

## IMMEDIATE RELEASE

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## Malaysian Civil Society Calls for Government Action to End Gender Discrimination in Malaysia's Nationality Law

From July 24-25, over ninety activists and representatives of over twenty Malaysian civil society organizations participated in the Malaysia National Consultation on Achieving Equal Nationality Rights for Women and Men, co-organised by the Foreign Spouses Support Group (FSSG), Our Journey, the Malaysian Bar Council, the Joint Action Group for Gender Equality, the National Council for Women's Organisation, and the Global Campaign for Equal Nationality Rights. At the close of the Consultation, the participants endorsed a call for immediate action by the Malaysian government to reform gender-discriminatory provisions in Malaysian nationality laws, so that all citizens, regardless of gender, have the equal right to pass nationality to their children and spouses.

***"The institution of citizenship, in a rule of law-based democracy, demands that all citizens be treated as equals before the law and that they must have equal rights to confer nationality to their children and spouses regardless of gender."***

Malaysia's nationality law results in it being one of only:

- 25 countries that denies women the right to confer nationality on their children on an equal basis with men;
- 3 countries that denies men equal rights in conferring nationality on their children who are born out of wedlock;
- Roughly 50 countries that denies women an equal right to confer nationality on their spouses.

The spirit of the Federal Constitution of Malaysia, which promotes equality and prohibits gender discrimination under Article 8(1) and 8(2), is undermined by the prevalence of gender discrimination in nationality laws, which also contravenes the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child, both of which Malaysia has ratified.

***"Law reforms needed to uphold equal nationality rights for Malaysian women and men"*** - Bina Ramanad, Coordinator, Malaysia National Consultation on Achieving Equal Nationality Rights for Women and Men

**Gender discrimination in Malaysia's nationality law** not only undermines citizens' equality under the law, but has a dramatic impact on affected persons' lives, **contributes to poverty and marginalization, and inhibits sustainable development**. Additionally, it can **threaten family unity**, and in some cases, increase the potential for domestic violence.

**The conference is forwarding a list of recommendations to the Government of Malaysia, including:**

- Uphold the right of all Malaysian citizens to confer nationality on their children on an equal basis, regardless of gender, marital status and the child's place of birth, thereby granting citizenship to children when:
  - a) Either parent is Malaysian;
  - b) Notwithstanding the marital status of the parent; and
  - c) Regardless of whether they are born in Malaysia or outside Malaysia;
- Amend Article 14 of the Federal Constitution in order to ensure that the children of Malaysian mothers born overseas are able to gain citizenship by operation of law on an equal basis as the children of Malaysian fathers.
- Amend Article 15 of the Federal Constitution to allow women to have the same rights as men with regard to the acquisition of citizenship status of their non-citizen spouses.

