

The Impact of Gender Discrimination in Nationality Laws



Alanis Mah

Now 27 years old, was stateless for the first 23 years of her life because of gender discrimination in her country's nationality law. Born in Malaysia to a Malaysian father and Filipino mother, her parent's marriage was registered a year after Alanis' birth. However, because Malaysian men do not have the right to confer nationality on their children born outside of legal marriage, Alanis suffered a range of human rights violations.



My name is Alanis Mah. I am a 27-year-old Malaysian impacted by Malaysia's gender-discriminatory nationality laws that do not allow children born out of wedlock to Malaysian fathers and non-Malaysian mothers to obtain citizenship by operation of law. This left me stateless for 23 years, until I was finally able to obtain my identity card (IC) in 2021.

I was born in 1998 to a Malaysian father and a Filipino mother. My parents' marriage was registered late, in 1999. Initially, I had a white birth certificate, which I used until the end of primary school. At 12 years old, when I attempted to apply for an IC at the National Registration Department (JPN), I was informed I could not receive one. Instead, I was issued a red birth certificate indicating non-citizenship, despite being born in Malaysia to a Malaysian father.

This statelessness created numerous obstacles for me. Throughout my schooling, I faced regular inquiries from teachers about my IC during student registrations for exams, causing constant anxiety and fear of being barred from sitting exams. Although I managed to complete my PMR (Lower Secondary Assessment) and SPM (Malaysian Certificate of Education) exams, I could not apply for further studies through the national university admission system (UPU) due to the IC requirement, forcing my family to pay international student fees each semester during my STPM (Malaysian Higher School Certificate). I also could not get a student loan for my diploma, but I was fortunate that my college allowed me to pay according to the local student rate.

Additionally, I had to carry my birth certificate everywhere, fearing encounters with authorities.

A particularly traumatic incident involved authorities threatening to take me to court for not having an identity card, only releasing me after I pleaded with them.

I also constantly worried about potential medical emergencies, knowing I would face exorbitant bills without proper identification or insurance.

Prior to getting my citizenship, I was working at my aunt's store. In case the authorities were to come, I had to prepare to hide myself or tell them that I was not working there, but that I was just buying things.

The effects of statelessness have deeply impacted my life. I felt lost and left behind in my education and was unable to open a bank account or obtain insurance, hindering my financial security. As the eldest daughter, I often overthought my future and worried about how I could support my family without becoming a burden due to my statelessness.

Malaysia is one of two countries in the world that still has this outdated law denying men's right to pass citizenship to children born outside of legal marriages, which is one of the leading causes of statelessness in the country. It is time that these laws are amended so that every child of a

Malaysian parent, whether biological or adopted, can secure citizenship in a reasonable time frame, regardless of the gender or marital status of the parents or the child's place of birth.

