



FAMILY FRONTIERS

Persatuan Kebajikan Sokongan Keluarga Selangor & KL (PPM-011-10-24072020)

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Press Statement, For Immediate Release
27 August 2022

MALAYSIAN MOTHERS CAN'T WAIT ANY LONGER: FAMILY FRONTIERS FILES LEAVE TO APPEAL AT FEDERAL COURT IN SURIANI KEMPE CASE

On 26 August 2022, Family Frontiers and six Malaysian mothers filed for leave to appeal to the Federal Court against the Court of Appeal decision in *Government of Malaysia & Ors v Suriani Kempe & Ors*.

The Court of Appeal had in a 2-1 decision overturned the landmark High Court judgement that granted Malaysian women equal rights as men to automatically pass on their citizenship to their overseas born children whose other parent is non-Malaysian.

Following this, the Government publicly committed to recognise equal Malaysian citizenship rights for women. The nation's parliamentary representatives stood in support, especially evident through the majority of the Senators' statements during a debate on the issue on 11 August 2022.

However, in several meetings that Family Frontiers had with Government representatives since then, while "sympathy" was expressed it was clear that there is no collective political will to amend the Federal Constitution to remove the gender discrimination in citizenship rights for women.

Family Frontiers did not get any indication that the Government would table an amendment to Article 14(1)(b) of the Federal Constitution during the next Parliament sitting. The promised Jawatankuasa Khas Pindaan Perlembagaan Persekutuan Berhubung Isu-Isu Kewarganegaraan (Special Committee on Amendment of the Federal Constitution in relation to Citizenship Issues) has not even been set up yet, though it was announced in Parliament on 16 December 2021 that this Committee would submit a report within 6 months to the Cabinet and Conference of Rulers¹, followed by a constitutional amendment that would be tabled in the July parliamentary session.

Until today we still cannot get a firm timeline for when this Committee will be set up, let alone have its first meeting.

For Family Frontiers the issue is very clear - whether the Government will continue to accept discrimination against women on citizenship rights for their children born overseas. The same children born in Malaysia would automatically be citizens. There is no need for any study.

It is plain that the Government lacks political will to bring our Federal Constitution into the 21st century and to abide by its obligations under the United Nations Convention on Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child.

As such, Family Frontiers will continue to pursue justice at the Federal Court.

¹ Any amendment to the citizenship part of the Federal Constitution requires the consent of the Conference of Rulers.