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New National SDG Centre can resolve statelessness in Sabah

LEGAL IDENTITY FOR ALL

New National SDG Centre can resolve statelessness in Sabah

THE government recently announced the establishment of the National Sustainable Development Goals (SDGs) Centre to advance programmes for a sustainable future.

This is a step in the right direction as the centre would keep tabs on the development and execution of every initiative connected to the United Nations' SDGs.

However, there are some long-standing policy issues that may prevent the fulfilment of the SDGs — like statelessness. Sabah stands out as out of a total population of 3.4 million, more than 810,000 are non-citizens.

Almost a quarter of its population could, therefore, be stateless. This is a worrying trend with potential non-traditional security and socioeconomic repercussions.

More importantly, failure to address statelessness will have a negative impact on the country's efforts to meet the SDG 16.9 goal by 2030 of providing legal identity for all, including birth registration.

Without legal documents, no government is obligated to guarantee fundamental civil liberties, including access to protection, healthcare, employment or hous-



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ing for the stateless.

Malaysia also does not have an asylum system in place that governs the status and rights of refugees and the stateless, as the country is not a signatory to UN conventions related to statelessness.

Refugees and the stateless are denied nationality and face a host of problems that trap them in a never-ending cycle of uncertainty, vulnerability and poverty.

Until a permanent solution is found (i.e. government-facilitated naturalisation programme) to assist poverty-stricken stateless people to overcome their predicament, many may soon face deportation as the Sabah government recently announced the compulsory registration of illegal immigrants through digital data gathering.

All foreign nationals must have

legal authorisation to reside and work in the state. The focus is on standardising paperwork to ensure that everyone in Sabah is documented.

This move will likely fuel resentment from stateless individuals who have lived in Sabah for decades, besides contributing to their involvement in criminal activities, political radicalisation and social extremism.

Hence, the new National SDG Centre, with the help of the UN, should get involved in the state's long-running stateless problem.

This isn't something new as UN agencies and Malaysian federal-state entities have worked together in the past to help thousands of Filipino refugees, who fled the Moro civil war in southern Philippines and arrived in Sabah in the 1970s.

The refugees received IMM13 cards (a special social visit pass) from the federal government and settlement certificates from the state.

However, the IMM13 holders lost their status in 2001.

Clearly, the state's digital data initiative presents dangerous consequences because it threatens Sabah-born children and grandchildren of individuals who

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entered the state under the IMM13 programme.

Fortunately, with the establishment of a UN task force in 2018, the relationship between legal identity and efforts to end statelessness has been enhanced.

To help governments like Malaysia achieve the SDG 16.9 target, the task force is bringing together the wide-ranging expertise and resources of 13

UN agencies.

However, its emphasis on birth registration is likely to restrict its impact as it fails to take into consideration other important life events that affect an individual's citizenship status. Failure to report accurately and promptly can increase danger of statelessness.

One example is marriage. The right of a child to obtain nationality is determined by whether

his or her parents are married at the time of the child's birth.

Marriage and marriage registration may influence a child's citizenship status, but this effect is most pronounced in nations with discriminatory nationality laws.

Under the Constitution, a child must be born in the country to legally wedded parents, with at least one parent being a citizen of Malaysia or having permanent residency status, to qualify for citizenship at birth.

Malaysia is also one of the 25 nations that forbid women from passing on their citizenship to offspring on an equal footing with men.

All of these may seem like a daunting task, but with the establishment of the National SDG Centre, Malaysia finally has an inter-ministerial entity with ministry leadership that the UN had long recommended for the successful implementation of SDGs.

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