

Glossary

Accession

The act whereby a state becomes a party to a treaty already negotiated and signed by other states. It has the same legal force as ratification. Accession usually occurs after the treaty has entered into force.

Adoption

Approval of the final text of a convention by the committee which wrote it. It is then open for signatures, ratification or accession.

Convention

An international agreement among nations. Such agreements may have different names: treaty, covenant, convention or pact.

Covenant

See "Convention"

Enter into Force

The treaty becomes a legal document. Agreement is reached on the number of country ratifications needed before a convention is considered enforceable. This number varies, from a few as two (in the case of International Labour Organisation conventions) to as many as 35 (in the case of human rights covenants) and is specified in the final text. The convention "enters into force" after the required number of ratifications has been received.

Protocol

An addition to the original text of a convention. It may include further agreements or it may involve amendments to the original text because of new circumstances. It can be procedural (i.e. it outlines the mechanisms for presenting a claim) or substantive (i.e. it relates to the subject matter of the claim)

Ratification

The legal act by which a country that has signed the convention agrees to be bound by its provisions; usually ratification requires that the national legislative body agrees to the convention. A certain number of country ratifications are required before a convention comes into force.

Reservation

When a country specifies that it will not accept certain provisions at the time of ratification. Reservations can also refer to which dependent territories are covered or not covered by the provisions. Some conventions have a provision prohibiting reservations.

Signature

Indicates that a country supports the purposes of the document, but is not legally committed to comply with the provisions until the country's legislature officially ratifies it.

States Parties

The name by which those countries that have ratified or accepted to a convention are known. The terms of the convention are binding only upon states parties.

Succession

Means that a newly formed state has agreed to inherit the treaty obligations of its predecessor.

Treaty

See Convention. A treaty is more likely to cover political relations among countries while conventions deal with human rights, administrative and technical matters.

End Notes

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4. D'Cunha, J, Gender Equality, Human Rights and Trafficking: A Framework of Analysis and Action, Paper presented at and published in Report of ASEM Seminar on Promoting Gender Equality to Combat Trafficking in Women and Children, co-organized by the Ministry for Foreign Affairs Sweden and UNIFEM in co-operation with UNESCAP, 7-9 October, 2002, Bangkok.
5. Ibid.
6. IWRAW - Asia Pacific, Facilitating the Fulfillment of State Obligations to Women's Equality: Training Module on the Convention on Elimination of All Forms of Discrimination Against Women, prepared by IWRAW - Asia Pacific, November 2001.
7. Chiongson, R, The CEDAW Convention; IWRAW - Asia Pacific
8. Ibid.
9. Ibid.
10. Migration Information Source: <http://www.migrationinformation.org/Glossary/>; Also see http://www.iom.int/en/who/main_policies_effrespect.shtml.
11. IOM, World Migration Report, Geneva, 2000.
12. International Labour Office, Migrant Workers, ILO Conference report III, 87th Session, Geneva, 1999.
13. ILO, IOM and OHCHR, International Migration, Racism, Discrimination and Xenophobia, World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, August 2001.
14. Abella, M I, Complexity and Diversity of Asian Migration; Paper Presented at ILO Regional Tripartite Meeting on Challenges to Labour Migration Policy and Management in Asia, Bangkok, 30 June – 2 July 2003.

15. Facts on Migrant Labour: www.ilo.org/migrant or migrant@ilo.org.
16. Government of the Republic of the Philippines Statement, at UNIFEM Asia-Pacific Strategic Planning Workshop on Empowering Women Migrant Workers in Asia, October, 2000.
17. Research Division, Sri Lankan Bureau of Foreign Employment, 2000.
18. Data from Ministry of Manpower and Transmigration, Indonesia in Komnas Perempuan and Solidaritas Perempuan/CARAM Indonesia; Indonesian Migrant Domestic Workers and New Initiatives for the Protection of their Rights, 2003.
19. Research Division, Sri Lankan Bureau of Foreign Employment, Op. Cit. 2000.
20. Government of the Republic of the Philippines Statement, Op. Cit. 2000.
21. Buchori, C, Sondakh, F and Naovalitha, T, TKW's Vulnerability: Searching for Solutions, paper presented at World Bank, Jakarta, Indonesia, 29 July 2003.
22. Facts on Migrant Labour, Op. Cit.
23. United Nations, International Migration 2002, United Nations, New York.
24. Seddon, D, Adhikari, J and Gurung, G, Foreign Labour Migration and the Remittance Economy of Nepal, *Critical Asian Studies*, 34:1(2002); 019-040-Routeledge.
25. United States Department of State, Trafficking in Persons Report 2003, Washington DC, US State Department 2003.
26. (a) 'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of the position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in (a) shall be irrelevant where any of the means set forth in (a) have been used;
 - (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in persons', even if this does not involve any of the means set forth in (a);
 - (d) 'Child' shall mean any person under eighteen years of age (Article 3 : UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, 2000).
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30. The Straits Times, 21 January 1989, pp 25-6.
31. D'Cunha, J, Transforming the Gendered Terrain of Labour Migration Policies in Asia, Op. Cit. 2003.
32. Ibid.
33. Ibid.
34. Ibid.
35. Ibid.
36. Ibid.
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38. UNIFEM, Human Rights Protections Applicable to Women Migrant Workers, A UNIFEM Briefing Paper prepared by Satterthwaite, M, 2003; See also Human Rights Watch, Help Wanted: Abuses Against Female Migrant Domestic Workers in Indonesia and Malaysia, July 2004, Vol. 16. No. 9B.
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40. D'Cunha, J, Transforming the Gendered Terrain of Labour Migration Policies in Asia, Op. Cit. 2003.
41. Ibid.

42. Hugo, G, Labour Migration Growth and Development in Asia: Past Trends and Future Directions; Paper Presented at ILO Regional Tripartite Meeting on Challenges to Labour Migration Policy and Management in Asia, Bangkok, 30 June – 2 July 2003.
43. IRAW-AP, The Application of the CEDAW Convention to Trafficking in Women, ESCAP 2002; UNIFEM, Human Rights Protections Applicable to Women Migrant Workers, Op. Cit. 2003; UNIFEM Briefing Kit on Empowering Women Migrant Workers in Asia, 2003.
44. General Recommendation No. 19 (11th session 1992), on Violence Against Women; <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>.
45. IRAW-AP, The Application of the CEDAW Convention to Trafficking in Women, Op. Cit. 2002.
46. <http://www.un.org/womenwatch/daw/cedaw/reports.htm>; <http://www.iwraw-ap.org/committee/list.htm>; Shin, H, The Use of CEDAW in Promoting and Protecting the Rights of Women Migrant Workers; Paper Presented at the Regional Workshop on Protecting Women Migrant Workers in Asia: Meeting the Challenges, co-organized by the Ministry of Manpower and Transmigration, Republic of Indonesia, and UNIFEM, Jakarta, December 2003; See UNIFEM, Human Rights Protections Applicable to Women Migrant Workers, Op. Cit. 2003.