

Human Trafficking and Minorities: Vulnerability Compounded by Discrimination

By Heidi Box

Human trafficking is an extreme human rights violation that impacts all populations across the globe and is characterized by force, fraud, and coercion intended for exploitation (Palermo Protocol 2000). Currently, human trafficking research is particularly limited by non-standard terminology and a clandestine research population. While estimates of the number of trafficked persons vary widely and are notoriously unsubstantiated, we can still arrive at some conclusions regarding the overall number of trafficked persons. One low estimate suggests that in 2005, at least 2.4 million people had been trafficked into forced labor situations and approximately 12.3 million people were victims of forced labor (International Labor Organization 2005). In addition to compiling comprehensive data on the number of trafficked persons, researchers and policymakers must identify *who* is trafficked. Basic quantitative data on the raw numbers of trafficked persons is not enough; qualitative data is also required in order to combat this human rights violation. That is, what are the characteristics of trafficked persons; what do they have in common; and do those commonalities contribute to exploitation?

Research indicates that trafficked persons are typically poor, have few job prospects, limited access to education and may come from rural areas, depending on the country of origin (Omelaniuk 2005). As a result of these disadvantages, they are often compelled to migrate within or outside of the country for better economic opportunities (Laczko and Danailova-Trainor 2009). Thus, trafficked persons may willingly travel with an “employer” based on the promise of work as a waitress, farm worker, domestic worker, or in other industries. However, upon arriving at their destination, they may be refused wages or may be forced into another job entirely. In other cases, the individuals received an advance on their salary and are then told they must work for free to repay this debt, which is commonly known as debt bondage (Bedoya et al. 2009). Another common scenario is that of children sold by their parents, or of individuals (primarily women and girls) who were kidnapped or tricked by a boyfriend or family member, then sold to traffickers (*e.g.*, Simkhada 2008). One of the underlying themes running through each of these scenarios is the desire for economic prosperity. Although existing research easily identifies the vital role of economics in human trafficking, it has failed to probe the complex relationship between poverty, discrimination, and other socio-cultural factors such as minority status. Consequently, there is a distinct lack of research relating to traditionally disadvantaged groups and systemic discrimination within the body of human trafficking literature.

One potentially significant, but often overlooked, criterion in anti-trafficking research is minority group membership. Although there is no internationally recognized definition of minorities (Office of the High Commissioner for Human Rights (OHCHR) 2008), the United Nations (UN) commonly identifies them as “persons belonging to national or ethnic, religious and linguistic minorities” (United Nations 1992). Alternatively, a definition created in 1977 by the Special Rapporteur of the UN Sub-Commission on the Prevention of Discrimination and Protection of Minorities, provides a clearer picture of what traditionally constitutes the term “minority:”

A group numerically inferior to the rest of the population, in a non-dominant position,
[...] possessing distinct ethnic, religious or linguistic characteristics and showing a sense of solidarity aimed at preserving those characteristics (OHCHR 2008).

Although minority status is often tied to numerical inferiority, population size is not always a factor; indeed, majority members may experience systemic discrimination based on characteristics such as ethnicity, religion, and gender. Minority status and experience is also contextual based on location, with gender being the quintessential example. Gender affects women to varying degrees based on the country they live in, and in some cases women may suffer discrimination similar to that experienced by minorities. Thus, the historical definition of “minority” does not adequately reflect reality and limits the way we approach the trafficking of minorities. By broadening the term to encompass any group that suffers discrimination or marginalization, we enhance our ability to identify persons susceptible to trafficking.

The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities focuses on protecting minority groups’ culture and identity, but glosses over the myriad disadvantages that minorities face by virtue of group marginalization. Most commonly, minorities tend to be economically and politically disadvantaged, which leads to further inequalities, such as a lack of education (McDougall 2006). Minorities are disproportionately affected by poverty, thus, they may be more likely to migrate for better economic opportunities (Omelaniuk 2005). If we accept that susceptibility to trafficking is impacted and increased by powerful “push factors” like poverty, disenfranchisement, lack of education, and so on, then it follows that minority populations are likely to be prime targets for human traffickers. Although membership in a minority group may not be the primary reason for exploitation, it may increase vulnerability to trafficking. For example, indigenous peoples in Peru, Bolivia, and Paraguay are discriminated against in the work force and this prejudice is cited as the primary reason for income disparity between indigenous and non-indigenous peoples (Bedoya et al. 2009, 37). Furthermore, indigenous populations have historically experienced debt bondage in all three of these countries (Bedoya et al. 2009, 37.) This suggests that these marginalized groups are likely exploited by non-minority members after systemic inequality severely limits their job prospects. Essentially, poverty is compounded by discrimination. The Roma, a minority group concentrated in Europe, is subjected to virulent bigotry and studies indicate that they are at an increased risk of being trafficked within Albania, Romania, and Bulgaria (Omelaniuk 2005, 5).

Although evidence within the extant literature is suggestive of a link between disadvantaged populations and susceptibility to trafficking, this correlation has been insufficiently investigated. Indeed, it is surprising how little research has been done to explore human trafficking through the lens of minority discrimination. Before policymakers can produce sustainable prevention and development policies, research must identify the strongest indicators of trafficking experienced by marginalized groups. This includes expanding the current ideology on minority groups in order to encompass the endemic bias and the resulting consequences they experience. We are likely to find that as a result of systemic inequality born of discrimination, minorities are at an increased risk of being trafficked and therefore minority group membership should be considered a risk factor for trafficking. Our understanding of each nuance of trafficked persons is vital if we intend to stem the flow of human trafficking.

Annotated Bibliography

Ali, Yousef. 2006. "Stateless and Citizenship Rights in the Middle East: the Case of Kuwait." *DOMES: Digest of Middle East Studies* 15 (1):62-76.

Annotation: Dr. Ali of Kuwait University analyzes a 1998 survey of Kuwaitis to examine the likelihood that they would approve expanded rights for stateless persons in Kuwait. Research of this nature is particularly important considering the role that discrimination plays in barring stateless groups from citizenship rights. The author's findings suggest that a group's feelings toward inclusivity vary depending on the specific group seeking inclusion. Majority groups are less sympathetic to inclusion of stateless persons if they fear a loss of their own power. This article is especially useful for understanding attitudes that support group exclusion and statelessness.

Bales, Kevin. 2005. Understanding Global Slavery: A Reader. University of California Press.

Annotation: Kevin Bales is a well-known expert in the field of anti-trafficking and is the president of the non-profit organization Free the Slaves in Washington, D.C. Through this brief, but informative book he covers the basics of modern day slavery beginning with a short overview of "old-slavery," the shift to illegality, and the state of current anti-slavery efforts. He also includes examples of research questionnaires and offers steps to end slavery.

-----, 2005. "The Challenge of Measuring Slavery". In Understanding Global Slavery: A Reader. University of California Press.

Annotation: In this chapter, Kevin Bales explores the myriad obstacles that hinder researchers' ability to collect accurate data on human trafficking; one of the most significant impediments is the lack of agreed-upon definitions. Bales describes the process he used to arrive at his own approximation of the number of enslaved persons worldwide. He concludes the chapter with a list of recommendations for strengthening research and transforming the emerging study of human trafficking into a cohesive discipline.

Bastia, Tanja. 2006. "Stolen Lives or Lack of Rights? Gender, Migration and Trafficking." *Labor, Capital and Society*. 39 (2):20-47.

Annotation: Tanja Bastia's article addresses gender in relation to migration motives and trafficking susceptibility. The most interesting component of this article is the supposition that trafficking is merely one form of migration. It appears that the author believes human trafficking is beneficial, if even in a small way, to those who have been trafficked. The author seems eager to defend a migrant's agency. However, she does not discuss the negative aspects of trafficking, such as the illegal and exploitative working conditions of Bolivian migrants in Argentina. Although this article certainly provides insight into critiques of anti-

trafficking work, it says more about migration struggles than about trafficking and women. That said, it may be an interesting article for research on irregular migration.

Bedoya, Eduardo, Alvaro Bedoya and Patrick Belser. 2009. "Debt Bondage and Ethnic Discrimination in Latin America," in Andrees, Beate, and Patrick Belser (eds.), Forced Labor: Coercion and Exploitation in the Private Economy. Lynne Rienner Publishers, Inc.

Annotation: This chapter explicates a study of discrimination and debt bondage in rural areas of Bolivia, Paraguay, and Peru. Indigenous people within each of these countries experience discrimination in the workforce and are unequally compensated when compared with non-indigenous people. The research goal was to determine whether debt bondage existed in certain regions that shared similar characteristics, specifically regions that have little enforcement of labor laws, demand for "low-skilled workers," and have a population of vulnerable persons (*i.e.*, indigenous people). Debt bondage was discovered in each of the five regions studied; furthermore, indigenous as well as "mixed-blood" people were the victims of debt bondage in Bolivia and Peru, while in Paraguay only indigenous people were kept in bondage. The authors explore the means by which the workers became indebted to their employers and offer policy changes to prevent the exploitation of indigenous people.

Beeks, Karen and Delila Amir (eds.). 2006. Trafficking and the Global Sex Industry. Lexington Books.

Annotation: This book is comprised of a wide range of articles on human trafficking, each written by different authors from around the globe. The articles are grouped into broader categories relating to migration, security, legislation and local initiatives, and within each category the authors address a particular issue within their country. The number of countries represented truly broadens the perspective on what is an international issue. It is also important to note that the book is not only broad in perspective, region, and issue, but also in the way each section approaches the specific issues pertinent to their region.

Betz, Diana. 2009. Human Trafficking in Southeast Asia: Causes and Policy Implications, National Security Studies, Naval Postgraduate School, Monterey.

Annotation: The author of this thesis attempts to investigate whether labor and sex trafficking in Southeast Asia share similar roots. She includes three case study countries (Cambodia, Indonesia, and Thailand) with extensive trafficking problems and examines how these countries address trafficking. The author finds that each of the case study countries focus primarily on universal causes of trafficking, such as poverty, while neglecting the distinctive aspects of trafficking within their countries. Betz concludes that broad anti-trafficking policies are unable to fully address the causes of trafficking and must include country-specific objectives.

Brown, Eleanor. 2007. "Ties that Bind: Migration and Trafficking of Women and Girls for Sexual Exploitation in Cambodia. International Organization for Migration. Available online:

http://www.iom.int/jahia/webdav/shared/shared/mainsite/media/docs/news/report_cse_wg.pdf

Annotation: This report explicates an extensive study on the trafficking of women and girls within Cambodia. More specifically, the women and girls were all of Khmer or ethnic Vietnamese descent within three provinces (Siem Reap, Koh Kong, and Kampong Som). The author discusses a wide variety of issues including social vulnerability to trafficking, the virginity trade, trafficking networks, and recruitment. Evidence gathered through surveys demonstrates that all of the types of recruitment and trafficking networks used cultural norms on the treatment of women, stigma surrounding sex work, and problems within the home to maintain trafficking. Family problems, which included lack of food and domestic violence, also appear to correlate with trafficking. Although this report is by no means a quick read, it is undoubtedly informative and arguably provides a more in-depth view of trafficking than other similar types of research.

Freedom House. 2010. "Country Report. Thailand." In *Freedom in the World*. Available online: <http://www.freedomhouse.org/template.cfm?page=22&country=7932&year=2010>.

Annotation: Similar to other large human rights organizations, Freedom House releases an annual report that summarizes international human rights conditions. The report is comprised of specific country reports that cover a number of human rights issues such as freedom of assembly and human trafficking. After discussing such issues briefly, the report ranks each country according to political rights, civil liberties, and the level of overall freedom. The Freedom House reports offer dependable information that is on par with U.S. Department of State country reports.

Goodey, Jo. 2008. "Human Trafficking: Sketchy Data and Policy Responses." *Criminology and Criminal Justice* 8 (4):421-442.

Annotation: Jo Goodey of the European Union Agency for Fundamental Rights scrutinizes the development of legislation and policy regarding human trafficking in the European Union and the United Kingdom. By framing the article with current policy tactics, Goodey is able to demonstrate the scarcity of data on human trafficking. It begs the question: How do we craft policy if our data is inadequate? The response, as is shown in this article, is that policy is only as good as the data that informs it. Goodey summarizes the piece by questioning the direction of the field and whether improvements in research will allow for better policy and legislation.

Grover, Sonja. 2007. "Children as Chattel of the State: Deconstructing the Concept of Sex Trafficking." *International Journal of Human Rights* 11 (3):293-306.

Annotation: This article touches on the various ways children face potential sexual exploitation in non-commercial situations. The author vehemently contends that the low age of consent laws put children at risk of sexual exploitation by adults. Quoting the Convention on the Rights of the Child, she asserts that adult-child sex is always exploitative because of the unequal power dynamic; however, at no point does she define "adult."

Moreover, she believes the definition of sexual exploitation should be broadened to include not only child marriage, but also non-commercial adult-child sex (apparently regardless of the age of consent) and seemingly any activity that may put a child in a compromising situation. The tone in this article is quite strong and feels strikingly biased.

Hanley, Jill, Jacqueline Oxman-Martinez, Marie Lacroix, and Sigalit Gal. 2006. "The 'Deserving' Undocumented?: Government and Community Response to Human Trafficking as a Labour Phenomenon." *Labour, Capital and Society* 39 (2): 78-103.

Annotation: This article is based on a study conducted at the bequest of the Canadian government to understand local ability to assist victims of human trafficking. The authors note that many of the community members they interviewed either disagreed with the definition of "human trafficking" in the Palermo Protocol or felt it could not accurately describe the lived experience of many of their clients. Furthermore, the authors express fear that the term "human trafficking" will end up encompassing individuals who have not actually been trafficked, but rather are irregular migrants who may have experienced some type of exploitation and for whom social workers wish to provide redress. Unfortunately, the authors do not distinguish the type of exploitation irregular migrants might experience from that of trafficked persons. Ultimately, the authors contend that immigration policies should be altered to provide options for "economic migrants," which in turn would preserve assistance to those who have actually been trafficked.

International Labour Organization. 2005. "A Global Alliance against Forced Labour - Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work." Available online: <http://www.ilo.org/public/english/standards/relm/ilc/ilc93/pdf/rep-i-b.pdf>.

Annotation: Within this report is one of the most cited statistics on forced labor; while the remainder is less well-known, it is a fundamental piece in the body of human trafficking literature. Broken into three sections, the report addresses measurement of forced labor, the scope and diversity of the problem globally, and the steps needed for prevention. One of the important facets of the report is the definitions and descriptions of types of forced labor. Additionally, country examples underscore the forms of forced labor and systemic exploitation.

Laczko, Frank, and Elzbieta Gozdzia (eds.). 2005. "Data and Research on Human Trafficking: A Global Survey." International Organization for Migration. Available online: http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/data_res_human.pdf.

Annotation: This 339 page report by the IOM is certainly no small accomplishment. Frank Laczko and Elzbieta Gozdzia, who contribute to numerous anti-trafficking reports, edit this compilation of human trafficking literature. Similar to many human trafficking reports, the authors first describe the difficulties associated with human trafficking research. However, the bulk of the report examines the research coming out of eight different world

regions. Of particular interest for researchers are the region-specific bibliography and the suggestions for additional exploration.

Laczko, Frank and Gergana Danailova-Trainor. 2009. "Trafficking in Persons and Human Development: Towards a More Integrated Policy Response." *Human Development Research Paper (HDRP) Series 51*.

Annotation: In this article, the authors contend that consistency between development goals and anti-trafficking measures are essential to decrease trafficking. They question whether current anti-trafficking agendas have unintended adverse effects on development programs. Instead of viewing human trafficking in isolation, the authors suggest that it should be part of a country's overall development plan, thereby strengthening development policy. The authors propose a conceptual framework for dealing with these broad and often difficult-to-study areas.

Lynch, Maureen. 2005. "Lives on Hold: The Human Cost of Statelessness." Refugees International. Available online: <http://www.refugeesinternational.org/policy/in-depth-report/lives-hold-human-cost-statelessness>.

Annotation: "Lives on Hold" is both a review of statelessness globally and a report on findings from Refugees International's (RI) statelessness project. After briefly outlining statelessness, the author details RI's statelessness project, which examined the issue in three different areas and communities. The author also provides the United Nations, NGOs, and "donor governments" with basic suggestions for protecting stateless persons. The article then shifts suddenly to a summary of country-level and regional statelessness. The writing is geared toward a lay audience and functions as an introduction into the issue of statelessness.

McSherry, Bernadette, and Susan Kneebone. 2008. "Trafficking in Women and Forced Migration: Moving Victims across the Border of Crime into the Domain of Human Rights." *International Journal of Human Rights* 12 (1): 67-87.

Annotation: Using the Australian judicial system as an example, the authors demonstrate how the legal system has responded to trafficked women as victims, culpable parties, and aids for the prosecution. The authors provide an overview of the legal processes and visa options for trafficked persons in Australia, highlighting the practice of treating the individual as prosecution witnesses, and not as persons with individual concerns and rights. As the title implies, the authors seek to shift the current system to a more human rights-centered approach and suggest that the individuals should not just be viewed as victims of trafficking, but rather as "rights-bearing individuals" who were exploited. The authors' position is somewhat vague and develops slowly, but the article is nonetheless a useful resource.

McDougall, Gay J. 2006. "Annual Report of the Independent Expert on Minority Issues." United Nations – Commission on Human Rights, 62nd Session, Item 14(b). Available online: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G06/101/26/PDF/G0610126.pdf?OpenElement>.

Annotation: In response to a mandate from the Commission on Human Rights, appointed independent expert Gay McDougall, drafted this status report on the situation of minorities worldwide. A substantial portion of the report explains her understanding of the mandate and how she intends to undertake the duties set forth in the mandate. More importantly, she notes her concern over rampant poverty in minority communities. Continuing on, McDougall decries the impact poverty and discrimination have on minorities with regard to access to education, employment, and other institutions. In spite of the space devoted to the mandate, this report is a valuable resource.

_____. 2007. "Minorities, Poverty and the Millennium Development Goals: Assessing Global Issues." *International Journal on Minority & Group Rights* 14 (2/3): 333-355.

Annotation: In this article, Gay McDougall addresses the Millennium Development Goals (MDG) and how they may impact minorities. Because minorities are far more likely to be impoverished, McDougall stresses the necessity of a concerted effort to tackle poverty within the context of minorities. She delineates the current problems and the actions necessary in order for the MDGs to reach minorities. The article is highly accessible and informative.

Molland, Sverre. 2010. "The Value of Bodies: Deception, Helping and Profiteering in Human Trafficking Along the Thai-Lao Border." *Asian Studies Review* 34 (2): 211-229.

Annotation: This article draws on ethnographic research conducted by the author on the Thai-Lao sex industry. Professor Molland is primarily concerned with claims by anti-trafficking organizations that human trafficking is highly profitable, that recruitment is primarily deceptive or coercive, and that the most beautiful women are required for sex work. He argues that these factors are not strongly correlated and expounds upon the nuances of each point. The author places a great deal of emphasis on the differences between his experiences on the Thai-Lao border and quotations from anti-trafficking organizations. A contemplative reading of this article does raise an interesting point for discussion: namely, should all exploitative work be considered human trafficking?

Office of the United Nations High Commissioner for Human Rights. 2008. "Toward Developing Country Engagement Strategies on Minorities: An Information Note for Practitioners." Available online:

http://www.ohchr.org/Documents/Publications/Strategies_on_minoritiesEN.pdf.

Annotation: The UNHCR lays out a practical guide to understanding human rights concerns for minorities, as well as how to address them. Topics include: the difficulty with standard definitions; who is and is not covered according to the UN Declaration on the Rights of Minorities; how to determine priorities; and how to address crucial concerns. The article is clearly written and provides substantial detail regarding specific concerns to certain minority groups based on their particular barriers (*i.e.*, barriers women face). It is unmistakably written for a practicing audience, which gives the article a more straightforward presentation.

Omelaniuk, Irena. 2005. "Trafficking in Human Beings." United Nations Expert Group Meeting on International Migration and Development. Available online:
http://www.un.org/esa/population/meetings/ittmigdev2005/P15_IOMelaniuk.pdf.

Annotation: Irena Omelaniuk packs a wide overview into this short article. In the span of twelve pages she provides an introduction to human trafficking, including vulnerability of being trafficked, who is trafficked, and who traffics. Unfortunately, these sections, which are arguably the most interesting and pertinent, are quite brief. The majority of the piece discusses how this dangerous human rights violation can be addressed, namely through the use of standard definitions, data collection, and legislation. While this article appears to have been a summary of a United Nations expert group, the text is accessible for all readers.

Park, Joy K., John E. Tanagho, and Mary E. Weicher Gaudette. 2009. "A Global Crisis Writ Large: The Effects of Being "Stateless in Thailand" on Hill-Tribe Children." *San Diego International Law Journal* 10 (2): 495-554.

Annotation: Park et al. provide a comprehensive account of statelessness among the hill tribes in Thailand. The authors describe the history of government discrimination and other difficulties faced by the hill tribes. The article also provides in-depth information on Thai citizenship laws, including their implementation, documentation of the right to citizenship, and the barriers to citizenship experienced by the hill tribes. The majority of the article is devoted to information regarding the citizenship laws, with access to education coming in second. While the article is written by a team of lawyers, readers with no legal background will find it a comfortable and informative read.

Rafferty, Yvonne. 2007. "Children for Sale: Child Trafficking in Southeast Asia." *Child Abuse Review* 16 (6): 401-422.

Annotation: Rafferty offers an overview of child trafficking in the Greater Mekong Region (Cambodia, Laos, Myanmar (Burma), Thailand, Vietnam, and the Yunnan province of China). Although the author spent time in the region researching the local nuances of trafficking, the article is a literature review and not a research piece in the traditional sense. Utilizing an ecological model to interpret trafficking risk factors, the author emphasizes the interconnectedness of social, economic, and gender inequalities. Additionally, the author briefly touches on the demand for children in forced labor and prostitution. As mentioned, the article is a literature review and thus provides resources for further explorations more than it enlightens the body of anti-trafficking research.

Simkhada, Padam. 2008. "Life Histories and Survival Strategies Amongst Sexually Trafficked Girls in Nepal." *Children & Society* 22 (3): 235-248.

Annotation: This informative article gives an insightful view into the experiences of trafficked women from Nepal. The author interviewed forty-two women who had returned to Nepal after being trafficked to India for work in brothels, as well as seven individuals who work in different types of anti-trafficking occupations. The author reports the socio-demographic characteristics of the forty-two women, including their age, when they were

trafficked, their ethnicity, the ways in which they were trafficked (promise of work, kidnapped, etc.), by whom (family, acquaintance, stranger), and how they gained freedom. It is rare to find detailed statistical information on women who have been trafficked, which heightens the usefulness of this article.

United Nations. 1992. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. A/RES/47/135.

Annotation: This elemental United Nations document grants human rights and protections to persons belonging to minority groups. Among the protections afforded are rights to culture, religion, language, and lives in which all of these rights can be enjoyed. Additionally, the declaration gives minorities the right to be involved in decisions which may impact them. Essentially, the declaration attempts to prevent discrimination against minorities with particular regard to culture, language, and religion, but does not institute mechanisms that encourage minority engagement outside their community.

United Nations. 2000. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime.

Annotation: Commonly referred to as the “Palermo Protocol” (since it was crafted in Palermo, Italy), this document is fundamental to the study of human trafficking. The protocol describes key facets of trafficking, namely force, fraud, and coercion. Additionally, the most commonly-used definition of human trafficking is defined within this document. The document also outlines criminalization, protection, and services to be provided to victims of trafficking, including visas and repatriation.

U. S. Department of State. 2010 Trafficking in Persons Report. 2010.

Annotation: For the past ten years, the United States has released an annual report colloquially referred to as the “TIP Report,” detailing the status of human trafficking in each country in the world. This year marks the first time that the U.S. has included itself in the report. Each country is ranked according to a four-tier system, Tier 1 (best rating), Tier 2, Tier 2 Watch List, and Tier 3 (worst ranking). Although the accuracy of the final report is debatable due to political wrangling, it does offer a picture of the severity of human trafficking worldwide, as well as government attempts to combat the problem.

Weissbrodt, David S., and Clay Collins. 2006. "The Human Rights of Stateless Persons." *Human Rights Quarterly* 28:245-276.

Annotation: Weissbrodt and Collins present an overview of statelessness and its impact on human rights. Although according to the Universal Declaration on Human Rights, rights stem from humanness, non-citizens are routinely denied most or all of their rights. The authors provide a succinct and logical case for altering the definition of statelessness as it is defined in the conventions to include other means by which persons become stateless, namely when a government refuses to recognize a person’s claim to citizenship. The

problems and solutions for stateless persons are only briefly discussed; however, this article warrants reading based on the clear descriptions of *de facto* and *de jure* statelessness as they relate to policy.