are linked to human rights. This relationship will prove invaluable for scholars in the field of sustainable development. Its insightful observations will also provide food for thought for both related international organizations and national government officials.

Keyword: Sustainable Development, Constitutional Rules, Soft Law, Economic Development, Human Rights

1. Introduction

The concept of sustainable development generates different meanings that were regulated by the constitution before. Sustainable development changes the way humans relate to other humans, society, the state, and the planet. This shift can be observed while analysing the rights, duties, and obligations that the concept enforces. This shift caused a transformative effect on constitutionalism's old model of relationships based entirely on the state-individual paradox. This paradox functions when the early aim of constitutionalism is considered as the limitation of government authority for the protection of the constitutional rights of individuals. However, the function of constitutionalism is no longer limited to this unequal relationship. The concept reconstructs and diversifies the functions of constitutionalism by perpetuating the conception of "common survival on the planet".

In this paper, the interpretation of the constitution in terms of the concept of sustainable development is accomplished by reference to mutual relations between international law and national law on the one hand, and citizen-society-state on the other. An individual's relationship with the planet is a relation of shared inclusion. In this perspective, neither solely starting from the planet nor starting from human beings would be appropriate for constitutional interpretation: The interpretation of the constitutional environmental right can take place primarily based on the "human-society-planet relationship" (Seymour, 2016).

Furthermore, constitutions may or may not include regulations on sustainable development; national policies can be decisive in this respect. However, especially when considered together with sustainable development

goals, international sustainability requires, as a minimum, the incorporation of procedural safeguards in all constitutional systems in one form or another.

In Malaysia, the Federal Constitution (hereafter, constitution) mentions that development plans emerge as the basic principle that connects the five pillars of the concept of sustainable development. The effort is to: end poverty in all forms and ensure dignity and equality (pillar 1 - people), protect our planet's natural resources and climate for future generations (pillar 2 - planet), ensure prosperous and fulfilling lives in harmony with nature (pillar 3 - prosperity), foster peaceful, just and inclusive society (pillar 4 - peace) and implement the agenda through a solid global partnership (pillar 5 - partnership). This paper will also look at other provisions in the constitution that play a significant role in supporting and monitoring SDG implementation.

Therefore, lawmakers have an essential role in realising the achievement of SDG objectives through the enactment of legislation and the adoption of budgets. Their role is also manifested in ensuring accountability for the effective implementation of the state's commitments. Lawmakers are uniquely positioned to act as an interface between the people and state institutions and to promote and adopt human-centered policies and legislation to ensure an inclusive development agenda.

The discussion of this paper will be divided into 5 sections. Section 2 will discuss the concept of sustainable development in the constitution. The mapping of the sustainable development goals and international guidelines will be explained in section 3. This paper suggests using the constitutional rules to identify the human rights elements that are used to enhance SDG implementation at the state level. Section 4 presents the conclusions.

2. Constitution and Sustainable Development

The elements of sustainable development have been adapted to the field of law through soft law ([Brus, 2017](#)). Among the examples of soft law instruments are United Nations General Assembly resolutions, declarations (such as the Rio Declaration on Sustainable Development (1992) and SDG Declaration (2015)), action plans; Paris Agreement on Climate Change (2015). In contrast, as noted in Barral ([2012](#)), there is also an international hard law regarding elements such as environmental protection, social development, and economic development to which the concept refers. In other words, while sustainable development is conceptually defined by declarations, its implementation is left to more specific and much more concrete international treaties.

Initially, the concept of sustainable development is linked with the terminology of “environmental protection”. Later, it is extended to consider the “integration” and “relation” between intergenerational justice (environmental protection) and intragenerational justice (social and economic development) at the centre of law. The concept began to find its place in constitutions. States such as India, and Turkey ([Boyar, 2020](#)), are among the states that have done it in the late 1980's.

Table 1. Article 92 of the Constitution of Malaysia.

Amendment	Article 92
Act 14/1962 Constitution (Amendment) Act 1962	Article 92(3) – “development plan” means a plan for the development, improvement, or conservation of the natural resources of a development area, the exploitation of such resources, or the increase of means of employment in the area
Act A1663 Constitution (Amendment) (No. 3) Act 2022	Article 92(3) - “development plan” means a plan for the development, improvement, or conservation of the natural resources of a development area, the exploitation of such resources, or the increase of means of employment in the area

As reported in Table 1, Malaysia is not without exception. The Federal Constitution of Malaysia came into force on 27 August 1957. It has been amended many times. The recent amendment in December 2022. The provision related to the concept of sustainable development, as reported in column 2 of Table 1, is still the same. In Article 92(3), the development plan is defined as a plan for the development, improvement, or conservation of the natural resources of a development area, the exploitation of such resources, or the increase of means of employment in the area. It means that if an area is to be developed, the following matters should be looked at: the development, improvement, or conservation of natural resources; the exploitation of such

resources, and the creation of employment. Especially, those three matters are linked with the concept of sustainable development.

Conservation of the Natural Resources. The concept of sustainability involves the demand at present and in the future, state sovereignty, economic equity, natural resources, ecosystem capacity, and the integration of environmental protection and development.

Sustainable development aims to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs. The strategy is to allow the utilisation of a reasonable portion of resources if the availability of the resources would not be threatened. For instance, the fishery in a region is said to be sustainable production when the capture rate of fish is reasonably lower than their breeding rate. The same also goes for the resources which could be replaced enough to compensate for the current utilization. For example, the sun, wind, water, geothermal, and biomass continue to exist despite being consumed or can replenish themselves over a period even as they are used. Do lawmakers have sufficient legal and procedural avenues and legislative capacities to initiate, consider, and amend legislation to support the SDGs?

State sovereignty is significant in the development plan. Because it describes the self-control, or autonomy, that a state has without the interference of other powers. Therefore, it lies at the centre of statehood as it defines power and control, which is central requirements for governance. In 1962, the UN Commission on Human Rights issued a resolution regarding natural resources. The key elements of the resolution include reinforcement of the right of states to permanent sovereignty over their natural resources; nationalisation shall have an adequate rationale and shall be paid appropriate compensation; and foreign investment agreements entered by states shall be observed in good faith. It shows that the state is allowed to exercise sovereignty and choose its economic system to be settled by the host state's law. This effectively recognises the right of the host state to nationalise and expropriate the foreign investor's property provided that appropriate compensation is paid. The state has a right to development but shall integrate environmental considerations into the development approach.

Economic equity is where the fairness and distribution of economic wealth, tax liability, resources, and assets in a society take place. Inequality may happen in a state due to state-specific factors, such as those related to economic developments and economic stability as well as to domestic policies such as financial integration, redistributive fiscal policies, liberalisation, and deregulation of labour and product markets. In a society – inequality happens due to for example a person with a disability being included in a workgroup with all the necessary accommodations to perform tasks just like other team members. These are just a few ways equity manifests in society, but there are many ways to promote it every day. Such as women and children with a lack of access to healthcare die each day from preventable diseases such as measles and tuberculosis or in childbirth. Older persons, migrants, and refugees face a lack of opportunities and discrimination – an issue that affects every country in the world.

How could economic equity be linked with sustainable development? A development that meets the needs of the present, without compromising the ability of future generations to meet their own needs. It tries to promote a society that can have its needs met intertemporally in a manner consistent with sustainable environmental resource use in each period and across periods. For instance, the provision of very generous pension benefits to today's retirees could be at the expense of tomorrow's retirees - an important issue in inter-generational transfer. Therefore, lawmakers should look at the impact of today's policies on the welfare of future generations. Because it will raise the issue of intergenerational equity.

The concept of sustainable development concerning natural resources is promoting the advancement and development of society and simultaneously upholding environmental protection principles. Sustainable development highlights the protection and improvement of the ecology when we are promoting production. Sustainable is what resources should be, to the extent that the resources are available for human use for a longer period, or even forever, to avoid their exhaustion, which would surely undermine the life and production of human beings.

Exploitation of Natural resources. In 1962, the UN Commission on Human Rights issued a resolution regarding natural resources. They declare that “the right of peoples and nations to permanent sovereignty over their natural wealth and resources must be exercised in the interest of their national development and of the well-

being of the people of the State concerned.” It shows that the use of natural resources has long been considered an element of both human rights and economic development and subsequently affects human well-being.

The right to utilise natural resources lead to driving development and wealth creation. In addition, humans as drivers of development cannot live without the clean air they breathe, the plants they eat, or the water they drink. The plants release oxygen that is needed by humans. The plants need water to live. The vehicle used by humans releases carbon dioxide that harms the clean air. Together, natural resources make up a loop of interdependence, forming ecosystems that also include humans. As such, the distribution of resources shapes the face of our planet and the local distinctiveness of our environments.

Over time and with progressive industrialization, resource use increased. In some cases, exploitation levels came to exceed resources’ natural regeneration rates. Such overexploitation ultimately threatens the livelihoods and well-being of humans who depend on these resources and jeopardizes the health of ecosystems. This risk of resource depletion demonstrates the need to regulate natural resource use to better preserve resources and their ecosystems.

Hence, over-exploitation of natural resources may harm the health of ecosystems and human well-being. In the face of environmental crises and growing inequality, lawmakers need to act, including developing extended producer responsibility and supply chain legislation, guaranteeing green public procurement, supporting technical innovation to enhance resource circularity, and adopting decision-making processes that include and respect women, indigenous peoples, and local communities who may be excluded from the distribution of resources.

Employment – Many economies set targets to achieve sustained economic growth, higher levels of productivity, and technological innovation. The objective of these targets is to eradicate forced labour, slavery, and human trafficking. Two key variables are crucial in achieving the targets, i.e., advancing entrepreneurship and wealth creation.

The lawmakers should be looking at the different strategies: (i) higher levels of productivity could be achieved through diversification, technological upgrading and innovation, including through a focus on high-value added and labour-intensive sectors; (ii) promoting development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises; (iii) achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities; (iv) reduce the proportion of youth not in employment, education or training; (v) take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms; and (vi) protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in risky employment.

Therefore, decent work, and employment creation, plus social protection, are considered an integral element of sustainable development.

3. Mapping Sustainable Development Goals and International Guidelines

The sustainable development goals, as shown in Section 2, are not legally binding. The states are only responsible to take ownership and establish national frameworks for the achievement of the 17 Goals. The states have the primary responsibility for follow-up and review of the progress made in implementing the Goals, which will require quality, accessible, and timely data collection. While the lower state level makes a follow-up and review which will be based on national-level analyses, Then, the combined report contributes to follow-up and review at the global level. It means that the states at all levels should play their responsibility in transforming the world. They need to take action to end poverty and inequality, protect the planet, and ensure that all people enjoy health, justice, and prosperity. More critically, no one is left behind.

In establishing the national frameworks, the incorporation of international procedural safeguards (the next section will look at the case of Malaysia) in the achievement of SDGs is crucial. Therefore, the mapping in one form or another is important. In this section, the discussion will focus on the relevant major international agreements or guidelines on sustainable development that are linked to human rights. The international agreements as shown in the third column of Table 2 are mapped with sustainable development goals (column

one) and SDGs' target (column two).

SDG 1 focuses on poverty. The target is to eradicate extreme poverty; implement social protection measures; and ensure equal access of men and women to economic resources. The following international agreements are in place: (i) Right to an adequate standard of living [UDHR art. 25; ICESCR art. 11; CRC art. 27]; (ii) Right to social security [UDHR art. 22; ICESCR art. 9; CRPD art. 28; CRC art. 26]; and (iii) Equal rights of women in economic life [CEDAW arts. 11, 13, 14(2)(g), 15(2), 16(1)].

The states must tackle the pandemic and the hunger crisis (SDG 2) following a human rights-based approach. This involves targeted programmes to ensure jobs, wages, and benefits for all workers and nutrition-sensitive social protection programmes with special measures towards marginalized groups. This is in line with the right to adequate food [UDHR art. 25; ICESCR art. 11; CRC art. 24(2)(c)]; and international cooperation, including ensuring equitable distribution of world food supplies [UDHR art. 28; ICESCR arts. 2(1), 11(2)].

SDG 3 aims to prevent needless suffering from preventable diseases and premature death by focusing on key targets that boost the health of a state's overall population. Regions with the highest burden of disease and neglected population groups and regions are priority areas. Therefore, the following international agreements are there to help the achievement of this objective: (i) Right to life [UDHR art. 3; ICCPR art. 6], particularly of women [CEDAW art. 12] and children [CRC art. 6]; Right to health [UDHR art. 25; ICESCR art. 12], particularly of women [CEDAW art. 12]; and children [CRC art.24]; (iii) Special protection for mothers and children [ICESCR art.10]; Right to enjoy the benefits of scientific progress and its application [UDHR art. 27; ICESCR art. 15(1)(b)]; and (iv) International cooperation [UDHR art. 28, DRtD arts. 3-4], particularly about the right to health and children's rights [ICESCR art. 2(1); CRC art. 4].

By 2030, each state tries to ensure that all learners acquire the knowledge and skills needed (SDG 4) to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and culture's contribution to sustainable development. The human rights-based approach requires the adoption of the following rights: (i) Right to education [UDHR art. 26; ICESCR art. 13], particularly with children [CRC arts. 28, 29]; persons with disabilities [CRC art. 23(3), CRPD art. 24]; and Indigenous peoples [UNDRIP art. 14]; (ii) Equal rights of women and girls in the field of education [CEDAW art. 10]; (iii) Right to work, including technical and vocational training [ICESCR art. 6]; and (iv) International cooperation [UDHR art. 28; DRtD arts. 3-4], particularly concerning children [CRC arts. 23(4), 28(3)], persons with disabilities [CRPD art. 32], and indigenous peoples [UNDRIP art. 39].

SDG 5 proposes a range of targets to end discrimination, violence, and harmful practices, recognize and value unpaid care work, participation and leadership in decision-making, and universal access to sexual and reproductive health and reproductive rights. How SDG 5 and its proposed targets will finally translate into indicators, and whether these will be effective and usable for monitoring (where the rubber hits the road) remains to be seen. Hence, it should also be linked with the related human rights: (i) Elimination of all forms of discrimination against women [CEDAW arts. 1-5] and girls [CRC art. 2], particularly in legislation, political and public life (art. 7), economic and social life (arts. 11, 13), and family relations (art. 16)]; (ii) Right to decide the number and spacing of children [CEDAW arts. 12, 16(1)(e); CRC art. 24(2)(f)]; (iii) Special protection for mothers and children [ICESCR art. 10]; (iv) Elimination of violence against women and girls [CEDAW arts. 1-6; DEVAW arts. 1-4; CRC arts. 24(3), 35]; and (v) Right to just and favourable conditions of work [ICESCR art. 7; CEDAW art. 11].

SDG 6 aims to ensure access to safe drinking water, sanitation, and hygiene (WASH) for all. To achieve this, several targets must be met, such as ending water scarcity, reducing pollution to improve water quality, ensuring water-use sustainability, and supporting local communities in water and sanitation management. SDG 6 is related to human rights in different forms: (i) Right to safe drinking water and sanitation [ICESCR art. 11]; (ii) Right to health [UDHR art. 25; ICESCR art. 12]; and (iii) Equal access to water and sanitation for rural women [CEDAW art. 14(2)(h)].

The aim of SDG 7 is to ensure access to affordable, reliable, sustainable, and modern energy for all. To achieve this aim, several targets must be met, such as increasing the use of renewable energy, improving energy efficiency, and securing access to energy services for all, especially in least-developed countries. The states

do not violate human rights, if they follow the following requirements: (i) Right to an adequate standard of living [UDHR art. 25; ICESCR art. 11]; and (ii) the Right to enjoy the benefits of scientific progress and its application [UDHR art. 27; ICESCR art. 15(1)(b)].

SDG 8 promotes sustained economic growth, higher levels of productivity, and technological innovation. Encouraging entrepreneurship and job creation are key to this, as are effective measures to eradicate forced labour, slavery, and human trafficking. With these targets in mind, the goal is to achieve full and productive employment, and decent work, for all women and men by 2030. These targets should be reflected with the following elements of international human rights and labour standards: (i) Right to work and to just and favourable conditions of work [UDHR art. 23; ICESCR arts. 6, 7, 10; CRPD art. 27; ILO Core Labour Conventions and ILO Declaration on Fundamental Principles and Rights at Work]; (ii) Prohibition of slavery, forced labour, and trafficking of persons [UDHR art. 4; ICCPR art. 8; CEDAW art. 6; CRC arts. 34-36]; (iii) Equal rights of women concerning employment [CEDAW art. 11; ILO Conventions No. 100 and No. 111]; (iv) Prohibition of child labour [CRC art. 32; ILO Convention No. 182]; and (v) Equal labour rights of migrant workers [CMW art. 25].

SDG 9 seeks to build resilient infrastructure, promote sustainable industrialization, and foster innovation. The state should promote inclusive and sustainable industrialization. By 2030, it should significantly raise the industry's share of employment and gross domestic product, in line with national circumstances, and double its share in least developed countries. The targets could be achieved, if the state also incorporates the following requirements: (i) Right to enjoy the benefits of scientific progress and its application [UDHR art. 27; ICESCR art. 15(1)(b)]; (ii) Right to access to information [UDHR art. 19; ICCPR art. 19(2)]; (iii) Right to adequate housing, including land and resources [UDHR art. 25; ICESCR art. 11]; and (iv) Equal rights of women to financial credit and rural infrastructure [CEDAW art. 13(b), art. 14(2)].

SDG 10 calls for reducing inequalities in income as well as those based on age, sex, disability, race, ethnicity, origin, religion, or economic status within a country. The Goal also addresses inequalities among countries, including those related to representation, migration, and development assistance. The human rights that are suitable for achieving these goals are: (i) Right to equality and non-discrimination [UDHR art. 2; ICESCR art. 2(2); ICCPR arts. 2(1), 26; CERD art. 2(2); CEDAW art. 2; CRC art. 2; CRPD art. 5; CMW art. 7; DRtD art. 8(1)]; (ii) Right to participate in public affairs [UDHR art. 21; ICCPR art. 25; CEDAW art. 7; ICERD art. 5; CRPD art. 29; DRtD art. 8(2)]; (iii) Right to social security [UDHR art. 22; ICESCR arts. 9-10; CRPD art. 28]; (iv) Promotion of conditions for international migration [CMW art. 64]; and (v) the Right of migrants to transfer their earnings and savings [CMW art. 47(1)].

SDG 11 is targeted to guarantee access to adequate, safe, affordable housing and essential services for all humans and upgrading slums. Both targets aim to significantly reduce the number of deaths and people affected by direct economic loss due to disasters. The aims are to renew and plan cities and other human settlements in a way that offers opportunities for all, with access to basic services, energy, housing, transportation, and green public spaces, while reducing resource use and environmental impact. The policymakers at lower levels of government should be guided by following norms and standards in their pursuit of SDG 11: (i) Right to adequate housing, including land and resources [UDHR art. 25; ICESCR art. 11]; (ii) Right to participate in cultural life [UDHR art. 25; ICESCR art. 15; ICERD arts. 5, 7; CRPD art. 30; CRC art. 31]; (iii) Accessibility of transportation, facilities, and services particularly for persons with disabilities [CRPD art. 9(1)], children [CRC art. 23], and rural women [CEDAW art. 14(2)]; and (iv) Protection from natural disasters [CRPD art. 11].

Climate change, biodiversity loss, and pollution (SDG 12) and waste (SDG 13) are three interlinked emergencies driven by human activities. For example, despite a reprieve due to the pandemic, preliminary data shows that greenhouse gas (GHG) emissions continued to grow in 2020 and that 2015-2020 was the warmest six-year period on record. Therefore, SDG 12 is dedicated to encouraging more sustainable consumption and production patterns through various measures, including specific policies and international agreements on the management of materials that are toxic to the environment. While SDG 13 is dedicated to combat climate change and its impacts. Scientists and policymakers have set a goal of limiting global warming to 1.5°C above pre-industrial levels. Today, the planet is only 0.4°C from that mark.

SDG 14 is dedicated to protecting and ensuring the sustainable use of oceans. This includes reducing marine pollution and ocean acidification, ending overfishing, and conserving marine and coastal ecosystems. The targets also call for an increase in scientific knowledge of the oceans. SDG 15 is dedicated to protecting, restoring, and promoting sustainable use of terrestrial ecosystems, sustainably managing forests, combating desertification, and terminating and reversing land degradation and biodiversity loss. Both SDG 14 and SDG 15 are used to combat climate change and its impacts. Both are also used to conserve and sustainably use the oceans, seas, and marine resources and sustainably manage forests, combat desertification, halt and reverse land degradation and break biodiversity loss. Because healthy oceans and seas are essential to human existence and life on earth. The ocean is intrinsic to our life on earth.

The areas of international human rights agreement that are relevant for SDG 12, SDG 13, SDG 14, and SDG 15 are: (i) Right to health including the right to a safe, clean, healthy, and sustainable environment [UDHR art. 25(1); ICESCR art. 12; CRC art. 24; CEDAW art. 12; CMW art. 28]; (ii) Right to adequate food & right to safe drinking water [UDHR art. 25(1); ICESCR art. 11]; and (iii) the Right of all peoples to freely dispose of their natural wealth and resources [ICCPR, ICESCR art. 1(2)]. These human rights are similar to SDG 12 and SDG 11.

As stated in SDG 16, the target is aimed at reducing all forms of violence; ending violence against and trafficking of children; promoting the rule of law and justice for all; reducing illicit financial and arms flows, corruption, and bribery; developing effective institutions; participation in decision making at all levels; legal identity for all. The international agreements that are related to these goals are: (i) Right to life, liberty, and security of the person [UDHR art. 3; ICCPR arts. 6(1), 9(1); ICPED art. 1] including freedom from torture [UDHR art. 5; ICCPR art. 7; CAT art. 2; CRC art. 37(a)]; (ii) Protection of children from all forms of violence, abuse, or exploitation [CRC arts. 19, 37(a)], including trafficking (CRC arts. 34-36; CRC-OP1)]; (iii) Right to access to justice and due process [UDHR arts. 8, 10; ICCPR arts. 2(3), 14-15; CEDAW art. 2(c)]; (iv) Right to legal personality [UDHR art. 6; ICCPR art. 16; CRPD art. 12]; (v) Right to participate in public affairs [UDHR art. 21; ICCPR art. 25]; and (vi) Right to access to information [UDHR art. 19; ICCPR art. 19(1)].

SDG 17 is dedicated to revitalizing the global partnership for sustainable development. The 2030 Agenda is universal and calls for action by all states – developed and developing – to end poverty, ensure prosperity, and protect the planet. The international agreements that should be reflected in this goal are (i) the Right of all peoples to self-determination [ICCPR, ICESCR art. 1(1); DRtD art. 1(1)]; (ii) Right of all peoples to development, & international cooperation [UDHR art. 28; ICESCR art. 2(1); CRC art. 4; CRPD art. 32(1); DRtD arts. 3-5]; (iii) Right of everyone to enjoy the benefits of scientific progress and its application, including international cooperation in the art. 2(1); CRC art. 4; CRPD art. 32(1); DRtD arts. 3-5]; (iv) Right of everyone to enjoy the benefits of scientific progress and its application, including international cooperation in the scientific field [UDHR art. 27(1); ICESCR art. 15(1)]; (v) Right to privacy [UDHR art. 12; ICCPR art. 17], including respect for human rights and ethical principles in the collection and use of statistics [CRPD art. 31(1)].

Table 2. Mapping Sustainable Development Goals and Human Rights.

Sustainable Development Goals	Targets	Related Human Rights
SDG 1 (End of Poverty) – End poverty in all its forms everywhere	Eradicating extreme poverty; implementing social protection measures; and ensuring equal access of men and women to economic resources.	Right to an adequate standard of living [UDHR art. 25; ICESCR art. 11; CRC art. 27] Right to social security [UDHR art. 22; ICESCR art. 9; CRPD art. 28; CRC art. 26] • Equal rights of women in economic life [CEDAW arts. 11, 13, 14(2)(g), 15(2), 16(1)]
SDG 2 (No Hunger) – End hunger, achieve food security and improved nutrition, and promote sustainable agriculture	Ending hunger and malnutrition; improving agricultural production, sustainable and resilient food production; correcting trade distortions, and ensuring functioning food commodity markets.	Right to adequate food [UDHR art. 25; ICESCR art. 11; CRC art. 24(2)(c)] International cooperation, including ensuring equitable distribution of world food supplies [UDHR art. 28; ICESCR arts. 2(1), 11(2)]

Sustainable Development Goals	Targets	Related Human Rights
SDG 3 (Good Health and Well-being) Ensure healthy lives and promote well-being for all at all ages	Reducing maternal mortality; ending preventable child deaths; ending or reducing AIDS and other diseases; universal health coverage, affordable essential medicines, sexual and reproductive health care; vaccine research, and access to medicines.	Right to life [UDHR art. 3; ICCPR art. 6], particularly of women [CEDAW art. 12] and children [CRC art. 6] Right to health [UDHR art. 25; ICESCR art. 12], particularly of women [CEDAW art. 12]; and children [CRC art.24] Special protection for mothers and children [ICESCR art.10] Right to enjoy the benefits of scientific progress and its application [UDHR art. 27; ICESCR art. 15(1)(b)] International cooperation [UDHR art. 28, DRtD arts. 3-4], particularly concerning the right to health and children's rights [ICESCR art. 2(1); CRC art. 4]
SDG 4 (Quality Education) Ensure inclusive and equitable quality education and promote life-long learning opportunities for all.	Universal access to free, quality pre-primary, primary, and secondary education; improving vocational skills; equal access to education; expanding education facilities, scholarships, and training of teachers.	Right to education [UDHR art. 26; ICESCR art. 13], particularly concerning children [CRC arts. 28, 29]; persons with disabilities [CRC art. 23(3), CRPD art. 24]; and Indigenous peoples [UNDRIP art. 14] Equal rights of women and girls in the field of education [CEDAW art. 10] Right to work, including technical and vocational training [ICESCR art. 6] International cooperation [UDHR art. 28; DRtD arts. 3-4], particularly with children [CRC arts. 23(4), 28(3)], persons with disabilities [CRPD art. 32], and indigenous peoples [UNDRIP art. 39]
SDG 5 (Gender Equality) Achieve gender equality and empower all women and girls.	Eliminating discrimination and violence against women and girls; valuing unpaid care and domestic work; ensuring the full participation of women; access to reproductive health care; and equal access of women to economic resources.	Elimination of all forms of discrimination against women [CEDAW arts. 1-5] and girls [CRC art. 2], particularly in legislation, political and public life (art. 7), economic and social life (arts. 11, 13), and family relations (art. 16)] Right to decide the number and spacing of children [CEDAW arts. 12, 16(1)(e); CRC art. 24(2)(f)] Special protection for mothers and children [ICESCR art. 10] Elimination of violence against women and girls [CEDAW arts. 1- 6; DEVAW arts. 1-4; CRC arts. 24(3), 35] Right to just and favourable conditions of work [ICESCR art. 7; CEDAW art. 11]
SDG 6 (Clean Water and Sanitation) Ensure availability and sustainable management of water and sanitation for all.	Ensuring universal and equitable access to safe, affordable drinking water, sanitation, and hygiene for all; reducing pollution; increasing water-use efficiency; and promoting participatory management of water and sanitation services.	Right to safe drinking water and sanitation [ICESCR art. 11] Right to health [UDHR art. 25; ICESCR art. 12] Equal access to water and sanitation for rural women [CEDAW art. 14(2)(h)]

Sustainable Development Goals	Targets	Related Human Rights
SDG 7 (Affordable and Clean Energy) Ensure access to affordable, reliable, sustainable, and modern energy for all.	Ensuring universal access to affordable, reliable, and modern energy services.	Right to an adequate standard of living [UDHR art. 25; ICESCR art. 11] Right to enjoy the benefits of scientific progress and its application [UDHR art. 27; ICESCR art. 15(1)(b)]
SDG 8 (Decent Work and Economic Growth) - Promote sustained, inclusive, and sustainable economic growth, full and productive employment and decent work for all	Promoting sustained economic growth; improving resource efficiency in production and consumption; full and productive employment and decent work for all; eradicating forced and child labour and trafficking; protecting labour rights including those of migrant workers; and increasing access to financial services.	Right to work and to just and favourable conditions of work [UDHR art. 23; ICESCR arts. 6, 7, 10; CRPD art. 27; ILO Core Labour Conventions and ILO Declaration on Fundamental Principles and Rights at Work] Prohibition of slavery forced labour, and trafficking of persons [UDHR art. 4; ICCPR art. 8; CEDAW art. 6; CRC arts. 34-36] Equal rights of women concerning employment [CEDAW art. 11; ILO Conventions No. 100 and No. 111] Prohibition of child labour [CRC art. 32; ILO Convention No. 182] Equal labour rights of migrant workers [CMW art. 25]
SDG 9 (Industry, Innovation and Infrastructure) Build resilient infrastructure, promote inclusive and sustainable industrialisation, and foster innovation	Affordable and equitable access to quality infrastructure; employment generating industrialisation; access to financial services and markets; innovation and technology transfer and increasing access to ICT.	Right to enjoy the benefits of scientific progress and its application [UDHR art. 27; ICESCR art. 15(1)(b)] Right to access to information [UDHR art. 19; ICCPR art. 19(2)] Right to adequate housing, including land and resources [UDHR art. 25; ICESCR art. 11] Equal rights of women to financial credit and rural infrastructure [CEDAW art. 13(b), art. 14(2)]
SDG 10 (Reduce Inequality) Reduce inequality within and among countries	Promoting higher growth rates for the bottom 40 percent; promoting social, economic, and political inclusion; reducing inequalities in opportunities and outcomes; ensuring social protection for all; securing participation in economic decision-making; facilitating migration and reducing transaction costs for migrant remittances.	Right to equality and non-discrimination [UDHR art. 2; ICESCR art. 2(2); ICCPR arts. 2(1), 26; CERD art. 2(2); CEDAW art. 2; CRC art. 2; CRPD art. 5; CMW art. 7; DRtD art. 8(1)] Right to participate in public affairs [UDHR art. 21; ICCPR art. 25; CEDAW art. 7; ICERD art. 5; CRPD art. 29; DRtD art. 8(2)] Right to social security [UDHR art. 22; ICESCR arts. 9-10; CRPD art. 28] Promotion of conditions for international migration [CMW art. 64] Right of migrants to transfer their earnings and savings [CMW art. 47(1)]
SDG 11 (Sustainable Cities and Communities) Make cities and human settlements inclusive, safe, resilient and sustainable	Ensuring access to housing, basic services, and public transport for all; participatory planning of human settlements; safeguarding cultural and natural heritage; and strengthening resilience to disasters.	Right to adequate housing, including land and resources [UDHR art. 25; ICESCR art. 11] Right to participate in cultural life [UDHR art. 25; ICESCR art. 15; ICERD arts. 5, 7; CRPD art. 30; CRC art. 31] Accessibility of transportation, facilities, and services particularly for persons with disabilities [CRPD art. 9(1)], children [CRC art. 23], and rural women [CEDAW art. 14(2)] Protection from natural disasters [CRPD art. 11]

Sustainable Development Goals	Targets	Related Human Rights
SDG 12 (Responsible Consumption and Production) Ensure sustainable consumption and production patterns.	Achieving sustainable management and efficient use of natural resources; improving waste management; promoting sustainable public procurement; ensuring access to information; and building capacity for sustainable development	Right to health including the right to a safe, clean, healthy, and sustainable environment [UDHR art. 25(1); ICESCR art. 12] Right to adequate food and the right to safe drinking water [UDHR art. 25(1); ICESCR art. 11] Right of all peoples to freely dispose of their natural resources [ICCPR, ICESCR art. 1(2)]
SDG 13 (Climate Action) Take urgent action to combat climate change and its impacts.	Strengthening resilience and adaptation to climate change and natural disasters, including in marginalised communities; implementation of the Green Climate fund.	Right to health including the right to a safe, clean, healthy, and sustainable environment [UDHR art. 25(1); ICESCR art. 12; CRC art. 24; CEDAW art. 12; CMW art. 28] Right to adequate food & right to safe drinking water [UDHR art. 25(1); ICESCR art. 11] Right of all peoples to freely dispose of their natural wealth and resources [ICCPR, ICESCR art. 1(2)]
SDG 14 (Life Below Water) Conserve and sustainably use the oceans, seas, and marine resources for sustainable development.	Reducing marine pollution; conserving coastal ecosystems, coastal marine areas, and fish stock; securing market access for small-scale fishers; protecting marine biodiversity.	Right to health including the right to a safe, clean, healthy, and sustainable environment [UDHR art. 25(1); ICESCR art. 12; CRC art. 24; CEDAW art. 12; CMW art. 28] Right to adequate food & right to safe drinking water [UDHR art. 25(1); ICESCR art. 11] Right of all peoples to freely dispose of their natural wealth and resources [ICCPR, ICESCR art. 1(2)]
SDG 15 – (Life on Land) - Protect, restore, and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and biodiversity loss.	The sustainable management of freshwater, mountain ecosystems, and forests; combatting desertification; halting biodiversity loss; combatting poaching and trafficking of protected species.	Right to health including the right to a safe, clean, healthy, and sustainable environment [UDHR art. 25(1); ICESCR art. 12; CRC art. 24; CEDAW art. 12; CMW art. 28] Right to adequate food & right to safe drinking water [UDHR art. 25(1); ICESCR art. 11] Right of all peoples to freely dispose of their natural wealth and resources [ICCPR, ICESCR art. 1(2)]
SDG 16 – (Peace, Justice, and Strong Institutions) - Promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable, and inclusive institutions at all levels.	Reducing all forms of violence; ending violence against and trafficking of children; promoting the rule of law and justice for all; reducing illicit financial and arms flows, corruption, and bribery; developing effective institutions; participation in decision-making at all levels; legal identity for all.	Right to life, liberty, and security of the person [UDHR art. 3; ICCPR arts. 6(1), 9(1); ICPED art. 1] including freedom from torture [UDHR art. 5; ICCPR art. 7; CAT art. 2; CRC art. 37(a)] Protection of children from all forms of violence, abuse, or exploitation [CRC arts. 19, 37(a)], including trafficking (CRC arts. 34-36; CRC-OP1) Right to access to justice and due process [UDHR arts. 8, 10; ICCPR arts. 2(3), 14-15; CEDAW art. 2(c)] Right to legal personality [UDHR art. 6; ICCPR art. 16; CRPD art. 12] Right to participate in public affairs [UDHR art. 21; ICCPR art. 25] Right to access to information [UDHR art. 19; ICCPR art. 19(1)]

Sustainable Development Goals	Targets	Related Human Rights
SDG 17 (Partnership for the Goals) Strengthen the means of implementation and revitalize the global partnership for sustainable development.	Strengthening domestic and international resources; debt sustainability; technology transfer and capacity building; promoting trade; enhancing policy and institutional coherence; respecting countries' policy space; promoting multi-stakeholder partnerships; measurements for progress, disaggregated data.	Right of all peoples to self-determination [ICCPR, ICESCR art. 1(1); DRtD art. 1(1)] Right of all peoples to development, & international cooperation [UDHR art. 28; ICESCR art. 2(1); CRC art. 4; CRPD art. 32(1); DRtD arts. 3-5] Right of everyone to enjoy the benefits of scientific progress and its application, including international cooperation in the scientific field [UDHR art. 27(1); ICESCR art. 15(1)] Right to privacy [UDHR art. 12; ICCPR art. 17], including respect for human rights and ethical principles in the collection and use of statistics [CRPD art. 31(1)]

In summary, most SDG targets overlap with human rights obligations in the normative framework. Therefore, the 2030 agenda envisages a world of respect for human rights and human dignity, where a human rights-based approach is used as a framework for development progress.

4. Human Rights for Sustainable Development in Malaysia

The discussion in section 3 shows that the 2030 Agenda should be grounded in international human rights norms. In this section, we use the Federal Constitution of Malaysia to identify the human rights elements that are used to step up SDG implementation at the state level. These elements have implications for inclusive participation, empowering people as active agents of sustainable development; and working toward a human rights economy. The discussion will be divided into two sub-sections: Preamble of the Federal Constitution of Malaysia and Fundamental Rights

4.1. Preamble of the Federal Constitution of Malaysia

The Constitution of Malaysia came into force on 27 August 1957. However, the country only achieved independence on 31 August 1957. The constitution has gone through many revisions: the first amendment was done in 1963 due to the admission of the States of Sabah, Sarawak, and Singapore as additional member states of the Federation and to make the agreed changes to the constitution that were set out in the Malaysia agreement, which included changing the name of the Federation to "Malaysia". Thus, legally speaking, the establishment of Malaysia was simply due to the addition of new member states to the Federation created by the 1957 constitution.

The Constitution, in its current form (1 November 2010), as summarised in column 1 of Table 3 consists of 15 Parts containing 230 articles (as reported partly in column 2 of Table 1) and 13 schedules (including 57 amendments), and the constitutional regulators (column 3).

Table 3. List of Articles in the Federal Constitution of Malaysia and the Constitutional Regulators.

Parts	Articles	Regulators
Part I – The States, Religion, and Law of the Federation	Article 1-4 – Federation of States, Islam as the Religion of the Federation, and the Supremacy of the Constitution	The Yang Dipertuan Agong
Part II – Fundamental Liberties	Article 5 – Right to Life and Liberty – such as no deprivation Article 6 – No Slavery, forced labour is prohibited Article 7 – No Retrospective Criminal Laws or Increases in Punishment and No Repetition of Criminal Trials Article 8 – Equality, all persons are equal before the law and entitled to equal protection.	Human Rights Commission of Malaysia Malaysia Competition Commission Securities Commission of Malaysia

Parts	Articles	Regulators	
	Article 9 – Prohibition of Banishment and Freedom of Movement Article 10 – Freedom of Speech, Assembly, and Association Article 11 – Freedom of religion Article 12 – Rights in respect to education Article 13 – Rights to property	Companies Commission of Malaysia Malaysian Anti-Corruption Commission Malaysia Cooperative Societies Commission Malaysian Communications And Multimedia Commission <i>Energy Commission of Malaysia</i> Independent <i>Police Conduct Commission</i> <i>Attorney General</i>	
Part III – Citizenship	Articles 17-22 – Citizenship	Human Rights Commission of Malaysia	
Part IV – The Federation	Article 71 – State sovereignty and state constitution	Parliament, State Assembly, and Local Council Assembly	
Part V – The States	Articles 73 – 79 legislative powers - the power to make laws over matters falling under the Federal List (such as citizenship, defence, internal security, civil and criminal law, finance, trade, commerce and industry, education, labour, and tourism) whereas each State, through its Legislative Assembly, has legislative power over matters under the State List (such as land, local government, Syariah law and Syariah courts, State holidays and State public works) Articles 83-91 – land matters Article 92 – National Development Plan Article 95A- National Council for Local Government		
Part VI – Relations Between the Federation and the States			
Part VII – Financial Provisions		Articles 96-112 – Fiscal constitution	Accountant General Auditor General
Part VIII – Elections		Articles 113-120 – Election matters	Election Commission
Part IX – The Judiciary	Articles 121-131A – Judiciary matters	Attorney General	
Part X – Public services	Articles 132-148 – Public services matters	Public Services Commission of Malaysia <i>Education Service Commission</i>	
Part XI – other provisions	Article 153 – Special Position of Bumiputras and Legitimate Interests of Other Communities, such as NEP, new development policy	The Yang Dipertuan Agong	

4.2. Fundamental Rights

Fundamental liberties in Malaysia are set out in Articles 5 to 13 of the constitution. They fall under the following headings: liberty of the person, prohibition of slavery and forced labour, protection against retrospective criminal laws and repeated trials, equality, prohibition of banishment and freedom of movement, freedom of speech, assembly, and association, freedom of religion, rights in respect of education and rights to

property. Some of these liberties and rights are subject to limitations and exceptions and some are available to citizens only (for example, the freedom of speech, assembly, and association).

4.3. Liberty of the Person

Articles 5 and 6, and Article 8 are aimed to protect persons against arbitrary and unfair State actions which are considered as one of the agenda of equality clause. This Article being a general Article under Part II plays a very important role because it prohibits arbitrariness. It would not be wrong to say that the co-existence of equality and arbitrariness is impossible. The new dimension of the right to equality (Article 8) which excludes arbitrariness is often used by the judiciary to quash the permission of construction granted arbitrarily by the State without giving due importance to environmental concerns.

The Sustainable Development Goals (SDGs) seek to realize the human rights of all. The targets directly reflect elements of international human rights and labour standards. The pledge to “leave no one behind” mirrors the fundamental human rights principles of non-discrimination and equality. It shows that every person has the right to liberty and security. This right protects against the unlawful or arbitrary deprivation of liberty. A person who is arrested or detained is entitled to certain minimum rights. They also have a right to a brought to a trial without unreasonable delay.

4.4. Prohibition of Slavery and Forced Labour

Article 6 provides that no person may be held in slavery. All forms of forced labour are prohibited, but federal law, such as the National Service Act 1952, may provide compulsory service for national purposes. It is expressly provided that work incidental to serving a sentence of imprisonment imposed by a court of law is not forced labour.

The public policy should be in place and aimed to ensure that forced labour, modern slavery, human trafficking, and child labour are eliminated from throughout the supply chain; and offer educational and awareness-raising, and research programmes and partnerships aimed at eradicating forced labour, modern slavery, and human trafficking.

4.5. Freedom of Speech, Assembly, and Association

These provisions (Article 10) are fundamental human rights proclaimed in the Universal Declaration of Human Rights (1948). It is the enabling right to allow effective participation of non-state actors in economic and social policy, lying at the heart of democracy and the rule of law. Ensuring that workers and employers have a voice and are represented. Therefore, essential for the effective functioning not only of labour markets but also of overall governance structures in a country.

The right of workers and employers to form and join organizations of their choosing is an integral part of a free and open society. In many cases, these organizations have played a significant role in their countries' democratic transformation. The International Labour Organisation (hereinafter used as ILO) is regularly engaged in promoting freedom of association from advising governments on labour legislation to providing education and training for trade unions and employer groups.

The freedom of association is also closely linked to the issue of collective bargaining. Collective bargaining is a fundamental right that is rooted in the ILO Constitution and reaffirmed as such in the 1998 ILO Declaration on Fundamental Principles and Rights at Work. Collective bargaining is a key means through which employers and their organizations and trade unions can establish fair wages and working conditions and ensure equal opportunities between women and men. It also provides the basis for sound labour relations. Typical issues on the bargaining agenda include wages, working time, training, occupational health and safety, and equal treatment. The objective of these negotiations is to arrive at a collective agreement that regulates terms and conditions of employment. Collective agreements may also address the rights and responsibilities of the parties thus ensuring harmonious and productive industries and workplaces. Enhancing the inclusiveness of collective bargaining and collective agreements is a key means for reducing inequality and extending labour protection.

4.6. Freedom of Religion

Islam is the official religion of Malaysia. However, other religions can be practiced (Article 11). Therefore, everyone is free to manage their religious matters. However, an understanding of the basic arrangement of the current Malaysian legal system and the concept of separation of powers (Article 71 and Articles 73-79) would help in understanding how Malaysian legal resources are organized and found. Although the Malaysian legal

system is predominantly based on English common law, there are also other secondary legal systems concurrently affecting certain sections of the law, such as Islamic law and customary law.

The Federal Constitution of Malaysia also clearly divides the separation of power that occurs both at federal and state levels. It affects the fiscal matters. Under Article 97 of the Constitution, the federal government can collect revenues that come in the form of taxes, levies, fees, and other charges. The revenues, as provided in Article 97, also cover Zakat, Fitrah, Baitulmal, and other Islamic revenues (or known as Baitulmal Fund). However, they belong to the lower level of government. This provision is recognized by the State Constitution and also the State Islamic Religious Council Enactment. It means that financing matters of sustainable development could come from the Baitulmal Fund ([Ismail, 2022](#)).

4.7. Freedom of Enterprise

The Constitution does not mention freedom of enterprise per se, but it has a system of laws, based on Article 5(1). The provision is aimed at securing individual liberty and freedom of choice in keeping with the Creator-endowed natural rights. A free market economy is the natural result of an ideal of liberty. Some may fear that concentrations of power and coercion can be used in planning other people's lives. By having the provision, people's freedom of choice and acceptance of responsibility for the consequences of such choice are the very essence of liberty.

Some envisage that a prosperous nation of free people, and unhampered by government interference is a sign of happiness. Therefore, people could prosper if left free to: acquire and own property (Article 13); work for whom and at what they wanted; have access to free markets; travel and live where they choose; produce what they wanted; acquire goods and services which they desired. Such a free market economy is, to some scholars such as McMurtry ([1997](#)) and Tomasi ([2012](#)), the natural result of liberty. Because it is carried out in the economic dimension of life. The philosophy is intended to enlarge individual freedom - not to restrict or diminish the individual's right to make choices and to succeed or fail based on those choices. The economic provisions in the Constitution are simply to secure rights and encourage commerce. Through the Constitution, the government (as an economic agent) is given some powers to: first, assure that the ground rules are fair (a fixed standard of weights and measures), second, encourage initiative and inventiveness (copyright and patent protection laws); third, provide a system of sound currency with an established value (gold and silver coin); fourth, enforce free trade (free from interfering special interests); fifth, protect individuals from the harmful acts of others. The results show that free enterprises (and due to the free market) flourish naturally. Even though the words "free enterprise" are not in the Constitution, the concept is uppermost in the minds of the economists who believe so.

5. Further Discussion – Who Are the Constitutional Regulators?

In general, regulation safeguards the integrity of a profession or sector and protects the public, for example, the standard of best practices of Islamic Financial Standard Boards for Islamic financial institutions. It establishes the standard of best practices in strengthening the financial stability of Islamic finance. In politics, such standards most obviously include financial morality and personal conduct. Regulation also guards against unfair competition, often by preventing those in dominant positions from abusing their power. Therefore, regulation plays a key role in maintaining the reputation of politicians and officials.

The constitutional regulators are aimed to promote good governance and the health of the democratic system, not only through investigating or sanctioning wrongdoing but also through encouraging high standards and good behaviour. By having this, it is to ensure that public trust in politics is earned and maintained. Hence, this section tries to identify who are the constitutional regulators, as presented in Column 3 of Table 3, which enforce key standards and rules.

In the Malaysian context, the constitutional regulators take various forms, and there is no single definitive list. Among the regulators are:

- Accountant General - To fulfill accounting and reporting responsibilities, the Accountant General is responsible for establishing and maintaining an adequate system of internal controls, designed to provide reasonable assurance that the transactions recorded are within Statutory Authority and that they, also, properly record the use of all public financial resources by the Government.

- Attorney General - is the principal legal adviser and the highest-ranking public prosecutor in the country and is also known as the Public Prosecutor or simply PP. The powers concerning prosecution are contained in Article 145(3) of the Federal Constitution. For instance, exercisable at his discretion, the Attorney General may institute, conduct, or discontinue any proceedings for an offence, other than proceedings before a Syariah court, a native court, or a court-martial.
- Auditor General - checks the spending of public money by looking at whether it has been used ideally and for the purposes intended. this is done by checking all government spending yearly, and this is called an audit. each entity submits financial statements every year, which the ag audits.
- Companies Commission of Malaysia - the legislative body that governs and regulates all proceedings that involve businesses and companies in Malaysia.
- Education Service Commission - the appointing authority for members of the education service in matters of appointment, confirmation of service, placement in permanent or pensionable posts, promotion, transfer of appointment/permanent transfer of service, and exercise of disciplinary control.
- Election Commission - The Election Commission of Malaysia was established in 1957 to ensure open, free, and fair elections. The commission regulates all elections
- Energy Commission of Malaysia - responsible for regulating the energy sector, specifically the electricity and piped gas supply industries, in Peninsular Malaysia. In addition, the Energy Regulatory Commission dedicates itself to timely and value-driven public service by encouraging fair competition, ensuring reasonable rates, championing consumer welfare; and fostering an inclusive, sustainable, and transparent regulatory environment.
- Human Rights Commission of Malaysia - to study and verify any infringement of human rights; to visit places of detention following procedures as prescribed by laws relating to the places of detention and to make necessary recommendations; to issue public statements on human rights as and when necessary.
- Independent Police Conduct Commission - exists to increase public confidence in the police complaints system. It also investigates serious complaints and allegations of misconduct against the police and handles appeals.
- Malaysia Competition Commission - To protect the competition process by ensuring enterprises compete in the market to improve quality, provide better choices, and offer competitive prices for goods and services.
- Malaysia Cooperative Societies Commission - Responsible for monitoring, supervising, and regulating co-operatives and the co-operative sector; Preserving the cooperative values and principles; registering and canceling registration of cooperatives; to conducting the appropriate environment for cooperatives to carry out their activities.
- Malaysian Anti-Corruption Commission - to undertake the following: (i) investigating and prosecuting cases of suspected corruption. (ii) conducting public sensitisation on the dangers of corruption and fostering public support in the fight against corruption.
- Malaysian Communications And Multimedia Commission - promoting and regulating the communications and multimedia industry and enforcing the communications and multimedia laws in Malaysia.
- Parliament, State Assembly, and Local Council Assembly - The federal government adopts the principle of separation of powers under Article 127 of the Federal Constitution of Malaysia, and has three branches: the executive, legislature, and judiciary. The state governments in Malaysia also have their respective executive and legislative bodies. City, town, and local council members are legislators. Together, the council members constitute a legislative body that is given authority by the state constitution and state law to make local laws.
- Public Services Commission of Malaysia - responsible for the general administration of the Public Services of Malaysia's Federal Government.
- Securities Commission of Malaysia – it has direct responsibility for rule-making, enforcing regulations about the capital market, ensuring sustainable market growth and development, supervising capital market activities and market institutions including the exchanges, clearinghouses, and registered market operators, and regulating all entities and persons licensed under the Capital Markets and Services Act 2007.

Constitutional regulators are essential to maintaining the health of the democratic system, and public confidence and also to operationalise the human rights-based approach. Therefore, politicians, officials, and

the public have a collective responsibility to uphold the system and to take seriously the proposals that have been made to strengthen it during the tenth premiership.

6. Conclusions

The main aim of this study is an attempt to connect the SDGs to wider debates in constitutional economics and sustainable development. The method used is based on the review of the constitutional provisions in Malaysia and major international agreements on sustainable development which are linked to human rights. The findings show that: first, the Constitution has an important constitutive and instrumental role to play in both implementation and analysis. Second, the Sustainable Development Goals mutually seek to realise the human rights of all. Intuitively, the findings suggest the tools and guidance materials that are used to operationalise this mutually reinforcing connection in implementation, monitoring, and review are centred around the human rights-based approach. In addition, constitutional regulators are essential to operationalise the human rights-based approach. Moving forward, there are three critical human rights elements to step up SDG implementation at state levels: inclusive participation, empowering people as active agents of sustainable development; and working toward a human rights economy. It provides invaluable input for future studies in the field of sustainable development.

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Appendix A: List of international human rights instruments

- 1948 – Universal Declaration on Human Rights (UDHR)
- 1965 – International Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- 1966 – International Covenant on Civil and Political Rights (ICCPR)
- 1966 – International Covenant on Economic, Social and Cultural Rights (ICESCR)
- 1979 – International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- 1984 – Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- 1986 – Declaration on the Right to Development (UNDRTD)
- 1989 – Convention on the Rights of the Child (CRC) 1990 – International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW)
- 1993 – Declaration on the Elimination of Violence against Women (DEVAW)
- 2000 – Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-1)
- 2006 – Convention on the Rights of Persons with Disabilities (CRPD)
- 2006 – International Convention for the Protection of All Persons from Enforced Disappearances (ICPEP)
- 2007 – Declaration on the Rights of Indigenous Peoples (UNDRIP)