

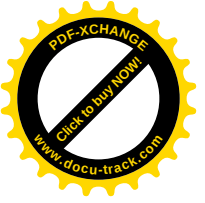
Abstract

This thesis is the study into real life of a group of persons in Thai state, about whom are considered as "unidentified persons in Thai state" persons without any official document to legally prove their existence as persons, or, people without personal certification approved by any state, living in Thailand. The thesis shall study the general nature of the subject matter, give the definition, and classify the different types of these unidentified persons in Thai state. This thesis shall also study the various reasons that make these real people become persons without any certification from any state, and consequently study the effects inflicted upon them. Eventually, this thesis is the study aiming toward finding procedure that will effectively help these unidentified persons in Thai state to be able to access and acquire the official legal personal certification and identification in Thai state.

The pedagogy of this study, besides being documental research as well, is carried out through experiential research and doing a kind of social experimental lab. In doing so, I have placed myself as legal aid giving person in the process that will lead the cases of these unidentified persons studied in this thesis to receive personal certification from the Thai state, and acquire official personal identification document. The result of this study is a discovery in certain points, as shall be described as follow.

Firstly, studying the general nature of these unidentified persons living in the Thai state makes it possible to give definition of "unidentified persons" characterized as persons who have never received any legal personality from any state, as is "persons whose names have never appeared in any population registration of any state"; being persons in legal status as "stateless" or "nationalityless" persons.

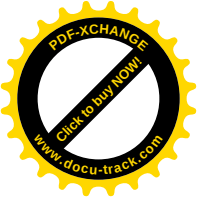
Secondly, classifying these unidentified persons through the connecting point and relationship that they have with the Thai state makes it clearer that a great number of these unidentified persons in Thai state actually are persons with Thai nationality. Nevertheless, because lack of any personal official certification as such, they cannot identify themselves as persons with Thai nationality.



Thirdly, looking for the reasons that make certain people in the Thai state become unidentified persons, in order to be able to solve the problem effectively at the cause; makes it more noticeable that being persons, non-documented and nameless absent from any civil registration, might happened because these persons in fact live in the remote area of Thailand, or simply they are indigenous people. Because being such persons, living in the remote area might possibly increase the chances that they could be absent from the civil registration, being indigenous make them to be considered as foreigners or aliens. On the part of the government officers, who should know better that even foreigners could have their names registered in the Thai civil registration but ignorance of that, refuse the request to add those names into the Thai civil registration. Hence, ignorance, on the part of both the officers and the unidentified persons themselves, is another significant cause that makes people become unidentified persons in Thai state as well.

From that said reason, come the clearer understandings of one particular nature of the unidentified persons, that, they are the group of people who generally cannot provide evidence that the government officers usually like to request from them in the process of adding their names into the civil registration system. Therefore, to successfully solve the problem of non-documented and unidentified persons, the officers in charge should not request such evidences that the unidentified persons themselves do not possess nor unable to provide ones.

Fourthly, studying the consequences happened while being non-documented and unidentified of the persons, deeper one comes to realize the gravity of such effects inflicted upon them. It is urgent to do something in order that the non-documented and unidentified human persons, while being as such, will be able to access fundamental human-rights that a human person should have, and also acquire the rights to be able to improve their quality of life of well-being. It could be done by ways of amending the related laws, or/and, clarifying the social misunderstandings, of which these unidentified persons who are legally unable to identify themselves as such will no longer have to unnecessarily provide or being requested to do so.



Fifthly, involving in the experiential research with problem solving process together with the cases studied in this thesis, I as the student of this thesis discover that, there is a real need in legal aid in the process. To be able to have the identification document legal aid is needed, such as; there is a need to investigate various concerning facts according to international law, to look for and edit trustworthy evidence, to check up the related legal knowledge and policies, to plan legal procedure, and to be able to affirm different points of relating laws whenever denied.

This point makes me realize also that lawyers and legal aid centers should come together to have a more active role in solving the problem. I shall propose to set up "Legal Aid Center for Unidentified Persons" under the faculty of Law, of different education institutes, and in the organizations that have occupation with law, or those deliver help for the people.

Lastly, I would like to affirm further that, in helping the unidentified persons to get the identification document, it must be the most authoritative document of identification as possible, accordingly to the proper rights of status of those particular unidentified persons themselves. The example case, so to speak, such as the unidentified person has the personal rights of status as proper to "nationality-less person" of the state, that is one that should have the nationality of the state itself, must be able to get the most appropriate personal identification document with the most authoritative nature to identify oneself as being the person with the nationality of the state, and no less. Doing so accordingly, the process of solving the problem of unidentified persons could also bring about further solutions for "Stateless person" or "nationalityless person," to eventually have the appropriate personal state or state of nationality as well.