



FAMILY FRONTIERS

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

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REMEMBERING SABEENA

A Malaysian mother who passed away with the unfulfilled dream of her children being recognised as Malaysian citizens

The Association of Family Support and Welfare Selangor & Kuala Lumpur (Family Frontiers), in collaboration with Angkatan Belia Islam Malaysia (ABIM), organised a Tahlil Ceremony and Yasin Reading to honor the strength of Sabeena, a Malaysian mother impacted by Malaysia's gender-discriminatory citizenship laws.

While the Malaysian Government continues to resist women's equal citizenship rights, Malaysian women are breathing their last breaths, their dreams of seeing their children being recognised as Malaysian citizens left unfulfilled.

This event is a part of the #SayaJugaAnakMalaysia campaign that demands the rights of Malaysian women to confer automatic citizenship on their overseas-born children on an equal basis as Malaysian men, in particular, the most recent #ManaDokumenKami (Where are our documents?) campaign. This campaign urges the Malaysian Government to respect and comply with the 9 September 2021 Kuala Lumpur High Court judgement in *Suriani Kempe & Ors v Government of Malaysia & Ors*, and issue citizenship-related documents to overseas-born children of Malaysian women.

The Government filed an appeal against the landmark decision which is due to be announced by the Court of Appeal on 22 June 2022. Despite unsuccessful attempts to stay the judgement pending appeal both at the High Court and Court of Appeal, the Government has yet to comply with the judgement and issue overseas-born children of Malaysian women with their citizenship-related documents through the same process as overseas-born children of Malaysian men; as of June 2022, only the six plaintiffs in the case have received their children's citizenship documents, despite the High Court order clearly stating that the judgement applies to the six plaintiffs and other women in similar circumstances.

THE STORY OF SABEENA

Sabeena was a member of Family Frontiers' network of Malaysian mothers. She lived her whole life as a second-class citizen while her four adult children are yet to be recognised as Malaysian citizens because they were born outside of Malaysia to a non-Malaysian father.

Sabeena passed away due to health complications during a surgical procedure. Just 10 days before, she attended the premiere of the short film 'Saya Juga Anak Malaysia' produced by Family Frontiers in line with its campaign for Malaysian women's equal citizenship rights. In

a Tweet later shared by her daughter, Sabeena is seen holding a placard that says “Hits different when your own government refuses to give you equal citizenship rights”.

In her response to Family Frontiers’ questionnaire, Sabeena wrote *“We have been struggling for so long and I don’t wish to see younger mothers facing the same situation as I did... We want to help with the fight, it’s (time) for change.”* Niba recalls this determination that her mother had towards the fight for women’s equal citizenship rights and how the landmark High Court decision in the *Suriani Kempe* case gave her the hope that her lifelong struggle may finally come to an end.

The Malaysian Government in their submissions in the *Suriani Kempe* case often talk about the concept of allegiance, loyalty and attachment to the country; Sabeena’s story is a testament to this. Sabeena made the decision to move back as a family to Malaysia in 2008 because of the attachment she had to her country. She and her entire family uprooted their lives and returned to Malaysia. However, her life since returning was not easy; until she breathed her last breath, she lived a life filled with socioeconomic burdens and was cruelly separated from her children as a result of the discrimination in Malaysia’s citizenship laws.

Sabeena also wrote about the challenges she had to face at various stages and aspects of her life. As a mother who only ever felt fully at peace when all her children were with her, she laments about being left with an almost empty and silent home as she had to bid goodbye to her children, one-by-one, when they could no longer remain in the country as adults.

She also spoke about the financial hardships they faced as she was forced to send their children overseas while her foreign husband braved through periods of unemployment due to the unequal rights to work. Sabeena spent her financial resources and energy travelling across three different countries to visit her children, as they could only visit their home in Malaysia on short-term tourist visas.

One can feel the pain when she spoke of how her very talented youngest daughter was disqualified from national competitions in Malaysia merely due to her legal status; a child robbed of opportunities that would have otherwise allowed her to unleash her full potential. As a Malaysian woman married to a foreign spouse, she also revealed the insults and humiliation she had to endure when authorities questioned her for marrying a foreigner during visa or citizenship application processes.

THE TAHLIL

The two-hour Tahlil Ceremony and Yasin Reading was held at the Taman Jaya Park and saw roughly 70 participants consisting of families impacted by Malaysia’s discriminatory citizenship laws and members of civil society organisations.

Niba, Sabeena’s youngest daughter, fought back tears as she spoke about her mother and how much it mattered that Niba and her siblings were Malaysian citizens. *“My mom loved us so much that our hearts are broken because of the love she showered on us... Her last wish was for all four of us to get our citizenships. That has always been her dream,”* she said.

"Why is there a gender difference in citizenship? Isn't this the right of every individual? Aren't Malaysian mothers also citizens of Malaysia? The status of these mothers does not change solely because they marry foreigners. The status of these mothers does not change solely because they give birth abroad," said Adlyn, Executive Committee Member of Family Frontiers.

Also present at the event were YB Hajah Nariah, MP Sekijang; Dian Lee and Nurainie Haziqah, MUDA's central executive committee members.

CONCLUSION

The Malaysian Government has failed Sabeena and other Malaysian women who are pushed to the brink of anxiety and fatigue throughout their motherhood. While the Government continues to push back against women's efforts to advocate for equal citizenship rights, Malaysian women continue to struggle and face challenges as a result of discriminatory citizenship laws.

It is the Government's duty to protect its citizens and ensure their safety and wellbeing. However, it is the Government's act of denying women their equal rights to confer citizenship on their overseas-born children that further places women in situations of harm and violence, including the inability to leave toxic marriages as they are at the mercy of their spouses for the legal status of their children.

Children, on the other hand, are denied equal access to fundamental rights such as affordable healthcare, education and the right to remain in the country with their family. Some children are at risk of statelessness when they also cannot access to foreign father's citizenship. As a signatory to both the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and Convention on the Rights of the Child (CRC), the Malaysian Government fails to protect its women and children.

The Government in their latest Sixth Periodic Review Report of the Convention on the Elimination of Discrimination Against Women (CEDAW) stated "it is pertinent to note that the Government is taking continuous efforts to address the issue on citizenship", but where are the efforts that the Government seems to be taking when mothers are still met with rejection and no proper response after months and years of fighting for their children's citizenship?

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Submitted by: Persatuan Kebajikan Sokongan Keluarga Selangor & KL (Association of Family Support & Welfare Selangor & KL) (Family Frontiers)