

UNITED NATIONS TREATY SYSTEM

Treaties are formal agreements between States that define mutual responsibilities and obligations. International human rights treaties are developed through a process of negotiation between UN Member States with the goal of producing a commonly accepted group of standards. States then decide whether to become legally bound by the standards negotiated in a treaty.

A State demonstrates its willingness to undertake the legal rights and obligations under a treaty through definitive signature or by the ratification, acceptance, approval or accession of the treaty. The treaty enters into force and becomes legally binding for the State at the moment when that State becomes party to the treaty.

One of the most commonly used steps in the process of becoming party to a treaty is signing a treaty. Treaties contain signature provisions indicating the place of signature, date of opening for signature and period of signature. Such treaties also list the methods by which a signatory State can become party to them, for example by ratification, acceptance, approval or accession.

When a state signs, ratifies or accedes to a treaty, that state can include **reservations**, or declarations that aim to exclude or alter the legal effect of a certain provision in a treaty. A reservation allows a state to become party to a treaty while at the same time giving it the option to exempt itself from adhering to a particular article, section or clause in the treaty that it does not want to comply with. For example, Bangladesh included a reservation in the [Convention on the Elimination of All Forms of Discrimination Against Women](#) (CEDAW) on the grounds that it conflicts with Shari'a law, or Islamic law.

Additionally, a state can attach an **optional protocol** to a treaty. Optional protocols can provide guidance on procedures in the treaty or address a substantive area related to the treaty. Often, optional protocols to human rights treaties act as smaller, standalone treaties that States not party to the main treaty can sign, ratify or accede to.

For more details on the process visit the [United Nations Treaty Handbook](#).



SIGNATURE: By signing a treaty, a state supports the treaty and agrees to act in accordance with the provisions in the treaty, and not act in a way that contradicts the purpose of the treaty. A signature, however, does not legally bind the state to the treaty. A state needs to ratify or accede to the treaty for it to become legally binding. In some instances, a state will sign a treaty but never ratify or accede to it.

RATIFICATION: By ratifying a treaty, a state demonstrates its consent to be bound to that treaty. A state becomes legally bound to the obligations and provisions in that treaty when it is ratified by the state's legislature. This process varies between States.

Acceptance or approval of a treaty following signature has the same legal effect as ratification, and the same rules apply, unless the treaty provides otherwise. If the treaty provides for acceptance or approval without prior signature, such acceptance or approval is treated as an accession, and the rules relating to accession would apply

ACCESSION: A state can accede to a treaty by agreeing to be legally bound by the terms of a particular treaty that has already been negotiated and signed by other States. Accession has the same legal effects as ratification, acceptance and approval, but is not preceded by a signature. Instead, a state submits an "instrument of accession," a formal letter by the head of state to the Secretary-General of the UN. No state has the right to accede to a treaty unless it is clearly stipulated or the signatories agree to it.