2019 SDG Summit Malaysia
Day Two: Nov 7, 2019 (Thursday), 11am to 1pm

PARALLEL SESSION 3: CIVIL SOCIETY FORUM

ACCELERATING SDGS
IN POLICY & SERVICES
AT THE LOCAL LEVELS:
CIVIL SOCIETY PERSPECTIVES

CONTENT

Introduction

The Malaysian CSO-SDG Alliance presents views on eleven key concerns pertaining to SDGs as indicated in the contents page. These are divided into three main headings namely Overarching Themes, Target Groups (Leaving no one behind) and finally on the Means of Implementation.

CSOs met on two occasions; October 10, 2019 and October 23, 2019 to discuss these ten areas of concern. It reviewed the developments from 2016 to 2019, then identify achievements, challenges, gaps and hurdles, and finally list out specific recommendations. They agreed to write a minimum of two to four pages but some have done more pages to capture their thematic concern or target group they are working with.

In this document sixteen people have made contributions based on their area of the interest and expertise. The write up reveals the depth of understanding, including the level of frustration, in the inability to find solutions. These are really aspects of advocacy, calling on the government to take a stronger position in SDGs. CSOs have in this document attempted to write down their concerns and hope policy makers will be able to appreciate these findings as input and review of some of the most pressing issues and concerns in the localisation of SDGs especially in ensuring an impact of the ground.

It is without doubt that CSOs are working hard on the ground and they have tremendous potential and energy in reaching out to vulnerable groups and communities on the ground. They make valuable contributions towards ensuring that no one is left behind.

I take this opportunity to thank each of the writers for their contribution. Also thank the Ministry of Economic Affairs and the United Nations Country Team for hosting the 2019 SDG Summit and giving the Malaysian CSO-SDG Alliance the opportunity to anchor the CSO Forum on the second day of the SDG Summit. This document was prepared for this purpose.

Prof Datuk Dr Denison Jayasooria
Co-Chair Malaysian CSO-SDG Alliance
& Principal Research Fellow at the
Institute of Ethnic Studies, UKM

November 6, 2019

Executive Summary

The Malaysian CSO-SDG Alliance acknowledges that since September 2015 there has been some efforts to integrate SDGs into the development planning by the Ministry of Economic Affairs. The Statistic Department too have undertaken some major steps in documenting SDG delivery based on targets and indicators. The Malaysian CSO-SDG Alliance has been engaging in the process.

Arising out of the 11 papers are five key concerns and recommendations as listed below. The attempt here is to take a number of major concerns. However, each of the papers described in full, the concerns and recommendations.

1   Development not based on charity but a rights-based framework

Civil society places a strong emphasis on human rights-based on the Right to Development approach. The ideas pertaining to inclusivity in development and in addressing inequality is built on the foundations of human rights. In addition, CSOs make specific reference in this document in compliance with the United Nations Declaration on Indigenous People Rights (page 33) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (page 27).

In this context, poverty eradication for the indigenous people is closely linked to land ownership and disputes which is multi-dimensional and at the heart of the problem as well as its solution. Land is a livelihood concern for indigenous people and there must be greater provisions for the indigenous community conserved areas to protect human rights and natural areas (page 19).

Exclusion from land rights upon which the indigenous people's livelihood is dependent upon is the root of all multi-dimensional poverty. The recommendation is for a special land tribunal to fast track disputes and moratorium on all land grabs. There must be full consultation before any forest land is developed with the local indigenous people.

CSOs call for a radical change in the development agenda especially in the way development is to be measured by not focusing on the Gross Domestic Product (GDP). There is a need to balance this with the development of Green Economy Indicators, the development of environmental accounts for national accounts and a better utilization of the Malaysian Wellbeing Index (Page 20).

2   Inclusivity and more realistic measurement of poverty

SDG and the theme of 'leaving no one behind' provides a good opportunity to identify the most vulnerable sections of our society. Addressing inequality is essential but at the same time, there is a need to recognise that providing opportunity on a "one size fits" approach alone will not bring results. Existing inequality and historical disadvantage into account need to be taken into account.

CSOs call upon the government to seriously review the UN Special Rapporteur's report on poverty, especially on measurements through public discussion and interaction with academics and CSOs. Failure to gauge the actual rate of poverty and the root causes might

lead to a failure to invest appropriately in policies and programmes geared towards reducing poverty and providing adequate social safety net that meet the people's needs (page 23).

In addition, issues pertaining to gender equality (pages 27), stateless children and youths must be resolved as to ensure that they are enjoy their rights as citizens (page 42).

3 Towards Environmental Justice & Sustainability

CSOs have raised concern that many in the public sector and private sector has not fully understood the basic concept of 'sustainable resource management' (page 58). The development model has been biased towards profits and has not been consistent with resource conservation.

Another area of concern is wildlife crime (page 18) such as poaching, illegal wildlife trade, illegal, unreported, and unregulated fishing (page 16). This is also a security threat as poachers are often armed foreigners entering Malaysian territory.

By way of recommendations is a call to enshrine rights to a clean and healthy environment (page 20) in the Federal Constitution so that stronger environmental laws and policies can be developed. There is a need for more cohesive action to be taken in terms of investigations and enforcement, and facilitate greater public participation (page 19).

4 Localising SDG and effective delivery

While the Ministry of Economic Affairs has been effective in incorporating SDGs into the development planning agenda, there is concern that this has had very little impact at the Ministries at the Federal, State and local levels.

CSOs recommend that the Federal government undertake an SDG awareness programme and a capability building programme for both state and non-state actors. There is a need to collect disaggregated data (page 51) and undertake periodic assessments (page 51).

One major development for the CSOs is the partnership with parliamentarians through the All Party Parliamentary Group on SDG. For 2020, a pilot study of 10 parliamentary constituencies have been selected. This provides a good opportunity for parliamentary oversight and monitoring of how effective the localisation of SDGs is taking place at the local level.

5 Robust engagement: Moving from being consulted to becoming a partner

While there has been consultation for receiving input from CSOs, it is not a partnership which enables access to information and to be part of the decision-making process. Holding agencies and the executive accountable is difficult due to this reason. The call from CSOs is for meaningful stakeholder engagement which involves in the full cycle such as needs assessment, planning, delivery, monitoring and evaluation. However, CSOs are not being treated as equal partners nor invited to participate in the development cycle.

In order to realise the full partnership among multi-stakeholders, it is proposed that the government formulates a national policy of engagement so as to institutionalise this engagement process at the Federal, State and local levels.

Two related aspects are the access to information (page 13) and the access to justice (page 8) for citizen's action. It is noted that there is much secrecy (page 60) and there is a need for the government to introduce a Freedom of Information Act (page 55 & 61) including access to open data (page 51).

In this call for great citizens' action, access to justice is most essential. We need to address the issues of 'locus standi' which currently limits citizens' action in the context of public interest litigation.

In this context, strengthening institutional governance and holding public officials and servants accountable is most essential. There have been many new initiatives in this direction since mid-2018. However, this needs to be strengthened. The setting up of an Ombudsman Office for Good Governance to track public sector accountability is a step in the right direction (page 12).

1   INCLUSIVE DEVELOPMENT

By Shanti Dairiam (WAO)

Malaysia's development thrusts

Malaysia prides itself with the thrusts of its five-year plans, conceptualised long before the advent of the SDG, are in tandem with the SDG philosophy of inclusive development and the aim of leaving no one behind

According to the 11th Malaysia Plan Mid-Term Review (MTR), the first strategic thrust of the plan is Enhancing "inclusiveness towards an equitable society" (page 0-6). The plan focuses on enhancing inclusiveness by providing equitable opportunities for all Malaysians to participate and benefit from economic growth and development irrespective of gender, ethnicity, socioeconomic status and geographical location so that no one is left behind. During the review period, various initiatives were implemented towards increasing income and improving the standard of living of the rakyat.

On many indicators we feel we are on track in achieving the goals of the SDG, to name a few; near universal enrolment in school, wide coverage of delivery of health services, a near-universal coverage of water and sanitation services, particularly for urban areas, increased income and standard of living of the rakyat, etc.

In the conclusion of Chapter 2 The MTR of the 11th Malaysia Plan, on Inclusiveness Towards an Equitable Society, it is stated that "Measures undertaken during the review period have resulted in a more inclusive and equitable society as reflected by the improved level and distribution of income as well as well -being of the rakyat". In this regard the income of the B40 households increased with the implementation of programmes in enhancing capacity and capability of these households."

The problem is that such generalised and aggregate information does not reveal the whole picture of which groups benefits and which do not. Furthermore, the efficacy of such broad-based programmes with no information on whether they are tailor made to meet the specific needs of specific vulnerable groups is questionable. It is not clear from the MTR whether there are targets and indicators that are differentiated to assess how the conditions of specific vulnerable groups are transforming. Only B40 is mentioned as group needing attention.

The question for us is how realistic is the categorisation B40 and does this grouping include all disadvantaged groups in Malaysia. The second question is if the B40 is a homogenous group and if they all share the same context and history. By homogenising this group and addressing needs through a common strategy, have we already left some behind.

Homi Kharas et al state that "Leaving no one behind, requires clarity on the task at hand— a commitment to supporting specific people facing specific problems in specific places. To begin with an assessment of which people are facing which problems in which places. At a minimum, the scale and geographic distribution of each problem need to be considered.[1]"

---

[1] Homi Kharas, John W. McArthur, and Izumi Ohno. <u>Getting Specific to Leave No One Behind on Sustainable Development</u>

The philosophy behind the aim of leaving no one behind or the human right to development

The philosophy and principle behind "Leave No One Behind" is for the entire population of Malaysia to be entitled to development benefits and fulfilment of their basic needs without discrimination of any kind. Fulfilment of basic needs is a human right. A human rights approach to development is needed.

If we adopt this principle then we need to do an honest appraisal of whether there are groups of people being left behind, being ignored, discriminated against and or what needs of these groups is being negated.

The assessment of three UN Special Rapporteurs on the achievements of Malaysia's development thrusts

It is clear from the reports of three UN Special Rapporteurs that several vulnerable groups have fallen between the cracks of Malaysia's development thrusts.

According to the UN Special Rapporteur on Safe Drinking Water and Sanitation "Malaysia's performance in the field of water and sanitation is excellent, with outstanding figures signalling a near-universal coverage of water and sanitation services, particularly for urban areas.

But he also points out that not all benefit from such services. Under the SDG efforts there is a need to enquire "who are let off the radar and outside this coverage. For example, he stated in his report, "When people are undocumented, stateless or in irregular situations or when they are gender non-conforming, a pattern of discrimination in the access to services also takes place."

Now I come to the assessment of the Special Rapporteur on Poverty. According to him, "Sometimes those who are left behind are invisible because the data collection system does not capture them." He is of the view that, "Millions of non-citizens – including migrants, refugees, stateless people and unregistered Malaysians – are systematically excluded from official poverty figures. This concealment is facilitated and compounded by the refusal to collect or provide access to data and other information on poverty."

"As a result, there has been a significant under investment in poverty reduction, a widespread misunderstanding of who is poor, neglect of the poor in many official plans and programs, and an inadequate social safety net."

Finally, The Special Rapporteur on the Right to Health in his assessment stated, "Health indicators among indigenous populations are significantly worse than those of the general population,". For example, there is of lower life expectancy (53 years versus the general average of over 70 years), higher disease rates, and issues with birth registration, which affects future access to healthcare.

He noted that the lack of information and dialogue about development projects that affect their land has also significantly affected these communities.

"This has led to a substantial loss of access to traditional land and sources of livelihood, and has had a direct and negative impact on their diet and physical health."

Some Challenges - Not exhaustive

There is overt discrimination in the law and in practice, in the application of the law, in the exclusion of marginalized groups from the protection of the law. For example, domestic workers, migrant workers, non- citizens such as foreign spouses and refugees.

Furthermore, the government has offered numerous initiatives and opportunities for economic empowerment in the economic sphere. But these are not targeted and made specific to specific groups according to their context, history and needs. For example, programmes for the indigenous communities (Orang Asal) aim to integrate them into mainstream thinking ignoring their aspiration to maintain their culture and life style and to transmit their culture and lifestyle to the next generations. For this, they need to be close to their territorial lands but are being evicted from their lands which is being appropriated for commercial purposes.

Economic empowerment programmes, as they are implemented, serve a short-term goal of turning individuals into 'productive' agents but no attention is given to social and political empowerment. Economic empowerment programmes in isolation do not automatically transform into social or political equality. The marginalized groups have no say in decision making regarding their development. The gains of such an approach is not sustainable.

Where women are concerned, a gender ideology persists stereotyping the identities and roles of women and men based on the superiority of the male. There is an imbalance at home burdening women with major responsibility for care work. Programmes do not endeavour to bring about the long-term goal of social transformation in gender relations. In particular, within marriage and family relations women are not always equal and may lack personal autonomy preventing them from maximizing their opportunities. This is not addressed.

There is lack of data disaggregated by sex, ethnicity and other factors as well as weak indicators mostly numerical targets to show outcomes.

According to the Office of the High Commissioner for Human Rights, there has to be a cluster of indicators showing outcomes as well as process indicators. The latter would help monitor programmes and interventions including laws, policies, capacity building, infrastructure and budget allocations that need to be in place to transform negative conditions and barriers and bring about positive outcomes and change.

Further programmes, policies and laws are not monitored for effectiveness and impact.

Way Forward

First of all, there must be political will. Secondly, to bridge these gaps the government must monitor who is left behind, their context and history, what the challenges are and focus on those neglected groups within the institutional and policy framework of all development initiatives. Data quantitative and qualitative in this regard is critical.

The politics of why some are left behind must be acknowledged and addressed. "Leaving no one behind requires a generalized shift towards development that requires the transformation of deeply rooted systems which are often based on unequal distributions of wealth and of

decision-making power. It is not enough to address inequality by focusing on those "left behind" at the bottom. It is also necessary to address the concentration of wealth, income and decision-making power at the top" (United Nations Committee for Development Policy).

The protection of human rights defenders has to be a key element of the programme as these defenders may be targeted by powerful forces who gain from the marginalization of certain groups.

Institutional reform is essential. This calls for policies and programmes that make provisions for participation of marginalised groups in identifying their own needs, and in policy formulation. Secondly, the eradication of negative norms attitudes towards the groups has to be part of the programme.

2A   HUMAN RIGHTS & Environmental Justice

By Kiu Jia Yaw (Bar Council)

My focus will be on the topic of environmental justice in relation to the SDG, especially Goal 16.

Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

On a planet of finite resources, what one person does in one corner of the world affects other persons everywhere else. At the same time, our humanity is intertwined, such that when one hurts, we all hurt. I will discuss environmental justice in the context of these two inescapable certainties.

Environmental Justice

Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, colour, national origin, or income, with respect of the development, implementation, and enforcement of environmental laws, regulations and policies.

In a nutshell, environmental justice is about the fair and equitable distribution of environmental benefits and burdens. It is the intersection of environmental protection and human rights, both of which are crucial for human dignity and wellbeing (Goal 3).

The contention of what amounts to a fair and equitable distribution of environmental benefits and burdens goes to the heart of what sustainable development means. As such, Goal 16 is about how members or groups within society can contend with other constituents of society on the debate of what is fair and equitable.

This is inextricably linked with the question of how we can have better governance in order to achieve "the better life." The "invitation to struggle" that every healthy and robust democracy must represent is crucial for contenders from all walks of life to come forward to contribute to the meaning of the better life.

It is therefore about the presence of non-discriminatory agencies, just and independent institutions, free and meaningful access to information, and an environment where the rule of law is consistently upheld.

A peaceful society (the promotion of which is a part of Goal 16), is not simply one where its diverse constituents co-exist by reaching consensus and tolerating each other's differences. A peaceful society is also a place where its institutions allow anyone who is aggrieved by another (whether an individual, corporation or government body) to have access to justice. And once such a process is begun, the matter is independently and equitably investigated, examined and adjudicated. This system must be effective, accountable and inclusive, at all levels.

"Environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided."

- Principle 10, 1992 Rio Declaration

Principle 10 of the 1992 Rio Declaration sets out three fundamental rights as key pillars of sound environmental governance: Access to information; Access to public participation; and Access to courts.

A brief review of the legal and institutional landscape between 2016 and 2019

Proposed amendments for the rules of civil procedure for environmental proceedings

A significant and positive development was the judiciary's proposal for an amendment to the rules of civil procedure for environmental proceedings, during the tenure of the former Chief Justice, Tan Sri Richard Malanjum. The draft is still at a relatively early stage.

It is crucial that specific rules for environmental proceedings are devised, for the following reasons.

Litigants in environmental cases often have their locus standi challenged. They may not have suffered special harm. They may be future generations (unborn children).

Often, environmental cases are brought pre-emptively, before actual harm is caused:
a.   as such, they need to be determined urgently;
b.   the assessment of the potential harm can be difficult to establish and/or demonstrate without extensive expert evidence;
c.   sometimes, the scientific community's views on the nature, likelihood and extent of harm may be inconsistent;
d.   sometimes, there may not be any evidence at all that an activity that will have some impact on the environment will adversely impact the quality of the environment or human health.

Although most environmental cases are filed in the interest of the public, these invariably have to be brought in the names of individual litigants. These individuals would be personally exposed to potentially very high costs in the event they fail.

Where environmental cases are brought against large industry players, these players often have the resources to commence various strategic lawsuits against public participation (SLAPP). These lawsuits are filed not to ventilate genuine concerns, but to intimidate, wear out and distract the litigants who brought the environmental cases.

It is therefore crucial that rules of court for environmental proceedings are accorded urgent attention.

Environmental courts
The Judiciary has established the criminal environmental courts and civil environmental courts in 2012 and 2015 respectively.

The establishment of these courts are mainly in terms of the administration allocation of cases by setting out a system for code classification. While we understand that judges presiding in these courts undergo extra training, these courts are not specialised courts. These courts have the same jurisdictions and powers as conventional courts. They are therefore restricted only to conventional remedies. This substantially limits their ability to uphold environmental justice.

Presently, the same rules of civil and criminal procedure apply for both conventional courts and environmental courts. Environmental cases often present their own challenges (eg. issues of locus standi, challenges in establishing causation and heavy reliance on expert evidence) that are significantly different from conventional cases.

We are not aware of any development in the enhancement of the powers and responsibilities of these environmental courts.

Drafting a new Environmental Protection Law

Among the new environmental legislations, is the proposed new Environmental Protection Act to replace the Environment Quality Act 1974.

This is an important legislation to bring Malaysia out from the paradigm of merely taking action against pollution to protecting the environment. This denotes a commitment to a holistic approach in protecting the environment. It reflects a much needed shift from being reactive to being proactive.

Notable environmental disasters between 2016 and 2019

Sungai Kim Kim

On 7 March 2019, chemical waste was dumped into Sungai Kim Kim and caused around 6,000 people to seek medical treatment after inhaling toxic fumes from the river. 110 schools in the Pasir Gudang district were shut for two weeks following the chemical pollution of Sungai Kim Kim.

Another bout of pollution happened in June 2019, with students reporting breathing difficulties and falling sick. The causes are still unknown.

The practice of businesses dumping their waste into the river (to reduce their cost of production, thereby maximising their profits) has led to local communities living, working and studying nearby to pay for the pollution with their health and lives, and placing the burden on the government to clean it up. Note that Sungai Kim Kim is not even the most polluted river in the Pasir Gudang industrial area. It is a serious injustice that the cost of doing business has been externalised to the local community and government.

Indonesian haze

Between July and October 2019, there were widespread fires in Indonesia again. This gave rise to a recurrence of a toxic transboundary haze in Malaysia and other neighbouring countries between September and October 2019. Many fires were burning in, and adjacent to, oil palm and pulp and paper plantations. Some of the plantations are linked to Singapore and Malaysia groups.

Malaysia, together with all ASEAN Member States, have ratified the 2002 ASEAN Transboundary Haze Pollution Agreement ("ATHPA"). This is a regional agreement to fight and prevent the seasonally recurring transboundary haze pollution. It includes features for establishing legal frameworks to prevent transboundary haze.

Legislations for the implementation of the ATHPA requires each member state to enact the relevant laws and regulations as well as draw up appropriate policies to give effect to the black letter of the ATHPA. The ASEAN countries have, in 2016, developed a Roadmap for a Haze-Free ASEAN by 2020.

From the toxic haze episode this year, the government has again stated that it could do no more than offer fire-fighting assistance to the Indonesian government.

For a region that is committed to the rule of law, it is not acceptable that millions of people within the region should continue to suffer without recourse against the people who are responsible for the toxic haze. The legal system across the region is fundamentally deficient in this regard. Steps to address this deficiency are mentioned in the Haze-Free ASEAN Roadmap, but we are not aware of the progress of the implementation of the Roadmap.

Some solutions and way forward for government action as well as CSO partnership with government

Our government agencies still have an intuitive tendency to avoid engaging with the public.

It is a challenge to obtain information, to find out whether action has been taken on a complaint, to find out the government's policy or SOP, to offer assistance in tackling pollution, etc.

The denial of public participation will directly hurt the effectiveness and efficiency of the government's efforts to protect the environment.

A recurring issue is the top-down attitude of government. This paternalistic attitude is no longer suitable for our times, and particularly bad for the task at hand – protecting the environment.

Firstly, we are all aware that the body of knowledge around environmental protection is constantly expanding and developing. Hence, there is no need for the government to keep up appearances that it knows best.

The government can lead more effectively by engaging with the public openly. It would be perfectly acceptable for the government and the citizens to be learning and exploring the best methods to protect our environment together.

Secondly, in this data-driven age, the government would be doing itself a great disservice if it were to fail to engage with the public and take advantage of our hyper-connectivity. The public can be the eyes and ears of the enforcement agency, they can provide excellent data, be witnesses, provide expertise and skills, participate in conservation and rehabilitation exercises, etc.

The government should realise that citizen groups and civil society organisations are powerful and resourceful partners and stakeholders in the protection of our environment (Goal 17). As such, the government should actively work towards providing meaningful access to information, encouraging the freedom of participation and access to justice.

2B GOVERNANCE CONCERNS

By Ms Cynthia Gabriel (C4)

The Auditor-General's 2018 Report revealed the national debt and total financial commitments as of December 31, 2018, stood at a colossal RM1.021 trillion, while revealing how millions of taxpayers' money was wasted and misused by the previous federal government. As a nation, we are tremendously impacted by the ramifications of our corrupt politicians and leaders.

Since its inception, the mandate of C4 Center, or the Center to Combat Corruption and Cronyism upholds important principles of good governance — CLEAN, CONSCIOUS, COMPETENT, and CREDIBLE. We are an independent, non-partisan, and non-profit entity advancing democratic freedoms, reforms, and policy change and eradicating corruption and cronyism at all levels of government. Respected across the political divide, we are known for our investigative, evidence-based and fearless whistleblowing work.

The UN Sustainable Development Goals (SDG) has created an important pivot for the work and growth of C4 Center. In particular, the overarching objective of SDG 16 – promoting peaceful and inclusive societies for sustainable development, providing access to justice for all, and building effective, accountable and inclusive institutions at all levels – has underscored the need to address corruption, rule of law, strong institutions and governance as cross border concerns that ties in neatly with other organized crimes and violations of human rights.

The priorities of C4 Center truly resonate with several targets under SDG 16 through our major advocacy areas. Namely, under;

Target 16.4 (By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combats all forms of organized crime)

Malaysia sits at an important cross roads, having removed the previous government involved in high level corruption across the borders, crushing stringent anti money laundering guidelines, and exposing a looming and critical threat of how money and illegal and underworld crimes, flourish across borders. Cross border corruption has become so vast, so easy and yet so complex involving many enablers such as off shore and commercial banks, shell companies and legal firms.

The Malaysian Parliament just passed the bill to establish the National Anti-Financial Crime Centre, last month, and has stated its commitment to develop more sophisticated intelligence data sharing, demonstrating efforts that it will ensure another 1MDB will never be allowed to occur.

Target 16. 5 (Substantially reduce corruption and bribery in all their forms)

Our work across the years has been well recognised, as we work together with the rakyat, our partners in civil societies, private sectors, and the authorities to combat cronyism and eradicate corruption at all levels of government through robust reforms and policy change towards advancing our democratic freedoms.

The National Anti-Corruption Plan (NACP) has indicated that among the complaints received by the MACC over the years, public sector and political corruption, where bribery was extremely rampant. The procurement sector remains the most vulnerable area, where bribery thrives, and corruption levels remain unchecked.

The government has announced the setting up of an Ombudsman Office for Good Governance to track public sector accountability and check wastage. There is a lack of certainty of the process to develop this important institution.

A Political Donations Bill is also being drafted, to keep political parties accountable on elections donations, sponsorships that come in various form, and make transparency the central pillar of political financing reforms.

Target 16.6 (Develop effective, accountable and transparent institutions at all levels)

Due to the long history of corruption and mismanagement, the rakyat as a whole lacks trust in the country's key institutions such as parliament, the executive, and the judiciary. More people are questioning the integrity of our institutions, with continued questionable political appointments into high-ranking posts.

Malaysia is in dire need for radical legislative reforms that will reflect a conscientious and uncompromising jurisprudence that upholds the rule of law. Statutory bodies and key public institutions such as the Malaysian Anti-Corruption Commission, the Judiciary, and the Auditor-General's office must be given complete independence from the Executive, including judicial appointments and the separation of the roles of Attorney-General and Public Prosecutor.

A Royal Commission of Inquiry was announced on the Judiciary, following exposes of fixing of court outcomes on high profile political cases. It sent shivers through many, but the apparent delay in implementation of this, is very concerning.

Target 16.10 (Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements)

Defeating corruption, must involve nurturing the culture of transparency and accountability in government, establishing a Federal Freedom of Information (FOI) law, increasing the proactive publication of data, strengthening whistle-blower protection rights, and aiding every citizen in using their right and freedom to access public information. This has also been reflected in Pakatan Harapan's electoral manifesto, pledged in the context of strengthening anti-corruption efforts and reforming the Official Secrets Act 1972 (OSA) and current whistle-blowing laws.

We have over the years worked with the Penang and Selangor state government towards advocating for a transparent administration; giving any citizen the right and the ability to access any information on public spending and activities.

This empowers even ordinary citizens to hold their elected representatives accountable through scrutiny, from the local municipality all the way to the Executive. Public agencies must undertake a reform that makes its activities and spending easily accessible to the public in order to purge corruption and abuse from even the lowest levels of government. Making this information available to the public encourages the layperson to get involved in local politics, allowing for meaningful feedback on the grassroots level that strengthens democracy.

C4 Center urges the government to use the confidence entrusted upon it by the people, to remain on course with its reform agenda, and be a local and global leader in the implementation of the Sustainable Development Goals.

3 ENVIRONMENTAL SUSTAINABILITY

By Lavanya Rama Iyer, Zara Phang, Shantini Guna Rajan, Saradambal Sreenivasan, Sheelasheena Damian (WWF- Malaysia)

This paper reviews environmental sustainability, and focuses specifically on some of the directly related environmental goals as examples – Goals 13, 14 and 15.

In general, while momentum has picked up on some issues, and broader stakeholder interest and participation can be seen especially on climate change, greater effort is needed in mainstreaming and protecting nature. This is recognised in the 11th Malaysia Plan Mid-Term Review which finds that "existing efforts are insufficient". Tiger numbers are at a critical level with less than 200 individuals in the wild, and fish stock has depleted by 96% compared to the 1960s. Not only do these pose a security threat as much of the related activities are illegal and conducted by armed foreigners, it also drains the economy. For example, it was estimated that Malaysia losses about RM6 billion annually to illegal, unregulated and unreported (IUU) fishing.

Some efforts are underway to address environmental issues, for example, budget allocation for increased patrolling in the recent budget and awareness raising on the loss of biodiversity like tigers. However, these are still done in a piece meal, silo manner and concerted effort is required not only in planning but more importantly to mainstream and integrate environmental issues in the implementation of development decisions.

Malaysia's progress on Environmental Sustainability (2016-2019)

SDG 13 - Take Urgent Action to Combat Climate Change and its Impacts

In 2016, Malaysia signed and ratified the Paris Agreement to the United Nations Framework Convention on Climate Change (UNFCCC), committing to reduce 45% of GHG emissions intensity of gross domestic product (GDP) by 2030 relative to the level of 2005. Although the 11th Malaysia Plan (11MP) initially recorded the earlier pledge of reducing 40% of emissions intensity of GDP by 2020, this was revised to reflect the Paris pledge in the 11MP Mid-Term Review. The nation has reportedly achieved 33% of this commitment.

The new government has set a goal of achieving 20% renewable energy in the energy mix by 2025 and to meet this without including large scale hydropower. The government has also excluded nuclear power in meeting energy security.

The new government has also created a Ministry for climate change. MESTECC which is in charge of climate change is expected to table a new bill on Energy Efficiency and Conservation in 2020.

These can be considered important developments as the energy sector is the main source of greenhouse gas emissions (GHGs) in Malaysia and these measures have cross linkages to Goal 7 on energy. This shift in policy is an improvement as the 11th Malaysia Plan originally sought to increase the coal component in the power mix to ensure energy security, displaying a silo approach to planning.

Apart from this, in line with the 11MP intention of strengthening the institutional framework by establishing a national climate change centre, the existing Malaysian Green Technology Center has been recently repurposed into the Malaysian Green Technology and Climate Change Centre.   Malaysia also fulfilled its obligation as a party to the UNFCCC by submitting the third national report.

Aside from this, in line with the growing concern about climate change globally, climate action is beginning to be fostered at different levels. The financial sector is becoming more active in addressing climate risks, and corporate entities are also moving from solely CSR activities to looking at bottom line impacts. The recent formation of the Joint Committee on Climate Change (JC3) by Bank Negara Malaysia and the Securities Commission, as well as the launch of the Climate Governance Initiative (CGI) for Corporate Boards are positive developments to spur action by important actors such as the financial and corporate sectors. Importantly, collaboration is a key facet in these initiatives and in the spirit of Goal 17 on partnerships.

At a more local level, various city councils are developing low carbon plans and initiatives. These include Petaling Jaya City Council that runs a Homeowners Low Carbon and Green Initiative Assessment Rebate Scheme to incentivise green practices at household levels while also saving on operating costs. Many city councils throughout Malaysia have also participated in the Earth Hour City Challenge which promotes GHG emissions reduction and preparation for climate change. These efforts have cross linkages to Goal 11 on sustainable cities.

However, from an overarching governance perspective, certain actions identified in 11MP have not been completed. This includes review of the National Policy on Climate Change 2009, and developing a National Climate Change Adaptation Plan. The Policy was to be reviewed to "support sustainable socio-economic development" (11MP, Chapter 6, Focus

Area A, Strategy A1). This is especially needed in light of developments like the Paris Agreement, and to also provide greater emphasis to climate adaptation. Additionally, the Adaptation Plan was to provide a coherent framework to enable integration "across many areas including public policy and economic activities" (11MP, Chapter 6, Focus Area D, Strategy D3). Without implementation of these actions, adaptation in particular, which is a key focus of Goal 13, still remains fragmented and focused on sectoral needs without considering a wider context. This in turn has direct or implicit implications across various goals relating to fundamental human rights such as Goal 1 (Poverty), Goal 2 (Food Security), Goal 3 (Health) and Goal 6   (Water) as well as other goals such as Goal 9 (Infrastructure), Goal 11 (Cities and Human Settlements) and Goal 14 (Life below water).

SDG14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development

Malaysia launched a revised National Policy on Biological Diversity 2016-2025 (NPBD) covering both marine and terrestrial areas, in accordance with obligations under the Convention on Biological Diversity (CBD). The 11MP adopted the CBD's Aichi Targets aim of protecting 10% of marine area by 2020 as a target. This did spur action to establish two of the largest marine protected areas in Malaysia, Tun Mustapha Park in Sabah and Luconia Shoals in Sarawak, and the identification of more proposed marine protected areas. It was reported in 11MP's MTR that 3.4% of Malaysia's marine area was gazetted as of 2017. This does not include the gazettement of the Luconia Shoals which adds about 1 million hectares. Some State governments are taking meaningful steps to identify high biodiversity areas for new marine protected areas. However, it is unclear if gazettement of proposed parks identified earlier will proceed.

In terms of fish stock, a survey by the Department of Fisheries Malaysia, completed in 2016, found that our national fisheries are in crisis with demersal fish stocks having crashed by 96% from virgin stocks. Furthermore, in 2017, the Department of Fisheries Malaysia reported that Malaysia loses an estimated RM 6 billion to IUU fishing. While a 2019 amendment to the Fisheries Act increases penalty for foreign vessels encroaching into Malaysian waters, enforcement strategies and measures still need enhancing.

In this regard, measures to avoid destructive fishing have been announced, for example the prohibition of the use of trawl nets in Zone B fishing areas. However, this is yet to be implemented. Bottom-trawl is destructive to marine ecosystems, corals and also indiscriminately captures juvenile fish and possibly other endangered species. The immediate implementation of the policy to phase out bottom trawling in Malaysia is important in sustaining the future of fisheries, food security (Goal 2) and livelihoods (Goal 1 and Target 14.b).

With regards to species, in line with Goal 15, 4 species of sharks and 2 species of rays have been listed for protection under national law. Whilst this is a positive move, it still remains to be seen if effective measures are put in place to prevent accidental capture and promote the effective protection of these species. The National Plan of Action for the Conservation and Management of Sharks is presently undergoing review.

In terms of marine pollution, a 2015 study (heavily reported in 2017) found Malaysia to be one of the top 10 nations with mismanaged plastic waste, resulting in plastic from Malaysia ending up in the ocean. There are recent moves to address this, including the development in 2018 of the Roadmap towards Zero Single Use Plastics by the MESTECC. This development is also closely linked to Goal 11 (Cities and Human Settlements).

Additionally, the effectiveness of managing marine protected areas and key marine ecosystems is significantly impacted by land-based activities ranging from unsustainable coastal development such as coastal reclamation, sand mining, poor waste management systems, enforcement of waste management on some islands, and increasing tourism pressure. Malaysia still lacks a comprehensive oceans governance policy that would provide an integrated approach to addressing pollution as well as managing and using our ocean resources sustainably.

SDG 15 - Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

As mentioned in the previous section, Malaysia launched the revised NPBD 2016-2025 to meet the Aichi Strategic Plan for Biodiversity 2011-2020 under the Convention on Biological Diversity (CBD). The policy sets a target of 20% terrestrial and inland water areas to be gazetted as protected areas by 2025, and is encouragingly more ambitious than the obligation under Aichi Target 11 to protect at least 17% by 2020. The 11MP adopts the Aichi Target 17% goal, and the MTR reported that as of 2017, the extent was 13.2%. This is an improvement from the 2015 levels of 12.1%.

Reforestation efforts have been undertaken collaboratively by the government with the private sector, non-governmental organisations (NGOs), local governments as well as local communities. In addition, sustainable timber management under certification schemes is also being implemented.

Malaysia has also kept our pledge made in 1992 to maintain at least 50% of land under forest cover in perpetuity. Current forest cover in Malaysia has been reported to stand at between 53-55% and this includes forest or timber plantations. Forest plantations are monoculture plantations, which are low in biodiversity, unsuitable habitats for most wildlife and do not provide crucial ecosystem services compared with natural forests. Even if forest plantations are excluded from this figure, Malaysia will still meet the pledge. Thus, Malaysia should enshrine in the National Forest Policy and related legislation the pledge to retain 50% natural forest cover - which is in line with the Prime Minister's speech at the SDG Summit in New York recently. RM48 million was allocated in Budget 2020 towards preserving forests and natural biodiversity. However, it would be good to institutionalise an ecological fiscal transfer mechanism that provides annual federal government funding to states that contribute to maintaining forest cover .

With regards to conservation of species, a National Red Data List for threatened species is being drawn up. The Tapir Conservation Action Plan is being formulated, and the Malaysian National Elephant Conservation Action Plan (2013–2022) is being implemented. Meanwhile the National Tiger Conservation Action Plan formulated in 2008 needs to be reviewed. The Wildlife Conservation Act, 2010 is being amended to include stiffer penalties for wildlife poaching and trafficking and provide powers to the authorities to act against online advertising and trade of illegal wildlife. The Sabah state government is formulating a state-level wildlife policy to chart state direction on issues related to wildlife and, through a collaborative and consultative approach, is developing and reviewing several species action plans for key flagship species in Sabah to adapt to new threats and challenges whilst also looking into reviewing the Wildlife Conservation Enactment 1997.

Despite this, species like the Malayan tiger are at a critical level as mentioned earlier. Under the 11MP, a tiger census has been undertaken by the government in collaboration with various NGOs like WWF-Malaysia, Wildlife Conservation Society and Pelindung, revealing this alarming finding. WWF-Malaysia's findings in Belum-Temengor Forest Complex in Perak, which is one of the three priority sites for tigers, shows that tiger densities have declined by 50% over the past 9 years. Poaching is the main threat here and about 1200 snares (active and old) have been removed from 2014-2019. These snares used by poachers, generally foreign nationals, indiscriminately target large mammals. At the present rate of poaching, not only are our Malayan tigers at threat of becoming completely extinct in the wild by as early as 2022, our forests face the empty forest syndrome, of being void of large mammals. This in turn has severe implications on the health of the ecosystem.

Initiatives have been taken by the government such as 'Ops Belang' under Department of Wildlife and National Parks that has seen the deployment of 200 personnel to carry out anti-poaching efforts at poaching hotspots and more recently, the announcement by the Inspector General of Police (IGP) Dato' Seri Abdul Hamid bin Bador, that support from the General Operations Force or Polis Gerak Am will be provided to help the fight against poaching. In September 2019, Ops Bersepadu Khazanah which introduces joint enforcement operations by various enforcement agencies and police, was launched. Additionally, for the first time, the recently announced national Budget 2020 made a RM20 million allocation for the hiring of additional rangers, including appointing Orang Aslis. With a very short time frame, concerted efforts like this need to be continuous and undertaken in a sustained manner. Otherwise, the fate of the Malayan tiger would be that of the Sumatran rhinoceros which has become extinct in Malaysia.

The Borneo Pygmy Elephant, an endangered species, has lately seen a rise in reporting of poaching. Recent cases reported in the media have seen swift action taken to identify and arrest the perpetrators and this is commended. This underscores the importance of appropriate investigation and enforcement measures in combating wildlife crime. In addition, the introduction of Sabah's wildlife sentencing guidelines is also a positive development. The Sabah example should be replicated throughout the country.

Apart from poaching, habitat fragmentation poses a threat to species that dwell in our forests. While reforestation efforts have been undertaken, monitoring is required to assess how successful these efforts have been. Furthermore, some areas identified for protection in largescale landscape connectivity plans like the Central Forest Spine and Heart of Borneo may no longer be feasible as land conversion has already occurred. Adherence to land use plans is important in development planning decisions as well as undertaking Strategic Impact Assessments. Efforts taken by the private sector like Sabah Softwoods Berhad in creating wildlife corridors to prevent human wildlife conflicts should also be promoted.

Cross Linkages

As noted above, environmental issues are cross cutting. They have wide ranging implications for the achievement of all the SDG from poverty to health, hunger to economic wellbeing. Often, a lack of environmental amenities effects the genders disproportionately, resulting in women and girls being more vulnerable to health hazards, and being denied access livelihood opportunities.

The following is an example of the benefits flowing from the gazettement of a marine protected area.

The gazettement of Tun Mustapha Park as a Marine Protected Area was a boon not just for marine conservation, but also to address issues of poverty, hunger and sustainable consumption and production. The park was gazetted as a multiple resource use park, with community conserved areas as one of the key defining attributes. These areas recognise community protected areas and allows the community to use the fishing grounds according to traditional fishing methods. No-take zones are also established, allowing fish stocks in those areas to replenish. The benefits from these areas such as the replenished stocks are expected to spill over to other areas. However, while the park was gazetted in 2016, the regulations for the Park are still not in place in 2019.

How to Accelerate SDG in the 12th Malaysia Plan period

It has been announced that the 12th Malaysia Plan (12MP) is to adopt an integrated approach to the three aspects of sustainability: environment, society and the economy. This recognises the indivisible nature of all the 17 Goals. However, in order to achieve this, there needs to be a shift in the present approach to economic and developmental decision making. Specifically, environmental issues need to be mainstreamed. Apart from the suggestions made in the sections above to address specific issues, the following are proposals to drive this mainstreaming.

Indigenous Community Conserved Areas (ICCAs) to protect human rights and natural areas

Present legislation on protected areas exclude the institutional or regulatory arrangements for indigenous communities to manage their areas, thereby depriving them of security of tenure and access to natural resources and exacerbating poverty in many areas. Indigenous Community Conserved Areas (ICCAs) are a form of governance of Protected Areas which recognizes the importance of communities being given the recognition and authority to conserve, govern and manage their own areas. This builds the basis for sustaining their livelihoods, preserving their culture and traditions, and also at the same time protecting biodiversity. ICCAs can be established as Community Use Zones within Protected Areas, or as compartments within Forest Management Units (FMUs). The recognition of indigenous rights is key to supporting communities in ICCAs. An example of one such right (right to participation in decision-making) can be seen through the Sustainable Forest Management Liaison Committee formed for the Kuba'an-Puak FMU, which is a multi-stakeholder platform with the Penan community to discuss and agree on how resources in that area can be jointly managed.

Effective Public Participation in Environmental Decision Making and Transparency

Currently, there is very little avenue for effective public participation in environmental decision making and few measures to make environmental and natural resource management information available to the public proactively. There have been recent moves which provide avenues for the public to provide feedback on proposed new legislation or proposed amendments to current legislation through the Unified Public Consultation portal. In 2018 and 2019, the government has asked for public feedback on legislation including for the proposed amendments to the Wildlife Conservation Act, 2010; National Forestry Act, 1984 and the new environmental legislation which will replace the current Environmental Quality Act, 1974. This is a good move. However, more needs to be done to institutionalise inclusive and meaningful public participation in environmental decision making, feedback mechanisms as well as

transparency and access to information, and for these measures to be entrenched within respective environmental- and conservation-related laws.

The right to a clean and healthy environment

As stated by the former Chief Justice Tun Ariffin Zakaria, the Federal Constitution should recognise the right to a clean and healthy environment. This would lead towards the development of stronger environmental laws and policies in the country, facilitate and enable more effective and meaningful public participation in decision making processes as well as provide a level playing field in terms of the implementation and enforcement of environmental policies/ laws along with other social and economic policies and laws. This would be further supported by a review of "locus standi" on environmental issues.

Following the 2016 Cancun Declaration on Mainstreaming the Conservation and Sustainable Use of Biodiversity, a report from the UN Special Rapporteur on Human Rights and the Environment in 2017 found that environmental degradation and biodiversity loss undermines the ability of humans to enjoy their human rights. Sustainable development is also dependent upon healthy ecosystems. As Tun Ariffin noted, a healthy and ecologically sound environment preserves the integrity of ecosystems and ecological functions for present and future generations.

Holistic development indicators to focus decision-making beyond GDP growth

Gross Domestic Product (GDP) as an indicator of development does not take into account externalities such as household labour or pollution, wealth distribution / equality or measure health or happiness. Using just GDP and/or other similar monetary indicators are therefore not sufficient to provide a good understanding of the wellbeing of the population and the capacity for sustainable development into the future. Without additional indicators, this lack of understanding can make it difficult for government to identify priority areas for wellbeing and sustainable development and can lead to an undue focus on GDP growth and per capita income as the only mainstreamed measures of development. The 11MP MTR reported the development of Green Economy Indicators, and the roadmap to developing environmental accounts for National Accounts. Malaysia also already has the Malaysian Wellbeing Index (MWI) – a wellbeing indicator giving a more holistic measurement of wellbeing than using GDP itself. However, currently, the MWI is not effectively being used in decision-making. Furthermore, the set of MWI indicators could be broadened to better match the targets of the SDG. Additionally, while the computation of GDP itself should be refined with environmental accounts, the concept of non-GDP wellbeing and development progress indicators also needs to be mainstreamed throughout Federal and State governments. A framework designed to ensure that these indicators are the main focus for decision-making, including in federal budget allocation should be established.

Addressing Environmental Indicators that expire in 2020

Many of the existing environmental SDG targets expire in 2020. These include Target 2.5 on genetic diversity, Target 6.6 on protecting and restoring water related ecosystems, Target 11.b on integrated policies and plans for inclusive, safe, resilient and sustainable cities, Target 12.4 on chemical management and many of the targets under Goals 14 and 15. These targets need to be renewed, and a post 2020 framework for nature and biodiversity also needs to be developed with the expiration of the Aichi Targets. Malaysia can once again play a leading role like it did back in 1992 during the Earth Summit, in designing the post 2020 framework and ensuring continuity of environmental targets in the SDG. While technical Ministries like

KATS are already working on this, and the Prime Minister too has recently raised Malaysia's voice during the UN General Assembly in New York, Malaysia's profile in this can be further enhanced through our Foreign Policy by portraying Malaysia as a champion in this respect. This would be in keeping with the PM's closing remarks at an event during the recent UNGA.

"Malaysia sees these Multilateral Environmental Agreements as a key part of its formula for balance in the sense of its responsibility to the planet, its responsibility to its people to ensure their right to food, clothing and shelter, and balance in the right [of] its people to rise out of poverty, and to seek long-term, sustainable and shared prosperity for the country."

4 POVERTY, INEQUALITY & B40 COMMUNITIES

By Dr Lin Mui Kiang (PROHAM)

The Malaysian government currently uses two methods to measure the level of poverty in the country: Poverty Line Income (PLI) and the Multi-dimensional Poverty Index (MPI). Malaysia currently uses a PLI level of RM980 nationally, RM1,020 for Sarawak and RM1,180 for Sabah. It is based on the necessities needed by the household to fulfil the very basic needs in terms of food and non-food requirement. As of 2016, there are officially 24,700 households or 0.4 per cent of total households in Malaysia that are categorised as poor.

Malaysia launched its own customised MDI in 2015 through its 11th Malaysia Plan to measure vulnerability and quality of life besides income, and to identify the needs of lower-income households and broader policy considerations. Based on the MDI benchmarks, the official findings in 2014 showed 1.1 per cent of total households nationwide were "multi-dimensionally poor" or facing deprivations in multiple aspects of life. This fell further to 0.86 per cent of households nationwide in 2016.

Compared with the alternative benchmarks based on higher standards using a common measure by the OECD of 50 per cent of the median monthly income, which in this case is RM621.20 per person per month for Malaysia at 2016 levels, the World Bank found that the alternative index for 2016 shows 19.2 per cent of the population as living in households considered to be multi-dimensionally poor.

The Khazanah Research Institute (KRI) report gauges that the actual poverty rate in the country after it raises the threshold to 60 per cent of the median household income places Malaysia's poverty rate at 20 percent of the population.

According to Bank Negara Malaysia, in their annual report for 2017, single citizens should be earning RM2,700 a month, while a family with two children should be earning at least RM6,500. Currently, half of the workforce earns about RM1,700 a month, while the average starting salary is about RM1,550 for diploma holders, which is only RM400 more than the minimum wage of RM1,100.

In August 2019, the United Nations Special Rapporteur on Extreme Poverty and Human Rights Phillip Alston reported that Malaysia's actual poverty rate could stand from 15 to 20 percent. Malaysia's national poverty line is not consistent with the cost of living or household income. especially since a range of rigorous independent analysts have suggested a more

realistic poverty rate of 16 to 20 percent and about nine per cent of households survive on less than RM2,000 per month.

The prime minister's economic advisor Muhammed Abdul Khalid concurred that the government should revise the PLI to reflect current realities. As Malaysia aspires to become a developed country, the projection must be based on the indicators used by developed countries where if households have less than 50 percent of the median income, they are considered poor. Using this, the poverty rate in Malaysia would be 16 percent in 2016, slightly higher than 15.6 per cent in 2014, despite the country's economic growth over the same period.

The government has acknowledged the financial difficulties face by the low-income group and instituted the BR1M in 2012 to give cash handouts to the B40 group with household income below RM4,000 as well as to single persons. It has since been renamed Bantuan Sara Hidup (Cost of Living Assistance). However, many continue to fall between the cracks and do not receive any assistance. They include the hard-core poor, disabled, the aged, women especially single mothers, and the homeless who lack information of the schemes and where to apply for them, lack ability to access due to travel difficulties and expenditure, lack of required documents, do not have bank accounts and/or address, work and care commitments, etc. Many are left out of the government database. Another group which need attention are children living in poverty who suffer from malnutrition, stunting and live in unconducive environments. Special emphasis must be given to the B20 group – the income gap between T10 and the B20 has increased from RM2,000 in 1990 to RM10,000 in 2016.

The government needs to gauge the actual rate and causes of poverty in order to invest appropriately in policies and programmes geared to reduce poverty and provide adequate social safety net that meet the people's needs.

Situation Analysis

According to the economic advisor to the prime minister, using half the median income as our measure, the poverty rate in Malaysia would jump to 16 per cent in 2016, slightly higher than 15.6 percent in 2014, despite the country's economic growth over the same period. In alleviating poverty as specified under SDG1, the pertinent and urgent issues that are important to address to impact policy and delivery include the following:

1. Poverty caused by youth unemployment: While the government is looking into ways to encourage investments and create new industries and employment, those in the working age must be trained to take up such jobs. Unemployed youth make up almost 60 percent of the 504,000 or 12% of the currently unemployed. With the hidden unemployment segments added in, Malaysian youth unemployment is probably more like 15-18 percent. Three distinct youth unemployment segments can be identified:

i. Graduate youth - the Ministry of Education reported that 57,000 of 173,000 of 2017's graduates remained jobless after looking for a job for six months due to structural mismatch and over-supply. MOE decides what courses universities offer rather than market forces and produces too many graduates to what can be generally absorbed into domestic Malaysian workforce. Graduate unemployment was 9.6 percent or 204,000 at the end of 2018.

ii. Rural youth – the hidden segment could be as high 75,000-90,000. This group is primarily only educated to secondary school, with many not finishing. They do not feel motivated to travel to towns to take up jobs that pay low wages. Many can only speak Malay, have no skills and are not self-disciplined, giving rise to many social problems.

iii. Urban youth - comprising non-graduates who are looking for employment in retail, administration, distribution, manufacturing, hospitality, or other service industries. The last few years have seen job redundancies where younger workers are being laid off. This added more than 21,000 to unemployment levels last year. A JobStreet survey found the 58 percent are choosy about the job or the company they work for, 58 percent are considered of poor character, attitude or personality, 52 percent have a poor command of English, 49 percent have poor communication skills, and 66 percent have unrealistic salary expectations. Tolerance within Malay culture has decreased towards jobs within the hotel, hospitality and tourism industries, putting a massive block on employment prospects. Consequently, the hotel, hospitality and tourism industries prefer employing foreign workers to avoid cultural and religious issues. FDI in Malaysia is creating jobs for foreign rather than local workers.

The government needs to analyse the root causes of youth unemployment, which is also grossly understated. Statistical definitions which don't count people who are not actively looking for work is hiding additional youth unemployment. These hidden segments may add as much as another 35-50 percent to youth unemployment figures.

2. Education and capacity building – the Education Ministry receives the largest funding allocation at RM60.2 billion, or 19.1% of the budget for 2019. It has achieved near universal school attendance at 98% but the issue of quality remains. Students' performance in PISA and TIMMS continue to slide and Malaysia is overtaken by neighbouring countries. The quality of education is fundamental to the country's development and cannot be compromised. The curriculum has been criticised by the prime minister as being biased towards Islamic studies, with not enough time allocated to maths, science and English which are essential for future employment. In addition, subjects on environment, financial literacy and sexuality education should be included to develop responsible individuals. Technical and Vocational Educational Training (TVET) needs urgent review. There should be more focus in providing skills and trades that are relevant and demanded by the market.

About 15% of students dropped out from secondary schools due to reasons such as poverty, lack of interest, teenage pregnancies and teenage marriage. This have resulted in a group of youth who are not able to participate effectively in the labour force and will potentially live in poverty, perpetuating the cycle of poverty.

3. Aging society - there will be 6.3 million Malaysians aged 60 and older in 2030, comprising more than 15 percent of the population. Economic growth resulting from the first demographic dividend depends on the enhancement of productivity of the working age population which is highly influenced by the quality of education and employment practices, technology and the timing and level of childbearing. The extent to which the second demographic dividend is realised depends on how well a country provides support for its elderly. The size of dividend that can be realised is dependent on the right policies and implementation. They include education and labour, economic, pension and retirement, and healthcare support that would empower citizens and enhance productivity-driven growth. Thus, the quality of the 10-24 years age group which forms 28% of the population is crucial to determine the income level of the country. If the quality is low, Malaysia will grow old before it grows rich.

Only government servants (who constitute 15% of the working population) are entitled pensions. 6.5 million Malaysian workers are contributors to the Employment Provident Fund (EPF). However, since wages are low, a survey in 2016 found that only 22% of EPF contributors aged 54 years and above had RM196,800 or more in their savings, which translates to about RM820 monthly during retirement. There are another 5 million working people who are on neither the pension scheme nor the EPF scheme. In the meantime, household debt-to-GDP ratio has grown to 83% in 2018 for which housing loans accounted for 53.2% and the remaining 46.8% were for personal consumption including motor vehicles, credit card and personal finance, and there is no personal savings. The 2019 Financial Literacy Survey found that 53% of respondents are not able to survive more than 3 months on their savings if they were to lose their jobs.

Recommendations

In order to address the causes of poverty and fully realize its human potential, Malaysia will need to make further advances in the following areas to ensure that No One is Left Behind:

1. Streamline and strengthen social protection and safety nets as a high proportion of workers do not have sufficient savings for retirement, and many are in debt. There is need for financial literacy as household debt has been increasing.

2. Improve the quality of education to improve learning outcomes. This is crucial to create a level playing field for the poor. Children in poor communities will then have a better chance to get a high-paying job or start a business. TVET must focus on market driven high level skills for school leavers as well as upskilling and retraining for current workers to remain relevant in the new digital economy.

3. Strengthen social welfare services and rethink nutritional interventions to reduce childhood stunting and enable households to invest in human capital formation. There must be sufficient number of professional social workers who are competent to address the needs of the poor.

4. The new approaches to poverty must incorporate all the stakeholders which include the poor, civil society, the government, the NGOs and the private sector. The poor need to be empowered through participatory approach and poverty needs to be mainstreamed.

5. The B20s need to be especially targeted – they include women especially single mothers, the homeless, the disabled, the aged, Orang Asli and Orang Asal. Subsidise essential services and institute cash transfers to sectors in need.

6. Empower women to participate in the labour force through providing access family planning services for child spacing and facilitating affordable and reliable childcare, to increase their participation rate from the current 55.2%. This will increase their family income and help to fulfil their potential while contributing to the GDP.

7. The delivery of Government social welfare programmes can be outsourced to CSOs that have the expertise and commitment to implement them more effectively.

8. Setting up disaggregated data, and comprehensive and inclusive database in order to target assistance to ensure that no one is left behind.

5 GENDER EQUALITY = SHARED PROSPERITY *for all*

By Ms Omna Sreeni-Ong & Prof Rashila Haji Ramli National Council of Women's Organisations, Malaysia (NCWO)

GENDER EQUALITY – A PRECONDITION TO A SUSTAINABLE FUTURE FOR ALL

Gender equality and the empowerment of women are drivers of sustainable development in all its dimensions. Without granting women and girls rights, progress will inevitably falter and the 2030 Agenda as a whole will be in jeopardy.[2] In short, there can be no sustainable development if the tangible and intangible barriers that hold back half the population are not addressed. Agenda 2030 clearly calls for a transformative approach to sustainable development; an end to all discrimination against women and girls and the achievement of gender equality. While Malaysia has made strides in advancing the processes towards gender equality, achieving the SDG requires nothing short of a high level sustained political commitment, a whole of nation implementation together with effective monitoring, evaluation and accountability mechanisms.

CENTRALITY OF GENDER EQUALITY IN THE SDG: CROSS-CUTTING AND INTERLINKED

The 2030 Agenda represents the evolution of a new compact on women's human rights and gender equality which needs to be viewed as a coherent framework for action in advancing gender equality. It builds on previous commitments to respect, protect and fulfil women's human rights, namely, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action (BPfA). It also recognizes the indivisibility and interdependence of rights, the interlinkages between gender equality and the need for an integrated approach to implementation.

In the lives of women and girls, different dimensions of well-being and deprivation are deeply intertwined: For example, a girl who is born into a poor household (Target 1.2) and forced into early marriage (Target 5.3) is more likely to drop out of school (Target 4.1), give birth at an early age (Target 3.7), suffer complications during childbirth (Target 3.1) and experience violence (Target 5.2) than a girl from a higher-income household who marries at a later age. At the end of this chain of events, the girl who was born into poverty stands almost no chance of moving out of it.[3]

Policymakers and CSOs need to recognize the multidimensional issues faced particularly by those who are and risk being left behind. This requires breaking this vicious cycle and responding to the interdependent experiences of exclusion and deprivation by providing integrated responses, for example, a woman who leaves an abusive relationship needs access to justice (Target 16.3) as well as a safe place to live (Target 11.1), medical care (Target 3.8) and a decent job (Target 8.5) so she can maintain an adequate standard of living for herself and any dependents she may have.[4] In another instance, access to decent work and regular income in the hands of women, for example, contribute not only to poverty reduction (SDG 1) but also support better education, health and nutrition outcomes for women and girls and those who depend on them (SDGs 2, 3 and 4). An understanding of these interlinkages necessitates looking at progress, gaps and challenges for gender equality not solely at SDG5 but across the 2030 Agenda as a whole.

---

[2] UNWomen, 2018

[3] Turning Promises Into Action, UNWomen 2018

[4] ibid

THE STATUS OF WOMEN'S RIGHTS – 108 YEARS!

In 2018, the World Economic Forum in its Global Gender Gap Report presented the bleak news that according to their calculations, at our current pace, it will take the world 108 years to close the global gender gap and even more alarming is the 202 years before we achieve economic gender parity. The same report ranked Malaysia 101 out of 149 countries for relative gaps between women and men across indicators on health, education, economy and politics. While Malaysia has achieved gender parity in education, it ranks 84 for economic participation and opportunity, 83 for health and survival and a low 131 for political participation. This international report card accentuates the fact that while positive measures have been undertaken, there is much yet to be done if we hope to achieve the goals of the government's 12th Malaysia Plan and the newly released Shared Prosperity Policy 2030. The World Bank in its 2014 Report- Voice and Agency: Empowering Women and Girls For Shared Prosperity shares its findings that removing constraints and unleashing women's full productive potential can yield enormous dividends that help make whole societies more resilient and more prosperous.

Like their sisters across the region and the globe, Malaysian women are coming to the fore now more than ever to power this nation's engine of growth; pushing their way through persistent cultural and traditional barricades that have formulated patriarchal attitudes and behaviour which are threatening to be passed from one generation to another. Yet gaps remain large on gender equality both at work and in society. From an economic perspective, trying to grow without enabling the full potential of women is like fighting with one hand tied behind one's back[5].

IMPLEMENTATION OF THE SDGS (2016-2019) – GAINS AND GAPS

The status of gender equality as mentioned earlier, is viewed within the context of the implementation of a coherent framework of action which constitutes international standards such as CEDAW, BPfA and now the SDGs. Over the last five years, there has been no shortage of government pronouncements about advancing women and gender equality in the country. Malaysia has continued to make incremental gains in relation to gender equality and women's empowerment. These include:

- A robust women's movement and its strong, consistent advocacy
- Legislative Reform (Target 5.1) – Domestic Violence Act, Sexual Offences Against Children Act, Sexual Harassment Policy and currently the process of formulating the Gender Equality and Sexual Harassment legislations (Target 5.2)
- Institutionalised Government - Civil Society Partnership (Target 17.17)
  - Joint technical task forces for CEDAW, Drafting Sexual Harassment legislation (2019), Drafting Gender Equality Legislation (2018)
- Temporary measures to ensure 30% women in senior decision making positions (Target 5.5)
- Measures to ensure increased women's participation in labour force (Target 8.5)
- Establishment of a Parliament Select Committee on Gender Equality
- Initiatives and opportunities for women's economic empowerment (Target 5a)
- Appointment of women into key governmental leadership and decision making positions (16.7.1)
- Various measures undertaken to promote 'work-life' balance for women in the form of better access to childcare services and flexible work arrangements

---

[5] The Power of Parity – Advancing Women's Equality in Asia Pacific, McKinsey (2018)

- Budgetary allocations e.g. Budget 2020 which provide monetary incentives and income tax exemptions as well as 90 days maternity leave for women at work. It also provides various allocations for women entrepreneurs.

At the core of the SDGs is the belief that sustainable development cannot occur without social, political, and economic equality. While it is a positive step that the government plans to implement the SDGs, which have the potential to be a driver of change, the government must simultaneously take measures to ensure that progress is not hindered by patriarchy, close-mindedness, intolerance, and discrimination, which continue to manifest in appalling and reprehensible ways on a daily basis[6]. Despite the strides taken by government in some of the above areas, there are still areas in which we lag behind which include the following which have been highlighted by the CEDAW Committee[7] in their review of Malaysia in 2018 :

1. <u>Data</u>
   A lack of sex-disaggregated data results in an incomplete picture of women and men's lives and the gaps that persist between them. Such data is essential to identify key challenges and opportunities to accelerate progress towards achieving the SDG goals and targets. More and better data is required to contribute to a meaningful policy dialogue on gender equality and provide a solid evidence base for development policy.

2. <u>Constitutional and Legislative Framework (5.1)</u>
   - CEDAW is not yet part of the domestic legal system and thus its provisions are not enforceable in domestic courts.
   - The absence of a definition of discrimination (Target 16b) against women in legislation (Target 5.1), and the narrow interpretation of the courts of Article 8(2) of the Federal Constitution, restricts it to acts by the authorities and does not protect women against direct or indirect discrimination by private actors, such as private employers.
   - The parallel legal system of civil law and multiple versions of Syariah law, which have not been harmonized lead to a gap in the protection of women against discrimination, including on the basis of their religion (maintenance, custody and guardianship of their children, religious conversion of children, inheritance and child marriage)

3. <u>Access to Justice (Target 16.3)</u>
   - There continues to be multiple barriers impeding women and girls from obtaining access to justice and effective remedies for violations of their rights, including discriminatory stereotypes and gender bias among personnel throughout the justice system and the exclusion of non-nationals from accessing legal aid services.

4. <u>Refugees, Asylum Seekers, Stateless</u>
   - The lack of legal and administrative framework to protect and regularize the status of asylum-seekers and refugees exposes these women and girls to a range of human rights violations, including arbitrary arrest and detention, exploitation, sexual and gender-based violence, including in detention centres, as well as limited access to the formal labour market, public education, health, social services and legal assistance. The overarching aim of the 2030 Agenda "to reach the furthest behind first" and "leave no one behind" clearly applies to these communities.

5. <u>Women Human Rights Defenders</u>
   - Women human rights defenders have reportedly been subjected to arbitrary arrests, harassment and intimidation by State authorities as well as religious institutions, including through the adoption of fatwas against women's organisations.

[6] The Status of Women's Human Rights : 24 Years of CEDAW in Malaysia, JAG and NGO Coalition 2019

[7] CEDAW Committee Concluding Observations, Malaysia 2018

6. <u>National Machinery and Policies for The Advancement of Women</u>
    - There is limited or unclear effectiveness of gender mainstreaming and gender responsive budgeting (Target 16.7) efforts. This may be due to lack of political will and understanding on the part of government agencies in relation to gender equality and lack of institutional mechanisms, including the lack of capacity to advise government agencies and to monitor, track and evaluate policies and programmes

7. <u>Stereotyping</u>
    - The persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society continue to be the root cause of the disadvantaged position of women in several areas, including in the labour market and in political and public life.

8. <u>Gender-Based Violence Against Women</u> (Target 5.2)
    - While there have been legal measures taken by the government to enhance the protection of women from gender-based violence, there continues to be a lack of protection in some areas. For instance, marital rape, stalking and intimate partner violence have yet to be criminalised. These holes in legislative protection for survivors of gender-based violence reflect and perpetuate societal attitudes towards women.

9. <u>Participation in political and public life</u> (Targets 5.5 and 16.7)
    - Women continue to be underrepresented in all areas of political and public life, including in Parliament, the cabinet, local government, the judiciary and the diplomatic service, particularly in decision-making positions. There is also underrepresentation of women from marginalized groups in all areas of political and public life, such as women with disabilities, indigenous women, and ethnic minority women.

10. <u>Nationality</u>
    - The discriminatory provisions in the Federal Constitution with regard to nationality, include the inability of Malaysian women married to foreigners to transmit their nationality to their children born abroad and to confer nationality to their spouses on an equal basis with Malaysian men. (Target 16.9)

11. <u>Health</u>
    - Obstacles faced by certain groups of women to access health care services in the State party, including asylum-seeking and refugee women, women migrant workers, rural women, transgender women and indigenous women.

GENDER EQUALITY IN THE 12 MALAYSIA PLAN

The Shared Prosperity Agenda takes a needs-based approach, inclusive development that is to be implemented over 10 years in the 12MP (2021-2025) & 13MP (2026-2030). The timeframe of the implementation of Shared Prosperity is parallel to the implementation of Global Agenda 2030. Based on the SDG Roadmap, all the goals have been integrated into the 11MP where gender equality is recognized as a cross cutting issue. As 12MP will be a vehicle to commence the implementation of the Shared Prosperity Agenda, all seven strategic CORES should integrate a gender perspective. When the gender lens is applied, one is able to see the lived realities of the population and have a clearer picture of impact especially in terms of accessibility, availability and sustainability of policies, programs and activities.

ACCELERATING PROGRESS FROM PROMISE TO REALITY

1. Conceptual Understanding of Gender Equality and Human Rights
   o Intersectionality
   o Substantive Equality
   o Rights Based Approach

2. Whole of Government and Whole of Society Approach
   o Greater political will and commitment to leave no one behind by reaching the furthest first
   o Reforming Legislative Framework to ensuring non-discrimination by public and private actors
   o Partnerships for Development – Government, Civil Society Organisations, Private Sector and Academia

3. Gender Responsive Framework
   o Gender Data :
     ▪ Understanding the lived realities of women and other disadvantaged groups including residents who are non-citizens
     ▪ Develop a comprehensive system to collect, analyse and publish data on all areas covered by the Convention, disaggregated by sex, age, disability, ethnic origin, religion and other relevant factors, so that such data and analyses can be used for the formulation, monitoring and evaluation of laws, policies and plans, as well as the SDGs.
   o All SDG gender targets and indicators should be integrated into the framework of 12MP and 13MP and correspondingly gender mainstreaming must be institutionalised within policies, programmes and accountability mechanisms.

4. Measuring progress meaningfully through effective gender responsive monitoring and evaluation to deliver on transformative outcomes.

A WHOLE OF SOCIETY APPROACH

Our work is not done until no one is left behind. Recognition of gender equality as a precondition and accelerator to the achievement of the SDGs makes gender equality everyone's business. International normative standards enshrined in CEDAW, the Beijing Platform for Action and the Sustainable Development Goals provide us the frameworks, entry points, specific steps and guidance on how to develop a roadmap to effective deliver on gender equality. Accelerating the process requires government working together with civil society to take a whole of nation approach in stepping up to chart a path forward for genuine equality, with equal rights and opportunities for women and girls, to ensure no one is left behind and deliver on shared prosperity for all.

6 INDIGENOUS PEOPLES & SDGs

By Mr Thomas Jalong,(JOAS), Ms Alexandra Nastassia (CSO-SDG Alliance Sarawak), Ms Ooi Kiah-Hui (Malaysian CARE) & Mr Kon Onn Sein (YKPM)

Three Key Aspects for the Malaysian SDG Road Map

There are 3 key aspects that must be considered in Malaysia's SDG Roadmap and implementation policies in order to successfully address the challenges faced by indigenous peoples and thereby ensure inclusivity and achievement of 'leaving no one behind':

1.   Indigenous peoples must be protected from adverse impacts of mainstream development, which may undermine their rights and wellbeing. Sustainable development must be carefully construed and implemented to avoid violation of indigenous peoples land rights and ensure equitable use of resources as another attempt at greenwashing neoliberal economics; the fundamental protection and promotion of human rights, social and environmental justice must be the foundational guiding forces of sustainable development for it to have any merit.

2.   Indigenous peoples have the right to fully participate and benefit from general development efforts.   There must be adequate representation of indigenous peoples in decision making and implementation processes.

3.   Indigenous peoples' collective right to self-determined development must be supported. Alternative, small scale and subsistence economic activities must not be destroyed in the name of development, while culturally appropriate aid and support alongside transparent development plans and information must be given.

Current Issues and Recommendations for the Way Forward

The following are foundational recommendations that can address cross-cutting issues and may achieve different goals simultaneously (bearing in mind that all goals are interrelated and mutually dependent):

1) Recognizing and giving full effect to the UNDRIP domestically:

Although the Malaysian government had voted to adopt the UNDRIP at the UN General Assembly, it has thus far failed to give effect to it. Legislating UNDRIP in local laws and giving it the force of law will be the first step in addressing the historical discrimination and exploitation faced by indigenous peoples.

2) Respecting indigenous land rights:

The single biggest inhibitor to achieving the SDGs is that indigenous peoples are deprived of their customary rights to land. Indigenous peoples are intimately bound to land, forests and waters, as these serve as the base of their identity, cultures and livelihoods. They thus have a strong cultural, spiritual and survival dependence on their traditional lands.

Unfortunately, most indigenous communities have struggled with various forces over the encroachment of their lands, failure by authorities to gazette and the de- gazettement of Orang Asli reserves and native customary rights (NCR) lands, as well as forced displacement from ancestral lands. Government development policies that subject indigenous peoples to relocation schemes or large clearance of natural ecosystems for cultivation such as palm oil or rubber, in the name of economic development or poverty reduction schemes are highly problematic. Such development schemes have not only robbed indigenous peoples of their homelands and natural resources upon which their livelihoods, customs and cultural wealth are sustained, but also result in more multidimensional poverty and deterioration in their quality of life.

Hence, the destruction and loss of lands effectively causes all other aspects of life such as indigenous knowledge and education, sustainable livelihoods, cultural diversity, language, social and political customs, traditional conservation practices and resource management to be simultaneously destroyed.

Any meaningful effort to address these goals must therefore start with a review of existing laws, policies and practices that contradict indigenous land rights, while federal and state governments must fully comply with court judgments that have set precedent and clearly uphold native titles and customary land rights. Furthermore, institutional and policy coherence across federal, state and local levels must be strengthened, and a national action plan must be initiated in good faith to give full effect to indigenous land rights in accordance with UNDRIP, native customary rights and customary laws (Adat). In fact, these have been the recommendations put forth by SUHAKAM in its National Inquiry Report on Land Rights of Indigenous Peoples, which the government has yet to act upon.

3) Respecting the right to self-determination and empowerment:

If the SDGs are to be genuinely inclusive and to be achieved meaningfully, the right to determine and uphold indigenous political, economic and social systems must be respected. Policies requiring that Orang Asli village heads be appointed according to guidelines set by JAKOA, for example, subverts the political freedom and customary institutions of indigenous peoples.

New policies are required to promote democracy and unity in the selection of indigenous leaders, and which focuses on non-interference of the state in traditional systems of self-governance and dispute settlement within and between indigenous communities.

Similarly, paternalistic policies that confer power unto JAKOA or any other authority are not only a violation of the right to self- determination, but also a wasteful and ineffective strategy of development, as the real needs and issues of indigenous peoples are not being understood nor addressed, and the initiatives often end up doing more harm than good.

Thus, a wiser strategy would be to hold comprehensive consultation with communities and obtain their Free, Prior and Informed Consent (FPIC) on any developmental agenda, in accordance with the UNDRIP and their customary political practices. Additionally, the government can involve indigenous communities and grassroots NGOs in the implementation of the programme. With such processes, the development initiative has a much better chance of success and creates empowerment within the community.

4) Recognizing customary practices and indigenous knowledge

Indigenous peoples possess a vast depth of knowledge and customary practices that can indeed greatly contribute to the SDGs. There is much that the government and wider public can learn from them in regards to sustainable living, climate change resilience and adaptation, as well as the preservation and conservation of natural ecosystems. Most indigenous peoples tend to live self-sufficient and sustainable lifestyles, while maintaining their customary practices and spiritual beliefs. Their simple lifestyles and low consumption needs, which are focused on sufficiency and wellbeing as opposed to consumerism, can serve as benchmarks for Goal 12 (Responsible Consumption and Production).

Furthermore, their historical dependence and proximity to natural ecosystems and local climate variations have taught them invaluable skills for local climate resilience and adaptation.

Additionally, because natural ecosystems are an integral part of their livelihood, identity, and culture, indigenous peoples have developed many practices that lead to the conservation of habitats and biological diversity. The tagal system is one of many examples of sustainable management of resources, whereby customary law (Adat) governs fishing practices and river conservation. Hence, in order to achieve Goals 13, 14 (Life Below Water) and 15 (Life on Land), the government can respect indigenous rights to their customary territories and their capacity for sustainable management of natural resources. One way of doing so is through recognition of Indigenous and Community Conserved Areas (ICCAs), which also encourages the active participation of indigenous peoples in the SDGs.

5) Genuine and complete reporting of the realities faced by indigenous peoples

Two of the biggest challenges in the SDG agenda are the generation of data and monitoring of indicators. Currently, there are major gaps in baseline data, due to the limited capacity of the Department of Statistics or even JAKOA in generating data regarding the quality of life and realities of indigenous peoples. There is also a lack of data disaggregation in national statistics that identify the situation of indigenous peoples, indigenous women, youth or children, or indigenous peoples with disabilities; leading to the invisibility of these groups. Hence, to adequately measure the indicators, indigenous peoples in all 3 regions of Malaysia, must also be part of the review and reporting processes, whereby communities themselves monitor and generate data which is then brought up to the district, state and national levels.

In relation to that, because the universal indicators are by nature broad and general, there must be specific indicators defined for a complete monitoring of the SDGs. This involves having structural indicators (adoption of laws and policies, institutional coherence), process indicators (efforts such as budget allocations, training, etc) and outcome indicators (actual enjoyment of the benefits of development policies). Thus, paying attention to their narratives, which may offer more qualitative rather than quantitative analysis is particularly important because many realities cannot be sufficiently conveyed merely through numbers.

Conclusion

In short, the SDGs cannot achieve its aims without first addressing existing laws on ancestral land recognition, development policies, and plans that have failed to respect the rights of indigenous peoples and instead perpetuate their marginalization. Secondly, the SDG agenda must include the full and effective participation of indigenous peoples every step of the way. They must be involved from the planning and setting of the agenda stage, in the

implementation steps and right through the reporting and review mechanisms, including to the international arena via the Voluntary National Review. Only then, can the SDGs truly stand by its mantra of leaving no one behind.

APPENDIX : SPECIFICS CHALLENGES OF SDG : 2016-2019

1. ECONOMIC GROWTH CLUSTER

Goal 8: Decent work and economic growth

Challenges:
Economic growth: Still left behind with insignificant share in the economy. No data Indigenous peoples do not have the opportunity to determine the direction of economic development that is in accordance with their way of life,

Recommendation:
• Re-examine economic policies in order to improve the economic situation of indigenous peoples.
• More facilities provided for small-scale businesses.
• Give recognition to indigenous land to enable them to establish small-scale industries or agro forestry community enterprises in line with their culture.
• Include Indigenous people in the formulation of economic and development policies

Goal 9: Industry, Innovation & Infrastructure

Challenges:
Very poor access, Inadequate and slippery Roads, storage centres and logistics support.

Recommendation:
• Government support for providing infrastructure & logistic support to connect enterprises to markets.

2. ENVIRONMENT AND NATURAL RESOURCES CLUSTER

Goal 6: Clean Water and Sanitation

Challenges:
Access to clean water and sanitation, as water should not be commoditized

Recommendations:
• Recognition and support to be given to indigenous Native Customary Rights (NCR) to their lands, territories and resources for the conservation of water catchments and rivers
• Rather than building dams, the government can provide allocation for the building of gravity water centres that can guarantee clean water.

Goal 7: Clean and affordable energy

Challenges:
Energy projects such as mega HEP dams are not safe and clean and adversely affect indigenous rights, especially to land, resources, livelihood and environment.

Recommendations:
- Solar and Micro hydro systems can be a source of cheap and clean energy for rural and interior areas,
- The government can provide allocation to help NGOs and CBOs in their micro hydro projects.

Goal 12: Responsible consumption and production

Challenges:
1. Strategy stated in the EPU plan is not clear/too general. There is no support given to subsistence economy/small scale-community owned production in achieving this goal.
2. Standards of sustainable and responsible production should include the fair and equitable sharing of benefits with indigenous peoples. Simultaneously, standards of sustainable and responsible consumption should not deprive the livelihoods and wellbeing of indigenous peoples – those who are already in need and left behind.
3. Indigenous peoples and those in need should have increased access to sufficient resources for the fulfilment of their needs and wellbeing.

Recommendations:
1. The government can recognize and give support to the subsistence economy that is practiced by indigenous peoples.
2. Development and economic projects affecting indigenous peoples MUST undergo the FPIC process.
3. There must be full and comprehensive compliance with environmental and social safeguards, EIAs, protection of human rights
4. Establishment and effective implementation of proper waste disposal and segregation systems nationwide, especially in rural and interior/coastal areas.

Goal 13: Climate Action Concerns:

Challenges:
The strategy formulated does not involve indigenous peoples.

Recommendations:
- Indigenous peoples can share their methods on adapting to climate change, and the government should recognize and promote such practices. For example: - Agriculture based on integrated farming (and not large-scale monocrop).

Goal 15: Life on Land

Challenges:
1. There is little or no recognition and protection of native customary rights (NCR) and customary land.
2. Gazettement of forest reserves, protected forests, and totally protected areas without taking into account indigenous land rights and FPIC.

3. Opening up huge areas for cultivation of oil palm, commercial agriculture and forestry that deprive and deny the indigenous peoples rights and continuous access to their lands and resources which undermine their food, social, health and environmental security.

Recommendations:
1. The government should increase efforts in community-based agroforestry and food production.
2. Efforts must comply with the Convention on Biological Diversity (CBD) and the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES), and in relation to CBD, it must include fair and equitable access and benefit sharing.
3. The government must recognize and support ICCAs (Indigenous Community Conserved Areas) as a way to respect indigenous land rights and at the same time conserve natural resources.

Overall recommendations for the cluster:

• All data and plans by the government to involve communities and the public to have access to the information (transparency).
• All plans, initiatives and implementation of SDGs to be in line with Free, Prior, Informed Consent (FPIC) and UNDRIP (Inclusiveness and meaningful participation in collective decision-making)
• Acknowledgement and involvement of NGOs working together with indigenous peoples in the EPU Working Group.
• More focus must be given to environmental aspects as well as equity and social justice.
• There needs to be fair and equitable benefit sharing in every plan and action to achieve the SDG.

3. WELL BEING CLUSTER

Goal 3 - Good Health & Wellbeing

Challenges:
• Destruction of their environment, deforestation and marginalization of traditional medicine and health practices contributes to the overall decline of maternal and foetal health amongst indigenous peoples.
• Inadequate health and medical clinics and services in the rural areas.

Recommendations:
• Support and strengthening of indigenous health practices and traditional medicines can help complement and close the gap on health deficiencies, especially in communities who lack access to mainstream health services and facilities.
• Increasing the capabilities and scope of services of rural clinics increases access of communities to basic healthcare and vaccines

Goal 16 - Peace, Justice & Strong Institutions

Challenges:
- Political intervention in the appointment of indigenous leaders is a violation of their rights to self-determination.
- The definition of land management and traditional conservation practices of indigenous people are seen as an 'idle land' by government policies that are too focused on economic profit.

Recommendations
- Returning the process of appointing leaders back to the indigenous people will empower their rights to self-determination.
- Recognition of indigenous definition of land management and traditional conservation practices will help in the State's efforts in environmental and biodiversity conservation as well as climate change prevention measures.
- Removal of barriers to access of justice and registration for IPs –
- Acknowledge the importance of and support for the Native Court is at the same level as that of the civil and Shariah system.

4. HUMAN CAPITAL CLUSTER

Goal 4: Quality Education

Ensure inclusive and fair education as well as encourage life-long learning for indigenous communities.

Challenges:
Indigenous peoples who have been left behind in formal education is high because the education system is centralised.
Education services for indigenous peoples is lacking in quality. Its ecosystem is weak.

Way forward
- Provide learning centres and community colleges for youth and women who have been left behind in formal education.

Involvement of indigenous communities in the education system
- Informal learning is implemented in every village.
- Improve eco system holistically, such as incomes and poverty

Indigenous curriculum is included in the national education system

5. INCLUSIVITY CLUSTER

Goal 1: No Poverty
Target 1.2: Reduce poverty from all angles. Access to basic necessities such as water, roads and education.

Target 1.4: Equal rights to economic resources, including ownership and control over land and natural resources.

Challenges:
- The government has not taken into account the actual needs of rural communities. Poverty is measured based on monthly wage and number of dependants.
- Those categorized as hardcore poor do not have recognition of their NCR land
- A lot of indigenous customary lands have been expropriated including forest reserves. For example, for large-scale plantations.
- Large-scale agriculture projects in rich bio diversity areas and indigenous customary lands that unjustly deprive indigenous peoples of their rights and free access to their lands and resources vital for their livelihood and development.

Recommendations:
- Government recognition of native customary land (NCR), agricultural practices and traditional knowledge.
- Formation of CBEs (community- based enterprise) and government aid in training on entrepreneurial formation and management.

Goal 2: Zero Hunger
Agricultural productivity and income doubled for small-scale food producers including through safe and fair access to land, and implement sustainable agricultural practices that conserve the natural environment. (Target 2.3 & 2.4)

Challenges:
- Indigenous communities own limited areas of agricultural land & practice traditional agricultural systems.
- The amount of food produced cannot accommodate all their needs and they are still reliant on outside food.
- Indigenous communities rely on forest and riverine resources for survival. Some suffer from malnutrition and lack of healthy diets.

Recommendations:
- Government recognition towards sustainable agricultural/integration/conservation practices of communities.
- Protection of community forests for continual food sourcing, and provide training and support/aid.
- Promote the practice of organic agriculture to communities and companies.

Goal 10: Reduced Inequalities
Empower and promote social, political and economic participation for all, as well as ensuring equal opportunities and reduced inequalities including abolishing laws that are discriminatory Low wages with many dependents (Target 10.1,10.2 & 10.3)

Challenges:
- Current economic systems place more value on money/cash economy rather than subsistence. A great number of indigenous peoples are categorized as hardcore poor (B40).

Recommendations:
- Participation/Consultation of indigenous peoples according to international standards such as the UNDRIP and related laws.

- Empower indigenous peoples and the government should look at the basic needs of indigenous peoples so that they can be more independent.
- Fair distribution of jobs opportunities in the public and private sector. Current system and practice is unjust and unfair and is dominated by one particular race at the expense of other "bumiputeras" especially the indigenous peoples.
- Initiatives to include indigenous peoples participation should be conducted in accordance with their cultural needs (language) in decision- making.

Some progress has been made in the National Orang Asli Convention held in May 2019 where 136 resolutions were made. A new Director General in JAKOA was appointed which has the confidence of the Orang Asli community. The new DG has been courageously outspoken against the major encroachment of the OA lands over the last few months.

Credit goes to Asia Indigenous People Pact (AIPP) and PACOS who had prepared the content of this document and to which we have adapted herein.

7 LEGAL IDENTITY, STATELESSNESS AND CITIZENSHIP DEPRIVATIONS

By Ms Maalini Ramalo (DHRRA Malaysia) & Ms Melinda (Malaysian Campaign for Equal Citizenship)

Following are the measures aligned with efforts to address access to legal identity and statelessness between 2014 to 2016 in achieving the relevant SDGs targets:

In recent years, there has been substantial progress in access to legal identity and addressing statelessness in line with SDG 16 Target 16.9 - Provide legal identity for all including free birth registrations. Between 2014 to 2016, DHRRA Malaysia, a civil society organization, through its 2 years mapping and registration exercise gathered more than 12,737 stateless cases in west Malaysia (WM). The baseline data gathered, provided platform to effectively engage government agencies on the urgency to address the issue.

Between 2016 and 2017, based on DHRRA's assistance provided to stateless populations, recommendations for resolving statelessness in Malaysia was submitted to representatives of the Ministry of Home Affairs, Prime Minister's Office and related government agencies. The recommendations focused on improving administrative procedures to overcome challenges to acquire or confirm citizenship; resolving statelessness amongst children in Malaysia; promoting the reformation of Malaysia's nationality law and policies that discriminate on the basis of gender and legal marriage status; and resolving the status of individuals who are permanent residents (PR) in Malaysia. Particular focus was placed on pre independence born or arrived communities, that lacked the necessary documentation that would allow them to prove their intergenerational links to Malaysia but do not have citizenship of any other country (this is the largest registered cohort with DHRRA).

In April 2017, the Malaysian Prime Minister Dato' Sri Mohammad Najib launched the Malaysian Indian Blueprint (MIB). The MIB was the first national blueprint for resolving various human rights issues faced by the Indian community. Significantly, the MIB commits the

Malaysian Government to resolving statelessness and documentation issues within five years of implementation. Following on, NRD increased accessibility to its services and community reach to rural areas through JPN Walkabout programs. In 2017 the Malaysian Government carried out identification and registration programmes for populations of Indian origin in WM known as MegaMydaftar campaign, a follow up to MyDaftar conducted in 2011. The campaigns were developed in collaboration with political parties, community-based non-governmental organizations and individual actors. The above initiatives were able to assist more individuals to apply for citizenship however citizenship approval rate remain stagnant. Further as the Barisan Nasional government lost its power during the 14th general election, MIB could not be implemented.

In May 2018, the newly elected Pakatan Harapan government had announced in its Election Manifesto that addressing statelessness will be one of its key priorities upon 100 days of administering the Federal Government. In August 2018, the Malaysian Prime Minister Tun Dr. Mahathir announced that stateless senior PR holders will become Malaysian citizens, subject to fulfilling relevant conditions. However, the commitments in its election manifesto and several other announcements were not delivered entirely in the promised timeline. To date, 1,641 persons out of 3,853 senior permanent residents who have submitted applications have been granted citizenship following the Prime Minister's announcement. On 29 July 2019, the Home Minister Tan Sri Muhyiddin Yassin made a commitment to draw up a new standard operation procedure (SOP) to address documentation issues and statelessness in Malaysia.

Apart from the issue of senior residence statelessness, the issue of unequal citizenship rights has been impacting the lives of many Malaysians and their children in recent years. Gender discrimination in citizenship laws is also one of the primary causes of statelessness. Citizenship laws in the Malaysian Federal Constitution (FC) do not uphold SDG 5 - Gender Equality where:

I.   Malaysian women legally married to foreign men are unable to confer citizenship on their children born overseas on an equal basis as Malaysian men married to foreign women
Note: Malaysian men simply need to confirm the status of citizenship of the child at the nearest Malaysian consulate through Article 14 and a streamlined process lasting few days whereas Malaysian women have to "apply" for citizenship via Article 15(2) which often lasts 2-5 years with no guarantee of citizenship.

II.   Malaysian men are unable to confer citizenship on their children born out of a legally recognised marriage
Note: This can result in statelessness in the event the mother is stateless, the mother's country does not permit her to confer citizenship in certain circumstances, or the mother's identity is unknown.

There have been engagements between civil society and the government pertaining to the issue of unequal citizenship laws in the year 2019, specifically by the Malaysian Campaign for Equal Citizenship led by Foreign Spouses Support Group (FSSG). At the national 'Forum on Gender Equal Citizenship' organized by the Malaysian Campaign for Equal Citizenship on 18th September 2019, YB Hannah Yeoh, the Deputy Minister of Women, Family and Community Development gave the commitment of the Ministry towards engagement with the Home Ministry, National Registration Department and the Attorney General's Chambers (AGC) to push for a constitutional amendment so that the constitution is read in a family-friendly manner.

Following that, 42 Members of Parliament extended their support in favor of a constitutional amendment for Malaysian women to have equal rights to confer citizenship on their children born overseas as Malaysian men. YB Hannah Yeoh at the forum also highlighted the need to consider allowing DNA tests as conclusive evidence for granting citizenship for children, especially by Malaysian men when the child is born out of wedlock. The Ministry of Home Affairs reiterated their announcement on revised SOPs to a question in parliament on 9th October 2019. While administrative amendments attempt to synergise the process, they are merely temporary and do not address the root cause of the issue - the substantive elements within the current laws, policies and regulations that are patriarchal and gender-discriminatory. In east Malaysia, there is insufficient information available on the size of the population, the causes of their statelessness, and their protection concerns. The government has increasingly raised its efforts to reach out to communities living in the interiors of the country, regardless of their religious, economic and socio-political status through its mobile NRD busses and court facilities. However, large numbers of people remain without BCs, unconfirmed or without nationality. Of concern, are the Bajau Laut (Sama Dilaut) who are a collective of various semi-nomadic populations living in boats or in stilt houses in coastal areas or on islands. Their living conditions makes it difficult for them to register births or obtain related documents. In a related development, in Sabah, the Chief Minister announced that stateless children with one Malaysian parent will be given assistance to obtain proper legal documents. Whereas, in Sarawak, stateless children in Government schools are given assistance to obtain citizenship documentation.

The Malaysian Government through an existing policy enables stateless children to enroll in Government funded schooling if: (a) their citizenship application is under consideration, (b) they have the ability to pay prescribed levy fees and, (c) at least one of their parents is a Malaysian citizen. In December 2018, the government has increased access to public education for stateless and undocumented children, as part of the Education Ministry's "Zero Reject Policy", to ensure that all children in the country, including stateless and undocumented children, have access to education subject to certain conditions. In 2019, the Government launched a pilot project to assist stateless and undocumented children to enroll in government schools in Perak state. Since the beginning of 2019, 2,635 children without valid documents were enrolled in Government schools under the Zero Reject Policy.

Further, on 7 October 2019, the Malaysian Minister of Home Affairs, Tan Sri Muhyiddin Yassin expressed Malaysia's first international commitment of statelessness during the special session of UNHCR's Executive Committee High-Level Segment Meeting on Statelessness in Geneva. The ministerial representation was highly commendable as Malaysia committed to ensure access to social services for vulnerable communities in line with the Sustainable Development Goals' principle of "leaving no one behind."
Challenges:

SDG 1 (End poverty in all its forms everywhere) & SDG 8 (Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all) - One of the most debilitating (and rarely acknowledged) effects of statelessness is chronic economic instability. Based on DHRRA's database, most of the persons affected by intergenerational statelessness belong to the bottom 40 category household. Clearly caused, as stateless persons are denied privileges and protections that are afforded to citizens. Often lacking an accepted form of government-issued identification, stateless people are typically excluded from the formal labor market and relegated to unemployment or unofficial job sector. As a result, they undertake less pay, with little job security, and often exploited. Similar predicament is faced by foreign spouses of Malaysian women, who are required to apply for endorsement

to work which requires the written consent from the Malaysian spouse. This becomes a challenge for the foreign spouse, who is estranged, divorced, widowed or lives with abusive spouses. They have unequal access to economic opportunity and are deprived of their right to livelihood. In addition to not being able to open individual bank accounts, non-citizen spouses are also unable to receive the employer's contribution to EPF and SOCSO. To date, the Government of Malaysia has not provided support to stateless persons with strong links to Malaysia for their legal right to work. Leaving them with few avenues for upward mobility, leaving generation after generation to toil in poverty and obscurity.

SDG 3 (Ensure healthy lives and promote well-being for all at all ages) - The country's efforts in addressing the health issues and well-being of the stateless populations, who are often left out from government statistics, remain questionable. Access to health remains a huge challenge for the stateless community and non-citizen children of Malaysians in Malaysia. Due to costly private healthcare and economic hardships faced by the community, many are unable to obtain treatment for illness. Stateless women are also subjected to high cost of child delivery, which forces them to deliver their child at home which increases their risk of developing childbirth complications. Poor mental health, depression, anxiety and isolation are well-reported issues facing both children who cannot acquire citizenship and their parents who cannot pass on their citizenship. The Ministry of Education has enabled provisions whereby non-citizen children with either parent who is a Malaysian can access health care at the same rates as Malaysian children at government health care institutions but only until the age of 12. However, the directive giving children under 12 such access has not reached all hospitals and some mothers have been unable to claim this rate for their children. It is also unfair that this provision is only extended until the age of 12.

SDG 4 (Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all) - Education is a crucial factor for an individual as well as a country's development. Until recently, stateless children's access to government funded schooling in Malaysia is conditioned by the following requirements: citizenship application under consideration, ability to pay prescribed levy fees and at least one of parent is a Malaysian citizen. The existing conditions were relaxed in December 2018 when the government increased access to public education for stateless and undocumented children, as part of the Education Ministry's "Zero Reject Policy", to ensure that all children in the country have access to education. In 2019, the government launched a pilot project to assist stateless and undocumented children to enroll in government schools in Perak state. However, despite wider popularization of the already existing policy to enroll stateless children, the only changes came to force was the ability to enroll in school without an ongoing citizenship application. Many of the existing challenges have not been addressed.

SDG 5 (Achieve gender equality and empower all women and girls) - When Malaysian women are unable to confer citizenship on their children, they are put in situations where they are forced to rely on their foreign husbands for citizenship rights for their children, lest their children become stateless. This makes these Malaysian women vulnerable to gender-based violence whereby if they are in toxic marriages, they are less likely to leave violent household situations as staying with their husbands in the foreign country will be more secure for their children. In many cases, these women are hesitant to file for divorce, especially in the case where their husband's country does not allow for full custody by one parent as that would produce more issues. This may perpetuate abuse not only on mothers, but also their children.

Recommendations

SDGs can be accelerated in the 12th Malaysia plan period by:

SDG 16 Ensure universal birth registration in Malaysia, as a tool for protecting the right to a nationality and preventing statelessness; Ensure that all children who are stateless or at risk of statelessness, including foundlings and adopted children, are granted nationality without discrimination and in compliance with Malaysia's constitutional safeguards against statelessness; Ensure access to education and aiding community leaders with knowledge to assist documentation in rural areas in Malaysia so that important information will be retained to ensure accurate information to ensure birth registration and access to nationality; In accordance with natural justice, provide applicants for citizenship with full reasons for negative decisions.

SDG 1 - A statelessness determination procedure serves to identify stateless persons among non-citizens and migrant populations to ensure that they enjoy the rights to which they are entitled until they acquire a nationality.

SDG 3, 4 & 8 - Ensure undocumented, stateless and children at risk of statelessness in Malaysia have immediate access to healthcare and public education.

SDG 5 - Uphold the right of all Malaysian citizens to confer nationality on their children on an equal basis, by amend gender discriminatory nationality laws and policies. In particular, amend the Federal Constitution to allow for:

a. a child born to a Malaysian citizen to automatically acquire Malaysian citizenship, irrespective of the gender of the Malaysian citizen parent, whether the child is born in or outside of Malaysia, or marital status of the parents

b. Malaysian citizens to confer nationality on foreign spouses on an equal basis irrespective of the citizen spouse's gender.

SDG 8 & 10 - Access to productive employment and decent work for those without any citizenship can ensure safer working environments for both men and women (SDG5), reduce inequality within countries

8 MONITORING AND EVALUATION OF SDGS

By Alizan Mahadi (ISIS Malaysia)

SUMMARY AND MAIN RECOMMENDATIONS

The Sustainable Development Goals (SDGs) is voluntary and country led with no specific compliance rules. The mechanism for the operationalization of the SDGs relies on the ability of countries to monitor and evaluate its performance and report the progress at various levels. In other words, monitoring and evaluation will largely determine the success or failure of SDGs as a governance tool. In terms of monitoring, the indicators are the backbone to achieving the SDGs. At the international level 244 indicators were identified through an intergovernmental process led by the United Nations Statistical Commission (UNSC). While a continuous

assessment through monitoring of the indicators is crucial, evaluation of the of the effectiveness, efficiency and impact of policies and programmes is required to both interpret the indicators as well as assess both the process and true impact.

In the context of Malaysia, much progress has been made in the monitoring system with the Department of Statistics Malaysia (DOSM), leading the efforts towards establishing a national database through the national SDGs progress monitoring system. In a report published by DOSM, 232 indicators were identified as relevant in the context of Malaysia. However, various challenges remain in the monitoring system. In particular, incomplete and inconsistent data persists, with the quality and reliability of data from line agencies a challenge, with only 48% of indicators currently available. Furthermore, these indicators are often not disaggregated as required by the SDGs, which limits the ability to identify and monitor progress to incorporate vulnerable communities in line with its principle to "leave no one behind". Additionally, there is a lack of access to data due to the practice of secrecy in Malaysia.

These challenges are even more evident in evaluating progress towards the SDGs. Many policies are designed to be aspirational in nature and not accompanied by explicit policy targets. While it must be acknowledged that the recent Malaysia Plans have identified selected outcomes more clearly, the progress in sectoral policies are made more difficult without identifying policy targets. Furthermore, there is still little evidence of efforts being made towards institutionalizing a process to evaluate the progress towards achieving various sectoral policies. As with indicators, parallel processes to monitor and evaluate progress by other stakeholders such as academia and civil society organisations (CSOs) is inhibited by the fact that Malaysia is yet to fully embrace the principle of freedom of information. Prohibitive laws such as the Official Secrets Act (OSA) 1972 ensure provision of information slanting heavily towards the policy and political domains, restricting information flow to the general public and scientific communities. This tradition limits public access to information, which in turn, not only impedes evaluation of the SDGs as a whole, but also towards achieving SDGs 16.10 which explicitly targets to "ensure public access to information and protect fundamental freedoms".

Moving forward, the below are the main recommendations towards improving the monitoring and evaluation of the SDGs in Malaysia.

1. **Towards open access and open data** – Malaysia should move towards an open data system (in line with a policy under the Malaysian Administrative and Management Planning Unit) in the context of SDGs. As a way forward, this includes consideration to repeal or revise the Official Secrets Act 1972, strengthen the SDGs database (see below) and incorporate data from various sources (including big data). A detailed strategy for open data to achieve the SDGs is proposed. This recommendation is in line with achieving SDG 16.10 on ensuring public access to information.

2. **Strengthen the SDGs Monitoring Progress system as a comprehensive** database – the launch of the SDGs Monitoring system is a good start to provide a transparent database on the progress on SDGs. However, firstly, all the relevant indicators must be collected and made available to the platform. Secondly, beyond the indicators, data should be made accessible as a transparent database (as above). This requires a strategy and plan of action for ensuring commitment from all line agencies to ensure reliable and quality data is collected at regular intervals.

3.   Collect data in a disaggregated manner – As a principle of the SDGs, there is a need to collect data in a disaggregated manner, geographically, by income, sex, age, race, ethnicity, migratory status, disability and any other relevant factor. This requirement is both in line with SDGs and existing international conventions such as the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). Taking into consideration the disaggregation categories should be undertaken in preparation for the next census undertaken by DOSM.

4.   Undertake periodic impact assessments – The SDGs must move beyond quantitative data and indicators to include qualitative assessments to tell the "real story" towards evaluating the progress of the SDGs. The impact assessments must be undertaken at regular intervals (periodic) and interpret the achievements as well as the challenges towards fulfilling the goals and targets. This includes it being undertaken at multiple levels including at the macro level (i.e. through beyond GDP indices) and at the local level.

5.   Undertake evaluation of effectiveness of SDGs delivery – The effectiveness of implementation of the SDGs, including via the SDGs roadmap and the current and upcoming Malaysia Development Plans (11th, 12th and 13th), requires an institutionalised and iterative process to evaluate the its effectiveness. The effectiveness must take into consideration the outcomes and impacts of programmes and action plans on the SDGs as well as the process of the development delivery system, including translating policies and programmes from federal policies to the local level. The evaluation at the local level can be undertaken in collaboration and support of the All Party Parliamentary Group APPG) on SDGs.

The utility of the Sustainable Development Goals (SDGs) will largely be determined in its ability to monitor and evaluate progress towards achieving the goals and targets specified. Monitoring and evaluation are two interlinked but distinct concepts. Monitoring is a continuous assessment that aims at providing all stakeholders with early detailed information on the progress or delay of the ongoing assessed activities, while evaluation is a systematic and objective examination concerning the relevance, effectiveness, efficiency and impact of activities in the light of specified objectives.

Monitoring the SDGs is dependent on the indicator framework adopted. The UN Inter-agency and Expert Group on SDG Indicators (IAEG-SDGs), an intergovernmental and multi-stakeholder group led by the United Nations Statistical Commission (UNSC), undertook an extensive process to identify the goals that are both relevant and available to achieve the SDGs. At the 48th session of the United Nations Statistical Commission, 244 indicators were identified as the global SDGs indicator framework. However, it must be noted that the indicators are based on the consensus of the group and countries are encouraged to identify indicators that are relevant based on its context and circumstances.

The Department of Statistics Malaysia (DOSM) identified 232 indicators relevant in the context of Malaysia. A report by DOSM entitled "The Initial Assessment of The Sustainable Development Goals Indicators for Malaysia" highlighted that 48% of indicators are available (118 indicators), 23% partially available (55 indicators), 15% partially available, need further development (36 indicators), 9% not available (23 indicators) and 5% not relevant (12 indicators). Nonetheless, even within the indicators that are available, the quality of data is inconsistent with only 34 indicators (14%) ready to be published at the MySDGs website (mysdg.dosm.gov.my).

Furthermore, there are various other challenges to monitor the SDGs. Firstly, the outcome document of the 2030 Development Agenda states that "quality, accessible, timely and reliable

disaggregated data will be needed to help with the measurement of progress and to ensure that no one is left behind (paragraph 48)". Monitoring the SDGs requires disaggregated data geographically, by income, sex, age, race, ethnicity, migratory status, disability and any other relevant factor. It is still unclear how Malaysia will achieve this requirement as many indicators are currently published only at the aggregated (national) level. The availability is disaggregated data is made complicated by the practice of secrecy in Malaysia. The need for disaggregated data is also in line with international conventions that Malaysia are party to. For example, Paragraph 30 of the CEDAW Committee's Recommendations in 2006 "urges the State party to include in its next report, data disaggregated by sex and ethnicity in all areas covered by the Convention and current sex-disaggregated data and information on the de facto position of rural women in all sectors". Lack of effort in disaggregating data risks not only being out of line of SDGs reporting but also non-compliance with international conventions. As an outcome, the leave no one behind principle is difficult to achieve as there is no reliable data to identify vulnerable peoples and communities in the first place.

Secondly, DOSM has limited mandate to access data from various stakeholders. DOSM does not have the mandate to access individual records in the possession of other government agencies. While it has the mandate to collect information from government agencies it does not have full access to all records and statistics. To access private data, DOSM also does not have access to data as companies are not obliged to report to DOSM. Many developed countries require businesses to prove information to the Inland Revenue Board and the national statistics office.

Thirdly, line ministries and agencies still lack both the capacity and practice of collecting data. Data that is collected is often ad hoc and not inputted into databases while instrumental data for decision-making is still not being collected. Data at the local level, in particular, is often lacking. This undermines the need for evidence-based policymaking.

In terms of evaluation, it can be defined as a systematic and objective examination concerning the relevance, effectiveness, efficiency and impact of activities in the light of specified objectives. In this context, Malaysia has a poor track record of evaluating the progress of sectoral policies. While the Malaysia Development Plans undertakes mid-term reviews, various sectoral policies are not monitored. Many of the policies are designed to be aspirational in nature, without clear policy targets, making it difficult to monitor in the first place. There are no time bound and measurable indicators to assess progress towards the prescribed aspirations. Secondly, there is often not an institutionalised process to iteratively measure progress towards achieving the policies. For example, environmental policies such as the National Forestry Policy 1972, National Climate Change Policy 2009, and various other policies have not been evaluated.

In many developed countries, evaluations are undertaken as parallel processes undertaken by different stakeholders, mainly academia or the civil society organisations (CSOs). Globally, the SDGs has emerged as a useful tool for various stakeholders to undertake evaluations. The Global Sustainable Development Report (GSDR) was released at the 2019 SDGs Summit as a global assessment of the SDGs. It was led by a science panel and undertook a major consultation process across experts and scientists to build on consensus on the state of progress towards achieving the SDGs. Spotlight on Sustainable Development also utilise the SDGs to undertake global civil society report on the 2030 Agenda. Led by CSOs network across the world, it provides an evaluation based on civil society who act as independent watchdogs to achieving the SDGs.

Evaluation at the national level in Malaysia is made difficult by the tradition of secrecy. Access to information is prohibited by laws such as the Official Secrets Act (OSA) 1972. While the SDGs is a complex and comprehensive framework that requires assessments being undertaken by various stakeholders, obtaining data to undertake assessments towards progress is difficult without an open data system. Problem solving and solutions oriented research is a major challenge when identifying the problems is difficult without reliable information. The effectiveness of the SDGs and the development delivery as a whole requires evaluation of the policies and programmes. This includes assessing the processes of translating the policies to the local level.

PROGRESS ON MONITORING AND EVALUATION SINCE THE ADOPTION OF THE SDGS (2016-2019)

This section outlines the progress made in terms of monitoring and evaluation of the SDGs in Malaysia.

National SDG Progress Monitoring System (mysdgdosm.gov.my) (Department of Statistics): On 15 March 2019, the Department of Statistics (DOS) launched the national SDG Progress Monitoring System. However, it is unclear how disaggregated data will be measured as DOS relies on data and indicators provided by line ministries. A workshop on 26-27 June 2019 included a member from the CSO-SDG Alliance to discuss ways to monitor the SDGs, including disaggregated data.

SDGs Roadmap (Ministry of Economic Affairs): An SDGs roadmap was drafted by the Ministry of Economic Affairs (MEA, then the Economic Planning Unit) and will be launched at the National SDGs Summit. Within the SDGs Roadmap, it is expected that the roles and responsibilities, particularly of the government agencies will be clarified. It is unclear at this moment if the roadmap highlights clear strategies to monitor and evaluate the SDGs, in particular, a process to evaluate the effectiveness of the roadmap.

11th Malaysia Plan Mid-Term Review (Ministry of Economic Affairs): The Mid-Term Review included mapping the SDGs against the thrusts of the 11th Malaysia Plan and selected outcomes mapped according to SDGs targets and indicators.

National Steering Committee (NSC) on SDGs: After holding the first NSC in 2016, the second NSC meeting was held in October 2019. The NSC will play an important role towards monitoring and evaluating the SDGs as a whole.

Open Data initiative by Malaysian Administrative and Management Planning Unit (MAMPU): Since 2014, MAMPU has led a process towards open data. This includes being in the process of drafting a Data Sharing Act that will enable government data to be made open and accessible to the public and establishment of Public Sector Open Data Platform, which can be accessed through the data.gov.my portal.

TOGETHERforSDGs Hub (UNCT Malaysia): The UN Country Team is developing a hub as a repository for the activities undertaken by non-state actors. The hub can also act as a matching facility between private actors and funders with activities undertaken by CSOs and other actors. This will be launched at the SDGs Summit

All Party Parliamentary Group (APPG): The APPG is expected to be launched in the parliamentary session in October 2019. One of the key activities will be to monitor the SDGs

at the local level and hence may be useful to obtain disaggregated data and/or monitoring of the SDGs.

CSO Mapping (CSO-SDG Alliance): The CSO-SDG Alliance is undertaking a mapping of its members as an exercise to identify the relevant goals of its members and the capabilities within the CSO community and alliance to address the delivery and implementation of the SDGs. The mapping will allow for monitoring the activity of CSOs.

Rising to the Challenge (Sustainable Development Solutions Network Malaysia Chapter): The SDSN Malaysia chapter published two volumes of activities currently undertaken by academia as well as other stakeholders (i.e. businesses and agencies) that address SDGs. The publication allows for monitoring activities by multi-stakeholders, in particular, academia.

THE IMPACT OF (RELEVANT) SDGS TO THE CROSS-CUTTING ISSUES

Monitoring and evaluation cuts across all goals and targets of the SDGs. However, in terms of measuring progress, it is unclear how the monitoring of SDGs will address interlinked goals and targets. Various macro level indices, such as the inclusive wealth index are available to address sustainable development in its entirety. Additionally, at the local level various interlinked measures such as the multidimensional poverty index can be useful tool to take into consideration the cross-cutting nature of achieving the SDGs. However, beyond capturing the "baseline" of capabilities, at the moment, there is little evidence of either mapping or monitoring (data) of cross-cutting and multi-dimensional issues. While, there is current interest in measuring multi-dimensional poverty as well as high level indices such as the well-being index, how this links to the SDGs remains uncertain.

WAY FORWARD FOR ACCELERATION IN 12 MP

Towards open access and open data

1.   Establish an open data platform for the SDGs
The Ministry of Economic Affairs, MAMPU and DOSM should establish an open data platform for the SDGs. The open data platform should make indicators available at the data level and include data from various sources include private data.

2.   Repeal or amend the Official Secrets Act 1972
OSA should be repealed or amended to provide access to information to Malaysian citizens. This will ensure transparency of information

3.   Strengthen Big Data Analytics Initiative to measure the SDGs
The 11th Malaysia Plan (Chapter 9: Transforming public service for productivity), recognised Big Data Analytics (BDA) as one of the strategies to enhance service delivery with citizens at the centre (Focus area A). The use of Big Data could be essential to capture disaggregated and real-time data that would otherwise be too expensive to be measured via traditional means of data collection.

Strengthen the SDGs Monitoring Progress system as a comprehensive database

4.   Strengthen efforts to have a comprehensive, reliable and relevant SDGs database
Efforts should be increased to have all indicators available on the SDGs database. Furthermore, crucial indicators that are relevant in the context of Malaysia should be available on the MySDGs portal.

5.   Fund research on multidimensional indices (Beyond GDP)
Research should be supported to address the SDGs in an integrated manner. This includes multidimensional indices such as multidimensional poverty index as well as indices and measurement of national accounts that go "beyond GDP" such as the Inclusive Wealth Index, the happiness index and the System for Economic-Environment Accounting (SEEA).

Collect data in a disaggregated manner

6.   Plan of action for disaggregated data
Data collection has to be restructured to include data disaggregated by income, sex, age, race, ethnicity, migratory status, disability, geographic location and/or other criteria that is relevant to Malaysia.

7.   Include disaggregated data categories as identified by the SDGs in the next census
Disaggregated data that is line with the SDGs should be identified and categorised in the identification of the next national census to be undertaken by DOSM in 2020. In preparation, consultations to design the census should incorporate CSOs and academia.

8.   Support parliamentary and local monitoring
Support the establishment of local monitoring of the SDGs at the city and parliamentary level. The parliamentary level could be monitored via the APPG while the Sustainable Cities Index should be aligned to the SDGs. The monitoring should go beyond SDGs indicators and monitor the effectiveness of development delivery.

Undertake periodic impact assessments

9.   Establish a process for SDGs impact assessments
Beyond indicators, SDGs impact assessments should be undertaken to contextualise the indicators and targets. This could mirror the International Global Sustainable Development

Report (IGSDR) which focuses on the interlinkages across the goals and targets.

10.   Institutionalise a Science-Policy Interface on SDGs
In undertaking periodic impact assessments, such an assessment should be undertaken by private bodies. This could be done via a science-policy interface arrangement led by a multidisciplinary science and expert panel. It can mirror international science policy interface structures such as the Intergovernmental Panel on Climate Change (IPCCC) and the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES).

Undertake evaluation of effectiveness of SDGs delivery

11.   Institutionalise evaluation process in the SDGs Roadmap
The SDGs roadmap should be finalised and include the roles and responsibilities of government agencies in achieving the goals and targets and a process to evaluate its effectiveness and impacts

12.   Establish an official process for mapping of expertise and capabilities as an SDGs registry

Undertake an official process to map out the expertise and capabilities of non-state actors including CSOs, academia, private actors as well as individuals. The mapping could take advantage of existing mapping exercises and networks that are listed within this document and used to monitor activities of actors beyond government.

9   Challenges in SDG implementation

By Gurmit Singh (CETDEM)

It is obvious that many Malaysian agencies have not understood the basic concept of sustainable resource management especially within the rubric of sustainable development. This is clear when they seem determined to keep sustaining the rapid usage of resources in the pursuit of economic growth. The problem is that we are locked into outdated concepts of economic growth (exemplified by measurements like GDP) and barrelling towards developed country status (measured by growth in per capita income)!

MEA has been in the forefront of national planning as well as pushing for SDG implementation but at the operational agency level, there seem to be little impact at the line ministry, state and local government levels. But the other major problem is the inconsistent enforcement of most the relevant laws & regulations.

The private sector is more prone to profits above all. Few Malaysians are aware of the SDGs and resource conservation, with CSOs and NGOs still not having fully gotten on board. Underlying all these is the weak political will to address sustainable development and environmental stresses.

In terms of food security, not only have investment in agriculture declined but it appears to be directed more towards plantations and paddy cultivation. Self-sufficiency in many foods is still elusive. Even the farm to fork supply chain is not sustainable and pock-marked with losses, wastages, profiteering, and inefficiencies water usage in irrigation is too high and many farms (especially for food) are not efficiently managed. Farming does not attract youth and even organic farms (small as they are) had to seek foreign labour. Organic farming is still not mainstreamed despite decades of calls from NGOs like CETDEM. Heavy subsidies to rice cultivation (given for political support) have only resulted in Malaysian rice being one of the most expensive in SE Asia. There is not enough data to demonstrate that all Malaysians are nutritionally adequately fed. Trying to rear more ruminants like cattle and sheep is only going to increase national GHG emissions.

The clean water/ sanitation targets are going to be difficult to achieve as water pollution of rivers (which supply most of the water treatment plants) persist despite the enforcement of water regulations by DOE. It remains a mystery why clean water from dams is rarely piped directly to treatment plants. Domestic water usage in urban areas is way above global recommendations, partly because of low tariffs and the peoples' weak commitment to conservation of resources. Local authorities continue to fail in curbing discharges into drains from restaurants, motor workshops and the like. Very little protection of water catchments and

ecosystems has been done, partly because of many states paying scant attention to this at the ground-level. Sanitation in urban areas has improved but the trend has been to set up large central treatment plants with kms of sewer lines. Decentralised and small systems serving housing areas and maybe supplying cooking gas from their biogas plants (which can also receive household organic wastes) have not been attempted. Rural areas are not that well served.

In the context of clean energy, energy services seem to be rather misunderstood as just supplying electricity only. Energy services include motive power for vehicles, pumping and even cooling. It should also include passive action like retrofitting buildings through insulation and even greenery to keep them cool. Energy efficiency should apply not only to electricity usage but also to other energy sources used in combustion and heating. The danger in the renewable energy push is it seems to be confined to electricity and single sources. The better option would be to look at all energy services and a mix of renewable sources to ensure reliability and availability 24/7. It also looks difficult for the announced RE targets to be met by the deadlines stated by the new government. The push for waste to energy plants may not be that climate friendly.

As far as sustainable consumption and production is concerned, the National Blueprint does not seem to have moved much, amidst some claims that it has not been finalised. Even existing legislations like the Solid Waste & Public Cleansing Act have not been very progressive in its implementation, especially in introducing deposit schemes or getting cradle to cradle operations implemented. As for natural resources matters, they are far from being sustainably managed and the country has still to get a good handle on managing all forms of wastes, including that of food. Sustainable mobility is lost between many ministries. The absence of a comprehensive Chemicals Act does not help ensure any environmentally sound management of chemicals across the board despite the country being a party to a range of multilateral agreements. The Green Government Procurement programme is still very limited and has had little impact on the use of environmentally friendly products or even eco-labelling. All forms of subsidies for fishermen, taxi drivers & even RON95 & diesel persist.

Sustainable lifestyles have yet to become a norm, despite efforts by some NGOs. TV and mass media efforts in this direction are rather disjointed and patchy. There is yet be an accepted description of this lifestyle.

On climate action, despite the formation of MESTECC, much more needs to be done. The strategies of the 11th Malaysia Plan have not been fully implemented. There is still no National Adaptation Action Plan and baseline date at the sectoral/ state / local levels is patchy. There is no coordinated effort to raise awareness among decision makers and the public. Media coverage is limited and global stories are intermittently reported. A central depository for local data has still not become operational. Even the MCCG has still been unable to make an impact. Where is the monitoring of CO2 by any national body? Where is climate resilience being built?

The issue of life under water remains one of the lesser addressed topics in the country. The Straits of Malacca remains polluted with about half of the pollutants coming from land-based sources. This is also the major threat to most of the few marine parks that the county has. Park authorities have no control over land-based pollutants as these are under the jurisdiction of DOE and state governments. The ecosystem-based approach to fishery management does not seem to have taken root as fishing practices have not changed. The problem with foreign ships harvesting fish in our seas is festering despite action by MMA. The problem of plastics

polluting our seas is only now being recognized but tangible action to curb it is still lacking. Land reclamation along coastal areas is being pushed, now in Penang, against the protests of fisher folk and environmentalists.

Life on land does not show that rosy a picture despite Malaysia claiming to be a mega biodiversity nation and having recently updated its National Biodiversity Policy. There are many gaps in the identification of many of its terrestrial species – the country is still without a Natural History museum. Since States have a pretty bad record of conserving their natural resources, whether forests or rivers, it is obvious that sustainable management is an elusive notion. This is compounded by the fact that these resources are subjected to the intense political patronage system that works in most states. Even the Federal government is not immune to this system. Forest certification has helped a bit but illegal logging is still too frequent. Riverine pollution is prevalent as mentioned earlier so much so that water treatment plants have to shut down often when pollutant loads become heavy. Ecosystem service payments have yet to take off to any significant levels.

Siltation of waterways is a major problem arising from land mismanagement, of which deforestation is only one component. Reduced carrying capacity of these waterways is one of the primary causes of flash floods.

The biggest concern under SDG 16 in the context of resource conservation in Malaysia is the secrecy and paucity of data. This has been the bugbear for decades as the OSA has been quite liberally applied around all forms of resources and their utilization – whether it be riverine pollution or nuclear radiation. Even up the current time when the web is so pervasive, considerable information is withheld and of course the private corporations justify this action as protecting trade secrets (even on emission levels). The Freedom of Information Act has still to be enacted at the national level but even the 2 existing state ones have proven to be not very effective.

Possible actions by relevant stakeholders

In order to ensure that Malaysia's important resources are sustainably managed and conserved, the following actions are recommended for the relevant actors:

1. The Malaysian government, in drafting the 12th Malaysia Plan, stresses its commitment to implementing SDGs especially those that have been identified in this Report as relevant to resource management.

2. Political commitment to implementing SDGs must be made more clear. Hopefully the recent discussions between Parliament and CSOs (chaired by the Dewan Rakyat Speaker) & the PM's speech at this Summit will lead in this direction.

3. The management of oil and gas are meshed with that of electricity as well as the minimization of private motor vehicles and maximization of efficient public transport. The PMO, MESTECC, Transport & Works Ministries are the relevant actors, with support from MEA.

4. Sustainable water resource management requires coordinated efforts right from the National Water Council down to the local authorities. But equally important are the

responsibilities assumed by ordinary Malaysian to value it and conserve as much as possible.

5. Starting from the reactivation of the Land Conservation Act to the rigorous implementation of effective working silt- traps at all earthworks could see the conservation of valuable Malaysian soil and land. This would cover activities ranging from agriculture to hillslope roads and buildings. The relevant actors are extensive from both the public and private sectors.

6. Food security and access for the most marginalised sectors needs action from Federal agencies, state governments, local authorities and players in the entire distribution chain, right down to the retailers. Even ordinary citizens have a role to reduce final food wastages. The mass media has a responsibility to disseminate correct information and raise awareness in all sectors.

7. Natural resources on land are not only the responsibility of State Governments but require responsible action from private entities and ordinary Malaysians if they are to be sustainably managed. Rivers must be kept clean, forests and their biodiversity intact, and hill slopes protected. Littering must end.

8. Marine resources and parks face threats from land-based pollution which can only be controlled by State Governments and the Federal Government through its legislative power over water pollution. Fishery preservation and recovery requires action from a broader spectrum of actors including fishermen and vessel (especially trawler) owners.

9. Climate change action cannot be left to MESTECC alone – every government entity at every level, corporations, GLCs, and citizens have an obligation to reduce their carbon footprint using their own resources. There should be no reliance on external inputs to take meaningful action. All should also start adapting to CC and build resilience. The Climate Change Centre must not be delayed any further. When is Malaysia going to be carbon-neutral?

10. The OSA must be abolished and all environmental data must be in the public domain. Immediate action is required from all relevant parties to ensure that Parliament acts decisively on this and adopts instead a Freedom of Information Act. (The recent statement of the PM on this matter is promising). All agencies must start sharing data rather than hoarding it. Sustainability cannot be built on secrecy and fragmented information. The private sector must move away from withholding information on the excuse of commercial secrets and there should be an end to contracts that prevent public sharing of vital environmental data.

11. Sustainable consumption and production can only be achieved if all actors, not just the Federal government. Make it a normal habit to purchase ecological friendly products and operations. Sustainable mobility will have to be implemented throughout the country. Sustainable lifestyles have to become pervasive and all resources will have to be sustainably used.

12. Banks and financial institutions should be proactive in funding SDG related projects being undertaken by the private sector and even NGOs. This is even more important than providing housing loans for the B40.

13. Citizen groups and NGOs should monitor more extensively the implementation of SDGs throughout the country while help increase public awareness of the issues and challenges.

14. Constitutional provisions which impede adequate finances (from those collected by the Federal government) from being channelled to States should be revised so that States are not forced to operate only on the income from their natural resources. It may also need to incorporate the right to a clean and sustainable environment for all Malaysians.

15. Sustainability Reports, especially from the corporate sector, should include crucial data, verified by third parties, that demonstrate publicly how their ecological footprints are improving, consistent with relevant SDGs.

10 PARTNERSHIPS & STAKEHOLDER ENGAGEMENT

By Prof Datuk Dr Denison Jayasooria (YKPM & KITA-UKM).

Partnerships and stakeholder engagement are an essential dimension of SDGs. The modality for SDGs is, while it is Government or State who takes the primary responsibility SDGs however for effective implementation the partnership role of all stakeholders is most critical and essential for success.

There is a very strong thrust on this theme in SDG Goal 17:16 & 17:17 where the three agents namely the public, private and civil society. This is foundational for a new way of delivery and undertaking the SDG task.

In SDGs there is the need to reach out to the most vulnerable groups in society especially in fulfilling the agenda of "leaving no one behind". CSO-NGOs and community-based groups are able to assist in contrast to a big public sector agency. The mobilisations of CSOs to reach out to the most vulnerable groups is most critical in this 2030 agenda.

Situation between September 2015 and November 2019

The Malaysian CSO SDG Alliance has had some major opportunities of interaction and partnership with both civil society and state actors. We were the first to host on Octerber 27, 2015 a CSO roundtable discussion on SDGs in Kuala Lumpur after it was formally accent in New York in September 2015. A senior official from the Economic Planning Unit (EPU) from Prime Minister's Office participated in the forum.

The Alliance and its members were invited to National SDG consultations in 2016 and for many discussions in the preparation of the National Voluntary Report which was tabled at the United Nations in July 2017.

We had formal representation and participation in the Federal Government process when five members of the Alliance representing different organisations were invited to be members of the National SDG Steering Committee. Between November 2016 and November 2019, this committee has only met twice. By virtue of being members of the Steering committee the

Alliance members were invited to provide input to the National SDG Roadmap in 2017 and we were also represented in working groups

In preparation to the National SDG Summit in 2019, the Alliance was once again invited for various meetings by the Ministry of Economic Affairs.

Throughout the period from October 2015 to November 2019, the Alliance has had a very good working relationship with the UN Country team in Malaysia.

Challenges in Partnership

The Malaysian experience was very good as a briefing and consultation for receiving input from CSOs. But it is not a partnership model. CSOs expected more in the SDG framework for greater access to information, regular discussions in formulating policies, planning for delivery, partnering in implementation, resource allocation, monitoring, impact assessment, and evaluation. Most thoughts that via the SDGs there would be a partnership and trust in working as joint partners. However, government and state actors consulted when necessary and failed to institute a regular, systematic space for joint partnership and collaboration.

This is not just the experience with the lead SDG agency at the Federal level but also at the line ministries, state level agencies and local government. There are exceptions in this process where agencies work in close partnership. For many women, children and disability groups they have very good working relationship with the Ministry of Women & Family Development. Another agency, the Department for National Unity and Integration has very good working relationships with neighbourhood and residential groups in an organised and regular way on neighbourhood safety and harmony areas. Ministries like Ministry of Finance through the pre-budget dialogue and the Ministry of Economic Affairs though the focus groups for the preparation of the 12ᵗʰ Malaysia plan have instituted regular dialogues.

Issues of trust are major concerns and formal modalities for engagement is lacking and therefore not institutionalised. The practice now is on a need basis, ad hoc and personality driven. It is at the level of receiving feedback and inputs and not as partners seeking innovative solutions. The experience of CSOs is like being treated as an outsider. There will be some consultation, followed by long periods of silence.

There is also a lack of formal guiding principles and enabling legal and policy guides for this engagement. It must become mandatory that the way of carrying out civil service duties is in partnership and collaboration with all stakeholders. The current act, namely the Societies Act, was formulated during the British period to monitor illegal activities rather than promoting voluntarism and citizen activism in a democratic society.

The current mechanism seems to be regulatory rather than to facilitate and tap on the potential of CSO-NGO. The current agencies like the Registrar of Societies with the Ministry of Home Affairs is seem as negatively monitoring rather than facilitating and enhancing the potential.

Another major obstacle is the difficulty to access information as there is much secrecy in the way government is operating and this lack of transparency is a major hurdle to stakeholder engagement in Malaysian society.

Recommendations

There is a need for a national accreditation of CSOs for engagement with central agencies like Prime Minister's Office, Ministry of Finance, Ministry of Economic Affairs and with line ministries. A simple modality is to follow the UN procedure for CSO accreditation through the ESCOC and this is a transparent and inclusive process.

There is a need for a national policy and framework for meaningful engagement. This will ensure that it is not ad hoc but as part of the formal process in both policy formulation and in effective delivery/implementation there is engagement with CSOs. There is a need for a clear Terms of Engagement which is adopted by all agencies at the Federal, State and district levels including local authorities.

The Federal Government could set up an independent CSO/NGO Facilitation Centre to support the active participation, leadership development in a cross section of areas including democracy, human rights, social work, community organising, conflict resolution, neighbourhood leadership development, global citizenship, advocacy, etc. It could appoint from CSO-NGOs a management council and team

There is a need for capability building for CSOs at all levels for engagement. At the micro level especially in reaching out to vulnerable groups CSOs can ensure that no one is left behind.

There is a need for the Ministry of Finance to set up special CSO Fund for CSOs to apply from to undertake a wide range of activities including human rights. Currently, there are different funding at different agencies and therefore this could be centralised with clear guideline and transparency so that it is not abused for political purposes.

The Malaysian CSO-SDG Alliance

A group of CSO-NGOs met on Oct 27, 2015 to discuss the Sustainable Development Goals and implications for Malaysia. It was then decided that Alliance will be established by CSOs that are interested in the promotion and localisation of SDGs in Malaysian society.

Alliance as a grouping of organisations

Over time about 50 organisations make up the Alliance with a majority being in the Klang valley. Of these, 8 are umbrella national or state level bodies with their branches and affiliated organisations and the remaining 42 are individual organisations. We have been moving out to other states such as Sarawak, Sabah, Perak and Penang.

We undertook a mapping exercise and recognised that our organisations fell in one of four categories namely service and development CSOs; the environmental organisations; human rights organisations and finally think tank and research institutions. A whole range of target groups are being addressed namely children, youth, women, indigenous people, disable people, rural and urban poor. Seven different kind of roles are being played by these organisations. The first is awareness raising work by CSOs. The second, service provision and projects. The third is community development. The fourth is capacity building & training. The fifth is financial/income generating /loans/grants. The sixth is data collection, research & Monitoring. The seventh is policy advocacy.

Participation with EPU/MEA

The Alliance has played an active role with the Economic Planning Unit and now since 2018 with the Ministry of Economic Affairs. In 2016 & 2017, the Alliance participated in two national consultation in the formulation of the Voluntary National Review (VNR) and the National SDG Roadmap. Five Alliance member organisations were appointed to the National SDG Steering committee. We had the opportunities to provide input to the VNR and the Roadmap as well as in 2018 & 2019 to review the SDG Roadmap.

Participation at Regional & Global programs

We participated at the Asia Pacific Forum on SDGs and the CSO gathering at UN ESCAP in Bangkok between 2016 and 2019, partnering with the Asia Pacific Regional CSO Engagement Mechanism (AP-RCEM).

Five representatives of the Alliance participated in the High Level Political Forum on SDGs at the UN HQ in New York. Malaysia presented the VNR on July 17, 2017 and the Alliance, hosted a side event on the Review of the Malaysian SDG VNR on July 18, 2017 at the UN Plaza in New York. On July 2019, the Alliance hosted a side event at the HLPF and the MEA Deputy Minister also participated.

Localising SDGs

There were efforts to enlarge the representation in 2017 and 2018 with an emphasis of localising SDGs with efforts in Sarawak, Sabah, Perak and Johore. In Kuching, the Kuching partners hosted a State level SDG Seminar held on July 28, 2018.

Ongoing policy Advocacy

At the national level the Alliance is a member of the CSO Policy Reform Platform to relate to the Federal Government and provide input and review to delivery services and programs. Our input is SDGs related, calling on policy makers and those in delivery to use an SDG framework of workings with CSOs in the planning, delivery, monitoring, evaluation & impact assessment.

APPG on SDGs

A major breakthrough for the Malaysian CSO-SDG Alliance came when a proposal we had made was tabled in Parliament house and the house on October 17, 2019 agreed to establish an All Party Parliamentary Group Malaysia on SDGs with the Alliance serving as the secretariat. 12 MPs agreed to be members and YB Maria Chin was elected its chairperson. In 2020, we will be undertaking a pilot localisation program in 10 parliamentary constituencies in 6 states (Selangor, Sabah, Sarawak, Kedah, Perak and Terengganu). The Ministry of Finance in the 2020 Budget has allocated RM2 million for this pilot phase.

Contact Person:
Prof Datuk Dr Denison Jayasooria Co Chair Malaysia CSO SDG
denisonsdgalliance@gmail.com & +6019 381 0914

CSO-SDG ALLIANCE MEMEBRS

	ORGANISATION	REP 1	REP 2
	Umbrella Organisations		
1	Malaysian Youth Council (MBM)	Mr Thai Ming Yeow thaimy17@gmail.com	Mr Jufitri Joha jufitri1979@yahoo.com
2	Malaysian Environmental NGOs (MENGO)	Ms Yasmine Rasyid yasmin.rasyid@gmail.com	
3	National Council of Women Organisations (NCWO)	Ms Omna Sreeni-Ong orsreeni@yahoo.com	Prof Dato Dr Rashila Ramli rashramli@yahoo.com
4	Jaringan Orang Asal Se Malaysia (JOAS)	Mr Thomas Jalong joasmalaysia@gmail.com	
5	CSO SDG Alliance in Sarawak	Alexandra Nastassia alexandranastassia@gmail.com	
6	Penang Forum	Mr Simon Tan 012 4816699	
7	UN Global Compact Malaysia	Mr. Faroze Nadar farozenadar@ungcmalaysia.org +603 22014194	
8	FOMCA Federation of Malaysian Consumer Associations	Datuk Indrani Thuraisingham +6012 205 2277	
	Individual Organisations		
1	ABIM	Muhammad Faisal +60 19-613 3221	
2	Association of Women with Disabilities Malaysia	YB Bathmavathi Krishnan Bathma23@gmail.com 019 330 5146	
3	Bar Council Environment & Climate Change Committee	Kiu Jia Yaw kiujiayaw@gmail.com	
4	CRIB Foundation	Ms Ajeet Sidhu ajeetks@gmail.com	
5	C4 Centre	Ms Cynthia Gabriel cynthiagabriel2@gmail.com	Mr Henry Koh henrykoh89@gmail.com
6	Centre for Research, Advisory & Technology (CREATE)	Ms Ng Yeen Seen yeenseen@thecreate.net	
7	CETDEM	Mr Gurmit Singh gs@cetdem.org.my	
8	Challenges Foundation	Mary Chen marywchen@gmail.com 018-3880199	
9	Childline Foundation	Datin Wong Poai Hong wongph55@gmail.com 0 16-333 4228	
10	COMMACT Malaysia	Datuk Yusof Kassim myusof54@gmail.com	Mr Mohd Shukri Hajinoor shukri@ukm.my

11	CPDE Civil Society Partnership for Development Effectiveness	Mr Andrew Ambrose @ Atama atamakatama@gmail.com	Mr Peter John Jaban
12	Dhraa Malaysia	Ms Maalini Ramalo maalini.ramalo@dhrramalaysia.org.my	
13	Galen Centre for Health & Social Policy	Mr Azrul Mohd Khalib azrul@galencentre.org	
14	PACOS, Sabah	Ms Anne Lasimbang 019 8806018	
15	Persatuan Kesedaran Komuniti Selangor EMPOWER	Fatimah Athirah Azhar Human Rights and State Accountability Officer hrsa@empowermalaysia.org	Amanda Ng Seang Wei Women's Political Participation Officer wpp@empowermalaysia.org
16	Pertubuhan Pelindung Khazanah Alam Malaysia (PEKA)	Mr Mike Tan 012 561 0305	
17	My PJ	Mr Jeffrey Phang jfkphang@gmail.com	Mr Sha Kok Tien
18	Forest Stewardship Council	Adrian Choo Cheng Yong Adrian.choo@wwf.org.my	Leslie Jong l.jong@fsc.my.org
19	Foreign Spouses Support Group	Bina Ramanand foreignspouses@gmail.com	Melinda Anne Sharlini Melinda.fssg@gmail.com
20	Institute Darul Ridzuan Perak (IDR)	Dr Mazalan Kamis mazalan.kamis@idrperak.com	Dr Asae Sayaka sayaka@idrperak.com
21	International Youth Centre, KL	Ms Sharifah Noriah Binti Syed Ahmad Kabeer Sh.norizah@gmail.com	
22	Islamic Renaissance Front	Ahmad Muziru Idham amuziruidham@yahoo.com 012323 4263	Mr Muhammad Thufail Sayuti thufailhuffaz@gmail.com 019 515 2739
23	JKOASM	Mr Rizuan T rizuantchang@yahoo.com 017 374 3854	
24	JCIM Junior Chamber International Malaysia	Ms Nurul Huda nurulhuda.jcim@gmail.com +6012-311 2559	Ms Joyline Chai joylinechai@yahoo.com +6012-4837398
25	Justice for Sisters	Ms Thilaga +6012-397 4017	
26	KOMAS	Ms Faribel Fernandez faribel@komas.org	Mr Ryn Chua ryanc@komas.org
27	Koperasi Alam Hijau Perak Bhd	Dr Richard Ng +6012-525 6252	
28	Malaysian CARE	Ooi Kiah-Hui kiahhui@malaysiancare.org +6016 2099137	Ms Rebecca Ang Li Yuan rebecca.ang@malaysiancare.org
29	Malaysian Association of Social Workers (MASW)	Mr Teoh Ai Hua aihuateoh@gmail.com	
30	Malaysian Humanitarian Movement (MHM)	Ms Siti Shazleen Shazali ayc.bonzai@gmail.com	
31	Malaysian Youth Delegation (MYD)	Ms Eira Khanum eirakhanum@gmail.com	

32	NCSM National Cancer Society, Malaysia	Dr Saunthari Somasundaram saun@cancer.org.my	Michael Warren +6010-633 3336 Ms Mandy Thoo mandythoo@cancer.org.my
33	PHILANDURE	Mr Khalid Al-Walid Mustafa Kamil. khalid@philandure.co +6012-6437296	Ms Nurul Atiqah Anuar nurul@philandure.co +6019-2190885
34	PROHAM- Society for the Promotion of Human Rights	Dr Lin Mui Kiang linmuikiang@gmail.com	Dr Khoo Ying Hooi yinghooi@gmail.com
35	Reef Check Malaysia	Julian Hyde - julian@reefcheck.org.my	Theresa Ng - theresa@reefcheck.org.my
36	Sarawak Orchid Society	Hjh Norliza bt Sa'di kakigunung2@hotmail.com +6016-242 0746	Hjh Siti Khatijah Hj Othman +6019-8569445
37	Impact Hub KL	Dr Shariha Khalid shariha.khalid@impacthub.net	Ms Michelle Lee michelle.lee@impacthub.net
38	KSI- Kingsley Strategic Institute	Tan Sri Michael Yeoh dmyeoh@gmail.com michael@kasi.asia	Ms Caroline Cheong caroline@kasi.asia Mr Voon Zhen Yi voon@kasi.asia +6012-2654772
39	WAO- Women Aid Organisation	Ms Shanti Dairiam shanthidairiam@yahoo.com +6019-2290555	Ms Mok Chuang Lian lianmokcl@gmail.com
40	WWF Malaysia	Ms Lavanya Rama Iyer llrama@wwf.org.my	Ms Zara Phang zphang@wwf.org.my
41	YKPM - Yayasan Kajian & Pembangunan Masyarakat	Datuk Dr Denison Jayasooria denisonsdgalliance@gmail.com +6019-3810914	Mr Kon Onn Sein ykpmkon@gmail.com
42	Youth Society Hunger Hunter	Mr Faiz Hadzim faizhadzim@gmail.com +6018-2387537	Mr Rahmat Amran

KUMPULAN RENTAS PARTI PARLIMEN MALAYSIA

All-Party Parliamentary Group Malaysia (APPGM-SDG)

Secretariat: Malaysian CSO SDG Alliance:
A-07-09, Plaza Mont' Kiara, 2 Jalan Kiara, Mont' Kiara, 50480 Kuala Lumpur, Malaysia
Email: denisonappgmsdg@gmail.com Mobile: +6019 381 0914

Background

The Malaysian CSO-SDG Alliance made a proposal on June 20, 2019 to the Speaker of Parliament for the formation of an APPGM on SDG which was discussed and approved by the Jawatan Kuasa Dewan (July 4, 2019). This was tabled in the Dewan Rakyat on October 17, 2019 and approved by the house.

The Malaysian CSO-SDG Alliance was informed by the Parliament Secretary, Datuk Roosme Hamzah by letter on October 18, 2019 of this decision with a copy of the Handsard, which indicated the approval of the house for the formation of the APPGM on SDG and the Malaysian CSO-SDG Alliance as secretariat with Prof Datuk Dr Denison Jayasooria as the head of the secretariat.

APPGM Concept

The idea of the APPG is taken from the Parliament of the United Kingdom where Parliament approves the setting up of specific groups of interest which has national concern. It is noted that an APPG is not the same as a Parliamentary Select Committee. APPG is registered with the Secretary of Parliament with a minimum of five members from the Dewan Rakyat and Dewan Negara.

The unique feature of the APPGM is that it can incorporate members of the public especially academics, NGOs, subject experts. Its secretariat could be a CSO/NGO and in this case the Dewan Rakyat has approved the Malaysian CSO-SDG Alliance.

APPGM Activities

The APPGM-SDG will undertake an active role in localising SDGs at the parliamentary constituency level by undertaking a mapping of local issues, solutions and networks working there. In addition, there is a policy research component of drawing out local ground issues for policy discussion among Parliamentarians including the preparation of policy papers for both houses of parliament to consider. There will be undertaken with the support of various stakeholders.

There will be awareness programs at SDGs at the parliamentary level for all stakeholders to be familiar with the SDGs and also the Shared Prosperity Agenda 2030 including the various development plans.

APPGM Funding

The 2020 Budget has set aside RM2 million for the pilot phase of implementation. A paper was presented by the Malaysian CSO-SDG Alliance to the Budget section of the MoF. We have got word from MoF that they are formalising the details of the allocation and they will brief us soon on this matter. The Alliance is also seeking funding for its role as the secretariat and well as its coordination, mapping, policy research and advocacy role.

APPGM SDG Committee

At the first meeting of the APPGM SDG held on Oct 22, 2019 the following MPs were elected to committee. A total of nine MP from the Dewan Rakyat have joined the APPGM on SDG with three Senators as listed below:-

Chair: YB Maria Chin Abdullah (PKR, P105 Petaling Jaya)

Deputy Chair: YB Dato Sri Nancy Hj Shukri (PBB, Sarawak, P200 Batang Sadong)

Secretary: YB William Leong Jee Keen (PKR, P097 Selayang) Secretary

Treasurer: YB Kelvin Yii Lee Wuen (DAP, P195 Bandar Kuching)

Committee Member: YB Tuan Haji Ahmad Bin Hassan (Warisan, P175 Papar)

Other APPGM Members (DR)

YB Tuan Haji Awang bin Hashim (PAS, P011 Pendang)

YB Arthur Joseph Kurup (Parti Bersatu Rakyat Sabah, P182 Pensiangan)

YB Hj Ahmad Amzad Bin Mohamed Hashim (PAS, P036 Kuala Terengganu)

YB Datin Mastura Binti Mohd Yazid (UMNO, P067 Kuala Kangsar)

Other APPGM Members (DN)

10   YB Senator Adrian Banie Lasimbang (DAP Sabah)

11   YB Senator Datuk Paul Igai (Progressive Democratic Party, Sarawak)

12   YB Senator Dato' Ng Chiang Chin (Gerakan Kelantan)

Members of the Secretariat (Malaysian CSO-SDG Alliance)

1   Prof Datuk Dr Denison Jayasooria (YKPM & KITA-UKM)

2   Tan Sri Michael Yeoh (KSI)

3   Mr Alizan bin Mahadi (ISIS Malaysia)

4   Dr Lin Mui Kiang (PROHAM)

5   Ms Lavanya Rama Iyer (WWF)

6   Prof Dato Dr Rashila Haji Ramli (NCWO & IKMAS-UKM)

7   Ms Omna Sreeni-Ong (NCWO & ENGENDER)

8   Mr Muhammad Faisal Bin Abdul Aziz (ABIM)

9   Mr Kon Onn Sein (YKPM)