Uphold Multilateralism: Reject Blanket Sovereignty Opt-Outs

Joint civil society statement on the proposed amendment to the resolution on the Intensification of efforts to prevent and eliminate all forms of violence against women and girls (A/C.3/81/L.16/Rev.1)

Our appeal

We, the undersigned civil society organizations, call on all Member States to vote against the proposed amendment that would add a general sovereignty caveat, as a new operative paragraph 3 bis, to the draft resolution on the *Intensification of efforts to prevent and eliminate all forms of violence against women and girls* (A/C.3/81/L.16/Rev.1).

This is not a vote about one resolution. It is a vote about whether the commitments the General Assembly negotiates and adopts still mean what they say. This resolution builds on decades of such agreements, from the Vienna Declaration and Programme of Action to the Beijing Declaration and Platform for Action. An amendment that allows each State to reinterpret collectively agreed commitments subject to its own laws, priorities and cultural values undermines the process, the international human rights framework and the agreements on which this text rests. If accepted here, the same approach could be applied to any resolution in the future.

What the amendment does

The amendment would have the General Assembly underline that the resolution "*should be implemented while ensuring respect for the sovereign right of each country as well as its national laws, development priorities, the various religious and ethical values and cultural backgrounds of its people, and should also be in full conformity with universally recognized international human rights*."

The paragraph does not qualify a particular commitment; it qualifies all of them at once. And it does so in the operative part, as an instruction on how the resolution is to be implemented, not as a preambular acknowledgement. The effect is a sweeping justification for disregarding, or selectively implementing, any provision a State disagrees with, on the grounds that it is inconsistent with its national laws, priorities or cultural values. This is concerning because national legislation or cultural and religious considerations cannot be invoked to justify a State's failure to comply with its existing obligations under international human rights law.

How Sovereignty is already reflected in UN texts

This is not how sovereignty has been understood in the human rights system. The Vienna Declaration and Programme of Action addressed this question directly: while the significance of national and regional particularities and of various historical, cultural and religious backgrounds must be *borne in mind*, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights. The amendment's explicit appeal to religious values is particularly concerning in this light. The Vienna Declaration treats religious and cultural backgrounds as context, never as grounds for limiting human rights.

The “sovereign equality of States” is a distinct and founding principle of the Charter of the United Nations, and nothing in this appeal questions it. Where qualifications relating to national circumstances are agreed in UN resolutions, they are attached to specific provisions, making clear which commitments they affect. That is also how the Violence Against Women draft resolution was negotiated. Where Member States sought flexibility, reference to national laws and contexts was agreed in specific provisions, as part of a negotiated outcome. A blanket caveat introduced at the very end of that process undermines those compromises and ignores the substantive negotiations that produced them.

Sovereignty, in this understanding, is not an opt-out clause. It is a principle that governs intergovernmental negotiations, ensuring that different national contexts are recognized as commitments are shaped, not a means of setting those commitments aside once they have been agreed.

Why this matters beyond this resolution: A tool allowing States to opt out of International Commitments

If this amendment is adopted, nothing prevents the same paragraph from being tabled on other texts in the UNGA, especially for resolutions involving contested issues. Many of these issues reflect priorities that delegations, particularly from the Global South, have defended for decades. The precedent established by this amendment could be used to weaken longstanding priorities championed by the very States whose sovereignty it purports to protect.

Like all General Assembly resolutions, this resolution is not legally binding, and Member States already implement it in line with their national contexts, subject to their obligations under international law. A caveat covering the whole resolution is therefore unnecessary and adds no legal protection. It only reduces the incentive for States to negotiate meaningful common standards. If every negotiated commitment can subsequently be qualified by reference to national laws and priorities, the value of reaching agreement over a whole text in the first place is diminished.

At a time when multilateralism is already under considerable strain, Member States should be strengthening the credibility and effectiveness of the General Assembly's negotiated outcomes, not introducing mechanisms that make those outcomes easier to disregard.

Our call to Member States

We urge all Member States to:

1. Vote against the amendment proposing operative paragraph 3 bis to A/C.3/81/L.16/Rev.1.
2. Address national concerns through negotiations on specific provisions, rather than through overarching qualifications that undermine the integrity of the resolution as a whole.
3. Make clear, in their explanations of vote, that blanket sovereignty caveats have no place in General Assembly resolutions on any subject, and that national laws, priorities or cultural and religious values cannot override States’ existing obligations under international human rights law.

Multilateralism rests on a simple premise: that what States agree together, they mean. We ask Member States to protect that premise now.

Signatories

ACT Alliance

Amnesty International

Center for Reproductive Rights

Human Rights Watch

International Planned Parenthood Federation

International Service for Human Rights

Jubilee Campaign

Outright International

Plan International