

The Important Role of International and Local Law for ASEAN Achieving Sustainable Development Goals—Taking the Achievement of Carbon Reduction Goals by Private Shipping Companies in Malaysia and Singapore as an Example

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Abstract: Private maritime companies in Malaysia and Singapore play a significant role in achieving the Sustainable Development Goals in the ASEAN region, but they need to achieve the simultaneous growth of economic and social benefits under the strong civil, commercial, maritime and environmental legal regulations. The international legal system plays an irreplaceable and important role in this regard.

Keywords: Private enterprise; Sustainable development; Maritime industry; Law; Malaysia; Singapore

The Sustainable Development Goals are considered to be the most comprehensive, ambitious and action-oriented global progress agenda ever agreed upon by mankind. Many of them are related to the shipping industry. While shouldering the burden of global trade, the shipping industry's carbon dioxide emissions account for about 3% of the global total. With the development of the shipping industry, this proportion will continue to increase if the green transformation is not achieved ^[1]. The shipping industry of various countries must pay more attention to the legal system to better assume corresponding responsibilities and escort the realization of the Sustainable Development Goals.

1. Basic Information

Shipping companies cover many aspects, including shipbuilding, port construction, shipping trade, and surrounding service industries. If you want to control the environmental pollution and environmental damage caused by production to the minimum range and minimize the pollutant emissions produced by the company, it means sacrificing some interests ^[2]. Private shipping companies must also assume the responsibility of environmental protection. While pursuing economic interests, they must reduce carbon emissions through their own management, thereby taking into account environmental performance. In Malaysia and Singapore, private shipping companies have made contributions to protecting the marine environment and achieving sustainable development mainly in three main aspects: technology updates, internal management, and new energy development.

Firstly, technological innovation promotes sustainable development. In the ASEAN region, especially in Malaysia and Singapore, enterprises have become increasingly connected with scientific research institutions and colleges and universities, and have gradually become the decision-makers, investors, developers and beneficiaries of technological innovation. This innovation will inevitably put forward higher requirements for talent training and management, and will gradually change the traditional employment form and bring some new internship and employment opportunities. Secondly, new energy development to achieve carbon reduction targets. Sustainable development goals in shipping companies will face various problems and challenges. In order to achieve sustainable development goals, various companies in the shipping industry need to achieve energy conservation, emission reduction and green development as much as possible in the production and trade process. It is also very important to use clean energy to replace traditional energy. The development and application of clean energy cannot be separated from the support of private enterprises. Thirdly, marine

clean energy refers to the use of marine resources to generate energy while reducing the impact on the environment. This includes the use of waves, tides, ocean temperature differences, ocean wind and other energy sources to generate electricity, as well as the use of marine biomass energy and ocean thermal energy. The development of clean energy helps reduce dependence on traditional fossil energy, reduce carbon emissions, protect the environment, and promote sustainable development.

Legal Path and Development Direction for Promoting Sustainable Development of Private Shipping Enterprises. As private enterprises develop production at a high speed, a series of ecological and environmental pollution problems are also constantly highlighted^[3]. For shipping companies, strengthening and improving environmental protection -related legislation is not only a regulation and constraint, but also support and protection, so that they can assume corresponding social responsibilities while developing at a high speed.

2. Legal Basis

The reason why the laws of Singapore and Malaysia can help private enterprises contribute to the realization of sustainable development goals is the particularity of public power. Rousseau's social contract theory explains the composition principle of modern democratic countries. People transfer part of their power through contracts, hand over this part of space to public power agencies, and entrust public power agencies to protect their own interests. The realization of sustainable development goals is related to every ordinary person. The protection of the ocean is to protect the environmental rights of every citizen. Specifically in Singapore and Malaysia, the focus of the regulations on private enterprises' shipping activities in both places is to expand the power of environmental law enforcement departments, such as increasing fines, implementing stricter standards for the discharge of pollutants, and having the power to close down seriously polluting enterprises. People choose to give their power to the government to let them protect their various legitimate rights and interests. The environment and sustainable development are related to everyone, and the introduction of various laws by public power agencies is inevitable. This is the legal basis for the laws of Singapore and Malaysia.

As the most active part of the market economy, private enterprises have huge economic development potential, can drive the rapid development of the national shipping industry, and can also provide a variety of help for the realization of sustainable development goals. However, in practice, the issue that the government and enterprises need to consider is how to combine the goal of pursuing economic interests with the goal of sustainable development. If the initiative of the issue is completely handed over to private enterprises, when faced with conflicts of interest, society cannot believe that private enterprises that pursue economic interests as their greatest goal can give up some of their own interests in exchange for environmental protection. At this time, in order to protect the interests of all people, public power must do something.

Especially when faced with some emergencies, many companies are facing a survival crisis and have to take various measures such as downsizing and even layoffs to relieve pressure. The realization of sustainable development goals requires private enterprises to balance pure economic benefits and environmental protection. When they face economic pressure, whether they can still support sustainable goals becomes a problem. In this case, legal provisions can play their mandatory role, so that private enterprises are always aware of the adverse effects of non-green operations and be alert. This is also the practical basis for the introduction of a series of laws and regulations in the three major directions of civil and commercial, shipping and environment.

3. Practical Requirements

International law and the domestic legal systems of various countries have an equally important guiding role for private shipping companies. The United Nations Convention on the Law of the Sea is the most important international convention on the law of the sea. The convention established specialized agencies such as the International Seabed Authority to formulate rules, participate in production distribution, promote marine scientific research in the "area", promote technology transfer, and promote technology transfer^[4]. The convention stipulates the resource management, energy protection, scientific research, international cooperation and other aspects of the ocean, providing a macro blueprint for all entities involved in marine activities, including private enterprises. The sustainable development goals that followed are the concretization of the spirit of the convention, which inspires private enterprises to abide by the spirit of the convention and work together with all entities for common development.

Singapore and Malaysia both attach great importance to the construction of environmental rule of law, with complete laws, large institutions, effective management methods and advanced supervision methods^[5]. The maritime laws and civil laws of Singapore and Malaysia have certain regulations and relevant frameworks for the sustainable development of private shipping companies, especially in terms of environmental protection, social responsibility and economic sustainability. This is mainly reflected in the control of pollution emissions and the protection of marine ecology. In Malaysia and Singapore, national environmental protection laws stipulate that private ships need to comply with emission standards, control wastewater and wastewater discharge, and reduce pollution to

the marine environment. At the same time, the maritime law stipulates that private ships must pay attention to protecting the marine ecosystem when operating at sea to avoid damage to marine life and the ecological environment.

Since the 1970s, environmental degradation has attracted the attention of the Malaysian government. In 1974, the Malaysian government promulgated the Environmental Quality Act, advocating the use of a comprehensive and integrated approach to manage the environment to deal with air, noise, water, soil, oil and other pollution, which was a major breakthrough in environmental governance. The main feature of Singapore's environmental protection is legislation first. Since the 1960s, the Singapore government has successively formulated a series of environmental protection regulations and related standards, and continuously improved and perfected them to control industrial pollution. Singapore's environmental protection laws and regulations include: "Environmental Protection and Management Act", "Public Environmental Health Act", "Water Source Pollution Management and Drainage Act", "Manufacturing Industry Discharge of Polluted Water Regulations", etc. These regulations elaborately specify the obligations that private enterprises should pay attention to in production and life.

In Malaysia and Singapore, international law and local civil, commercial, maritime and environmental laws specify the obligations that private enterprises need to fulfill in achieving sustainable development from both macro and micro perspectives.

4. Development Direction

The law is not omnipotent. People cannot rely on the provisions of the law to solve all the problems that private shipping companies encounter in the process of achieving sustainable development goals. At present, the laws of Singapore and Malaysia are mainly restrictive and punitive in regulating private shipping companies. While solving some problems, they will face some new difficulties. Therefore, the development of private shipping companies needs more support while being constrained by international law and domestic laws and regulation. Especially when facing some emergencies (such as natural disasters, wars, etc.), they need government support to overcome difficulties. The government's preferential policies for enterprises play an irreplaceable role in achieving sustainable development goals. Green production will affect corporate profits to a certain extent. In order to enable enterprises to better assume green responsibilities, the government should subsidize them. The Singapore government has long attached importance to regulating the economic operation and green production of enterprises with various policies; the Malaysian government is also aware of this problem, but there are still some areas that need to be optimized. In short, relying solely on the law is not enough. The collaboration between the public and private sectors, that is, government policies to support private enterprises, is also very important, such as appropriate resource allocation and incentive policies.

5. Conclusion

Private maritime companies in Malaysia and Singapore will make important contributions to the implementation of the Sustainable Development Goals in ASEAN. However, the profit-seeking nature of capital means that it's difficult to balance economic and ecological benefits. And when enterprises face the impact of some sudden large-scale public health events, they may focus more on pursuing economic benefits. This suggests that the behavior of private enterprises must be regulated by various laws. In Malaysia and Singapore, international laws provide macro-guidance for enterprises, and local civil, commercial, maritime and environmental laws provide them with specific operating rules. This will make the activities of private enterprises more in line with the concept of green environmental protection.

In general, under the regulation of international law and domestic legal systems, the operations of private shipping companies in Singapore and Malaysia will be more standardized and make significant contributions to the realization of the 2030 Sustainable Development Goals.

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