

GLOSSARY OF HUMAN RIGHTS TERMS

ACCESSION: Acceptance of a TREATY by a state that did not participate in its negotiation or drafting.

CHARTER OF THE UNITED NATIONS (signed 1945; entered into force 1945): Initial document of the United Nations which spells out the rules for the UN and restates some of the basic principles of international law.

CONVENTION: Binding agreement between states. Conventions are stronger than DECLARATIONS in that they are legally binding for signatory states and governments can be held for violating them.

CONVENTION ON THE RIGHTS OF THE CHILD (CRC) having civil, cultural, economic, social and political rights of children.

COVENANT: Binding agreement between states; used synonymously with CONVENTION and TREATY. the major international HUMAN RIGHTS covenants are the INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR) and the INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR)

DECLARATION: Document represents agreed upon standards, but which is not legally binding. The document has no formal legal obligations though may still carry moral obligations.

PROTOCOL: The term ‘protocol’ is used for an additional legal instrument that complements and add to a treaty. A protocol may be on any topic relevant to the original treaty and is used either to further address something in the original treaty, address a new or emerging concern or add a procedure for the operation and enforcement of the treaty—such as adding an individual complaints procedure.

A protocol is ‘optional’ because it is not automatically binding on States that have already ratified the original treaty; States must independently ratify or accede to a protocol.

The Optional Protocols to the CRC concern the involvement of children in armed conflict and the sale of children, child prostitution and child pornography.

RATIFICATION: Process by which a legislature confirms a government's action in signing a treaty/ convention/ covenant; formal procedure by which a state becomes bound to a treaty/convention/ covenant.

To ratify a treaty, the State first signs it and then fulfils its own national legislative requirements. Once the appropriate national organ of the country – Parliament, Senate, The Government, or a combination of these- follows domestic constitutional procedures and makes a formal decision to be a party to the treaty.

The instrument of ratification, a formal sealed letter referring to the decision and signed by the State's responsible authority, is then prepared and deposited with the United Nations Secretary-General in New York.