



FAMILY FRONTIERS

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

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FIVE MALAYSIAN MOTHERS IN TOTAL OBTAIN CITIZENSHIP CERTIFICATES FOR THEIR OVERSEAS-BORN CHILDREN; OTHER MOTHERS ASK #MANADOKUMENKAMI

Family Frontiers is delighted that two more Malaysian mothers who are plaintiffs in the *Suriani Kempe* case have received their overseas-born children's citizenship certificates.

Choong Wai Li, former Malaysian junior squash champion, was one among the two mothers whose son was finally recognised as a Malaysian citizen. *"He is a very proud Malaysian, loves living in Kuala Lumpur and sees Malaysia as his home. Receiving his citizenship means the world to all of us. In the years to come, when he finds his passion in life, we are excited that he can represent Malaysia, in sport or other endeavours,"* she expressed in a heartfelt [statement](#) that she co-penned with her husband.

In total, five Plaintiff Malaysian mothers have obtained their overseas-born children's citizenship by 'operation of law' under Article 14(1)(b) of the Federal Constitution since the 9 September 2021 landmark KL High Court decision that granted Malaysian women equal citizenship rights and recognised their overseas-born children as citizens by 'operation of law'.

While this is a historic development worthy of celebration, we would like to stress that one other plaintiff and other Malaysian mothers in similar circumstances—also protected by the KL High Court order—have not received their children's documents. This delay is unjustified.

It has been four months since the Court of Appeal unanimously dismissed the Government's application to stay the High Court judgement pending appeal. However, the Government has yet to produce a clear and consistent guideline to process Malaysian mothers' documents via Article 14(1)(b), and has not adequately prepared the National Registration Department (NRD) branches and Malaysian Missions Overseas. This is despite the Court order stating that women should undergo the same registration process as men for their overseas-born children.

Feedback received by Family Frontiers from mothers who went to submit their documents demonstrated that NRD is not applying the same process as for men, including the processing time. For registration of children below age of 12 at Malaysian Missions overseas, women are told that their documents will take an indefinite time to process while men enjoy an immediate and straightforward process, they are also required to furnish additional documents that are not required of men.

With a failed stay application, the Government is obliged to respect and comply with the High Court decision while awaiting the Court of Appeal decision (scheduled to be announced on 22 June 2022).

As such, we strongly urge the Government to issue citizenship-related documents to all overseas-born children of Malaysian women without further delay, and the Ministry of Home Affairs to issue clear instructions and guidelines to all NRD branches and Malaysian Missions Overseas such that they

apply the same procedures as those for Malaysian fathers, in accordance with the High Court decision. The Ministry of Foreign Affairs should also take responsibility in ensuring that the instructions cascade to all overseas missions and the processes are standardised.

Family Frontiers asks the Government, “Is it not your duty to ensure that there are safeguards in place to protect its women citizens?”

Each day the Government delays the implementation of the High Court judgment is another day the Government puts its women through unwarranted fear and anxiety, including being forced to remain in toxic marriages overseas without support. Until the Government defends the status quo, children of Malaysian women will continue to be denied equal access to basic rights such as affordable healthcare, education and the right to remain in the country with their family.

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