

THE OBSERVER



Monthly Publication

Volume 1 | Publication 8

Reporting Accurate and Objective Information Based on Facts, not Agenda-Setting Theories

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Human Trafficking – Statelessness aka "Legal Ghosts"

(Part 3 of 4)

[\(Part 2 of 4\)](#)

[\(Part 1 of 4\)](#)

They're called "[Legal Ghosts](#)", but they're not invisible! You've seen them in your grocery stores, nail salons, in the fields harvesting fruits and vegetables, providing child care and domestic help for the wealthy and portraying themselves as a sexual fantasy to strangers. Having little education, travel restrictions, inadequate health care, lack of legal protection and no right to vote, the Legal Ghosts are people without citizenship and vulnerable to human traffickers who will exploit and abuse them. There are more than [12 million stateless people in the world](#) who live in a form of limbo. They are socially excluded and deprived of their own nationality.

The 2004 movie *The Terminal*, a fictional plot about an immigrant named Victor Narvovski from the Republic of Krahozhia who was enroute to JFK airport in NY. When he arrived, he learned that his country was torn apart by war activity and he must remain in the airport until authorities could decide what to do with him now that he was officially stateless. The movie barely touched on the reality of statelessness; however, the audience was presented with a dilemma that they probably never considered as a possibility in their lives. [Statelessness](#) is not acceptable, and is a horrific form of human displacement.

According to the UN there are two forms of statelessness [de jure and de facto](#). De jure stateless people are not considered as nationals under the laws of any country. However, there are cases where a person formally possesses a nationality, but the nationality is ineffective. This situation is called *de facto statelessness*. Example: When a person is denied rights enjoyed by all nationals, including the right to return to the country and reside there. This is often referred to as legal limbo.

Joan Baez sang "No Man is an Island...no man stands alone", but that's not true. When one becomes a legal ghost, they do stand alone. They stand alone within a sea of [12 million other people](#). The exclusions are numerous. [Article 15 of The Universal Declaration of Human Rights](#) states: 1) everyone has the right to a nationality and, 2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality. When one becomes stateless, it appears the Universal Declaration of Human Rights doesn't apply.

How does one become "stateless"?

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According to the [Agenda for Human Rights](#) June 2009. Non-registered births lack documentation. The lack of documentation then prevents access to state services available to citizens. Thus, a *birth certificate is a key factor to help eliminate a stateless environment.*

"It should be noted that while lack of birth registration does not equate to statelessness, lack of documentation has been used to deny people access to citizenship and state services. For many vulnerable people, the first hurdle to overcome is the registration of their child's birth."

Other factors that strengthen statelessness are:

- a) Gender-bias discrimination and citizenship laws based on a *father's* lineage descent;
- b) Climate, catastrophic weather and environmental displacement;
- c) Political restructuring such as state succession which causes people to live under a different political system as the result of war; state succession leaves people living within a different political system and often they become the newfound minority.
- d) Exclusionary policies are at the root of many statelessness situations. The exclusions can be found in North and South America, Asia, Africa and Europe and have been a concern to the UNHCR.
- e) The absence of gender equality and contemporary forms of gender-based discrimination, including citizenship laws based exclusively on patrilineal descent, [contribute to the creation of statelessness](#). Discrimination and gaps in nationality legislation are two important causes of statelessness. 36% of the totals of 48 million annual births are not recorded. The majority of undocumented births occur in South Asia and Sub-Saharan Africa.

The year 2008 marked [the 60th Anniversary of the Universal Declaration of Human Rights](#)

Resources:

[Training Manual to Fight Trafficking in Children for Labour, Sexual and other forms of Exploitation](#)

[Florida Coalition Against Human Trafficking](#)

[UNHCR Progress Report on Statelessness 5.29.09](#)

[A Progress Report and Global Survey of Statelessness](#)

[The World's Stateless People - Questions and Answers](#)

[Nationality Matters \[Page 11\]: "Statelessness under International Law by Laura Van Waas and the 2009 Report by Katherine Southwick and Maureen Lynch on behalf of Refugees International"](#)

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Prior Publications:

[Human Trafficking - Who Are The Traffickers 9.23.09](#)

[Human Trafficking - Crime Against Humanity 9.15.09](#)

[Media Fact and Fiction 8.7.09](#)

[Predicting Social Security Numbers 7.22.09](#)

[Identity and Information 5.31.09](#)

[And Things Are Not What They Seem 4.28.09](#)

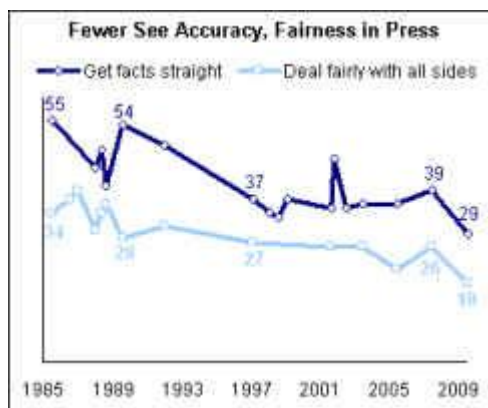
[The Media and Reporting 4.17.09](#)

Dominic Casey | Private Investigator

9:33 PM EST | September 16, 2009

In The News

Press Accuracy Rating Hits Two Decade Low



According to the *Pew Report* 63% say that news stories are often inaccurate >>>> [read more](#)

There is no more important contribution that we can make to society than strong, publicly-spirited investigative journalism. – [Tony Burman](#), editor-in-chief of [CBC News](#)

Hugo De Burgh (2000) states that: "An investigative journalist is a man or woman whose profession it is to discover the truth and to identify lapses from it in whatever media may be available. The act of doing this generally is called investigative journalism and is distinct from apparently similar work done by police, lawyers, auditors and regulatory bodies in that it is not limited as to target, not legally founded and closely connected to publicity".