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## **The Role of NGOs in the International Human Rights System: A Case Study—IJM in Thailand**

*By Tyler J. Bourke*

### ***Abstract***

International human rights have been codified in a number of declarations and conventions, but these rights are not always enforced. This paper will examine the right to citizenship and the other essential rights linked to it. When national governments are unable or refuse to grant citizenship to a group of people it results in a violation of international human rights norms. Non-governmental organizations (NGOs) play a key role in enforcing human rights standards in three ways: first, NGOs with lawyers on staff can work through national legal systems to ensure that rights, such as citizenship, are granted. Second, NGOs can bring human rights violations to the attention of the general public in order to pressure national governments to take action. Third, the human rights violations can be brought to the attention of international organizations such as the UN to put pressure on the offending nation. This paper will explore how International Justice Mission implemented all three of these measures in order to influence the Thai government to grant citizenship to the Karen people, a hill tribe in northern Thailand. International Justice Mission's efforts were successful in bringing international attention to the plight of the Karen as well as navigating the Thai legal system to assist in the citizenship process.

### ***Introduction***

Human rights law is an important area of international law, one that is core to the mission of the United Nations (UN) and a number of non-governmental organizations (NGOs). Through its Charter and a number of treaties, the UN has taken a variety of steps to define and illustrate the fundamental human rights. But international human rights law predates the UN and owes some of its historic roots, as well as its contemporary interpretations to NGOs. Perhaps more than any other area of international law, human rights law is embraced by the lay public and has

become an important tool in international negotiations. Non-governmental organizations (NGOs) have played a key role in the development and execution of international human rights law and in bringing understanding of it to the public.

The Universal Declaration of Human Rights (UDHR), signed and ratified by the United Nations in 1948, is the primary source of modern human rights law. This declaration outlined the fundamental rights to which each human being is entitled and serves as the key document in international human rights law. In addition to the UDHR, there are a number of conventions that further clarify policies on specific issues. Much of what has been codified in these treaties is considered customary international law, but this does not mean that all nations abide by the articles of the treaties.<sup>1</sup>

Outlining international human rights law is not enough to create equal rights; it is necessary to enforce these laws as well. Although nations that are members of the UN agree to these laws, not all nations enforce them, either because they are unable to do so or they choose to ignore them in certain situations. As these cases come to light, it is often difficult for individuals—especially those who are poor or disenfranchised—to bring their cases to the attention of international authorities. In many of these cases, the international community intervenes through human rights organizations, acting on behalf of individuals or groups to bring their plight to the attention of authorities as well as the concerned public. International human rights is a unique area of the law because non-governmental organizations have played a key role in its creation, development, and enforcement. NGOs often serve as watchdog organizations for human rights violations, monitoring activities within countries, especially through external communications, including the Internet. They may serve as legal representatives to those whose rights are violated, or they may simply bring the world's attention to such violations, pressuring

a nation to reform its own standards or to enforce laws that are already part of the constitution but are not being enforced for all peoples.

NGOs are key players for another reason: They are able to work on more specific issues than governments and IGOs. International courts can only address human rights abuses that occur on a large scale, such as genocide. Aside from those larger issues, international courts often leave the national governments to handle their own domestic issues; but when a national government fails to do this, enforcement of basic human rights norms does not occur. NGOs are capable of enforcing international standards of human rights in ways that other institutions cannot.

Non-governmental organizations act internationally and intervene in three key ways. First, NGOs, with lawyers on staff, can bring a case of human rights violations to the attention of national governments, representing clients and working through the judicial system in the country. If this fails, NGOs can bring an issue to the attention of the general public in order to raise awareness and have people pressure their governments to take action. This places the nation with the human rights problems in a negative international spotlight, which can lead to change on its own due to the bad press. Finally, NGOs can help document the situation and provide international organizations like the UN with the documentation necessary to bring action against the nation. All three of these functions are crucial to promoting human rights for all people, especially in nations where those rights are in question. This paper will analyze these approaches through the work of one human rights NGO, International Justice Mission (IJM), and its work in Thailand with the Karen people.

### *Development of International Human Rights Law*

Human rights law is considered to have many different origins, from Hammurabi's code to the Judeo-Christian tradition, but its codification in the modern international system began in the seventeenth century. The modern conception of human rights is significantly different than its original conception in the pre-World War I era when human rights began to take form. The earliest widely recognized international human rights doctrines were developed in the 1600s, particularly by Hugo Grotius' work on the doctrine of humanitarian intervention. At that time, humanitarian intervention entailed one state's justified intervention in the affairs of another state that was mistreating its own citizens. This was intended to only occur "when conflict was so brutal and large-scale as to shock the conscience of that community of nations." Unfortunately, at times this became an excuse for nations to conquer smaller and less powerful ones, but this was the first international step to limit the power of states that mistreated their own people.<sup>ii</sup>

In 1863, the International Committee of the Red Cross was formed upon the ideas of Henri Dunant. Dunant, four years earlier, witnessed the aftermath of the Battle of Solferino in the Italian town of Castiglione. There, he saw 9,000 wounded soldiers left with no one to dress their wounds or care for them. From this experience, Dunant wrote *A Memory of Solferino*, which described what he had witnessed, and became his call for a relief group to aid soldiers wounded in battle. In February 1863, the International Committee for Relief to the Wounded was founded on Dunant's ideals and eventually became the International Committee of the Red Cross.<sup>iii</sup> The formation of the International Committee of the Red Cross also led to the 1864 Geneva Convention, a treaty to ensure that medical establishments and personnel were protected in times of war.<sup>iv</sup> In addition, Articles 5 and 6 of the 1864 Geneva Convention ensured the freedom, protection, and care of all combatants who were sick or wounded.<sup>v</sup> The International Committee of the Red Cross was one of the first prominent non-governmental organizations

permitted to intervene in the affairs of states. This is an important precursor to many NGOs today.

When the United Nations was formed after World War II, the UN Charter made human rights a key issue. It was in this era that the modern conception of human rights was born out of the atrocities committed during WWII.<sup>vi</sup> Article 1(3) of the UN Charter states that the promotion and enforcement of international human rights is one of the reasons for the UN's existence. Articles 55 and 56 further clarify the obligations of UN member states to uphold these standards of human rights.<sup>vii</sup>

The principles outlined in the Charter, however, were not explicit on the exact nature of those human rights, which led to the creation of the UDHR.<sup>viii</sup> The Universal Declaration of Human Rights was adopted in 1948 by the UN General Assembly in order to make the human rights that the UN sought to protect clearer.<sup>ix</sup> Following the ratification of the UDHR, there were numerous other conventions, protocols, and supplements that further clarified human rights on specific issues, but these have been built on the principles of the Universal Declaration of Human Rights. The UDHR, then, is a key document in the modern international human rights system and is widely given a "very special and normative status" among nations.<sup>x</sup>

The Karen people in Thailand have been deprived of a number of the human rights outlined in the UDHR. Therefore, the UDHR will be the standard against which the government of Thailand is held in this paper to demonstrate the human rights violations that occurred. In addition, this paper will explore how International Justice Mission addressed those violations in the case of the Karen people.

### *The Plight of the Karen People*

A large number of Thailand's ethnic minorities are concentrated in its mountainous northern regions, and these minority groups are formed into a number of different hill tribes.<sup>xi</sup> The total population of these hill tribes is estimated to be between 550,000 and 1.2 million people, and approximately half of this hill-tribe population consists of the Karen tribe, an indigenous group that has been in Thailand for more than a century.<sup>xii</sup> Some of the Karen people made their way into Thailand to escape Burma; but others were forced into the Northern regions by Thai demand for land in the past, and have since been victims of Thai prejudice in the form of discriminatory laws and policies, particularly concerning their right to become Thai citizens.<sup>xiii</sup> The Thai policies concerning the hill tribes have in the past been unclear. For example, the 1985 Thai census considered those in the hill tribes to be Thai; however, the subsequent census labeled them as Burmese immigrants, illustrating that the Thai government has not been sure how to label this population for several decades.<sup>xiv</sup>

Thailand's policies have prevented nearly 400,000 eligible hill-tribe people from acquiring formal Thai citizenship.<sup>xv</sup> The Thai Nationality Act of 1992 defines the Thai policies for obtaining Thai citizenship and clearly outlines who is eligible for citizenship, but it is silent on the rights of Thailand's indigenous people, such as the Karen. Section 7 of the Nationality Act states that citizenship should be granted to those who have been born on Thai soil, if their parents immigrated into the nation through proper means. Yet, it refuses citizenship to the children of aliens who have immigrated illegally. Many Karen, however, have lived in Thailand for generations without citizenship but are not illegal immigrants.<sup>xvi</sup>

A Karen without citizenship in Thailand has few rights and faces a number of crippling restrictions. The healthcare options available to the Karen are limited, and often NGOs have to step in to assist those who cannot afford what the hospitals may charge. In addition, freedom to

travel is severely limited for the Karen, which makes leaving their region difficult for them. This, in turn, limits the hill tribes' access to jobs and education. Citizenship is required to vote, join unions, and own land. Without citizenship, education and work opportunities are limited meaning that hill-tribe people are among the poorest people in Thailand. Citizenship in Thailand is essential to receive fundamental rights outlined in the UDHR; thus, the Thai government's unwillingness to naturalize the hill tribes constitutes a deprivation of these fundamental rights.<sup>xvii</sup> The plight of these people became known to those working for IJM in Thailand because some Karen children were being sold into the sex trade and were unable to receive protection from police because they were not viewed as Thai citizens.

Citizenship in Thailand is verified through Thai national ID cards; these cards afford a number of rights to those who possess them. Without these cards, the Karen people are unable to move freely around their own nation. If they do, they risk arrest and imprisonment from Thai officials or may have to bribe the police officers to stay quiet. It is worse for women without these ID cards; they are often sexually assaulted by corrupt police officers or are preyed upon by people who claim to offer them legitimate jobs but instead force them into prostitution.<sup>xviii</sup>

Unfortunately, the Karen villages are underdeveloped and have little farmland, so there are few employment opportunities in those areas. With travel restrictions, finding employment elsewhere is difficult and makes the situation of the Karen even worse. Even if a Karen receives the necessary travel permits, many employers require the Thai national ID as well. Some Karen, in desperation, have claimed to be from Burma in order to work; yet, this claim can backfire and create an even more dire situation if a person then attempts to acquire formal Thai citizenship later.<sup>xix</sup> This is because the Thai Nationality Act, Section 17(b), states that those with Thai



nationality who use a foreign nation's nationality, or have used one, may have their Thai nationality revoked.<sup>xx</sup>

Citizenship in Thailand also grants access to twelve years of education and universal healthcare. Unfortunately, the Karen are required to pay for their hospital fees, and when they already have limited access to employment, these fees can be overwhelming. The education system is beginning to improve, however; and in 2007, Thailand gave identity cards to 33,000 stateless children, allowing them to attend up to six years of school. This was believed to be in response to the pressure brought by IJM and other NGOs. But after these initial years of schooling, a Thai ID is often required in order to go into upper levels of education.<sup>xxi</sup>

The restricted rights to education, travel, and employment that the Karen people face are not only problematic for their development, but also violate international human rights. Each of these issues is outlined in the Universal Declaration of Human Rights: Article 13 states that all people have the right to move within their own country, which is not possible for the stateless in Thailand. Articles 23 and 26 state that people have the right to an equal opportunity for employment and the opportunity to be educated, respectively. Therefore, denying citizenship leads to the denial of many other fundamental human rights.<sup>xxii</sup>

Lacking a legitimate say in their government because they cannot vote, the Karen people have no way of fighting for their own rights. The Karen cannot defend their right to retain property, since they have no way to voice their grievances under Thai law; and they constantly risk losing their homes and being deported, whether the reason is legitimate or not.<sup>xxiii</sup> Because the Karen people lack these rights, this constitutes another set of violations of the UDHR. Articles 7 and 21 of the UDHR state that all people are equal before the law and have the right to

a voice in their own government. Article 17 conveys that all people have an equal right to own property, guaranteeing that property will not be taken from them without reason.<sup>xxiv</sup>

As previously noted, the plight of the Karen people has more implications than what has already been outlined; because these people are under-employed, discriminated against, and impoverished, they become vulnerable to human trafficking. Human trafficking is defined in Article 3a of the Protocol To Prevent, Suppress and Punish Trafficking In Persons of 2000 as the forceful or coerced acquisition of a person to be exploited. Exploitation is defined in this same section to include slavery, prostitution, and forced labor.<sup>xxv</sup> This Protocol is a supplement to the UN Convention Against Transnational Organized Crime, and both have entered into force, making trafficking illegal under international law.<sup>xxvi</sup>

Vital Voices, an NGO that reports on the status of women worldwide, made a specific comment in its report on human trafficking in Thailand. This report notes the link between a lack of access to essential services and human trafficking: “Because non-citizen residents and village residents cannot access healthcare, education, employment or political representation, international organizations and NGOs in Thailand have arrived at the conclusion that statelessness makes people, such as the hill-tribe people, vulnerable to trafficking.” This adds another serious element to the citizenship issue, beyond the violations of the UDHR, because those without rights may be forced into human trafficking operations such as slavery or prostitution.<sup>xxvii</sup>

In studying the situation, IJM attorneys discovered that some of the Karen people, as well as other hill tribes, were technically eligible for citizenship under Thai law. But even without the discriminatory policies of the Thai Nationality Act, there are a number of other hurdles that face these stateless people seeking citizenship. First, a person seeking citizenship must know the Thai

language, which can be extremely difficult without access to education and when everyone in the tribe only? speaks his or her tribal language. Second, corrupt officials often block the path of villagers trying to leave their village and demand bribes that consist of up to a year's earnings to pass. As a result, many of these villagers are disheartened and do not even attempt to attain citizenship.<sup>xxviii</sup> Finally, working through the process to citizenship requires proof that is often absent when individuals lack birth, marriage, and death certificates or any other formal papers. This process becomes particularly daunting for those who are illiterate.

### ***The Work of IJM***

International Justice Mission (IJM) is a Christian non-governmental organization created to address injustices that are committed worldwide. IJM focuses on injustices concerning violence, slavery, prostitution, and other crimes directly linked to those international issues. It was founded in 1997 because NGOs providing essential services to those in need witnessed a number of human rights violations but were powerless to stop them. IJM seeks to address those violations by working independently or, when possible, with the US government and/or the government of the nation in question.<sup>xxix</sup> IJM works primarily in the field to correct these injustices first-hand, although it also publishes reports on its activity and will even testify before Congress on the issues it addresses.<sup>xxx</sup>

It is through IJM's investigation of human trafficking in Thailand that the problems of the Karen people were brought to light. Although the problems of the Karen have existed for nearly fifty years, since the original Thai Nationality Act of 1965, the issue of human trafficking brought their needs to global attention. Human trafficking was a problem that resulted from discrimination and lack of citizenship; and when this issue was engaged, the other needs of the

Karen people were discovered and began to be addressed as well. IJM's work began in Thailand to tackle the human trafficking issue; but as an understanding of the broader needs of the indigenous peoples developed, IJM began a campaign to grant them citizenship.

IJM handled the situation in Thailand on two fronts: by investigating the human trafficking problem, and addressing the citizenship problem linked to trafficking. One example is when IJM investigators went undercover in Chiang Mai, a major prostitution area, from 1998 until 2002, gathering evidence and information concerning the human trafficking situation there. IJM then brought this information to the Thai government, which led authorities to strengthen the police response to this problem, which according to the 2008 data, was largely successful.<sup>xxxi</sup> Although not all trafficking involved Karen women and children, this was a valuable aspect of IJM's work that addressed the needs of those who have been forced into human and sex trafficking. Police were effective in protecting Thai citizens, but were largely unable to protect those who were not citizens.

The work of IJM began in Thailand in 1998, funded by private donations, primarily from individuals, churches and foundations - all concerned about the issue of sex trafficking. In 2002, IJM was funded by the US government to establish a three-year program addressing sex trafficking in Thailand, called the "Thailand Sex Trafficking Task Force." Billed as a protection and prevention program, it established a group to take the at-risk populations in Thailand—especially the young girls in hill tribes—and provide them with resources in order to reduce that risk of being trafficked. At first, IJM created an education program so that girls and their families would not unwittingly believe the promises of the unscrupulous sex traffickers who came to their villages promising a brighter future in the city. The program also registered the at-

risk people with the Thai government and found employment and educational opportunities for them. The funding for this came from the US Department of Labor.<sup>xxxii</sup>

In 2005, IJM set up a program between the hill tribes and Thai or Karen lawyers to begin providing citizenship for the people who qualified under Thai law. As a result, families are being registered with the Thai government. IJM also worked with a Karen lawyer to provide support for orphaned children going through this process.<sup>xxxiii</sup> This program has continued; and in 2007, for example, 393 people received citizenship and 567 received “updated legal status,” gaining the right to work and travel.<sup>xxxiv</sup> Since 2002, this program has helped over 6,000 people attain these rights.<sup>xxxv</sup>

As a result of working systematically, IJM has been able to help thousands of hill tribe people become full citizens of Thailand. It has also brought pressure on the Thai government to open more avenues for citizenship to indigenous people and to provide some basic human rights, such as schooling, even for those who are not citizens but have lived in the country for many years. In addition, bringing attention to this issue has raised the understanding in the general public of the importance of citizenship. International groups have put pressure on Thailand as well, even as recently as last year, after the new constitution of Thailand was drafted without addressing the issue of indigenous peoples.<sup>xxxvi</sup>

This is just a sample of the work IJM does in Thailand and other areas. This issue is an ongoing one; and IJM works with the local government to provide immediate, as well as long-term solutions to these problems. Its work in other nations includes similar programs in order to better the lives of those who are in need, and it uses similar measures in those situations to create that change. In addition, IJM works actively in the public sphere through congressional hearings, presentations before IGOs, prosecuting those who violate these human rights standards, and

bringing these issues to the attention of the news. For example, IJM was featured on NBC's *Dateline* for its investigation of sex tourism in Cambodia and has been profiled in such publications as *The Nation* and *The New Yorker*.<sup>xxxvii</sup>

Perhaps most interestingly, IJM has brought the issues of human rights to the general Christian public. Other human rights organizations, such as Amnesty International and Physicians for Human Rights, were often viewed as politically liberal and rarely appealed to the more conservative Christian public.<sup>xxxviii</sup> IJM has not only made many aspects of human rights law understandable to a large number of Christians, but it has also helped encouraged more Christians to become lawyers, specifically with the intention of practicing human rights law. This has also changed the way many Christians view their ability to intervene on behalf of those who are less fortunate. Instead of simply giving development assistance in the form of food, shelter, or medicine, they now understand that helping individuals and groups attain legal protection can be a very effective means of assistance.<sup>xxxix</sup>

Despite the well-respected casework mentioned in this paper, IJM as an organization does have its critics. Some say that IJM's legal methods are inappropriate or temporary solutions to long-term problems. After a *Dateline* report about IJM aired, there was a backlash against the organization by some human rights advocacy groups.<sup>xl</sup> The criticism of IJM was not aimed at its citizenship work with the Karen, but its methods in freeing sex workers and providing ongoing care to them, as well as the Christian character of the organization.

IJM was criticized for its stance on sex workers in Thailand and the use of police in raids on brothels. Organizations devoted to increasing rights for sex workers were outraged when IJM raided brothels and "rescued" women from those conditions, only to have those women return to those same places of employment shortly thereafter. In a *New Yorker* article on IJM by

Samantha Powers, she observed: “These critics believed that the mission’s raids gave police more opportunities to degrade women—by violating them, by rounding them up in the sweeps, or by deporting them. They also pointed to a number of women ‘rescued’ by Haugen’s group who had swiftly tried to return to the brothels.” Sex worker advocacy groups argued that IJM’s raids brought more negative police attention to the sex worker industry, which could lead to further marginalization of sex workers. Gary Haugen, founder and CEO of IJM, rebuts the criticism in Powers’ article, arguing that the local police are essential to the work IJM does, as well as the work of other human rights organizations. Haugen contends that the local police are a necessary player because it is important to support local law enforcement so the work can continue once IJM has reduced its presence. Although IJM attempted to institute measures to ensure that police action in the brothel raids did not further endanger brothel workers, the use of raids as a tactic remains controversial. The tactic of raiding a brothel is seen by many as merely an appeal to the media to bring more support to IJM. Powers goes on to say, “Among many in the human-rights community, however, the mission gained a reputation for cowboy behavior and media sensationalism.”<sup>xli</sup>

IJM has also been the subject of criticism because of its Christian mission, primarily because of its policy of only hiring Christian lawyers. This hiring practice is criticized for being discriminatory against those who want to work with IJM, but do not consider themselves Christians. Powers notes that although this policy is not always implemented because IJM works in nations with few lawyers and small Christian populations, it is the ideal toward which the organization strives. As a result, IJM has been characterized in the *New Yorker* article as “zealous” by some, “fundamentalist” by others because of its Christian foundation. Powers, however, gives another explanation for the religious aspect of the organization: “I finally realized

that public justice systems weren't all [Gary Haugen] was trying to fix. He was also trying to re-energize the social conscience of Christians in the United States.”<sup>xlii</sup>

Powers' observation relates to one of the greatest strengths of IJM—its ability to mobilize the Church in a way that had never been done before. This has led to an enthusiastic throng of supporters who are often asked to support confidential work that cannot be fully discussed or revealed on the Internet for the sake of the victims or others in country. Prayer letters often mask identities, leading some to be skeptical about the work or to question the number of cases actually being represented.

But the work of IJM discussed in this paper has not been confidential or controversial. It remains as one of the well-respected areas of IJM's short, but significant, history as a Christian human rights NGO.

### *Conclusion*

The work of the International Justice Mission in Thailand illustrates how an NGO can work independently as well as with various governments to address human rights issues. There are three ways in which this occurred. First, NGOs can work with various governments to fight human rights abuses. Next, NGOs are capable of bringing a problem to the national and international stage to generate a public outcry against the issue. Finally, NGOs are sometimes equipped to address these issues themselves.

IJM first influenced the Thai government through presenting its findings concerning human trafficking. This was the result of an undercover investigation in one of the prostitution centers, Chiang Mai. IJM's work brought evidence to the Thai government's attention and as a



result, police action was taken. This demonstrates the ability of an NGO to investigate and report on a problem in a foreign nation and have an effect on the government of that nation.<sup>xliii</sup>

IJM also worked with the US Department of Labor to implement a program to grant citizenship to the stateless in Thailand, such as the Karen. The United States government provided much-needed funding for this program, which IJM implemented using its lawyers and lawyers in the area. These lawyers have provided the Karen people the ability to navigate the Thai nationality law system and to attain full Thai citizenship, as well as the rights afforded with that citizenship. This program was partly initiated to reduce human trafficking, because of the links between statelessness and human trafficking.<sup>xliv</sup> The support of the US government for IJM's citizenship work, along with IJM's direct involvement with the Thai government, illustrates how an NGO has the flexibility to work with multiple different governments directly to address a human rights violation.

Public awareness of a human rights violation can influence a national government to act, whether the violation is occurring within that nation or in another nation. This can be seen in IJM's publicizing of the human trafficking problem in general, particularly on NBC's *Dateline*.<sup>xlv</sup> This program informed the US public of the human trafficking situation in Southeast Asia. Public outcry toward an issue such as this can pressure the US government to act, but it can also pressure the nation in question to address the issue. Additionally, these issues are often taken into the public sphere by appealing to politicians and IGOs. IJM staff has testified before not only the US House Committee on International Relations, but also before the UN on the issue of human trafficking. This brings the nations in question into the international spotlight, which may be enough to initiate change. Finally, NGOs are capable of addressing human rights violations directly by instituting programs to fix the problem, the causes of it, and its effects.

In the history of human rights law, recent decades may be seen as the beginning of the involvement of people of faith, motivated to both bring attention to those who were being treated unfairly, but also to intervene in the legal system itself, both nationally and internationally. If so, IJM will be the NGO most responsible for this chapter in the history of human rights law, for its work with the Karen people and the many other cases it handles on behalf of those who cannot find a way to be heard. Human rights law may be strongly influenced in the future by people who are lay churchgoers, connected to issues by NGOs, like IJM, that are not only able to work with the law, but are also able to communicate the issues of the law in human terms.

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- <sup>ii</sup> Thomas Buergenthal, Dinah Shelton, and David P. Stewart, *International Human Rights in a Nutshell* (St. Paul: West Publishing, 2002), 2-3.
- <sup>iii</sup> "From the battle of Solferino to the eve of the first World War," International Committee of the Red Cross, <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/57JNVP> (accessed November 30, 2009).
- <sup>iv</sup> Buergenthal et al., *International Human Rights in a Nutshell*, 20.
- <sup>v</sup> "Convention for the Amelioration of the Condition of the Wounded in Armies in the Field. Geneva, 22 August 1864," International Committee of the Red Cross (accessed November 30, 2009).
- <sup>vi</sup> Buergenthal et al. *International Human Rights in a Nutshell*, 27
- <sup>vii</sup> United Nations, *Charter of the United Nations*, 24 October 1945, 1 UNTS XVI, available at: <http://www.unhcr.org/refworld/docid/3ae6b3930.html> [accessed 30 November 2009] Articles 1(3), 55, 56.
- <sup>viii</sup> Louis Henkin, "The Age of Rights," in *International Law*, ed. Barry E. Carter, Phillip R. Trimble, and Allen S. Weiner (New York: Wolters Kluwer, 2007), 780.
- <sup>ix</sup> *Ibid.*, 781
- <sup>x</sup> Buergenthal et al., *International Human Rights in a Nutshell*, 43.
- <sup>xi</sup> "The Hill-tribes Of Northern Thailand: Development In Conflict With Human Rights - Report Of A Visit In September 1996." Human Rights Council of Australia, <http://www.hrca.org.au/wp-content/uploads/2008/05/the-hill-tribes-of-northern-thailand.pdf> (accessed November 30, 2009).
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- <sup>xiii</sup> Human Rights Council of Australia, "The Hill-Tribes..."
- <sup>xiv</sup> Vital Voices Global Partnership, *Stateless and Vulnerable to Human Trafficking in Thailand*, June 10, 2007, at 10, available at <http://www.vitalvoices.org/files/docs/Vital%20Voices%20-%20Stateless%20and%20Vulnerable%20to%20Human%20Trafficking%20in%20Thailand.pdf> 23.
- <sup>xv</sup> *Ibid.*
- <sup>xvi</sup> Thailand's Nationality Act B.E. 2508 as amended by Acts B.E. 2535 No. 2 and 3 (1992), [http://www.burmalibrary.org/docs3/THAILAND%27s\\_Nationality\\_Act.htm](http://www.burmalibrary.org/docs3/THAILAND%27s_Nationality_Act.htm) (accessed November 30, 2009), Section 7.
- <sup>xvii</sup> Thailand's Nationality Act, Section 7.
- <sup>xviii</sup> Vital Voices, 15-17.
- <sup>xix</sup> *Ibid.*
- <sup>xx</sup> Thai Nationality Act of 1996 Section 17(b).
- <sup>xxi</sup> Vital Voices, 11-13
- <sup>xxii</sup> UDHR, Articles 13, 23, 26.
- <sup>xxiii</sup> Vital Voices, 13.
- <sup>xxiv</sup> UDHR, Articles 7, 17, 21, and 23.
- <sup>xxv</sup> United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplement to the United Nations Convention Against Transnational Organized Crime, art. 3, U.N. GAOR 55<sup>th</sup> Sess., Supp. No. 49, U.N. Doc. A/45/49 (2000) (entered into force Dec. 25, 2003).
- <sup>xxvi</sup> Joy K. Park, "A Global Crisis..." 2.
- <sup>xxvii</sup> Vital Voices, 13-14.
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