

**International Conventions and Treaties in Eastern and Southern Africa**

Countries	Admission to UN	Convention of the Rights of the Child (CRC)	Optional Protocol to CRC on Armed Conflict	Optional Protocol to CRC on Prostitution and Pornography	African Charter	ILO Convention 138 on Employment Age	ILO Convention 182 on Worst Forms of Child Labour	Convention on Consent to Marriage	Convention for the Suppression of Traffic and Prostitution	Palermo Protocol	Convention on the Status of Refugees (CSR)	Optional Protocol to CSR on the Status of Refugees	Convention on Migrants, Workers and Families	Convention on Discrimination Against women (CEDAW)	Optional Protocol to CEDAW	Convention on the Elimination of Racial discrimination	Convention against Torture	Convention on the Rights of Persons with Disabilities	Covenant on Economic, Social and Cultural rights	Covenant on Civil and Political rights	Rome Statute
Angola	01.12.1976	Ratification 05.12.1990	Accession 11.10.2007	Accession 24.03.2005	Accession 11.04.1992	Ratification 13.06.2001	Ratification 13.06.2001	No Action	No Action	No Action	Accession 23.06.1981	Accession 23.06.1981	No Action	Accession 17.09.1986	Accession 01.11.2007	No Action	No Action	No Action	Accession 10.01.1992	Accession 10.01.1992	Signature 07.10.1998
Botswana	17.10.1976	Accession 14.03.1995	Ratification 04.10.2004	Accession 24.09.2003	Ratification 10.07.2001	Ratification 05.06.1997	Ratification 03.01.2000	No Action	No Action	Ratification 29.08.2002	Accession 06.01.1969	Accession 06.01.1969	No Action	Accession 13.08.1996	Accession 21.02.2007	Accession 22.02.1974	Ratification 08.09.2000	No Action	No Action	Ratification 08.09.2000	Ratification 08.09.2000
Burundi	18.09.1962	Ratification 19.10.1990	Ratification 24.06.2008	Accession 06.11.2007	Ratification 28.06.2004	Ratification 19.07.2000	Ratification 11.06.2002	No Action	No Action	Signature 14.12.2000	Accession 19.07.1963	Accession 15.03.1971	No Action	Ratification 08.01.92	Signature 13.11.2001	Ratification 27.10.1977	Accession 18.02.1993	Signature 26.04.2007	Accession 09.05.1990	Accession 09.05.1990	Ratification 21.09.2004
Comoros	12.11.1975	Ratification 22.06.1993	No Action	Accession 23.02.2007	Accession 18.03.2004	Ratification 17.03.2004	Ratification 17.03.2004	No Action	No Action	No Action	No Action	No Action	Signature 22.09.2000	Accession 31.10.1994	No Action	Ratification 27.09.2004	Signed 22.09.2000	Signature 26.09.2007	Signature 25.09.2008	Signature 25.09.2008	Signature 18.08.2006
Djibouti	20.09.1977	Ratification 06.12.1990	Signature 14.06.2006	Signature 14.06.2006	Signature 28.02.1992	Ratification 14.06.2005	Ratification 28.02.2005	No Action	Accession 21.03.1979	Accession 20.04.2005	Succession 09.08.1977	Succession 09.08.1977	No Action	Accession 02.12.1998	No Action	Signature 14.06.2006	Accession 05.11.2002	No Action	Accession 05.11.2002	Accession 05.11.2002	Ratification 05.11.2002
Eritrea	20.05.1993	Ratification 03.08.1994	Accession 16.02.2005	Accession 16.02.2005	Accession 22.12.1999	Ratification 22.02.2000	No Action	No Action	No Action	No Action	No Action	No Action	No Action	Accession 05.09.1995	No Action	Accession 31.07.2001	No Action	No Action	Accession 17.04.2001	Accession 22.01.2002	Signature 07.10.1998
Ethiopia	13.11.1945	Accession 14.05.1991	No Action	No Action	Accession 02.10.2002	Ratification 27.05.1999	Ratification 02.09.2003	No Action	Accession 10.09.1981	No Action	Accession 10.11.1969	Accession 10.11.1969	No Action	Ratification 10.09.1981	No Action	Accession 23.06.1976	Accession 13.03.1994	Signature 30.03.2007	Accession 11.06.1993	Accession 11.06.1993	No Action
Kenya	16.12.1963	Ratification 30.07.1990	Ratification 28.01.2002	Signature 08.09.2000	Accession 25.07.2000	Ratification 09.04.1979	Ratification 07.05.2001	No Action	No Action	Accession 05.01.2005	Accession 16.05.1966	Accession 13.11.1981	No Action	Accession 09.03.1984	No Action	Accession 13.09.2001	Accession 21.02.1997	Accession 19.05.2008	Ratification 01.05.1972	Ratification 01.05.1972	Signature 05.03.2005
Lesotho	17.06.1966	Ratification 10.03.1992	Ratification 24.09.2003	Ratification 24.09.2003	Accession 27.09.1999	Ratification 14.06.2001	Ratification 14.06.2001	No Action	No Action	Ratification 24.09.2003	Accession 14.05.1981	Accession 14.05.1981	Ratification 16.09.2005	Ratification 22.08.1995	Ratification 24.09.2004	Accession 04.11.1971	Accession 12.11.2001	Accession 02.12.2008	Accession 09.09.1992	Accession 09.09.1992	Ratification 06.09.2000
Madagascar	20.09.1960	Ratification 19.03.1991	Ratification 22.09.2004	Ratification 22.09.2004	Accession 30.03.2005	Ratification 31.05.2000	Ratification 04.10.2001	No Action	Signature 01.10.2001	Ratification 15.09.2005	Accession 18.12.1967	No Action	No Action	Ratification 17.03.1989	Signature 07.09.2000	Ratification 07.02.1969	Ratification 13.12.2005	Signature 25.09.2007	Accession 22.09.1971	Accession 21.06.1971	Ratification 14.03.2008
Malawi	01.12.1964	Accession 02.01.1991	Signature 07.09.2000	Signature 07.09.2000	Ratification 16.09.1999	Ratification 19.11.1999	Ratification 19.11.1999	No Action	Accession 13.10.1965	Accession 17.03.2005	Accession 10.12.1987	Accession 10.12.1987	No Action	Accession 12.03.1987	Signature 07.09.2000	Accession 11.06.1996	Accession 11.06.1996	Signature 27.09.2007	Accession 22.12.1993	Accession 22.12.1993	Ratification 19.09.2002
Mauritius	24.04.1968	Accession 26.07.1990	Ratification 12.02.2009	Signature 11.11.2001	Ratification 14.02.1992	Ratification 30.07.1990	Ratification 08.06.2000	No Action	No Action	Accession 24.09.2003	No Action	No Action	No Action	Accession 09.07.1984	Signature 31.10.2008	Accession 30.05.1972	Accession 09.12.1992	Signature 25.09.2007	Accession 12.12.1973	Accession 12.12.1973	Ratification 05.03.2002
Mozambique	16.09.1975	Ratification 26.04.1994	Accession 19.10.2004	Accession 06.03.2003	Accession 15.07.1998	Ratification 16.06.2003	Ratification 16.06.2003	No Action	No Action	Ratification 20.09.2006	Accession 16.12.1983	Accession 01.05.1989	No Action	Accession 16.04.1997	Accession 04.11.2008	Accession 18.04.1983	Accession 14.09.1999	Signature 30.03.2007	No Action	Accession 21.07.1993	Signature 28.12.2000
Namibia	23.04.1990	Ratification 30.09.1990	Ratification 16.04.2002	Ratification 16.04.2002	Ratification 23.07.2004	Ratification 15.11.2000	Ratification 15.11.2000	No Action	No Action	Ratification 16.08.2002	Accession 17.02.1995	Accession 17.02.1995	No Action	Accession 23.11.1992	Ratification 26.05.2000	Accession 11.11.1982	Accession 28.11.1994	Ratification 04.12.2007	Accession 28.11.1994	Accession 28.11.1994	Ratification 25.06.2002
Rwanda	18.09.1962	Ratification 24.01.1991	Accession 23.04.2002	Accession 14.03.2002	Ratification 11.05.2001	Ratification 15.04.1981	Ratification 23.05.2000	No Action	No Action	Ratification 26.09.2003	Accession 03.01.1980	Accession 03.01.1980	Accession 15.12.2008	Ratification 02.03.1981	Accession 15.12.2008	Accession 16.04.1975	Accession 15.12.2008	Accession 15.12.2008	Accession 16.04.1975	Accession 16.04.1975	No Action
Seychelles	21.09.1976	Accession 07.09.1990	Signature 23.01.2001	Signature 23.01.2001	Ratification 13.02.1992	Ratification 07.03.2000	Ratification 28.09.1999	No Action	Accession 05.05.1992	Ratification 22.06.2004	Accession 23.04.1980	Accession 23.04.1980	Accession 15.12.1994	Accession 05.05.1992	Signature 22.07.2002	Accession 07.03.1978	Accession 05.05.1992	Signature 30.03.2007	Accession 05.05.1992	Accession 05.05.1992	Signature 28.12.2000
Somalia	20.09.1960	Signature 09.05.2002	Signature 16.09.2005	No Action	Signature 01.06.1991	No Action	No Action	No Action	No Action	No Action	Accession 10.10.1978	Accession 10.10.1978	No Action	No Action	No Action	Ratification 26.08.1975	Accession 24.01.1990	No Action	Accession 24.01.1990	Accession 24.01.1990	No Action
South Africa	07.11.1945	Ratification 16.06.1995	Signature 08.02.2002	Accession 30.06.2003	Ratification 07.01.2000	Ratification 30.03.2000	Ratification 07.06.2000	Accession 29.01.1993	Ratification 10.10.1951	Ratification 20.02.2004	Accession 12.01.1996	Accession 12.01.1996	No Action	Ratification 15.12.1995	Accession 18.10.2005	Ratification 10.12.1998	Ratification 10.12.1998	Ratification 30.11.2007	Signature 03.10.1994	Ratification 10.12.1998	Ratification 27.11.2000
Sudan	12.11.1956	Ratification 03.08.1990	Ratification 26.07.2005	Accession 02.11.2004	No Action	Ratification 07.03.2002	Ratification 07.03.2003	No Action	No Action	No Action	Accession 22.02.1974	Accession 23.05.1974	No Action	No Action	No Action	Accession 21.03.1977	Signature 04.06.1986	Ratification 24.04.2009	Accession 18.03.1986	Accession 18.03.1986	Signature 08.09.2000
Swaziland	24.09.1968	Ratification 07.09.1995	No Action	No Action	Signature 29.06.1992	Ratification 23.10.2002	Ratification 23.10.2002	No Action	No Action	Signature 08.01.2001	Accession 14.02.2000	Accession 28.01.1969	No Action	Accession 26.03.2004	No Action	Accession 07.04.1969	Accession 26.03.2004	Signature 25.09.2007	Accession 26.03.2004	Accession 26.03.2004	No Action
Tanzania	14.12.1961	Ratification 10.06.1991	Accession 11.11.2004	Accession 24.04.2003	Ratification 16.03.2003	Ratification 12.02.1998	Ratification 12.09.2001	No Action	No Action	Ratification 24.05.2006	Accession 12.05.1964	Accession 04.09.1968	No Action	Ratification 20.08.1985	Accession 12.01.2006	Accession 27.10.1972	No Action	Signature 30.03.2007	Accession 11.06.1976	Accession 11.06.1976	Ratification 20.08.2002
Uganda	25.10.1962	Ratification 17.08.1990	Accession 06.05.2002	Accession 30.11.2001	Ratification 17.08.1994	Ratification 25.03.2003	Ratification 21.06.2001	No Action	No Action	Signature 12.12.2000	Accession 27.09.1976	Accession 27.09.1976	Accession 14.11.1995	Ratification 22.07.1985	No Action	Accession 21.11.1980	Accession 03.11.1986	Ratification 25.09.2008	Accession 21.01.1987	Accession 21.06.1995	Ratification 14.06.2002

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Zambia	01.12.1964	Ratification 06.12.1991	Signature 29.09.2008	Signature 29.09.2008	Signature 28.02.1992	Ratification 09.02.1976	Ratification 10.12.2001	No Action	No Action	Accession 24.04.2005	Succession 24.09.1969	Accession 24.09.1969	No Action	Ratification 21.06.1985	Signature 29.09.2008	Ratification 04.02.1972	Accession 07.10.1998	Signature 09.05.2008	Accession 10.04.1984	Accession 10.04.1984	Ratification 13.11.2002
Zimbabwe	25.08.1980	Ratification 11.09.1990	No Action	No Action	Accession 19.01.1995	Ratification 06.06.2000	Ratification 11.12.2000	Accession 23.11.1994	Accession 15.11.1995	No Action	Accession 25.08.1981	Accession 25.08.1981	No Action	Accession 13.05.1991	No Action	Accession 13.05.1991	No Action	No Action	Accession 13.05.91	Accession 13.05.1991	Signature 17.07.1998

### Short form

[Optional Protocol to CRC on Armed Conflict:](#)  
[Optional Protocol to CRC on Prostitution and Pornography:](#)  
[African Charter:](#)  
[ILO Convention 138 on Employment Age:](#)  
[ILO Convention 182 on worst forms of Child Labour:](#)  
[Convention on Consent to Marriage:](#)  
[Convention for the Suppression of Traffic and Prostitution:](#)  
[Palermo Protocol:](#)  
[Convention on the Status of Refugees \(CSR\):](#)  
[Optional Protocol to CSR on the Status of Refugees:](#)  
[Convention on Migrants, Workers and Families:](#)  
[Convention on Discrimination against Women \(CEDAW\):](#)  
[Optional protocol to CEDAW on Discrimination against Women:](#)  
[Convention on the Elimination of Racial Discrimination:](#)  
[Convention against Torture:](#)  
[Convention on Persons with Disabilities](#)  
[Covenant on Economic, Social and Culture Rights:](#)  
[Covenant on Civil and Political Rights:](#)  
[Rome Statute:](#)

### Full name

OPTIONAL PROTOCOL TO THE CONVENTION OF THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT  
 OPTIONAL PROTOCOL TO THE CONVENTION OF THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY -  
 AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD  
 CONVENTION CONCERNING THE MINIMUM AGE FOR ADMISSION TO EMPLOYMENT  
 CONVENTION CONCERNING THE ELIMINATION OF THE WORST FORMS OF CHILD LABOUR  
 CONVENTION ON CONSENT TO MARRIAGE, AND REGISTRATION OF MARRIAGES  
 CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN PERSONS AND EXPLOITATION OF THE PROSTITUTION OF OTHERS  
 PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, SUPPLEMENTING THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME  
 CONVENTION RELATED TO THE STATUS OF REFUGEES  
 PROTOCOL RELATED TO THE STATUS OF REFUGEES  
 INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANTS, WORKERS, AND MEMBERS OF THEIR FAMILY  
 CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN  
 OPTIONAL PROTOCOL TO THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN  
 CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION  
 CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT  
 CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES  
 INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS  
 INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS  
 ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT

### Reservations made by countries in Eastern and Southern Africa on the Convention of the Rights of the Child

At the time of ratification, the following countries made reservations:

The government of **Botswana**, which ratified the Convention on 13 April 1995, made a reservation on article 1 defining a child who is considered here as a "human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier." For the Botswana government, article 1 may be in conflict with the Laws and Statutes of Botswana and may therefore not be applied. Following this Declaration, the Secretary-General received from the Government of Denmark, on 16 November 1995, a communication rejecting such reservations since it was incompatible with the object and purpose of the Convention and inadmissible under international law.

The government of **Djibouti** ratified the CRC on 06 December 1990 and declared that it shall "not consider itself bound by any provisions or articles that are incompatible with its religion and its traditional values". The government of Denmark recommended, in its communication on 16 November 1995 to the Secretary-General, that the government of Djibouti reconsidered this reservation.

At the time of the Convention's ratification on 02 September 1990, the government of **Mauritius** made an "express reservation with the regard the article 22" related to States' measures for the protection or humanitarian assistance of a child seeking refugee status or considered a refugee in accordance with applicable international or domestic law. Furthermore, article 22 seeks States' co-operation with the United Nations or other competent institutions to protect or assist such a child to enable him to enjoy his rights set forth in the CRC.

The government of **Swaziland** ratified the Convention on the Rights of the Child on 06 October 2005 and then declared that the Convention was a starting point of the child rights guarantee and that implementation was to be progressive as it also depended on the enforcement of certain social, economic and cultural rights. More specifically, the government indicated that article 4, concerning the right to free primary education, would be applied "to the maximum extent of available resources". For this purpose, the government called out for the international community's co-operation.

### Definitions of key terms used in the UN Treaty Collection:

#### **Adoption**

"Adoption" is the formal act by which the form and content of a proposed treaty text are established. As a general rule, the adoption of the text of a treaty takes place through the expression of the consent of the states participating in the treaty-making process. Treaties that are negotiated within an international organization will usually be adopted by a resolution of a representative organ of the organization whose membership more or less corresponds to the potential participation in the treaty in question. A treaty can also be adopted by an international conference which has specifically been convened for setting up the treaty, by a vote of two thirds of the states present and voting, unless, by the same majority, they have decided to apply a different rule. [Art.9, Vienna Convention of the Law of Treaties 1969]

#### **Acceptance and Approval**

The instruments of "acceptance" or "approval" of a treaty have the same legal effect as ratification and consequently express the consent of a state to be bound by a treaty. In the practice of certain states acceptance and approval have been used instead of ratification when, at a national level, constitutional law does not require the treaty to be ratified by the head of state. [Arts.2 (1) (b) and 14 (2), Vienna Convention on the Law of Treaties 1969]

#### **Accession**

"Accession" is the act whereby a state accepts the offer or the opportunity to become a party to a treaty already negotiated and signed by other states. It has the same legal effect as ratification. Accession usually occurs after the treaty has entered into force. The Secretary-General of the United Nations, in his function as depositary, has also accepted accessions to some conventions before their entry into force. The conditions under which accession may occur and the procedure involved depend on the provisions of the treaty. A treaty might provide for the accession of all other states or for a limited and defined number of states. In the absence of such a provision, accession can only occur where the negotiating states were agreed or subsequently agree on it in the case of the state in question. [Arts.2 (1) (b) and 15, Vienna Convention on the Law of Treaties 1969]

## International Conventions and Treaties in Eastern and Southern Africa

### Ratification

Ratification defines the international act whereby a state indicates its consent to be bound to a treaty if the parties intended to show their consent by such an act. In the case of bilateral treaties, ratification is usually accomplished by exchanging the requisite instruments, while in the case of multilateral treaties the usual procedure is for the depositary to collect the ratifications of all states, keeping all parties informed of the situation. The institution of ratification grants states the necessary time-frame to seek the required approval for the treaty on the domestic level and to enact the necessary legislation to give domestic effect to that treaty. [Arts.2 (1) (b), 14 (1) and 16, Vienna Convention on the Law of Treaties 1969]

### Reservation

A reservation is a declaration made by a state by which it purports to exclude or alter the legal effect of certain provisions of the treaty in their application to that state. A reservation enables a state to accept a multilateral treaty as a whole by giving it the possibility not to apply certain provisions with which it does not want to comply. Reservations can be made when the treaty is signed, ratified, accepted, approved or acceded to. Reservations must not be incompatible with the object and the purpose of the treaty. Furthermore, a treaty might prohibit reservations or only allow for certain reservations to be made. [Arts.2 (1) (d) and 19-23, Vienna Convention of the Law of Treaties 1969]

### Signature Subject to Ratification, Acceptance or Approval

Where the signature is subject to ratification, acceptance or approval, the signature does not establish the consent to be bound. However, it is a means of authentication and expresses the willingness of the signatory state to continue the treaty-making process. The signature qualifies the signatory state to proceed to ratification, acceptance or approval. It also creates an obligation to refrain, in good faith, from acts that would defeat the object and the purpose of the treaty. [Arts.10 and 18, Vienna Convention on the Law of Treaties 1969]

### Succession

*Participation in treaties in force at the date of the succession of States:* a newly independent State may, by a notification of succession, establish its status as a party to any multilateral treaty which at the date of the succession of States was in force in respect of the territory to which the succession of States relates.

*Participation in treaties not in force at the date of the succession of States:* a newly independent State may, by a notification of succession, establish its status as a contracting State to a multilateral treaty which is not in force if at the date of the succession of States the predecessor State was a contracting State in respect of the territory to which that succession of States relates.[Arts.17 and 18, Vienna Convention on Succession of States in respect of Treaties 1978]