



JOURNEY TO BELONG

APRIL MONTHLY BULLETIN

HIGHLIGHTS

11,645

Total stateless population registered by DHRRRA in West Malaysia as of 31 March 2016

6,666

Applications submitted to the National Registration Department

4,979

Applications waiting to be submitted to the National Registration Department

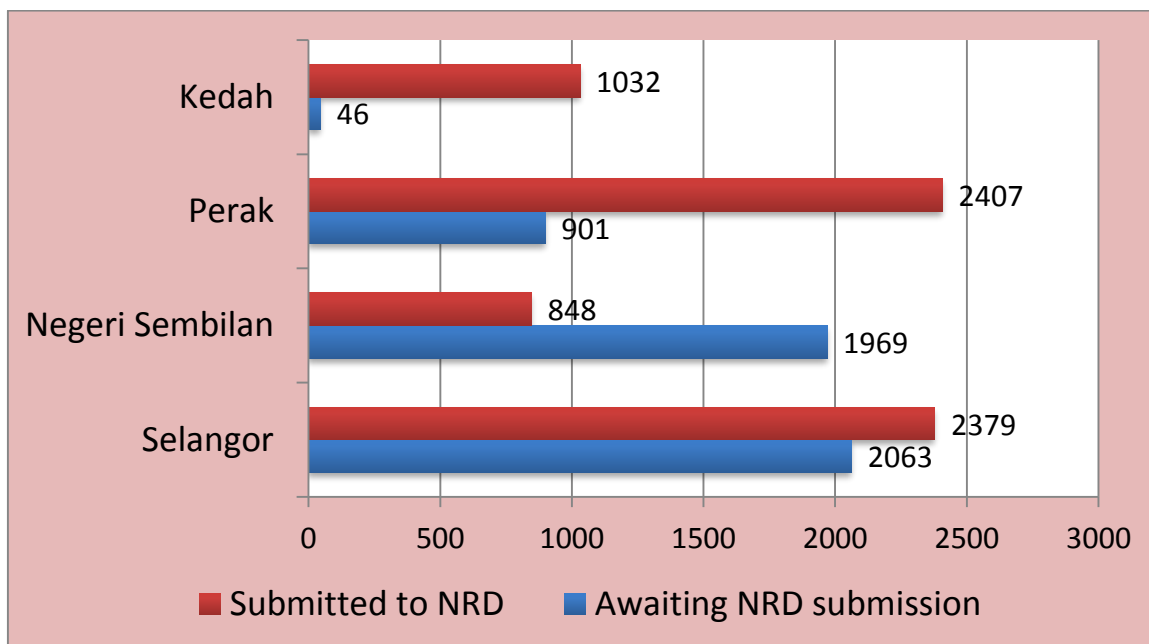
80

Applicants provided with legal assistance by pro bono lawyers

589

Applicants who have acquired identity documentation

NRD SUBMISSIONS BY STATE



Contact Information

Phone : +603 7865 3371
 +603 7865 7271
 Fax : +603 7865 8311
 Email : general@dhrramalaysia.org.my

Offices/Staff

32 Community Based Paralegals
 Eight pro bono lawyers
 Headquarters: Petaling Jaya, Selangor State
 State Office:
 Sungkai, Perak State
 State Office:
 Sungai Petani, Kedah State

DOCUMENTING STATELESSNESS & SOLUTIONS

- In early 2014, Development of Human Resources in Rural Areas (DHRRA) set out to establish the extent and underlying causes of statelessness among Indian Tamil communities in West Malaysia through its mapping and legal assistance project. Up till then, it was officially acknowledged that there were some 40,000 stateless persons (mainly within the Indian Tamil community). However, in the absence of accurate baseline data, the circumstances of stateless persons remained little understood.
- In order for civil society and Government agencies alike to identify effective policy solutions, this limitation needed to be overcome. DHRRA's registration project established the full scope of this problem and resulted in advocacy efforts to find durable solutions for stateless persons.
- Since the start of the project in July 2014, 589 persons have acquired nationality (within the registered population of 12,234 persons) through DHRRA's legal aid services. As of 31 March 2016, 11,645 persons remain stateless in West Malaysia.



DHRRA's Registration and Legal Aid Model Targeting Stateless Populations in West Malaysia

- During the registration process, mobile registration teams captured key details of stateless applicants using an application on a mobile device. This data was then uploaded and synced into a secure casework database. Each applicant received counselling and assistance by the community-based paralegals who were trained to help solve the most common problems that community members face in acquiring nationality documentation. The paralegals collected information about the family situation, history, citizenship, and documentation issues of the stateless applicants to help them navigate the nationality

documentation procedures. The paralegals were able to address various problems by applying their knowledge of formal law and their familiarity with local traditions using a combination of legal and non-legal tools, including mediation, advocacy, education, and community organizing.

- A critical component of this process is the online portal that DHRRA developed with technical support from UNHCR. Due to its up-to-date information and accessibility, this database is the primary tool used to monitor and report on nationality documentation applications submitted to the Government.
- The database has been designed to generate analytical data which can assist with national planning on engaging marginalised and hard-to-reach populations. The database, for example, provides baseline data on births, deaths, marriages and related documentation; disaggregated by key factors such as age, gender, ethnicity, education levels, employment, nationality status, nationality status of parents, documentation of parents, and residence/location. Trends in this information could reveal patterns in civil registration including areas of high prevalence of low birth registration; likelihood of unregistered children; and why the population of concern do not have their births, marriages, and deaths registered.

On 27 February 2016, DHRRA hosted a ceremony for 44 persons who had recently acquired nationality documentation as a result of DHRRA's legal assistance services. The ceremony was an important validation to the participants of their place in society. In a community where stateless persons have existed in invisibility and grown accustomed to barriers, stigma, and rejection, a ceremony like this provides them a sense of belonging.

DHRRA welcomes the demonstration of solidarity by all parties involved!



Applicants receiving nationality documentation during the ceremony in Sungai Petani, Kedah State as a result of joint efforts by NRD Kedah State & Federal Government and DHRRA Malaysia.

Also in attendance: Kedah Education, Transport, and NGO Committee Chairman Datuk Tajul Urus Mat Zain, representing Chief Minister of Kedah, Dato' Seri Ahmad Bashah bin Md Hanipah

POLICY AND LAW DEVELOPMENT

- DHRRA's goal is to continue with its evidence-based advocacy and cooperation with the Government. In March 2016, the Prime Minister's Office invited relevant government agencies and DHRRA to set up a working group on statelessness in order to increase and quicken the pace of issuance of documentation to the registered applicants. The working group will cooperate to expedite the remaining 6,666 applications that DHRRA has submitted to the National Registration Department (NRD), representing over 50 per cent of the current stateless persons registered with DHRRA. If successful, DHRRA, with the cooperation of the Government, would be able to reduce the number of stateless persons in West Malaysia by half.
- DHRRA advocates that statelessness can be prevented through better implementation of existing domestic laws. A number of cases involving nationality had been filed at the Malaysian courts, but judgments have not shown consistent interpretation. DHRRA works with *pro bono* lawyers who provide much needed legal support for stateless applicants to acquire or confirm nationality through remedy at the courts.
- Litigation presents a dual opportunity to draw awareness to statelessness and to build jurisprudence on statelessness with reference to the existing provisions in the Federal Constitution. DHRRA's dedicated group of *pro bono* lawyers aim to bring about change through the targeted use of litigation.

DHRRA calls for support and provision of *pro bono* services by lawyers with expertise in public or administrative law who have an interest in corporate social responsibility.

CHANGING NARRATIVES ON STATELESS YOUTH IN MALAYSIA

- Whether inheriting their statelessness from a stateless mother, being a foundling, adopted child or the first in experiencing statelessness within the family; there are over 4,000 stateless children registered with DHRRA. They have not known the sense of belonging because they lack nationality. It is DHRRA's commitment that underserved stateless children and their families have the support they need to thrive. In the key area of education, DHRRA paralegals have assisted 154 stateless children in enrolling into primary and secondary school. These efforts - and many others across the county - are built upon the belief that children need quality education coupled with a holistic approach to health, family, and community support.
- The effects of exclusion and stigma can create an invisible burden for children. This makes it very difficult for them to be healthy and live up to their academic potential. With an aim to break down the barriers between statelessness and social services, DHRRA and UNHCR engaged UCSI University's Scholar Circle (U-Schos) in the development of the "Teacher's Guide to Teaching on Statelessness for Children." This toolkit aims to engage primary level students between the ages of 9 and 13 in a dialogue on statelessness and the issues related to it in Malaysia. UCSI scholars will introduce the toolkit through pilot sessions and an online Webinar at national schools.



“My experience of learning on statelessness has shown me first hand that we need a better way of caring for and educating all the children. We wanted to contribute to the development of Teacher’s Toolkit to set an exemplary youth model to help children and future generations to succeed.”

Kelvin Lai
 Vice-President, Talent Development
 UCSI Scholars' Circle (U-Schos)
 9 April 2016.

The UCSI Scholars’ Circle (U-Schos) is made up of scholarship awardees of the UCSI University Trust.

U-Schos strives to be a platform for scholars to enrich their university experience beyond books and studies, with a vision to create social impact by transforming ideas into actions.

For more information, visit the U-Schos website (<http://www.uschos.com>) or Facebook (<http://www.facebook.com/USchos>).

- **“I am Here, I Belong: The Urgent Need to End Childhood Statelessness”** is a report that was published in November 2014 on the first anniversary of UNHCR’s “I Belong Campaign to End Statelessness by 2024”. The report highlights the impact of statelessness on children and youth in seven countries, including Malaysia.¹

Despite some recent awareness-raising efforts to show the human face of this issue, little is known on what it means for a child to be stateless. Though their involvement in this report and continued efforts in ending childhood statelessness; DHRRA aims to engage a variety of audiences, including younger generations, in understanding and addressing statelessness.

As part of this effort, DHRRA will facilitate dialogue sessions between UCSI scholars and formerly stateless children and youths across West Malaysia. UCSI scholars will share their experiences on their weekly blog to show the difference it can make when children and youth are able to acquire a nationality.

¹<http://bit.ly/1LOdMND>

UCSI Scholars at a Workshop on Statelessness, 09 April 2016.



Deputy Minister of Education, YB Dato' P. Kamalanathan in a meeting with DHRR on 30 March 2016, to discuss suggestions on the adoption of the Toolkit in schools.

