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| **Are Sdgs Influential? An Institutional Pathway For Policy Integration Across Human Rights And Biodiversity Conservation**  **Alizan Mahadi1\* & Zainal Abidin Bin Sanusi (Assoc. Prof.Dr.)2**  1Senior Director (Research), Institute of Strategic and International Studies (ISIS) Malaysia  2Associate Professor; Kulliyah of Islamic Revealed Knowledge and Human Sciences and Director, Sejahtera Centre for Sustainability and Humanity | | |
| **ABSTRACT**  Integration of the three pillars – social, economic and environment – sits at the heart of sustainable development. Despite this, studies demonstrate that little evidence of policy integration has occurred. One of the core principles of the Sustainable Development Goals (SDGs) is to address the interactions across the various goals. This article undertook an assessment on the influence of the SDGs’ interlinkages approach in translating it to domestic policy integration. It assessed if, how, and to what extent SDGs influenced policy integration across two issue areas and policy domains, namely, human rights (social) and biodiversity (environment). A causal mechanisms approach was adopted where a set of mechanisms that elucidate the pathways of how causal influence travels from SDGs to a domestic policy outcome is assessed. Specifically, a process tracing exercise was conducted where the SDGs was utilised to link biodiversity conservation and human rights during a special sitting on flood at the Malaysian Parliament. The findings suggested that firstly, the outcome was the culmination of an institutional pathway and attributed to the establishment of the All-Party Parliamentary Group on SDGs, which consisted of multi-stakeholders including parliamentarians, experts and CSOs. In particular, the role of non-state actors acted as a major force. Secondly, the extent of policy integration was found to be substantive, in the sense that there was consensus formed on normative and causal ideas, in particular, of the anthropogenic causes of the floods. This highlights that under certain conditions, the SDGs has the potential to be transformative in influencing domestic policy integration.  **Keywords**: *SDGs; interlinkages; policy integration; biodiversity; human rights.* | | |
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# INTRODUCTION

Integrating the social, economic and environmental pillars sits at the heart of sustainable development [1,2,3]. However, since the Rio Earth summit in 1992, there has been little evidence of policy integration [4,5,6]. The Sustainable Development Goals (SDGs), adopted in 2015 by all United Nations member states, aimed to break this stalemate. In the 2030 Agenda for Sustainable Development, member states were committed to achieve the SDGs in an “integrated and indivisible manner” [7]. Assessing if and how the SDGs has influenced policy integration is therefore crucial in understanding its effects in transforming or transitioning towards sustainable development.

Despite the clear objective and principle on an interlinkages approach adopted as part of the international goal setting strategy, translating the SDGs into policy integration at the domestic level faces various challenges. Firstly, the SDGs, adopting a governing through goals approach, are voluntary and do not have any compliance mechanisms [8]. Secondly, the interactions are often contextual, including being geographically and issue dependent, and there are no standard means of implementing policy integration of the SDGs [9,10]. Thirdly, at the domestic level, governments often apply a logic of specialisation and task disaggregation for service delivery, which often results in a silo approach to policy implementation [11].

This article assessed the influence of SDGs in translating interlinkages across environmental and social dimensions. Studies on the interface across social and environmental policy domains are largely conceptual with few examples of analysis that is situated in context [12]. In terms of policy integration, there is a lack of empirical studies, in particular non-state forms of governance, that identify the strategies that environmental policy integration utilises [13]. Furthermore, due to the relatively new adoption of the SDGs there of empirical studies on policy integration [14,4,10], this article aims to contribute to the literature by undertaking an empirical study of the influence of SDGs on policy integration at the domestic level. Towards this end, a case study was carried out to assess the influence of SDGs on integrating to issue areas in Malaysia – biodiversity and human rights.

A causal mechanisms approach was adopted to understand if, how and to what extent the SDGs influenced domestic policy integration. Through adopting this approach, firstly, the mechanisms and pathways utilised provide an explanation of the causality between SDGs as an international goal setting strategy, with observed outcomes of integration at the domestic level. The framework was adapted from previous studies and literature from international regimes and global environmental governance [15,16,17] in elucidating how causal influence travels from global goals to domestic policy. Secondly, the results will also highlight the extent to which SDGs influenced the policy outcome.

To observe this phenomenon a single policy incident was selected as an outcome of domestic policy integration. As an effort to enhance integration across biodiversity conservation and the right to a healthy environment, a collection of members of parliaments utilised the SDGs as a tool to deliberate the linkages across the issue of the rights to healthy environment and biodiversity conservation at a special parliamentary sitting. This article investigated if and how SDGs influenced this outcome through tracing the causal influences and mechanisms used. It is hypothesised that an institutional pathway is triggered and is enabled by two conditions; the high level participation and leadership; and actors who operate at multi-level.

The next section establishes the theoretical framework of assessing how and to what extent SDGs influence policy integration at the domestic level. Section 3 illustrates the interactions across biodiversity conservation and human rights in Malaysia, focusing on the institutional interlinkages. Section 4 presents the results of the process tracing that assessed the influence of the SDGs for domestic policy integration. Section 5 discusses to what extent did the SDGs influenced this outcome and this is followed by the concluding section.

# Framework: Causal mechanisms for assessing influence of SDGs on domestic policy integration

A causal mechanisms framework was used to analyse if and how the influence of the SDGs at the domestic level resulted in the emergence of policy integration. The framework specifically looked at the possibility that the SDGs could influence policy integration to address the interactions between biodiversity and human rights (see Table 1). (Alizan, unpublished).

**Table 1** Framework for studying the influence of SDGs for issue linkage

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Mechanisms and Pathways | Forces that trigger pathway | Propositions | Primary Actors | Hypotheses for Malaysia |
| Direct Mechanisms | M1 Functional Influence | Combination of strong interlinkages, shared underlying beliefs and symmetrical power | P1: The strength of (inter)linkages (either synergistic or trade-offs) will only be a determinant in interplay that are shallow or synergistically deep with a symmetrical power structure. | National government agencies | Interlinkages are determined by government priorities as reflected in power asymmetries (i.e. budget allocation) |
| M2 Institutional Influence | Shared beliefs, intersubjective understandings and identities | P2: Issue linkages are more likely to be substantive depending on the level of political participation and actors who operate at multiple levels of jurisdiction | Political actors, non-state actors | Due to federalism, issues of different political jurisdictions will unlikely address interlinkages |
| M3 Material Influence | Material leverage | P3: The influence of either international bureaucracies or networks that attempt to directly access domestic policy processes will be dependent on the amount of funding used as leverage and is likely to be more influential on existing or previously linked issues, institutions or policies | International bureaucracies, Development Banks and Networks | Relevance to previously linked issues (for example under the 5-year economic plans) will be more likely to succeed |
| Indirect Mechanisms | M4 Market Influence | Exposure to global markets | P4: Influence is more likely when the relative dependence on foreign market is high and powerful actors trigger market forces | Networks of producers and consumers | Tactical linkages are likely to succeed if the exposure to global markets is high |
| M5 Ideational and Normative Influence | Ideas and norms through deliberative processes in policymaking | P5: Epistemic communities and norm entrepreneurs are likely to be more influential the more deliberative domestic policy processes are | Epistemic communities and norm entrepreneurs | A more deliberative process post regime change is likely to increase influence of non-state actors |
| M6 Regine Complexity Influence | Forum shopping | P6: Interlinkages are more likely when actors participate in multiple forums internationally and domestically related to SDGs implementation | Other rule-making regimes and institutions | Non-state actors are likely to participate across goals. Their influence is dependent on the interaction with other pathways |
| M7 Globalisation | Motivations of financial institutions and cronyism and corruption in prevailing setting | P7: The influence of cross-border financial institutions can enhance or hinder implementation of interlinkages depending on their motivations and are more likely when the financial depth is small | Financial institutions | Financial institutions are likely to act as ‘enablers’ to cronyism and corruption that hinder implementation of interlinkages |

The framework was designed based on previous literature on interlinkages from international regime theory and global environmental governance [18,15,16]. It adopted a causal mechanisms framework that is based on the social mechanisms approach, an analytical method that identifies mechanisms as a form to generate and explain observed causality between events [19].

Seven causal mechanisms were identified as paths of influence. It spans the spectrum of goal setting influence from the most direct to the most indirect. The most direct mechanism is *functional influence*, where policy integration is triggered by the SDGs themselves. This means that domestic policy integration occurred as a direct means of implementation of the SDGs. Secondly, *institutional influence*, is triggered when interlinkages are implemented through a logic of appropriateness (rather than a logic of consequences). This occurs where the structure and processes established to deliver the SDGs result in shared beliefs and inter subjective understanding [20]. Thirdly, *material influence*, occurs through direct intervention of international and transnational actors. This is mainly exercised through funding and via the means of implementation of the SDGs, mostly from international organisations. The final four mechanisms and pathways are more indirect. *Market influence* leverages on markets to tactically create domestic change [15]. *Ideas and norms* are triggered when domestic policy change is attributed to a change in normative or causal beliefs. The influence of *regime complex* occurs when other international regimes triggers domestic policy integration. Finally, globalisation influence occurs when forces of globalisation, such as financial institutions that are influential for global trade and investments influence the outcome [18]. Each of these mechanisms are supplemented by a set of propositions which theorises under which conditions they are likely to be successful.

Process tracing was conducted to examine the process and causal relation of the influence of the SDGs and the policy outcome studied. The causal mechanisms approach was previously used as a reductionist approach in studying institutional interactions at the international level [17] and has increasingly been used in in the field of international relations and comparative politics [21]. Process tracing is defined as “techniques for examining the intermediate steps in cognitive mental processes to understand better the heuristics through which humans make decisions” (Benett and Checkel: 5). Through this method, the case study also used a combination of deductive and inductive reasoning. Deductive reasoning was made possible through the design of the framework above, where the mechanisms provide a possible explanation for the causal influences of the policy outcome. However, to capture the complex interactions that occur in the real world, inductive reasoning was also applied in tracing the chronology of events towards identifying additional observable implications.

The method utilised for tracing the process is through interviews with key informants. Informants that were part of the process, in particular, the secretariat to the All Party Parliamentary Group were interviewed as part of the research. Additionally, this author was also an observer of the process. This allowed for the study to adopt a participant observation approach.

In terms of case selection, the intention was to focus on the interactions across national level biodiversity conservation with human rights. Although various interactions across the two issue areas were found, through a co-design process and interviews with stakeholders, there were few examples where SDGs were utilised as part of an outcome. In this case, although strong policy integration is reflected in specific policy outputs while weak policy integration as a procedural input, the selected case study is a joint statement in parliament may. While this is not strictly a policy output, it is a significant outcome of the utilisation of SDGs across the two issue areas studied. Furthermore, it dovetails with the need to understand the political logic of intervention in studying policy integration [4].

The hypothesis is that the institutional pathway would be likely to be triggered when there is participation from high level authorities and that the actors involved operate at multiple levels. In the context of the case study, Members of Parliaments (MPs) are high level authorities. Furthermore, as a representative of their constituencies, MPs operate at various levels of jurisdiction including the national level, local (constituency) level, as well as, often in the context of Malaysia, at the state government (sub-national) level. The results of the process tracing and the testing of the hypothesis are presented in Section 4.

# Interactions of Biodiversity conservation and rights to a healthy environment in Malaysia

## Interactions across biodiversity and human rights

The interactions of a healthy environment and the linkages of biodiversity with human well-being and security is now well established [22,23]. The linkage was made in the political sphere during the Rio Declaration which states that human beings are “entitled to a healthy and productive life in harmony with nature” [24]. Nonetheless, while the discourse on issue linkages were conceived from a natural science perspective, and later, from an economic perspective, it has long been argued that there is a need to view sustainable development from a rights based approach [25].

Previous literature on environmental rights suggest at least three perspectives or categories of human rights are relevant. Firstly are civil and political rights which are essentially procedural rights including access to environmental information, judicial remedies and political processes; secondly is the right to a clean and healthy environment as an economic or social right; and thirdly, environmental quality as a collective or solidarity right, which would give communities the right to govern their own resources [26]. Similarly, the report of the Special Reporter on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment identified three “rights” related to biodiversity [27]. Firstly, is the “rights to life and health”. This includes the linkage between biodiversity in the provision of medicinal drugs; the link between microbial diversity that is critical for the development of normal immune responses; the linkage between infectious diseases and disappearance of biodiversity; and the link between the availability and access to biodiversity areas and mental health. Secondly, is the “right to an adequate standard of living”. These include the rights to food and the rights to safe and clean water and sanitation. The access and security of both water and food resources are both heavily dependent on a functioning ecosystem and biodiversity. Thirdly is the “non-discrimination and the rights of those most vulnerable to the loss of biodiversity”. This includes legal rights to territory and resources.

Debates on the linkages of biodiversity in the context of sustainable development has often been divided into two distinct camps. Conservation advocates, on the one hand, tend to focus on conservation strategies. On the other hand, advocates of a rights based approach often focus on land and security of tenure security rights [28]. The land and security of tenure approach often focuses on the rights of indigenous peoples. While both sets of actors aim for successful conservation of biodiversity and ecosystems, the different approaches and actors can be both synergistic or trade-off with one another. The conservationist approach focuses on science driven approaches, such as calculating the values of ecosystem service, while the land justice approach uses a political ecology angle that brings into focus the power and politics in play within the governance of biodiversity hotspots [28]. In fact, some argue that conservationist approaches that lack genuine consultation with rural communities are akin to neo-imperialism [29].

Another common interaction across biodiversity and rights is on intellectual property rights, and in particular, the fair and equitable benefit-sharing of biodiversity and ecosystem services, or access and benefit sharing in short (ABS)[30,31]. As one of three main objectives of the Convention on Biological Diversity, fair and equitable sharing of the benefits arising out of the utilisation of genetic resources has been one of the key objectives of CBD. This is due to the potential uses of genetic resources, including for research and development, commercialisation of products and so on. These uses could generate billions in revenue including for pharmaceutical, biotechnology, agriculture and personal care industries [30]. The access and benefit sharing (ABS) objective was meant to ensure that countries, in particular, across the north and south divide, share the costs and benefits of biodiversity conservation.

This article bridges this gap by focusing on the rights to a healthy environment. Focusing on the influence of SDGs for policy integration, this ensures that the assessment is not too narrow in scope and mired in complex political ecology challenges and realities on the ground. Furthermore, interviews with informants highlighted that it is unclear how the SDGs has influenced both the issue areas above. The interactions between biodiversity and rights to a healthy environment cuts across various SDGs. This includes SDGs 1 (Poverty), which includes reducing vulnerabilities and exposure to environmental shocks and disasters (SDG1.5); SDGs 3 (Health), including reducing deaths and illnesses from water and soil pollution (SDG3.9); SDGs 6 (Water) including restoring water-related ecosystems (SDG6.6); SDGs 11 (Cities) including safeguarding world’s natural heritage (SDG11.4) and reducing deaths and losses due to natural disasters with a focus on protecting the poor; and SDGs 13 (climate change) through strengthening resilience and adaptive capacity (SDG13.1). All the biodiversity goals, both terrestrial (SDG15) and marine (SDG14), are relevant towards protecting rights for a healthy environment. The staggering number of goals and explicit targets that aims to ensure planetary health and protect the rights of individuals from environmental shocks and disasters highlights the synergies of biodiversity protection throughout the SDGs.

## Interactions of biodiversity and human rights in Malaysia

Malaysia is one of seventeen mega diverse countries in the world. Situated in the tropical belt and the Sundalan Biodiversity hotspot, it is rich in tropical biodiversity. Forest covers about 54% of the total landmass, which are habitat to various species of flora and fauna (NRE, 2016). The overall Sundalan area is home to about 25,000 vascular plant species, 380 mammal species[32]. Coastal and marine habitats are also rich in biodiversity including shorelines that consist of mangroves that have been designated as Ramsar sites. The major approach for conservation and management has focused on the establishment of protected areas, with a coverage of13.2% of terrestrial biodiversity and 3.3% of marine areas [32]. Internationally, Malaysia ratified the Convention on Biological Diversity (CBD) in 1994, with three main objectives required to be adhered to, namely, ﻿the conservation of biological diversity; the sustainable use of the components of biological diversity; and the fair and equitable sharing of benefits arising from the utilization of genetic resources. Beyond CBD, Malaysia has ratified 17 multilateral environmental agreements related to biodiversity[33]. This includes Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Convention on Wetlands of International Importance (Ramsar) as well as relevant protocols under the CBD including the Cartagena Protocol on Bio safety and the Nagoya Protocol on Access to Genetic Resources and Fair and Equitable Sharing of Benefits Arising from their Utilization.

In terms of human rights, the basic rights in Malaysia is conferred under the Federal Constitution (see more below). Beyond the Constitution, the Malaysian Commission on Human Rights(SUHAKAM) was established in 1999 as the National Human Rights Institution of Malaysia. It was established by an Act of Parliament with its objective to be advisory to the government. It’s mandate was restricted to Part II of the Constitution that confers fundamental liberties and the Act also bars SUHAKAM from undertaking inquiry into a complaint on allegations before or after it has been determined by the courts[34]. The peculiar establishment of SUHAKAM as a watchdog but at the same established by the government provides a challenge in securing its independence [35]. Due to this restricted mandate, it was argued that SUHAKAM needs to be strengthened with adequate powers beyond its advisory role [36]. At the international level, Malaysia has ratified three out of the nine UN human rights treaties, namely Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD) and a signatory to a number of declarations [36]. Malaysia has also engaged the Universal Periodic Review (UPR) of the United Nations Human Rights Council (UNHRC) [35].

The literature on the interactions across human rights and biodiversity has tended to focus on the rights of indigenous peoples [37,38]. Specifically, the focus has largely been on land rights, in particular, customary land rights[39,40]. This issue linkage is also true in practice, where, for example, SUHAKAM conducted an inquiry into the land rights of indigenous peoples Malaysia a national inquiry conducted by [41]. The focus on indigenous peoples as a target group is natural as, generally speaking, these are communities that are more dependent on ecosystem services including sizeable communities being forest-dwellers and fisher folk. However, land rights is an extremely complex issue, evident by the fact that the recommendations by SUHAKAM, including to review laws and policies on land rights of the indigenous peoples not translating into actions [42,43]. In terms of ABS, Malaysia has put in place a law in 2017 which operationalizes the Nagoya ABS Protocol. However, regulations to implement the provisions of law are still being finalised [44]. Nonetheless, the law provides for a way forward in protecting the rights of indigenous peoples as well as ensure prior and informed consent is obtained.

The linkages of biodiversity, its ecosystem services and human well-being is evident in the values it provides to society. Terrestrial and marine biodiversity is estimated to contribute an economic value of 167.24bn US$ [45]. Despite this, the link between biodiversity and the right to a clean and healthy environment has not usually been made by the general public. An interviewee from the Human Rights Commission highlighted the lack of complaints on rights in relation to the environment. This may be partly due to a lack of understanding on the linkages of biodiversity and well-being [46]. It should be noted, that the environmental movement generally differed in the Peninsula and East Malaysia and East Malaysia (Borneo, consisting of the states of Sabah and Sarawak). The initial objectives of the NGOs in Peninsula Malaysia was towards preserving wildlife while in East Malaysia, it was more focused on indigenous rights [46]. This dichotomy once again reflects the two different approaches to biodiversity governance; one of conservation and one of indigenous rights. Nonetheless, due to the increased frequency and intensity of environmental related crises there is currently a shift as evidenced by increased in protests and media reports on the linkages between the rights to a healthy environment and biodiversity loss.

## Institutional interlinkages across biodiversity and the rights to a healthy environment

Despite the synergistic interactions across biodiversity and rights to life and a healthy environment, previous studies highlight a lack of institutional interlinkages established in Malaysia. A review of institutional interlinkages, understood as formal or informal connections between two institutions and their associated policy processes [47], across the biodiversity and human rights or legal institutions highlight this situation.

The overarching policy to govern biodiversity is the National Policy on Biodiversity (NPBD). The first NPBD was launched in 1998, four years after Malaysia’s ratification of the CBD. In effort to update and address some of the implementation challenges arising from the first iteration, the NPBD 2016-2025 was launched with 17 targets that reflect both the domestic issues as well as in line with the Aichi Biodiversity Targets internationally [33]. In terms of legislation, Malaysia also made strides to fulfil its commitment to the CBD, including legislations on governing bio safety through the Bio safety Act 2007, access and benefit sharing through the Access and Benefit Sharing Act 2017 as well as other acts such as the Protection of New Plant Variety Act 2004 [48]. Beyond the obligations to CBD, Malaysia has at least 40 environment-related acts including the Protection of Wildlife Act 1972, Wildlife Conservation Act 2010, Land Conservation Act 1960, National Parks Act 1980 and the National Forestry Act 1984 [33]. However, studies highlighted various shortcomings in the implementation of the Acts, in particular, the lack of a comprehensive biodiversity Act and lack of integration both within biodiversity institutions and with acts that can govern anthropogenic pressures [48,33]. In relation to rights to a healthy environment, all the biodiversity related acts adopt the conservation approach, such as through protected areas, land management and sustainable use. No reference was found that linked biodiversity to fundamental liberties.

The National Policy on Biodiversity 2016-2025 does highlight some interaction with the need for ensuring rights to a healthy environment. This includes the need for engaging with legislature and judiciary (Action 1.3). In terms of ensuring resilience and safety from shocks, a narrow focus on bio safety (target 12), which covers the handling, transport and use of living modified organisms (LMOs) resulting from modern biotechnology that may have adverse effects on biological diversity impacts, was included [49]. In both policy objectives, it does not employ or mention a rights based approach for biodiversity protection.

From the institutions that safeguard rights in Malaysia, the Federal Constitution is the supreme law of Malaysia, the *grundnorm*, with any conflicting laws deemed to be void [50]. It consists of 9 parts, 183 sections and 13 schedules and came into force during Malaysia’s independence in 1957. As a federal system, State Assemblies have the power to frame enactments that are under the State List and Concurrent List, which can be found in Part VI of the Constitution [51]. In relation to human rights, the Constitution sets out the fundamental liberties in Articles 5 to 13. This includes the right to life and personal liberty Article 5(1).

In terms of the environment broadly, no provision explicitly mentions the environment. However, the legislative lists contain various components that are key for conserving biodiversity including rights to land, water and natural resources as highlighted in the previous section. While these laws are useful and have provisions to establish protected areas, as individuals, there is no Constitutional right to environmental protection provisioned. Court decisions, however, have highlighted that it may be implicitly provided for within Article 5 (which guarantees right to life and personal liberty). “Life” in this sense transcends the animal existence of breathing and living and covers the right to live in human dignity [50]. The case of Tan Tek Seng v Suruhanjaya Perkhidmatan Pendidikan demonstrated this link in the context of environmental rights whereby the judgement was that it included the right to live in a reasonably healthy and pollution free environment [50,52]. However, it depends on interpretation of the law and the decisions have reflected this inconsistency [52]. Overall it can be surmised that in Malaysia, the right to a clean and healthy environment is not explicitly protected under the Constitution. Complicating this challenge, the responsibilities of environmental protection are shared across the Federal Government and State Governments levels and therefore, uniform environmental law and assigning of rights would be unlikely [51]. In the absence of a clear institutional linkage and lack of enforcement mechanism, aggrieved parties require other means to access rights to a healthy environment. This includes complaints to SUHAKAM, proceedings in Parliament, service centres run by politicians and support by NGOs as a form of redress of human rights abuses [50].

The interactions across biodiversity and rights to a healthy environment in Malaysia demonstrate that despite the synergistic linkages across the two issue areas, it has not been translated into institutional interlinkages. This is on both accounts of conservation law as well as rights to a healthy environment. In terms of conservation related law, the challenge is that it requires enforcement at the state level of jurisdiction. In terms of rights to a healthy environment, no explicit provisions, either within the constitution, or within laws governing biodiversity means that it will depend on the interpretation of the Constitution. It was therefore significant when on 20thJanuary 2022, at a Special Parliamentary Sitting on floods, the chair of a bipartisan group (consisting of both government and opposition Member of Parliaments) called the All-Party Parliamentary Group on SDGs (APPGM-SDG) used the SDGs as a platform to link the issues of ecosystem destruction and societal impacts due to the floods during proceedings of Parliament. The Member of Parliaments (MPs), as lawmakers, also called for an inquiry into the causes of the floods, alluding to its linkages with biodiversity loss. The next section traces the process of this outcome to further assess how the SDGs was utilised as a means for policy integration.

# RESULTS: Process tracing of how the SDGs influence issue linkages across biodiversity and rights to a healthy environment in Malaysia

## Background

A combination of interviews with key informants and literature review was undertaken as methods for tracing the process in assessing how the issue linkage across biodiversity and social impacts was made in parliamentary proceedings. It was hypothesised that this outcome is triggered via an institutional pathway, enabled by the fact that MPs provide a high level participation required for acquiring legitimacy; and MPs also play a role at multiple level of jurisdictions addressing the issue of federal system with a division of powers, in particular, for governing biodiversity.

On 20th January 2022, the Chair of the APPGM-SDG made a statement in Parliament in linking the issue of biodiversity, land use and resilience from disaster. It included recommendations for reviewing land use plans, halting development in Environmentally Sensitive Areas (ESAs), and holding a Royal Commission Inquiry on the causes of the floods including addressing local factors. These suggestions demonstrate an effort for issue linkages by lawmakers as well as parliamentarians in upholding the rights of their constituents.

In tracing the process, the issue is largely domestic and there were no international influences. The main incident that occurred is Malaysia faced its worst flooding in decades at the end of December 2021. It resulted in at least 54 deaths, and about 100,000 displaced [53]. Furthermore, it was estimated that overall losses amounted to USD1.46 billion (RM6.1 billion) [54]. 11 out of 14 states suffered losses and long term impacts such as agricultural impacts will continue to be felt [55]. The flooding was a result of various factors. Firstly, it was due to Tropical Depression 29W, which caused heavy rainfall, which reportedly an ‘one in a hundred year event’ and received an equivalence to one month’s rain. The Ministry of Environment and Water acknowledged in the media that the Average Recurrence Intervals (ARI) may be less in the future due to climate change. The extent of the impact was blamed on other causes. Firstly, natural geological processes, namely landslides as the volume of rainfall exceeded the absorption capacity of the soil. While these are natural phenomenon, it is exacerbated by development, in particular in the highlands [56]. Secondly, the floods were also blamed on anthropogenic impacts, namely deforestation, development and urbanisation. These causes link the complex question on biodiversity conservation and right to a healthy environment. With the advent of climate change, and the potential increased in intensity of frequency of similar events, many are questioning their social and economic rights in the face of the losses and damages incurred in such incidents.

In response to pressure from MPs and the general public to debate the incident, the Prime Minister announced a Special Parliamentary Sitting on the floods was to be held on the 20th January 2022. While most of the focus of the debate was on the disaster response, Dato Seri Rohani Abdul Karim, the Chair of the APPGM-SDG delivered a statement on behalf of APPGM-SDG that covered various issue linkages to biodiversity conservation and calling for mechanisms for policy integration to be established. The SDGs were utilised as a rationale for a more holistic approach to addressing and debating such an issue.

## Institutional Pathway for domestic policy integration

The process tracing found that the statement was not an impromptu statement by one MP but a collective statement. It can be attributed to both a structure and process that was established beforehand, and therefore, an institutional pathway was triggered. In particular, the All-Party Parliamentary Group (APPG) was established in 2019 as a parliamentary reform agenda. Based on the Westminster Parliament model, the APPG as a forum or platform for MPs of both the upper house (Dewan Negara) and lower house (Dewan Rakyat) as well as professionals, experts and civil society to engage on issues relevant to the parliament [57]. In line with the rules adopted in Westminster, a bipartisan approach must be adhered to with membership across parties. While it is not an official parliamentary body, such as a Select Committee or Parliamentary caucus, it provides an avenue to deliberate selected themes. On 17th October 2019, The All-Party Parliamentary Group Malaysia on SDGs (APPGM-SDGs) was the first APPG established as part of the Parliamentary Reform Agenda. The Malaysian Civil Society Alliance on SDGs (CSO SDG Alliance) was appointed as secretariat, bringing in non-state actors including both NGOs and academics or experts. The objectives of the APPGM-SDG include engaging with MPs to deliver and localise SDGs; strengthen the oversight function of Parliament and MPs; and develop policy and strategy papers [57]. The work of the APPGM-SDG was further strengthened when it received allocation by the Ministry of Finance for localising SDGs in 2020 (Jayasooria, 2021b). This resulted in MPs, the secretariat, experts, local governments and local NGOs undertaking an exercise to map issues at the local, constituency level, as well as devise solutions to address those issues. Ten parliamentary constituencies took part in the pilot phase with another 20 parliamentary constituencies undergoing the programme in 2021. Beyond the outcomes of identifying and mapping SDGs related issues at the ground level, interviews highlighted that the process resulted in further understanding of SDGs and the interconnected nature of the SDGs.

Going further backwards, the APPGM-SDG itself can be traced to the establishment of the CSO-SDG Alliance. Over the years, CSOs have been active on sustainable development and their particular policy spaces including on human rights, gender equality, environmental protection, rights of people with disabilities and indigenous rights. However, there was no single platform to bring the different NGOs together. While alliances and networks have been established within their policy domains there were little interaction across the social, human rights and environmental NGOs prior to the SDGs. On October 27 2015, PROHAM, a Malaysian NGO hosted a panel discussion with CSOs on SDGs and Human Rights. It was the first CSO discussion held in Malaysia since the adoption of SDGs in September 2015. NGOs and experts from across issue areas were invited to provide their reflections on the SDGs [58]. One of the key recommendations arising from the panel was to set up a CSO SDG Alliance, which subsequently led to its establishment. Fifty CSOs across various issue areas became members. It also included experts and academics as resource persons in the network. Its activities included engagement with government on issues related to SDGs, including membership in the National SDG steering Committee and participation at regional discussions such as the Asia Pacific Forum on Sustainable Development (APFSD). A discussion with the 14th Parliamentary Speaker as part of the Parliamentary Reform Agenda led to the proposal by CSO-SDG Alliance to establish an APPGM-SDG [58].

The chronology above demonstrated the institutional pathway that resulted in the policy integration outcome. In terms of structure, the establishment of the CSO-SDG Alliance, in turn, led to the establishment of the APPGM-SDG. The final outcome is attributed to the iterative process and structure provided by the APPGM-SDG in delivering a statement across two issue areas.

## Influence of ideas and norms

While the institutional pathway plausibly explained the outcome of events, another key influence was found. In terms of structure, the presence of the secretariat, includes experts and resource persons, provides support to MPs who are members of the APPGM-SDG. This allows for both facilitation and technical support in addressing complex issues such as the linkages across biodiversity and rights. In the run up to the Special Parliament Sitting, the APPGM-SDG secretariat conducted a briefing to MPs as expert input into the causes and recommendations for addressing flooding in Malaysia. The establishment of APPGM-SDG, therefore allowed for an exchange of ideas across stakeholders including between MPs, experts and civil society. This cross fertilization of ideas works in multiple ways, benefitting all stakeholder, as well as, shaping behaviours and identities. Secondly, the issue mapping undertaken at the ground level, where the issue of flooding was one of the most cited issues at a majority of the constituencies [59]. This may point to the fact that causal consensus was achieved where the diffusion of ideas through the issue mapping enforced the issue linkages across the key stakeholders. This also highlighted that influence travelled not only via one mechanism, i.e., institutional pathway, but also through the ideational pathway.

# DISCUSSION: How and to what extent did SDGs influence domestic policy integration

The results of the process tracing highlighted a few important findings. The findings are further discussed below.

## How did the SDGs influence Policy Integration?

In this study, the issue linkages were triggered via an institutional pathway whereby the APPGM-SDG acted as a platform for issue linkage through a structure and iterative process. In this context, the SDGs directly influenced the institutional establishment of the APPGM-SDG. The interlinkages approach was enshrined in the modus operandi of the APPGM-SDG with its secretariat and resources persons represented by experts and practitioners across issue areas. A few factors enhanced the causal influence of this institutional pathway.

Firstly, the SDGs were influential to mobilise a ‘coalition of the willing’ including stakeholders from multiple sectors. Counterfactually, both organisations would not have existed in the absence of the SDGs as these organisations leveraged on the SDGs in their own establishment. Devoid of compliance mechanism, this ability for mobilisation is a key factor of influence of the SDGs [60]. Once established, the case study provided an example of how institutions shape behaviour and create inter subjective understandings through iterative processes and structure [20,61].

Secondly, is the interaction of the institutional pathway with the influence of ideas and norms. In the absence of any rules or guidance on addressing interactions and interlinkages across goals, the approach was implemented deliberately by the experts as part of the APPGM-SDG. In this context, the role of non-state actors proved to be crucial as forces in translating the SDGs towards policy integration. The inclusion of non-state actors in the structure of the APPGM-SDG ensured that the knowledge in sustainable development and SDGs is transferred to the stakeholders in both implementing SDGs on the ground and for parliamentary inputs at the federal level.

While this study is novel in that there are few comparisons for empirical work on the influence of SDGs on policy integration, the results are in line with previous findings on policy integration. A meta review of policy integration literature undertaken by Runhaar et. al [13] found that “supportive organizational structures and assets” are highlighted as the most effective strategies for environmental policy integration outcomes.

## What are the conditions under which it was influential?

Two hypotheses were proposed to explain the likelihood of triggering the institutional pathway. Firstly, is that high level participation is likely to provide a suitable condition; and secondly, the forces or actors that operate at multiple levels of political jurisdiction are more likely to be successful in triggering the outcome.

The hypothesis that institutional pathway would be triggered with high level participation is proven correct. This demonstrates a political logic of intervention proceeded [4]. This is likely due to the fact that where the institutional linkages are vague in terms of accessing rights to the environment, mechanisms of redress are sought by those in positions of authority. The importance of political commitment has often highlighted to be an important enabling factor in previous studies on policy integration [62,4,13].

Secondly, in the context of Malaysia, as highlighted, one of the main challenges of biodiversity conservation is that natural resources are governed at the state level. In this context, rights, as enshrined under the Constitution, are at the federal (national) level. However, one of the key outcomes of the APPGM-SDG is that the parliamentarians have both a legislative role in parliament (federal) as well as constituency role (local) [59]. Partly due to the fact that there is no local elections, the constituency role is an important function of MPs in Malaysia. In with the hypothesis, the constituency role often plays a major role at the state level, in particular, if the constituency is part of the state government. Therefore, the MPs play a bridging role as they are involved in multiple levels of jurisdictions. This provides a potential solution in addressing the multilevel challenge that is posed by federalism in the Malaysian context. These findings are in line with findings of Runhaar et al. [13] where it was found that political commitment and involvement of private actors were the two main enabling factors for policy integration.

Beyond the pathways investigated, one of the key influences not captured in the framework, but featured in the process tracing are incidents or crises. Specifically, an influential condition for influence to prevail was due to the scale of the floods that occurred in December 2021. This resulted in nation-wide attention to the issue area and provided the policy space to deliberate on issue linkages and causal ideas. Additionally, the Parliamentary Reform Agenda was part of a wider institutional reform agenda after the change of political regime in 2018. These external events and crises have proven to be a major influence and factor on the outcome. This also demonstrates the limitation of the framework to capture all influences in the real world which is highly complex. Nonetheless, its reductionist method and deliberate design of applying both deductive and inductive reasoning allows for the identification of other influences and conditions.

## What is the extent of influence?

In understanding the extent to which the SDGs can influence impactful policy integration, there is a need to differentiate between tactical linkages and substantive linkages [63]. Tactical linkages are based on a logic of consequences where it is based on the interests of the institution that triggers the issue linkage. Substantive linkage occurs when it generates social learning across policy communities. In this context, it is argued that while a degree of tactical linkage may have been exercised for political purposes (i.e. remaining in power), the process and structure of the APPGM-SDG did generate learning on issue linkages for all parties involved. This is evident as the ideational pathway was triggered to influence the outcome studied. Issues at the local level are inherently interconnected and interviewees highlighted how the local stakeholders were knowledgeable in understanding the interactions of issues. Within the causal mechanisms framework, it was hypothesised that epistemic communities and norm entrepreneurs are likely to be more influential the more deliberative domestic policy processes are. The case study demonstrated that this hypothesis is true in two ways. Firstly, the APPGM-SDG expanded the space for deliberation in Parliament that was previously limited to MPs, to include non-state actors. Secondly, while Malaysia can be considered more of a consociational rather than a deliberative democracy [64], the case study demonstrated a rare parliamentary sitting that allowed for a debate on current affairs. This demonstrated the importance of a more deliberative model that is more inclusive as well as open to sharing of causal ideas.

This case study, therefore, highlighted SDGs can be influential for domestic policy substantively. This is through direct establishment of institutions as well as the ideational pathway. However, it must be cautioned that while policy integration was achieved at the parliamentary level, translating it to formal institutions, i.e., the Federal Constitution was not yet achieved. This would require the Constitution to be amended to include a right to a healthy and clean environment.

# CONCLUSION

The SDGs, as an international and global goal setting strategy differs from rulemaking regimes. It is voluntary with implementation being country-driven. In the absence of an integrating vision and principle of sustainable development within the SDGs, questions remain on its effectiveness to trigger policy integration, particularly at the domestic level[65]. This article contributed to knowledge in this area by undertaking an empirical assessment to understand, if, how and to what extent does SDGs influence domestic policy integration. The results firstly demonstrated how the SDGs are likely to be utilised. In this context, the SDGs resulted in the establishment of institutions that were critical to the outcome studied. These institutions were driven from non-state actors, through the CSO-SDG Alliance, and politically, through MPs as part of the APPGM-SDG. The institutional pathway triggered by the SDGs demonstrated that the SDGs can provide a space for various stakeholders, across issue areas to come together and deliberate issue linkages across the SDGs. The space was not only multi-stakeholder, but also bipartisan, allowing for political rivals to deliberate on issue areas. In investigating the conditions under which the pathways are likely to be triggered, it was found that the context and prevailing setting is a key consideration. In understanding the extent to which the SDGs are likely to be influential, while the SDGs are likely to be used tactically to benefit certain interests [63], it is argued that the inclusion of non-state actors, in particular epistemic communities and norm entrepreneurs are likely to result in more substantive issue linkages and therefore policy integration. This is due to the fact that epistemic communities and norm entrepreneurs motives are aligned to influencing causal ideas and norms and beliefs.. A clear recommendation is therefore to institutionalise non-state actors where appropriate. Furthermore, both non-state actors and MPs were found to be effective in working across jurisdictions, including at the federal, state and local levels. While there is no silver bullet and it would depend on context, the APPGM-SDG model provides a model for a whole of society approach to the SDGs.

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