



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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THE MALAYSIAN GOVERNMENT DEMONSTRATES LACK OF COMMITMENT TOWARDS MALAYSIAN WOMEN AND THEIR OVERSEAS-BORN CHILDREN

*Angin utara bertiup ke selatan
Durian manis gugur di halaman
Semua kasihan ibu-ibu dan anak terkesan
Tapi tiada siapa pun ambil tindakan.*

(Pantun gubahan ibu terkesan, Tee Li Li)

On 18 August 2022, Family Frontiers met with Law Minister Wan Junaidi bin Tuanku Jaafar and his officers to discuss progress on amending Malaysia's gender-discriminatory citizenship laws, and to highlight the urgency of translating rhetoric to action.

Four impacted mothers and their children shared their struggles and lived experiences that have resulted from the country's unequal citizenship laws during the meeting, which also gave Family Frontiers an opportunity to present our recommendation for a constitutional amendment to address equal citizenship rights for Malaysian women.

The Law Minister noted that the [government will be waiting for the Federal Court's decision before making any other decisions](#). He also gave no indication that the Government will table an amendment to Article 14(1)(b) of the Federal Constitution during the upcoming Parliament sitting. Moreover, he said he would prompt for the Jawatankuasa Cadangan Pindaan (Committee of Proposed Amendments) to meet, but gave no firm timeline for when it will have its first meeting to study the citizenship issues and provide its recommendations to the Cabinet and Conference of Rulers, as was announced on 16 December 2021.¹

This meeting with the Law Minister was the latest in a series of meetings since the High Court decision with ministers who have been in favour of resolving the issue, and Family Frontiers welcomes this support. However, while this issue drags on, impacted Malaysian mothers and their children continue to suffer, with no resolution planned in the near future by those in power.

¹ This committee was supposed to conduct a holistic study on the issue of citizenship, and the results of the consultation and study was to be finalized within six (6) months, before it would be submitted to the Cabinet and subsequently, the Conference of Rulers for tabling in Parliament by July 2022.

Unfortunately, the Government seems intent on cloaking its inaction in bureaucratic delays, and pushing the responsibility of resolving this issue to the Federal Court and/or, alternatively, to the Conference of Rulers.

What is required at this time is for the Government to demonstrate political will to present a proposed Constitutional amendment to the Conference of Rulers and thereafter table it in Parliament. Two of the four judges who have heard this case—one in the High Court and one in the Court of Appeal—have said that there is a basis for interpreting the Constitution to allow for Malaysian mothers to confer citizenship to their overseas-born children by operation of law.

Legally, there is nothing stopping the Cabinet from leading the charge to alleviate the struggles of Malaysian mothers in conferring citizenship to their overseas-born children and to uphold the rights of half of the population they govern.

As the Government continues to delay action, it sends a signal to Malaysian women that their Government does not see them as equal citizens with equal rights; as the elections near, voters will be watching.

Following the Court of Appeal decision on 5 August 2022, Family Frontiers had 30 days to file an appeal at the Federal Court. We held out hope that within that time, the Government would be inclined to move the process forward through Parliament. Given the recent clarity on the Government's lack of political will to do so, Family Frontiers will continue to pursue justice through the Federal Court.

In the meantime, the non-citizen children of Malaysian women continue to face many constraints and obstacles to access their basic rights, such as lack of legal status (these children live in Malaysia on short-term visas or student pass), the right to education, affordable health, economic opportunity, and social protection. This discrimination also leaves Malaysian women and mothers more vulnerable to situations of abuse.

About Family Frontiers:

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

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