



FAMILY FRONTIERS

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

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Press Statement
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Senate's Approval of Constitutional (Amendment) Bill 2024 Marks Progress for Malaysian Mothers, but Gaps Remain

Family Frontiers and the Malaysian Mothers' Network warmly celebrate the Dewan Negara's immediate approval of the historic amendment granting Malaysian women the same right as men to confer citizenship by operation of law on their overseas born children. This landmark decision ensures that future generations of Malaysian mothers will no longer face the burden of returning to Malaysian soil just to secure citizenship for their children. We extend our gratitude to the Government and Senators who supported this cause and look forward to the swift implementation of the amendment.

"We are overjoyed that the bill has passed at the Dewan Negara. Each milestone brings us closer to the day when women will finally achieve legal equality in our ability to confer citizenship to children born overseas," said Family Frontiers President Adlyn Adam Teoh.

Unfortunately, the amendment still remains non-retroactive, leaving behind existing mothers and children that have campaigned tirelessly for their rights as Malaysians. While we acknowledge the Home Minister's commitment to processing current applications under Article 15(2), the amendment continues to exclude children born before the amendment is implemented, those who have yet to apply and those who have surpassed the age of 18, including some whose mothers have passed away.

"While my heart is filled with both pride and happiness at the women who were brave enough to fight for equal citizenship rights for their children, and for Family Frontiers' unwavering fight for equality as our government has taken this momentous step in allowing parents, regardless of their gender, to confer automatic citizenship rights to their children but it also aches that it is not made retroactive nor the regressive parts removed. As it feels like we have taken 1 step forward but are still deemed "second class"" conveys Amy Lee, a mother still waiting for her child to be recognised as Malaysian.

Additionally, it is disheartening that the three regressive amendments still remain bundled together with the progressive mothers' amendment. These include the removal of automatic citizenship for children of stateless local-born Permanent Residence holders, the lowering of the age limit to apply for citizenship from 21 to 18, and the revocation of citizenship for foreign wives if their marriage is dissolved within two years of gaining citizenship.

One of the proposed amendments to Article 15(1) for foreign wives introduces a requirement for non-citizen wives of Malaysian men to demonstrate proficiency in Bahasa Malaysia as a condition for obtaining citizenship. While it was revealed that a new module for the language

proficiency test has been developed by the National Registration Department and Universiti Putra Malaysia (UPM), it is vital that it is made publicly accessible and streamlined. The government must also consult relevant stakeholders such as civil society organizations working with these communities to ensure that the module is inclusive to all, especially spouses from non-Malay speaking families and those with limited educational opportunities. While we recognise that this requirement is important for integration, it is crucial for the Government to explore subsidised languages courses, alternative assessments, or gradual integration measures.

Nevertheless, Family Frontiers remains committed to supporting the Home Ministry and other relevant stakeholders in addressing these critical issues. We are optimistic that the Government will work towards a Malaysia where every child is treated equally under the law. We will continue to closely monitor the gazetting and implementation of the amendment to ensure the Government fulfills all its commitments.

As previously stated, it is imperative for the Government to establish pathways to citizenship for children of Malaysian women who remain excluded due to the non-retroactive nature of this amendment with clear timelines and ensure that the amendment is implemented immediately to ensure no one else is left behind. Additionally, clear and robust policies must be implemented to safeguard the rights of stateless children born locally to Permanent Residents, who no longer have an automatic pathway to citizenship.

Together, we pledge to continue advocating for policies that ensure all children of Malaysian parents—whether biological or adopted—can obtain citizenship within a reasonable time frame, regardless of the parents' gender, marital status, or the child's place of birth.

Once again, we thank everyone who has helped us get closer to our goal – the Malaysian youth, civil society organisations, and dedicated partners like the Malaysian Citizenship Rights Alliance (MCRA), the Joint Action Group for Gender Equality (JAG), and finally, the Malaysian mothers who have been both the face and the backbone of our campaign.

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