



Legal Protection Of A Child's Citizenship Status In Mixed-Nationality Marriages In Indonesia

Nurlina¹, Ahmad Zuhry Amir², Imran³, Firman Batari⁴, Abdul Salam⁵

Universitas Sibatokkong Mambo^{1,2,3,4}, STAI Al-Azhar Gowa⁵

Email Korespondensi: nurlinasj@unsima.ac.id

Article received: 12 April 2026, Review process: 12 Mei 2026

Article Accepted: 29 Mei 2026, Article published: 29 Juni 2026

ABSTRACT

Mixed marriages between Indonesian citizens (WNI) and foreign nationals (WNA) have increasingly raised complex legal issues, particularly regarding the citizenship status of children born from such unions. This study aims to analyze the legal protection of children's citizenship status under Indonesian law and to examine the legal aspects of children's status in mixed marriages. This research employs a normative juridical method using secondary legal materials, including primary, secondary, and tertiary legal sources, which are analyzed qualitatively. The findings indicate that Law No. 12 of 2006 on Citizenship grants children of mixed marriages a limited dual citizenship status until the age of 18 or at most 21 years, after which they must choose one nationality. However, implementation remains problematic due to inadequate socialization, risk of statelessness, and restricted civil rights – including inheritance of land – for dual-citizen children under the Basic Agrarian Law. Weak inter-agency coordination among the Directorate General of Immigration, Civil Registry, and the Ministry of Law further compounds these challenges. This study concludes that harmonization of citizenship law with other related regulations, along with an integrated administrative system, is urgently needed to ensure substantive legal protection for children of mixed marriages.

Keywords: Mixed Marriage, Children's Citizenship Status, Limited Dual Citizenship, Legal Protection, Statelessness

ABSTRAK

Perkawinan campuran antara Warga Negara Indonesia (WNI) dengan Warga Negara Asing (WNA) semakin menimbulkan persoalan hukum yang kompleks, khususnya terkait status kewarganegaraan anak yang lahir dari perkawinan tersebut. Penelitian ini bertujuan untuk menganalisis perlindungan hukum terhadap status kewarganegaraan anak hasil perkawinan campuran dan mengkaji aspek hukum status anak dalam perkawinan campuran di Indonesia. Penelitian ini menggunakan metode pendekatan yuridis normatif dengan bahan hukum primer, sekunder, dan tersier yang dianalisis secara kualitatif. Hasil penelitian menunjukkan bahwa Undang-Undang Nomor 12 Tahun 2006 tentang Kewarganegaraan memberikan status kewarganegaraan ganda terbatas bagi anak hasil perkawinan campuran hingga usia 18 tahun atau paling lambat 21 tahun. Namun, implementasinya terkendala minimnya sosialisasi, risiko apatride, dan terbatasnya hak sipil anak berkewarganegaraan ganda, termasuk hak waris atas tanah berdasarkan UUPA. Lemahnya koordinasi antarinstansi seperti Imigrasi, Dukcapil, dan Kementerian Hukum turut memperparah kondisi tersebut. Penelitian ini menyimpulkan bahwa harmonisasi UU

Kewarganegaraan dengan regulasi terkait serta sistem administrasi terpadu sangat diperlukan guna menjamin perlindungan hukum yang substantif bagi anak hasil perkawinan campuran.

Kata Kunci: *Perkawinan Campuran, Status Kewarganegaraan Anak, Kewarganegaraan Ganda Terbatas, Perlindungan Hukum, Apatrid*

PENDAHULUAN

The regulation of marriage is systematically set forth in Law No. 16 of 2019 Amending Law No. 1 of 1974 on Marriage. From a legal perspective, marriage is a legal act that gives rise to legal consequences in the form of rights and obligations for the husband and wife. According to this law, marriage is defined as a physical and spiritual bond between a man and a woman in the capacity of husband and wife, with the aim of forming a happy, lasting family based on the values of belief in One Supreme God. (Muj'taba & Hasana, 2025)

The purpose of marriage in Islam is to create a family that is *sakinah* (peaceful), *mawaddah* (full of love), and *rahmah* (full of compassion). This is emphasized in the Qur'an. This is in accordance with Article 1 of Law No. 1 of 1974 on Marriage, which defines marriage as a physically and spiritually binding relationship between a man and a woman.

In Islamic teachings, parents bear a great responsibility to ensure the well-being and future of their children. This principle is reflected in the Qur'an, specifically in Surah An-Nisa, Verse 9. The translation reads: "Let those fear who, if they were to leave behind them, would be concerned for their weak offspring. Therefore, fear Allah and speak with truthful words." The command to fear Allah applies especially to those who are concerned about leaving behind offspring who are vulnerable and economically and socially disadvantaged. Concern for the future of children who are neglected, vulnerable, and living in poverty serves as a reminder to guardians and adults to always fear only Allah by obeying His commands to avoid all that could lead to sin. Furthermore, they are also obligated to be gentle and show compassion toward the children in their care as a form of protection and fulfillment of their rights. (Safei, 2026).

According to experts, marriage is, among other things, a contract entered into by two people. In this context, the agreement between a man and a woman for a material purpose—namely, to form a happy and lasting family—must be based on belief in the One Supreme God, as the first principle of Pancasila. Marriage is a familial agreement. The familial agreement referred to here is not an ordinary agreement, but one with specific characteristics. (Firman & Hikmatullah, 2026)

In the context of modern social developments, marriage laws in Indonesia continue to be adapted to accommodate societal dynamics, including the existence of mixed marriages—that is, marriages between Indonesian citizens (WNI) and foreign nationals (WNA). This phenomenon poses unique challenges in the legal sphere, including issues related to civil registration, immigration, and the legal status of children born of such marriages.

In Indonesia, a mixed marriage involves a couple with different nationalities, where both parties hold different nationalities. Marriages between

individuals of different nationalities often give rise to problems, particularly if the marriage is registered in the home country of the prospective husband or wife. Under Indonesian law, mixed marriages are governed by Law No. 1 of 1974 on Marriage, as amended by Law No. 16 of 2019, as well as Law No. 12 of 2006 on Citizenship (Law No. 12 of 2006). Although clear regulations exist, the issue of the citizenship status of Indonesian citizens married to foreign nationals often sparks debate.

The phenomenon of international mixed marriages in Indonesia is becoming increasingly common, particularly among public figures in cross-national relationships. One example is the marriage between Indonesian actress Asmirandah Zantman and actor Jonas Rivanno Wattimena, a Dutch national. From this mixed marriage, a child named Chloe Emanuelle Van Wattimena was born, who legally serves as a concrete example of the application of the principle of limited dual citizenship for children born of international mixed marriages. 5 Legally, pursuant to Article 4(c) of Law No. 12 of 2006 on Citizenship, a child born from a valid marriage between an Indonesian citizen (WNI) and a foreign national (WNA) is entitled to Indonesian citizenship. On the other hand, Dutch law adheres to the principle of *ius sanguinis*—that is, citizenship is inherited through the parental lineage—so a child whose father holds Dutch citizenship is also entitled to Dutch citizenship. Thus, under international law, Chloe Emanuelle Van Wattimena holds limited dual citizenship until she reaches the age specified by law.

The legal status of children born to parents of different nationalities may vary depending on the laws in each parent's country.(Pradanata, 2023). Some countries follow the principle of *ius soli*, which determines a child's legal status based on the place of birth, while others follow the principle of *ius sanguinis*, which links a child's legal status to the citizenship of their parents (Megiani dkk., 2023a) Under the principle of *ius soli*, a child born in a particular country is considered a citizen of that country, regardless of the parents' citizenship. However, some countries have exceptions for mixed-nationality marriages, which limit the child's right to citizenship if one parent is not a citizen of that country (Megiani dkk., 2023b).

However, although the principles of *ius soli* or *ius sanguinis* are generally considered the standard systems for determining the legal status of children born to parents of different nationalities, there are variations that depend heavily on the specific country and applicable jurisdiction. Some countries may impose additional requirements, such as administrative procedures or registration, to recognize the legal status of children born to parents of different nationalities.

Therefore, it is important for couples with children from mixed-nationality marriages to understand and comply with the laws of their country (Mutawalli, 2023). If there are any discrepancies or ambiguities regarding a child's legal status, it is recommended to consult with a legal expert or the relevant authorities specializing in citizenship and marriage law to obtain valid and up-to-date information.

Mixed marriages – that is, marriages between two people from different countries or cultures – can give rise to many legal issues, particularly regarding the status of children born from such marriages. Key aspects that must be considered in this context include: legal conflicts and cultural differences, the determination of applicable law, the children’s citizenship status, children’s rights, the role of international conventions, and legal protections. The trend of increasing mixed marriages in Indonesia further underscores the urgency of examining these legal aspects.

Legal conflicts and cultural differences. Mixed-nationality marriages often involve two different legal systems or significant cultural differences, and legal conflicts may arise in determining the applicable law governing the marriage and the children born of that marriage, (Riyanti, 2023).

Determining the applicable law. Determining the applicable law in a mixed-nationality marriage may involve considerations regarding the couple’s place of residence, nationality, or a prenuptial agreement, if any. Some countries may use the legal concepts of “lex loci celebrationis” (the law of the place of marriage) or “lex domicilii” (the law of the place of residence) to determine the applicable law.

With the enactment of the new Citizenship Law, children born to an Indonesian woman and a foreign national, as well as children born to an Indonesian man and a foreign national, are recognized as Indonesian citizens. The new Citizenship Law, Law No. 12 of 2006, provides greater protection for Indonesian citizens. Indonesian citizens who enter into mixed-nationality marriages may retain their Indonesian citizenship, including any children born from such marriages. Children born of mixed marriages may hold dual citizenship, and once they turn 18, they may choose their own citizenship (the principle of limited dual citizenship). The transition from the old regulations to the new ones has led to stricter controls over citizenship matters, resulting in a rather lengthy bureaucratic process. This has ultimately led many Indonesian citizens who were married before the enactment of Law No. 12 of 2006 on Citizenship to choose to become foreign nationals, as their spouse’s country is perceived to offer greater protection and a more secure livelihood for their families.(Rosalinda, 2023)

Under Indonesian law, mixed marriages are governed by Law No. 1 of 1974 on Marriage and Law No. 12 of 2006 on Citizenship. In several cases reported by the Embassy of the Republic of Indonesia in Ankara, a number of Indonesian women married to Turkish nationals have faced obstacles in the administrative process regarding their children’s citizenship and the legal recognition of their marriages in both countries. This highlights the need for clear legal protection for such married couples(Ardiani, 2025).

Legal protection of a child’s citizenship status is an important part of the state’s responsibility to ensure the fulfillment of children’s rights, uphold justice, and carry out its constitutional obligations and human rights principles. In Indonesia, this protection is regulated by Law No. 1 of 1974 on Marriage, as amended by Law No. 16 of 2019, and Law No. 12 of 2006 on Citizenship of the Republic of Indonesia. Nevertheless, the implementation of these two regulations still faces various obstacles, including legal uncertainty in determining a child’s

citizenship status, limited provisions regarding dual citizenship, insufficient legal protection for the rights of children born of mixed marriages, administrative and procedural barriers in the process of registration and processing of citizenship documents, as well as cultural and social factors that also influence the implementation of legal protection. These various obstacles indicate that regulatory improvements and strengthened policy implementation are still needed so that legal protection regarding the citizenship status of children born of mixed marriages can be effectively carried out and provide legal certainty (Muj'taba & Hasana, 2025).

METHOD

This study employs the normative legal research method, which involves examining legal norms using literature as the primary source of data. The approaches used include the statutory approach and the conceptual approach. The statutory approach involves examining all regulations related to the citizenship status of children in mixed marriages, while the conceptual approach examines relevant legal doctrines and principles. The legal sources used consist of three types. First, primary legal sources, including Law No. 1 of 1974 on Marriage, as amended by Law No. 16 of 2019, Law No. 12 of 2006 on Citizenship of the Republic of Indonesia, Law No. 5 of 1960 on the Basic Agrarian Principles Act (UUPA), and Law No. 39 of 1999 on Human Rights. Second, secondary legal sources, which include academic books, journal articles, research findings, and expert opinions related to the research topic. Third, tertiary legal sources, such as legal dictionaries, encyclopedias, and other scholarly references that serve to support the understanding of primary and secondary legal sources. (Soekanto & Mahmudji, 2003). All of these legal materials were analyzed qualitatively using a descriptive-analytical approach, by outlining the applicable legal provisions and then analyzing them systematically to address the research questions raised in this study.

RESULTS AND DISCUSSION

Legal Provisions Regarding the Citizenship Status of Children Born to Parents of Mixed Nationality

The importance of applying philosophical, sociological, and legal foundations in the formulation of legislation is crucial to ensuring substantive justice, including in the context of protecting children's rights from mixed marriages. Philosophical foundations reflect the fundamental values embedded in society; sociological foundations take into account social realities and the needs of society; and legal foundations ensure alignment with the national legal system. Thus, the formulation or revision of regulations regarding the citizenship status and civil rights of children born of mixed marriages must take these three aspects into account so that they reflect the needs of Indonesia's diverse society without compromising the principles of justice and legal certainty. (Gea, 2024)

Under Indonesian citizenship law, the main principles used to determine a person's citizenship status are *ius sanguinis* (right by descent) and *ius soli* (right

by place of birth). These principles are set forth in Law No. 12 of 2006 on Citizenship of the Republic of Indonesia, which replaced the previous regulation, namely Law No. 62 of 1958, hereinafter referred to as the "Citizenship Law."

According to citizenship theory, the state has full authority to determine an individual's citizenship status as an exercise of its sovereignty. Indonesia adheres to the principle of *ius sanguinis*, which emphasizes the importance of lineage as the basis for determining citizenship, as stipulated in the Citizenship Law.

The principle of *ius sanguinis* plays a more prominent role in Indonesian citizenship law because it is closely linked to the concept of nationalism based on descent. Meanwhile, *ius soli*, which is applied on a limited basis, aims to prevent statelessness, which could create legal problems for individuals born in Indonesia without a clear citizenship status (Sudarmawan dkk., 2020).

The limited application of *ius soli* in Indonesia is based on historical considerations, given that in the past many foreign residents settled in Indonesia and had children there without a clear legal status. There are several principles of citizenship law, namely:

- a) The principle of *ius sanguinis* means that a person's citizenship is determined by descent, not by place of birth. Article 4 of the Citizenship Law states that "a child born to a father or mother who is an Indonesian citizen (WNI) automatically acquires Indonesian citizenship."
- b) The Principle of Limited *Ius Soli*: Although Indonesia adheres to *ius sanguinis*, the principle of *ius soli* also applies to a limited extent. According to Article 4, paragraph (1), letter d of the Citizenship Law, which reads: "A child born within the territory of Indonesia may acquire Indonesian citizenship if both parents are stateless or the child's citizenship status is unclear." This is intended to prevent cases of statelessness. Other countries that apply the full principle of *ius soli* often aim to promote diversity and immigration, whereas Indonesia limits its application to protect legal interests and national identity
- c) The Principle of Naturalization: In addition to birth, citizenship may also be acquired through the process of naturalization. Article 8 on Citizenship stipulates that a person wishing to become an Indonesian citizen must meet certain requirements, such as having resided in Indonesia for at least 5 consecutive years or 10 non-consecutive years, being able to speak Indonesian, and acknowledging Pancasila and the 1945 Constitution.
- d) The Principle of Limited Dual Citizenship. This law also introduces the concept of limited dual citizenship, which is granted to children born of mixed marriages between Indonesian citizens and foreign nationals. Article 6 on Citizenship states that "children of mixed marriages are entitled to dual citizenship until the age of 18." Although the policy of limited dual citizenship represents a progressive step compared to previous regulations, the mechanism for choosing citizenship after the age of 18 still poses implementation challenges. Not all children or parents receive adequate information regarding the deadlines and administrative procedures that must be followed. Consequently, there is a risk that a child may lose their

Indonesian citizenship solely due to administrative negligence, rather than a deliberate choice to relinquish their citizenship.

- e) This issue indicates that the state's approach remains focused on administrative certainty rather than the protection of children's rights. In fact, the state has a positive obligation to ensure that no child falls into a stateless condition (apatride). Therefore, a more effective outreach system, interagency data integration, and an automatic reminder mechanism before the deadline for choosing citizenship expires are needed. "After that, the child must choose one of their citizenships." (Wijayati dkk., 2022).

The Principle of Loss of Citizenship: Under Indonesian citizenship law, a person may lose their status as an Indonesian citizen if they meet any of the conditions set forth in Article 23 of the Citizenship Law, such as voluntarily acquiring another citizenship, enlisting in the military of a foreign country without the President's permission, or failing to express a desire to remain an Indonesian citizen after reaching the age of 18 for those holding dual citizenship. Previously, regulations governing mixed marriages between foreign nationals and Indonesian citizens were contained in Law No. 62 of 1958. That law severely restricted the relationship between a mother and her child, especially if the marriage ended in divorce.

Following the enactment of the Citizenship Law in Indonesia, the country automatically adopted a system of dual citizenship. This means that children born from mixed marriages after the enactment of this law may hold or acquire dual citizenship—either their mother's or their father's—until they turn 18 years old; however, by the time they turn 21 at the latest, they must have chosen one permanent citizenship. This means that a child may hold dual citizenship, but only on a temporary basis until the age of 18.

The next right is the right to inherit, whereby a child is entitled to inherit their parents' estate if they share a blood relationship with their parents. To establish this relationship, the parents' marital status must first be verified; if the marriage is valid, the child is entitled to inherit their parents' estate, but if the marriage is invalid, the child has a legal relationship only with their mother and is entitled to inherit only their mother's estate. The situation is different in the case of a marriage that produces a child with dual citizenship, where the child is automatically recognized as both an Indonesian citizen and a foreign national; consequently, the child cannot be an heir to their parents' estate.

This is clearly explained in Article 21(1) of the Basic Agrarian Law, which states that "only Indonesian citizens may hold title to land." This provision is further elaborated in paragraph (3) of Article 21, which states that "foreign nationals who acquire title to land after the enactment of the Basic Agrarian Law must relinquish such rights within one year of acquisition; if the rights are not relinquished within that period, they are automatically revoked by law and the land reverts to the state."

Furthermore, paragraph (4) explains that "as long as a person holds foreign citizenship in addition to their Indonesian citizenship, they may not hold land

under freehold title or inherit property from their parents who own property located in Indonesia.”

Based on these provisions, there appears to be a discrepancy between Law No. 12 of 2006 on Citizenship and the Basic Agrarian Law (UUPA). On the one hand, the Citizenship Law recognizes limited dual citizenship status for children of mixed marriages as a form of protection for children’s rights. However, on the other hand, the UUPA actually restricts the ability of children with dual citizenship to hold or acquire ownership rights to land through the mechanism of inheritance.

From the perspective of child rights protection, this restriction can be viewed as inconsistent with the principle of the best interests of the child. Children cannot choose their dual citizenship status at birth because that status is a legal consequence of their parents’ marriage. Therefore, imposing the risk of losing inheritance rights to land on children can result in substantive injustice. The state should provide transitional mechanisms or special protections until the child reaches the age to determine their choice of citizenship, so that their civil rights remain protected. To provide legal certainty, a child who has reached the age of 18 may exercise the right to choose Indonesian citizenship so that their civil rights are protected; that is, once the child turns 18, they must choose to become an Indonesian citizen in order to inherit property from a parent who is an Indonesian citizen.

Furthermore, in Indonesia, children born of mixed marriages who already hold dual citizenship have certain rights, including the right to marry within Indonesian territory by fulfilling the requirements set forth in the Marriage Law – one of which is that both men and women must be at least 19 years of age, as stipulated in No. 16 of 2019 Amending Law No. 1 of 1974 on Marriage. When such a child with dual citizenship is domiciled in Indonesia and intends to get married in Indonesia, they must comply with all the requirements stipulated in the applicable laws.

It is important to understand that knowledge of the Marriage Law is essential when such a marriage takes place in Indonesia. Article 59(2) of the Law is a crucial provision that must be observed. This provision states that mixed-nationality marriages conducted in Indonesia must be carried out in accordance with the provisions set forth in the Marriage Law. Meanwhile, if the marriage takes place outside Indonesia, it is important to note that the marriage must comply with the laws of the country where it is conducted. For Indonesian citizens, even marriages abroad must not deviate from Indonesia’s Marriage Law. This means that, in addition to following the local laws of the country where they marry, Indonesian couples must also ensure that their marriage complies with the provisions of Indonesia’s Marriage Law.

Legal Aspects of a Child’s Status in Mixed-Nationality Marriages

Meanwhile, in some countries – particularly those that follow the principle of *ius soli* – these children may acquire the citizenship of the country where they were born, resulting in them becoming dual citizens or *bipatrides*. If the father is

an Indonesian citizen at the time of the child's birth, the child automatically becomes an Indonesian citizen. This applies even if the child is born after the father's death, provided that the father was an Indonesian citizen at the time of his death (Hertawan Andrian, 2011).

Indonesia has undergone various changes in its citizenship laws. According to Law No. 12 of 2006 on Citizenship of the Republic of Indonesia, a child of an Indonesian citizen born out of a valid marriage, who is under 18 years of age or unmarried, is considered an Indonesian citizen (Law No. 12 of 2006 on Citizenship of the Republic of Indonesia, 2006).

In addition, if a child under the age of 18 is related to a father who has obtained Indonesian citizenship through naturalization, that child is also an Indonesian citizen, provided the child resides in Indonesia in accordance with the law. However, when the child reaches the age of 18, they must make a choice. They can decide whether to become an Indonesian citizen or retain the citizenship of their father or mother. This is intended to give the child control over their citizenship once they are of legal age.

The legal consequences of the status of a child born of a mixed marriage who holds dual citizenship can encompass several aspects. For example, a marriage agreement notarized by a notary regarding the child's citizenship must be confirmed by a court to clarify the citizenship of a child born of a mixed marriage. This ensures that the child will become an Indonesian citizen, following the citizenship of their mother (Lazuardi, 2020).

Citizenship law in mixed marriages may vary significantly depending on the nationality laws applicable in the countries involved. Each country has its own citizenship regulations, and when two individuals from different countries enter into marriage, the legal situation can become complex. In addition to substantive legal issues, challenges concerning the protection of children born from mixed marriages are also caused by weak inter-agency coordination. The administration of citizenship documents involves various institutions, including the Directorate General of Immigration, the Population and Civil Registration Office (Dukcapil), and the Ministry of Law. In practice, however, there is still no integrated service system capable of effectively synchronizing data and administrative procedures. This condition requires citizens to navigate lengthy bureaucratic processes and may result in legal uncertainty. In fact, the protection of children's rights depends not only on the quality of legal norms but also on the effectiveness of their implementation by state institutions. Therefore, administrative reform and the integration of public service systems have become urgent necessities to ensure the fulfillment of the rights of children born from mixed marriages.

Case Study and Analysis

A child was born from a marriage between an Indonesian citizen woman and a foreign national man holding German citizenship. Based on Law Number 12 of 2006 concerning the Citizenship of the Republic of Indonesia, the child acquired limited dual citizenship status from birth. During childhood and adolescence, this status did not create any problems because the child was still able to exercise his

rights as an Indonesian citizen. However, upon reaching the age of 18 and entering the period for choosing a nationality, the child did not submit a declaration to choose Indonesian citizenship due to a lack of understanding of the applicable procedures. As a result, after the expiration of the prescribed period, the status of his Indonesian citizenship became unclear, and he potentially lost his rights as an Indonesian citizen. This condition gives rise to various legal consequences, such as difficulties in obtaining population administration documents, obstacles in accessing certain civil rights, and uncertainty regarding his legal status within the territory of Indonesia.

Pursuant to Article 6 of Law Number 12 of 2006 concerning the Citizenship of the Republic of Indonesia, children born from mixed marriages are granted the right to hold limited dual citizenship until they reach the age of 18 years or, at the latest, 21 years of age. Thereafter, the child is required to choose one nationality to retain. This provision essentially constitutes a form of state protection for children, ensuring that they do not immediately lose their legal relationship with one of their parents' countries. However, in practice, this provision still gives rise to various problems, particularly when the child or his or her parents do not receive adequate information regarding the applicable deadlines and the administrative procedures that must be followed (Neysa Brilliant Abida & Nasywa Syifa, 2025).

From the perspective of child rights protection, the case demonstrates that the risk of losing citizenship is not always caused by the child's intention to relinquish his or her citizenship status, but often results from inadequate public dissemination of information and the ineffective operation of the state administrative system. In fact, every child has the right to obtain a legal identity and protection of his or her citizenship status, as guaranteed by various human rights instruments and national regulations. Therefore, the state should not merely provide normative recognition through the Citizenship Law but must also ensure the existence of administrative mechanisms capable of protecting children from the risk of becoming apatriote (stateless).

This issue is consistent with the findings of Ahyar Ari Gayo, who identified cases involving children born from mixed marriages in Bali who encountered difficulties after exceeding the age limit for choosing their citizenship. The study demonstrated that a lack of public understanding regarding citizenship selection procedures may create legal uncertainty for children. Therefore, it is necessary to strengthen public awareness programs, enhance data integration among relevant agencies, and establish automatic reminder mechanisms before the citizenship selection deadline expires, so that legal protection for children born from mixed marriages can be implemented effectively rather than remaining merely normative.

The case of Melaney Ricardo provides a concrete illustration of the operation of the limited dual citizenship mechanism as regulated under Article 6 of Law Number 12 of 2006. Melaney's two children, Chloe Valentine Lynch and Courage Jordan Lynch, have legally held limited dual citizenship status since birth, deriving their citizenship from their mother, an Indonesian citizen, and their father, an Australian citizen. During their childhood, this status did not create

significant obstacles because their civil rights could still be fulfilled under the protection of Indonesian law. However, Melaney's statement that she had "not yet thought about" her children's future citizenship choice indicates that even among educated individuals with access to information, the urgency of the citizenship election deadline has not been fully recognized. This condition reflects the findings of Ahyar Ari Gayo (2019), who identified inadequate dissemination of information regarding citizenship election procedures as a systemic problem. From the perspective of child rights protection, every child has the right to legal certainty regarding his or her identity, as guaranteed by Article 53 paragraph (1) of Law Number 39 of 1999 concerning Human Rights. If the citizenship election deadline is missed, whether due to a lack of understanding of the applicable procedures or administrative negligence, the child may potentially lose Indonesian citizenship status permanently and face the risk of becoming apatriote, namely a condition of effectively being without citizenship in any country. This risk becomes even more significant given that Indonesia does not recognize permanent dual citizenship. Therefore, in order to achieve substantive rather than merely normative legal certainty, the state needs to establish an active reminder mechanism for mixed-marriage families before children approach the citizenship election age limit, so that the legal protection provided by the Citizenship Law can genuinely be experienced and realized in practice. (*Viral Alumni LPDP Bangsa Anak Bukan WNI, Melaney Ricardo Beri Pesan Menohok*, t.t.)

CONCLUSION

The legal protection afforded to mixed marriages with respect to the citizenship status of spouses and children demonstrates that Indonesian citizenship law has adopted a progressive approach by accommodating limited dual citizenship for children born from mixed marriages until they reach the age of 18 years or, at the latest, 21 years of age. This policy reflects the law's adaptation to the realities of globalization and the increasing prevalence of transnational marriages. Nevertheless, its implementation continues to face various challenges, including limited public awareness, the potential risk of statelessness arising from differences in legal systems, and restrictions on the enjoyment of certain civil rights by children holding dual citizenship. As a result, a gap remains between the legal framework and its practical application.

These circumstances indicate that legal certainty for children in mixed marriages has not yet been fully achieved. Therefore, it is necessary to strengthen an integrated legal system that aligns citizenship and immigration policies, as well as to harmonize the Citizenship Law with Law Number 6 of 2011 concerning Immigration. Such measures are essential to eliminate regulatory overlaps while reinforcing legal protection for the rights of children.

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