

**WHAT** is **Sci.**



**A CONVENTION AND A TREATY**

Published by: Save the Children and Plan International with War Child Holland

ISBN: 978-91-7321-417-9

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A special thank you to all the partners and staff who supported the project and especially the children and young people who provided feedback on the draft materials, including: War Child Holland in Uganda; Child Rights Information Centre Moldova; Save the Children in Quetta, Balochistan, Pakistan; Generacion de Innovaciones para el Desarrollo, Peru.; Plan Norway’s Youth Advisory Board, URO.

The “What is...” leaflets have been developed to support the learning and education of children and adolescents. We gratefully acknowledge the existing resources that supported the development of this material. Some of the content found in the “What is...” leaflets was adapted or taken directly from a variety of sources, including: [www.ohchr.org](http://www.ohchr.org); [www.un.org](http://www.un.org); <http://treaties.un.org>; [www.cyberschoolbus.un.org](http://www.cyberschoolbus.un.org); Child Rights Information Network, Guide to Mechanisms for Children’s Rights. England; Child Rights Information Network, 2008. [http://www.crin.org/law/mechanisms\\_index.asp](http://www.crin.org/law/mechanisms_index.asp)

**WHAT** is **?**

## **A Convention and a Treaty**

Dear Reader,

Every year, the United Nations (UN) makes important decisions that affect and impact the lives of children and young people around the world. In 2009, there was a special focus on a child's right: 'to express his or her views freely in all matters affecting him or her' – or, in other words, children's participation.

We saw this as an opportunity to support children's understanding of not only the UN but also other important processes where children's rights are discussed at international, regional and local levels. We hope that this will encourage and support children and young people to get involved in these processes.

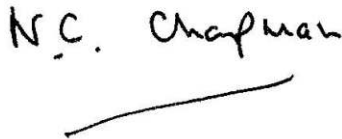
The 'WHAT IS?' leaflets are only one way for you to learn and build a greater understanding and awareness about some of the things that happen at the global/international level. You have a very important role to play in the decisions and processes that affect your life.

This information may be most useful to adults that work with children, teachers, older children, adolescents, youth and young people that are considering ways to get involved in and to influence international or UN related processes.

As needed or requested – we hope to add more leaflets and build on the information that is available to you. As a starting point, we have developed the following leaflets:

- Children's Participation
- The United Nations
- The UN General Assembly
- A Convention and a Treaty
- The UN Convention on the Rights of the Child
- Special Representative
- The Omnibus Resolution
- The Security Council
- The Complaints Procedure for the CRC

Your voice, your experiences and your opinions matter and count! Our hope is that the information found in the 'WHAT IS?' series will support you to learn, create positive change, speak out, take action and have your voice heard.

Handwritten signature of Nigel Chapman in black ink, consisting of the initials 'N.C.' followed by the name 'Chapman' and a long horizontal stroke underneath.

Nigel Chapman  
CEO, Plan International

Handwritten signature of Mark Vogt in black ink, appearing as a stylized, cursive 'M. Vogt'.

Mark Vogt  
Director of War Child Holland

Handwritten signature of Elisabeth Dahlin in black ink, written in a cursive style.

Elisabeth Dahlin, Secretary General  
Save the Children Sweden

## What is a Convention and a Treaty?

As explained in the 'What is the United Nations?' leaflet, the UN takes many actions to promote human rights, protect the environment, fight disease, reduce poverty and more. The UN is a key place for governments/states to meet, talk about issues and make agreements about what needs to happen. Often, these 'agreements' or promises are documented in 'Treaties and Conventions'.



Another term you may come across is a 'Declaration'. A Declaration can be the same as a Treaty/Convention but often these are not a legal duty and are created rather to 'declare' a common understanding and desire to take action.

## Treaties and Conventions

The words 'Treaty' and 'Convention' mean the same thing. These are legal agreements made by governments to protect girls, boys, women, men and also our planet. These become the promises governments have made on an issue (for example: children and women's rights) they are part of international law, and not just advice to governments.

When governments/states ratify a Human Rights Convention or Treaty they are making a commitment to respect, protect and fulfill rights. In other words, they promise not to stand in the way of people enjoying their human rights, they promise to protect people from human rights abuses and they promise to take positive actions that support the enjoyment of human rights.

Sometimes governments/states have to first 'sign' and then 'ratify' a Treaty/Convention to show their support and agreement. In most cases they do both things at the same time (called accession to the treaty/convention).



**Signing:** 'Signing' is the first step before 'ratification'. If a government 'signs' a Treaty or Convention they are saying that they agree with it – but it is not yet a legal duty.

**Ratification:** When a country 'ratifies' a Treaty or Convention they are saying that they agree with it, and it becomes a legal duty for that country. In other words, by ratifying a Treaty/Convention, a government is saying that they promise to do the things outlined in the Treaty/Convention and make it work like its own national laws.

**Reservation:** Sometimes a government does not agree with all of the promises or details included within a Treaty or Convention. If this is the case, they may develop a 'Reservation' to outline the areas they do not agree with and therefore are not legally responsible to uphold. However, there are articles (or sections of a convention/treaty) on which no reservation is allowed and not all Treaties allow governments/states to make 'reservations'.

When governments/states have 'ratified' a Convention/Treaty they also make the promise to take action at the local/country level to ensure the promises found in the Convention/Treaty are also a part of local laws and processes.

For example: If a government ratifies a Treaty/Convention that says children have the right to education – the government then has the responsibility to take action at the country level to ensure all children are enjoying this right.

In addition to Treaties/Conventions, you may also come across something called a 'protocol'. A Protocol is a legal tool that can change an existing Treaty/Convention or add to it.

The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict - This Protocol for children in armed conflict goes into more detail about the rights of children who are in situations of armed conflict.

The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, adopted in 2000, focuses on the different forms of sexual exploitation of children.



There are many different treaties and conventions, dealing with many different issues.

For example: Convention on the Rights of the Child (1989) sets out the human rights that all children have.

Convention on the Elimination of All Forms of Discrimination against Women (1979) defines, 'what is discrimination against women?' and what actions are needed to stop it.

Other examples include:

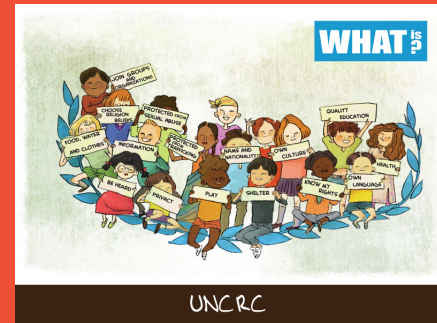
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (1984)

Convention on the Rights of Persons with Disabilities (2006)

Convention on the Elimination of All Forms of Racial Discrimination (1965)

Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)

Please see the leaflet, [What is the UN Convention of the Rights of the Child?](#), for more information.



For more information about Treaties and Conventions, please visit:

The UN Treaty Collection can be found at: <http://treaties.un.org/Pages/Home.aspx?lang=en>  
Here you can find all UN related Treaties in their official language/format.

You can find a list of UN Treaties and Conventions and the years they were adopted by the General Assembly, at:  
[http://www.un.org/documents/instruments/docs\\_en.asp?type=conven](http://www.un.org/documents/instruments/docs_en.asp?type=conven)



## WHAT NOW?

What did I learn from this leaflet?

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What questions do I have and where might I find the answers?

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How can I use this information and are there any actions I want to take after reading this leaflet?

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Who do I know that might be interested in learning more about Conventions and Treaties and what can I do to help them?

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