

## Children of Marriages Between Indonesian Citizens and Rohingya: What Are Their Inheritance Rights?

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**Abstract:** The purpose of this study is to address legal issues related to the rights of children from mixed marriages with stateless persons in Indonesia and to highlight the importance of recognizing children's rights in complex situations involving citizenship status and legal uncertainty. This study employs a normative legal research method by analyzing and examining the regulations governing the status of the Rohingya ethnic group as stateless persons in Indonesia, as well as the inheritance rights of children born to parents who are Indonesian citizens and Rohingya ethnic group members classified as stateless persons. The findings of this study indicate that children born from marriages between Indonesian citizens and stateless Rohingya retain their inheritance rights from both parents. Although such marriages may not be legally registered, they remain valid under religious law, and inheritance rights are based on blood ties, not marriage registration. These children may also inherit land from their Indonesian citizen parents under certain conditions. The contribution of this research lies in its effort to address the gap in legal studies regarding the status of children from mixed marriages with stateless individuals, an issue that has received little attention in national regulations. This study provides an argumentative and normative foundation for the protection of children's rights in transnational and stateless contexts, and encourages the development of more inclusive and equitable legal policies.

**Keywords:** inheritance; rohingya immigrants; stateless person.

**Abstrak:** Tujuan penelitian ini adalah untuk menjawab permasalahan hukum terkait hak-hak anak dari perkawinan campuran dengan orang tanpa kewarganegaraan di Indonesia dan menyoroti pentingnya pengakuan hak-hak anak dalam situasi kompleks yang melibatkan status kewarganegaraan dan ketidakpastian hukum. Penelitian ini menggunakan metode penelitian hukum normatif dengan menganalisis dan menelaah aturan yang mengatur posisi etnis Rohingya sebagai orang tanpa kewarganegaraan di Indonesia serta hak waris anak-anak dari orang tua yang merupakan warga negara Indonesia dan etnis Rohingya sebagai orang tanpa kewarganegaraan. Hasil penelitian ini menunjukkan bahwa anak-anak yang lahir dari pernikahan antara warga negara Indonesia dan Rohingya tanpa kewarganegaraan tetap memiliki hak waris dari kedua orang tua. Meskipun pernikahan tersebut mungkin tidak terdaftar secara hukum, pernikahan tersebut tetap sah menurut hukum agama, dan hak waris didasarkan pada hubungan darah, bukan pendaftaran pernikahan. Anak-anak ini juga dapat mewarisi tanah dari orang tua mereka yang merupakan warga negara Indonesia, dengan

syarat tertentu. Kontribusi penelitian ini terletak pada upaya mengisi kekosongan kajian hukum tentang status anak dari perkawinan campuran dengan individu tanpa kewarganegaraan, yang selama ini kurang mendapat perhatian dalam regulasi nasional. Studi ini memberikan dasar argumentatif dan normatif bagi perlindungan hak-hak anak dalam konteks transnasional dan tanpa kewarganegaraan, serta mendorong penyusunan kebijakan hukum yang lebih inklusif dan berkeadilan.

**Kata kunci:** warisan; imigran Rohingya; orang tanpa kewarganegaraan

## INTRODUCTION

Citizenship status is very important for every individual as a form of clarification of individual status which implies the provision of legal protection by the State in matters concerning the individual. The term "citizenship" is used to describe the legal and social status of an individual within a country.<sup>1</sup> In this context, a citizen is defined as an individual who is legally recognized as a member of a country in accordance with the relevant legislation.<sup>2</sup> In relation to this, not all people living in a country have citizenship by birth or may lose it due to changes in the legal status of their country of origin, resulting in statelessness, a condition referred to as a "stateless person".<sup>3</sup>

According to the United Nations High Commissioner for Refugees (hereinafter abbreviated as UNHCR),<sup>4</sup> a stateless person is defined as an individual who is not a citizen of any country.<sup>5</sup> As a result, stateless persons often encounter significant challenges in asserting their rights and accessing essential services in their place of residence.<sup>6</sup> In addition, stateless persons have a complex and profound impact on their lives, because stateless persons do not have legal ties with any country so they cannot enjoy the freedom of individuals who receive full protection of their human rights from the state, so it is natural that stateless persons have numerous human rights challenges, such as experiencing rejection from various countries to accept them, not getting jobs with decent wages, and so on. This is the reason why stateless persons often migrate for extended periods from one country to another in order to survive and get protection from other countries. Based on UNHCR statistics as of the end of 2022, the number of stateless people globally is recorded at 4.4 million people, even many countries do not report data on

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<sup>1</sup> See chapter 1 paragraph 2 "Law No. 12 of 2006 concerning Citizenship."

<sup>2</sup> See chapter 1 paragraph 1 Law No. 12 Tahun 2006 tentang Kewarganegaraan.

<sup>3</sup> Wenas Kenny Kevin, "Perlindungan Hukum Bagi Pengungsi Di Indonesia Menurut Konvensi PBB 1951 Dan Protokol 1967," *Lex Crimen* VI, no. 8 (2017): 117-24.

<sup>4</sup> UNHCR is an agency that has the authority to protect refugees and handle refugee problems in Indonesia.

<sup>5</sup> UNHCR, "Orang-Orang Tanpa Kewarganegaraan," UNHCR Indonesia, 2023, <https://www.unhcr.org/id/orang-orang-tanpa-kewarganegaraan>.

<sup>6</sup> Fadjri Khalid and Budi Ardianto, "Stateless Person Dalam Tinjauan Hukum Nasional Dan Hukum Internasional Di Indonesia," *Uti Possidetis: Journal of International Law* 1, no. 3 (2021): 277-309, <https://doi.org/10.22437/up.v1i3.10873>.

stateless persons, so it is estimated that the number exceeds these statistics.<sup>7</sup> The issue of stateless persons in Indonesia has recently become an interesting topic of discussion with the arrival of 170 Rohingya immigrants in Kuala Besar Village, Secanggang Sub-district, Langkat District, North Sumatra, dominated by women and children.<sup>8</sup> According to UNHCR, as of December 10, 2023, the number of Rohingya immigrants arriving in Indonesia had reached 1,543.<sup>9</sup>

The arrival of Rohingya immigrants is certainly a new problem for the Indonesian government, because Rohingya immigrants as stateless persons do not just come for a temporary stopover, but take various measures to get protection through Indonesian citizenship status, one of which is by entering into mixed marriages. Mixed marriages with citizens of the countries where they stay are one of the efforts in the hope of being recognized as citizens. Several mixed marriage cases between Rohingya immigrants and Indonesian citizens, including in Blitar Regency, East Java, where, in order to survive, three of the Rohingya immigrants married local residents around the refugee camp, and even had children.<sup>10</sup> Then in North Sumatra, precisely in Medan City, a woman named Amelia from Bandar Lampung married a refugee named Salim and had two children.<sup>11</sup> According to the Head of the Immigration Office Class I Polonia-North Sumatra, many of these mixed marriages are carried out in the villages, at least four of the 248 Rohingya refugees under the supervision of the Immigration Office Class I Polonia have married Indonesian women.<sup>12</sup> These marriages cannot be closely monitored and there are no rules prohibiting immigrants from marrying, but because of their status as immigrants or stateless refugees, they are technically ineligible to marry under state law. Finally, the

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<sup>7</sup> UNHCR, "Stateless People," UNHCR Global, 2024, <https://www.unhcr.org/about-unhcr/who-we-protect/stateless-people#:~:text=Stateless people can be found,in which they were born.&text=There are at least 4.4 million people who are stateless worldwide.&text=This prevents them from accessing,formal employme>.

<sup>8</sup> CNN Indonesia, "Ratusan Pengungsi Rohingya Mendarat Di Langkat Sumut," CNN Indonesia, 2023, <https://www.cnnindonesia.com/nasional/20231231202604-20-1043824/ratusan-pengungsi-rohingya-mendarat-di-langkat-sumut>.

<sup>9</sup> CNN Indonesia, "Update Jumlah Total Pengungsi Rohingya Dan Sebaran Penampungan Di Aceh," CNN Indonesia, 2023, <https://www.cnnindonesia.com/nasional/20231213141254-20-1036757/update-jumlah-total-pengungsi-rohingya-dan-sebaran-penampungan-di-aceh>.

<sup>10</sup> Erliana Riady, "3 Pengungsi Rohingya Bertahan Di Blitar Hingga Menikahi Warga Lokal," detikjatim, 2023, <https://www.detik.com/jatim/berita/d-6497036/3-pengungsi-rohingya-bertahan-di-blitar-hingga-menikahi-warga-lokal>.

<sup>11</sup> Victory Arrival Hutaaruk, "Menikah Dengan Pengungsi Rohingya, Amelia Ikhlas Dua Anaknya Tak Jadi WNI," Tribun-Medan, 2019, <https://medan.tribunnews.com/2019/11/24/menikah-dengan-pengungsi-rohingya-amelia-ikhlas-dua-anaknya-tak-jadi-wni?page=all>.

<sup>12</sup> detikNews, "Terkatung-Katung, Pengungsi Rohingya Nikahi WNI," detikNews, 2015, <https://news.detik.com/bbc-world/d-2891918/terkatung-katung-pengungsi-rohingya-nikahi-wni>.

Rohingya immigrant couples and the Indonesian citizens entered into a marriage in a sirri manner,<sup>13</sup> without going through the marriage registration procedure.

In relation to the explanation above, because the marriages of Rohingya immigrants and Indonesian citizens are not registered, these couples certainly do not receive legal protection from the state, because their marriages are considered invalid under Indonesian law. This certainly has a negative impact on both the wife and especially the child. For children born to parents who have citizenship status, their birth certificates can be registered as legitimate children and this also has an impact on the child's citizenship status. In a different case, children who are born from an unregistered marriage between Rohingya immigrants and Indonesian citizens are referred to as illegitimate children (extra-marital children).<sup>14</sup> Based on Article 43 paragraph (1) of Law Number 1 of 1974 as amended by Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage (hereinafter referred to as Law Number 16 of 2019) it is stated that a child born outside a legal marriage (illegitimate) is legally recognized as having only the mother as their parent.

Marriage between Indonesian citizens and Rohingya immigrants in various regions in Indonesia is a complicated and prolonged problem, which can be seen from the beginning of the marriage process to after the marriage process. Marriage cannot be carried out legally or registered because it conflicts with the provisions of Law Number 16 of 2019 so that the marriage can only be carried out illegally or under the hand or sirri. According to Law No. 16/2019, couples intending to enter into a mixed marriage must clearly establish their nationality,<sup>15</sup> so of course the status of citizenship is a requirement that must be met in the implementation of a mixed marriage that can be registered so as to obtain a marriage certificate recognized by the State.

The issue outlined above is exemplified in the study conducted by Nurul Husna et al., which examines the citizenship status of children born from marriages between Acehnese citizens and the Rohingya ethnic group. The study reveals that the children's citizenship status follows the principle of habitual residence, even though the Rohingya parents adhered to the concept of permanent domicile. The legal status of the child

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<sup>13</sup> Endang Zakaria and Muhammad Saad, "Nikah Sirri Menurut Hukum Islam Dan Hukum Positif," *Kordinat: Jurnal Komunikasi Antar Perguruan Tinggi Agama Islam* 20, no. 2 (2021): 249-64, <https://doi.org/10.15408/kordinat.v20i2.21933>. Etymologically, sirri comes from the Arabic word sirrun, meaning everything that is kept secret or hidden within oneself or within one's soul. According to the Indonesian dictionary, the word sir means unseen or secret or hidden. In terms of terminology, sirri marriage is defined as a marriage that is not registered with a marriage registrar, where the marriage is carried out in the presence of a modin or kyai with two witnesses.

<sup>14</sup> Alfiah Sabrina, "Perlindungan Hukum Terhadap WNI Yang Menikah Dengan Pengungsi Berstatus Stateless Person," *Justitia Jurnal Hukum* 2, no. 2 (2018): 207-23.

<sup>15</sup> See chapter 57 Law No. 16 of 2019 concerning Amendment to Law Number 1 of 1974 concerning Marriage

remains governed by Indonesia's marital legal system. This finding aligns with Jasser Auda's concept of *maqāṣid al-sharī'ah*, as it prioritizes the best interests and welfare of the child.<sup>16</sup>

Another problem concerning the Rohingya is discussed by Salle, *et al*, who analyzed the Indonesian government's dilemma in addressing Rohingya refugees – between legal obligations and humanitarian responsibilities. The study reveals that Indonesia has a legal duty to protect refugees under international agreements it has ratified, which include protection against expulsion and the fulfillment of basic refugee rights in accordance with applicable legal standards. Meanwhile, Indonesia's humanitarian responsibility is multidimensional: saving lives, meeting basic needs, and promoting global political solutions.<sup>17</sup>

The main issue regarding of marriage between Indonesian citizens and Rohingya immigrants who are stateless persons is the rights of children born from such marriages and their rightful entitlements. The status of the child and the child's inheritance rights are problems that need to be studied further, because the child resulting from the marriage is entitled to get his rights as a child is entitled to the same rights as any child born within a legally recognized marriage, in accordance with the prevailing laws. The next legal consequence is the right of inheritance for children born from the marriage between Indonesian citizens and Rohingya immigrants if there is a death that requires the decision of inheritance among the heirs, in this case one of them is the child. In relation to this background, there are interesting legal issues to be studied further, namely how the inheritance rights of children born from marriages involving Indonesian citizens and Rohingya immigrants as stateless persons should be determined.

The research methodology employed is normative legal research, also known as doctrinal legal research. This is a research method based on literature studies with the aim of providing a systematic explanation of legal regulations governing certain fields.<sup>18</sup> In addition, this research also analyzes and predicts legal developments. This method is applied to analyze and examine legal norms related to the inheritance rights of children from parents who are Indonesian citizens and Rohingya immigrants who have the status of stateless persons. With regard to the approaches used, there are two: The first is the statutory approach used to examine the laws and regulations related to the content of the law presented. In this case, the rules or positive laws in Indonesia that regulate children's inheritance rights, citizenship, and mixed marriages are examined. Second, the conceptual

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<sup>16</sup> Nurul Husna, et.al, "Children Citizenship Status of Acehnese-Rohingya Mixed Marriage in Aceh: Maqāṣid Sharī'ah Perspective", *Al-Ahkam* 34, no. 1, (2024): 169-92, <https://doi.org/10.21580/ahkam.2024.34.1.20162>.

<sup>17</sup> Salle, et.al, "Rohingya Refugees: The Indonesian Government's Dilemma between Legal Responsibility and Humanitarian Responsibility," *European Journal of Law and Political Science* 4, no. 2, (2025): 10-14, <https://doi.org/10.24018/ejpolitics.2025.4.2.170>.

<sup>18</sup> Dyah Ochtorina Susanti and Aan Efendi, *Penelitian Hukum (Legal Research)* (Jakarta: Sinar Grafika, 2018), 11.



approach is used to investigate the conceptualizations of legal experts and doctrinal developments within the domain of legal scholarship.<sup>19</sup> In this particular instance, this approach entails the analysis of pertinent literature and legal periodicals<sup>20</sup> that address matters pertaining to inheritance rights and the status of stateless people in a country.

## DISCUSSION

### Explaining the Immigrant Origins of the Rohingya as Stateless Persons

According to the Big Indonesian Dictionary, an immigrant is a person who comes from another country and then lives and even settles in a country, while in legal terms, immigrants are individuals who migrate to a country where that person is not a native of that country.<sup>21</sup> Another definition of an immigrant is an individual or group of individuals who move from their country to another country with a specific purpose that encourages them to migrate and settle in the destination country.<sup>22</sup>

In the 1951 UN Convention, immigrants are referred to as "refugees" as defined in Article 1, which means that what is meant by refugees is a group of people who have concerns in the form of threats and even persecution caused by race, religion, identity (nationality), belonging to civil society, inability to do something, or due to the fear that the person feels unsafe in his own country so he is reluctant to return to his country, but wants to use the security of other countries to protect him.<sup>23</sup>

In International Law, not only is the term refugee recognized, but there is also the term asylum, both of which have different meanings. Sanctuary (*suaka*) means protection and refers to asylum, while an asylum seeker is a person who seeks such protection, which is a person who seeks protection, where protection is needed for the safety of his soul due to feeling threatened in their home country so that they perceive other countries as safe havens to improve their lives.<sup>24</sup> An asylum seeker is someone who has applied for refugee status, and is waiting for his/her application to be accepted or rejected.<sup>25</sup> Asylum seekers who are granted refugee status will be subject to specific obligations and must comply with them, as well as rights and protection of their rights recognized by

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<sup>19</sup> Dyah Ochtorina Susanti; Aan Efendi., 10

<sup>20</sup> Dyah Ochtorina Susanti; Aan Efendi., 15

<sup>21</sup> Muhammad Fauzan Alamari, "Imigran Dan Masalah Integrasi Sosial," *Jurnal Dinamika Global* 5, no. 2 (2020): 254–77.

<sup>22</sup> Christiano K Unmehopa et al., "Tanggung Jawab Negara Indonesia Terhadap Imigran Ilegal Kajian Hukum Keimigrasian," *Tatohi: Jurnal Ilmu Hukum* 3, no. 10 (2023): 936–45.

<sup>23</sup> Yulian; Wilopo Azhari, "Pencegahan Potensi Konflik Antara Pengungsi Rohingya Dan Masyarakat Lokal," *JPM: Jurnal Pengabdian Mandiri* 1, no. 3 (2022): 475–88.

<sup>24</sup> M. Alvin; Tony Mirwanto; Harry Prabowo Wisnu Syahrin;, "Tindakan Hukum Keimigrasian Terhadap Pencari Suaka Yang Meyalahgunakan Kebijakan Bebas Visa," *JLBP: Journal of Law and Border Protection* 5, no. 2 (2023): 2–8.

<sup>25</sup> Princen Simatupang, "Peran United Nations High Commissioner For Refugee (UNHCR) Dalam Perlindungan Warga Negara Asing (Pengungsi) Di Indonesia (Kajian Warga Negara Asing Di Rumah Detensi Imigrasi Kota Pekanbaru)," *JOM Fakultas Hukum* 2, no. 2 (2015): 1–15, <http://repositorio.unan.edu.ni/2986/1/5624.pdf>.

National and International Law. Thus, it can be understood that a refugee was once an asylum seeker, where before a person is recognized as a refugee, the first thing that can be done is to apply as an asylum seeker. Refugee status represents the subsequent phase in a person's displacement or presence outside their country of origin or previous residence. This differs from an asylum seeker, who is not necessarily a refugee, because as refugee status is only conferred once it is formally recognized by national and international authorities.<sup>26</sup>

In relation to the explanation above, the immigrants referred to in this scientific paper and the topic of discussion are Rohingya Immigrants. Rohingya immigrants are a Muslim minority group originating from the Arakan region, located in western Myanmar and formerly one of the fourteen territories under the Arakan Kingdom. The Arakan region was later forcibly integrated into Burma (now known as Myanmar). This annexation occurred after the assassination of the Arakanese king, which led to political instability. This situation provided an opportunity for King Bodawphaya of Burma to conquer Arakan in 1784.<sup>27</sup>

The government of Myanmar does not recognize Rohingya citizenship, as they are not considered part of the population residing in Myanmar before its independence in 1948. This stance was reaffirmed by Myanmar President Thein Sein in 2012, when Myanmar refused to grant citizenship to the Rohingya, labeling them as illegal immigrants and border crossers from Bangladesh.<sup>28</sup> The presence of Rohingya immigrants introduces religious and cultural diversity to Myanmar society, as the majority of them are Muslims living among the predominantly Buddhist population. Linguistically and physically, the Rohingya differ from the general population of Myanmar and are more closely related to Indians and Arabs.<sup>29</sup> The Arakan region, now part of Myanmar, does not ensure legal protection of human rights for the Rohingya. The Rohingya population in northwestern Myanmar has continued to endure prolonged conflict.

Rohingya immigrants have been subjected to acts of genocide since 1978. The Government of Myanmar has committed numerous human rights violations, including mass murder, rape, forced seizure of Rohingya land and homes, child torture, coerced religious conversion to Buddhism, destruction of religious sites, restrictions on Rohingya marriage, and various other abuses. In 1982, the Myanmar government enacted the Burma Citizenship Law (BCL), which denied the Rohingya population access to citizenship, land

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<sup>26</sup> Simatupang., 10.

<sup>27</sup> Nurul Qolbi binti Mohd Ngalim, "Konflik Minoriti Muslim Rohingya di Myanmar dan Penyelesaiannya," *Academia.Edu*, 2013, 5.

<sup>28</sup> Wa Ode Zalmatin, Ruslan, and Syamzan Syukur, "Konflik Rohingya Dan Pengakuan Kewarganegaraannya," *Edu Sociata: Jurnal Pendidikan Sosiologi* 6, no. 2 (2023): 558–68, <https://stkipbima.ac.id/jurnal/index.php/ES/article/view/1467>.

<sup>29</sup> Dendy H Nanda, "Representasi Imigran Muslim Rohingya Di Media Massa Islam," *Ishlah: Jurnal Ilmu Ushuluddin, Adab Dan Dakwah* 2, no. 1 (2020): 93–111, <https://doi.org/10.32939/ishlah.v2i1.19>.

ownership, education, and decent employment opportunities. This policy marked the culmination of systematic human rights abuses perpetrated against Rohingya immigrants. The 1982 Myanmar Citizenship Law does not include the Rohingya among the officially recognized ethnic groups, listing only 135 groups as eligible for citizenship.<sup>30</sup> This decision affects the citizenship status of Rohingya immigrants and deprives them of constitutional rights as Myanmar citizens.<sup>31</sup> Additionally, Rohingya immigrants continue to face numerous human rights violations, including restrictions on freedom of movement, the right to marry and raise children, access to education, the ability to engage in economic activities, freedom of belief, and protection from torture and violence. Among these abuses, genocide stands as one of the most egregious crimes committed against them.<sup>32</sup>

The conflict between the Myanmar government and the Rohingya population persisted until March 2015, when the government revoked the Rohingya's identity cards, effectively stripping them of citizenship and political rights. On March 31, 2015, the Rohingya's "white cards" were officially declared invalid. These white cards were temporary identity documents issued to individuals in Myanmar who lacked formal legal status—such as residents, associate residents, neutral residents, or foreign nationals. Following the revocation of these cards, Rohingya individuals feared arrest and imprisonment, particularly in the lead-up to national elections. This development triggered unrest and resistance, which escalated into violent incidents involving murder, torture, arson, and forced evictions.<sup>33</sup>

The revocation of the citizenship status of Rohingya immigrants has compelled them to seek safer living conditions and legal protection for themselves and their descendants. In response, many have resorted to fleeing Myanmar. For those facing systemic persecution, escape has become a last resort, often involving perilous migration across the vast Andaman Sea—a trend that has persisted since the 1960s. The crisis has significantly intensified since 2012, with more than 120,000 individuals having fled, making it one of the most severe humanitarian crises in Southeast Asia.<sup>34</sup>

Indonesia occupies a strategic geographical position, situated between the continents of Asia and Australia, and bordered by both the Indian Ocean and the Pacific

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<sup>30</sup> Zalmatin, Ruslan, and Syukur, "Konflik Rohingya Dan Pengakuan Kewarganegaraannya.", 560.

<sup>31</sup> Vella Septia Renanda et al., "Perlindungan Hukum Terhadap Kaum Rohingya Dalam Perspektif HAM dan Hukum Internasional," *Sibatik Journal: Jurnal Ilmiah Bidang Sosial, Ekonomi, Budaya, Teknologi, Dan Pendidikan* 2, no. 1 (2022): 143–52, <https://doi.org/10.54443/sibatik.v2i1.510>.

<sup>32</sup> Nabila Farahdila Putri, Ellin Vioni Akse, and Sumiyati, "Pelanggaran Hak Asasi Manusia Terhadap Imigran Rohingya," *JHP 17 (Jurnal Hasil Penelitian)* 5, no. 2 (2020): 40–51.

<sup>33</sup> Azhari, "Pencegahan Potensi Konflik Antara Pengungsi Rohingya Dan Masyarakat Lokal.", 480

<sup>34</sup> Alfiah Sabrina, "Perlindungan Hukum Terhadap WNI Yang Menikah Dengan Pengungsi Berstatus Stateless Person.", 211.



Ocean.<sup>35</sup> Indonesia's geographic position makes it a key destination for asylum seekers en route to Australia and the Americas. The Province of Aceh, located along the Strait of Malacca—an international maritime route—often serves as the first point of contact for refugees crossing the ocean. Additionally, the presence of Acehnese fishermen operating within Indonesia's Exclusive Economic Zone (EEZ) plays a significant role in facilitating contact with Rohingya refugees, bringing them closer to Indonesian shores. As a result, this border region is frequently utilized as a gateway for foreign nationals seeking refuge and entry into Indonesian territory.<sup>36</sup>

The conflict in Myanmar targeting Rohingya immigrants compelled many individuals to seek refuge in various countries, including Indonesia. Beginning in early 2015, Rohingya refugees started arriving in Indonesia, with their arrival by boat in Aceh gaining international media attention. According to a recently published report by the United Nations High Commissioner for Refugees (UNHCR), the total number of refugees who had arrived in Aceh by mid-November 2023 reached 1,608 individuals, including 140 people who had remained from the previous year.<sup>37</sup> Immigrants or refugees in Indonesia originate not only from Myanmar or among the Rohingya community but also from various other countries. As of the most recent data, approximately 12,616 refugees are registered with the United Nations High Commissioner for Refugees (UNHCR) office in Indonesia. These individuals primarily come from Afghanistan, Somalia, and Myanmar.<sup>38</sup> In accordance with the 1951 Geneva Convention relating to the Status of Refugees, a person may be considered a refugee if they possess a well-founded fear of persecution based on one or more of the following grounds: race, religion, nationality, membership in a particular social group, or political opinion. In such cases, the individual is deemed to be outside the country of their nationality and is unable or unwilling to seek the protection of that state.<sup>39</sup>

Indonesia, as a country that has received refugees from the Rohingya community, engaged in discussions with two other nations—Malaysia and Thailand—and collectively agreed to accept Rohingya refugees on humanitarian grounds.<sup>40</sup> In relation to this, a significant issue arises from the fact that Indonesia has not ratified the 1951 United Nations Convention Relating to the Status of Refugees (hereinafter referred to as the 1951 Refugee Convention). The Government of Indonesia considers several provisions of the

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<sup>35</sup> Asep Kamaluddin Nashir, "Kepentingan Dan Posisi Strategis Indonesia Dalam Peta Geopolitik Indo-Pasifik," *Intermestic: Journal of International Studies* 8, no. 2 (2024): 636–55, <https://doi.org/10.24198/intermestic.v8n2.12>.

<sup>36</sup> Azhari, "Pencegahan Potensi Konflik Antara Pengungsi Rohingya Dan Masyarakat Lokal.", 481.

<sup>37</sup> BBC News, "Pengungsi Rohingya Tembus 1.600 Orang, Mengapa Nelayan Aceh Menolong Mereka?," BBC News Indonesia, 2023, <https://www.bbc.com/indonesia/articles/c4nye1ewp2xo>.

<sup>38</sup> <https://www.unhcr.org/id/>, diakses pada tanggal 28 Agustus 2024.

<sup>39</sup> Renaldy William Tendeau, Max Sondakh, and Caecillia J.J Waha, "Perlindungan Hukum Pengungsi Di Indonesia Pasca Peraturan Presiden No.125 Tahun 2016," *Lex Privatum* 11, no. 5 (2023): 1–11.

<sup>40</sup> Alfiah Sabrina, "Perlindungan Hukum Terhadap WNI Yang Menikah Dengan Pengungsi Berstatus Stateless Person.", 215.

Convention—particularly Article 17, which addresses the right of refugees to work, and Article 21, which pertains to the right to housing—as challenging to implement domestically. Consequently, because Indonesia has not ratified the 1951 Refugee Convention, the country functions primarily as a “transit state” for stateless persons. This implies that refugees remain in Indonesia temporarily until their resettlement in a third country is determined. Nevertheless, Indonesia assumes responsibility for the care and management of these refugees during their stay.<sup>41</sup>

### **Indonesia's Legal Protection of Rohingya Immigrants as Stateless Persons**

Citizenship status is of critical importance to the Indonesian state, as it constitutes a fundamental aspect of human rights. This principle is enshrined in Article 26, paragraphs (1) and (2) of Law Number 39 of 1999 concerning Human Rights (hereinafter referred to as Law No. 39 of 1999), which affirms that every individual has the right to possess, acquire, change, or retain their citizenship status, and to freely choose their citizenship without discrimination. Possession of citizenship grants individuals specific rights and imposes certain obligations. The significance of citizenship status is further reinforced in Article 15 of the Universal Declaration of Human Rights (hereinafter abbreviated as UDHR), which states that everyone has the right to a nationality. Accordingly, Rohingya immigrants are also entitled to citizenship—either from Myanmar or from other states willing to grant them nationality.<sup>42</sup> Rohingya immigrants in Indonesia are entitled to obtain citizenship status by applying for Indonesian citizenship status. Before submitting the application, Rohingya immigrants must complete the documents issued by Myanmar, Bangladesh, and third countries that recognize Rohingya citizenship status.<sup>43</sup>

Although until now Indonesia has not ratified the 1951 UN Refugee Convention, Indonesia still implements the principles of human rights and continues to maintain the stability of human security as stipulated in Article 3 paragraphs (1), (2), and (3) of Law No. 39 of 1999, with the following contents:

- 1) Every individual is born free with equal dignity and position, endowed with a clear mind and conscience to live the life of society, nation, and state in the spirit of brotherhood.
- 2) Every individual has the right to recognition, guarantees, protection, and fair legal treatment as well as legal certainty and equality before the law.
- 3) Every individual has the right to the protection of human rights and basic freedoms without discrimination.

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<sup>41</sup> Eva Johan, “Kebijakan Indonesia Terhadap Imigrasi Ilegal Dan Hubungannya Dengan Kedaulatan Negara,” *Yuridika* 28, no. 1 (2013): 1–12.

<sup>42</sup> Hananda Rachman Salim, “Perlindungan Hukum Terhadap Stateless Person Di Indonesia,” *Novum: Jurnal Hukum* 4, no. 1 (2017): 1–15, <https://doi.org/https://doi.org/10.2674/novum.v4i1.20919>.

<sup>43</sup> Salim., 8.

Referring to the above provisions, which affirm that everyone is entitled to the protection of human rights, Indonesia—as a member of the international community—cannot turn a blind eye to the issue of migration involving Rohingya immigrants, particularly those residing within its territory. Rohingya immigrants currently living in Indonesia are the responsibility of the Indonesian government and, therefore, must be afforded appropriate protection.

In the discourse on protection, according to the theory proposed by Hadjon, there are two types of legal protection: preventive and repressive. Preventive legal protection provides an opportunity for legal subjects to express their opinions or objections before a governmental decision is finalized. The primary aim of preventive legal protection is to avert potential legal issues, whereas repressive legal protection is intended to resolve disputes or problems that have already arisen.<sup>44</sup>

In relation to the aforementioned forms of protection, preventive legal protection for Rohingya immigrants is primarily embedded in several regulations governing immigration (including, in this case, stateless immigrants), such as Law Number 6 of 2011 concerning Immigration, Law Number 12 of 2006 concerning Citizenship, and others. These regulations address the presence of immigrants in Indonesia mainly through cooperation with international organizations, providing temporary social assistance until the refugees are relocated to a third country, as well as ensuring the protection of their human rights while residing within Indonesian territory.<sup>45</sup>

In relation to repressive legal protection, the Indonesian government collaborates with the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM). This cooperation is based on a Memorandum of Understanding (MoU) established in 1997. According to the MoU, the roles and responsibilities of these two international organizations are categorized across several groups, including refugees, migrants, asylum seekers, rejected asylum seekers, returnees, internally displaced persons, and local residents affected by conflict situations (UNHCR, 1997).<sup>46</sup>

The implementation of this cooperation involves the United Nations High Commissioner for Refugees (UNHCR) establishing temporary shelters for Rohingya refugees, which are operated by the International Organization for Migration (IOM), with support from local governments in providing suitable locations. In these temporary

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<sup>44</sup> Daffa Arya Prayoga et al., “Perlindungan Hukum Terhadap Hak Warga Negara Dengan Berlakunya Undang-Undang Nomor 23 Tahun 2019 Tentang Pengelolaan Sumber Daya Nasional,” *Sovereignty: Jurnal Demokrasi dan Ketahanan Nasional* 2, no. 2 (2023): 188–200, <https://journal.uns.ac.id/Sovereignty/article/view/865>.

<sup>45</sup> Simatupang, “Peran United Nations High Commissioner For Refugee (UNHCR) Dalam Perlindungan Warga Negara Asing (Pengungsi) Di Indonesia (Kajian Warga Negara Asing Di Rumah Detensi Imigrasi Kota Pekanbaru).” 13.

<sup>46</sup> Arfa Wulandari Tambunan, “Kerja Sama UNHCR dan IOM Dalam Menangani Pencari Suaka Dan Pengungsi Imigran Rohingya Di Indonesia,” *Journal of International Relations* 5, no. 2 (2019): 341–50, <http://ejournal-s1.undip.ac.id/index.php/jihiWebsite:http://www.fisip.undip.ac.id>.

shelters, Rohingya immigrants reside while awaiting the processes of voluntary repatriation or placement in a third country willing to accommodate them. The shelters are equipped with various facilities provided by UNHCR and IOM, including access to clean water, healthcare services, children's playgrounds, places of worship, sports facilities, and other essential amenities.<sup>47</sup>

In the health sector, the Government of Indonesia ensures proper medical treatment for Rohingya refugees through hospitals that collaborate with the International Organization for Migration (IOM). This healthcare guarantee is provided in addition to the monthly allowance distributed by IOM to the refugees. However, refugees are responsible for covering their own transportation costs to access medical services. If admitted to a hospital affiliated with IOM, all medical expenses are fully covered by the organization. Conversely, if refugees choose to seek treatment at health centers or medical facilities not partnered with IOM, they are required to bear the medical costs independently.<sup>48</sup>

### **Citizenship Status of Children from Marriages between Indonesian Citizens and Rohingya Immigrants as *Stateless Persons***

It is human nature to live in community, as individuals possess an inherent drive to engage in social life rooted in biological instincts, such as the desire to reproduce. The aspiration to have children is a fundamental human inclination, often associated with the pursuit of happiness. One of the means through which individuals fulfill this desire is by establishing a harmonious family, blessed by Allah SWT, through the institution of marriage.

Marriage is a relationship between a man and a woman who bind themselves to each other as husband and wife with the aim of forming a happy and eternal family based on God Almighty.<sup>49</sup> The above provisions show that every married couple who has entered into a marriage, there is a bond of rights and obligations between the two of them and the children born from the marriage, so of course marriage is an important thing for couples to do.<sup>50</sup> Couples who have entered into marriage find it easier to live in society, live together and give birth to offspring because it is the main joint of the formation of the state and nation, which in its implementation is certainly not limited by race, ethnicity, skin color and even nationality. The importance of marriage as referred to then encourages some Rohingya immigrants to marry Indonesian citizens.

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<sup>47</sup> Azhari, "Pencegahan Potensi Konflik Antara Pengungsi Rohingya Dan Masyarakat Lokal.", 483.

<sup>48</sup> E.N. Domloboy Nst., "Peranan International Organization for Migration (Iom) Dalam Menangani Permasalahan Refugees (Pengungsi) Rohingya Di Indonesia," *Jurnal PIR : Power in International Relations* 2, no. 1 (2018): 70-81, <https://doi.org/10.22303/pir.2.1.2017.70-81>.

<sup>49</sup> Chapter 1 Law No 16 of 2019 concerning Amendment to Law Number 1 of 1974 concerning Marriage.

<sup>50</sup> Susanti Dyah Ochtorina, dan Shoimah, Siti Nur, "Urgensi Pencatatan Perkawinan (Perspektif Utilities)," *Rechtidee* 11, no. 1 (2016): 174-78.

Marriages between Indonesian citizens and Rohingya immigrants are often pursued with specific objectives, one of which is the hope of being recognized as Indonesian citizens through the marriage. However, Indonesian citizenship cannot be automatically acquired through marriage; it must be obtained through a formal application process. This is in accordance with Article 1 point 3 of Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia, which states that naturalization is the procedure by which a foreign national obtains Indonesian citizenship through an application. Thus, citizenship can only be granted upon submission and approval of an application, not solely by virtue of marriage.

Marriage may be conducted between couples of different nationalities. This is regulated under Article 57 of Law No. 1 of 1974, which stipulates that a mixed marriage is a union between two individuals who, in Indonesia, are subject to different legal systems due to differences in nationality, with one party being an Indonesian citizen. Referring to this provision, marriages between Indonesian citizens and Rohingya immigrants may be classified as mixed marriages. However, the definition of mixed marriage does not fully align with the context of marriages involving Rohingya immigrants, as they are stateless persons without recognized citizenship and are therefore not subject to the legal system of any country. Given the Rohingya's stateless status, such marriages are typically performed in a *sirri* (unregistered) manner, without formal state registration. *Sirri* marriages between Indonesian citizens and Rohingya immigrants have legal implications not only for the spouses but more significantly for the rights and legal status of their children.

Children are recognized as having the right to a nationality because, as special legal subjects, they are entitled to enjoy the rights associated with citizenship. There are even specific legal provisions governing children's right to citizenship. As explained by Vanessa Pupavac in Ratu Durrotun Nafisah's analysis, children are regarded as special subjects in the context of citizenship rights due to their inherent vulnerability. This vulnerability makes them more susceptible to various unlawful acts, such as violence, abuse, and exploitation.<sup>51</sup>

Based on this, the protection against childhood statelessness as stipulated in international instruments must be implemented optimally, taking into account the best interests of the child and the challenges posed by statelessness—particularly the child's inability to enjoy their fundamental rights. Therefore, no child should be left stateless for an extended period following birth. In this regard, the Secretary-General of the United Nations has emphasized that the first eight years of a child's life are a critical period for

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<sup>51</sup> Ratu Durrotun Nafisah, "Hak Atas Kewarganegaraan Bagi Anak Dari Transit Migran Yang Lahir Di Indonesia," *Padjadjaran Law Review* 6 (2018): 1-16.



their development, and that citizenship, as a marker of identity, plays a crucial role in supporting the child's growth and overall well-being.<sup>52</sup>

In connection with the explanation above, to determine the citizenship status of a child, there are four principles that form the basis, namely the principle of *ius sanguinis*, the principle of *ius soli*, the principle of single citizenship, and the principle of dual citizenship. Based on these principles, a child born from the marriage of an Indonesian citizen and a Rohingya immigrant (stateless person) should be protected under Article 5 of Law Number 23 of 2002 concerning Child Protection, which emphasizes that every child has the right to obtain a name and citizenship status as part of their identity. Referring to these provisions, the child may acquire Indonesian citizenship based on the principle of *ius soli*, which grants citizenship according to the place of birth – Indonesia in this case – and the principle of single citizenship, whereby the child's status follows the parent who holds Indonesian citizenship.<sup>53</sup>

To assess the citizenship status of children born to Indonesian citizens and Rohingya immigrants, it is essential to recognize that such status cannot be conferred if the parents' marriage is not legally registered. Nonetheless, Law No. 12 of 2006 does not stipulate that a child must be born within a marriage recognized by state law when the parents are stateless or of unknown nationality. Consequently, legal proof of marriage should not be treated as a necessary condition for applying the limited *ius soli* principle.

The absence of a specific birth registration procedure for children born in Indonesia to stateless parents has left the government with no alternative but to enforce Presidential Decree No. 25 of 2008 concerning the Requirements and Procedures for Population Registration and Civil Registration. As a result, Rohingya refugees are required to undergo the same birth registration process and fulfill the same requirements as children born to Indonesian citizen parents.<sup>54</sup>

In practice, Rohingya immigrants are considered ineligible for Indonesian citizenship due to their status as refugees residing in Indonesia without undergoing immigration residence permit procedures, unlike regular immigrants. Children of Rohingya immigrants born in Indonesia are more closely associated with their parents' status as refugees rather than being recognized as stateless individuals. The prevailing perception that transit migrants can only be categorized as refugees or asylum seekers reinforces the assumption that both they and their children – despite being born in Indonesia – are merely temporary residents and therefore not entitled to Indonesian citizenship. In reality, however, their status as stateless persons should entitle children of transit migrants born in Indonesia to Indonesian citizenship (*Warga Negara Indonesia* or

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<sup>52</sup> European Network on Stateless, "Preventing Childhood Statelessness in Europe: Issues, Gaps and Good Practices," European Network on Stateless, 2014, <https://doi.org/10.31826/9781463240134-toc>.

<sup>53</sup> See general explanation Law No 12 of 2006 concerning Citizenship.

<sup>54</sup> Nafisah, "Hak Atas Kewarganegaraan Bagi Anak Dari Transit Migran Yang Lahir Di Indonesia." 10.

WNI). Furthermore, in addition to the right to citizenship, children born to an Indonesian citizen and a stateless person are also entitled to inheritance rights over the property of their deceased parents.

### **Inheritance Rights of Children from Marriages between Indonesian Citizens and Rohingya Immigrants as Stateless Persons**

A child born from an intercountry marriage is entitled to acquire the citizenship of both parents. Upon reaching adulthood, the child has the right to choose one of the parents' nationalities or, alternatively, to adopt the citizenship of another country, provided that the child has established legal ties with that country. However, the issue arises when the mixed marriage in question, as discussed in this study, involves an Indonesian citizen and a Rohingya immigrant who holds stateless status. As such, the marriage cannot be officially registered under national law. This presents a significant problem concerning the legal status of the child, particularly in cases where one of the parents passes away. In Western legal systems, as regulated in the *Burgerlijk Wetboek*, a minor who is not under parental supervision is considered in need of guardianship. When both parents die, the child is typically placed under the care and custody of extended family members. Consequently, unregistered marriages between Indonesian citizens and Rohingya refugees—those not recorded by the Civil Registry Office or the Office of Religious Affairs (KUA)—can obstruct a child's right to inherit parental property. This is because a child's rights under civil law are only protected when they are legally recognized. Such recognition is crucial in establishing the legal relationship that entitles a child to be considered a legitimate heir.<sup>55</sup>

Given that marriages between Indonesian citizens and Rohingya immigrants—who are stateless persons and thus not legally bound to any specific country—fall outside the jurisdiction of a foreign national legal system, the applicable inheritance law can follow the existing legal framework in Indonesia. In regulating inheritance matters, Indonesian law offers several legal options, including Western inheritance law, Islamic inheritance law, and customary inheritance law. Each of these legal systems operates with distinct principles and mechanisms for inheritance distribution, and their application depends on the personal status and religious affiliation of the individuals involved.<sup>56</sup>

In discussing the definition of inheritance law (*erfrecht*), Soepomo, as cited by Eman Suparman, defines it as a set of regulations governing the process of transferring tangible and intangible property from one generation to the next. In other words, inheritance law comprises the rules and principles that regulate the transfer of assets, along with the rights

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<sup>55</sup> Delfika Intania Rosadi Dini Mulia Mutmainah; Nikolas Andika Simbolon, "Hak Waris Anak Hasil Perkawinan Kewarganegaraan Campuran Yang Tidak Tercatat," *Jurnal Hukum Media Justitia Nusantara* 13, no. 2 (2023): 68–78.

<sup>56</sup> Justitia Henryanto Ghazaly, "Kepemilikan Hak Atas Tanah Dalam Perkawinan Campuran," *JCH (Jurnal Cendekia Hukum)* 5, no. 1 (2019): 117, <https://doi.org/10.33760/jch.v5i1.183>.

and obligations of a deceased person. Inheritance law typically includes several key elements: the testator or decedent, referring to the individual who transfers property upon death; the heirs, referring to those entitled to receive the deceased's property; and the inheritance, which consists of the assets or property left behind by the deceased.<sup>57</sup>

In line with the explanation above, it is understood that inheritance arises when an individual who possesses assets or property passes away, and the ownership of such assets is transferred to those legally entitled to receive them – one of whom is the child. A child may qualify as an heir under two categories: First, as a legal heir (*ab intestato*), where inheritance is based on statutory provisions, and the primary considerations are the blood relationship and legal standing of the heir; and second, as an heir by testament (*testamentair erfrecht*), where inheritance is based on the existence of a will, and the transfer of property is determined by the testator's expressed wishes.<sup>58</sup> In relation to this matter, there are two categories of heirs, namely *testamentaire erfgenamen* and *legatarissen*. The former refers to heirs who receive an inheritance based on a will that entitles them to the entirety or a specified portion of the deceased's estate. In contrast, the latter refers to individuals who receive particular items or specific types of inheritance property as designated in the will, without inheriting a share of the overall estate.<sup>59</sup>

Referring to this explanation, children resulting from the marriage between Indonesian citizens and Rohingya immigrants are entitled to inherit their parents' property, even if the marriage was not legally registered. This is because the marriage, although unregistered under state law in accordance with Law No. 1 of 1974, is still considered religiously valid. Furthermore, the child qualifies as a legitimate heir, and upon the death of either parent, is naturally entitled to inherit their assets by virtue of *nasab* (lineage).<sup>60</sup> This means that marital status does not determine whether a person is eligible to be an heir. As long as there is a legally recognized lineage between the child and their parents, the child retains the right to inherit and is entitled to the property or wealth of both parents.

In relation to the property or wealth of both parents, this study also aims to examine the status of assets within mixed marriages between Indonesian citizens and Rohingya immigrants who are stateless persons. Regarding inheritance in the form of immovable property, such as land, Article 21 paragraph (1) of Law Number 5 of 1960 concerning Basic Agrarian Principles stipulates that only Indonesian citizens may possess ownership rights to land. This means that even if Rohingya immigrants enter into marriage with Indonesian citizens, they cannot own immovable property such as land or houses. However,

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<sup>57</sup> Suparman.

<sup>58</sup> See chapter 874 *Burgerlijk Wetboek*.

<sup>59</sup> Darwis L Rampay, "Hak Waris Anak Dalam Perkawinan Campuran Berdasarkan Undang-Undang Nomor 12 Tahun 2006 Tentang Kewarganegaraan," *Morality: Jurnal Ilmu Hukum* 2, no. 2 (2015): 1–17.

<sup>60</sup> See chapter 832 *Burgerlijk Wetboek* and chapter 174 Presidential Instruction No. 1 of 1991 concerning the Dissemination of Compilations of Islamic Law.

Rohingya immigrants may still possess movable assets – such as money, mobile phones, laptops, and other personal property – provided that such items do not require ownership identity documentation. In terms of property acquired during marriage, Article 35 of Law Number 1 of 1974 provides that assets obtained during the marriage constitute joint property, whereas assets brought into the marriage by each spouse or acquired individually as gifts or inheritance remain under their respective control, unless otherwise agreed upon through a prenuptial agreement.

A marital agreement is a contractual arrangement between two spouses that may be established before, during, or after the marriage. Such an agreement may regulate matters concerning separate or joint property, the division of profits and losses, or the consolidation of income and other financial outcomes..<sup>61</sup> Referring to this definition, Indonesian citizens and Rohingya immigrants may establish a marital agreement, provided that both parties consent to the separation of property in the form of movable assets or other possessions acquired during the marriage.

In relation to inheritance rights for children born from mixed marriages – particularly those between Indonesian citizens and stateless Rohingya immigrants – such children remain entitled to inheritance rights from both parents. With regard to inheritance in the form of land rights, children are also eligible to receive inheritance from their Indonesian parent, provided that the child holds Indonesian citizenship. As legal heirs, children may possess ownership rights to land even if residing abroad, by presenting valid proof of Indonesian citizenship, such as a passport. The heir must report to the land office as the beneficiary and legal owner of the land, by submitting the land certificate, the death certificate of the deceased parent, and a certificate of inheritance.<sup>62</sup>

## CONCLUSION

The author concludes that children born from mixed marriages between Indonesian citizens and stateless Rohingya immigrants retain inheritance rights from both parents, even if the marriage is not legally registered. These rights are grounded in blood relations (*nasab*), rather than the formal legal status of the marriage. Under Indonesian law, such children may inherit through one of three legal systems – Western, Islamic, or customary – depending on their family background and applicable legal framework. This study contributes a novel perspective by linking issues of statelessness, child protection, and inheritance law. A child's citizenship may still be recognized under the principles of *ius soli* and *ius sanguinis*, even if the parents are stateless. Moreover, the status of being stateless does not negate the child's right to inherit, including rights to immovable

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<sup>61</sup> Dyah Ochtorina Susanti, "Perjanjian Kawin Sebagai Bentuk Perlindungan Hukum Bagi Pasangan Suami Istri (Perspektif Maqashid Syari'ah)," *Ulul Albab: Jurnal Studi Dan Penelitian Hukum Islam* 1, no. 2 (2018): 1–30, <https://doi.org/10.30659/jua.v1i2.2456>.

<sup>62</sup> Andhika Febriansyah; Jasmine, "Status Hak Waris Anak Dalam Perkawinan Campuran," *Jurnal Spektrum Hukum* 19, no. 1 (2022): 56–65.

property, provided that the child is recognized as an Indonesian citizen. This research addresses a gap in legal scholarship concerning the rights of children from mixed marriages involving stateless individuals, and it emphasizes the urgency of protecting children's rights in complex legal and citizenship contexts. The author recommends that Indonesian citizens register such marriages legally to safeguard their children's inheritance rights. Additionally, the government is urged to establish clear legal provisions related to civil registration, citizenship, and inheritance for children resulting from these types of unions.

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