



MEDIA RELEASE

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GLOBAL BERSIH WELCOMES COURT DECISION AFFIRMING AUTOMATIC CITIZENSHIP FOR CHILDREN BORN OVERSEAS TO MALAYSIAN MOTHERS

Global Bersih welcomes the milestone 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.

According to Global Bersih Steering Committee member Sharm Rajoo, who is also a member of Family Frontiers : “This decision is monumental for the Malaysian diaspora. Previously, Malaysian mothers with foreign spouses could not automatically pass their citizenship to their children born outside of Malaysia, resulting in families being separated, children not having access to education and healthcare, uncertain residency status and in some cases even statelessness for some children. This ruling is a huge step towards gender equality and a more just Malaysian society.”

The High Court ruled that Article 14(1)(b) and the Second Schedule, Part II, Section 1(b) of the Federal Constitution pertaining to citizenship rights, must be read in harmony with Article 8(2) , which prohibits discrimination on the basis of gender. Malaysian mothers should therefore have the same rights as fathers to confer citizenship on their children by operation of law.

In the long term, this decision will also enable more overseas Malaysians to return to Malaysia and contribute to the country, indirectly reversing the brain drain.

Global Bersih commends all the parties, individuals, and organisations whose tireless work for the rights of Malaysian women has contributed to this landmark ruling, and in particular Family Frontiers, with which Global Bersih co-organised a webinar on this issue earlier this year.

Global Bersih calls upon the government to implement this judicial ruling without delay to ensure that the principle enshrined in the Federal Constitution of non-discrimination on the basis of gender be finally respected.

The Steering Committee
Global Bersih

Nirmala Devi Windgätter
Secretary General
Nirmala.wind@globalbersih.org
Global Bersih
15 Couer des Bastion
CH-1205
Geneva, Switzerland
www.globalbersih.org
facebook.com/GlobalBersih
twitter.com/GlobalBersih