



Transnational Advocacy at the United Nations for Social Workers

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Abstract

Advocating at the United Nations is a daunting task for many social workers. The United Nations (UN) is so extensive, its system of agencies and relationships is complex and overlaid by politics, and there is no clear entry point for affecting change at the United Nations. However, as more of the social and human rights issues social workers confront in their practices have global roots and international implications, it becomes imperative that social workers seeking justice learn how to shape policies and decisions made at the UN. Advocating for policy changes beyond national boundaries is known as transnational advocacy. This paper guides the reader through the UN structure, and the roles of member states and non-state workers are discussed. Non-governmental organizations (NGOs) are a common vehicle for social workers to advocate at the UN. This paper introduces readers to the types of status NGOs hold at the UN, how NGOs advocate at the UN, and how social workers are currently represented at the UN. Two case examples of advocacy efforts are shared. One takes place at the High-level Political Forum, and the other involves the intersection of the UN General Assembly's Third Committee and the Human Rights Council.

Keywords United Nations · Human rights · Social justice · Advocacy · Non-governmental organizations

We are more likely to engage in systems when we understand how they work and how to access them. Most of us learn about how to engage in civic advocacy from the time we are in elementary school, and many of us can recall field trips to our state capitol or city hall as school children. Social workers should better understand the global relatedness of current human rights and social issues, how international treaties at the United Nations (UN) are formed and monitored, and how civil society can influence deliberations and outcomes. In the last 70 years, we have witnessed many significant positive developments on a global scale accomplished due to advocacy at the United Nations and its various organs. These developments include the declaration of and progress on human rights, increased humanitarian aid, treatments to fight diseases such as AIDS, Ebola, malaria, and SARS, expanding access to education and health services, growth in access to information and transparency, and a collaborative approach to environmental sustainability. Critical

policy decisions that affect how we frame social issues and respond to them in our own countries are regularly made at the United Nations. As social workers, we need to be more involved in these policy decisions by being part of coalition building, networking, and the participatory decision-making process promoted at the UN. Despite the strides made collectively at the UN, we face many challenges brought on by the recent pandemic, global poverty, climate change, induced migration, weakening democracies, and mounting populism.

The UN regularly hears from millions of individuals worldwide who want to affect decisions at the UN, and the voice of social workers should be included. If an individual is not representing a government, the chances are that the individual represents a nonprofit organization known as a non-governmental organization.

Non-governmental organizations (NGOs) have proliferated and become influential players in global and domestic policies in almost all countries since World War II. The growth in NGOs has changed how social, economic, and other public policies are developed and increased human rights visibility on policy agendas, particularly after the Cold War. UN agencies have long relied on NGOs for service or knowledge provision, and these relationships have spurred the growth of NGO involvement at the UN. Much

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NGO activity is intended to influence the political and policy directions at the UN. NGOs are a valuable source of information for policymakers at the UN. Social workers' expertise on the issues of concern can facilitate decisions that support communities and families who are struggling. NGOs often use formal ways to feed their information to UN policymakers, such as through annual sessions, committees, meetings, or special officials. NGOs are also able to influence UN officials and governmental representatives informally. Both formal and informal processes to deliver information to UN decision-makers by NGOs can be used in official reports by UN staff and by governmental representatives in their statements (Martens, 2004). Through NGOs, social workers can share their expertise on social, economic, and environmental issues with policymakers to influence their decisions on these matters.

As advocates for change, social workers should be aware of the avenues for advocacy at the UN and opportunities for interdisciplinary collaboration. This paper reviews the growth of NGO influence at the UN, the emergence of transnational advocacy, the roles of different actors, and opportunities for social workers to contribute to policymaking and promoting human rights at the UN. It illustrates two recent advocacy efforts at the UN: the UN General Assembly Third Committee and another at the UN High-level Political Forum (HLPF). The examples will demonstrate real-life ways in which social workers can shape policy at the UN.

Transnational Advocacy

Transnational advocacy refers to advocacy efforts beyond national boundaries to further a nation's convergence with social and cultural norms regionally and internationally (Keck & Sikkink, 1999). Opportunities for dialog increase by developing transnational advocacy networks among civil society organizations and NGOs, states, and international organizations (Keck & Sikkink, 1999).

For example, post-World War II, transnational advocacy networks around human rights emerged due to the persistent gap between states' human rights rhetoric and practices (Schmitz, 2018). Most times, global and domestic activists focus on challenging governments from above and below. Transnational NGOs create linkages and exert pressure on governments domestically and internationally through other NGOs and NGOs working with foreign governments or international organizations to pressure countries to yield to universal norms such as human rights (Brysk, 1993). Unlike more formal diplomatic processes, NGO efforts can often be accomplished with fewer material resources (Brysk, 1993).

Transnational activism also reflects the growing complexity of governance. As a result of transnational advocacy, states have had to accommodate outside opinions regarding

domestic practices and explain their actions to independent agents (Schmitz, 2018). State accountability to entities beyond itself has fit well with human rights principles and fundamentally challenges state sovereignty and primacy in world affairs (Schmitz, 2018). Technology has provided opportunities for transnational advocacy to flourish. Domestic and international NGOs are key actors within global networks, collecting and disseminating information related to their principled causes (Keck & Sikkink, 1999). Transnational advocacy is an organic outcome of the UN convening of states worldwide.

Non-governmental Organizations (NGOs) at the United Nations

The UN coined and legitimized the term "NGO" at the San Francisco UN founding conference in 1945 and has since actively involved NGOs and civil society in global policymaking (CIVICUS, 2014; Missoni & Alesani, 2013). The United Nations Department of Public Information (DPI) defines an NGO as "a not-for-profit, voluntary citizen's group that is organized on a local, national, or international level to address issues in support of the public good" (United Nations, n.d.). NGOs include international charities such as OXFAM and Save the Children, research institutions, churches, community-based organizations, lobby groups, and professional associations. Social work interests are represented by the International Association of Schools of Social Work (IASSW) and the International Federation of Social Workers (IFSW). Social workers' interests are also represented by the International Council of Social Welfare (ICSW); however, ICSW membership is not limited to social workers.

Traditionally, NGOs are value-based organizations that depend primarily on charitable donations and voluntary service. NGOs may provide services, humanitarian functions, represent the voice of the people/citizenry, and may inform governments or provide services at the request of governments or in lieu of governments. Some NGOs monitor policy and program implementation and are essential for civil society stakeholder participation in policymaking. NGOs have become increasingly influential in world affairs, including as channels of substantial portions of total overseas development aid (Nelson, 2006).

There are NGOs that focus on domestic and community issues, and NGOs whose focus is international and may have sites in different parts of the world. The latter is sometimes referred to as an international non-governmental organization (INGO) (Ben-Ari, 2013). Examples of INGOs are Human Rights Watch, Amnesty International, World Association of Girl Guides and Girl Scouts (WAGGGS), World Organization of the Scout Movement (WOSM), and World

Vision International. By definition, all NGOs are nonprofit organizations that operate independently of government. Whether an NGO's focus is domestic or international, an NGO whose work is relevant to the UN Economic and Social Council (ECOSOC) may apply for representation at the UN (United Nations, 2018a).

NGOs are different from intergovernmental organizations (IGOs). An intergovernmental organization is generally composed of sovereign states (countries) established by an international treaty to work on specific goals (Bouwhuis, 2012). The UN itself is an IGO that was created in 1945 to maintain international peace and security by encouraging member sovereign states to work cooperatively toward solving global problems of an economic, social, cultural, or humanitarian character by promoting respect for human rights and fundamental freedoms for all (United Nations Charter, 1945). Other examples of UN-based IGOs are the International Labor Organization (ILO), the World Bank Group, the United Nations Children's Fund (UNICEF), International Organization for Migration (IOM), and the World Health Organization (WHO). IGOs usually have a formal, permanent structure with various organs to accomplish their tasks.

NGO Consultative Status at the United Nations

Many international NGOs were founded during and after World War II, some of which would later become the large development INGOs like SOS Children Villages, Oxfam, Catholic Relief Services, CARE International, and Lutheran World Relief. NGOs have swelled in number, especially since 1980. In 1946, 41 NGOs held consultative status at the UN. By 1992, this grew to 900 NGOs officially represented at the UN, and in 2021 the number of NGOs who have active consultative status through ECOSOC is approximately 5600 (Strandenaes, 2014; NGO Branch Department of Economic and Social Affairs, n.d.). About 12,000 NGOs work with the UN, more than half do not have ECOSOC status (NGO Branch Department of Economic and Social Affairs, n.d.).

Not only did NGOs grow in number, but the range of NGO interests broadened as well (United Nations, 2018a).

The UN Charter (1945) initially recognized only three main groups of actors in the UN negotiations and policy-making: (1) member states, (2) intergovernmental organizations (IGOs), and (3) NGOs and other stakeholders. Other stakeholders refer to groups that do not have official status at the UN but work on UN related issues. However, the influence of "other stakeholders" at the UN has grown too, and their role at the UN has been formalized, as is discussed below.

The legal basis for the consultative relationship between the UN and NGOs is the original Charter of the United Nations. Article 71 says that the UN Economic and Social Council "may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence" (United Nations Charter, Article 71). NGOs contribute to the work of the UN by providing technical analysis and expertise to the offices and agencies of the UN system. These NGO contributions are the principal means through which ECOSOC receives input from NGOs. In turn, ECOSOC uses the information in its deliberations at public meetings, UN international conferences, and preparatory meetings. NGOs can give their opinions on social and economic matters, but they do not have an official role in the UN's intergovernmental negotiation and decision-making process.

As summarized in Table 1, NGOs can receive one of the three consultative statuses of ECOSOC: general, special, and roster. The NGO with general consultative status has the most privileges, including attending UN meetings, designating UN representatives, being invited to UN international conferences, receiving all documents, proposing items for ECOSOC and DPI agendas, circulating written statements that become part of the official record, and speaking at ECOSOC and other subsidiary bodies meetings (Missoni & Alesani, 2013). Such organizations tend to be large and have a broad geographical reach. Special consultative status is for NGOs with competence in a few issues, and roster status is

Table 1 NGO permissions at the United Nations according to consultative status

	General	Special	Roster
Attend UN meetings	✓	✓	✓
Designate UN representatives	✓	✓	✓
Invited to UN international conferences	✓	✓	✓
Propose agenda items for ECOSOC agenda	✓		
Circulate statements at ECOSOC meetings	2000 words	500 words	
Can speak at ECOSOC	✓		
Circulate statements at ECOSOC subsidiary bodies' meetings	2000 words	1500 words	
Can speak at ECOSOC subsidiary bodies' meetings	✓	✓	
Must submit quadrennial reports	✓	✓	

Source: United Nations Department of Economic and Social Affairs

for NGOs that ECOSOC considers can occasionally contribute to its work (United Nations, 2018a). These are normally organizations with a narrow or technical focus.

Accreditation may be given to specific conferences and other one-time events, permitting considerable participation and lobbying in informal sessions, but does not allow a continuing relationship with the UN. NGOs may hold “parallel” meetings at international conferences called NGO Forums. These forums feature speakers, booths, and workshops.

As influential as NGOs can be at the UN, NGOs are by no means considered to have equal footing with member states at the UN. NGOs involved in transnational advocacy through the UN may act on specific policy independently, through UN NGO committees or transnational NGO networks. NGOs have played key roles in developing significant global policies. For instance, NGOs led campaigns on the representation of women; co-hosted events at the annual ECOSOC Commission on the Status of Women (CSW) attended by thousands of NGOs across the world to contribute to the UN debates on gender equity; heralded efforts to address violence against women leading to the adoption of the 1993 Declaration on the Elimination of All Forms of Violence Against Women. Another example is the adoption of the 2006 Convention on the Rights of Persons with Disabilities (CRPD), an effort led by the International Disability Alliance (IDA), a transnational network of NGOs and other groups. CRPD is unique because it affords civil society a special place in enforcement and monitoring compliance (Sabatello & Schulze, 2013).

Major Groups and Other Stakeholders at the United Nations

The UN first developed the concept of Major Groups and Other Stakeholders (MGoS) in Agenda 21 at the 1992 UN Conference on Environment and Development in Rio (Earth Summit). As the UN took more decisions that affected local governments, businesses, science, and research — these groups wanted to have a say in UN decisions. The effective engagement of civil societies and NGOs came to a head at the 1992 Earth Summit (Standenaes, 2014). The purpose of the Earth Summit conference held in Rio de Janeiro in Brazil was to reconcile worldwide economic development with the protection of the environment. At the time, the Earth Summit was the largest gathering of world leaders, with 178 nations and 30,000 people (including press members) attending. About 2400 NGOs were represented (Meakin, 1992).

The UN created nine Major Groups to organize the divergent interests of thousands of participating NGOs and individuals attending the Earth Summit: Women, Children and Youth, Farmers, Indigenous Peoples, Workers and Trade Unions, Local Authorities, Science and Technological

Community, and Business and Industry. Each Major Group includes representatives from various civil society sectors, commercial corporations, hybrid organizations, and partnerships. Beyond the Major Groups are “Other Stakeholders,” referring to groups for the aging, the disabled, volunteers, and others. Not all members of the Major Groups have consultative status at the UN.

The UN DESA Division for Sustainable Development Goals (DESA/DSDG) coordinates the Major Groups and Other Stakeholders (United Nations, 2018b). The main benefit of the MGoS system for NGOs is that ECOSOC consultative status accreditation, a lengthy process that can take upwards of 1 year, is not required for membership to the MGoS. The MGoS include social service organizations and advocacy related to social work interests and are among the ways NGOs are represented at UN deliberations (Gabizon, 2016). The MGoS system represents the main channel of broad society participation facilitated by UN activities related to UN Sustainable Development Goals (SDGs) implementation. The main role of MGoS is to achieve sustainable development globally through the involvement of all sectors of society and all types of organizations and people (Gabizon, 2016). The MGoS were effectively engaged in developing the Sustainable Development Goals 2015–2030 and creating the High-level Political Forum on Sustainable Development (HLPF) in 2013.

The Structure and Functions of the United Nations

Fifty-one countries participated in creating the UN just after World War II in 1945. Today, 193 countries are Member States of the UN, and the Holy See and the State of Palestine hold Non-Member Observer States. The purpose of the UN is as follows: to maintain peace throughout the world; to develop friendly relations to help nations work together to eradicate poverty; to end hunger, disease, and illiteracy; and to encourage respect for each other’s rights and freedoms.

Today, there are five principal organs of the UN: the General Assembly (GA), the Security Council, the Economic and Social Council (ECOSOC), the International Court of Justice, and the UN Secretariat. The GA is the only one of the main organs where all Member States have equal representation: one nation, one vote (United Nations General Assembly, n.d.). Member states have the ultimate legal authority to make all policy decisions on issues of global concern at the UN. The GA is the main decision-making body with the mandate to make recommendations on peace and security, political cooperation, international law, human rights, and international collaboration on social, economic, cultural, education, and health issues (United Nations General Assembly, n.d.). Every year, from September to

December, the heads of states and UN permanent national delegations gather at their major meeting, the GA, at the UN Headquarters in New York to discuss and negotiate solutions to global issues. Member states engage in multilateral negotiations, that is, negotiations between two or more state actors and other stakeholders on several pressing issues. They adopt their decisions in UN resolutions that can be legally binding and require further action (United Nations General Assembly, *n.d.*).

UN member states' national delegations work around the year between GA meetings, proposing and negotiating global policies largely through six GA committees: First Committee — Disarmament and International Security Committee; Second Committee — Economic and Financial Committee; Third Committee — Social, Humanitarian and Cultural Committee; Fourth Committee — Special Political and Decolonization Committee; Fifth Committee — Administrative and Budgetary Committee; and Sixth Committee — Legal Committee.

Of particular interest to social work is the work of the Third Committee. The Third Committee focuses on human rights issues, including reports and resolutions of the Human Rights Council, established in 2006. The Committee also discusses intensive social issues relating to the advancement of women, the protection of children, indigenous issues, the treatment of refugees, the promotion of fundamental freedoms through the elimination of racism and racial discrimination, and the right to self-determination. It also addresses important social development questions such as issues related to youth, family, aging, persons with disabilities, crime prevention, criminal justice, and international drug control (UNGA official document A/C.3/75/L.1/Rev.1, 2020).

Non-state Actors at the UN

State actors are representatives of member governments at the UN, while non-state actors are not. Non-state actors include intergovernmental bodies such as the UN Secretary-General, the UN Secretariat, UN funds, programs, and specialized agencies; other international organizations such as transnational hybrid organizations and global private–public partnerships such as Global Compact, and civil society in the form of accredited NGOs and MGoS that include the business sector and other stakeholders (Kamau et al., 2018; Missoni & Alesani, 2013).

The UN system is a large and complex machine made up of over 55 UN organizations and agencies. UN Secretary General and its Secretariat, together with several specialized and technical agencies shape the GA agenda (Allan & Hadden, 2017). They also administer and manage the UN system internally to make it functional for the member states and non-state actors.

Social Workers at the United Nations

Social workers are employees, leaders, and advocates in many NGOs accredited at the UN. Social workers are present across the world working in international and local organizations, from large humanitarian organizations such as Médecins Sans Frontières to faith-based international networks to smaller nonprofits in various countries (Mama, 2012). The role of social workers in this capacity is to add legitimacy and credibility to the NGOs who claim representation of their constituencies at the UN. Social workers are uniquely positioned in the organizations to channel the voices of clients and communities in support of NGO transnational advocacy efforts at the UN.

Many social work students have their field internships at NGOs in New York City and Geneva represented at the UN or are placed at UN agencies in various countries. Students with these field placements learn about global issues, the general system of NGO advocacy, and UN agencies' structures and functions. At NGOs represented at the UN, students are regularly tasked with collecting testimonies, drafting statements, participating in the UN meetings, and following up with NGO committees and coalition members' work.

Three international social work organizations have official consultative status through ECOSOC: IASSW—received consultative status in 1947; IFSW—received consultative status in 1959; ICSW—received consultative status in 1972 (Mama, 2012). The UN representatives of these organizations organize various events such as the annual Social Work Day at the UN, parallel and side events in conjunction with other NGOs and non-state actors, and also submit and circulate statements on issues of social work concern to various UN committees, agencies, meetings, and conferences.

Advocating at the High-Level Political Forum (HLPF)

The High-level Political Forum (HLPF) accords NGOs and MGoS the most far-reaching participatory privileges in the history of the UN. It is considered the preeminent unit within the UN to work with sustainable development issues (Strandenaes, 2014). The HLPF replaced the Commission on Sustainable Development in July 2013 (UN General Assembly Resolution A/67/290). HLPF is an intergovernmental body charged with identifying emerging issues, reviewing progress in implementing Sustainable Development Goals (SDGs), and continually integrating economic, social and environmentally sustainable development. The HLPF is

held under the auspices of the GA and of the ECOSOC. Every 4 years, the President of the GA convenes the HLPF for 2 days, and each year it is convened by the President of ECOSOC for 8 days (UNGA Resolution 67/290, 2013).

The HLPF plays a central role in the follow-up and review of the 2030 Agenda for Sustainable Development and the SDGs globally, including conducting regular reviews of national implementation of the SDGs. HLPF reviews are voluntary, state-led, undertaken by developed and developing countries, and involve multiple stakeholders. Hence, they are called Voluntary National Reviews (VNRs). VNRs aim to facilitate the sharing of experiences and lessons learned, as well as to strengthen the policies and institutions of governments and to mobilize multi-stakeholder support for the implementation of the SDGs (paragraph 79, the 2030 Agenda for Sustainable Development, 2015).

According to Strandenaes (2014), NGOs through the MGoS system have the following rights under the HLPF: to attend all official meetings of the HLPF; to access to all official information and documents; to submit and present written and oral contributions, including recommendations; to organize side events and round tables; and to self-organize around issues of interest.

While annual HLPF meetings take place at the UN, typically in July, months of preparation go into these meetings, and there are many opportunities for advocacy. The timeline depicted in Fig. 1 summarizes the process leading up to the 2021 annual HLPF.

Social workers interested in influencing UN deliberations on an issue of interest have several opportunities to advocate at the HLPF. They can do the following:

- Attend Voluntary National Review (VNRs)
- Participate in Regional Forums on Sustainable Development (RFSD)
- Advocate through MGoS, such as participating in drafting the position paper of MGoS
- Apply for and hold Side Events
- Engage in direct lobbying of member countries
- Review progress in SDG implementation at the national level and meet with the appropriate government departments early in the national VNR process to determine how the government will handle civil society inputs.

Example: Advocacy Through Position Paper of MGoS to the HLPF

Each MGoS has the opportunity to prepare a position paper, typically the joint effort of several groups working together, that is provided in advance of and as an input to the HLPF. Civil societies can promote active participation in the work of the drafting committee of the Major Group on the annual HLPF statement. A summary of the NGO Major Group (NGO MG) 2017 position papers can be found at: https://www.un.org/ga/search/view_doc.asp?symbol=E/HLPF/2017/2&Lang=E.

The advocacy initiative of Together 2030 is presented here as an example of how an NGO can engage in the

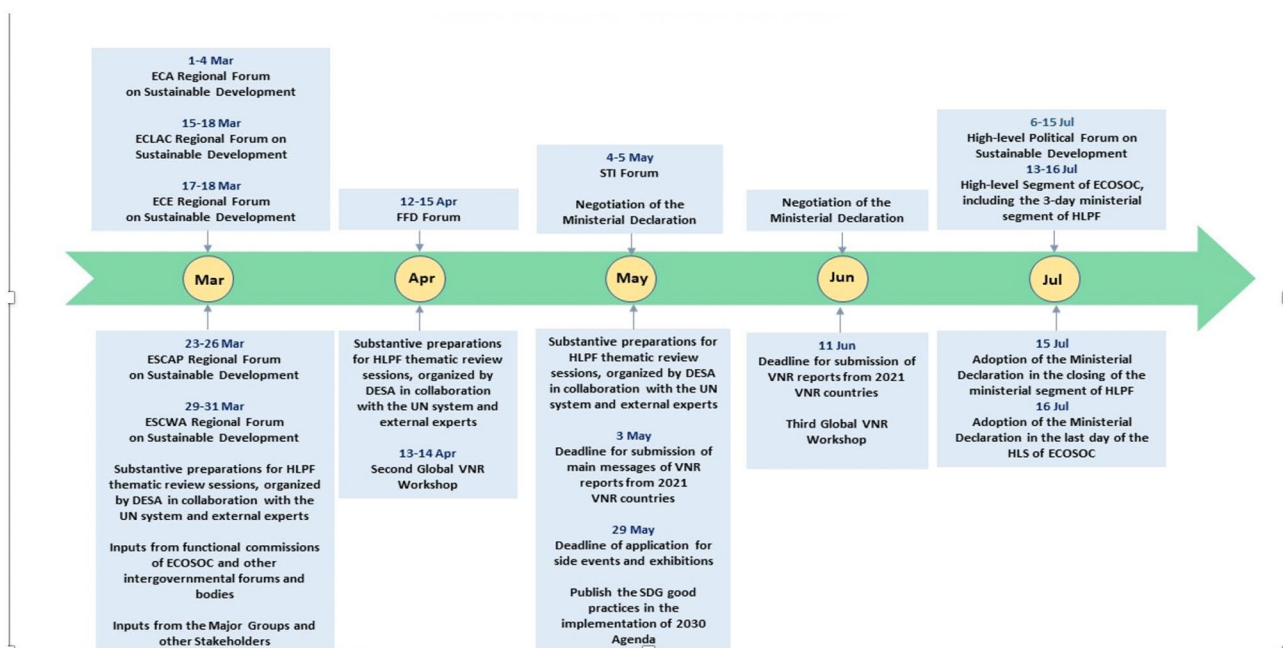


Fig. 1 Timeline for preparing for the 2021 high-level political forum

HLPF process. Together 2030 is a global, action-oriented initiative aiming to generate and share knowledge on the implementation and accountability of the 2030 Agenda for Sustainable Development and the SDGs. It strives for different civil societies and stakeholders worldwide to be heard on the challenges and opportunities of implementing the SDG agenda. Together 2030 promotes the national implementation of the SDGs and independently tracks the progress of the 2030 Agenda for Sustainable Development by both supporting NGOs to contribute to the realization of the SDGs and ensuring that civil society plays a full and meaningful role in the implementation and follow up of Agenda 2030 at all levels. Sharing knowledge and experiences of implementation and accountability, working together on global, regional, and national advocacy, and tracking progress is at the core of Together 2030's work.

The initiative was started by the following organizations: EPEI (Colombia), Justice, Development and Peace Commission—JDPC Ijebu-Ode (Nigeria), Philippine Social Enterprise Network (Philippines), Save Matabeleland (Zimbabwe), Sightsavers (Global), and World Vision (Global). As of November 2019, 753 NGOs were members of Together 2030 from around 109 countries. Seventy-two percent of the NGOs are based in developing countries, and 28% are in developed countries or are global organizations.

Together 2030 meets with MGoS, UN agencies, and UN member state delegates to discuss SDG progress, develop strategies, influence upcoming themes of HLPF meetings, and keep others informed of challenges and successes in implementing the SDGs. It has a newsletter and website to keep civil society informed. In addition, Together 2030 helps build NGO capacity by being a part of SDG workshops.

The central theme of the 2017 session of the HLPF was “Eradicating poverty and promoting prosperity in a changing world.” Ahead of the 2017 HLPF, Together 2030 mobilized its “Global Advocacy Working Group” to prepare a position paper with key messages to governments and stakeholders on the themes of the 2017 HLPF. Before the HLPF, the position paper was further augmented to include national experiences from seven countries (Bangladesh, Brazil, Canada, India, South Korea, Togo, and the UK). The position paper developed raised concerns around participation, accountability, and transparency. Its paper, *Balancing the Pillars: Eradicating Poverty, Protecting the Planet, and Promoting Shared Prosperity*, can be found here: <https://www.together2030.org/wp-content/uploads/2017/07/FINALv3-T30-HLPF-2017-Position-Paper-June-2017-2.pdf>. The full text was also published at the HLPF 2017 UN official website as a thematic paper.

Example: Advocating Through the Third Committee of the UN General Assembly

The GA allocates most of its work to its six main committees — they each take up different issues and present draft resolutions and decisions to the plenary of the GA. All UN Member States are represented in each of the six committees. NGOs cannot participate in the GA plenary but can work with the GA committees. Social policy and human rights issues are carried out by the Third Committee, including the advancement of women, drug control, and refugees. The Third Committee meets annually for 8 weeks every October and November. Formal meetings of the Third Committee are open to anyone holding a UN pass, including NGOs with ECOSOC consultative status (UNGA official document A/C.3/75/1, 2020; Third Committee Organization of work, UNGA official document A/C.3/75/L.1/Rev.1, 2020).

The agenda of the Third Committee remains similar from year to year, with only the occasional change (UNGA official document A/C.3/75/1, 2020). For example, a specific event such as a special session or a thematic year or decade relevant to the Third Committee's work might be added to the agenda. Following the creation of the Human Rights Council in 2006, the Report of the Human Rights Council appears regularly on the agenda of the Third Committee.

The political value of a Third Committee resolution compared to a Human Rights Council (HRC) resolution is difficult to gauge. On the one hand, the HRC is the UN body exclusively responsible for promoting and protecting human rights. On the other hand, a Third Committee resolution is the expression of all 193 Member States (compared to 47 in the HRC). Whether Third Committee resolutions are more widely or fully implemented than HRC resolutions is difficult to say.

Example: Advocacy Through UNGA Third Committee Resolution on Report of the Human Rights Council

One of the purposes of the UN is to bring controversial issues to the table where different perspectives can air, and member states can achieve peaceful resolutions. The recognition, legality, and protection of an individual regarding sexual orientation and gender identity is an example of a controversial issue at the UN. Although many UN member states individually adopted laws to extend the same protections all other people receive to the LGTBQ+ community, including the prosecution of anyone who violates those rights; some UN member states have established laws to block such reforms, including prohibiting public discussion of homosexuality and transgender rights and criminalizing same-sex relationships. Discrimination, harassment, and persecution lead to violence against LGTBQ+ individuals in too many cases.

With responsibilities of ensuring the universal respect of and observance of human rights and fundamental freedoms for all, the UN has been facing a challenging task in upholding LGBTQ+ rights. On the one hand, the former UN Secretary-General Ban Ki-moon and current UN Secretary-General Antonio Guterres have been strong advocates for protecting and promoting LGBT rights within the UN system and worldwide. UN agencies, peace operations, and political missions at the country level have policies that prohibit discrimination against LGBT individuals. On the other hand, a substantial number of member states who oppose LGBT rights and in their own countries have laws that prohibit public discussion of homosexuality and transgender rights, criminalize same-sex relationships, and allow for discrimination, persecution, and violence against LGBT individuals.

The controversy is that national sovereignty as a bedrock principle of international relations has often been used as a pretext for violating human rights. The UN has no mandate to force member states to change their national policies, laws, and regulations, but only may bring specific allegations of human rights violations to the discussion by relevant UN intergovernmental bodies, primarily its Human Rights Council. The HRC can initiate a state-to-state review and may decide to conduct country visits, send an inquiry to concerned member states, request feedback from the member states, etc.

In addition, the existing international human rights law and subsidiary treaties on LGBT rights contradict themselves, specifically regarding same-sex marriages. For example, Article 16 of the Universal Declaration of Human Rights (UDHR), adopted by the GA in 1948, states that “Men and women... have the right to marry and to found a family” (United Nations, 1948). Similarly, one of the core international human rights legal instruments, the International Covenant on Civil and Political Rights (ICCPR), declares in Article 23 that “the right of men and women of marriageable age to marry and to found a family shall be recognized” (UNGA, 1966). These statements have been interpreted as promoting a traditional view of marriage. Several regional and international courts have upheld this traditional interpretation (Coleman, 2016).

Despite this ambiguity, Secretary-General Ban Ki-moon delivered a speech in 2012 titled “The Time Has Come” to the United Nations HRC, urging the Council to emphasize combating homophobia and promoting LGBTQ rights worldwide. In response, several member state delegates organized a walk-out protest during the speech (Coleman, 2016). In 2013, Ban described LGBTQ rights as one of the neglected human rights of our time, saying that religion, culture, or tradition could never justify the denial of basic rights (Coleman, 2016). And yet, when the HRC proposed a resolution in 2014 to create an independent expert at the UN to monitor LGBTQI rights, it was defeated. The

opposition to the resolution was led mainly by the African Group of the Third Committee. There are five United Nations regional groups. The African Group is the largest regional group, composed of 54 Member States from the African continent. The African Group helps allocate seats on UN bodies by agreeing on nominations for candidates to represent the region on UN committees and build common positions for African members on complex issues.

While NGOs worldwide advocated before the proposed 2014 HRC resolution to create an independent expert, the resolution’s defeat intensified NGO advocacy efforts. A campaign was formed consisting of 628 NGOs from 151 countries (Human Rights Watch, 2016). Seventy percent of the NGOs participating were from the global south, and the initiative was led by NGOs from Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico, and Uruguay (Human Rights Watch, 2016). This coalition prepared a statement supporting the independent expert’s mandate that over 1300 NGOs from 174 countries signed. It also urged members to reject any procedural tactics such as no-action motions used in 2014 against the mandate because it shuts down the constructive debate (IHSR, 2016).

NGO advocacy has been firmly and consistently supporting actions within the UN system on this issue for years. In September 2015, 12 UN agencies released a joint statement condemning violence against LGBT people and promoting a long list of LGBT rights, many of which have never been recognized by international law. In November 2015, the United Nations Development Programme (UNDP) and the United Nations Office of the High Commissioner for Human Rights (OHCHR) announced that they were jointly developing a Global LGBTI Inclusion Index for implementing the 2030 Agenda. As all 193 UN Member States are subject to the Universal Periodic Review (UPR), the UN’s most prominent method of evaluating human rights implementation, the UPR offers additional advocacy opportunities for LGBTQ rights defenders from across the world (Coleman, 2016).

On June 30, 2016, following years of civil society efforts and the commitment of key member states, the UN HRC voted to create a new independent expert on protection against violence and discrimination based on sexual orientation and gender identity ([Resolution A/HRC/32/2](#)). HRC resolutions are forwarded to the Third Committee, where they are generally noted, indicating that it has considered them (UNGA Resolution 62/219, 2007; 63/160, 2008; 64/143, 2009; 65/195, 2010; 66/136, 2011; 67/151, 2012).

However, the African Group of the Third Committee — who traditionally prepares a Third Committee resolution to adopt the report of the Council in its entirety — attempted to challenge the Council’s decision when it passed to the GA for consideration. Specifically, the Group called for a deferral of consideration of and action on the Council’s decision

to create the role of the independent expert as to allow for more time for consultations.

The controversy centered on promoting LGBTQ+ rights and how it would affect member states whose laws ignore the rights of LGBTQ individuals. Therefore, when the African Group in the Third Committee tried to block the resolution of the HRC in 2016 to create a mandate for an Independent Expert on Sexual Orientation and Gender Identity ([Resolution A/HRC/32/2](#)), news of the NGO efforts motivated an unprecedented scale of advocacy by NGOs at the UN. On 15 December 2016, 870 NGOs from 157 countries worldwide signed a letter calling on all countries to defend the mandate (ISHR, 2016). Eventually, the African Group was defeated in the Third Committee. The whole process took six separate votes: two at each of the UN Third and Fifth Committees (to endorse the budget of the Independent Expert) and then at the GA Plenary to confirm the creation and funding of the new UN Independent Expert. The mandate was created in December 2016 for an initial period of 3 years and was renewed in June 2019 under [UN HRC resolution 41/18](#).

Conclusions

The civil society and NGOs, representing the diverse interests of the population, including its most vulnerable groups, have a distinctive perspective and play a crucial role in international affairs. Their alternative voices have become an integral part of the UN system's process of deliberation and world politics more generally. Whatever ideas are under discussion (human rights, gender, children, or minority groups), voices coming from outside governments are essential to the quality of the conversation within the UN and the global conferences. They have often made decisive contributions ensuring the relevance and value of debates and decisions, and ensuring governments themselves acted and remained accountable, especially in the case of women and children, the environment, and human rights. Transnational advocacy is likely to continue to grow in the future.

A case in point is the UN SDGs. They were designed with direct participation from more than 10 million people globally over 3 years and were launched in 2015 with the support of all 193 UN Member States. Major groups, other stakeholders, and traditionally accredited NGOs play a critical role in shaping, interpreting, monitoring, and implementing these ambitious goals. Similarly, the GA and its Third Committee is the largest body of the UN responsible for taking up human rights issues. Its membership includes all 193 Member States of the UN. While the opportunities for NGOs to engage with the Third Committee are limited, it is nonetheless an essential space for NGOs wishing to press the UN and Member States to address violations of human rights and the promotion of respect for human rights for all.

The case examples presented in this paper highlight two important qualities regarding social work advocacy through NGOs at the UN. The first is the value NGOs bring their knowledge about a social issue. NGOs contribute to the knowledge base at the UN and the UN's ability to make better decisions. One of the core tenets of human rights-based advocacy is giving voice to all stakeholders when we make decisions (Gatenio Gabel, 2016). Together 2030, for example, brought in-depth knowledge from within countries of the experiences in implementing the SDGs. This was an essential contribution that NGOs made to the SDG process. The second case presented regarding an HRC mandate to establish an independent expert to monitor human rights violations against LGBT people, the implementation of anti-discrimination laws, and to be an international voice for sexual orientation and gender identification issues, demonstrates the importance of understanding the process of how resolutions move through the UN system and the points at which there are opportunities to influence decisions at the UN. By coming together as a coalition, the NGO advocates overcame opposition on the UN Third Committee to see the successful passing of the HRC resolution.

Social workers' interests are regularly represented on UN Committees, NGO coalitions, alliances, and UN events by the IASSW, IFSW, and ICSW. Although there is no tally of social workers working with and for the UN system, it is reasonable to assume that thousands of NGOs around the world are headed and staffed by social workers, many of whom have at some point advocated for change at the UN. This is important for social workers interested in becoming more involved at the UN to bear in mind. Social work students can inquire whether their school or their field placement organization has consultative status at the UN and whether they can participate in their activities at the UN as part of their internship experience.

Another way for social work students or practitioners to become involved at the UN is to volunteer to be part of advocacy efforts at the UN for an NGO. Consultancy status with the United Nations ECOSOC is not a requirement for NGOs and other civil society actors to participate in ECOSOC-sponsored programs, committees, and workshops. A list of the types of the ECOSOC-sponsored NGOs can be found at <https://research.un.org/en/ngo>. The COVID-19 pandemic forced programs, committees and workshops to meet virtually, allowing for greater participation of individuals not necessarily based near one of the UN's headquarters. As the UN reopens its doors for in-person events, it is likely that many of these online meetings will continue because of the wider participation it affords.

Students and practicing social workers can also reach out to UN agencies that work in areas of interest. Most UN organizations list volunteer opportunities on their websites. For example, if one's interest is in human rights, the Office

of the United Nations High Commissioner for Human Rights (OHCHR) has created multiple fellowship and training programs to increase civil society's role and participation in human rights mechanisms. OHCHR administers four fellowship programs: the Indigenous Fellowship Programme, the Minorities Fellowship Programme, the Human Rights LDC Fellowship Programme (supports graduate students from the least developed countries), and the Fellowship for National Human Rights Institutions Staff. In addition, OHCHR regularly organizes country and regional workshops and seminars for national actors, including members of civil society such as NGOs, to strengthen their capacity to contribute to the treaty reporting process and follow up on the recommendations of treaty bodies.

Understanding the UN system and how to influence decision-makers at the UN can be daunting. This paper discusses several ways that social workers can intervene at the UN, but there are other methods and strategies that can be pursued. Future development of knowledge products to assist social workers in understanding how different UN organs conduct their work and how to engage with them effectively are required to not only help social workers better understand the practices and procedures of UN organs and bring more transparency to their work but also contribute to strengthening the engagement of social workers with different UN inter-governmental bodies.

Declarations

Conflict of Interest The authors declare no competing interests.

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