



FAMILY FRONTIERS

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

**Association of Family Support & Welfare Selangor & KL (Family Frontiers)**

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### **FAMILY FRONTIERS WINS CASE FOR EQUAL CITIZENSHIP OF MALAYSIAN MOTHERS AT KL HIGH COURT**

The Association of Family Support & Welfare Selangor & KL (Family Frontiers) celebrates the momentous decision by the Kuala Lumpur High Court affirming the right of Malaysian mothers to confer citizenship by operation of law on their children born abroad on an equal basis with Malaysian men.

The Court ruled that Article 14(1)(b) of the Federal Constitution together with the Second Schedule, Part II, Section 1(b) of the FC, pertaining to citizenship rights, must be read in harmony with Article 8(2) of the Federal Constitution, which prohibits discrimination on the basis of gender. High Court judge Dato' Akhtar bin Tahir announced that the word 'father' must therefore be read to include mothers and that their children are entitled to citizenship by operation of law.

The High Court judge emphasised that the Courts are empowered to interpret the law to uphold the spirit of the Federal Constitution and ensure justice. He added that the case does not seek to change policy but rather to apply existing law in a way that will find a remedy for the grievance of the plaintiffs. "The grievances of the plaintiffs are real...the discrimination is apparent," he said while reading out his decision.

Senior Counsel Dato' Dr Gurdial Singh Nijar stated that "the court's decision fulfils the intention of Parliament when they amended the law (Article 8) in 2001 to guarantee that there will be no discrimination against women and it also preserves the family structure so that children born overseas to Malaysian mothers are citizens by operation of law." The legal team also included Abraham Au and Joshua Andran.

"We are so thankful for this outcome. This is a huge relief for affected mothers because this judgment applies not just to the mothers directly involved in the case as plaintiffs, but to all Malaysian mothers who are similarly affected. This judgement recognises Malaysian women's equality, and marks one step forward to a more egalitarian and just Malaysia," said Suri Kempe, President of Family Frontiers.

"Malaysian women have been waiting for years, and the day has finally arrived. Justice has been served," said Adlyn, a Malaysian mother and plaintiff in the case.

Myra, another plaintiff in the case said, "We have been applying for my daughter's citizenship since she was 5 months old. We thank God for the court's decision today. I am so happy and I cannot wait to tell her that she is also Malaysian, just like her brother."

Malaysian mothers have faced family separation, along with obstacles to accessing residency, education, healthcare, and social services for their children. Today's ruling is a monumental step in the direction of gender equality.

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**About Family Frontiers:**

The Association of Family Support & Welfare Selangor & KL (Family Frontiers) is a registered entity established with the aim of advancing, promoting and strengthening the family unit so that no family is left behind. It acts as an umbrella body for the Foreign Spouses Support Group (FSSG), that supports and advocates for the rights of foreign spouses married to Malaysian citizens and mobilizes action for the Malaysian Campaign for Equal Citizenship.

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Submitted by - Association of Family Support & Welfare Selangor & KL (Family Frontiers)