



# Reading (and Using) International Policy

## A Glossary and Explainer

- 1) *Inter-governmental organisations like the United Nations and its specialised agencies provide a forum through which nations can discuss common goals, come to agreements, and foster mutual understanding.*
- 2) *International instruments are the tools through which States agree to common rules and principles. They are the backbone of international policy.*
- 3) *Civil society organisations, public institutions, independent experts, and concerned citizens have an important role in ensuring decision-makers uphold commitments made and consider making new ones.*

## Part 1: International standard-setting instruments

International instruments come in multiple forms. The most important difference is the extent to which each document is legally binding.

### Treaty

A Treaty represents an agreement among countries around a specific issue, often including specific legal provisions to be incorporated into national law or defining frameworks for cooperation. Trade agreements between countries count as Treaties.

Legally Binding: Yes. However, States must agree to be legally bound by a Treaty (See p.3).

Example: See the [Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled](#), the [Regional Comprehensive Economic Partnership](#)

### Convention

An agreement between countries formalising their commitment to a set of values, as well as actions they commit to take towards achieving these values.

Legally binding: Yes. However, States must agree to be legally bound by a Convention (See p.3).

Example: See UNESCO's [2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions](#)

### Why do they matter?

Conventions, together with treaties, are important parts of international law. They are how nations commit to uphold agreements that will affect people around the world.

### Q: how is a convention different than a Treaty?

A: A Treaty solves a specific issue that concerns the involved States. A convention usually addresses a broader issue that can involve many countries. Both must be ratified by States to be legally binding.

### Q: What does it mean when a Convention “enters into force”?

A: This refers to the date when the contents of the convention, and the commitments made by State parties, becomes valid. The date for this is usually set out in the text of the Convention, and often depends on a number of countries having ratified or acceded (see below).

## Protocol

A modification to a Convention that allows for additions to clarify terms, add more text as amendments, and establish new obligations.

Legally binding: Yes. However, States must make a new agreement to be legally bound by a Protocol. States that have agreed to the original Convention do not automatically agree to the Protocols. Protocols, like Conventions, usually have a date of entry into force (see above).

**Tip:** If Protocols to a Convention exist, be sure to check if your country is party to the Protocols as well as the original Convention.

Example: See the [1999 Second Protocol to the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict](#).

## Recommendation

Affirms principles and norms on a specific subject and invites States to create policy that puts these principles into practice.

Legally binding: No. States do not need to make a formal commitment. However, they do formally agree to Recommendations as a whole, and so there is an expectation that they should act to comply.

Example: [UNESCO Recommendation concerning the preservation of, and access to, documentary heritage including in digital form](#)

### Why do they matter?

Recommendations help create international standards for topics of importance to people around the world. They are meant to influence the development of national laws and practices.

## Declaration

A Declaration is a formal, public expression of aspirations, intentions, or opinions.

Legally binding: Mostly no. However, some Declarations that originally were not legally binding can now be [considered](#) customary international law. The best example of this is the [Universal Declaration of Human Rights](#).

### Q: What is the difference between a Declaration and a Recommendation?

A: A declaration can be considered a very formal instrument, used sparingly to share principles of great and long-lasting importance. A recommendation is less formal. Otherwise, there is no significant difference.

## Manifesto

A relatively short and concise statement of views by the author (which can be an organisation, a government or an individual), usually summarising a public consensus or promoting a new idea. There is less systematic use of manifestos in international organisations than of Conventions, Treaties, Recommendations and Declarations.

Legally binding: No.

Example: See [The IFLA/UNESCO Multicultural Library Manifesto](#)

### Why do they matter?

A manifesto helps to define what you stand for and what you wish to achieve. When written by an organisation, it helps to publicly state the organisation's values.

## Part 2: Making a Commitment

When a State agrees to be legally bound by a Treaty or Convention, there is a process they must take to formally consent. Knowing this process will help you understand your country's commitment to an international agreement.

### Q: What does it mean when a State becomes party to a Convention?

A: A State becomes party to a Convention when it gives its explicit consent to be bound by the contents of the Convention. This consent is usually in the form of an instrument of **ratification, acceptance, approval, or accession**.

### How do States become party to a convention?

#### Signing

When a State signs a convention, **it is not yet legally binding**. Signing a convention indicates support for its principles and signifies the State's intention to formally consent.

Usually, a Convention or Treaty is only open for signature for a limited time.

### Q: Who signs a Convention?

A: Usually, it is signed by the relevant ministers from the delegations representing each of the states involved, meeting, for example, at a conference.

#### Ratification

Ratification is a process by which the Convention is made legally binding by those States which have previously signed. The State will seek domestic approval – according to national processes – and may begin to put necessary legislation into place to enact the Convention or Treaty.

Note: Sometimes, you will see the words Acceptance and Approval being used instead of ratification. They have the same legal meaning as ratification but are used when a State's national law does not require ratification.

### Q: Who has the power to ratify a convention or treaty?

A: Each country has its own domestic procedures for ratification, often this involves the State's parliament or legislative branch.

#### Accession

Assession allows a State to become party to a convention or treaty that has already been negotiated and signed by other States. It usually occurs after the convention has already entered into force.

A convention is legally binding to States that have become party by assession.

### Q: Does ratifying or acceding to a Convention or Treaty mean that its provisions apply domestically?

A: It depends. In some countries, international law is directly applicable. Some countries will make sure to make any necessary changes to domestic law before ratifying or acceding to international law. In both cases, the answer then is yes.

However, there are also many countries which ratify or accede to a Treaty or Convention, but do not make changes in domestic law. This creates a potential conflict, which risks needing to be resolved in the courts.

## Part 3: Who holds States accountable?

Sometimes, a **monitoring body** is set up to measure State parties' progress in implementing the contents of a Convention. This can include asking the States to provide periodic reporting on their progress.

Other Conventions or Treaties will have an **Assembly of States Parties** which can track implementation, if there is the will.

The implementation of a Convention largely depends on the commitment of each country. Civil society organisations, public institutions, the legal system, independent experts, and concerned citizens who make up the voting public in a democratic system can help hold their own leaders accountable.

### Using International Policy

We can put international agreements to work for library advocacy by:

- Applying knowledge of our country's international commitments to create stronger advocacy messages. For example, reminding governments of their commitment, directly or by encouraging partners (friendly journalists, members of parliament or others) to do so.
- Actively using international agreements to support library activities, for example around the Marrakesh Treaty.
- Using international policy as a framework to steer development of library programmes and resources.
- Demonstrating how libraries help leaders make good on their international commitments, raising awareness of libraries' value to communities, and ability to help governments look good in international discussions.

IFLA provides additional guidance on understanding specific policy documents through our [Get into Guides](#), as well as our [Getting Started](#) guide specifically in the context of the Marrakesh Treaty.

Check online for more advocacy resources.

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